Minutes of the Board of County Commissioners Meeting, held on August 6, 2014 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present: Mike Yohn, Chair  
Marianne Dunne, Vice-Chair  
Darius Allen, Commissioner  
Jason Kelly, County Attorney  
Peter Kampfer, County Administrator  
Carol Osborn, Assistant Administrator  
Belina Ramirez, Office Manager

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

The addition of July 28, 2014 BOE Minutes under the approval of General Business and the addition Martin Reynolds Engineer Professionals Agreement under the Consent Agenda.

M/S Allen/Dunne motion to approve the agenda of August 6, 2014.
Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
   Regular Minutes-July 23, 2014
   Public Hearing Minutes-Manuel F Castillo-Ortiz
   Public Hearing Minutes-Valley Meds LLC

Corrections of page 5 of regular minutes the word should be “illegal” instead of “legal”, and page 8 of Blight Hearing should read “The property staff feels is in clear violation of the Ordinance”, and page 10 3rd paragraph of Valley Meds Public Hearing Minutes should read “Commissioner Yohn stated it is not the question of the benefits of medical marijuana. It is already allowed in Alamosa County. We are here for this permit”.

M/S Dunne/Allen motion to approve minutes of July 23, 2014, BOE Minutes, Castillo PH Minutes, and Valley Meds PH Minutes with corrections.
Motion was passed unanimously.

Approval of Bills/Obligations

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

Public Comment

Consent Agenda

2014 Legislative Committee Member Appointment
Consultant Agreement for Commissioning Services-Jeremy Rivera
2015 Alamosa County Commissioners Meetings & Holidays
Jviaion Revision 1, Amendment to No. 2 to contract dated 12/19/12
Martin Reynolds Engineer Professionals Agreement

Pull 2014 Legislative Committee Member Appointment to discuss further.

m/s Dunne/Allen motion to approve Consent Agenda without the 2014 Legislative Committee to further discussion.
  Motion was approved unanimously.

Commissioner Yohn asked if we had someone appointed before. We usually list all of us on there so they all could attend.

m/s Allen/Dunne motion to approve 2014 Legislative Committee Appointment
  Motion was approved unanimously.

Alamosa County Public Health

Della Vieira was present. She presented the Revenue Expenditure Summary.

1. Core Services updates.
   a. Assessment, Planning, and Communication:
      i. SLVPHP held a face-to-face meeting on 7-14, and I and the SLVPHP Coordinator updated the SLVCCA and COG on 7-21-14: topics discussed were details related to the structuring of the regional EH program, and scheduling EH Specialist to visit local BOHs in August and September to share fee schedules & forecasts, regulatory inspection and licensing duties, and other components of the regional program. **Schedule EH Specialist to present at 9/10 session?**
   b. Vital Records and Statistics: no updates at this time.
   c. Communicable Disease Prevention, Investigation, and Control:
      i. Regional EPI and PHN attending a TB training in Pueblo on 8/11/14.
      ii. Regional Epi has developed a rabies resource guide for at-risk professionals across the SLV: law enforcement, vets, US Fish & Wildlife, State Parks & Wildlife, PH agencies etc. **Copy of guide to BOH.**
iii. Influenza vaccination planning to start this month in PH; we will communicate updates at 9/10/2014 BOH session.

d. Prevention and Population Health Promotion:
   i. CHAMP took place at Sangre Schools Friday, 8/1/14, and will take place in Alamosa Schools from 8/5-8/14.
   ii. PH received subcontract back from SLVHealth for work on the current year’s grant. **Submit to BOH for signature.**
   iii. SLVHealth has agreed to take over fiscal management of grant activities for FY 2016, with ACPHD as subcontractor; this will be more efficient for both parties, and more appropriate since SLVHealth activities will be expanding to Rio Grande and Saguache Counties.
   iv. ACPHD will be providing stipends to PHN’s from other counties beginning in October, 2014, in exchange for PHN assistance to specialty clinics for children with special healthcare needs. Conejos County has signed; I can hold for signature of full set next month, if BOH is in agreement.

e. Emergency Preparedness and Response:
   i. Team lead is working on an ICS 100/700 course to be held 9/10/2014.
   ii. SLV Regional meeting 8/14/2014.

f. Environmental Health:
   i. Specialist conducted 14 regular food establishment inspections in July, and followed up on 1 complaint. She conducted 2 pre-operational visits, and 1 child care inspection. She received 4 complaints in a variety of areas.
   ii. EH Specialist held an onsite waste-water class, attended by 38 individuals from installers, to inspectors, to engineers, and PH officials. Course was taught by onsite waste-water expert from the State Health Department, and was well-received.

iii. **See attached report for summary of EH activities in June.**

g. Administration and Governance:
   i. Finance and Director have been working on draft #1 of the 2015 budget, and Director met with County Manager on the same 8/4/14.
   ii. Finance and Office Manager started system-building with YTIME Rep., and will follow-up with more information this week. We are on schedule to begin using this cloud-based system in October.

2. Home Health Program.
   a. Team has been meeting with clinic and hospital staff to work on documents needed for billing, to improve efficiencies in case management, tracking, billing at ACPHD.
   b. Agency hired 1 RN, and will be able to extend services to the northern SLV again, once the RN is trained. There has been a gap in HH services in that part of the SLV for the last several months.

3. Options for Long-term Care Program.
   a. Case managers are serving approx. 460 clients at this time, with an ave. of 92 clients/Case Manager, since we are down 2 case managers. We will be receiving applications to COB 8/7/14, and we will be interviewing on 8/15/14.
   b. 2 Case Managers, 2 PHNs, and Director attended a training 7/31/14 on inter-agency collaborations for child welfare, held at VWHS.

4. PCP Program.
   a. PCPs serving approx. 140 clients with personal care and homemaking services.

5. Financial activity.
Commissioner Yohn asked about CHAMP funding for next year. The SLV Health will be the fiscal agent but shouldn’t impact this greatly. They will continue to subcontract with Public Health for these services. It is something they all believe is a good program so she believes it will continue as long as they get the funding. Commissioner Dunne stated the comments on the Health Fair were maybe we could be more family friendly. It is hard for parents to take their children on different days, they feel they are breaking the rules if they take all their kids on one trip. It is difficult to take off of work each day.

Commissioner Allen asked if they need help because the report shown was from 4/30/14 which is three months behind. They are balanced through May but still waiting on some Home Health clients that were not reported so Emma didn’t want to give the report without those stated Ms. Vieira. It is going to be a long learning process. She feels Emma is getting more comfortable and catching on. Do you have anyone to back up Emma asked Commissioner Allen. For 2015 they will consider a shared person to help Environmental Health and HH billing stated Ms. Vieira.

**Alamosa County Noxious Weed Control**

Jinger Tilden was present.

*Noxious Weed Management Plan*

She took a model of Saguache and Rio Grande County’s Management Plan and combined them. Her plan is to get this adopted and get a board established.

Commissioner Allen stated once they put a board together maybe they could make changes. Maybe they could start a map where they should start. Start with neighbors south of Conejos County and north of Rio Grande and work inward.

Commissioner Dunne stated this another mandate that the State expects the counties to enforce. The education is important like putting pictures of the noxious weeds to identify in the newspaper of what they look like stated Commissioner Yohn. They will be putting a flyer with the taxes in November.

Mr. Kampfer stated the GIS/GPS is a good component.

Commissioner Dunne appreciates the priority list. Maybe take it to the schools so kids began to recognize the weeds. They need to find another way to educate.

Commissioner Yohn stated wild bird feed, thistle is in this and the sellers don’t know what they are selling. Maybe they can talk to the sellers of these products.

*m/s Dunne/Allen motion to accept Noxious Weed Management Plan*

  Motion was approved unanimously.

Alamosa County and SLV Landfill is in works in putting a Tire Collection and School Supply Drive. The 1st location is at SLV Regional Landfill and the second location is at Alamosa County Road & Bridge from 8-12 Saturday. All tires will be accepted. No commercial haulers. In lieu of fee they require a school supply donation. She appreciates all the help they have gotten from the valley. Ion Graphics have donated 3 signs for locations. Road & Bridge has been a great help, Tim DeHerrera sees this is a concern as they pick up many tires on the roads themselves. ACI has donated a Belly truck to put tires in and
they will haul tires to the landfill. She has spoken with all the Valley schools, newspaper, and the radio to get the word out. In lieu of school supplies they can put monetary donation to school name of their choice. Road & bridge are already accepting tires and school supplies. Once they collect the school supplies Lynnae Rappold and PH Nurses through the valley will distribute.

Commissioner Dunne asked if they got these announcements in Spanish. Ms. Pat Lucero is assisting them translating them to Spanish for the radio announcements.

Commissioner Yohn appreciated the two locations. He asked Commissioner Allen how they dispose of the tires. Commissioner Allen they are shredded to make a cover. They need 15,000 to make it worth shredding. Commissioner Dunne asked if they got extra volunteers to assist. Audrey from Road & Bridge has volunteered and 4 inmates will be assisting. At the SLV Landfill Jim Claire, herself, and all the landfill crew will be there. Andrew has allowed the use of his trailer to store the school supplies.

**Alamosa County Department of Human Services**

Laurie Rivera was present. They have a child welfare worker position. That person has resigned.

**m/s Dunne/Allen motion to fill employee vacancy**

**Motion was approved unanimously.**

They have a core services program. This is year 2 of a 3 year plan. It is for services they are mandated to provide services to remedy situations of abuse and neglect or youth in conflict. They are required to provide home base services, intensive family services, life skills, sexual abuse treatment, day treatment, Discover Group, Family Decision Making, Nurturing Parenting, Mentoring program, mental health services, and Drug and alcohol treatment services. It is the same plan as last year but their budget increased slightly. 80% is reimbursable from the state. It is due August 22nd. James Martinez will be presenting the final plan at the next Commissioner meeting. This year they are also submitting a program area 3 plan which has been in the works for the last few years. It is regarding to prevention and intervention and post adoption services. These are provided for families that don’t have a traditional case. Funds come from the main Core Services.

They will have a MOU also for the next Commissioner meeting. They are a Pilot County of 10 pilot counties for a demonstration project. It is to assess a child with trauma. Once the child is determined having trauma they will be referred to Mental Health. Their goal is catch the problems with trauma in the early stages. To get services for children and their families to prevent things in the future such as criminal behavior, substance abuse, and other issues that impact our community in so many different ways. Colorado Department of Human Services was granted a waiver through the US Department of Human Services. This needs to be handed in by September 1st. The Valley counties have provided $24,000 for services and training for social workers and mental health workers.

Commissioner Dunne stated it is good preventive health. She is proud we are one of the pilot counties. Is it associated with Tu Casa? At this point and time no they are pilot just with Mental Health stated Ms. Rivera. After the program is determined beneficial they will be able to open this up to other providers such as Tu Casa. Commissioner Dunne asked about children of immigrants. Do they have someone speak Kanjobal language? They work with the Immigrant Resource Center because they do not have someone in their office that speaks this language. Commissioner Yohn asked if the state has asked them
to take any children of immigrants because he is aware some have been sent to the metro areas of Colorado. No we have not and we do not have the facilities or homes for any stated Ms. Rivera. Commissioner Dunne state they don’t have families here that have any right now.

**Alamosa County Sheriff**

Dave Stong and Adam Abeyta were present.

The Monthly Detention Report was presented. 90 inmates was the daily average population. They have housed 18 inmates outside the facility. As of yesterday they had 11 females in Conejos County.

Commissioner Dunne asked about the females they have been interviewed so they don’t qualify for the pre-trial program. Some of them have been already on that program and don’t qualify again.

The Patrol calls for Service report was provided. They had 30 calls for alarms which were all false alarms. Commissioner Yohn asked if owners are being woken up to go along the alarm check. Yes they are stated Sheriff Stong. Commissioner Dunne stated they set up a charge for this didn’t they. They need to have a work session to go through this stated Kelly. They need to establish an administrative board.

**Appoint a Sergeant.**

The last employees during their exit review expressed no supervisor available. They need another sergeant to have one on each shift. They do have corporals on each shift but don’t always have a supervisor to cover the shifts. This always failed back on the senior patrol officer position. With all the turnover they don’t have a lot of experienced senior guys. There is a big gap. They would like to promote one sergeant. Between their supervisors they take on call rotations but there would be a corporal and a sergeant on all shifts at all times stated Mr. Abeyta. The pay would depend on who would be promoted. They would need supervisor training. Liability is an issue.

Commissioner Allen asked how this fits in their budget. Do you have someone in mind to do this? It would be a testing process. The effect on the budget would be $1,000-$8,000 a year. Do you have it in your budget right now? No stated Sheriff Stong.

Ms. DeHerrera stated because of the turnover sometimes they don’t have full staff so they don’t use all the funds. Prime example is they have been without a nurse the entire year. The salary may be there stated Sheriff Stong.

Commissioner Dunne stated their best security is boots on the ground. Needs to be someone experienced and trained in there. They probably could find money somewhere.

Commissioner Yohn stated it is their department and they know what they need. They don’t have anyone qualified but want to promote someone. They do have qualified in house but it is in the scheduling. They bid for shifts in advance. Starting in October they bid for the 2015 schedule. This way they can plan vacations right away, but the problem is people leave. Will this be open to senior patrol who has more qualifications because maybe they would want to come back in as a supervisor role? Yes it will be open to everyone and there might be someone there who would like to.

*m/s Allen/Dunne motion to approve a second sergeant position after the testing process anywhere from $1-$8,000 a year depending on who is hired.*
Motion was approved unanimously.

County Administrator

Implementing identification tags.

Done on Lovengier study. They submitted all information. Sampling of 1000 inmates that have moved through the system in an 8 month period. They are working on the synopsis and analyzation of the information compiled.

County newsletter called County Connections. Meeting next Monday at 10am.

Mosca preliminary report they have met a few times. They will be trying to get a community meeting together to begin steps to assist waste water for the community. They got a USDA grant to do the engineering work.

Starting on redeveloping grants to do a comprehensive report of land use.

The pink elephant is still working on a transaction in place. Waiting on abatement of the process. He is still looking at building a comprehensive plan for Road & Bridge.

Certification of Ballot Language re: Retail Marijuana

Commissioner Dunne questioned we already approved medical marijuana is there no exclusion of medical marijuana. How do we separate them?

Mr. Kelly stated it is referred to the retail side. It doesn’t affect personal use because you can use it because of the Amendment. It is just the retail side. If for a grow operation to pass on to a retail marijuana facility or an infused marijuana facility.

Commissioner Allen stated it is staying consistent with what we did with medical marijuana. Any growing or cultivation doesn’t affect medical marijuana what it is saying they are asking the citizens if they want retail sales for recreational marijuana and a growing operation to produce for recreational marijuana.

Commissioner Yohn stated this was controversial as far as medical marijuana was so they asked the people through a vote. They feel they will do the same thing for retail marijuana.

Mr. Kelly asked how we want the language to read. We don’t need “pursuant to the authority granted by part 5F of section 16 of Amendment 64 of the Colorado constitution”. We should start with “shall Alamosa County”. Do you want to use the word “prohibit”, “approve”, “permit”, or use the word “allow”. By Ordinance it is banned right now. Do we want to include something with subject to regulations? They need to look at if someone applies for it and if passed they can appeal it.

Commissioner Yohn stated they should bring it forward in the simplest way such as “Alamosa County shall allow”. Mr. Kelly thought “shall permit” should be used.

Commissioner Dunne stated how do differentiate marijuana cultivation facilities. It is the use. It is allowed for medical marijuana purposes.

Commissioner Allen asked for the view from Land Use. Ken Vanlwarden and Rachel Doyle were present.
Mr. Vanlwarden stated the state licensure is going to make the difference on medical vs. retail. Medical marijuana producers can only sell to the medical marijuana facilities while retail can sell to any other retail shop.

You could only be approved at the state level what is approved at locally stated Ms. Doyle. They take local certification very seriously. With medical marijuana there is a structure where you have to sell 70% of it yourself. So all the people who try to cultivate marijuana for the medical side have to be the owners of their own dispensary or their own infusion center making edibles. On the other side retail can cultivate and sell to retail stores. There is always confusion of recreation and retail.

Mr. Vanlwarden stated retail can also sell to medical. He doesn’t know how that is separated. Ms. Doyle stated it has to be on a separate side of the building and the age limit of 21 years of age. This will be up to the enforcer. The facility will have to be in line with that. The State has to know what is going on. They have cameras so state knows what exactly is going on. If approved it would be a secured type of dispensary.

Commissioner Yohn asked if licensed for a retail grow can only sell to retail stores. State taxed when they leave the facility. They can grow for both. Grow can only be for one or the other. Casa Canibas they have one building with one section for their Canibas in San Luis and one section for Alamosa. All plants are tagged for what it is for. If they tag for San Luis store they have to buy it for the Alamosa store because everything is tagged specifically.

Commissioner Dunne asked about the clause “subject to local regulations”. Having that clause is protection for us because references to ordinance because it will be the way it is regulated. These will go into effect immediately after vote. If passed they have a month to make changes regarding retail. If it fails the Ordinance remains the same.

Mr. Vanlwarden stated it would allow them to do the compliance check.

Mr. Kelly stated it would be the same regulations as medical marijuana. It would have to meet the same criteria. It will fill in the gap until changes can be made. It will give them guidance as where to go if passed. Then Land Use can look at it and amend the Ordinance or do a new Ordinance for Retail.

One change could be the hours of operation because it would be difficult for a growers operation stated Ms. Doyle.

Commissioner Dunne stated once language is certified and given to clerk commissioners cannot campaign for or against.

Mr. Kelly read the following ballot language:

SHALL ALAMOSA COUNTY PERMIT, SUBJECT TO LOCAL REGULATIONS, THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES, AS THOSE TERMS ARE DEFINED IN PART 2 OF SECTION 16, OF AMENDMENT 64 OF THE COLORADO CONSTITUTION WITHIN THE UNINCORPORATED BOUNDARIES OF ALAMOSA COUNTY, COLORADO

m/s Dunne/Allen Motion to certify the ballot language as Jason read regarding retail marijuana Motion was approved unanimously.
Worksession

Excise Tax Discussion for Marijuana

Board/Staff Updates

Received Arthur Espinoza’s request for re-consideration of their vote made on 23rd of July concerning the special use permit for Valley Meds LLC.

It has been formally brought to the Board’s attention.

Adjourn

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

ATTEST:

Belina Ramirez, Office Manager
Carol Osborn, Assistant Administrator
Mike Yohn, Chairman
Marianne Dunne, Vice-Chair
Darius Allen, County Commissioner