Minutes of the Board of County Commissioners Meeting, held on August 15, 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  
Brittney DeHerrera, Chief Financial Officer  
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 August 15, 2012.  
Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes
The Following Minutes were presented:  
Regular Minutes-July 27, 2012  
Public Hearing-James & Donna Cooley  
Public Hearing-White Mountain Farms Inc/Rockey Family Farm LLC  
Public Hearing-Amendment to Medical Marijuana Ordinance  
BOE-Leon Moyer  
BOE-Ron & Marilyn Loser  
BOE-Gary & Barbara Griego Jones

M/S Yohn/Wilkinson motion to approve the Minutes of July 27, 2012.  
Motion was passed with Allen abstaining being absent during that meeting.

Approval of Bills/Obligations

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

Approval of Consent Agenda
Ratification of Colorado Division of Emergency Management
Colorado Division of Housing
RFP-Sale of Annex Building
May and June Revenue Expenditure Summary
Emergency Management Performance Grant

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

Public Hearings

Continuation of Hamilton Minor Subdivision

Commissioner Yohn will abstain due to conflict of interest.

Commissioner Allen stated when they have controversy with neighbors they have to take some extra time and look into it. He spoke with Mr. Kelly County Attorney and they understand they have to look at just at the application nothing else such as the blight. They have to determine if it met the application criteria. Commissioner Allen asked if he plans to build a home there or is it going to be a modular. Yes stated Mr. Hamilton that he plans to build a home not a modular.

Addition to Exhibits
17. Photos
18. Staff Report

M/S Allen/Wilkinson motion to approve Minor Subdivision for Robert Hamilton.
Motion was approved with Yohn abstaining.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S – 007

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY ROBERT HAMILTON, COVERING PROPERTY LOCATED IN THE EAST 1/2 NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 37 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 Wilkinson seconded the motion.

WHEREAS: Robert Hamilton has submitted an application for a minor subdivision covering the following described property:
TRACT OF LAND LOCATED UNDER RECEPTION NO. #330396
IN THE EAST 1/2 NORTHWEST 1/4 OF SECTION 12,
TOWNSHIP 37 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN
ALAMOSA COUNTY, COLORADO.

said property being zoned Residential; and

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

Tract 1A = 1.00 acres more or less            Tract 1B = 1.00 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application
for a minor subdivision on May 9, 2012, 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
June 13, 2012, before the Board of County Commissioners of Alamosa County,
following proper notice to the public, and where testimony was provided in favor of and
in opposition to the proposed minor subdivision; and

WHEREAS, due to several concerns by the Board of County Commissioners, the
proposed minor subdivision was tabled for thirty (30) days for further consideration; and

WHEREAS, the Board of County Commissioners reconvened the hearing on the
proposed minor subdivision on August 15, 2012 and heard additional evidence, and 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 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, and Commissioner Allen in favor. Commissioner Yohn abstained.


BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY
Alamosa County Land Use

Ken Vanlwarden and Juan Altamirano were present.
Activities Report was presented as below:

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They continue getting calls on solar. It is highly unlikely they will see anymore Solar Farms built until the Transmission Line is built. They have twelve Land Use Applications that might come before the board.

Commissioner Yohn asked about the Medical Marijuana if the on is active. They have submitted two applications; one to continue with that property with issues because they have back taxes owed, and the other is to change venue, a location outside the City influence. They can continue operation since they have made an application until the Board makes a decision. If not favorable with the application then they would have to cease operation immediately. They have the feeling the outcome isn’t favorable towards them so they have submitted the second application for a venue change.

Commissioner Yohn asked about the blight issues regarding the Devil’s Playground and the Gilmore Property do they have a Code Enforcer and can they enforce the code. Mr. Altamirano has sought advice from Mr. Kelly. Currently they are not allowed to give citations to individuals unless the Sheriff’s Office handles the citations. Mr. Kelly stated the Sheriff Deputies do that and in the past they have done this. There is a mechanism to allow the Land Use Administrator to issue the citations. They have to have an Ordinance to authorize the Land Use Administrator to do this. They have tried this for specifically vendors that establish business outside the areas where they have called the Sheriff’s Office to investigate. He does not know the outcome of this. He has not had any result or feedback from that office. Mr. Vanlwarden stated they are investigating and turning in vendors by calling the Sheriff’s Department. The problem is they do not get feedback from the Sheriff’s Office so they have no idea if the vendor has been contacted or cited. They look to the Sheriff’s Office for enforcement.

Mr. Vanlwarden stated they have a few small cases that they have cleaned up. They have had about 4 cases in Bonneyville Drive that were cleaned up in a timely manner. It is a problem with the big blight cases and they are uncooperative. They need to have some enforcement. Commissioner Yohn stated they need to have a resolution done and asked how they typical issue the violation. They do this through the Sheriff’s Office.

Commissioner Wilkinson asked if the Ordinance on Single Wide Trailers is this a progressive type deal. Mr. Vanlwarden stated that did discourage single wides so they are doing double wides now which are working better for them. Mr. Altamirano stated a few years ago they used to have 4 or 5 Conditional Uses per year for single wides so upon implementation of the Ordinance it has gone to zero.

Commissioner Wilkinson asked if the new sign at Sensativa complies with the Land Use specifications. They have not pursued that.

Mr. Vanlwarden stated he doesn’t know about the Devil’s Playground because Ms. Lucero was working on that. They will check their records what kind of communication they have had with them and they will follow up on it today.
Commissioner Allen asked if Sensativa wants to move out of there because their taxes have not been paid because he checked with the Assessor's Office and they show they've been paid. That is what Sensativa is saying.

Commissioner Allen stated the extra Community Fun money from the Solar Farm he would like to recommend it going to the Boys and Girls Club. Mr. Altamirano stated he wanted the Solar Company Manager to come in and make the request.

Ms. DeHerrera asked about a timeline for the Land Use Development Code. Mr. Altamirano stated he hasn't seen the document Mr. Garcia had perhaps it is in Pat Lucero's email but she is out on vacation now. He will look into it and give a tentative deadline by the end of this week.

At the request of the Rio Grande Water Conservation District they had a meeting with Districts Attorney Dave Robins, HCP staff, District Staff, and the Districts Consultants to talk about the next steps in trying to have the counties adopt Land Use Ordinance in agreement to try to enforce the Habitat Conservancy Plan that the district is trying to implement to protect the San Luis Valley from a critical habitat designation by the Fish & Wildlife Service. He believes the meeting went well. There were a lot of questions that were asked that they had already asked prior to. They were concerning how it was going to be implemented and what are the rules and responsibilities as Counties would be. Some questions are; what are the activities that they are permitting, what are permitted, and what are not. So if a farmer wanted to clear his/her ditch from willows to get to their ditch they would be able to do that right now and if the county wanted to clear willows they could do that. In the event the board does not want to go into the Habitat Conservation Plan the county and its residents would be obliged to go before the service every time and get a Section 7 permit from the Fish & Wildlife which would be very costly and time consuming. Unfortunately it is a necessity and he feels they need to opt in. It does not cover activities for development along the repairing area or wetlands area. So if someone wants to grade critical habitat area or willows or cottonwood they would have to say it is not a permitted activity under the Habitat Conservation Plan. They would need to get Section 7 or a 404 permit from the service in order for them to continue that activity. There were questions of the implementations specifically to the amount of acreage that are to be mitigated about 279 acres. This is a comprehensive mitigation. They are thinking that not everyone is going to plow down willows at the same time. They feel between Alamosa and Rio Grande County they have enough mitigation credits established through easements for that habitat and they feel any additional habitats will only add to that mitigation credit.

Commissioner Wilkinson thought they already did this before and now we are doing the same thing again over something else. Mr. Kelly stated that was different because they were trying to set up the valley as a federal designation. They were trying to do some preventative work by pre-empting the federal government coming in and designating the entire valley because they have already done it. He thought the whole process was the owners didn't have to get the Section 7 permit as long as they fell into that acreage. They would have to get a permit from the Conservation District but they would keep track of how many acres would be utilized. This is a continuation from what they did before stated Commissioner Allen. This is the first time they have had a Regional Habitat Conservation Plan in the whole United States. If it is normal practices they won't have to do this. Instead of every landowner in the whole valley required
have their own Conservation plan. Counties can opt out but each of the landowners in that county will have to come up with their own Conservation Plan and submit it to Fish & Wildlife for approval. It isn’t all landowners stated Mr. Altamirano it is primarily ranchers, farmers, counties, and municipalities. It is not residents who live along the area just for housing purposes. Commissioner Allen stated they need to have something written in their Land Use Development Code that they have adopted this Regional Habitat Conservation Plan. This way if they have someone come in wanting to do a 20 home development along the river they have to abide by this plan and even for regular Road & Bridge activities such as digging out a culvert. Mr. Kelly stated the best thing to do is rebuild the Code because there have been so many amendments and adopt it. Do it by ordinance and reference to the Land Use Code. There are statutes saying if they do an ordinance they have to publish it.

Alamosa County Assessor

Petition for Abatement or Refund of Taxes

Sandra Hostetter was present. She has a request for Abatement by Standard Sales the Budweiser plant. They filed an appeal this year for a re-evaluation period the value was adjusted for this year. They have requested for abatement for last year. It is her recommendation they approve the abatement. The value was lowered from $2,426,703 to $1,800,000 so the abatement would be for $14,887.55. The Assessor recommends abate/refund of $14,887.55.

Standard Sales hired a Tax Agent this year so they didn’t appeal it last year but their Tax Agent was very knowledgeable about property taxation so they filed the appeal and knew the process.

M/S Allen/Yohn motion to approve Assessor’s recommendation to re-evaluate and abate/refund of $14,887.55
Motion was approved unanimously.

Alamosa County Clerk & Recorder

County Clerk & Recorder’s Report for July

They received a perfect performance for their Office of Vital Statistics. They received 100% on the first 2012 application audit. They deal with Alamosa, Conejos, and Costilla where they issue all the Birth and Death Certificates. It stated in recognition of their outstanding achievements and tireless efforts in making the Death Certificate process a more pleasant experience. They congratulate them on their quick response to their call backs and the excellent care given to reviewing each Death Certificate registered. Death Certificates went up August 1st from $17 to $20 for an extra $3. This extra $3 will go to the State for the electronic death registration that they are working on. Right now you have to go to the County that the person died in for a Death Certificate so will this they will be able to get it at any County. This will take a few years to go into effect.

M/S Allen/Yohn motion to accept County Clerk & Recorder Report
Motion was approved unanimously.
Sandra Hostetter was present. She has a request for Abatement by Standard Sales the Budweiser plant. They filed an appeal this year for a re-evaluation period the value was adjusted for this year. They have requested for abatement for last year. It is her recommendation they approve the abatement. The value was lowered from $2,426,703 to $1,800,000 so the abatement would be for $14,887.55. The Assessor recommends abate/refund of $14,887.55.

Standard Sales hired a Tax Agent this year so they didn’t appeal it last year but their Tax Agent was very knowledgeable about property taxation so they filed the appeal and knew the process.

M/S Allen/Yohn motion to approve Assessor’s recommendation to re-evaluate and abate/refund of $14,887.55
Motion was approved unanimously.

Alamosa County Clerk & Recorder

Melanie Woodward was present.

County Clerk & Recorder’s Report for July

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M/S Allen/Yohn motion to accept County Clerk & Recorder Report
Motion was approved unanimously.

Approval of Equipment and Sales of Services Agreement for Election Services

This is to rent ADA voting equipment for the General Election. It is cheaper to do this than for pay for license and software through Hart. Commissioner Allen asked if they own any equipment. They do stated Ms. Woodward they own all those they purchased in 2006 but their software licensing and software is higher not including what they would charge for elections. She looked into selling some of their equipment because they combined their polling locations they don’t need all ten pieces of equipment they have. The state stated since it was purchased with Federal money it would have to be paid back. They have to have three, one for the Clerk’s office, one at the polling location, and one for back up.
They are doing now a ballot on demand. The state received grant money where each county was
given a printer to print military and overseas ballots. They are also trying to get a statewide
system.

Commissioner Yohn asked how many years have they been using this company. They have used
them forever for their Accubooks the machines that their paper ballots go through and the renting
equipment for four years.

M/S Yohn/Allen motion to approve the Equipment and Sales of Services Agreement for
Election Services.
Motion was approved unanimously.

Alamosa County Road & Bridge

Phil West was present. They have run out of product for weed spray yesterday. Monday and
Tuesday they will finish up. They finished on Lane 10 and have done a mile east of 111. It is
getting so dry and sand drifted so they laid some clay to lift it up. They are taking down the
Welcome to Alamosa County sign today and will get it up Monday. They will start
handpatching. Then they will run out the Asphalt South of the Mushroom Farm. They ordered
paint and once it gets here they will stripe the County Line, the 8, 109, and the Sand Dunes
Road. It will take about a week or two to get the paint. Commissioner Allen asked if they got
done doing the Sand Dunes Road. No stated Mr. West. It looks rough. They are done with their
project on 285. They will get to it next week. They will put millings in the holes. They could
restrict that to local trucks only instead of potato haulers to cut down the weight limit. How
would you word it stated Mr. West. Commissioner Wilkinson stated he will look into it with
CDOT.

Commissioner Yohn stated a resident called in saying it was sprayed two days before they
mowed it. Mr. West stated if they get six hours of sun they are dead.

Mr. West stated the Lay down Machine belonging to Conejos County is going to need screens
when they are done. They are talking about $10,000 and Conejos will go half with them.

Alamosa County Department of Human Services

Joe Carrica was present. A lot of these contracts were signed before by the Director and never
came before the board. He is bringing them now to let them know what they are contracting for
and who they are working with. All these are set up for signature by Director so when he is done
if they could approve him to sign off on these.

1. Contract for Services Administrative Assistant for Adult Protection and Paralegal
   Services for Child Welfare with Kathy Stoeber. Mr. Kelly stated it is very little paralegal
   basically for Adult Protection. It is not to exceed $3000 for the whole year.
2. Core Purchase of Service Contract with Lori Kochvar MS LPC. This is set up for $1000
   and will not increase the cost of the Core Agreement that was approved at the prior
   meeting.
3. MOU for HB 1451 which is a Child Welfare set aside of dollars in agreement with multi agencies with Probation Dept, Public Health, Alamosa Schools, Mental Health, DYC, Colorado Health Partnerships, Signal Behavioral Health, Tu Casa, and Center for Restorative Programs to try to commit a pool of money that stays within their own budget but agree to cooperate and try to stop duplication services. They also do in-kind services. Within this MOU for HB 1451 there is a second part of Administrative Services for that program. It is about $73380.

Commissioner Allen asked about the June 1st deadline. The rule is they have to start in March to get all the six counties approved so next time hopefully this won’t happen again. Because most of these are with the same people again and again; he immediately sets up a continuation of the current year grants so even though the money stops the agreement will continue until signed. With this providers will no problems getting paid.

M/S Allen/Yohn motion to approve these contracts presented and give Joe Carrica authority to sign off on them.

Motion was approved unanimously.

BREAK

Alamosa County Sheriff

Dave Stong was present. The Monthly Detention Report was presented. They have a daily average of 128 inmates for the month of July. They have about 42 inmates housed outside the facility in Conejos, Chaffee, Bent, and Costilla. They have had 164 transports in the county and 55 outside of the county. Their total miles driven are 3721. Their daily average is 77¢ per meal according to the Meal Service Report. Their facility is a felony only facility they do not take misdemeanors unless it is a special situation. They had 1079 total calls for the month of July.

Commissioner Wilkinson asked about the Pre-Trial Release if they are able to interview the people in the other facilities or are their arrangements for that. Sheriff Stong stated Chaffee County used to release their prisoners when their time was up but they will no longer do that because they are staying in their community. They were taxing on their welfare system. This is where their bulk of inmates are housed. They send them where their courts appearances are pending.

They are working with Mr. VanFarden and their 2013 Budget to take their existing rec room and converting it into a dormitory housing. They can add about 50 beds to the facility but limited to man power increase.

Alamosa County Public Health

CHAMP finished last week. They did 628 immunizations and 235 were done Thursday alone. They ran out of vaccine. Her concern is they won’t be able to give immunizations next year because they have to bill insurances and she doesn’t know how that would work. The screenings were downloaded there at the schools for hearing, BMI, weight, and height.
They did get the DTAP grant for $11,000 and submitted for one grant where they work with Child Care Centers and Universal Precaution classes, and Medication Administration Class for them in the amount of $13000. The big grant is for $260,000 which is a three year grant where they have to submit every year. Out of that Grant they contract with Jewish Health, Adams State, and both School Districts for $135,000 so they will only see the $81,000. She plans with that money for those children that are obese they will ask them to go to the Rec Center that the Hospital is in partnership with. Commissioner Allen asked if this was just for Alamosa County. Ms. Geiser stated yes.

She believes with Kathleen at the Office of Partnership and Planning at the SLV Valley Commissioner meeting to make regional and make Rio Grande take the lead. Commissioner Allen stated they wanted to house centrally locally here in Alamosa. They do have a room available stated Ms. Geiser. Commissioner Allen asked if Della Viera would want to do that. Ms. Gesier stated she is not sure but she is fine with this though.

**Alamosa County Home Health**

They received their license this month. They also received word from the CMS (Center for Medicaid and Medicare) on their survey that it went well.

She would like to contract with a Traveler Physical Therapist for about three weeks because Nana Scott who usually does this but wants to go on vacation in Mexico. She has to look into it more. They also need to do another contract to hire another nurse to replace Lavern El Mourad who they hired for the office. They have to have experience with Home Health and she is thinking about Laura Martin.

Saguache County has covered for Personal Care Provider Services for Rio Grande County and they are also losing money on that program. They told Rio Grande County that the only way they could continue seeing those people are if they paid them $1500 a month to do this. They have asked us if we want to pick up 35 more clients. They are already in the whole with this program so why would she do more is what she is thinking. Ms. Geiser stated her inclination is to say no.

Census for Home Health is 179.

They have for PCP 10% clients and 35 providers.

**12th Judicial Community Corrections Board**

Pat Stanford was present. There have been changes in membership, new program initiatives that they have implemented, and the state perspective on what is happening in Corrections now. They add some more board members so they added Adam Abeyta Sheriff’s Department, Robert Jackson City Police Department, and Leland Romero City Councilman.

They recently contracted with Colorado Division of Criminal Justice and Department of Corrections to continue Community Corrections Treatment. The treatment section is a critical
element. HB1352 funds passed for the Division of Criminal Justice that are intended towards dual diagnosis suffering from mental illness, mental health problems, as well as substance abuse for offenders placed in community corrections. It reflects statewide priority. The first year was successful. There are a limited number of individuals right now. They are targeting the high risk that they know have the possibility of re-offending as they transition out from prison or sentenced by the courts.

CACCB (Colorado Association of Community Corrections Boards) a statewide association of 22 Judicial Districts and Community Corrections Boards from each district that get together to talk about how they could do a better job in Community Corrections outcomes more successful. They look at the treatment aspect, dual diagnosis program, improving referral information that they receive from Department of Corrections, improving information that they receive from the courts for diversion sentences(individuals that are sentenced directly from a judge right to the Community Corrections Program), transition individuals(come out of Community Corrections that are reviewed by their committee using statewide criteria and statutory authority to decide if they can be placed here or not), and intensive residential treatment program(an enclosed program for 90 days that treats individuals severe abuse programs.

Commissioner Yohn asked how long this 90 day program has been in existence and how many patients do you have. This is their third year. Previously it was a 45 day program but what they found out that wasn’t enough. They have an average of 45-50 individuals a month in that program. They just come here for this treatment and then they leave back to prison or back to their jurisdiction.

Commissioner Wilkinson stated they only have 13 out in the community. They have the rest in house and contained so when their 90 days are done they go elsewhere. They are having fewer problems than probation. They did stress to the SLV Community Corrections to increase supervision over the individuals and discipline stated Mr. Stanford. Commissioner Wilkinson stated they also give the individuals rewards for staying out of trouble.

**South Central Colorado Seniors**

Frances Valdez was present. She presented the Senior Nutrition Program costs. The total costs for FY July 2011 to June 30, 2012 were $109,951.86.

In order to present a balanced budget they are looking at reduction of services. They had this in mind last year but in appreciation to the El Pomar Foundation and the Daniel Foundation they were able to secure two grants and were able to operate five days a week. They are looking at reduction to four days a week a month. They will see after January. Food costs are going up as well.

She wanted to talk about some significant changes that are taking place in the Area Agency of the aging and the aging networks. She attended the National Association of Area Aging agencies Conference in Denver. One of the big changes under their Health Promotion Disease Intervention component is everything now has to be evidence based programs. They used to help these dollars to do material aid such as assistance with eye glasses and 9 Health Fairs. They
will not be able continue doing that. Their Chronic Disease Self Management Diabetes where they had three workshops last year is an evidence based program. Another is their matter of balance which looks at what might be fall hazards and helping keep people mobile in their home and working.

The creation of the Administration Community of Living (ACL) will now combine the Administration of Aging, the Office of Disability, and the Administration on Developmental Disabilities. These were all Federal programs. The aging network really needs to embrace this in order to survive the three pillars which are Preventions, Options Counseling Long Term Services, and Elder Rights and Elder Abuse. Older Americans Act is basically prevention and the challenge is it not growing and it needs to. The goal is to focus on helping seniors remain living in their own homes for as long as possible before they go to long term facilities. Their core services that help with that is their Home Delivered Meals, Homemaker services such as housecleaning, and Respite Care.

They had an executive order from Governor Hickenlooper establishing the Office of Community Living in the Department of Health Care Policy and Financing. She doesn’t know what the effects of this will be.

They will have their 3rd Annual Active Senior Celebration in Fort Garland on Friday. They have a little trade show. They averaged around 200 people for the last two years.

Commissioner Wilkinson asked how many staff they have. The biggest is the Food Nutrition Service they have a total of 25. They have 3-4 for Administration.

Commissioner Yohn asked about their blizzard packs. They hand out shelf stable emergency meals for the homebound. These are in case they are not able to deliver food on the count of the weather or an example in San Luis they had water problems.

**Senator Udall's Regional Director**

This effort is something Secretary Salazar has asked Senator Udall to do this. The Sangre de Cristo National Historic Park would be a series of sites managed by the National Park Service. This would run like any other preservation work. This is a just series of small sites and shared cooperative management agreements. The proposed legislation will include a series of sites such as the Sangre de Cristo Heritage Center, The Sociedad Proteccion Mutua de Trabajadores Unidos Building, The Fort Garland Museum, The Denver & Rio Grande Antonito Depot, The Los Caminos Antiguos Scenic and Historic Byway, Dario Gallegos House, Trujillo Homesteads, Pike’s Stockage, and the Old Spanish National Historic Trail. They would like to see comments before the Senator would do anything. They would like to see a letter in support of this. Conejos has done this.

Commissioner Allen believes this will enhance what they already trying to do. He asked about the public input process if they will have public meetings. Right now they have been getting comments on their website since they announced January 3rd. She is the only person doing these meetings so she has been hitting all the key stakeholder groups. They will have a park public
meeting probably the first or second week of September. As they go forward they may do office hours in different counties.

M/S Allen/Yohn motion to write a letter of support with all three Commissioner’s signatures.

   Motion was approved unanimously.

Worksession
E911 & EOC Committee

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 Robert Hamilton Continuation was held on August 15, 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
                Brittney DeHerrera, Chief Financial Officer
                Carol Osborn, Assistant Administrator
                Belina Ramirez, Administrative Secretary

Juan Altamirano was present.

This case was first heard before the Board on June 13, 2012.

Request: Subdivide a total area of 2.00 acres from a single tract to two tracts of land. Each having 1 acre.

Property Location: E2 NW4, 12-37-10

At that time the application met all the requirements necessary for the Minor Subdivision Guidelines under the Alamosa County Land Development Code. Staff recommended Approval of the application however the board tabled the application for more information. They looked at the five questions, met with several of the adjacent Land Owners to discuss the application and several issues were brought up and investigated. The results found no negligible or no impact on the proposed Minor Subdivision. Today staff recommendation is they meet all the requirements under the Alamosa County Subdivision Regulations and recommend approval. The questions regarding Hamilton Subdivision were as follows:

*What is the last time the area was subdivided and re-subdivided:* The area does not have a history of subdivision. The likelihood of the area being subdivided to increase the areas density is low, given its historical number of subdivisions. The last the area was subdivided was in 1980 under the Harris Division of land. The land division resulted in dividing a 2 acre parcel into two 1 acre parcels

*Is No Name Lane a County Adopted Road or is it Private Access:* No records have been found related to the adoption and acceptance of No Name Lane to the County road system. It seems like there might have been a verbal agreement between County Officials and property owners to maintain the roads. No proof of that.
Total Number of Houses within a 1500 area of the proposed Subdivision: There are a total of 79 housing units within a 1500’ radius of the proposed subdivision. The 79 units are located in approximately 170 acres which is approximately 1 unit per 2.2 acres. However, the physical property boundaries are mixed and typical parcels range from .62 acres to 44 acres in size. 5 homes are vacant.

Total Number of Residents within a 1500’ radius of the proposed Subdivision. There are approximately 192 residents within a 1500’ radius of the proposed subdivision. The average number of residents per unit is approximately 2.4 residents per unit.

Total Number of Police Reports filed against the area residents? There has been 5 police reports filed within the general area; however, these reports are not specific to the proposed division of land. The reports were filed in 1997, 2001, 2005, 2005, and 2007.

Another issue that was brought up but does not pertain to the Minor Subdivision was an alleged blight violation. He went out yesterday to investigate the property and found no further violations. He presented some current pictures.

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

Robert Hamilton spoke. The people that were opposing this were trying to make him look like a bad landlord because he lives in Denver. They don’t know how often he comes down and they never brought up any issues to him. Of all the people in that area only 5 opposed. Also some were concerned with the 2 acre subdivision they should have put a stipulation in the first place at the time of the sale. He was injured at work with CDOT and he wasn’t able to get down here. They cleaned up the blight, fences repaired, and they built a shed for storage.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S – 007

RE:  APPLICATION FOR MINOR SUBDIVISION FILED BY ROBERT HAMILTON, COVERING PROPERTY LOCATED IN THE EAST 1/2 NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 37 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 Wilkinson seconded the motion.

WHEREAS: Robert Hamilton has submitted an application for a minor subdivision covering the following described property:
TRACT OF LAND LOCATED UNDER RECEPTION NO. #330396
IN THE EAST 1/2 NORTHWEST 1/4 OF SECTION 12,
TOWNSHIP 37 NORTH, RANGE 10 EAST, OF THE N.M.P.M., IN
ALAMOSA COUNTY, COLORADO.

said property being zoned Residential; and

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

Tract 1A = 1.00 acres more or less         Tract 1B = 1.00 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application
for a minor subdivision on May 9, 2012, 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
June 13, 2012, before the Board of County Commissioners of Alamosa County,
following proper notice to the public, and where testimony was provided in favor of and
in opposition to the proposed minor subdivision; and

WHEREAS, due to several concerns by the Board of County Commissioners, the
proposed minor subdivision was tabled for thirty (30) days for further consideration; and

WHEREAS, the Board of County Commissioners reconvened the hearing on the
proposed minor subdivision on August 15, 2012 and heard additional evidence, and 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 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, and Commissioner Allen in favor. Commissioner Yohn abstained.


BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(S E A L)

By George Wilkinson, Chairman

ATTEST:

Melanie Woodward, Clerk of the Board

There being no further business, the Public Hearing for Robert Hamilton Continuation was adjourned.

ATTEST:

Belina Ramirez, Administrative Secretary

Carol Osborn, Assistant Administrator

George Wilkinson, Chair

Mike Yohn, Vice-Chair

Darius Allen, County Commissioner