Minutes of the Board of County Commissioners Meeting, held on January 26, 2011 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present: Darius Allen, George Wilkinson, Mike Yohn, Commissioner, Barry Shioshita, County Administrator, Jason Kelly, County Attorney, Carol Osborn, Administrative Assistant, Belina Ramirez, Administrative Secretary

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda
Deletion of Sangre de Cristo School District they will not be here. The addition of waiver fee of application fee for Lancaster under the Land Use Department.

M/S Wilkinson/Yohn motion to approve the agenda of January 26, 2011 with additions/deletions.

Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes
Approval of Bills/Obligations

The Following Minutes were presented:
Regular Minutes, January 11, 2011

M/S Wilkinson/Yohn motion to approve the Minutes of January 11, 2011 and the approval of Bills/Obligations.

Motion was passed unanimously.

Public Comment

Leon Moyer 19417 Ridge Dr was present. He would like to see more records kept at the Annex building. He believes there is a state statute that states the all the records of the County of Alamosa be kept within the City of Alamosa. In particular he is speaking of the county minutes that they be delivered immediately upon approval. Last year they waited one whole year until they were given to Melanie Woodward’s Office. You haven’t been posting agendas or minutes
on the website. In the past the county has made a provision to offset the supposed loss of employment. He objects to that taxation without representation because you are basically putting a tax on the people who buy the electricity so the electric company can pass it on for the next twenty years. This is just so the county can redistribute that money as they see appropriate. This is a form of taxation not envisioned by the founders of this country. He would like them to review this one more time.

Stacy Peters a business owner at 2515 Chico St spoke. There is a change of regulations on how they manage their tire disposal on statewide. If they don’t do something in the county to help the business owners with this regulations the cost will greatly increase. This addresses the entire San Luis Valley. He is working with the state on this and would like to work with the County as well. He wants to help so the community doesn’t get shafted.

**Land Use**

*Waiver fee request.* In the past they allowed applicants to upgrade older mobile homes to newer homes. They had an individual who was contemplating fixing up the old single wide home. They informed him they allow to upgrade to a newer home. If they could waive the application fee if they do this. Commissioner Allen stated this encourages citizens to upgrade to a newer home. Commissioner Wilkinson stated this was discussed previously about the limit of the age of the home. It has to be a 1996 or newer according to Mr. Vanlwarden but this ratchets up every year in the regulations. The consensus of the board would be to apply to the regulations and be in favor of waiving the fees.

**Lancaster Conditional Use**

*Tony Moore and Mary Lancaster*

Mary Lancaster was present. Ken Vanlwarden and Pat Lucero were present.

**Introduction:** This hearing is to allow the applicant, Mary Lancaster, due process to explain to the board why the Special Use permit that she currently holds is not in violation of the Alamosa County Land Development Code. The Land Use staff will present a series of events that explains why the Special Use Permit is considered to be in violation and will offer a solution to correct the violations. This is an opportunity for the Applicant and the Land Use Administrator to explain to the board the status of the permit so they can make a fair and equitable decision based on all the information and evidence provided by both parties.

The Land Use Office has made every effort to help Ms. Lancaster become compliant, but with very little success and is asking for assistance from this board today to arrive at an equitable solution that will satisfy the requirements of the State water office and Alamosa County.

**Location:** Lot 4, Minter Division of Land, according to the Plat recorded on February 3, 1982 at reception No. 216543, County of Alamosa, State of Colorado with a location address of 9760 Stanley Road.
Project History and Background: Mary Lancaster submitted an application for a conditional use requesting permission to operate a log cabin manufacturing business in a Rural Zoned District and was heard at a public hearing before the Board of County Commissioners on November 19, 2007. The board granted such permission by resolution, No. 2007-Z-10 allowing Mary Lancaster to operate the business.

On October 9, 2009 Mary Lancaster submitted an application for an amended conditional use permit asking for permission to operate firewood sales and log furniture manufacturing business. The application was heard at a public hearing on December 9, 2009, before the Board of County Commissioners and was tabled until the board reconvened on January 27, 2010. On January 27, 2010 the board ordered that the special use permit application be granted with the following conditions.

1. Applicant shall purchase a building permit and a sewage disposal permit immediately. The applicants shall have 12 months (365 days) to satisfy the water requirements. If not satisfied by the end of the 12 month period, the special use shall be revoked and the business discontinued.
2. Applicant shall be responsible for obtaining all required permits and applicable fees that apply to this approval.
3. This Special Use Permit shall run with the land. Any subsequent owners to the property or any portion therefore shall comply with the terms and conditions of this permit.

Mary Lancaster has not provided the Land Use Department staff with a signed Augmentation Water-Agreement & Augmentation Certificate #738 nor has she provided us proof of an authorized Septic Permit which is in contradiction to the requirements of Resolution No. 2010-Z-1.

Our records indicate the submission deadline for these conditions is January 27, 2011.

On July 19, 2005 a new address was issued to a Judson D Embry as 9760 Stanley Road. The Assessors records show that Mary Lancaster purchased the property from Anthony D Moore on May 30, 2007.

Mary Lancaster has purchased several building permits beginning 2-13-07 for a utility shed, a detached shop on 12-3-07 and a permit for a two story home on 12-7-07. The utility shed and the detached shop were completed but the two story dwelling had not been completed and required a permit renewal on 1-22-10. This permit renewal will expire on 1-22-2011. This permit cannot be renewed unless the permit holder submits a new set of plans and the fee will be assessed by the current fee schedule.

Also Mary Lancaster applied for a septic permit on 11-30-07 and there is no evidence to show that an approved septic system was installed by 11-30-08; therefore a new application for a septic permit was submitted 1-22-10 and that application will expire 1-22-11.

The first permit was issued for a utility building to be used as temporary living quarters while the applicant was building a home. It was understood that a potty would be used until the building
permit for a single family dwelling was issued and at that time the applicant would obtain a septic permit and purchase the proper water credentials to continue with the project.

At the October 10, 2007 Planning Commission Public Hearing Mr. Gibson told the applicant that the Alamosa County Land Use Regulation require them to purchase additional water for outside use and they need to show proof of water for the business. Mr. McDermott, with the Colorado State Division of Water Resources, also told the applicant that it would be necessary for them to come into the water office to secure additional water for the business. On November 26, 2007 the Land Use Department received notification from the San Luis Valley Water Conservancy District that water was available to the applicant and that they should obtain the necessary agreement and augmentation certificates from the district to ensure they would have the necessary water for the home and the business.

**Staff Recommendations:** The applicant has been in agreement of the condition (No. 1 in the resolution conditions) which was to purchase a building permit, septic permit and to satisfy the water requirements. As of today, January 13, 2011 this office has not received such proof of water as was required by the Planning Commissioner and the State Water Office. The applicant is in violation of the Alamosa County Land Development Regulations, because they have not shown proof of the property water certificates and approved septic permit. According to the office records, the applicants have been in violation for the past several years and have made very little effort to comply with the requirement of the State Water Office and the Land Use Office.

Article 7, Sec 7.8.14 of the Land Development Code gives the authority to the administrator to revoke a special use permit if it is determined that the applicant has failed or ceases to comply with the conditions of the special use permit. However; it is in the best interest of the county and the applicant to have an opportunity to explain to the board why they cannot comply with the required conditions.

Therefore; it is the recommendation of the administrator to revoke the Special Use permit, if the applicant has not provided evidence to show why the permit should not be revoked.

The applicant should be granted a public hearing within forty five (45) days of the status hearing for considering a revocation of the Special Use Permit.

Ms. Lancaster stated when they originally came here four years ago to start their project; they were doing well selling house logs. In 2009 32 loads and last year they only sold 2. Five of the customers they sold to went out of business. They took a stand to play it safe. They don’t want to be penalized for being practical. They are not trying to do the septic, it is 75% done but they have put out of their pocket $12000 for this. It is only a small portion left maybe in the amount of $5000. They have done everything out of pocket, everything which is $250,000. They don’t want to get a loan again. They know they need this done. They have a camp trailer on site and thought this was fine. They need to consider their kids, their employees and their families. They have sold last year 28 cords of firewood and this year only 8. The economy has dampened their business. They don’t want to go out and get a lot of loans. The firewood is keeping them afloat.
They have 2 nice projects for cabins coming into Crestone. The late summer is until they won’t be able to start them. They are just asking for more time.

Commissioner Allen asked how many employees do they have. They have on a daily basis 2 but it depends on the project.

Pat McDermott with the Colorado Division of Water Resources Local District 3 spoke. Currently it is permitted as a household use and they have contacted them a couple times in the last few years. They are willing to work with them. The well will require augmentation in the future for residential and business use. Their fee is $100 for an additional well permit. He is not here for a timeline to put on this.

Commissioner Allen stated they are asking for an extension because of the economy but what kind of timeline are they looking for. January through April is worst time for logging which is their main income. She would like to ask for a year extension.

Commissioner Wilkinson stated if they have a sanitation issue. They did a pert test from that test they gave them a design of what the septic system needs to be. Mr. Vanlwarden stated part of the septic system was in place meaning the septic tank. There were some additions made to the house because it started out a 3 or 4 bedroom which escalated a little bigger which required a bigger septic system. He is in favor of working with them if they have a port a potty and a record from a company to make sure they are cleaning it. Also if the family is living there part time they want to make sure there is adequate sanitation for them as well as for the employees. The Division of Water Resources is willing to work with them.

Ms. Lancaster stated in the winter it is a waste of money for the port o potties because it freezes even if you put antifreeze. They do have a camper trailer that they keep a furnace on it and they do pump out. Commissioner Wilkinson stated he felt that would suffice just like a port o potty. Mr. Vanlwarden stated the septic needs to be completed where it would accommodate a trailer and within a years’ time they can extend the septic system for the six bedroom house. They could put this money into the septic rather than the cleaning of port o potty’s. Now is not the time to work on a septic though because of the frozen ground. He is willing to work with them.

Commissioner Wilkinson asked how often do they pump. Every two weeks with a full crew otherwise they pump once a month. They could put a larger tank but this money they could put into the septic. This will give them time until the ground thaws out.

Commissioner Yohn stated they definitely need septic and water. He doesn’t feel that they are working with Land Use well. You have a lot invested already and he thinks they would want to work with them. He thinks a year extension is excessive and they need to look at it more realistic.

This summer when the conditions are right they can put the septic in. Commissioner Allen stated they needed to put a timeline. This permit is up the 27th. When they issue this special uses they already got a good break that they didn’t require them to go to a commercial area.
Commissioner Yohn stated nine months maximum because in a years’ time they will be back in the winter under the same situation.

Commissioner Wilkinson agrees they will be in the same boat if they give a year which will be back in the winter. They can work on waiver of some of the fees as well stated Mr. Vanlwarden.

M/S Wilkinson/Yohn motion to approve extension of nine months and give Mr. Vanlwarden the authority to take care of this.

Motion was approved unanimously.

Alamosa County Treasurer
Monthly County Treasurer’s Report
Semi Annual Treasurer’s Report
Fourth Quarter Public Trustee Report

Lois Widham was present. They sent out all the Property Tax Notices. They have had a lot of visitors in their office as a result. The process is they out sourced this. All of the Southern Districts contracted an out source for preparation and mailing. They saved because it cost $7200 last year in mailing and right now they are under $5000. If you have Subdistrict 1 Rio Grande water fees this was put into assessment. They are collecting fees. There has been people coming in and asking questions. They would like to invite Rio Grande in the future to look at this process. Next year with both subdistricts coming in will be interesting stated Commissioner Allen. The reports will be listed as RG1.

You will see about the 10th line down the Treasurer’s Fees has a balance of $72000+ and that will be transferred to the County General Fund and will be reflected in the January report.

Monthly County Report for December was presented.

M/S Wilkinson/Yohn motion to approve the Monthly County Report.

Motion was approved unanimously.

The Semi Annual Treasurer’s Report was presented and will be published Saturday. This shows they are completely in balance. It reflects July through December.

M/S Wilkinson/Yohn motion to approve the Semi-Annual Treasurer’s Report

Motion was approved unanimously.

Commissioner Allen asked about the talk about not publishing but putting online. There is a bill before the legislators for their consideration. She has a meeting on February 14th -16th to introducing the idea of need to follow state statutes and publish but do publications through their website. They would publish in the newspaper that they are available on the website which would limit the publications they now do. This has to do with revenue reporting and addresses the county expenses and revenues and those being published along with the Treasurer’s Report. This will involve in the future for publications for foreclosures and anything related to
processing a Treasurers Deed. If it already in foreclosure they can limit some of the costs with already a bursome cost to the owners.

Mr. Shioshita stated this issue comes up every year. He remembers back in the 80’s there was legislation where Counties had to publish salaries once or twice a year. Historically there has been that comment on access to the public where not everyone gets the newspaper, not everyone listens to the radio, and not everyone has internet access.

The Quarterly Report for the Public Trustee for the period of October –December 2010 was presented as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0720 Public Trustee Account</td>
<td>$47,892.98</td>
</tr>
<tr>
<td>Foreclosure Processing</td>
<td>$175,078.22</td>
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<tr>
<td>Foreclosure Disbursements</td>
<td>$170,594.93</td>
</tr>
<tr>
<td>Release Disbursements</td>
<td>1,863.00</td>
</tr>
<tr>
<td>Disbursement for PT &amp; Clerk</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Fund Balance</td>
<td>$51,524.53</td>
</tr>
<tr>
<td>Encumbered Expenses</td>
<td>-$22,421.19</td>
</tr>
<tr>
<td>Actual PT Fund Balance</td>
<td>$29,103.34</td>
</tr>
</tbody>
</table>

Beginning Balance $181,089.48
Total Receipts $181,089.48
Total Disbursements $177,457.93
Fund Balance as of 12/31/10 $51,524.53
Total Encumbrances $22,421.19
Actual Balance as of 12/31/10 $29,103.34

27 Current Active Foreclosures + 5 Bankruptcies
15 New Foreclosures (Oct-3, Nov-2, Dec-10)
8 Completed Foreclosures (Oct – Dec 2010)
 3 Conf Deeds; 5 Withdrawal; 0 Redemption/Lienor; 0 Redemption/Owner
181 Releases (Oct – Dec 2010)

M/S Wilkinson/Yohn motion to approve the Quarterly Report
Motion was approved unanimously.

Commissioner Allen asked how the County is doing in comparison to statewide how we are doing. In general last year was not an increase of foreclosures but this year she has a feeling it is going to go up because last year she had a total of 15 and just for the beginning of this year she has 6.

**Rio Grande Land Trust**
*Letter of Support for Conservation Easement for Rancho Tierra Rica*

Aaron Derwingson presented a fact sheet. Their mission is to conserve their land, water, and way of life. Primarily they work with private land owners to do Conservation Easements. It is a voluntary agreement that the landowners enter into to protect the conservation land values on their property. This can involve working with cultural lands, wildlife habitat, wetlands, and water resources. It is a proper use restriction that prohibits uses of the property that impact those
values. They have special focus on protecting land and water along the Rio Grande Corridor. This is through their Rio Grande Initiative which is in partnership with Ducks Unlimited and the Nature Conservancy. They personally have protected around 5000 acres in Alamosa County. They have done five projects already. They have 3 more they are working on. They were successful in the grant last year that Alamosa County supported. This grant will finish in 2012. Commissioner Allen asked what the projects they already worked with were. Mr. Derwingson stated the King Ranch (3phases), Gilmore Ranch, and a small farm along the county line. They already received support from the Rio Grande Basin Roundtable. They provide the fund for this project and also support the application for the state level as well with a GOCO grant.

M/S Wilkinson/Yohn motion to provide a letter of support to Rio Grande Land Trust for a Conservation Easement for Rancho Tierra Rica.
Motion was approved unanimously.

Viaero Wireless

Steve Atencio Attorney who represents Faustine & Beatrice Martinez was present. Mr. Kelly stated he had been contacted by Mr. Atencio to put him on the agenda regarding the property where Viaero Wireless had put a Cell tower to address their concerns.

Mr. Atencio asked if Mr. Kelly has received any response from Viaero Wireless. Not a written response stated Mr. Kelly. He would like to hear what they are requesting.

A Conditional Use was given for Viaero Wireless to put up their tower. Mr. Martinez reviewed the application, attended the Planning Commissioner meeting where this matter was discussed, and there was a recommendation for approval of the application as submitted providing access for the tower through a new road. An access through the Kelly Orton Property which goes through the southern boundary of Viaero’s property. There is another access through the north of Orton’s property which south goes out to Martinez’s property. Having reviewing the application prior Mr. Martinez did not take time from work to attend the Board Meeting where approved and the access had been changed and the access was changed using on the Martinez’s road. This was a surprise to him until the trucks came and blocked the use of road and destroyed the road. Ms. Orton has the right to convey access to road with Mr. Martinez approval and agreement. There has been no grant of an easement to use this road and it is a private road. Ms. Orton and Mr. Martinez own the highway access permit alone. Viaero Wireless does not have an access permit. They notified Viaero Wireless but have been stone walled by them. Based on what was known at the time on November 4th Mr. Kelly did send a letter out to Viaero Wireless. It stated in order to comply through Land Use regulations of a Conditional Use Permit the County is requiring the following:

1. Documentation that you have the legal right to use the easement
2. Written agreement between you and Mr. Martinez
3. Access Permit through CDOT

If this is not received in 60 days Commissioners may hold a Public Hearing to consider revoking the Conditional Use Permit.
Mr. Kelly and Mr. Atencio have a difference of opinion but in agreement that Viaero Wireless needs a CDOT Permit. There is no written agreement for use of easement for Viaero Wireless to use the road. This could occur more quickly and more cost effectively if the county would follow up with Viaero Wireless on denial of permit because they have not provided documentation. This is inappropriate to authorize someone to use someone else’s road without their permission. Right now there is no incentive for them to not use the road.

Mr. Kelly stated he doesn’t agree that it is Mr. Martinez’s road but he does have access to this road. He does agree they need an amended access from CDOT. It would behoove Viaero Wireless to provide a written agreement or a written agreement easement something that documents their right to use it from Mr. Orton. He is the actual property owner; it is a nonexclusive easement that Mr. Martinez owns that he can give authorization which he did verbally give access to the road at the public hearing. Mr. Kelly has had a chance to go back and listen to the audio recording and that time Mr. Orton stated to the board what the access would actually be. This was his verbal agreement, which they should get a written agreement from him. His opinion would be if there is damage to road this is a private matter between Mr. Martinez, Mr. Orton and Viaero Wireless, this does not involve the county. The county did no wrong they published the public hearing properly and it was approved. Viaero Wireless needs to get access from CDOT. They need to draw up an easement and have Mr. Orton sign it. This would meet the terms to the county but the construction/maintenance of the road is a private matter outside the county. He asked Mr. Atencio if this will satisfy your client. No it doesn’t stated Mr. Atencio

Mr. Atencio would like them to address the letter they sent Viaero Wireless. What they did and approve the application that changed the access use of the road. This is a substantial change. With regard to ownership of the road Mr. and Mrs. Martinez have a nonexclusive access easement and they have built the road and maintained the road. It is not appropriate for the County to send a letter asking someone to get a CDOT access permit to use a road that you have no right to use that we gave you permission to use but did not have the right to use it. They are asking the county to require Viaero Wireless to have a written permit with Mr. Martinez.

Mr. Kelly stated the county is not going to be the “thumb” to make Viaero Wireless make an agreement with Mr. Martinez. He does agree that they need to resolve the issue of legal access. It is resolved if they require an amended CDOT permit off of Highway 17 and addition to that making sure to that there is a written easement.

Mr. Atencio stated he is asking for the Commissioners to consider an additional item. Whether you consider it to be asking the county to put the “thumb” on Viaero Wireless he is stating there was an error committed an inappropriate substantial change to a permit application. In their opinion it should have been tabled, resubmitted to the Planning Commission with appropriate notice to the adjoining property owners whose road was going to be used for access. He is not suggesting forcing Viaero Wireless to make agreement.

The letter was made prior to him having the opportunity to review and listen to the tape recordings of the Board of Commissioner meeting. At that time his was his understanding which
was a misunderstanding that Mr. Atencio had convinced him that this was an inclusive easement. This is the reason the second item was included in the letter but that was his misunderstanding.

Commissioner Wilkinson stated he did not vote on this because he is related to Mr. Roy Orton. Mike Yohn was not here at the time so that leaves just Commissioner Allen. He liked the comment he made why can’t we use a common sense approach what is it going to take two loads of gravel, a grater, or a $150. What is it going to take? This conversation has to be with Viaero Wireless and Mr. Martinez. Mrs. Martinez asked if they are going to be willing to fix every time they go in. Commissioner Allen asked what damage was done he went down there to look at the property. He just had seen some road marks. The property owns to Mr. Orton but the right to use it is Mr. Martinez’s. Mr. Orton still has the right subject to Mr. Martinez’s right to grant an access easement to someone else. Mr. Orton did have that verbal agreement but should provide a written agreement.

Mr. Martinez stated he had no clue his easement was sold until the equipment was unloaded. For lack of communication it came close to almost a fist fight. He would never have bought that property without the Orton’s easement allowance. He built that road and maintained it. He came to the Planning Commission and he specifically asked where this access was to be and it was stated somewhere else. He did not know of the change or he would have left work to attend. Why do they have to go through his access why don’t they use Kelly Orton access? He would like them to consider this matter.

Commissioner Allen understands and agrees if they can have a representative from Viaero Wireless and meet with Mr. Martinez and the county. Mr. Kelly stated he understands Mr. Atencio’s position on this but doesn’t agree this is the County’s position. Commissioner Allen asked if they could have a worksession and if they need to do anything they can hold a Public Hearing.

**Alamosa County Clerk & Recorder**  
*December County Clerk & Recorder’s Report*

Melanie Woodward was present. She attended the Clerks Winter Conference. There are some changes such as for the disabled plaque. Before they were able to renew it automatically but now they have to get a doctors statement every three years to continue their disabled plaque. They are adding more plates. They are changing the registration fees.

**M/S Wilkinson/Yohn motion to accept the Clerk & Recorders Report**  
Motion was approved unanimously.

**Break**

**Alamosa County Sheriff**

His undersheriff has resigned and rather than fill his position he would like them to consider giving him two deputies, one for the detention and one for patrol. The need is more in the jail
than in the office. Sgt McClosky can take responsibility for the Detention and Sgt Goodman for Patrol.

The Health Inspector visited recently and advised them that they are out of compliance with the floor in freezer. This needs to get fixed. This may be taken out of capital outlay but their help would be grateful.

They have not received payment for storage because they are holding it for attorney fees. The next hearing will possibly be the 23rd of February. Mr. Kelly needs a copy of the bill. It started out $20 a day per unit but they knocked it down to $10 and through negotiations it ended up $5 a day per unit.

The Daily inmate count was 105. As of today 20 inmates are housed outside in Chafee, 4 in Conejos, and 1 in El Paso for court hearings so they are not being charged for that.

The Monthly Detention Report was presented for the month of December.

**Alamosa County Department of Human Services**

*Agreement for Legal Services (Child Welfare)*

It is the same as last year but the dates are different.

**M/S Wilkinson/Yohn motion to approve Agreement for Legal Services for Child Welfare. Motion was approved unanimously.**

The Leap report was presented. Alamosa County processed 1413 total applications, approved 922, denied 84, and 407 pending. Average benefit for Alamosa County is $320.26.

The Food Stamp report showed Alamosa $512,015 of total amount of Food Stamps issued with 1,856 cases.

**Ongoing Workload Report was presented as follows: (These can be duplicate cases)**

- Adult Financial: 343
- Adult Medical: 591
- Colorado Works: 164
- Family Medical: 1089
- Food Stamps: 1905
- Long Term Care: 446
- Medicare Savings Program: 260
- Total: 4798

The Investigation Report, Recovery Collection Comparison Report, and Child Support Collection Comparison were presented.

The Statement of Expenditures and Statement of Revenue were presented as well.
He wanted to thank the board allowing them to fill some vacancies. The Lead worker for Income Maintenance Unit is back on duty.

**County Administrator Report**

*Governor Hickenlooper’s Executive Order*

*Implementing a Statewide Economic Development Strategy*

Pursuant to the visit with Governor Hickenlooper in doing Regional Economic Development Strategy plans. One of the things is providing the venue on how to focus on the San Luis Valleys efforts to do this is. They will have this discussion at the SLV Commissioners Association meeting on which method to use. It was talked about having a Comprehensive Economic Development Strategy plan as the basis because they all have one. Maybe put their efforts through DRG. The deadline for submittal for final is May 15th.

*Caterpillar Financial Services Corporation Governmental Equipment Purchase Agreement #B9D02725*

*Caterpillar Financial Services Corporation Governmental Equipment Purchase Agreement #B9D2702*

They did enter into a Lease Purchase Agreement where they got two motor graters. This is the final financial agreement. This will help them in the long run for repairs and maintenance.

**M/S Wilkinson/Yohn motion to approve the two Caterpillar Financial Services Governmental Equipment Purchase Agreements.**

Motion was approved unanimously.

The November NACO Prescription Program report was presented. At the beginning December 2009, 4 individuals submitted prescriptions and last month 12 individuals submitted 29 prescriptions. Roughly this amounted to a savings of $2900 which is a 29% reduction in terms of average market price. These cards are available for everyone for those without insurance for prescriptions. They have it available in several locations. They can also use it for their pet as well. Commissioner Wilkinson asked if they could tell what pharmacies were participating in these or those who are not. He believes he can pull this information up.

Forest Payment they had negotiations pursuant to HB 1050. They had draft MOU drawn up. They are required to send 25% to school districts based on student populations, they keep 25% for Road & Bridge and the remainder 50% is subject to negotiations of a committee comprised of the Board of County Commissioner representatives and three representatives from the school district. They had those negotiations and reached some kind of agreement.

**CCI New Commissioner Orientation** where they had 38 new commissioners or commissioners filling for the first year appointment. He did a presentation on how to manage a county.

He received a letter of interest for skin cancer research program for the county asking to participate in this program.
Senator Udall met primarily for SdCHA and then they took them out for a tour of Sun Power. There are 17000 piers where 50,000 panels are residing there. It is pretty impressive. Senator Udall does sit on the Energy Committee and he is well aware of issues. He knows that this is important to the valley because of the agriculture. He did talk about unity at the State of the Unicn.

CAOA (Colorado Association of Operators Association) he just got back from yesterday. He had the opportunity to meet with FAA and the CDOT Aeronautical where they had the discussion of the cross wind runway. Locally their employment is up. The airports provide a lot for the state. They have a huge fiscal impact for the state.

Local Marijuana they will start working on the rules and regulations. Their rules can be stronger more stringent than the state rules. They are taking public comment at CPHDE regarding the other side of the equation for licensing. Because it is nonprescription it is subject to sales tax. It generated for our portion $1700 in sales tax. Action 22 requested an Economic Development Summit and is requesting some topics. They have until the 29th of January.

Land Development Code they are looking at some revisions. They received a revised proposal. They will have this discussion amongst the board.

April is National County Government week where they honor the military. They can do proclamations.

Teller County has a unique approach to budgeting. At the period of time of pay outs of sick and vacation time they keep that position vacant and sweep those dollars into a separate account. This will save those dollars. Garfield County has done this also; they are the initial model for this. They have about 95 million dollars in their fund balance and they were concerned when they projected in 2010 it would drop to 65 million.

Enevate Corporation reviews energy bills for the last three years. They talked about looking at the Annex, Courthouse, and the jail. They have four steps, utility bill analysis, feasibility study; they attend a board meeting to make presentation on preliminary findings. Potentially they want to do is a performance contract with the county give county payback over the years. You use those dollars to pay for the energy renovations. They have had issues to maintain adequate flow of cooling or heating. There is no cost associated with this. Gunnison County have worked with them and talked with the City Council last week. Commissioner Wilkinson asked if this obligates them to their services next time. Potentially yes. The Board agreed to go forward with this.

They had previous discussion about a gun range. The process used to be a city owned range was used for city/county law enforcement practice. The Sheriff’s Office wanted to do another location which one of the locations that was suggested was the gravel pit they have in Conejos County. He did some research and this would require a special use permit. One of their primary issues to do this would be lead contamination to soil or water resources. He read the EPA Best Practices manual regarding that and they want to see a good management plan on that. If you
had an earth burn two inches high on a periodic basis you would have to rake through it to get the lead out. It has to be a volunteer basis and use safety masks, gloves, and suit. You have to store them in certain kinds of containers. Why would you want to do another one asked the Commissioners? Through the Division of Wildlife there are funds available maybe to help the city upgrade theirs. Commissioner Allen asked if we could get together with the city and discuss some of the Sheriff’s Office concerns with safety there.

**Approval of Consent Agenda**
Certification of Compliance – Article 29 of Title 29 CRS
Amended Resolution authorizing the issuance of a 1041 Permit for Cogentrix
Amended Resolution for the Application for Variance by Don & Shawn Schulz

Take out Caterpillar Equipment Purchase Agreements because it was addressed under County Administrators Report.

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

**Board/Staff Updates**

David Osborn asked for the Board to appoint a PIO (Public Information Officer) in case of any disaster.

**M/S Wilkinson/Yohn motion to appoint PIO (Public Information Officer) as Juan Altamirano**

Motion was approved unanimously.

Amanda Pearson is considering retiring at end of September. If Mr. Kelly would be interested in contracting for the County and Human Services they can discuss this later.

**Lunch**

**Alamosa County Victims Advocate Program**

Janice Holman was present. They started in 1995 which is a mandated program to provide services for Victims Assistance for Sheriff, ASC, Alamosa Police, and sometimes CSP. In 1991 they started creating an umbrella for all six counties. This way all counties have services. When they started they were the largest collaboration in the state. They provide for Violent Crimes against people such as assaults, domestic violence, kidnappings, homicide, they provide immediate services on the scene. They are on call 24 hours a day. They let them know what resources are available for them. Some of the services they provide are shelter, transportation, referrals for other agencies, and domestic violence referrals to Tu Casa. The types of crimes are changing. When they first started they didn’t do any homicides but not they are doing at least one or two a year. The level of crimes is increasing as well as the time they are spending with these violences are increasing because they are needing more services to recover. In 2010 they completed their grant goals and completed two Victim Advocate Academies where they trained
17 new law enforcement advocates. Primarily it is for the law enforcement Advocates but they have had other agencies take advantage of their Academy services as well.

In 2010 the six counties provided 453 primary victims with 104 secondary victims with 2917 direct victim services. In Alamosa alone it was 207 primary victims and 56 secondary victims with 1429 direct services. In Alamosa they have two paid staff and 13 volunteers.

They have been active in collaborating with other agencies. They have been working with DHS, Mental Health, Probation, and Tu Casa. They started a SART team (Sexual Assault Response Team).

They did get their funding for 2011. In the past they did have VOCA, VAWA, and VALE. They got it all put into a VOCA for 2011 and 2012.

VOCA (Victims of Crime Act)
VAWA (Victims against Women Association)
VALE (Victim Law Enforcement)

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, Administrative Assistant

Darius Allen, Chair
George Wilkinson, Vice-Chair
Mike Yohn, County Commissioner