Minutes of the Board of County Commissioners Meeting, held on March 25, 2015 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:  
Darius Allen, Chair  
Marianne Dunne, Vice-Chair  
Mike Yohn, Commissioner -absent  
Dennis Hunt, Interim County Administrator  
Jason Kelly, County Attorney  
Brittney DeHerrera, Chief Financial Officer  
Belina Ramirez, Office Manager

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

Addition of Employee Vacancy Request to Department of Human Services report.

M/S Dunne/Allen motion to approve the agenda of March 25, 2015 with addition.  
Motion was passed unanimously with Yohn absent.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:  
March 9, 2015 – Special Meeting  
Regular Minutes-March 11, 2015  
Public Hearing—SLV Solar 1041 Amendments

M/S Dunne/Allen motion to approve the Minutes of March 9, 2015 and March 11, 2015.  
Motion was passed unanimously with Yohn absent.

Approval of Bills/Obligations

M/S Dunne/Allen motion to approve the Bills/Obligations  
Motion was passed unanimously with Yohn absent.

Public Comment
Approval of Consent Agenda
MOU Victim Advocacy Services – Mineral County
MOU Victim Advocacy Services – Saguache County
MOU Victim Advocacy Services – Conejos County
MOU Victim Advocacy Services – Rio Grande County
County Treasurer’s Fund Report for February

Pull UAV Advisory Board Member Recommendation for more discussion

M/S Dunne/Allen motion to approve Consent Agenda
Motion was approved unanimously with Yohn absent.

Public Hearings

Minor Subdivision – Marcelo & Amelia Juarez

Ms. Juarez stated her daughter got married in July and is pregnant with twins so would like build soon.

Commissioner Dunne stated the Planning Commission addressed the septic systems.

Commissioner Allen asked if any comments were received from any of the surrounding neighbors. None stated Ms. Baird. They did sign they received the Code of the West.

List of Exhibits
1. Minor Subdivision Application Check List
2. Staff Report
3. Pre-Application Conference
4. Application
5. Receipt of Payment
6. Ownership and Encumbrance Report
7. Deed
8. Assessor Record
9. Receipt of Taxes Paid
10. Water Documents
11. Letter from Lien Holder
12. Survey
13. GIS Aerial View
14. List of Adjoining Property Owners
15. Letter to Neighbors
16. Public Notice for the Planning Commission
17. Public Notice for the BOCC
18. Notice to Applicant

m/s Dunne/Allen motion to approve Minor Subdivision No. 2 for Marcelo Juarez
Motion was approved unanimously with Yohn absent.
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2015 – S – 2

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY MARCELO AND AMELIA JUAREZ, COVERING PROPERTY LOCATED IN THE NORTHEAST ¼ OF SECTION 35, TOWNSHIP 38, RANGE 9 EAST, N.M.P.M., IN ALAMOSA COUNTY, COLORADO.

Commissioner Dunne moved for the adoption of the following resolution. Commissioner Allen seconded the motion.

WHEREAS the Board of County Commissioners now FINDS:

1. Marcelo and Amelia Juarez, have submitted an application for a minor subdivision covering the following described property:

   Tract 1, Marcelo Juarez Division of Land, the plat of which was filed on October 7, 1993 under Reception No. 265626, County of Alamosa, State of Colorado.

   said property being zoned Rural (RU);

2. Said applicant seeks to divide the above-described property into four parcels as follows:

   Tract 1A = 2.766 acres  Tract 2A = 2.00 acres

   Tract 3A = 2.00 acres  Tract 4A = 2.00 acres

3. The Alamosa County Planning Commission reviewed the application for a minor subdivision on March 11, 2015, following proper notice to the public and recommended approval of the application.

4. A public hearing was held on the proposed minor subdivision on March 25, 2015, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and no adverse testimony was given or received.

5. The Board of County Commissioners has determined that this application is pursuant to Article 5, Section 5.8 of the Alamosa County Land Use Development Code and is a division of land not within the purposes of Part 1 of C.R.S., 1973, Section 30-28-101, et seq. and is therefore exempt from the definition of a “subdivision” contained therein.

6. That the proposed use is consistent with the objectives and purposes of the Alamosa County Land Development Code, specifically that:
1. The minor subdivision is found to be consistent with the adopted plans and policies of the county as the property is in a Rural (RU) zoned district and the proposed subdivision does not change the residential use of the property; and

2. The plat complies with the Subdivision Standards of Article 5, Section 5.8 of the LUDC; and

3. The parcel has not been subdivided in the last 15 years; and

4. The Applicant has received the Right to Farm and Ranch Policy and the Code of the West; and

5. The Plat shows access to County Road 105 South through an existing 60’ utility and access easement to the south of the proposed lots that has already been approved by the Board of County Commissioners; and

6. The new parcels are in conformance to the LUDC in terms of setbacks, density; lot coverage; lot dimensions; yards and separations; and scale, massing, and coverage; and

7. There is no need or plan requiring any extension of public sewer or water lines; and

8. The parcels have access to road dedicated to the public use through the Solis Division of Land in 1992. This road will not be maintained by Alamosa County; and

9. No waivers from the Subdivision Standards have been requested; and

IT IS THEREFORE RESOLVED AND ORDERED that the minor subdivision is hereby granted upon the above-described property pursuant to Alamosa County Land Development Code as adopted on July 15, 2009, as amended.

Roll call vote resulting in approval: Commissioner Yohn absent, Commissioner Dunne and Commissioner Allen in favor.

DATED: March 25, 2015.

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(S E A L)

By

Darius Allen, Chairman

ATTEST:
Alamosa County Land Use

Ken Vanlorden, Rachel Baird, and Jinger Tilden were present.

Mosca Wastewater Infrastructure Improvement Project
Ms. Tilden spoke. They did receive the USDA grant for $15000. They approved Reynolds Engineering report in December. In March they held a 2nd Town Hall meeting. They had a lot of attendance from the community. The next few months they will establish a stakeholder board meeting to have meetings for residence of Mosca. They are working on funding options. The Project is moving forward. No lapse in working on resolution. Rachel Baird attended workshop on State Revolving Funds workshop. They have a lot of new regulations regarding the State Revolving Fund. 501c3 Rural Community Assistance Corporation contacted them and works with the USDA and helps facilitate the grant process. They help them with income studies, rate studies, and the community meetings. They talked with the Regional Project Manager with CDPHE Water Control Division Grants and Loan unit. He works with them towards the Small Community Wastewater Grant and the Water Quality State Revolving Loan Fund. They have also contacted and met with Christy Culp with DOLA for Energy Impact and Mineral Fund. She definitely thinks this is an option. She referred them to the Financial and Special District Management with DOLA that works with the CDPHE to determine eligibility for those funding options. He was very informative. In April they will meet with Christy, Eric Worker and Scott to talk about financing. We will give monthly updates on the Mosca project so you know what is going on.

Commissioner Dunne stated she was sorry she couldn’t make the Mosca meeting.

Commissioner Allen asked the timeframe of the report that was done by Reynolds Engineering. Ms. Baird stated because the two CDPHE fund regulations have changed and require an agricultural and engineering procurement process. They have a window where they could apply for a hybrid application. Eric Worker believes it’s reasonable but Scott doesn’t think it is feasible so they are in discussion. They are only enforcing regulations this year. They do a project needs assessment now but the preliminary reports have been standard. They do have an advantage because they know what the project costs is.

Commissioner Dunne asked if the USDA has given final approval and given them a check. They have an Engineer who is reviewing the report and the third party is reviewing and after that they will release funds. They did say they will be hearing from them next weeks.

Commissioner Allen suggested with the time restrain have you talked with Reynolds Engineering to refresh the report. They can do that stated Ms. Baird.

The Activities Report was presented. He attended a workshop on septic systems. There was a lot of information on new regulations, equipment, and methods. They provided a workshop for
soils training on February 20th. It was well attended. May 14 & 15 they will host a training workshop which is a two day class for anyone that wants to become certified for soils testing. He and Martin Reynolds Engineers are the only ones certified right now. It is put on the Colorado Water Association.

They have 1 commercial building application they are reviewing and 3 residential reviews. They completed their last ground water testing on landfill. They don’t have the final results yet. If everything goes fine they will be done. This was a two year process. He doesn’t expect any problems. He helped them and learned a lot.

They are amending the new septic regulations and adding a penalty section for violations. If they find a septic system that is inoperative they will have a process to notify landowner to take care of it.

Commissioner Allen asked how many installers they have that are licensed now. Five stated Mr. Vanlwarden. It is going to be different than in the past because they used to do the perk test. They no longer do this because of the time involved. Reynolds contacts with installer and make arrangements for backhoe to dig test pits, takes soil samples of different soil and do an analyze. The Chart tells what kind of system it will have to be. Some installers can do this if they are qualified. The reason for certification of the installers is to become a competent technician so they can do the soil samples themselves. They have to prepare a legitimate site plan. It is a minimum of two hours to complete process.

Commissioner Allen asked if they have any commercial septic systems installed. Yes Rustic Log Furniture, Scott Ericson’s, Budweiser, probably a dozen.

Commissioner Dunne hoped the state doesn’t keep changing regulations. If soil has more clay it would be certain engineering. Conventional system and Engineer systems are the two types they have. The Engineer system is if you cannot keep a soil treatment area an engineer has to design this. There is certain requirements for pumps. The Convention System used to cost$ 5,000 and now costs $10,000. Is this for only new systems asked Commissioner Dunne? For new systems and repairs stated Mr. Vanlwarden. The State won’t amend their regulations for two years.

Alamosa County Human Resources

Rural Workforce Subsidized Employment Fixed-Price Subcontract

Debra Gomez with Training Advantage was present. They operate employment training programs here in the San Luis Valley. They work in partnership with Colorado Department of Labor and they are collocated with the Workforce Centers in the Alamosa and Monte Vista offices. They provide services through the Workforce Investment Act. One of their programs is the Hire for Colorado Program. This is an initiative by Governor Hickenlooper. It is to work with people who are long term unemployed at least 6 months or longer. They can provide on the job training. There is funding through this program to pay 50% for the training. Recently they are working with a client that the county agreed to hire him. They could pay 50% for the first 240 days of training. It would benefit for the client for his need of gas, uniform, and equipment.
They developed a contract and would require signatures if approved. One of the other programs they have is a youth program. It works with participants who are not in school between the ages of 17-21 and looking for employment. They can do the same and pay 50% for first 240 days of training or they can pay wages directly to client for 3-4 weeks. Since July they assisted 150 throughout the valley most help with tuition and fees with Trinidad State Jr. College.

Commissioner Allen asked the training is up to 240 hours. They have a limited budget and want to help as many people as they can.

Connie Ricci Human Resources spoke. She has worked with these programs in the past and it has worked smoothly. They reimburse them for the initial training. They put that back into the salaries. They hired a detention officer which requires specific boots and belts which the program helped him. It is a 14 week training anyway. It is a minimal amount of work. It is a win win for them. It is a Collaboration.

Commissioner Dunne asked if this is a Federal program. Yes through the Workforce Investment act. The Adult program is capped out. They won't be refunded again until July 1st. It is for underemployed, unemployment and youth. If a client shows need then they can help them. July 1st is reauthorization so ages between 17-24 can do on the job training.

Commissioner Dunne asked what about screening felonies. Yes they do but the job opportunities would be limited. They try not to turn them away but work with them.

Mr. Kelly stated the only thing that comes in mind is the wording will hire, train, and retain. Retain is indefinite. It does imply indefinite but you have the right to let them go if they do not work out. They would like them to not terminate without notice to try to help correct the problem. They want them to keep them but they are at will. They could provide counseling to have a second change to correct problem. Ms. Ricci stated Debra calls monthly for a report.

Is this open to any employer asked Commissioner Allen?

Yes stated Ms. Gomez some employers they work with all the time.

m/s Dunne/Allen motion to accept contract with Training Advantage
Motion was approved unanimously with Yohn absent.

Alamosa County Sheriff

Sheriff Robert Jackson introduced New Investigator John Vasquez. He worked with the city 11 years and has been in law enforcement for 13 years. John has experience in drug investigations. He already assumed responsibilities for investigating issues in jail. He is a great asset to the Sheriff's office.

Commissioner Dunne stated she knew him when he was in high school that he part of a high school task force. She is proud of his choices. She knows he will make a difference in the community.
Department of Local Affairs

Christy Culp was present. They are moving forward with funding coming in. The next grant cycle deadline is April 1st. $35 million in funding available for projects throughout the state in Energy and Mineral Impact fund. Reese Brown left so they have an interim director right now.

The Community Development Block Grant for Tu Casa Children’s Advocacy center has been closed. The official monitoring letter was presented. $600,000 was the total cost for this project. It is a great asset for Alamosa County and the community. She knows it takes time to administer the funds so she thanked them.

A plaque was presented for the new Annex building. They helped fund this project so they are trying to get the word out where those dollars come from. The plaque read as followed:

Congratulations Alamosa County.
This project was funded in part by an Energy & Mineral Impact Assistance Grant administered by the Colorado Department of Local Affairs. These grant funds are derived by state severance taxes and federal mineral leasing royalties paid to the State of Colorado’s Energy & Mineral Industries.

Alamosa County Department of Human Services

Catherine Salazar was present.

The Financial Report for December 2014 was presented. These are final unaudited numbers.

The Ongoing Workload Summary Report was provided for February. The Adult Financial shows 277 cases. Colorado Works shows 137 cases, Food Stamps shows 2112 cases, and Medical Assistance shows 3660 cases. They finished the enrollment period for November 1, 2014 to February 2015. In Colorado 219,566 cases that were enrolled in Colorado of those cases 79,914 cases were Medicaid and CHP cases. The others went to the market place during this enrollment period. Last year they had 561 cases and this current enrollment period 242 cases came in to Alamosa County.

Monthly Food Assistance Issuance Report was presented. It showed $547,080 were issued for the month of February. Commissioner Dunne stated a report in the newspaper today showed 37% of children today is in poverty so she is appreciative of the Food Stamp Program.

The Recovery Collection Comparison was presented. In Food Assistance they collected $7,738.40 and in public assistance they collected $2,704.60. The Child Support Collection Comparison was presented. Year to date $282,217.59 has been collected. In May and June they will see an increase from tax collections. The Monthly Child Support Case Count showed 1167 cases.
Proclamation April 2015 – National Child Abuse Prevention Month

As a Nation and as a community, it is our responsibility to build a safe and nurturing society so that our young people can realize their full potential. During National Child Abuse Prevention Month, we renew our commitment to preventing child abuse and rededicate ourselves to working together to ensure that all children can have a bright and hopeful future.

Whereas, preventing child abuse and neglect is a community problem that depends on involvement of all people throughout the community.

Whereas, child abuse and neglect not only directly harms children, but also increases the likelihood of long term physical and mental health problems, alcohol and substance abuse, continued family violence and criminal behavior;

Whereas, child maltreatment occurs when people find themselves in stressful situations, without community resources and don’t know how to cope;

Whereas, the majority of child abuse cases stem from situations and conditions that are preventable in an involved and supportive community;

Whereas, child abuse and neglect can be reduced by making sure that each family has the support they need in raising their children in a safe and nurturing environment;

Whereas, effective child abuse prevention programs succeed because of partnerships created among social services agencies, schools, faith-based communities, civic organizations, law enforcement agencies and the business community;

Therefore, we do hereby proclaim

April 2015 as Child Abuse Prevention Month in the County of Alamosa and call upon all citizens, community agencies, faith-based groups, and businesses to increase their participation and commitment in our efforts to support families and protect our children from abuse and neglect, helping to ensure that each child can grow up in a secure and loving environment.

Done this 25th day of March, 2015.

The Alamosa County Board of Commissioners

Darius Allen, Chairman  Marianne Dunne  Michael Yohn

In 2012 Governor Hickenlooper announced a new Child Welfare plan called “Keeping kids safe and families healthy”. It was a detailed approach to keep kids safe which was brought up by the child welfare audit. In result the Child Welfare hotline was created which is 1-844-CO-4-KIDS. This is a statewide hotline that anyone can call to report child abuse and neglect. 589-7805 is
Alamosa County’s dedicated hotline number. They have workers designated two in the morning and two in the afternoon so if there is a call comes that comes in they can take the phone call. The intent of the hotline is a live person can be reached in the event of child abuse and neglect. Every call is confidential. Colorado State Patrol dispatch takes calls after hours and an on-call case manager is notified by them. Calls get forwarded to the County where the child resides.

Commissioner Dunne stated because of the work of Tu Casa and the Child Advocacy Center Alamosa looks bad at state records because Alamosa has a high rate of reporting child abuse. With this hotline other counties may see more reporting. Due to the increase of drug abuse in our area child abuse numbers have gone up stated Ms. Salazar. Children especially under the age of 2 need constant supervision and if a parent is impaired that inhibits their ability to properly parent supervise. Even marijuana is legal in the state it is a big deal especially when dealing with children at risk.

Commissioner Allen stated it is a shame how society has become.

Mr. Kelly stated it is unfortunate we have an epidemic drug and alcohol problem nationwide.

**m/s Dunne/Allen motion to approve Proclamation for April 2015 Child Abuse Prevention Month**  
Motion was approved unanimously with Yohn absent

**Employee Vacancy Request**

She has a vacancy in the Child Welfare Unit as a Case Aid. She is requesting the Board’s approval to fill the vacancy. A Job Description was presented.

Commissioner Dunne asked if this is something the Workforce Center could help with. Ms. Connie Ricci stated it is an entry level positon but would like to have someone that has a specialized skill such as some background working with children.

**m/s Dunne/Allen motion to approve the Employee Vacancy Request**  
Motion was approved unanimously with Yohn absent.

**Alamosa County Public Health**

Della Cox-Vieira, Whitney Shaw, and Ashley O’Conner were present. Ashley is a student nurse from Regis University. She graduates in May.

**State Survey Interview Results**

The state survey was conducted not only for certification but for licensure. They had several small deficiencies but did not find any major deficiencies.

One of the items found although they had Quality Assurance program in place that identified risk, trends, and implementing action plans there was a need for reporting to the Governing
Board on a regular basis. The structure they use is the Professional Advisory Committee (PAC). There is client confidentiality that may be sensitive to bring up at a Board meeting. She would like a representative of the Board to attend the PAC meeting and also ask the County Administrator to attend the meeting. They meet once a quarter. The next meeting is April 14th. Marianne Dunne stated she already goes to the Public Health Partnership meeting so she would be glad to do this. Commissioner Allen stated Commissioner Yohn has attended some of these meetings. Mr. Kelly stated she is talking about appointing one board member to attend and report back to the other board members. They need a consistent representation stated Ms. Vieira.

m/s Allen/Dunne motion to appoint Marianne Dunne as representative for PAC and report back to the other commissioners.

Motion was approved unanimously with Yohn absent.

Documentation came up in several areas, one is a challenge which helps clients get a complete medication list when discharged from the hospital. Medication reconciliation and getting it back to their main care provider. Clarification of missed visits is another. Physical therapy contracts need to be stronger particularly on reporting to a third party and also that they get the relevant policies and procedures. She needs to correct the contract that was approved at the last meeting.

m/s Dunne/Allen motion to sign contract with provisions after being reviewed by attorney

Motion was approved unanimously with Yohn absent.

At the last session the board approved a full time physical therapist. She did get a resignation of the other physical therapist. She would like to advertise for two positions.

m/s Dunne/Allen motion to approve a second physical therapist

Motion was approved unanimously with Yohn absent.

Interim County Administrator

Dennis Hunt spoke. He had a request from the SLV Regional Airport Board of Control of appointing Brittney DeHerrera as financial director until construction of new terminal is completed with signatory authority.

Commissioner Dunne requested Ms. DeHerrera take note of her time she spends on the airport. It is about accountability.

m/s Dunne/Allen motion to accept appointment of Brittney DeHerrera as Financial Director until the construction of new terminal is completed with signatory authority.

Motion was approved unanimously with Yohn absent.

Mr. Kelly stated they received an FAA letter stated the airport is out of compliance because it still has Carol Osborn as Airport Manager so to continue being compliant they must appoint an Airport Manager. Mr. Hunt did speak to the Airport Board and the direction they were going to take was to make Chris Mora as Interim Airport Manager. Because he is an employee of the county the Board must approve their decision.
m's Dunne/Allen motion to approve Chris Mora as Interim Airport Manger per recommendation of the SLV Regional Airport board.  
Motion was approved unanimously with Yohn absent.

Board/Staff Updates

Charlotte Bobicki was present. She stated the Veteran Affairs are tweaking the 40 mile requirement for veterans to go to doctor’s appointments. Dr. Vanardo is leaving here so they will be left with no doctor here.

UAV Advisory Board Member Recommendation

A recommendation for UAV Advisory Board Members is due April 1st. Mr. Kelly stated with the list of recommended advisory board you will have a large board. Also are they all going to be voters of the board? Commissioner Dunne stated Mr. Wisdom recommended two representatives from each county. They will discuss further.

Mr. Kelly stated he got an email from Constantine Diehl in regards to the COA the FAA said they won’t approve the COA application as presented. They put some strict guidelines such as they couldn’t operate within in 4 nautical miles of any public airport and cannot be below 1200 ft. above ground in Class G airspace. This limits where they could operate. The other issue is the FAA gave 48 hours to name an individual to have authorization in terms of getting in system to make sure process moves forward. Mr. Diehl is an employee of RTI so he has a vested interest. He is not concerned about this getting the COA itself but once that happens when they get further into the process there is a potential conflict. Commissioner Allen stated they could amend this once the COA is approved. Mr. Diehl has more knowledge than anyone he knows.

m’s Dunne/Allen motion to appoint Constantine Diehl as interim COA point of contact with Attorney Jason Kelly drawing up contract  
Motion was approved unanimously with Yohn absent.

They received an invoice from the City for tap fees of the new building. They had requested waiving tap fees but after reading the minutes they did accept this at that time but would approve separately. He can send a letter to the City of Alamosa requesting to waive the tap fees. It is for $6500 which $5300 is for water tap and $1200 for sewer tap.

m’s Dunne/Allen motion to ask the City to waive the tap fees for the County  
Motion was approved unanimously with Yohn absent.

Employee Vacancy Request

Mr. Kelly has an employee vacancy. He would like to advertise for an assistant attorney to fill that position with salary of $45,000-$48,000. There would be some benefits to have an assistant attorney to fill in as a licensed attorney when he is pulled into another direction. He has talked
with Catherine Salazar and would include her in the interview process. If no response he would advertise for a legal secretary. He needs someone in there soon.

m/s Dunne/Allen motion to begin process of hiring for an assistant attorney for the county
Motion was approved unanimously with Yohn absent.

Adjourn

There being no further business, the Regular Meeting of the Board of Alamosa County Commissioners was adjourned.

ATTEST:

Belina Ramirez, Office Manager

Darius Allen, Chairman

Marianne Dunne, Vice-Chair

Absent

Mike Yohn, County Commissioner
Minutes of the Public Hearing for Marcelo & Amelia Juarez was held on March 25, 2015 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present: Darius Allen, Chair
Marianne Dunne, Vice-Chair
Mike Yohn, Commissioner - Absent
Dennis Hunt, Interim County Administrator
Jason Kelly, County Attorney
Brittney DeHerrera, Chief Financial Officer
Belina Ramirez, Office Manager

Rachel Baird and applicant Amelia Juarez were present.

Proposal: The applicants are proposing to divide an 8.766 acre parcel into four tracts: Tract 1-A: a larger parcel of 2.766 acres and 2A-4A which are each 2.00 acres.

Project History and Background: The applicants are proposing to divide a parcel of land into four lots. The largest parcel, Tract 1A would retain the existing single family residence and associated outbuildings. The other three lots are intended to allow the applicant’s family members to build their own residence.

Public Notice: Adjacent land owners within 1,500 feet of the subject property have been notified by mail and notice was published in the Valley Courier.

Compatibility: The proposed subdivision is located in a Rural (RU) zoned district and is consistent with the regulations and the Master Plan of the county. Specifically, it fulfills the Alamosa County Land Use Development Code (LUDC) Minor Subdivision Standards of Section 5.8.1 in that the subdivision;
1. Has not been subdivided in at least 15 years;
2. Will not create more than three (3) additional lots;
3. Is in conformance with the goals, objectives, and policies of the Alamosa County Master Plan, Land Use and Development Code, and/or other County Guidelines specifically in that it falls within the three mile area of urbanization around the city of Alamosa that has been set aside for higher density development;
4. Each parcel has access to a public maintained road, County Road 105 South;
5. Each parcel has access to adequate to potable water in that the applicants have applied with the Division of Water Resources and have been approved for three in-house – only well permits for the new lots;
6. None of the parcels are within a Geologic Hazard Area, the floodplain, or Critical Wildlife Habitat Area.
Findings:
1. The Minor Subdivision is found to be consistent with the adopted plans and policies of the county as the property is in a Rural (RU) zoned district and the proposed subdivision does not change the residential use of the property.
2. The plat complies with the Subdivision Standards of Article 5, Section 5.8 of the LUDC.
3. The parcel has not been subdivided in at least 15 years.
4. The applicant received the Right to Farm and Ranch Policy and the Code of the West.
5. The plat shows access to County Road 105 S through an existing 60’ utility and access easement to the south of the proposed lots that has already been approved by the Board of County Commissioners;
6. The new parcels are in conformance to the LUDC in terms of setbacks; density; lot coverage; lot dimensions; yards and separations; and scale, massing, and coverage.
7. There is no need or plan requiring any extension of public sewer or water lines.
8. The parcels have access to a road dedicated to the public use through the Solis Division of Land in 1992. This road will not be maintained by Alamosa County;
9. No waivers from the Subdivision Standards have been requested.

Department Recommendation: The applicant has met all submittal requirements for a Minor Subdivision and there is no foreseen major impact to the land. The Land Use Staff has reviewed the proposed application and hereby recommends approval of the Marcelo Juarez Division of Land No. 2 application based on the information provided by the applicant.

Planning Commissioner Recommendation: The Planning Commission met on March 11, 2015 to discuss this application. They questioned whether utility infrastructure was available and to confirm that no neighbors had contacted the Land Use Office to object to the application. They also verified that the lot dimensions were comparable to surrounding lots. The Planning Commission voted unanimously to approve the Marcelo Juarez Division of Land No. 2.

Commissioner Allen asked if anyone is in favor of or opposition to this Minor Subdivision.

No comments were made.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2015 – S – 2

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY MARCELO AND AMELIA JUAREZ, COVERING PROPERTY LOCATED IN THE NORTHEAST ¼ OF SECTION 35, TOWNSHIP 38, RANGE 9 EAST, N.M.P.M., IN ALAMOSA COUNTY, COLORADO.
Commissioner Dunne moved for the adoption of the following resolution. Commissioner Allen seconded the motion.

WHEREAS the Board of County Commissioners now FINDS:

1. Marcelo and Amelia Juarez, have submitted an application for a minor subdivision covering the following described property:

   Tract 1, Marcelo Juarez Division of Land, the plat of which was filed on October 7, 1993 under Reception No. 265626, County of Alamosa, State of Colorado.

   said property being zoned Rural (RU);

2. Said applicant seeks to divide the above-described property into four parcels as follows:

   Tract 1A = 2.766 acres       Tract 2A = 2.00 acres
   Tract 3A = 2.00 acres       Tract 4A = 2.00 acres

3. The Alamosa County Planning Commission reviewed the application for a minor subdivision on March 11, 2015, following proper notice to the public and recommended approval of the application.

4. A public hearing was held on the proposed minor subdivision on March 25, 2015, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and no adverse testimony was given or received.

5. The Board of County Commissioners has determined that this application is pursuant to Article 5, Section 5.8 of the Alamosa County Land Use Development Code and is a division of land not within the purposes of Part 1 of C.R.S., 1973, Section 30-28-101, et seq. and is therefore exempt from the definition of a “subdivision” contained therein.

6. That the proposed use is consistent with the objectives and purposes of the Alamosa County Land Development Code, specifically that:

   1. The minor subdivision is found to be consistent with the adopted plans and policies of the county as the property is in a Rural (RU) zoned district and the proposed subdivision does not change the residential use of the property; and
2. The plat complies with the Subdivision Standards of Article 5, Section 5.8 of the LUDC; and

3. The parcel has not been subdivided in the last 15 years; and

4. The Applicant has received the Right to Farm and Ranch Policy and the Code of the West; and

5. The Plat shows access to County Road 105 South through an existing 60' utility and access easement to the south of the proposed lots that has already been approved by the Board of County Commissioners; and

6. The new parcels are in conformance to the LUDC in terms of setbacks, density; lot coverage; lot dimensions; yards and separations; and scale, massing, and coverage; and

7. There is no need or plan requiring any extension of public sewer or water lines; and

8. The parcels have access to road dedicated to the public use through the Solis Division of Land in 1992. This road will not be maintained by Alamosa County; and

9. No waivers from the Subdivision Standards have been requested; and

IT IS THEREFORE RESOLVED AND ORDERED that the minor subdivision is hereby granted upon the above-described property pursuant to Alamosa County Land Development Code as adopted on July 15, 2009, as amended.

Roll call vote resulting in approval: Commissioner Yohn absent, Commissioner Dunne and Commissioner Allen in favor.

DATED: March 25, 2015.

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(S E A L)

By

Darius Allen, Chairman

ATTEST:
There being no further business, the Public Hearing for Marcelo & Amelia Juarez was adjourned.

ATTEST:

Belina Ramirez, Office Manager

Darius Allen, Chair

Marianne Dunne, Vice-Chairman

Absent

Mike Yohn, County Commissioner