Minutes of the Board of County Commissioners Meeting, held on July 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-Absent  
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 July 11, 2012.  
Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
Regular Minutes-June 27, 2012
Public Hearing –Medical Marijuana Ordinance

M/S Yohn/Allen motion to approve the Minutes of June 27, 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

Approval of Consent Agenda

Ratification of Certification of Local Approval for Local Board of Commissioners for Non Profit Organizations
March & April Revenue Expenditure Summary  
Alamosa County Public Health MOU for Rebound Physical Therapy  
Colorado Department of Public Health Amendment 35 Immunization Funds

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

Public Hearings

Minor Subdivision-John & Cindy Olsen

Juan Altamirano and Mike Porter Representative for Applicant were present.

Commissioner Allen asked about the Bargain and Sale Deed which named the whole area that the Olsen’s already owned so he doesn’t understand why it shows Lena Teem selling the Olsen’s property. Mr. Porter stated Motz Attorney has done Quick Claim Deeds before but this time they did a Bargain & Sale Deed. Even though Lena did not own it she could Deed it just saying anything she owns if any she is deeding it. It is just like a Quick Claim Deed. It is to correct the boundary line. Commissioner Allen stated he talked to Jason Kelly County Attorney who asked him to convey that he talked with Motz Law Firm and the Title Company and he was okay with the replat the way it was presented and with the conditions attached by the Land Use Office. Mr. Garcia asked if there was another Bargain & Sale Deed from the Olsen’s to the Teem’s. Yes stated Mr. Porter. Commissioner Allen stated it is in the packet. Commissioner Wilkinson stated it is Exhibit #7. Commissioner Yohn stated there was confusion on the property lines of this subdivision and it has been worked out. Mr. Altamirano stated he will get together with Mr. Porter and Mr. Russell but essentially you are approving the plat on Exhibit #10 and he is comfortable with this.

List of Exhibits

1. Minor Subdivision Application Checklist
2. Staff Report
3. Application
4. Receipt of Payment
5. Ownership & Encumbrance Report
6. Deed
7. Assessor Record
8. Receipt of Taxes Paid
9. Water Documents
10. Survey
11. GIS Aerial View
12. List of Adjoining Property Owners
13. Letter to Neighbors
14. Public Notice for Planning Commission
15. Public Notice for BOCC
16. Notice to Applicant
17. Power of Attorney for Mike Porter to represent applicant
M/S Allen/Yohn motion to approve Minor Subdivision for John & Cindy Olson with the 10 stipulations the Land Use Office included.

Motion was approved unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012-S-005

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY JOHN OLSON AND CINDY OLSON, COVERING PROPERTY LOCATED IN THE SOUTHWEST ¼ OF SECTION 17, TOWNSHIP 38 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: John and Cindy Olson have submitted an application for a minor subdivision covering the following described property:

TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO. IDENTIFIED AS PARCEL NO. 528523300003.

said property being zoned Rural; and

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

Tract 1 = 5.92 acres more or less  Tract 2 = 3.41 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on June 13, 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 July 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.
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 issuance of a building permit, an individual sewage disposal system permit shall be required, if an individual sewage disposal system is not currently present; and

4. The final plat shall identify all existing easements and proposed easements and right of way, including, but not limited to electric transmission lines, county, state, public and private easements. Additionally, the final plat shall also identify all existing and/or proposed onsite wells, individual septic disposal systems, etc., in order to determine that there is an adequate area for the septic tank systems;

5. 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;

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

7. Any existing and/or proposed parcel(s) shall have permanent road access to a legally dedicated public/private road or highway. Access shall be built to county road standards;

8. 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;

9. The approval of the final plat shall not be deemed to constitute 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 land or facilities are located within the county; and

10. 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 Wilkinson, Commissioner Yohn and Commissioner Allen all in favor. None opposed.

DATED: July 11, 2012.

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(SEAL)

By

George Wilkinson, Chairman

ATTEST:

Melanie Woodward, Clerk of the Board

Alamosa County Land Use

Ken VanIwarden and Juan Altamirano were present.

Activities Report was presented as follows:

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Mr. Altamirano presented an overview of Land Use Applications for the past five years. He stated what he noticed was the amount of Special Use Permits has dropped ever since they changed the Land Use Development Code. This takes a hit on their revenue. They have seen more subdivisions now.

**Alamosa County Treasurer**

Lois Widhalm was present. She is requesting to fill a vacancy from her office. The last time she presented a request for a vacancy it was approved. She now has a second vacancy. There will be no changes to the salary or to the budget. She will continue to advertise. This position will continue with assigned Accounting Tech duties and the additions of the preparation of the Treasurer Deeds and the collection of payments of on-line property tax payments which is done on a daily basis. Commissioner Wilkinson asked if she had a list of applicants from the last time she had the vacancy. She does and asked Connie Ricci if she could use the applications she had just interviewed. Commissioner Yohn stated as long as they have the applicants that are current she should utilize those.

M/S Yohn/Allen motion to approve Employee Vacancy for Alamosa Treasurer

Motion was approved unanimously.

**Alamosa County Assessor**

Sandra Hostetter was present.
She presented the Preliminary Abstracts as follows:
- Real Property Abstract ($126,206,953)
- Personal Property Abstract ($7,169,831)
- State Assessed Abstract (2011-$14,635,100)
- Disposition and Register of Protests (Real & Personal)
- Personal Property Late Filing Report

At this point she does have two that want to go before the Board of Equalization.

**SLV GIS/GPS**

Sandra Hostetter was present. They are now a public/private partnership with Integrated Land Services. Everything is going well. They are exempt from a state audit but an annual audit just for the purposes of the business is being done. They will have the completed audit next week. Mr. Garcia asked if there was a transfer of property to Integrated. There was a clause with the agreement that if they terminated their services the property comes back to the authority. Mr. Garcia asked if Pete McGee was a signatory on that account. No stated Ms. Hostetter but there is three of the board as signatory. Commissioner Yohn asked if that amount will remain there. Yes stated Hostetter. Commissioner Yohn asked if they are utilizing their services. They do but their big hit is in the fall October. Some of the counties are not using his services as much after the change stated Commissioner Yohn. Rio Grande never used them stated Commissioner Wilkinson. Ms. Hostetter stated she wasn’t aware of that.

**Alamosa County Clerk & Recorder**

Melanie Woodward was present. She is requesting approval for the Renewal of the Liquor License for True Grits. Everything came back good such as background checks and there are no violations.

*M/S Allen/Yohn motion to approve Liquor License Renewal for True Grits.*

_Motion was approved unanimously._

**Alamosa County Road & Bridge**

Phil West asked if they wanted to put a sign on Zapata Signs of who is responsible for that road because our name is still listed on the big sign. Commissioner Allen asked him to phone BLM to inform them of their agreement that they were going to take over the road maintenance. Mr. Garcia stated he doesn’t mind calling them. Mr. West stated he didn’t get calls but he noticed it was bad and he did blade it a month ago. It needs more work than just blading stated Commissioner Yohn. Mr. West stated Sand Dunes wanted to stripe 4 miles on the Sand Dunes Road. It is just costing them for the labor. Mr. Garcia asked if Upward Bound contacted him for the trash pickup. Monday night he received a note that they picked up trash so he though they went on the Coop. Tuesday he received a note that they picked up trash on the S River Road. Then they went to the Coop Road. They picked up 25 bags of trash. Commissioner Yohn asked if there are options for chip seal if that is something they could budget for next year. Mr. West stated a lot of the roads up north such as the Sand Dunes Road they could benefit from that and
they have some chips but if they are thinking about it they should purchase some more this winter. It extends the life of the road for another 10 to 15 years.

BREAKE

Alamosa County Sheriff

Dave Stong was present. The Daily Average Population is 137 for the month of June. The Pre-Trial Release Program has saved them $78,880 since implemented last year. They have instituted the Work Release/Education Program again. They only have two individuals on this program. Mr. Garcia asked about under the requirements of no drug use what about Medical Marijuana? By statute it is not a prescription so that would not apply. Commissioner Yohn asked about the calls for services on the alarm calls if it was normal. Sheriff Stong stated 100% of those are false alarms. Usually it is the weather setting them off or the individual that has authority has set it off accidentally. They had talked about establishing an ordinance of a fine associated with this problem.

Commissioner Wilkinson asked about animal control what are they are doing with the animals since the shelter closed. They are working with the owners of the dogs. Commissioner Wilkinson asked what happens if the dog doesn’t have a tag. Sheriff Stong stated they haven’t run into that problem yet usually a neighbor or someone knows who owns the dog. They have talked about setting a shelter next to the east side of the Utility Building. They could work it out where the inmates would be caretakers for the animals. The area they would need would be minimal as well as the cost and the set up.

Commissioner Wilkinson asked about if the inmates are being screened for the Pre-Trial Release Program. Sheriff Stong stated they are. Commissioner Allen asked at one time they talked about getting our own County Judge to handle these cases. He is developing what charges could go be heard by this Judge. They looked at some figures and only six levels could be filed so would be looking at $100,000. This person doesn’t have to be a certified attorney and they would need a court clerk. He checked with the City on how they do theirs. Is there other counties doing this now asked Commissioner Wilkinson. Yes there are stated Sheriff Stong. He has only talked with Kristy Duarte from the city. They have court two days a week. It has to be a court of record. They could possible use this facility. He invited everyone to their “Art behind Bars” art show that started last night and will run through July 30th.

Alamosa County Public Health

They have already received a DTAP grant of $11622 but they have to get the Scope of Work signed. She asked if she could sign it so she could start utilizing it. Commissioner Allen stated it would be fine for her to sign and then they could ratify it at the next meeting.

At the first of the year they will not be allowed to give immunizations like they have they will have to bill the insurances. When they do CHAMP they give over 500 shots for the past three years. They have to have contracts with two companies before the year as well. Commissioner Wilkinson asked if this Amendment 35. The Feds give funds to the state and then pass it on to
us where in the past they were able to give immunizations for a $5 administrative fee but as of January if anybody has insurance they have to bill them. It will be hard for young couples with high deductibles. She thinks it is going to cost them more. She considered with the state doing the CHAMP program as a special project and use grant funds but they said no.

Another grant that they submitted last week was a partnership with the hospital, Adams State, National Jewish Hospital and themselves. The focus of this grant they decided should be childhood obesity. Those children identified with allergies will get treatment with National Jewish Hospital and those children with weight problems in the family and want help can get it if they want it. They will refer to the hospital for a program at the Alamosa Recreation Center not for weight loss but increasing activity.

**Alamosa County Home Health**

Julie Geiser was present. She introduced Laverne El-Mourade their new nurse that will take Kam Evans position.

She would like permission to hire another RN to the office. They could always put them in the field to see patients. They advertised for PRN Speech Therapist and Occupational Therapist but didn’t get one applicant.

They got 29 applicants for the Home Health Clerical position.

**M/S Allen/Yohn motion to approve hiring another RN.**

**Motion was approved unanimously.**

**CSU Extension**

Robert Davidson was present. There are around 300 in 4H where Alamosa County has 90+ in this program. Mary Ann Fleming has been doing a lot more with the seniors doing a lot of classes such as healthy heart and healthy bones. There has been a lot of attendance with these. Gina Paluzzi’s position ends at the end of July. She is working on the final reports. The grant runs out at the end of July but is looking at putting another grant sometime in October. They have two SNAP Ed positions of helping with nutrition and healthy eating. Those are paid through grants. Overall the acreage is up. Crops look excellent. He has only rejected a couple of lots. There is a variety of potatoes around the valley 200-250 types. Rocky Farms from Center is doing garden specialty business of 5-7 acres where they are selling potatoes for $3-4 per pound. Growers have gone to half circle concept. Merle Dillon’s position is still on hold. CSU’s budget took another hit. They had $20,000 committed from potato growers, he committed $20,000, and Extension committed $15-20,000. Marvin Reynolds has the potential of coming back as Ag Agent. There has been a real need for that. They will be discussing this Monday at SLV Commissioners Association Meeting. Last year they submitted a budget of $84000. It would go up about $12,000 for next year. It would give their office three core positions. His position and SNAP positions are state positions and are funded through-the-state.

Commissioner Allen asked about the budget. They might be looking at putting in $3-4000 more.
SLV Water Conservancy District

Mike Gibson was present. They continue to see requests for augmented water primarily from Alamosa County. Rio Grande County activity has slowed down. They are still seeing a few requests for Hinsdale and Mineral County. There they have the property owner petition into the district. The Division of Water Resources continues to monitor the in-house use wells. They are continuing looking at acquiring new water resources into their program. They do have another property indicating they may be willing to sell their water rights. The Sub district #1’s need for water to meet their depletions has everyone waiting to see how that works out for the value of water. It is a continuous concern. There is no water out there to purchase.

There are two ballot measures out are Initiative 3 and 45. These would institute back the public doctrine on water rights. If these are to pass it would do away with their prior appropriation system to administer water rights. The allocation would be done through a public process and the state would be obligated to uphold and ensure this would be applied and adhered to. At their last meeting they issued a resolution opposing these two ballot measures as well as Colorado Water Conservation Board, Colorado Water Congress, and Colorado River District. If they would consider this for their next meeting. They are looking for 80,000 signatures to get on the ballot. They need to be opposing even the opposing of the collection of signatures. They are being presented as do you want clean water or do you want the state’s big companies to control water.

The US Fish and Wildlife Services has announced they are looking for Conservation Easements in the Valley. They issued a map of the area which was disconcerting to a lot of agriculture producers. The District’s board wrote a letter to Secretary Salazar’s Office with their concerns that they are very displeased with this. The Rio Grande Conservation Board also sent out a letter.

Heather Dutton who now is full time coordinator of the Rio Grande Headwater Restoration Project was going to be here today but she could not make it. You may have heard of the McDonald Ditch Project on 7 Mile Plaza of replacing the diversion in the river. It will have a boat and a fish passage. It will be replacing the head gate at the McDonald ditch. There will be some stream bank restoration work done. They got cited for destroying a jurisdiction wetland so they are working to mitigate that while working with the core engineers. Alamosa County Phase IV is coming up with the final designs and cost estimates. They did the agriculture clearance of the sites. This is a cost share program with funding coming from multiple sources the Water Reserve Supply Account, the Non point Discharge Funding, and through the state Public Health & Environment. Ms. Dutton was asked by the NRCS for a major project to help improve the conditions of seven diversions representing sixteen ditch companies on the river. They are not sure how much of the $7 million they will get.

Phase III Restoration is a significant problem with noxious weeds on the landowner’s property. Ms. Dutton has secured funding through the State Forest Service. They have a program of restoration of repair in zones on rivers and streams from a grant of $20,000 to work on revegetation and noxious weed managements which will happen in Alamosa County. They talked to a specific landowner who has 20 acres of noxious weeds and has agreed to work on his property and address that.
They have moved their office to the old Cline Insurance Agency last week.

Commissioner Wilkinson asked where they don’t clean the vegetation along the river bank do they lose any water that way. One of the goals is to reduce the silt of sediment that goes along the stream banks. They have seen less sediment going in. The big issue with the sediment in the river is what happens under flood conditions.

Commissioner Yohn asked when they are doing a subdivision and there is no water coming in is a concern. East Alamosa Water has given them notice that there is no more taps available for subdivisions. Their option is to put in additional wells and those will have to be augmented. The municipalities have said the state will never turn off the wells but new water will have to be augmented and have water available. In their district if they have water available they will be willing to work with them. Do they have the water available this is what they did in South Fork they stated they did not have water for development so they brought water to them. They took it to water court and gave a portion back to them for water augmentation. If East Alamosa has to augment their wells they will have to go and buy surface water rights and use that water to augment the depletions of that well. They will have to go to the Division of Water Resources. Commissioner Wilkinson asked if East Alamosa would coincide with the city would that help. Yes stated Mr. Gibson but he is not sure where Alamosa is with augmented water.

Board/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 John & Cindy Olsen was held on July 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-Absent  
Mark Garcia, Interim Administrator  
Carol Osborn, Assistant Administrator  
Belina Ramirez, Administrative Secretary

Juan Altamirano and Mike Porter Representative for applicants were present.

**Request:** Subdivide approximately 10.27 acres into two tracts of land. Tract 1 would consist of approximately 5.92 acres, and Tract 2 would consist of approximately 3.41 acres.

**Property Location:** SW 4 S 17 T38N R10 East

**Planning Commission Recommendation:** The Planning Commission Unanimously approved the proposal and did not recommend any other conditions beyond staff's recommended conditions regarding the Final Plat. (One member of the board abstained from voting due to the relationship to the applicant)

**Staff Recommendation:** Approval  
The applicant is requesting to subdivide their current 10.38 acres into two tracts of land; Tract 1 and Tract 2. The applicants would like to subdivide property to separate two existing residential units. Each residence has their own individual water supply and septic disposal system. Additionally, each residential unit has their own private access. The subject property also has other existing structures that either will be rehabilitated or demolished.

The applicant and their neighbor to the North, prior to the BOCC hearing signed and recorded a Bargain and Sale Deed for part of the property. The final Plat map shall reflect such changes. Staff finds the request to be appropriate and consistent with the Alamosa County Subdivision Guidelines.

Staff Recommends approval 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 issuance of a building permit, an individual sewage disposal system permit shall be required, if an individual sewage disposal system permit is not currently present.

4. The final plat shall identify all existing easements and proposed easements and rights of way, including, but not limited to electric transmission lines, county, state, public and private easements. Additionally, the final plat shall also identify all existing and/or proposed onsite wells, individual septic disposal systems, etc. in order to determine that there is an adequate area for the septic tank systems.

5. 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.

6. Prior to the certification of the final plat map, the applicant shall pay the Alamosa County Treasurer necessary property taxes due.

7. Any existing and/or proposed parcel(s) shall have permanent road access to a legally dedicated access via a public/private road or highway. Access shall be built to county road standards.

8. The applicant shall record the approved final plat in the office of the County Clerk and Recorder 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 day, if the request is received prior to the original expiration date and the final plat meets all applicable provisions of this LDC.

9. 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 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.

10. 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.

Mr. Porter stated they did correct the border line. There are no encroachments at this time.

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

Mr. Altamirano suggested looking at Exhibit #6 the Bargain Deed of Sale.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012-S-005

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY JOHN OLSON AND CINDY OLSON, COVERING PROPERTY LOCATED IN THE SOUTHWEST ¼ OF SECTION 17, TOWNSHIP 38 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: John and Cindy Olson have submitted an application for a minor subdivision covering the following described property:

TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO. IDENTIFIED AS PARCEL NO. 528523300003.

said property being zoned Rural; and

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

Tract 1 = 5.92 acres more or less  Tract 2 = 3.41 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on June 13, 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 July 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.

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 issuance of a building permit, an individual sewage disposal system permit shall be required, if an individual sewage disposal system is not currently present; and

4. The final plat shall identify all existing easements and proposed easements and right of way, including, but not limited to electric transmission lines, county, state, public and private easements. Additionally, the final plat shall also identify all existing and/or proposed onsite wells, individual septic disposal systems, etc., in order to determine that there is an adequate area for the septic tank systems;

5. 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;

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

7. Any existing and/or proposed parcel(s) shall have permanent road access to a legally dedicated public/private road or highway. Access shall be built to county road standards;

8. 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;

9. The approval of the final plat shall not be deemed to constitute 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 land or facilities are located within the county; and

10. 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 Wilkinson, Commissioner Yohn and Commissioner Allen all in favor. None opposed.

DATED: July 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 John & Cindy Olsen was adjourned.

ATTEST:

Belina Ramirez, Administrative Secretary

Carol Osborn, Assistant Administrator

George Wilkinson, Chair

Mike Yohn, Vice-Chairman

Darius Allen, County Commissioner