Minutes of the Board of County Commissioners Meeting, held on May 22, 2013 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present: Darius Allen, Chair
Mike Yohn, Vice-Chair
Marianne Dunne, Commissioner
Jason Kelly, County Attorney
Brittney DeHerrera, Chief Financial Officer
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 Dept of LTC, CDPHE Amendment for Task Orders #1, agreement to provide Professional Consulting Services Maximus, and delete DA he is unable to be here.

M/S Dunne/Yohn motion to approve the agenda of May 22, 2013 with additions/deletions. Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
   Regular Minutes-May 8, 2013
   Annexation Public Hearing Minutes

M/S Yohn/Dunne motion to approve the Minutes of May 8, 2013. Motion was passed unanimously.

Approval of Bills/Obligations

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

Public Comment
Approval of Consent Agenda
Ratification of Golder Associates Proposal Acceptance Form
Colorado Department of Local Affairs-Division of Housing Amendment #1
Request for Extension SLV Housing Coalition CDBG Grant
County Treasurer's Report
CDPHE Amendment for Task Order #1-Emergency Preparedness
CDPHE Approved Task Order Contract Waiver #154 Immunization
LTC Agreement

Commissioner Allen asked to pull the Maximus Contract to discuss later.

M/S Dunne/Yohn motion to approve Consent Agenda without Maximus Contract
Motion was approved unanimously.

Maximus Contract
Ms. DeHerrera spoke. Cost Allocation Auditors come in and allocate each department such as Commissioners, Human Resources, every single department and allocates the resources it costs everyone. If they send it to the state the state will reimburse them 1/3 cost attributed from them. They can use it on their grants as well to show how costs get allocated to each department. They interview every time department head. You don’t have to keep track they have other factors and tools they use to determine the time. They started this about ten years and every year we get money back. There are new programs and new regulations that they stay on top of so it always benefits us.

m/s Dunne/Yohn motion to approve the Maximus Contract
Motion was approved unanimously.

Public Hearings

Minor Subdivision-Keith Algrim New Age Beverage

Marianne Dunne is concerned with the water in the valley. The purpose is to set up a second well to export water. The purpose is they don’t need that much property so they are subdividing their property. They received a permit from the Division of Water Resources. They are turning the other property into cash.

When highway department is building roads through there did they acquire property there asked Commissioner Yohn. They did take property but have no cuts. He has someone purchasing the lot and has access to the Highway.

Commissioner Allen asked who owns lot 4, 5, 6 and 7. Mr. Algrim showed the commissioners the map. How long have you owned this? He is the manager and they acquired this property in December 8, 2004.
List of Exhibits
1. Minor Subdivision Application Checklist
2. Staff Report
3. Application
4. Receipt of Payment
5. Ownership and Encumbrance Report
6. Deed
7. Assessor Record
8. Receipt of Taxes Paid
9. Letter of Representation
10. Water Documents
11. Survey
12. 1500 Ft Boundary
13. List of Adjoining Property Owners
14. Letter to Neighbors
15. Public Notice for the Planning Commission
16. Public Notice for the BOCC
17. Notice to Applicant

m/s Dunne/Yohn motion to approve Minor Subdivision for New Age Beverage.
Motion was approved unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2013 – S - 3

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY NEW AGE BEVERAGE, COVERING PROPERTY LOCATED ON TRACT 2 AND 3, MID-VALLEY COMMERCIAL SUBDIVISION EXEMPTION AND A PORTION LOCATED IN SECTION 18, TOWNSHIP 38, RANGE 9 EAST OF THE, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO.

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

WHEREAS: New Age Beverage (Keith Algrim) has submitted an application for a minor subdivision covering the following described property:

TRACTS 2 AND 3, MID-VALLEY COMMERCIAL SUBDIVISION EXEMPTION

AND

A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTS CORNER OF SECTION 18, TOWNSHIP 38, RANGE 9 EAST OF THE N.M.P.M., THENCE
NORTH 01 01’ EAST, 2278 FEET; THENCE NORTH 68 01’
WEST, 1301 FEET; THENCE SOUTH 88 11’ WEST, 605.7 FEET;
THENCE NORTH 88 43’ WEST, 197 FEET, THENCE SOUTH 01
11’ WEST, 14.8 FEET; THENCE NORTH 69 06’ WEST, 654.7
FEET; THENCE SOUTH 08 03’ EAST, 12 FEET TO THE POINT
OF THE BEGINNING; THENCE NORTH 76 20’ WEST, 436.9
FEET; THENCE NORTH 85 18’ WEST, 922 FEET; THENCE
NORTH 73 10’ WEST, 937.9 FEET; THENCE NORTH 66 00’
WEST, 412.8 FEET, THENCE SOUTH 1053.8 FEET; THENCE
SOUTH 61 56’ EAST, 2708.5 FEET; THENCE NORTH 19 26’
EAST, 813.3 FEET; THENCE NORTH 01 14’ WEST, 759 FEET;
THENCE NORTH 08 03’ WEST 187.5 FEET TO THE POINT
OF BEGINNING, COUNTY OF ALAMOSA, STATE OF COLORADO.

LESS AND EXCEPT THOSE PORTIONS ACQUIRED BY THE
COLORADO DEPARTMENT OF TRANSPORTATION BY VIRTUE
OF AMENDED RULE AND ORDER ISSUED IN CASE NO. 98-CV-
64 IN THE DISTRICT COURT IN AND FOR ALAMOSA COUNTY,
COLORADO RECORDED MARCH 17, 1999 UNDER RECEIPTION
NUMBER 292140

said property being zoned Industrial; and

WHEREAS, Said applicant seeks to subdivide the above described property into
two (2) tracts as follows:

Tract 1 = 7.30 acres more or less        Tract 2 = 74.71 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application
for a minor subdivision on April 10, 2013, following proper notice to the public and
recommended approval of the application; and

WHEREAS, A public hearing was held on the proposed minor subdivision on
May 22, 2013, before the Board of County Commissioners of Alamosa County, following
proper notice to the public, and where no adverse testimony was given or received; and

WHEREAS, the Board of County Commissioners has considered the application,
finds the application meets all requirements of the Alamosa County Land Development
Code pertaining thereto and that the minor subdivision is appropriate; and

WHEREAS, the proposed minor subdivision is consistent with the objectives and
purposes of the Alamosa County Land Development Code.

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, Article 7 Section 7.6.6, as adopted on July 15, 2009 subject to the
following conditions.
1. The Final Plat map shall be in substantial compliance with Alamosa County Subdivision Regulations, including, but not limited to: Lot Size and Road Frontage etc.

2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place prior to any physical disturbance on the subject property associated with the proposed subdivision;

3. Prior to the certification of the final plat map, the applicant shall pay the necessary fees associated mapping and recording fee to the Alamosa County Land Use Department;

4. Prior to the Certification of the final plat map, the applicant shall pay the Alamosa County Treasurer necessary property taxes due;

5. The applicant shall record the approved final plat in the office of the County Clerk and Recorder for recording within 60 days after the date of approval. The administrator, upon receipt of a written request, may extend this date an additional 30 days, if the request is received prior to the original expiration date and the final plat meets all applicable provisions of this LDC

6. The approval of a final plat shall not be deemed to constitute or affect the acceptance or affect the acceptance by the County of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. However, the board of county commissioners may, by resolution, accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within the County.

7. Approval of this permit is contingent upon compliance with the above conditions. In the event that the conditions set forth here are not met, the land use office reserves the right to revoke the approved permit until the applicant becomes compliant with said conditions.

Roll call vote resulting in approval: Commissioner Yohn, Commissioner Dunne, and Commissioner Allen all in favor. None opposed


BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(SEAL)
Commissioner Allen stated it is Alamosa County’s 100th and they are celebrating on the 4th of July and would like them to be part of it. We need water and it would be nice if they could customize a label for this event. Mr. Algrin agreed to this request.

**Alamosa County Land Use**

Report for March/April 2013  
Building Permits 30  
Visitors 129  
Septic Permits 2

Commissioner Dunne asked if the Polston Property for the RV Park zoned for an RV park. It is currently zoned Rural District. They would need a Special Use Permit. Commissioner Dunne asked if an application has been made. No stated Mr. Altamirano. What are the requirements they would have to look at? It is a case to case scenario. They would have to look at impact, sewage, and water but he is unable to comment since he has no information before them. They may be petitioning for annexation into the city which will take the County out of it.

Jinger presented a Code Enforcement Summary Log. They have closed 15 cases out of 35. As of March they are new cases. 10 cases are in process of complying and 10 are still pending. June 1st there is possible 3 cases to come before the board. She has put a timeframe together where she gives a written 30 day notice to comply. Half way between she will go look at the property, if no work has been done she will send out a reminder. If still not complying she sends them another notice. She will give a max of 90 days then after that it will be come before the board for a show cause hearing. She would like to thank the newspaper because after their report she has received calls and people cleaning up their property.  
The property on Bonney has been cleaned up. It was cleaned up very well more than what she asked for. She does send a letter thanking them after they do clean up the property.

Commissioner Yohn asked someone has an old adobe building that he wants to get rid of what do they do. They can apply for a demolition permit for $25. This goes to the Assessor’s Office and they will delete it from their property tax then they can demolish.

**Alamosa County Clerk & Recorder**

Special Events Permit –Jack Rabbit MC LLC

Dwight Catalano is requesting a Special Events Permit for a motorcycle event on July 20th.
Mr. Catalano a Professional rider and promoter for Colorado spoke. In 2008 he was making money and now he watches every penny. Last year they put on the biggest MRC event besides the state championship. They have put in for the 2013 State Championship which is at the end of the year. They want to make more of it as an event. 90% of the competitors come in the day before to practice. They want to get the community involved. They want to run the train out to the start at 4pm with one moto event with big money on the line for the one event. Then they will have a concert. The Brewery wants to be involved and Goisar Sausage. He wants to put a vintage bike show. Then Sunday they will put the MRC event.

This is the first year they want to serve beer asked Commissioner Yohn. This is just for Saturday; they will shut it down at 9:30pm.

The application had two days stated Commissioner Yohn. He liked the idea of one day only. Commissioner Allen agreed. The race itself he expects 900 people. He is not sure on Sunday. The concert will start at 7pm until 9:30pm.

Matt Abbey spoke. Their priorities are safe transportation. They are about economic development and advance tourism. He rides a dirt bike as well. He goes to some events and it can be tricky to be an observer. This would allow the participants to go to town and the locals to go to the event.

Commissioner Dunne asked how long how the trip will take. It will be 30 minute headways. The Waverly Canal appears to have access to the property. Commissioner Dunne asked how much the cost will be. It is free in-kind but they will put a donation can.

Ms. Deherrera asked what the hours for practicing are. It is open Wednesday's after 4pm and on weekends. There is a number on the gate and you could call him.

Commissioner Yohn asked about if they have two applications one for liquor and one for the event. Ms. Woodward stated she deals with just liquor licenses. He does go through Land Use for the event permit. Commissioner Yohn asked about the time listed on the application. It is 1-9:30pm on Saturday.

**m/s Dunne/Yohn motion to approve Special Use Permit Liquor license from 1-9:30pm on Saturday July 20th contingent on Special Use Permit from Land Use.**

In April 2012 they had $284,000 and in April 2013 they did $319,000. They have been busier. The biggest increase was SOLT. Marriage Licenses last year were 390 and this year 480. Is it the same license for Civil Marriages asked Commissioner Yohn? They are different but the price is the same. So far they have sold 1 Civil Marriage License.

*Alamosa County Clerk & Recorder’s Report*

**m/s Yohn/Dunne motion to accept the County Clerk & Recorder’s Report Motion was approved unanimously.**
Alamosa County Public Health

She wanted to say when she was gone her staff handled things very well.

She is getting more funding for emergency preparedness which surprises her.

She is rearranging their Maternal Child Health Plan. She has taken out money that she has been paying Samantha and putting into for Kelly and taking out immunization to pay for Samantha.

They have a contest between Admin/DHS/Mental health to encourage taking 10 minute breaks and walk. They will compete with each other.

She would like to request to fill employee vacancy for Marcy Gardunio whose last day was Friday.

m/s Yohn/Dunne motion to approve employee vacancy
Motion was approved unanimously.

Alamosa County Home Health

They did get their cost allocation report back. It seems unethical for them to ask for them to do more visits to get more funding. They pay their clinicians per visit. They are not padding those visits because they are not with the national average. They lost 101,000 on non-Medicare revenue such as Medicaid and private pay. Medicare they had a profit of 33%. So the bottom line they are not losing overall. They spent over $146000 just on mileage. She doesn’t know how to change it. They monitor it pretty closely.

HCBS they have made some changes. They have 384 adult clients. They have 4 children on Children’s Waiver. They have 20 clients pending. They are now required to separate HCBS Home Care Allowance. This is where DHS clients decide to chose which program. They did get a decrease in Medicare and today she got an increase in Medicaid so maybe that will even it out.

Alamosa County Department of Human Services

Joe Carrica was present. Both he and Darius went to a meeting for Child Welfare Allocation Meeting. This was a meeting on how the allocation for Child Welfare is distributed. The agreement was take 75% for big ten and 25% for others for Core Services. They went up $330,000 and dropped over $400,000 this year. They decided to keep everything the way it was for 6 months for Child Welfare. Commissioner Allen stated he is afraid counties are going to start some programs and then what if the money goes away. He wanted to make sure the counties could come back and have an appeal process. It is performance based and is good but they don’t want a county to close a case and put some child in danger just because of the money. The factors prior were by caseload. It was an advantage to keep cases open because it counted cases. Commissioner Dunne stated James Martinez called her and the Core Services Budget is due and he wants to have a meeting. They want to do it now because the fiscal year is June.
Through March they should be spending 75% of those funds if they are on track. They are over at 78% right now. They won’t get a settlement from the state until July. Another one they have to watch is Child Care. Core Services they will be under spending there because they have an opening for Intensive Therapy Counselor. Core Services can do skills, intensive family issues, for kids that have issues with parole, referrals for mental treatment, mentor program and discovery group.

Employee Vacancies

They hired two. The one for Intensive Therapy Counselor the person declined because they had another offer where they paid their students loans after two years of working there.

Medicaid Dollar Report was given. April showed a total of $2,054,022.

Ongoing Caseload Summary Report was given. Adult Financial showed it is in the same place as it was last year. Adult Medical showed an increase because they made more eligible. Colorado Works shows it has gone down. Family Medical showed starting below and increasing through the months. Food Stamps is showing just below. Long Term Care has stayed stable. Medicare has increased greatly.

Alamosa County Sheriff

Dave Stong was present. Monthly Detention Report for April 2013 showed an average total population being 128. 34 inmates were housed outside the facility in Conejos, Chaffee, Costilla, and Bent County. Monthly Food Service Report was provided. Incident Count Report was provided as well.

SLV E911 Telephone Authority Board

Walt Poulson was present. Electronics is advancing so fast it is hard to keep up. They want to continue with a MOU with the county. AT&T and Verizon want to make 4G compatible which will require more towers. The only 4G towers happen to belong to AT&T. The 4G networks will facilitate texting called next generation dispatch. Century Link has applied for application to develop the next generation format. They do not know the costs associated with this. They have maintained the cost to 50 cents; they may have to recoup their costs by increasing the cost per phone. They are working with phase 2 longitude and latitude. Next part is next generation taking text messages. They were with CodeRed but felt they were not giving good service so they went with Delta Alert. Now they found out Code Red has purchased Delta Alert. They encourage everyone to sign up for 911 notifications. They have a website slve911alert.org.

Alamosa County Surveyor

Dan Russell was present. He has scanned plats for his own private business but he can do this for the county. He has scanned images for Conejos, Mineral, and Rio Grande County. If you are thinking of changing Assessor’s Office and Land Use Office it would be a good idea to do the plats as well.
WORKSESSION

**County Assessor & Land Use Office**

Discussion of Interactive Mapping Proposal with Assessor’s Office and Land Use Office.

**Juan Altamirano – Land Use Office**

Mr. Altamirano discussed the possibility of a solar garden with the County Commissioners. A small solar company does solar gardens for smaller gardens on county property. The way the solar garden works is taking 2010 the Colorado legislature revised the statutes to look at allowing third parties to finance solar projects that would allow subscribers to purchase energy credits that would be credited to their monthly bill. They would tell Xcel that this person is purchasing and tell them how much is being purchased. Xcel in turn would credit their utility bill. A single megawatt is approximately 10 acres with a 20 year agreement. The investors get seven cents and the county receives half of cent per kilowatt hour. There is a possibility of negotiation. They would purchase or lease the property and Bella solar is not willing to lease any type of property but the County will charge a fee for them being there. Commissioner Yohn stated a lot of people want to buy solar power because it is green. The option and possibility should stay open. Ms. DeHerrera stated it would be good to give the opportunity to the Alamosa residents. There is the option of looking at other companies.

Mr. McMillan is supposed to be getting back to Juan to give him the distributors they use. Xcel also sponsors a renewable energy trust program. The grant allocation is based on a first come first serve and need for the project and how would it be tied into an educational structure. If it can be demonstrated; it may be able to tap into the funds to pay for the project. Commissioner Allen asked Mr. Altamirano to continue to get more information and researching. Mr. Altamirano stated the issue is the property and can definitely use contaminated sites. That would go a long way because of using previous disturbed land. The price structure is what is going to drive the decision making.

**Board/Staff Updates**

The Board agreed to hire someone for 30 hours at $10 to assist with filing for Human Resources and DHS accountant.

Commissioner Yohn reported on the Seniors and Commissioner Dunne handed out an invitation for the Open House at the museum on Saturday, May 25, 2013.

The pretrial release from 3/12 to 4/13 stated 58 clients were accepted, 20 finished, 23 were still in the program and the remaining were unsuccessful. The program frees space in the jails and saves money for Alamosa County. Total number of days not in the jail is 11,517 days. That is a savings of $460,680. The County pays private probation and there is no charge for the UA’s. There is a new program called Sober Link and the cost is $8 per day. It will read alcohol and GPS unit. There is room for an additional 20 clients. Judge Walzell has changed his schedule to read advisements daily at 1:15 PM.
The Sangre de Cristo National Heritage has approved grants and there will be an article in the local newspaper.

Commissioner Yohn stated Mr. Carrica is interested in purchasing one to two vehicles for Human Services and asked the Board to consider purchasing the vehicles.

**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

Darius Allen, Chairman

Mike Yohn, Vice Chair

Marianne Dunne, County Commissioner
Minutes of the Public Hearing for New Age Beverage was held on May 22, 2013 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

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

Minor Subdivision-Keith Algrim New Age Beverage

Keith Algrim with New Age Beverage and Juan Altamirano were present.

Purpose: The applicant seeks approval of a Minor Subdivision to subdivide approximately 82.01 acres into two tracts of land resulting in 7.30 acres for Tract 1 and 74.71 for Tract 2. The subject property is identified as 2410 Road 100 South, Alamosa, CO 81101.

Property Address: 2410 Road 100 South, Alamosa CO 81101

Legal Description: Tract 2 and 3, Mid-Valley Commercial Subdivision Exemption and a parcel of land described as: Commencing at the Southeast corner of Section 18. Township 38 North, Range 9 East of the NMPM thence North 01 01’ East 2278 feet; thence North 68 01’ West, 1301 feet; thence South 88 11’ West, 605.7 feet; thence North 88 44’ West 436.9 feet; thence North 85 18’ west, 922 feet; thence North 73 10’ West 937.9 feet; thence North 66 00’ West, 42.8 feet; thence South 1053.8 feet; thence South 61 56’ East, 2708.5 feet; thence North 19 26’ East, 813.3 feet; Beginning, County of Alamosa, State of Colorado. Less and except those portions acquired by the Colorado Department of Transportation by virtue of Amended Rule and Order issued in Case No. 98-CV-64 in the District Court in and for Alamosa County, Colorado recorded March 17, 1999 under Reception No. 292140.

Staff Analysis & Discussion:
The subject property is located within an Industrial zoned location. Generally speaking, the intent of the Industrial zoned area is to encourage and manage non-offensive types of manufacturing such as research and development, processing and warehouse activities.

The proposed project consists of subdividing the subject property into two tracts of land. The minimum dimensions for an industrial district are 43,500 square feet in area, 100 feet in average lot with tracts 1 and 2 comply with these minimum requirements.

The proposed project requests to subdivide the subject property into two tracts of land. As part of the project, road access to both tracts of land will need to be assessed by the Alamosa County Road & Bridge Supervisor. The primarily intent of the project is to create two separate tracts of land to be further improved at a later time. The project is consistent with the County Master Plan
and complies with the County Zoning Ordinance as proposed. For these reasons, staff finds that the proposed project is appropriate for the subject property and surrounding neighborhood.

Access: Access to the tracts of land will be from Road 100 South. The Alamosa County Road Supervisor will need to review and approve any new proposed access.

Water and Wastewater: The property currently has an office building, but the overall appearance of the property is vacant. Any new development on the vacant tract will need to secure permits for an individual septic system. The property currently has commercial wells on the property for the purpose for the production of bottled water and for sanitation purposes associated with the attendant offices and bathrooms. Further, ground water from the wells shall not be used for irrigation or water purposes. Any new development on any of the proposed tracts of land shall need to comply in accordance with the well permit conditions of approval and/or any associated conclusions of law.

Fire Protection: The property is located within the Alamosa County Fire Protection District.

Staff Recommendation: The project is consistent with the applicable zoning district and applicable County Master Plan Designations. For these reasons, staff recommends that the Planning Commission approve the proposal.

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

No Comment was made.

**There being no further business, the Public Hearing for New Age Beverage was adjourned.**

**ATTEST:**

Belina Ramirez, Office Manager

Darius Allen, Chair

Carol Osborn, Assistant Administrator

Mike Yohn, Vice-Chairman

Marianne Dunne, County Commissioner