Minutes of the Board of County Commissioners Meeting, held on April 13, 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

Delete Land Use Report, Sheriff, and Worksession from agenda.

M/S Wilkinson/Yohn motion to approve the agenda of April 13, 2011 with deletions. Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
Regular Minutes, March 30, 2011

M/S Wilkinson/Yohn motion to approve the Minutes of March 30, 2011. Motion was passed unanimously.

Approval of Bills/Obligations

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

Public Comment

No one made a Public Comment.
Approval of Consent Agenda
Sentinal Mosquito Zones-West Nile Virus Surveillance
Real Estate Lease
Probation Office –Landlord/Tenant Lease
Alamosa Recreation Center –Corporate Agreement

Delete Probation Office Lease Agreement to be discussed under County Administrators Report.

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

Public Hearing
Minor Subdivision –Monte Mullins

Mr. Shioshita asked with Conservation Easement if they did a reservation for an extra house. There is a building that is allowed on the larger parcel.

Commissioner Yohn asked how they access this currently. There is one access the Far West end to get to the well and the farm land, two towards east end to get to the residence and another in back for the propane tank stated Mr. Mullins.

Mr. Kelly stated if they sold tract 2 someone else wouldn’t be entering Tract 1 or Tract 2. No stated Mr. Mullins.

Commissioner Wilkinson asked if they have to get another access if there are no changes. He doesn’t know why they don’t just grandfather this in.

Ms. Lucero stated they prefer they have this shown on the plat that there is access. They will provide the proof of access.

List of Exhibits
A. Minor Subdivision Checklist
B. Staff Report
C. Application
D. Receipt of Payment
E. Deed
F. Deed of Conservation Easement
G. Ownership and Encumbrance Report
H. Notification by Leinholder
I. Certificate of Taxes
J. GFS Aerial View
K. Assessor Data & Pictures
L. List of Adjacent Landowners within 1500 feet
M. Water Documents
N. Preliminary Plat and Site Plan for Small Tract
O. Notice to Adjoining Landowners within 1500 Feet
P. Notice of Public Hearing before the Alamosa County Planning Commission
Q. Notice of Public Hearing before the Board of Alamosa County Commissioners
R. Notice to Applicant
S. Re Application Conference
T. Updated Division of Mullins map
M/S Wilkinson/Yohn motion to approve Minor Subdivision for Monte Mullins
Motion was passed unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2011 - S - 2

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY MONTE G. AND
STACIE S. MULLINS, COVERING PROPERTY LOCATED IN THE
NORTHEAST 1/4 AND THE NORTH 1/2 SOUTHEAST 1/4, AND A PORTION
OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE
9 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO.

Commissioner Wilkinson moved for the adoption of the following resolution.
Commissioner Yohn seconded the motion.

WHEREAS: Monte and Stacie Mullins have submitted an application for a minor
subdivision covering the following described property:

THE NORTHEAST 1/4 AND THE NORTH 1/2 SOUTHEAST 1/4,
AND A PORTION OF THE NORTHWEST 1/4 OF SECTION 31,
TOWNSHIP 39 NORTH, RANGE 9 EAST, OF THE N.M.P.M., IN
ALAMOSA COUNTY, COLORADO, PARCEL NO. 513531100155.

said property being zoned Residential Rural; and

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

Tract 1 = 5.742 acres more or less       Tract 2 = 142.258 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application
for a minor subdivision on March 9, 2011, following proper notice to the public and
recommended approval of the application.

WHEREAS, A public hearing was held on the proposed minor subdivision on
April 13, 2011, before the Board of County Commissioners of Alamosa County,
following proper notice to the public, and no adverse testimony was given or received.

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

WHEREAS, the proposed use is consistent with the objectives and purposes of
the Alamosa County Land Development Code, specifically that:
1. Consistency with the adopted plans and policies of the county exist;

2. The plat complies with the standards of Article 5, Subdivision Standards, and any other applicable requirements of this LDC;

3. If located within or adjacent to the Rural Planning Area, the plat includes a plat note reciting the Right to Farm and Ranch Policy; and

4. The plat indicates that all subject lots will have frontage on existing approved streets;

5. New or residual parcels conform to the requirements of this LDC and other applicable regulations;

6. No new streets are required or are likely to be required for access to interior property;

7. No drainage or utility easements will be required to serve interior property;

8. No extension of public sewage or water lines will be required;

9. The proposed subdivision will not adversely affect permissible development of the remainder of the parcel or of adjoining property; and

10. No waivers from Article 5, Subdivision Standards, have been requested.

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.

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

DATED: April 13, 2011.

(SEAL)

BOARDS COUNTY COMMISSIONERS OF ALAMOSA COUNTY

By: Darius A llen, Chairman

ATTEST:

Melanie Woodward, Clerk of the Board
Future Farmers of America

Kevin Rice was present. They are known as the National FFA now. The National FFA Convention is coming here in June at Adams State. They will be coming here on a three year rotation basis. They have five chapters participating in the Valley. They have two in Alamosa, Sanford, Sangre de Cristo, and Centauri. Costilla is struggling to get one. The students are going to come a day before and stay until the day after. They believe Adams State’s enrollment will increase with the convention. Every year prior to this convention they have an Agriculture In-service for the all the Ag teachers.

Commissioner Wilkinson stated he watches the convention every year on TV and it is pretty interesting. He also asked if he is located within the school district. Commissioner Allen asked how many students they are expecting. They expect 1500-2000 students stated Mr. Rice. First time in the US they are going to have an Ipad app. June 1st – 3rd is the dates of the conference. They are having an Auction fundraiser this Saturday at the OMS football field. Commissioner Wilkinson asked how many students do they have a year. Currently they have 30 students they started the year with 36 students.

Break

Alamosa County Assessor
Employee Vacancy Request

Sandra Hostetter was present. She requested an Employee Vacancy. Danielle Harrington is leaving. This person would be the personal property auditor. They would be responsible for discovering and maintaining all business personal property accounts in the county. Every year they are required to physically audit 25% of the personal property accounts. Also responsible for office filing, address change, ordering office supplies, data input, time card management, and various other duties as needed. Mr. Shiotsita stated there would be an increase her budget if you hire someone and keep Ms. Harrington to train so how would she accommodate that extra expense. Ms. Hostetter stated she would like two weeks for training and she is not sure how she would accommodate it. Commissioner Yohn stated the person does need to be trained. She does feel it is important that Ms. Harrington train the person that is taking her place. Also it is in the middle of the appeal period. Commissioner Allen stated he feels if they had that position then it needs to be filled. They are concerned about the budget so they just need to know who is coming and going.

M/S Wilkinson/Yohn motion to approve the Employee Vacancy Request for Assessor’s Office.

Motion was approved unanimously.

They are looking at increase in values. Modular homes and multi sectional home values are going down. Ag is going up a lot. Commercial they are seeing 3-5% increase. ACS is doing the mailing so they will be saving postage this way. Commissioner Allen asked about the Moyer appeal case if they can do this over the phone. Mr. Kelly stated yes but he feels it would beneficial to be there to show exhibits. This will be May 23rd.
Alamosa County Road & Bridge

They are on the 104 today putting sand and clay. Commissioner Allen asked if they are getting a lot of traffic from the solar farm. He also asked Juan Altamirano if anything they do to the road they can charge the solar company. Mr. Altamirano stated yes. Commissioner Wilkinson stated this is south of 104 they are working on today. Mr. West stated they have done some work near the solar farm though. Mr. Altamirano stated they went up on Monday and they will provide the water there and stabilize the road a little better. They also asked the drivers not to transfer things down that road and they put up a sign of no construction truck use. They are currently going off Stanley Road. Commissioner Allen stated he would prefer them staying off Stanley and go off the highway. Commissioner Yohn stated he received a phone call from Barbara Parker that there was a large brim in front of her place that she couldn’t get in. He will go out and check it out but he thinks they only bladed the main roads. Commissioner Yohn stated he went out and leveled it out a bit for her so she could get in and out okay.

Alamosa County Public Health

Julie Geiser was present. She sent an email to Robert Mathis for the Mosquito Control but she hasn’t received a response. She might have to think about what to do if he declines. Mr. Shioshita asked if they can do a program for that month. They are specific for what months. Last year they included in the contract they only will do the program until the money is there. Commissioner Yohn stated now that the Mosquito Control is being reorganized maybe they could do this. Ms. Geiser stated they did try them before but they wanted all the funds and she needed to keep some in case of West Nile Virus case was found they need to do an investigation. Commissioner Allen stated the last time they met with the board and they denied doing this. The Commissioners decided she should wait for Mr. Mathis’ response.

The TBI Trust Fund for the nurses to handle Traumatic Brain Injury has been done away with. They are going to have an audit on flu shots. Mr. Shioshita stated they were going to look at efficiency in terms of HCP’s office location or if they should be in the same building as Public Health. They are going to be in the whole with HCP Ms Geiser stated working with families in Saguache and Rio Grande County. They have a two year contract and based on cost effectiveness there is language in it that they could go back. She believes there is a lot of other health related issues that they need to address such as STD’s and teen pregnancy.

They decided to request that all referrals for methamphetamine would come from law enforcement only. Mr. Kelly stated they would need to adopt a policy of this. She spoke with Captain Dingfelder this morning and he stated there are fewer labs here because the drug cartels in Mexico have massive labs there.

The Revenue Expenditure Summary was presented.

Alamosa County Home Health

She gave Mr. Shioshita a spreadsheet for travel time for case aids. She would like to hire a case aid for Alamosa and one for Monte Vista as a PRN.
They have a contract with Integrated Health Plan where they contract with many health companies so where there is a referral they would send them to us. She feels like she would like to terminate this contract because it is costing them more and because the hospitals will refer them anyway. Mr. Kelly would need to see the contract.

**County Administrator Report**

The Bottom Up Governors Economic Development plan they have been working on and is ready to be turned in. They have a survey online it is available on the County’s website.

They had an 11% increase at the airport. They are looking at the final changes of the FAA reauthorization.

The Highway report for CDOT for FY2010 has been sent off. They are required highway revenues available for local government expenditure.

Conservation Trust Funds they did finish the pathway. The Golf Course project for their golf range is moving forward. Southwest concrete will be pouring soon. They are trying to enhance the Adams sports facilities. They are looking at options for bathrooms and a scoreboard. They are having the All Star Games being held at Adams State this June so there is that need.

GIS/GPS they are coming up with some options for the counties. Mr. McGee will be giving presentation of what they do or what they can do at the All Valley Commissioners Association.

All State Games they sent out by email anyone interested in volunteering. They are looking for people to work at the venues such as scorekeeping, time clock, ushers, ticket gate attendants, and any other areas. They expect around 300 students along with their families.

Heritage Area they had another planning retreat. They have to have a management plan by December.

Huerfano County has offered $1500 for the entire set of locks they have. Normally those locks run $1200 a piece. He mentioned an online site Public Surplus for equipment that the Counties have for sale. There is no cost for the use of this venue. Commissioner Wilkinson asked if they can put a reserve on it. Mr. Shioshita stated yes you can.

**Elevator Inspection Agreement**

M/S Wilkinson/Yohn motion to approve the Elevator Inspection Agreement

**Motion was approved unanimously.**

With the Probation Office Lease Probation doesn’t want to be the party but they can be a tenant. They would also like to be invoiced for the rent every month. They will draw up a lease agreement and an MOU with the conditions. Potentially May 1st they will move in. The Probations attorney is looking over the lease agreement.
Transmission line meeting in Ft Garland on the 18th at 6:30pm. They encourage everyone to attend.

**Ennovate Corporation**

Kimberly Goodwin was present. She did a power point presentation. Ennovate Corporate is an engineering firm that does a utility analysis to find ways to improve the facilities.

**Lunch**

**Alamosa Senior Center**

Dan Guiterrez Director and Ione Koenig were present. They are doing Bingo three days a week. The Public Health nurse comes once a month for blood pressure and oxygen checks. They are doing some fundraisers; they are going to Laughlin Nevada. In the fall they are going to New Orleans for a trip. They have 55 people going so far. They go for a week. Every summer they do trips to Creede for theatre shows. They have lunch and dinner there. They have meals at the Senior Center. The seniors play pool and crafts. They have a fundraiser at the Sunfest on the Rio and at the Early Iron Festival. Commissioner Wilkinson asked how many do they feed on an average. They feed an average of 40. Today they had 60 because they served Salisbury steak.

Commissioner Allen asked where they are at budget wise. They are at a loss about two thousand a month. How do they accommodate that asked Commissioner Allen? They are pulling out of reserves. Their accountants stated if they continue this it would exhaust the funds in four years. Commissioner Allen stated the CSBG funds have been cut.

Commissioner Yohn stated when the county does paving or asphalt if they could fix their road. Also Mr. Guiterrez invited them to have lunch with them. A luncheon May 3rd John Sutters is coming to the Senior Center. They are going to have lunch and talk about some senior issues. Commissioner Wilkinson stated that it is City’s responsibility for that road. They have attended some grant writing workshops so they are writing for some grants. They got a Daniels Foundation Grant last year for $10,000 and the Coors gave them $5000. They purchased ceiling fans and built a storage shed.

Their membership has gone down some to around 250. Who else is on the board questioned Commissioner Allen. They have Freda Myers, Paul Widhalm, Don Stagman, Marsha Tuggle, Tobi Herrera, Lewis Entz, and Walt Paulson. South Central Seniors is still renting their kitchen from them. They go once a month to New Mexico for gambling. Anyone can go on their trips they don’t have to be seniors.

**San Luis Valley RSVP**

Patricia Morgan-Lloyd Director was present. They are getting cut 2% across the board plus some. They have the second smallest budget. They are running on 230-240 volunteers. They did cut the Learn-n-Serve Program totally. They are having a Senior Summit here next month.
They are going to have their Senior Celebration in Sanford this year; last year was in Ft Garland. They had 250 attendants.

**LaGente**

David Carson Director, Carla Carson, Ruby Beltran Rio Grande Advocate, and Jerry Sierra Dedicated Dads Director were present. At this time their budget is looking good. It depends on Human Services Budget in July on how their funding goes. They have applied for some grants. Ms. Carla Carson spoke they received $4000 from CSBG and they were able to provide budgeting classes for 143 households and financial assistance. They helped 30 families with rent and 33 families with utilities, anywhere from $50 -100. They actually served 607 families in their six month reporting season. They do not have repeat people coming in. This year they have seen a lot of other organizations are getting cut so they are having more people come to them. They purchase their own materials and make their own books.

Mr. Jerry Sierra spoke about Dedicated Dads. It is a fatherhood program that they wrote to the state for a grant a few years ago. They got funded for two years in a row. This is going away from the federal to state, and now they are looking for other funding. They did get a grant from El Pomar. They started at 10 dads and they are down to 8 dads maybe seven after tonight. They either quit coming or are non participating. They have a lot of fathers who want to use this for the court but they are not here for that. They are there to make better fathers for their kids. This year they got $57000 in community donation whether it is furniture, clothing, or other donations. They have their clothing give-a-way every two weeks. They got 108 families adopted for their Christmas Program.

**Board/Staff Updates**

SLV RC&D will be dissolving due to funds being cut stated Commissioner Yohn. The Weed program will go to the Rio Grande Watershed.

**Adjournment**

There being no further business, the Regular Meeting of the Board of Alamosa County Commissioners was adjourned.

**ATTEST:**

[Signatures]

Belina Ramirez, Administrative Secretary

Carol Osborn, Administrative Assistant

Darius Allen, Chair

George Wilkinson, Vice Chair

Mike Yohn, County Commissioner
Minutes of the Public Hearing for Monte Mullins held on April 13, 2011 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

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

Pat Lucero and Monte Mullins were present.

Proposal: The applicant is proposing to subdivide a 148 acre parcel into two parcels of 5.742 acres and 142.258 acres m/l.

Legal Description: Township 39 North, Range 9 East, N.M.P.M. Section 31: NE ¼ and the N1/2SE1/4, together with that portion of the NW1/4 more particularly described as follows: 390.50 feet; thence South 01°12'25" East 1,094.58 feet; thence South 66°49'58" West 210.24 feet; thence 421.25 feet; thence North 09°50'09" West 153.82, thence North 28°45'06" East 59°39'55" East a distance of 397.80 feet to the point of beginning; SAVING AND EXCEPTING THEREFROM beginning at a point from whence the Northeast corner of said Section 31 bears North 00°26'West 1,717.75 feet; thence South 89°45: West 2,555.40 feet, thence North 01°02.5' West 1,792.45 feet, thence South 88°36' East 2,601.70 feet to the point of beginning; in Alamosa County Colorado

Project History and Background:
The applicants, Monte G Mullins and Stacie S Mullins, are proposing to divide an existing 148 acre parcel of land into two parcels. The resultant parcels after the division will be 142.258 and 5.742 acres m/l. The larger parcel is irrigated farm land with a center pivot sprinkler and the smaller parcel contains a single family dwelling and accessory buildings. The applicant is proposing to divide approximately 5.742 acres located in the north east corner of the existing parcel which includes the single family dwelling and accessory buildings. The residual parcel will continue to be farmed as in the past and has a conservation easement attached in perpetuity. A copy of the conservation easement is included in this application.

The proposed use will not change from the historical use, but will simply allow the home on the smaller parcel to be sold separately from the larger irrigated farm land which never be developed or subdivided.

There are two wells located on the farm land with one well capable of delivering 1000 gallons per minute and a stock well capable of delivering 20 gallons per minute. The two wells will remain with the property.
Access to the property is from Lane 1 north with an address of 0882 Ln 1 North. The applicant will be required to apply for a legal access from the Alamosa County Road and Bridge Department and an agriculture address from the Land Use Department. If the farm land is sold, then the address will help to identify the parcel.

The family home parcel is serviced by a domestic well and an onsite waste water treatment system.

Compatibility: The proposed subdivision is located in a Rural District and is consistent with the regulations and the Master Plan of the county.

Adjacent land owners within 1500 feet of the subject property have been notified by mail and notice was published in the Valley Courier. To date no comments have been received from either adjacent land owners or other concerned parties via email, letters, telephone or other methods.

1. Traffic generated by the development will not create safety hazards or create traffic which is beyond the capacity of the affected roads.
2. Noise, odor, smoke, dust, vibration, glare, or late hours of operation will not disturb the neighbors properties.
3. The development will not create adverse or unsightly views for neighbors and/or the traveling public.
4. The development will not cause pollution of ground water or surface water.
5. The development will not adversely change the character of the neighborhood
6. The development will not significantly disturb the privacy of neighbors

Findings: The owners have met all submittal requirements for a minor subdivision in a Rural District and there is no foreseen major impact to the land. No further divisions to the proposed parcels will be allowed in conformity with the Alamosa County Land Development Code as amended June 1, 2010 and the conservation easement attached is recommended to be noted on the final plat. The Land Use Staff has reviewed the proposed application and hereby recommends approval of the minor subdivision application based on the information provided by the applicant.

Commissioner Allen asked if anyone would like to speak in favor of or opposition to the Minor Subdivision of Monte Mullins.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2011 - S - 2

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY MONTE G. AND STACIE S. MULLINS, COVERING PROPERTY LOCATED IN THE NORTHEAST 1/4 AND THE NORTH 1/2 SOUTHEAST 1/4, AND A PORTION OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 9 EAST, OF THE N.M.P.M., IN ALAMOSA COUNTY, COLORADO.
Commissioner Wilkinson moved for the adoption of the following resolution. Commissioner Yohn seconded the motion.

WHEREAS: Monte and Stacie Mullins have submitted an application for a minor subdivision covering the following described property:


said property being zoned Residential Rural; and

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

Tract 1 = 5.742 acres more or less

Tract 2 = 142.258 acres more or less

WHEREAS, The Alamosa County Planning Commission reviewed the application for a minor subdivision on March 9, 2011, following proper notice to the public and recommended approval of the application.

WHEREAS, A public hearing was held on the proposed minor subdivision on April 13, 2011, before the Board of County Commissioners of Alamosa County, following proper notice to the public, and no adverse testimony was given or received.

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

WHEREAS, the proposed use is consistent with the objectives and purposes of the Alamosa County Land Development Code, specifically that:

1. Consistency with the adopted plans and policies of the county exist;

2. The plat complies with the standards of Article 5, Subdivision Standards, and any other applicable requirements of this LDC;

3. If located within or adjacent to the Rural Planning Area, the plat includes a plat note reciting the Right to Farm and Ranch Policy; and

4. The plat indicates that all subject lots will have frontage on existing approved streets;

5. New or residual parcels conform to the requirements of this LDC and other applicable regulations;

6. No new streets are required or are likely to be required for access to interior property;
7. No drainage or utility easements will be required to serve interior property;

8. No extension of public sewage or water lines will be required;

9. The proposed subdivision will not adversely affect permissible development of the remainder of the parcel or of adjoining property; and

10. No waivers from Article 5, Subdivision Standards, have been requested.

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.

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

DATED: April 13, 2011.

(S E A L)

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

By

Darius Allen, Chairman

ATTEST:

Melanie Woodward, Clerk of the Board

There being no further business, the Public Hearing for Monte Mullins was adjourned.

ATTEST:

Belina Ramirez, Administrative Secretary

Carol Osborn, Administrative Assistant

Darius Allen, Chair

George Wilkinson, Vice-Chairman

Mike Yohn, County Commissioner