Minutes of the Board of County Commissioners Meeting, held on August 29, 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/Wilkinson motion to approve the agenda of August 29, 2012.  
Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:  
Regular Minutes-August 15, 2012  
Public Hearing-Continuation of Hamilton Minor Subdivision

M/S Allen/Yohn motion to approve the Minutes of August 15, 2012.  
Motion was passed unanimously.

Approval of Bills/Obligations

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

Public Comment

Approval of Consent Agenda  
CDPHE Maternal & Child Health Approved Task Order Contract Waiver #154  
Services Agreement between esolutions  
Ratification of Mail Finance Government Product Lease Agreement
Ratification of Addendum to Agreement for Mail Finance

Colorado Division of Housing Attachment K-Signatory Authority and Delegation of Signatory Authority for 12-045
Colorado Division of Housing Attachment K-Signatory Authority and Delegation of Signatory Authority for 12-003
Treasurer’s Report for July

Remove Up & At ‘Em Therapy Staffing Services Agreement was pulled to discuss later.

M/S Allen/Yohn motion to approve Consent Agenda with removal of Up & At ‘Em Contract
Motion was approved unanimously.

Public Hearings

Alamosa County Treasurer

Lois Widhalm was present. She has presented information related to a bankruptcy matter. It has to do with two state assessed properties. They were under the name of Columbine Telecom Company but the bankruptcy filing for this company was under the name FairPoint Communications. The obligation of the taxes she felt were to be collected and outstanding when the bankruptcy was removed. The dates were from October 2009 through 2011 and when it was discharged in 2011 she felt the taxes were due and payable under the Bankruptcy Law. The year of 2010 the taxes were paid in full but the taxes for 2009 were not paid. They are current to date except for 2009. She spoke with Mr. Kelly and he spoke with Fairpoint Communications. They do have outstanding taxes due plus interest of $26,229.50 for the first parcel and $16,145.87 for the second parcel.

Mr. Kelly read the letter from their counsel which was a nice way to put cease and exist and a plan for deadlines for any government entity for any claims. They were state assessed taxes so there are questions there on priority on taxes. He is not a bankruptcy attorney. They can refer to a Bankruptcy Attorney for opinion but his opinion is that they can’t. They still have to file a proof of claim and in order to do this they need to get the notice of deadline filed. Ms. Widhalm stated their office never received that. He contacted them to provide documentation of notices that went out and it should the Alamosa County Treasurer and the Clerk and Recorder’s Office was noticed. Whatever reason they did receive these and did not respond. Any claims are discharged by that date. Although they didn’t pay the taxes in 2009 they did the subsequent years even though the effective date of their plan was January 2011. IF you hold that argument they might have not had to pay those either. He brought that to Fairpoint Communications attention. It might be best to just not pursue because they may ask for a refund of what they did pay or you would just get pennies of what the total is owed.

Ms. Widhalm stated she received information from the Division of Property Management in Denver. Mark Walker stated it used to be state assessed property would be sent to the Taxation of Denver but this hasn’t been done for several years. This might be where the proof of claim might have been sent there. They did not receive it in her office. Mr. Kelly asked if she asked
Mr. Walker if they were still liable for the claim. If it wasn’t filed and the agency wasn’t willing to make a payment than it would be a done deal. Commissioner Allen asked with bankruptcy they didn’t have to pay 2010 but they did. The Bankruptcy was for prior to 2009 but the plan they adopted gave an effective date of 2011 so taxes 2010 and current were paid. Even if you filed a claim you would get very minimal it would depend on assets were on what you would recover. Ms. Widhalm stated they recently got a bankruptcy for Movie Gallery that filed proof of claim and only received $6.53 and the amount claimed was for several thousand dollars.

The interest could be exempted and it would be lessened to around $32000. Commissioner Yohn questioned the taxes in 2009 were more than in 2010. They were a bit higher but she didn’t look at the assessment from the state so she doesn’t know why. Commissioner Yohn stated they didn’t meet their deadline and to fight it wouldn’t be probable. Commissioner Allen stated we don’t have much a choice he feels they won’t receive anything. Commissioner Allen stated all the Solar Farms are state assessed and if anything happens there would they notify us or do we have any input in that. With what we now know that they are State Assessed stated Mr. Kelly. She receives bankruptcy months after it has happened stated Ms. Widhalm. She will look at state assessments carefully and if they are behind she will the watch bankruptcy courts as best as she can. Government entities usually get additional time stated Mr. Kelly.

M/S Allen/Yohn motion to remove this from the roll
Motion was approved unanimously.

Children’s Code/CRS 19-2-210

David Gallegos was present. According to Colorado Revised Statute 19-2-210 County Commissioners can incorporate a Community Review Board for juveniles who are committed to the Youth Corrections return to the community while still in commitment status. They established one in 1983 but now it is a nonfunctional board. There is no one in charge to take lead or the role for this. He wants to know what they want to do. They have staff secured placement but not community placed. Commissioner Wilkinson stated they did away with this because other areas in the state were not doing this. Is it necessary asked Commissioner Wilkinson. Once they are parole only if they are still on commitment time they cannot release to the community without the board approval. The board would be of community leaders and they would review file to determine if they will be placed in Youth Track. Youth track they did do CRB for a few individuals just for the file. Commissioner Wilkinson stated it wasn’t functional and this is the only place we had this in the State of Colorado. The way they decide how a child is placed there is through different assessments. Secure kids are not coming here they have to be in a secure place. They assess the risk and Youth Track decides with others which is they already do assessments. Commissioner Wilkinson stated that is why it is a mute point doing double the work.

Mr. Kelly stated if this is something you do not want than you have to motion so because a resolution was passed earlier in time to adopt it.

M/S Allen/Yohn motion to dissolve the Community Review Board for Youth Corrections
Motion was approved unanimously.
Department of Human Services

Joe Carrica was present.

Alamosa Admin allocations show what we should get and what we get from Health Care & Policy a total of $822,833.78. They are getting a decrease in Administration. The second sheet is Child Welfare Allocation. Its allocation for next year is $2,755,661. Counties that underspend their Medicaid components of the allocation are able to transfer unspent portions to cover over expenditures. Child Care Allocation showed for 2013 $385,676. Their goal is to budget to these allocations. The Colorado Works Allocation is $1,147,171.

Graph charts were presented comparing 2011 to 2012 where we are at now for each program. Adult Financial shows they are below where we were last year. Adult Medical shows an increase and this is from making some individuals eligible that were not before due to a new program being implemented. Colorado works shows in 2012 they are pretty much under where we were a year ago. These are about 6 months late to show the impacts. Food Stamps show a decrease this year compared to last year.

Issuance total for July 2012 of Food Stamps showed Alamosa issued $509,230 with 1849 cases. Commissioner Wilkinson pointed out a difference in the graph charts to this total. Mr. Carrica stated he is not sure why so he will look into it. Commissioner Allen asked if the total number of cases is how many total. Mr. Carrica stated it is just the total of cases not how many are in the household.

Medicaid Dollars spent for July 2012 were presented with a total of $2,771,465. Commissioner Yohn asked how the transportation is spent. This is for providing transportation to access medical services they can get reimbursed stated Mr. Carrica. Also if they have to shuttle someone to Denver or somewhere for surgery it covers that. Also for allowances for others that need to travel along such as mother and child.

He provided a list of acronyms and terms used by the Department of Human Services. He has highlighted the ones they would most be apt to use.

Commissioner Allen asked what he sees with Medicaid cuts for the next six to eight months. It depends on the election. If the issue is to get more people coverage such as Obama Long term they are going to net things they don’t want such as certain people covered higher with less coverage or other people will get picked up. Where is all the money going to come from stated Mr. Carrica. They might get more eligible but have the same amount of staff making them eligible. The difference between Medicaid is we make eligible or not eligible but what gets paid is where the dilemma is going to be. Or they could have a doctor say they are no longer going to accept Medicaid.

Alamosa County Sheriff

Dave Stong was present. He is requesting two positions for detention. One employee is leaving because his wife got a job elsewhere. They took another from detention to Court Security so
they have to replace that person. Commissioner Yohn asked if they have a list. They don’t they are doing testing now.

**M/S Allen/Yohn motion to approve request for two employee vacancies**

    Motion was approved unanimously.

**SLV Television**

Jim Horton was present. They lost Channel 11 they couldn’t afford it anymore but thanks to Betty Spears and others who bugged them and they were able to get the cost lowered and get it back. They have a translator in San Luis as well. It has been a problem to get it rebuilt to get it updated. They usually get a call when someone wants to go back to digital. At one time when everyone went to satellite it hurt them but now there are folks turning back to digital. They go from 2.1 to 13.1 on channels. If you get a digital signal it is the best. They got clientele calls 10-12 weekly to get digital assistance when they first changed. They have to know how to rescan their television. He tries to help them over the phone but if not he goes out and helps them. The calls have cut down to 3 a week. The calls they get is what they need to change back to digital is mainly because of the economy.

Commissioner Yohn asked if they cover all six counties. They have trouble with the northern counties. They only change five counties not Saguache.

Commissioner Allen asked what their budget looks like. They are going to ask for the same thing they did last year. They are in the arrears just a little bit. They had some aside for the channel change so they bought a new pickup a 1997.

In the years before he has always seen wildlife and flowers. This year he hasn’t seen any wildlife it is very dry.

Commissioner Yohn stated he has connected to it and gets clear channels.

**Mosquito Control District**

Teyler Hurst and Sara Cantu were present. They had a great year but they are not quite done yet. They found their first larvae north of the high school in the middle of April. They got their full staff by May. Temperatures were warmer a little earlier which caught them off a little. One time their traps were pretty high but they swapped their routes around and caught up. They held election for two board members. They brought Larry Sveum back and Dr Bill Brinton is new. They bought an airplane this year. They have flown two training flights at the end of June just to get used to area. Their trap numbers haven’t dictated a flight. They haven’t actually applied chemicals with the aircraft. They hired two more fogger drivers for a total of 4. This isn’t as effective. They did two in town and two in rural areas. They are on reduced staff right now. There are still lots of larvae still out there. They are down to two foggers now. Their numbers are low.
There has been a confirmed human case of West Nile. They are going to be putting some traps in the area where the individual lived. They have a new testing system that is supposed to be 99.9 accurate. Their numbers all year long have been very low. It never reached a threshold to indicate West Nile.

Ms. Cantu stated the individual with West Nile did spend some time in New Mexico so it is a possibility that he did get infected there. Texas is under attack with West Nile so maybe they traveled this way. They processed 152,000 mosquitoes collected in traps. They operated 18 traps. They set them up within the district at well habitat areas. This is the second lowest year probably because of the drought. They are not going away though because there are still significant numbers of larvae. Usually at this time of the year they are wrapping up their year. They are lingering so they will be continuing larvae testing. They changed to RAMP to do their testing which is a more accurate. They haven't got a positive test in their traps.

Commissioner Yohn asked about the areal spray if they applied anything. No they didn't stated Mr. Hurst. Has there been purchase of chemicals. They have enough roughly 3 flights of chemicals right now. Will it carry over for next year asked Commissioner Yohn? Yes they might be concerned with freezing so they will bring it indoors stated Mr. Hurst.

Commissioner Allen asked about ground spraying if they have a regular routine. They never really spray one fogger per area. The foggers are pretty versatile; they can be used in rural and city.

Commissioner Yohn asked if there is an increase of requests for no spraying. It has stayed consistent they only thing that has changed is their protocol policy with organic farms. They have had two additional organic farms.

**Town of Hooper**

Amber Najera was present. The old school building has been sold and they are in process of rezoning it for industrial/commercial purposes. The company makes the eco friendly control for fires. The Fire dept bought the bus garage. The fire truck used to be in the old town hall. Now they have a bathroom new with that building. Are they looking for employees asked Commissioner Allen? Ms. Najera stated the first year they will have about 12-15 employees, the second year it will double and the third year it will triple.

Every year they have an annual picnic. The town supplies hamburgers, hot dogs, and drinks. This year they had games for adults and kids. They had bingo, hoop shoot, sack race, and balloon race. They got items donated and prizes. Everyone that comes brings a covered dish.

They would like to thank the county for maintaining the roads. They placed a bus stop at the park now with the school move. They have tried to make it safe for the children. They have put up 20 mile signs however they are short of a couple of signs. They were hoping the county could donate some of signs. One of the signs got ran over by a road grader. They appreciate the Sheriff’s office coming out. They have made it safer by watching the speed limit. They have a nuisance code for trash yards, unsafe buildings, cars, fire hazards, and leash laws. This year they
have had trouble getting the dog catcher coming out. They are incorporated so they don't have authority/jurisdiction to send the dog catcher there stated Commissioner Wilkinson. Only if they trap the dogs themselves will they pick them up unless there is a danger.

Commissioner Allen encouraged her to call the Sheriff to discuss a MOU with public safety and the dog catcher.

Commissioner Yohn asked when the party was. It was in August. They will send out an invitation next year.

**SLV DRG**

Mike and Ronnie Wisdom were present. They presented a report on the Enterprise Zone for 2011 and current. Alamosa County of the $37 million in totals and 10,991,000 of applications they got from Alamosa County they were able to qualify 8,620,000 with a total of $241,000. They averaged about 3,859 per application back to businesses within the county. They have over 9 million and under 16 million dollars in applications in Alamosa County this year. They are already starting to equal more than the credits that were issued last year in total for these first six months. The Enterprise Zone is doing fairly well. They presented a report on the contribution credits. In 2011 $1,220,245.65 went through the Enterprise Zone for gifts back to people such as Adams State College, La Puente, and the Housing Coalition. As of July 23, 2012 $1,344,283.20 was given. They had one gentleman that had made significant gifts to Adams State College that they realized could earn Enterprise Credits. They worked with the state so the IRS and the College all would fall through with it.

The Revolving Loan Fund report for 18 months was presented. They have made about $1.2 million dollars in loans in the last 18 months. This means businesses are not able to find all the traditional financing they need. They have also done some creative financing with J & J Rental when they wanted to put solar on their business and this is not something a bank usually finances because it doesn't add any collateral. They took a look at it and helped them out. 25% of the loans were in Alamosa County. They appreciate their leveraging is still at 1.27 which is lower than they traditionally have done. They were able to secure a CDBG grant at the beginning of this year for $500,000 and they have $147,000 left for the end of this year. They are going to ask for additional funds. There is a SBA 504 program that is administered by Certified Development Cooperation. The only one that serves this area is out of Pueblo. They have been talking with the State SBA to see if DRG becoming a Certified Development Cooperation. This will give us another way to help their clients and businesses in the San Luis Valley.

CSBG they finally got their grant. They have got their MOU's complete. They are starting to get the money out to the nonprofits. It took a long time so they are talking about how they could do it better and faster next year. They were able to consolidate a few of them down to seven sub grantees instead of seventeen. The Workforce Development Center is moving to Fourth and State and will be having an Open House on September 11th.
Board/Staff Updates

Up & At ‘Em Therapy Staffing Contractor/Client Services Agreement

Mr. Kelly stated some changes should be made on paragraph 5. They could modify by inserting to the extent by law or delete. Another concern is the termination provision it is an indefinite contract it should be changed to yearly. Also clear the cancellation provision where it states if we cancel we are responsible for any early termination.

M/S Allen/Yohn motion to table this contract until the next meeting so he could meet with Ms. Geiser about these changes

Motion was approved unanimously.

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