Minutes of the Board of County Commissioners Meeting, held on December 5, 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
                Brittny DeHerrera, Chief Financial Officer
                Belina Ramirez, Administrative Secretary

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

M/S Yohn/Allen motion to approve the agenda of December 5, 2012.
Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
                    Regular Minutes-November 7, 2012

M/S Allen/Yohn motion to approve the Minutes of November 7, 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

Christina Gallegos Executive Director of Sangre De Cristo National Heritage Area was present. She is requesting funding. Last year they were very generous with $20,000. This has helped them complete many different organizations work on projects they have been focusing on. They were able to help restoration with the Mason Lodge Building. Other projects they also funded such as the Alamosa Community Garden, the Television Program, and La Puente for the purchase of Milagros. To date they have received a tentative contribution for $7500 in addition
to the office space that is in-kind. Their hope was to get signage for Costilla County but their meeting was cancelled yesterday. They are hoping to get signage in their portal entry ways, to promote heritage area, work more collaboratively with the other counties.

Approval of Consent Agenda
Clerk & Recorder’s Report for 2012
Treasurer’s Fund Report for October 2012
Ratify Victim Assistance & Law Enforcement Board -12th Judicial District -2013 Contract
Vendor selection for County Vehicle Maintenance
Ratify Energy & Mineral Impact Assistance Grant Application for SLV Regional Airport
Ratify Children’s Advocacy Center CDBG Application

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

Public Hearings

Minor Subdivision — Kent Rodman

Commissioner Allen understands but the applicant doesn’t want this and we are trying to force him. If the applicant doesn’t want to do this at this time then they don’t need to do this.

Mr. Vanlwarden stated the real issue is the County surveyor requests this because this action wasn’t part of the subdivision. It is a small technicality and is in recommendation of the County Surveyor. Their opinion was to look at the plat and see the document that there is a legal easement on that property. This wasn’t okay with the surveyor. He will need to know in the future they are going to have easement if he ever wants to sell that land.

Commissioner Allen stated 50 years from now they would have to get an easement and the state would deny or accept the easement.

Commissioner Wilkinson stated it should go to the state rather than the county if they ever want to sell it.

Commissioner Yohn asked how difficult an easement document is. It is one page and easy to obtain just pay the fee.

Mr. Rodman stated they would like to leave it like it is. His son is going to live on Tract 2.

List of Exhibits
1. Minor Subdivision Application Checklist
2. Staff Report
3. Application
4. Receipt of Payment
5. Ownership and Encumbrance Report
6. Deed
M/S Allen/Yohn motion to approve Minor Subdivision for Kent Rodman
Motion was approved unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S - 9

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY KENTON L. RODMAN & KENNETH L. RODMAN, COVERING PROPERTY LOCATED IN THE NORTH ½ SOUTHEAST ¼ OF SECTION 27, 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: Kent & Kenny Rodman has submitted an application for a minor subdivision covering the following described property:

NE ¼ SE ¼ of Section 27, Township 38 North, Range 10 East, of the N.M.P.M., except for a tract of land more particularly described as follows:

Beginning at the point of the intersection of the Westerly right-of-way line for State Highway 17 and the south line of the N ½ SE ¼ of said Section 27, from whence the SE corner of said Section 27 bears S3°00'45"E as distance of 1309.43 feet, which point is the SE of the tract herein described; thence S89°50'W along the South line of said N ½ SE ¼ of Section 27 a distance of 549.95 feet, thence N 0°24'30"W a distance of 217.03 feet; thence N89°56'30" E a distance of 550.05 feet, more or less, to a point on the Westerly right-of-way line of Hwy 17; thence along the along the Westerly right-of-way line of said State Hwy 17, S0°23'E a distance of 216.0 feet, more or less, to the Point of Beginning, County of Alamosa, State of Colorado
said property being zoned Rural; and

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

Tract 1 = 52.51 acres more or less  Tract 2 = 23.05 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application
for a minor subdivision on November 14, 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
December 5, 2012, before the Board of County Commissioners of Alamosa County,
following proper notice to the public, and where no adverse testimony was given or
received; and

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

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

IT IS THEREFORE RESOLVED AND ORDERED that the minor subdivision is
hereby granted upon the above-described property pursuant to Alamosa County Land
Development Code, Article 7 Section 7.6.6, as adopted on July 15, 2009 subject to the
following conditions.

1. The Final Plat map shall be in substantial compliance with Alamosa
   County Subdivision Regulations, including, but not limited to: Lot Size and
   Road Frontage etc.

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

3. Prior to the 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. 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;

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

7. 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

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

DATED: December 5, 2012.

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

(S E A L)

By ____________________________
George Wilkinson, Chairman

ATTEST:

Melanie Woodward, Clerk of the Board

Amendment to Medical Marijuana Ordinance

Commissioner Allen asked Mr. Kelly to go back over the Ordinance change because it deals with more than just the distance. The issue is limited to Section K. It states the Board for good cause waives strict compliance with any provision set forth herein. He thought it would be cleaner to have the authority to change.

Commissioner Allen asked Mr. Kelly’s judgment even though it’s not written in there that way if something comes to them such as a access or height of a wall they still have through a Conditional Use have the option to grant requests presented to them case by case basis. Mr. Kelly stated it is probably implied but he would have to look up some case law if there has been an exact issue come up. There is no question if you do if you put in the expressed written language of the Ordinance. Commissioner Allen stated he has seen other Conditional Uses where they have done with setbacks. He would be inclined to leave it as it is and move on that way.

Commissioner Yohn stated the board may for good cause may waive strict compliance with any provisions set forth herein. Right now they do this but this is to clean it up so everybody knows. They are just making the amendment to the Ordinance.
Mr. Vanlwarden stated what they are looking at is if an application comes to them because if there is a variance by putting the statement in there and if they need some room to work in there they need this. Commissioner Allen stated they already have this authority in the Land Use the way it is set up. You do stated Mr. Kelly but if there is some kind of conflict between the Ordinance and the Land Use Code the more stricter applies. The language spelled out there in the ordinance is being put in there so it is clear.

Commissioner Yohn stated he feels accepting the amendment won’t hinder anyone or permit anyone.

Mr. Altamirano stated the language states the word “may” so interpret the ordinance as it is currently written and say absolutely no or you could say differently and may make judgment calls under case by case basis. Until the Land Development Code is adopted this Ordinance and the Land Development Code are in conflict with each other. He felt it would put the board in a difficult position to make a decision. He wanted it clear as possible to have that option.

Commissioner Allen stated they have the authority to grant a variance now but if they would grant a variance they would have to have a public hearing for the neighbors to be there. Mr. Kelly stated you still would it wouldn’t change anything because every one of these applications have to have a hearing.

Commissioner Wilkinson stated in a Special Use they put some more stipulations than there was written in the Land Use Code. They have the right to do that. He agrees with both Commissioners. It is on a case by case basis.

M/S Yohn/Allen motion to accept the amendment to the Medical Marijuana Ordinance Motion was denied with vote of Allen no, Yohn yes, Wilkinson-no.

Alamosa County Land Use

Land Use Activities Report was presented. They are current up to October 16th.

Land Development Code they have been working on that over several sessions. Next week they meet on December 12th and hope they will have it ready for adoption in January.

Commissioner Allen asked if they could comment on the CCI Conference. Amendment 64 is going to cause a lot of headaches for Law Enforcement and the Board of County Commissioners. At CCI the three lawyers there stated as long as the Federal Government doesn’t have a clear direction of how they are going to treat Marijuana use by any citizen it ties the hands of local governments to be able to know what exactly what they should or shouldn’t be doing. It is still an illegal substance under Federal Law. They are still not condoning the use and licensing of any retail sales of Marijuana as long as it is a Federal Offense. They will issue a Conditional Use not a license since it is for the State of Colorado to determine. In terms of recreational use for Amendment 64 the board will have an option once the Governor signs it into law to opt out of licensing any testing facilities, retail sales, cultivation, and manufacturing facilities until October 1st 2013. With this option they can take to a local ballot for Alamosa County voters and ask if
they would like to see the recreational use, retail sales, or testing facilities of Marijuana. Mr. Kelly stated at this point it is all up in the air. It is separate for recreational and medical use.

Commissioner Allen stated you could only go to the voters on even years so they would have to wait until 2014.

**Alamosa County Clerk & Recorder**  
*Loaf & Jug #10 Liquor License Renewal*

M/S Allen/Yohn motion to approve Loaf & Jug Liquor License Renewal  
Motion was approved unanimously.

**Alamosa County Department of Human Services**  
*Merit System CDHS Certification of Compliance*

When the State of Colorado got rid of the Merit System where all employees were state employees the only exception was the board needs to certify that you do have a process of personnel system of reviewing wages and merits.

M/S Allen /Yohn motion to approve Merit System CDHS Certification of Compliance  
Motion was approved unanimously.

Statement of Revenue and Statement of Expenditures were presented. He is going to speak about those over 75% spent. Child Welfare Administration their allocation comes in a combined amount of money so they would add both of those numbers together. You don’t have to match those funds so his goal is to spend 100% of those funds. If they under spend then we save county monies overall. Alive E they funds from the state but they never know how much it is going to be until they give it to you. In this case they got more money from the state but it hasn’t been adjusted here. The PARC grant the reason it over is because a year ago the state gave them more money and it will show later that they are not overspent. Then there HB 1451 funds for counties that under spend Child Welfare by doing alternatives may use their savings in other ways but they never know what that dollar will be. It looks over but they are not. Overall they are not overspending it depends on what they get from the state.

Graphs for Adult Financial, Adult Medical, Food Stamps (no county money is put into this it is all from the Department of Agriculture), Long Term Care, Medicare Savings Program, Colorado Works, and Family Medical were presented.

Investigation Reports showed three cases where one was submitted false work activity but was found no error, another falsified signed work activity, and alleged household composition found no error. The Recovery Collection Comparison report showed they are collecting more about 8-10%. Commissioner Allen asked if they are where the state is at their percentages. Yes they are stated Mr. Carrica. Child Support Collection Comparison showed they collected $145,939.27. Child Support Monthly Case Count was presented.
The Food Stamp Applications have grown statewide. Federal has changed rules that they have to process application at 95%. They are doing well. They are rated 6th out of 21. They are at 94.59%. This is up from 70% so they have come up a long ways. On regular applications where they have 45 days to process they are at 97.85%. Redetermines they are at 89%. They are on the top 15. A lot of the employees are caught up so they do not have to do overtime.

Commissioner Allen asked about the Medicaid report where is he getting it from. He is getting the report from Health Care & Policy. Their responsibility is for making people eligible. Local government doesn't put any dollars towards Medicaid but this is put back on the people with tax dollars.

Alamosa County Sheriff
Request for Employee Vacancy

He was going to ask for a Cook Manager but he has talked her into staying if he could get her assistance. Her medical condition limits her. He would like a part time cook to come in and assist. He does have an inmate that is going to be released and has helped in the kitchen that could apply for this position. He is comfortable having this person.

M/S Yohn/Allen motion to approve a part time person to assist the cook
Motion was approved unanimously.

They have a termination in the making in their detention facility and would like to replace this individual. That person is just not cutting it.

Equipment Payroll Deduction Purchase Policy

There were concerns that they didn’t have to do it every year. They set it up so they couldn’t participate in it every year. It doesn’t cost the county anything. It is paid upfront but deducted every month. Commissioner Allen asked if they make a purchase and they don’t last. If they lose employment it would be taken out of their final paycheck. If not they have 30 days to pay and if not they can pursue civil action. The only thing that would change is they could participate in it every year. It is good for morale for the employees.

BREAK

Alamosa County Road & Bridge

They have been taking a bridge out on 110. They are building the fence today. They are going to lane 10 and removing a narrow pipe and replacing it with a wide one. He has six bladers again. He has the part time mechanic and he has done more than a long time. They shaped lane 6 and are going to put some clay on it too. They put clay on the Lane 5 and up North on Sand Dunes Lane on 112. Did they trim trees and bushes on 6 south asked Commissioner Allen. Yes stated Mr. West.
**Alamosa County Public Health**

The Revenue Expenditure Summary was presented. There is a mistake in this because EPR isn’t in there. They will get this corrected. They are going to have to request a supplemental.

They already had approved the subcontract with National Jewish and Adams State University but the others made changes. These were pretty moderate. This is to address asthma and obesity among the children.

Craig Dodds said at their Coalition Meeting said the prescription drug use is high.

She had an Environment Health Letter and call on a complaint of burning electrical wire. The Complainer thought it was Valley Electric. They said they do not burn electrical wire; they were burning some boxes and pellets. They told her where the smoke was coming from. She went out to where the actual smoke was and asked the owners to cover the fire with dirt because it is a risk for those with respiratory problems. She went out and checked and they did.

**Alamosa County Home Health**

*Employee Vacancy Request*

She is requesting to fill a vacancy in Home Health. In October they had 173 clients and 1416 visits and in November they had 1309 visits. They really need to replace this clerical position.

*M/S Allen/Yohn motion to replace this vacancy  
Motion was approved unanimously.*

*Payroll Module Expenditure Request*

It is going to be more than $5,000 that she requested originally closer to $10,000. The concern is they have the clinicians sign three different timesheets. They decided to get the demo and ask Jon from WSB to come and see if the new system can do this.

**Emergency Management**

*Emergency Operations Plan*

Dave Osborn was present. A power point presentation was given. He would like the Letter of Promulgation signed so they could have that plan as an official document. They each have an Emergency Operations Plan. Each County is required to have a plan. They are incident specific and emergency support function. This plan will be continuously updated as conditions change. Alamosa County Emergency Management and EPR are working together on some type of web page or Facebook Page.

*M/S Allen/Yohn motion to accept the Emergency Plan of July 2012 Version 101  
Motion was approved unanimously.*
SLV Regional Airport

Carol Osborn and Paul Totton were present. All the items on the Correction Letter by the FAA have been corrected. They are still working on the Emergency Operations Plan. This should be complete by the end of next week they will send it to the FAA for approval. They lacked training which was the major deficiency. They are caught up on training to this date. They did not have any mutual aid agreements. They were all verbal. Mutual Aid Agreements have been given to the Fire Department and spoke with the ambulance district director yesterday and will get that completed. They were in very much agreement in Mutual Aid Agreements. They completed a new lease agreement which will be handed out to the lesors. It will be sent out to all the hangar tenants. It is in more detail of what can and cannot be done in their hangars. Ground rules and regulations are still being worked on and will be in detail what everyone can or cannot do. An Impact Assistance Grant was submitted Monday for a new terminal. $2.1 million will be available for a new terminal. Also on the list is a new Airport Fire truck at a cost of $440,000 which will be equipped with all the proper equipment. The grant will cover most of this cost. They need to bring to a standard where they will truly be one man operable.

Rio Grande County

Karla Shriver was present. The Ski Hi Park Complex is a regional use facility that is used by many residents of the Valley and a Multi Use Facility. She made this presentation at the last SLV Commissioners Association Meeting. Reports on Group User Attendance and Percentage Use by County were provided. Alamosa County is third in use of the facilities. They currently rent a tent yearly that costs $2700-3000 per year. They have outgrown it and it is dangerous. This year they were taking the tent down and when they pulled out a stake they ruptured a gas line. Another thing they would like to purchase is portable Grandstands/bleachers. They could utilize them throughout the Valley. They would order livestock panels to use to build stalls. Pictures were presented of bleachers, panels, wash rack, and the arena. They submitted a COGO grant twice but were denied the first time because they included a sound system and signage for the sponsors which they didn’t like. So they applied again and were approved. They do have money from the Rally of the Valley motorcycle that they designated for the sound system and there would be enough funds for signage. They are asking for $9750 total of six counties or 4% of Conservation Trust Funds. They already planned funding $5000 last year when they applied for the first grant stated Commissioner Wilkinson.

M/S Allen/Yohn motion to pledge $5000 from Conservation Trust for the new Ski Hi Park Complex Pavilion

Motion was approved unanimously.

Public Hearing
2013 Budget

SEE PUBLIC HEARING MINUTES FOR MORE INFORMATION

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

Absent

Carol Osborn, Assistant Administrator

George Wilkinson, Chairman

Mike Yohn, Vice-Chair

Darius Allen, County Commissioner
Minutes of the Public Hearing for 2013 Budget was held on December 5, 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  
Belina Ramirez, Administrative Secretary

This is a Public Hearing if anyone has any questions or comments.

Ron Brink spoke. He asked about the computer network that you have some listed in some departments and some don’t; why is that. Each department has different contracts with WSB such as Public Health and Assessor. They are for licensing of software as well. Are they rentals Mr. Brink asked? No stated Ms. DeHerrera. Is this put out on a bid asked Mr. Brink? Yes stated Ms. DeHerrera. They are not yearly bids stated Ms. Osborn. They do have the option of terminating them. Where do you have listed the revenue of inmates pay restitution to the County? It is under Inmate Housing. CSU Extension the County pays $25000 do all the Counties pay the same asked Mr. Brink. Commissioner Allen stated it is based on population, assessed valuation and how many kids that are involved in CSU Extension programs. Some Counties can’t pay into it so they negotiate it through the six County Association. It has happened in the past that Alamosa County wasn’t able to do something and the other counties stepped up stated Commissioner Wilkinson. Does the County have any businesses that they give incentives too such as Sales Tax or Property incentives? No stated Commissioner Allen. Where does the income from the Solar Farms showed. It goes into their property tax but it is not broken down stated Ms. DeHerrera.

MaryAnn Dunn was present. Her question is on the new Children’s Advocacy Center where does it show matching funds for this. According to the statistics they are the highest county with children victims in the State of Colorado. They applied for a $300,000 grant where Alamosa County stepped up to be the fiscal agent and solicited other counties for their support. Even though the offer their assistance in having that grant run through the County it costs them money. It goes on their liability insurance policy which our premiums go up. Department of Human Services also is going to assist. The six counties also allotted funds to this stated Commissioner Wilkinson.

They will have a few changes to the final which they will adopt on December 19th stated Ms. DeHerrera.

Public Trustee Public Hearing

Since the new HB the Public Trustee Public Hearing is to be held. Mr. Kelly stated it is to be included in this hearing. Lois Wihdahl Public Trustee was present. There was a separate Public Trustee Budget submitted that was included in the County Budget.
Commissioner Wilkinson asked if anyone had any comments or questions on the Public Trustee Budget.

No Comments were made.

There being no further business, the Public Hearing for 2013 Budget was adjourned.

ATTEST:

Belina Ramirez, Administrative Secretary

Absent

Carol Osborn, Assistant Administrator

George Wilkinson, Chair

Mike Yohn, Vice-Chairman

Darius Allen, County Commissioner
Minutes of the Public Hearing for Kent Rodman was held on December 5, 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
Belina Ramirez, Administrative Secretary

Juan Altamirano, Ken VanIwarden, and applicant Kent Rodman were present.

Request: Subdivide an approximate 75 acres to from a Tract 1 and Tract 2. Tract 1 -52.51 +/- acres; Tract 2 23.05 +/- acres.

Property Location: N2 SE4 S27 T38N R10E NMPM except for a tract of land more particularly described as outlined in the San Luis Valley Title Ownership and Encumbrance Report File No. 00030834.

Staff Recommendation: The subject property consists of sparsely single-unit residential dwelling. There is a soils bagging operation located south of the property and a manufactured home park South East of the property. The applicant is requesting that the Planning Commission approve a minor subdivision on the subject property to close out a wish outlined in a living will.

Water: The applicant has sufficient water for both of the proposed tracts of land. Tract 2 will be serviced by a domestic well, while Tract 1 will continue to be farmed.

Access: Access to the proposed tracts will be off of existing easements off of State Highway 17.

The only problem the Land Use Office has is the access to Tract 1 so part of the conditions they would like to have placed on this Minor Subdivision is a separate document deed agreement to allow access to that tract 1 off of that exception parcel which is Reception No 0259592. This tract is owned by the family and they are willing to allow access to the larger tract. Also in addition to the other regular conditions they require.

The applicant is requesting that the Planning Commissioner

Mr. Kent Rodman stated he doesn't know why they need to do anything different to the easement. Nothing is going to change. Is this for the future?
Yes stated Mr. Altamirano Tract 1 could be land locked and it is stretching a little because there is limited access off of Highway 17. Right now it doesn’t have an existing access they are on properties and future properties that are not on Tract 1. It would be appropriate if they are going to use access on the southern property that he would have the adequate proper paperwork. Commissioner Wilkinson stated this isn’t our decision isn’t it off the highway so it is responsibility of the state highway.

Mr. Altamirano stated if he is proposing to use the Southern right hand corner they are asking him to have the appropriate paperwork to allow legal access to Tract 1 so if later on they sell the property and tries to use it but is refused access. This is the recommendation from the County Surveyor as well.

Mr. Kent Rodman stated he thinks this in the future that won’t happen in their lifetime.

Mr. Kelly stated if he ever wanted to sell that tract and he would have to sell an easement so he needs to show them he has this because otherwise it is land locked. Tract 1 goes all the way to the highway and there are already three accesses out which would cause a problem with stop and go and with people turning left. It could create harmful potential problem.

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2012 – S - 9

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY KENTON L. RODMAN & KENNETH L. RODMAN, COVERING PROPERTY LOCATED IN THE NORTH ½ SOUTHEAST ¼ OF SECTION 27, 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: Kent & Kenny Rodman has submitted an application for a minor subdivision covering the following described property:

NE ¼ SE ¼ of Section 27, Township 38 North, Range 10 East, of the N.M.P.M., except for a tract of land more particularly described as follows:

Beginning at the point of the intersection of the Westerly right-of-way line for State Highway 17 and the south line of the N ½
SE ¼ of said Section 27, from whence the SE corner of said Section 27 bears S3°00'45"E as distance of 1309.43 feet, which point is the SE of the tract herein described; thence S89°50'W along the South line of said N ½ SE ¼ of Section 27 a distance of 549.95 feet, thence N 0°24'30"W a distance of 217.03 feet; thence N89°56'30" E a distance of 550.05 feet, more or less, to a point on the Westerly right-of-way line of Hwy 17; thence along the along the Westerly right-of-way line of said State Hwy 17, S0°23'E a distance of 216.0 feet, more or less, to the Point of Beginning, County of Alamosa, State of Colorado said property being zoned Rural; and

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

Tract 1 = 52.51 acres more or less Tract 2 = 23.05 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on November 14, 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 December 5, 2012, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and where no adverse testimony was given or received; and

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

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

IT IS THEREFORE RESOLVED AND ORDERED that the minor subdivision is hereby granted upon the above-described property pursuant to Alamosa County Land Development Code, Article 7 Section 7.6.6, as adopted on July 15, 2009 subject to the following conditions.

1. The Final Plat map shall be in substantial compliance with Alamosa County Subdivision Regulations, including, but not limited to: Lot Size and Road Frontage etc.
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place prior to any physical disturbance on the subject property associated with the proposed subdivision;

3. Prior to the 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. 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;

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

6. 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;

7. 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

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

DATED: December 5, 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 Kent Rodman was adjourned.
ATTEST:

Belina Ramirez, Administrative Secretary

Absent

Carol Osborn, Assistant Administrator

George Wilkinson, Chair

Mike Yohn, Vice-Chairman

Darius Allen, County Commissioner