Minutes of the Board of County Commissioners Meeting, held on April 11, 2012 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present: George Wilkinson, Chair
Mike Yohn, Vice-Chair
Darius Allen, Commissioner
Jason Kelly, County Attorney
Mark Garcia, Interim Administrator
Carol Osborn, Assistant Administrator
Belina Ramirez, Administrative Secretary

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

M/S Allen/Yohn motion to approve the agenda of April 11, 2012. Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
Regular Minutes- March 28, 2012

M/S Yohn/Allen motion to approve the Minutes of March 28, 2012. Motion was passed unanimously.

Approval of Bills/Obligations

M/S Allen/Yohn motion to approve the Bills/Obligations Motion was passed unanimously.
Public Comment

Leroy Polkowske commented on property taxes. His appraisal on his property was for $40,000 more than what they actually bought it for. He believes it is counterproductive that they have to pay property taxes. They are not uniform all around. He would rather not pay property taxes. Businesses get hit the brunt of taxes as they have to pay other taxes as well. It should be just a tax on commodities.

Approval of Consent Agenda

Letter of Support for Cumbres & Toltec Scenic Railroad
Colorado Division of Housing Contract with SLV Housing Coalition - Ratification
Sub Receipt Agreement SFOO Home Rehab - Ratification
Attachment 1 - Intergovernmental Agreement – CDBG Project - Ratification

M/S Allen/Yohn motion to approve Consent Agenda as presented
Motion was approved unanimously.

Public Hearing

Minor Subdivision - Ivan and Vern’sma Hoff

Commissioner Allen asked if they were going to reside in the new home. His daughter will reside at the new home and they will reside in the old one.

List of Exhibits
1. Minor Subdivision application Checklist
2. Staff Report
3. Application
4. Receipt of Payment
5. Title Insurance
6. Deed
7. Assessor Record
8. Receipt of Taxes Paid
9. Letter to SLV Fed Bank
10. Water Documents
11. Survey
12. GIS Aerial View
13. List of Adjoining Property Owners
14. Letter to Neighbors
15. Public Notice
16. Notice to Applicant
M/S Allen/Yohn motion to approve Minor Subdivision for Ivan and Verma Hof
Motion was approved unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S - 001

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY IVAN HOF AND VERMA HOF, COVERING PROPERTY LOCATED IN THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO.

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

WHEREAS: Ivan and Verma Hof have submitted an application for a minor subdivision covering the following described property:


said property being zoned Rural; and

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

Tract 1 = 35.30 acres more or less Tract 2 = 4.01 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on March 14, 2012, following proper notice to the public and recommended approval of the application.

WHEREAS, A public hearing was held on the proposed minor subdivision on April 11, 2012, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and no adverse testimony was given or received.

WHEREAS, the Board of County Commissioners has considered the application, and 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 use is consistent with the objectives and purposes of the Alamosa County Land Development Code, specifically that:

1. Consistency with the adopted plans and policies of the county exist;

2. The plat complies with the standards of Article 5, Subdivision Standards, and any other applicable requirements of this LDC;

3. If located within or adjacent to the Rural Planning Area, the plat includes a plat note reciting the Right to Farm and Ranch Policy; and

4. The plat indicates that all subject lots will have frontage on existing approved streets;

5. New or residual parcels conform to the requirements of this LDC and other applicable regulations;

6. No new streets are required or are likely to be required for access to interior property;

7. No drainage or utility easements will be required to serve interior property;

8. No extension of public sewage or water lines will be required;

9. The proposed subdivision will not adversely affect permissible development of the remainder of the parcel or of adjoining property; and

10. No waivers from Article 5, Subdivision Standards, have been requested.

11. Final Plat to be submitted within sixty (60) days.

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.

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


BOARD OF COUNTY COMMISSIONERS OF
ALAMOSA COUNTY

(SEAL)
ATTEST:

Melanie Woodward, Clerk of the Board

Minor Subdivision-Leroy Polkowske

Commissioner Allen asked what the planning Commission recommended. They unanimously were in Favor. There was some discussion of it being zoned Industrial but having a residential home. After reviewing it doesn’t change the area. It would alleviate the business subject to regulations of industrial.

Commissioner Yohn stated this causes no problems for neighbors. If there is any future development it would be an issue. It would be hard to resubdivide being it is already 1 acre. Commissioner Allen stated it is one of those situations that they inherited where they have to look at every situation separately.

List of Exhibits
1. Minor Subdivision Checklist
2. Staff Report
3. Application
4. Receipt of Payment
5. Deed
6. Title Insurance
7. Letter from SLV Fed Bank
8. Certificate of Taxes
9. Water Documents
10. GPS Aerial View
11. List of Adjacent Landowners within 1500 feet
12. Survey
13. BOCC Resolution to allow application for Minor Subdivision
14. Assessor Data
15. Notice of Public Hearing
16. Letter to Surrounding Neighbors within 1500 ft
17. Notice to Applicant
18. Pre Application Conference

M/S Yohn/Allen motion to approve Minor Subdivision for Leroy Polkowske
Motion was approved with Wilkinson abstaining.
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S - 002

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY LEROY POLKOWSKE, COVERING PROPERTY LOCATED IN THE SOUTHWEST 1/4, SOUTHWEST 1/4, SECTION 31, TOWNSHIP 38 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO.

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

WHEREAS: Leroy Polkowske has submitted an application for a minor subdivision covering the following described property:

THE SOUTHWEST 1/4, SOUTHWEST 1/4, SECTION 31, TOWNSHIP 38 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO. IDENTIFIED AS PARCEL NUMBER 528502300007;

said property being zoned Industrial; and

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

Tract 1 = 1.03 acres more or less
Tract 2 = 1.04 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on March 14, 2012, following proper notice to the public and recommended approval of the application.

WHEREAS, A public hearing was held on the proposed minor subdivision on April 11, 2012, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and no adverse testimony was given or received.

WHEREAS, the Board of County Commissioners has considered the application, and 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 use is consistent with the objectives and purposes of the Alamosa County Land Development Code, specifically that:

1. Consistency with the adopted plans and policies of the county exist;
2. The plat complies with the standards of Article 5, Subdivision Standards, and any other applicable requirements of this LDC;

3. If located within or adjacent to the Rural Planning Area, the plat includes a plat note reciting the Right to Farm and Ranch Policy; and

4. The plat indicates that all subject lots will have frontage on existing approved streets;

5. New or residual parcels conform to the requirements of this LDC and other applicable regulations;

6. No new streets are required or are likely to be required for access to interior property;

7. No drainage or utility easements will be required to serve interior property;

8. No extension of public sewage or water lines will be required;

9. The proposed subdivision will not adversely affect permissible development of the remainder of the parcel or of adjoining property; and

10. No waivers from Article 5, Subdivision Standards, have been requested.

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.

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


BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

By George Wilkinson, Chairman

(SEAL)

ATTEST:

Melanie Woodward, Clerk of the Board
Plat Vacation – Sangre de Cristo School

Juan Altamirano and Ken VanIwarden were present.

Commissioner Allen asked why Brady Stagner isn’t the agent. The school is the entity but Brady Stagner is the Superintendent and he is submitting the application in behalf of the school. The School Board did authorize this. Mr. Kelly suggested getting a letter stating Brady Stagner was authorized by board to represent this application.

Commissioner Allen asked if anyone called or commented on this application. None but there were calls of concerns by the public that the area would become industrialized. This application is strictly for a replat and doesn’t address the zoning at this time.

Mr. Kelly asked about the fence line. Mr. VanIwarden stated Colt Street was vacated and he did notify the engineer of this but they felt this didn’t need to be addressed. Mr. Altamirano stated originally it showed these street lines but they were vacated.

Commissioner Yohn asked about the sewer system being maxed out. Mr. VanIwarden stated the school was on their own sewer system using the ETP pond. This system on lagoon will still be used by the school. It also allows them to divide in order for Mosca to use as a treatment plant. The ETP pond should not be used because it is not compliant. This is going to be a problem for the buyer. They can make this a condition under this replat of suggesting disclosure to future owner there would be certain guidelines of use of sewer system for that school. The best thing we can do for the county is put in a resolution and tie it to the title. Can this property be used as commercial or residential without sewer asked Commissioner Yohn? They would have to develop and place a septic system to serve that facility. It wouldn’t be tied to any existing system. Lot 5 is the park and would not allow any sewer system because it doesn’t meet the 1 acre requirement. You could put in an individual sewer system in lot 3 and lot 4 whether being residential or commercial.

Commissioner Allen asked why pond isn’t compliant and can they make it compliant. They would have to go to the state level to get a state permit.

Mr. Garcia stated in 1983 when the map was made he believes the street was vacated. In the motion add there might be adjustments. The public is aware of subdivision but the zoning would be residential. The public may come back if they wanted to put a restaurant this would be a problem with zoning. Commissioner Allen stated they can’t look at the future they need to act on this application.

List of Exhibits
1. Replat Application Checklist
2. Staff Report
3. Application
4. Commitment for Title Insurance
5. Deeds
6. Assessor Record

8
7. Water Information  
8. Survey  
9. GIS Aerial View  
10. List of Adjoining Property Owners  
11. Letter to Neighbors  
12. Public Notice for Plat Approval  
13. Notice to Applicant

M/S Allen/Yohn motion to approve with letter from School Board giving authorization to Brady Stagner to represent School and also need a disclosure of pond.  
Motion was approved unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS, ALAMOSA COUNTY COLORADO

RESOLUTION NO: 2012 - S - 3

RE: APPLICATION FOR REPLAT FILED BY BRADY STAGNER ON BEHALF OF SANGRE DE CRISTO SCHOOL DISTRICT, COVERING PROPERTY LOCATED IN THE SCHOOL BLOCK AND PARK BLOCK OF THE TOWN OF MOSCA, AND PORTIONS OF NORTH PARK STREET, 4Th AVENUE, 5Th AVENUE, TERRY STREET, OVLATT STREET, COLT STREET, AND PLOT D IN THE NORTHEAST 1/4 SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE N.M.P.M., COUNTY OF ALAMOSA, STATE OF COLORADO.

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

WHEREAS:  
1. Brady Stagner, on behalf of, Sangre De Cristo School District, has submitted an application to replat the following described properties:

   SEE ATTACHED EXHIBIT "A"

2. Said properties being zoned Manufactured Home.

3. Said applicant seeks to replat the property as described in Exhibit A which will decrease the number of lots from 202 lots to 5 lots consisting of the following:

   a. Lot 1: 4.012 acres more or less  
   b. Lot 2: 21.401 acres more or less  
   c. Lot 3: 11.034 acres more or less  
   d. Lot 4: 1.435 acres more or less  
   e. Lot 5: 0.879 acres more or less
4. A public hearing was held on the proposed replat on March 14, 2012, before the land use administrator. The applicant and land use staff being present.

5. Testimony in favor of the proposed replat was given or received and no adverse testimony was given or received.

6. The land use administrator determined the application to be in conformance with the requirements of article 7 of the Alamosa Land Use Development code and recommended its approval subject to staff recommendations.

NOW, THEREFORE, BE IT RESOLVED that the re-plat of the above described property as submitted by Brady Stagner, on behalf of Sangre De Cristo School District be APPROVED, subject to the following:

1. Applicant shall provide a Letter of Authorization from the School District.

Roll call vote resulting in approval: All in favor

DATED: April 11, 2012

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(By)

George Wilkinson, Chairman

(SEAL)

ATTEST:

Melanie Woodward, Clerk of the Board

Alamosa County Land Use

Request for Waiver of submission requirements for final application

Commissioner Allen stated as long as they are consistent with other applications they have done. Mr. Kelly asked if they will be bringing their own water. Yes stated Altamirano. The application will be presented on May 9th before the board. If applicant is approved they will be required to supply augmented water. Since 1041 regulations doesn’t require a power purchase agreement.

M/S Allen/Yohn motion to approve Waiver Request for San Luis Valley Solar Farm LLC

Motion was approved unanimously.
Alamosa County Land Use

Ken Vanlwarden was present.

Activities Report was presented as follows:

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Mr. Altamirano gave a brief update. They have three Minor Subdivisions coming forward soon. A potential applicant came inquiring for a horse race track. Another inquiry was for a running/obstacle course race. The SRACAMA Motocross Individuals came in and were approved for a temporary permit subject to BOCC Approval. He is working on the Land Development Code. They kicked off the Technical Energy Audit. All the solar facilities that were under construction are now all fully functional. With all those operating the County is producing approximately 87 mgw pumped into the grid. Iberdrola and Cogentrix are planning a Ribbon Cutting Ceremony in May. They will be issuing a check to the Community Development Fund per their Memorandum of Agreement.
Mr. Vanlwarden stated for Code Enforcement they have two or three cases they are actively pursuing. They also have more on Bonney Drive, Oil Refinery on 10th St, and problems at Loaf-n-Jug. The Loaf-n-Jug is not permitted as a truck stop but it is being used as that. They sent the owners a letter but received no response. He is working with Mr. Garcia on annexation.

**U.S. Division of Fish and Wildlife**

Michael Blenden was present.

The Comprehensive Conservation Plan they started in the fall of 2010 and did public scoping in 2011. Last fall they had a planning team which helped them draft these alternatives. They have four draft management alternatives. They organized all the issues into seven topic headings which are: Habitat and wildlife management, water resources, landscape conservation and protection, visitor services, partnerships and operations, cultural resources and tribal coordination, and research, science, and protection of the physical environment.

This winter they have a stand along plan of Land Protection Planning. Their primary goal is protection of migratory birds and endangered species. The future of them resides on private lands.

The Secretary of the Interior is generally interested in this concept so he requested a letter of support.

Commissioner Allen stated in C it provides hunting and in B it doesn’t. It does but Alternative C puts on more emphasis on recreational hunting stated Mr. Blenden. They received public input to determine these alternatives. They would consider restoring Bison population on the Baca National Wildlife Refuge. They may have heard about one input of them considering wolf reintroduction into the Baca National Wildlife Refuge. The idea is talk about the pros and cons of wolf reintroduction. They have no intention of reintroducing wolfs. At their last agriculture meeting stated Commissioner Allen the talk of wolves did come up.

They will be working on objectives for the next year and a half to support the alternatives. They removed the Land Protection Planning from this document because it can stand alone. It has less impact and controversy. This is also good if they have land protection opportunities they can take care of it sooner than later. They drew a circle around the valley to work with private landowners to acquire conservation easements. Their primary goal is for protection of habitat for federally regulated species which for the valley means migratory birds and endangered species.

Mr. Garcia asked about requisition if they have a schedule. They hope to be done by the end of the fiscal year. Funding is not in place for any of these acquisitions. He is just getting the planning process that in case there is funding in future years they can compete.

Commissioner Yohn stated the private landowners are losing their water rates and they are losing their property values. They are not buying water rights unless to augment wells.
Mr. Altamirano stated as they target those areas if they could be notified of the properties so they are aware.

The commissioners agreed to provide a letter of support.

**Alamosa County Finance**

Brittney Deherrera was present. She is requesting a Resolution to Pay off the Jail Security Update Lease which originally was at 6% interest in the amount of $182,500. By paying the outstanding balance of $159,292.74 they will save $44000 in interest fees.

M/S Allen/Yohn motion to approve Resolution to pay off Jail Security Update Lease Motion was approved unanimously.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS ALAMOSA COUNTY COLORADO**

**RESOLUTION NO: 2012 – F – 3**

**RE: RESOLUTION AUTHORIZING PAYOFF OF THE ALAMOSA COUNTY JAIL-SECURITY UPDATE LEASE ENTERED INTO IN SEPTEMBER OF 2010.**

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

Whereas on June 15, 2010, Alamosa County authorized a lease-purchase agreement with San Luis Valley Federal Saving & Loan in order to make necessary security updates to the Alamosa County Jail; and

Whereas the original lease was in the amount of $182,500 at an interest rate of 6% and carries a current outstanding balance of $159,292.74; and

Whereas the Board of Alamosa County Commissioners has determined that given the current economic conditions, it is in the best interest of Alamosa County to pay off the remaining balance of the lease-purchase; and

Whereas paying off the remaining balance, Alamosa County will save approximately $44,300 in interest fees.

NOW, THEREFORE BE IT RESOLVED:

That the Board of Alamosa County Commissioners hereby authorizes the payment of the remaining balance of the Jail-Security Lease Purchase Agreement in the amount of $159,292.74. Roll call vote resulting in approval: Three in favor. None against.

DATED: April 11, 2012
Alamosa County Road & Bridge

Phil West was present. They are pouring cracks on 112 to County Line. They are finishing up VanGeeson Lane where they are widening it up. They are going to do 4.5 and 108 of some shoulders. They will finish by the recycling area maybe in star. His plan is for the next two winters they continue this so in the third year they could do some chip sealing.

Alamosa County Sheriff

Employee Vacancy Request

Patrol Division they received 780 calls for service. The Detention report showed for last month the daily average was 138 and housed out in Conejos, Bent, Costilla, and Chaffee. An Agreement was received to house inmates at $33 at Chaffee County. They will also carry any major catastrophe medical and all we would have to pay is the deductible and they will do all the transporting as well. They are finalizing everything and will have contract tomorrow. Chaffee has a new facility. They will transport the inmates for court appearances as well.

They have Deputy Jimenez leaving and would like to replace him. This position is for the Detention.

M/S Allen/Yohn motion to approve vacancy request for Sheriff’s Office

Motion was approved unanimously.

He will be giving back the mobile home to the school.

He would like to promote Adam Abeyta several steps for a pay increase. He does have this in his budget.

Commissioner Allen stated he has been looking at his budget and there are three areas that they are over budget; inmate housing, food and services. Sheriff Stong stated he had some hope that the pretrial would have helped their costs. He has been working on lowering the housing costs. Commissioner Wilkinson asked if there is something they could do to cut down on the cost of food. They have gone down from three hot meals to two hot meals stated Sheriff Stong. They
have met with a dietician from the hospital to see what the minimum they have to provide them. They are trying to go to one vendor as well.

Mr. Garcia asked about the overtime. Sheriff Stong and Connie Ricci are in the process of working that out.

**Alamosa County Department of Human Services**

Joe Carrica was present. They had a front desk person give their two week notice. There are three front desk clerks and one lead worker. They had four before but he believes they are doing fine with three. They do basic receptionist duties, incoming/outgoing mail, put packets together for eligibility determination, review the applications, make copies of documents, issue EBT cards, destruction of cards, postage, and printing. They do have issues of high turnover rate, but this is due to promoting.

*M/S Yohn/Allen motion to approve Employee Vacancy for DHS Front Desk Receptionist Motion was approved unanimously.*

**Alamosa County Public Health**

Revenue Expenditure Summary was presented. They are showing they are in the whole but that is because Worker’s Comp was taken out in a lump sum.

Liza Merrin with Live Well Colorado asked if they could contract someone to host a Health Food Safety class. A Bill passed where people cook things out of their home to sell need to have a food safety class to do so. She believes they don’t have resources to do this. She wouldn’t mind hosting by allowing them to use our facilities. She will look more into this.

Immunizations they are struggling whether to bill insurances. They have to decide something before January. Most of their clients are not on Medicaid.

They met with the Hospital to see if they would consider taking over the clinics for HCP. Right now they have 3 full time employees to handle this. She would not have the resources or funding to take over this. The Hospital would not be able to do this either.

9Health Fair is Friday April 13, 2012.
There was also a mistake on the Expenditure Summary. Last month Marsha McDonald didn’t take Last Year’s Actual Cash out to Treasurer. They will change this.

**Alamosa County Home Health**

They had their Center for Medicaid/Medicare survey. There were some findings so they will need to submit a plan of correction.

They have to do a competency evaluation on their Nurses Aids. Because they didn’t do it they cannot competency their own aids so they have to contract this out.
Yvette Lujan is working with them Mondays and Fridays now. She works with HCP but due to the changes there she is working part time here.

She is requesting a Home Health Nurse. Tammy Romero has decided to go back to PRN. She would like to hire one full time.

M/S Yohn/Allen motion to approve Employee Request for a Home Health Nurse
Motion was approved unanimously.

Commissioner Allen asked about Marsha McDaniel’s timeline for retirement. She is anticipating in two years. Ms. Geiser stated Emma Roybal has interest in this position. Commissioner Allen was thinking Brittney DeHerrera could take it over maybe she would need some assistance where Emma Roybal could be utilized.

Lunch

Alamosa County Administration Report

He received the Land Use Development Code draft.

They are working on numbers for a new Annex building to what the cost would be.

MGID they will have a meeting tomorrow at 9am. They are going to suggest being a special district board.

Evaluations of three administrative staff are needed to be done. Andrew Atencio, Jason Kelly, and Frank Muniz are the three. He is not sure if they want to do these or have Carol do them. The Commissioners agreed to do the evaluations.

Staff/Updates

Adjourn

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

ATTEST:

Belina Ramirez, Administrative Secretary
Carol Osborn, Assistant Administrator

George Wilkinson, Chairman
Mike Yohn, Vice-Chair
Darius Allen, County Commissioner
Minutes of the Public Hearing for Ivan and Verma Hof was held on April 11, 2012 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:  
George Wilkinson, Chair  
Mike Yohn, Vice-Chair  
Darius Allen, Commissioner  
Jason Kelly, County Attorney  
Mark Garcia, Interim Administrator  
Carol Osborn, Assistant Administrator  
Belina Ramirez, Administrative Secretary

Juan Al'amirano and applicant Ivan Hoff were present.

**Address:** 12388 Road 109 S Alamosa  
**Existing Use:** Residential  
**Water:** Private Well  
**Proposal:** To subdivide 39.29 Acres to install a doublewide Mobile Home

**Application Overview:** The applicant Ivan R Hof and Rebecca Hof, requests approval to subdivide approximately 39.30 acres. The proposed division of land will consist of two tracts of land; Tract 1 -35.30 Acres, Tract 1-4.01 Acres.

A recreational easement exists on the south-east corner of the 39.30 parcel. The proposed 4.01 acre site is located on immediately north of the existing recreational easement and west of the Road 109 South.

Access to the proposed 4.01 acre site will have existing access easement/driveway located immediately north of the proposed 4.01 acre tract of land.

The 35.30 acre site has existing utility easement, recreational easement and physical structures.

**Staff Recommendation:** Staff recommends approval, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any condition, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as them may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Commissioners.

No comments were received by the Land Use Office.
Commissioner Wilkinson asked if anyone is in opposition to or in favor of this application.

Mr. Garcia stated Planning Commission Board approved this and there were no comments made at that meeting.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S - 001

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY IVAN HOF AND VERMA HOF, COVERING PROPERTY LOCATED IN THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO.

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

WHEREAS: Ivan and Verma Hof have submitted an application for a minor subdivision covering the following described property:


said property being zoned Rural; and

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

Tract 1 = 35.30 acres more or less

Tract 2 = 4.01 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on March 14, 2012, following proper notice to the public and recommended approval of the application.

WHEREAS, A public hearing was held on the proposed minor subdivision on April 11, 2012, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and no adverse testimony was given or received.

WHEREAS, the Board of County Commissioners has considered the application, and 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 use is consistent with the objectives and purposes of the Alamosa County Land Development Code, specifically that:

2
1. Consistency with the adopted plans and policies of the county exist;

2. The plat complies with the standards of Article 5, Subdivision Standards, and any other applicable requirements of this LDC;

3. If located within or adjacent to the Rural Planning Area, the plat includes a plat note reciting the Right to Farm and Ranch Policy; and

4. The plat indicates that all subject lots will have frontage on existing approved streets;

5. New or residual parcels conform to the requirements of this LDC and other applicable regulations;

6. No new streets are required or are likely to be required for access to interior property;

7. No drainage or utility easements will be required to serve interior property;

8. No extension of public sewage or water lines will be required;

9. The proposed subdivision will not adversely affect permissible development of the remainder of the parcel or of adjoining property; and

10. No waivers from Article 5, Subdivision Standards, have been requested.

11. Final Plat to be submitted within sixty (60) days.

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.

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


BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

By [Signature]
George Wilkinson, Chairman

(SEAL)

ATTEST:

Melanie Woodward, Clerk of the Board
There being no further business, the Public Hearing for Ivan Hof was adjourned.

ATTEST:

Belina Ramirez, Administrative Secretary

Carol Osborn, Assistant Administrator

George Wilkinson, Chair

Mike Yohn, Vice-Chairman

Darius Allen, County Commissioner
Minutes of the Public Hearing for Leroy Polkowske was held on April 11, 2012 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present: George Wilkinson, Chair  
Mike Yohn, Vice-Chair  
Darius Allen, Commissioner  
Jason Kelly, County Attorney  
Mark Garcia, Interim Administrator  
Carol Osborn, Assistant Administrator  
Belina Ramirez, Administrative Secretary

Juan Altamirano and applicant Leroy Polkowske were present.

Address: 5958 Road 106 South  
Existing Use: Industrial  
Water: Private Well  
Proposal: To subdivide 2.07 Acres to Separate residential home and garage from commercial shops

Application Overview: The applicant, Leroy Polkowske, is requesting to subdivide approximately 2.07 acres. The proposed division of land will consist of two tracts of land; Tract 1 -1.03 Acres, Tract 1-1.04 Acres.

Public Utility, Waterline, and Common access via common access easements are delineated on the proposed tracts.

Access to the proposed tracts will have access via common access and utility easement off of Road 106 South.

The existing site has physical structures, including a residential home and a business operation.

Staff Recommendation: Staff recommends approval, subject to the proposed development conditions contained in Appendix 1. Previously this application was heard before the Planning Commission and was unanimously recommended approval. Also this application comes after an appeal. The applicants appeal was heard on December 14th. The Board of Appeals issued a ruling that allowed the applicant to proceed with the proposed subdivision.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annual any easements, covenants, or other agreements between parties, as them may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Commissioners.
There was no public comment made to the Land Use Office.

Commissioner Wilkinson asked if anyone is in favor of or opposition to this application.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S - 002

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY LEROY POLKOWSKE, COVERING PROPERTY LOCATED IN THE SOUTHWEST 1/4, SOUTHWEST 1/4, SECTION 31, TOWNSHIP 38 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO.

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

WHEREAS: Leroy Polkowske has submitted an application for a minor subdivision covering the following described property:

THE SOUTHWEST 1/4, SOUTHWEST 1/4, SECTION 31, TOWNSHIP 38 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO. IDENTIFIED AS PARCEL NUMBER 528502300007;

said property being zoned Industrial; and

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

Tract 1 = 1.03 acres more or less       Tract 2 = 1.04 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on March 14, 2012, following proper notice to the public and recommended approval of the application.

WHEREAS, A public hearing was held on the proposed minor subdivision on April 11, 2012, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and no adverse testimony was given or received.

WHEREAS, the Board of County Commissioners has considered the application, and 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 use is consistent with the objectives and purposes of the Alamosa County Land Development Code, specifically that:

1. Consistency with the adopted plans and policies of the county exist;
2. The plat complies with the standards of Article 5, Subdivision Standards, and any other applicable requirements of this LDC;

3. If located within or adjacent to the Rural Planning Area, the plat includes a plat note reciting the Right to Farm and Ranch Policy; and

4. The plat indicates that all subject lots will have frontage on existing approved streets;

5. New or residual parcels conform to the requirements of this LDC and other applicable regulations;

6. No new streets are required or are likely to be required for access to interior property;

7. No drainage or utility easements will be required to serve interior property;

8. No extension of public sewage or water lines will be required;

9. The proposed subdivision will not adversely affect permissible development of the remainder of the parcel or of adjoining property; and

10. No waivers from Article 5, Subdivision Standards, have been requested.

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.

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


BOARD OF COUNTY COMMISSIONERS OF
ALAMOSA COUNTY

(SEAL)

By

George Wilkinson, Chairman

ATTEST:

Melanie Woodward, Clerk of the Board

There being no further business, the Public Hearing for Leroy Polkowske was adjourned.
ATTEST:

Belina Ramírez, Administrative Secretary
Carol Osborn, Assistant Administrator

George Wilkinson, Chair
Mike Yohn, Vice-Chairman
Darius Allen, County Commissioner
Minutes of the Public Hearing for Sangre De Cristo School District c/o Brady Stagner was held on April 11, 2012 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:  
George Wilkinson, Chair  
Mike Yohn, Vice-Chair  
Darius Allen, Commissioner  
Jason Kelly, County Attorney  
Mark Garcia, Interim Administrator  
Carol Osborn, Assistant Administrator  
Belina Ramirez, Administrative Secretary  

Juan Altamirano was present.

Address: 8751 Ln 7 North Mosca
Proposal: To replat approximately 38.7 acres of land: 200+ parcels of land into 5 lots

Staff Recommendation: The applicant Sangre De Cristo School District is requesting the approval to replat approximately 38.7 acres. The proposed replat will decrease the number of lots from 202 to 5 lots. The proposed replat will consist of 5 lots: Lot 1; 4.012 acres, Lot 2; 21.401 acres, Lot 3; 11.034 acres, Lot 4; 1.435 acres, Lot 5; 0.879 acres.

Proposed Public Utility, Waterline, and Common access easements will need to be delineated in the final plat.

Access to the proposed lots will also need to be delineated on the final plat.

The site has an existing park, residential physical structures, and a school building.

Mr. Altamirano stated the Planning Commission did not hear this replat because in the Land Use Development Code it states staff has authority to review application and make a decision. A Public Hearing was held, advertised, and published. No public comment was made before or after hearing.

Mr. Garcia asked Altamirano to elaborate on the history of the plat. Mr. Altamirano stated there are no streets in the replat. They were all vacated.

Mr. Vanlwarden stated there was a road on lot 1 however when they redid the septic system they were not aware of the road. Now they have to vacate that road along with these lots replat so they don’t have any encroachments. They need permission of vacate road. Commissioner Allen asked if that road has ever been used. No stated Mr. Vanlwarden.

Commissioner Wilkinson asked about the sewer. A few years ago he encouraged them to drill their own well and they did. On Lot 4 & 5 those buildings are existing and are encroaching on setbacks. They will have to be dealt with in the future.
Commissioner Wilkinson asked if anyone is in favor of or opposition to this application.

BEFORE THE BOARD OF COUNTY COMMISSIONERS, ALAMOSA COUNTY COLORADO

RESOLUTION NO: 2012 – S – 3

RE: APPLICATION FOR REPLAT FILED BY BRADY STAGNER ON BEHALF OF SANGRE DE CRISTO SCHOOL DISTRICT, COVERING PROPERTY LOCATED IN THE SCHOOL BLOCK AND PARK BLOCK OF THE TOWN OF MOSCA, AND PORTIONS OF NORTH PARK STREET, 4TH AVENUE, 5TH AVENUE, TERRY STREET, OVLATT STREET, COLT STREET, AND PLOT D IN THE NORTHEAST 1/4 SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE N.M.P.M., COUNTY OF ALAMOSA, STATE OF COLORADO.

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

WHEREAS:

1. Brady Stagner, on behalf of, Sangre De Cristo School District, has submitted an application to replat the following described properties:

   SEE ATTACHED EXHIBIT “A”

2. Said properties being zoned Manufactured Home.

3. Said applicant seeks to replat the property as described in Exhibit A which will decrease the number of lots from 202 lots to 5 lots consisting of the following:

   a. Lot 1: 4.012 acres more or less
   b. Lot 2: 21.401 acres more or less
   c. Lot 3: 11.034 acres more or less
   d. Lot 4: 1.435 acres more or less
   e. Lot 5: 0.879 acres more or less

4. A public hearing was held on the proposed replat on March 14, 2012, before the land use administrator. The applicant and land use staff being present.

5. Testimony in favor of the proposed replat was given or received and no adverse testimony was given or received.
6. The land use administrator determined the application to be in conformance with the requirements of article 7 of the Alamosa Land Use Development code and recommended its approval subject to staff recommendations.

NOW, THEREFORE, BE IT RESOLVED that the re-plat of the above described property as submitted by Brady Stagner, on behalf of Sangre De Cristo School District be APPROVED, subject to the following:

1. Applicant shall provide a Letter of Authorization from the School District.

Roll call vote resulting in approval: All in favor

DATED: April 11, 2012

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(SEAL)

By George Wilkinson, Chairman

ATTEST:

Melanie Woodward, Clerk of the Board

There being no further business, the Public Hearing for Sangre De Cristo School District was adjourned.

ATTEST:

Belen Ramirez, Administrative Secretary

Carol Osborn, Assistant Administrator

George Wilkinson, Chair

Mike Yohn, Vice-Chairman

Darius Allen, County Commissioner