Minutes of the Board of County Commissioners Meeting, held on May 11, 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

Addition of Decommissioning and Reclamation for San Luis Solar and delete Resolution of Appropriating sums from Consent Agenda and add to County Administrators Report.

M/S Wilkinson/Yohn motion to approve the agenda of May 11, 2011 with changes. Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

*The Following Minutes were presented:*
  *Regular Minutes, April 27, 2011*

M/S Wilkinson/Yohn motion to approve the Minutes of April 27, 2011. Motion was passed unanimously.

Approval of Bills/Obligations

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

Public Comment
Approval of Consent Agenda

Revenue Expenditure Summary
Contract Amendment #1
Ratification of Association of Film Commissioners International
Governor’s Energy Office – Facility Owners MOU

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

Public Hearing
Martinez Brothers

Ken Vanlwarden was present. Joe and Andrew Martinez were present.

Commissioner Yohn stated the 90 day inspection is coming up and if not cleaned up the subdivision won’t go through - do you understand this. They can tell their brother but if he doesn’t do it then what. Commissioner Wilkinson asked if that brother is in favor of the subdivision. He is stated Mr. Joe Martinez. Mr. Vanlwarden stated all the brothers signed the application so they are all being held accountable. Commissioner Yohn stated they should have more influence on him than anyone else especially because this would jeopardize their application. Mr. Kelly stated the easiest way is to have him clean it up. They also have a neighbor who is an Ex-sister-in-law that has a lot of junk that they had to move to the boundary over but they need help. Mr. Andrew Martinez stated they can do their part but what about the rest that refuse to. Mr. Kelly stated the only other option they have is they could file a partition action in District Court it divides the property as you outline it here because you all own it. This allows you to separate your interest in the property. This is a long process. Commissioner Allen stated he would hate them to lose everything you have already done. Commissioner Allen asked about the 39.04 acres so where is the other part. Mr. Kelly stated they have four brothers and three tracts. Mr. Andrew Martinez stated one of the brothers sold his track already to him so he has two of the tracks. Mr. Vanlwarden stated it is part of the right of way.

List of Exhibits
1. Minor Subdivision Checklist
2. Staff Report
3. Application
4. Receipt of Payment
5. Deed
6. Ownership and Encumbrance Report
7. Certificate of Taxes
8. GPS Aerial View
9. Assessor Data & Pictures
10. Water Documents
11. Letter to Empire Ditch Co
12. Preliminary Plat
13. List of Adjacent Landowners within 1500 feet
14. Notice to Adjoining Landowners within 1500 feet
15. Notice of Public Hearing before the Alamosa County Planning Commission
16. Notice of Public Hearing before the Board of Alamosa County Commissioners
17. Notice to Applicant
18. Pre Application Conference

Commissioner Allen stated they have had a lot of complaints about the area. They are trying to clean it up and they want to get a bulldozer to clean out the chicos stated Mr. Joe Martinez.

Commissioner Allen stated the process is removal of all the blight within 90 days and come back to Land Use for Approval. Mr. VanIwarden stated they will do periodic visits and work together to get it cleaned up.

M/S Wilkinson/Yohn motion to approve the Martinez Brother Application with the conditions
   Motion was approved unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2011-S - 3

RE: APPLICATION FOR MINOR SUBDIVISION FILED BY JOE A. MARTINEZ, RICHARD A. MARTINEZ, JOHN J. MARTINEZ, AND ANDREW L. MARTINEZ, COVERING SW 1/4 NW1/4 OF SECTION 8, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE N.M.P.M., COUNTY OF ALAMOSA, STATE OF COLORADO.

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

WHEREAS:

1. Joe A Martinez, Richard A. Martinez, John J. Martinez, and Andrew L. Martinez ("Martinez Brothers"), have submitted an application for a minor subdivision covering the following described property:

   The SW1/4 NW1/4 of Section 8, Township 37 North, Range 9 East of the
   N.M.P.M., County of Alamosa, State of Colorado

   said property being zoned Rural.

2. Said applicant seeks to divide the above-described property into four parcels as follows:

   Tract 1 = 19.52 acres
   Tract 2 = 9.76 acres
   Tract 3 = 9.76 acres
3. The Alamosa County Planning Commission reviewed the application for a minor subdivision on April 13, 2011, following proper notice to the public and recommended approval of the application with certain conditions.

4. A public hearing was held on the proposed minor subdivision on May 11, 2011, before the Board of County Commissioners of Alamosa County, following proper notice to the public, applicants spoke in favor of the subdivision and no one spoke in opposition.

5. The Board of County Commissioners has determined that this application is pursuant to Article 5, Subdivision Standards of the Alamosa County Land use Development Code and that Subdivision Regulations, as amended, and is a division of land not within the purposes of Part 1 of C.R.S., 1973, Section 30-28-101, et seq. and is therefore exempt from the definition of a "subdivision" contained therein.

NOW, THEREFORE, BE IT RESOLVED that the minor subdivision of the above described property as submitted by Martinez Brothers be APPROVED, subject to the following conditions:

a. Approval of the minor subdivision is contingent upon the removal of all junk, inoperable cars, trucks, and uninhabitable mobile homes as evidenced by the photos included in this application;

b. The area will have to be cleared of debris including discarded household appliances, old tires, and items which are strewn about;

c. The applicants will contact the Land Use Office before the 90 day expiration period to request a final inspection of the property;

d. A follow-up visit in 90 days by the code enforcement officer to review the property and report to the Land Use Office;

e. Failure to comply with these conditions will result in denial of the applicants' application for a minor subdivision.

Roll call vote resulting in approval: Commissioner Allen, Commissioner Wilkinson; Commissioner Yohn all in favor

DATED: May 11, 2011

(Seal)

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

By: Darius Allen, Chairman
## Alamosa County Land Use

### April 2011 Activities Report

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| Single Family Dwelling |     |     |       |       |      |
| Site Built Homes       | 0   | 0   | 1     | 0     | 1    |
| Mild Home Multi        | 0   | 0   | 0     | 0     | 0    |
| Mild Home Single       | 0   | 1   | 0     | 0     | 1    |
| Mild Home HUD          | 0   | 0   | 1     | 0     | 1    |
| Renewals               | 2   | 2   | 1     | 0     | 5    |
| Total SFD Permits Issued | 2 | 3 | 3 | 0 | 8 |

| Accessory Structures |     |     |       |       |      |
| Storage/Utility/Garage| 0   | 1   | 4     | 2     | 7    |
| Agriculture/Sheds/Barns| 3   | 0   | 2     | 1     | 5    |
| Total Accessory Permits| 3   | 1   | 6     | 3     | 13   |

| Additions & Alterations |     |     |       |       |      |
| Decks/Siding/Garage     | 2   | 4   | 0     | 6     | 12   |
| Other                   | 0   | 0   | 0     | 0     | 0    |
| Total Additions & Alterations | 2 | 4 | 0 | 6 | 12 |

| Commercial               |     |     |       |       |      |
| New Building             | 1   | 0   | 0     | 0     | 1    |
| Accessory Structures     | 0   | 1   | 0     | 1     | 2    |
| Additions/Alterations    | 0   | 0   | 0     | 1     | 1    |
| Solar Installations      | 0   | 0   | 0     | 0     | 0    |
| Renewals                 | 0   | 0   | 0     | 0     | 0    |
| Total Commercial Permits | 1   | 1   | 0     | 2     | 4    |

| Miscellaneous Permits    |     |     |       |       |      |
| Roofing Permit           | 0   | 0   | 2     | 5     | 7    |
| Fees Collected           | 0   | 0   | 100   | 250   | 350  |
| Demolition Permit        | 0   | 0   | 0     | 0     | 0    |
| Fees Collected           | 0   | 0   | 0     | 0     | 0    |
| Sign Permit              | 0   | 0   | 0     | 1     | 1    |
| Fees Collected           | 0   | 0   | 0     | 40    | 40   |
| Total Miscellaneous Permits Issued | 0 | 0 | 2 | 6 | 8 |
| Total All Permits Issued | 8   | 9   | 11    | 17    | 45   |

| Septic Permits           |     |     |       |       |      |
| Issued                   | 0   | 2   | 4     | 4     | 10   |
| Fees Collected           | 0   | 550 | 1100  | 1100  | 2750 |

| Addresses                |     |     |       |       |      |
| Issued                   | 5   | 1   | 0     | 0     | 6    |
| Fees Collected           | 120 | 30  | 0     | 0     | 150  |

| Certificates/Licenses    |     |     |       |       |      |
| Mobile Home Parks        | 7   | 3   | 0     | 0     | 10   |
| Fees Collected           | 1400| 600 | 0     | 0     | 2000 |
| Septic Installers        | 13  | 0   | 0     | 0     | 13   |
| Fees Collected           | 325 | 0   | 0     | 0     | 325  |
| Septic Cleaners          | 4   | 0   | 0     | 0     | 4    |
| Fees Collected           | 100 | 0   | 0     | 0     | 100  |
SLV Antique Iron Tractor Club

Jim Clare, Tom Scarlett, and Ed Wiescamp were present. They have brought in a few pieces of equipment into the area to get everyone’s attention. They would like permission to set up a static display for antique cars and equipment. Just north of the main mound there is an area about 75 feet wide by 300 feet. They would like to take some of this antique equipment and set it up on the hill to display. It would be available for any of their events, any of the gun shoots, or for the aeronautic place. It would be locked and secured other than for viewing when the park is open and any activity is in progress. They chopped the brush and they could set up two rows of equipment for viewing around it and in a safe manner. They would keep it clean. At some of the events they have already had people stop and look to see what they are doing. It will be gradual not bringing in all the equipment all at once. Commissioner Allen asked if they carry liability insurance. Yes they do stated Mr. Clare this Insurance Company primarily deals with strictly antique iron shows and stuff like that. They could supply a certificate of insurance if they would like. They have bleachers set up, control building for scale weighing, PA system, and a light system. Commissioner Allen asked about their relationship with the Gun Club and the Aeronautics. With the Del Monte Gun Club they use their facility for luncheons and they have a good relationship with Aeronautics, just with everyone. Commissioner Wilkinson asked if they are going to have a designated limit. It is going to be limited stated Mr. Scarlett. They can see everyone wanting to donate things so they don’t want it to be a salvage yard so there is going to be a limit. They also want them to be appropriate for the San Luis Valley Agriculture. They will also get a GPS aerial map for them. Commissioner Yohn asked if there is adequate parking and if was okay with their neighbors. Mr. Clare stated they will have an area for parking. June 4th is their next tractor pull. Commissioner Wilkinson stated he thought it was a good idea for a designated area for the display. The Commissioners did request a current certificate of insurance from them.

M/S Wilkinson/Yohn motion to approve permission to set up a static display.

Motion was approved unanimously.

Alamosa County Road and Bridge

Phil West was present. They have been doing a little hand patching. Commissioner Wilkinson asked if we had a lot of break up. Mr. West stated not too bad. They have done from the 107 to the State Patrol building. A couple of more days and they will be done. Conejos is going to lend them their lay out machine so they won’t have that many people out. They will be starting that the 6th of June. The Bridge on the South River Road have they put any asphalt asked Commissioner Allen. They just put fillings in until it warms up. They will blade some hot mix. They bladed 106 last week. They are going to haul off the sand on 106 today.
Commissioner Yohn asked if all the asphalt is already asked for. Pretty much they will have about 7700 tons so if they do 6 miles out on County Line and 2 miles on 109 it would take about 7000 tons. They will have some left for blade path. He thought they would do some south of 160, Dalmer, some on 5 by Mushroom Farm, and by South River. Sunny side lane really needs some he knows they have been patching and it looks better but they need some asphalt. They almost should think of doing a thin layer also in Bonneville Lane. Commissioner Allen stated the bad thing about that area is there is no drainage. Mr. West asked the City used to do a Street Improvement District where they put new curb and gutters can’t the County do that. The people in that district would have to vote on that stated Commissioner Allen. Commissioner Yohn stated also possibly a Homeowners Organization that was put in a fund. Commissioner Wilkinson stated you couldn’t put it into a Homeowners deal because it is already the County’s subdivision. Mr. West state on the Southside they did this he doesn’t know if there was a grant involved or what. Commissioner Allen stated they would have to form a Special District and assess the property owners. He stated it seemed like they had a firm come in and did a summary of what it would cost to put a drainage in there that was around 3-4 million dollars. If they annexed it with the City then they would save on the water bills stated Commissioner Wilkinson. Deb Downs stated they can find a grant to have someone come and look at it but there are no grants for paving residential streets. The Commissioners decided to look into it.

Alamosa County Public Health

She met with some people from the Federal and State level on Monday. One of the people from the State Commissioners Office was here and she talked with him. Dr. Irbinia the Executive Director and Medical Director of Department of Health and Environment asked to come over and meet their staff. Sue Birch the Executive Director of Health Policy & Finance was here and she was able to talk to her about HCBS services and the value of Home Health.

She did hear back from Robert Mathis on the West Nile Surveillance and he is not able to do that this year. She spoke with Tyler at the Mosquito District and he was going to talk it over with Harvey but she hasn’t heard anything back from him. She can advertise this position or try to recruit someone.

They have a contract with Adams State College to accept student nurses as well as Trinidad State Jr College. It does take quite a bit of nurse time to have them here but Ola did a really good job and had a pretty comprehensive program for them. Now it won’t take that much time in the future.

She asked about the policy of Methamphetamine to not accept referrals except from Law Enforcement. Mr. Kelly will make a policy.

Alamosa County Home Health

They had a CNA take courses and became a LPN.

Home Health Integrated Contract she spoke about. Mr. Kelly stated they have to notify 90 days prior to expiration of contract so they are late.
They had some discussion with the state about HCP. Alamosa County provides services also a TBI contract and has the Regional Office of HCP through the county. The state is cutting funds. They are currently spending more money for the three county region. They did this as a favor for the state because they could not find a nurse for that region. It is costing 77% of the funds for Alamosa County. They would review the options for those other two counties. Saguache County just hired a nurse and Rio Grande is looking into some ways. Fremont County is transferring to Pueblo County. Now they are being told their option isn’t going to work because the TA money would go away. There will be an $18,000 shortage. They have another phone call scheduled for May 18th. Commissioner Wilkinson asked what happens if they pull it and it all goes to Pueblo. They do Regional Clinics here and they have doctors come here. They cannot deny service so if the other counties want to continue to come here. If they are not working together than the doctors won’t have files for some of the children that come here. The state actually said they are providing too much and they need to cut back. Ms. Geiser stated that maybe those Counties should put in their share for providing those services.

**Department of Human Services**

Larry Henderson, Connie Ricci, and Suzi Campos were present. They have two clerical positions that they would like to be filled. He presented an Administration Allocation Report by Counties for comparison. It showed they are well below where they should be projected. The remaining balance goes to the state and is allocated to other counties that have over spent. These allocations are not used for Child Support, Case Workers, or TANF this is where the clerical salaries come from. They lost one recently, one at the end of the month, and one expressed opportunity for an opening in another unit. Ms. Campos stated it would be very difficult to run the front desk with only one or two employees. The last employee and the one leaving now stated one of the reasons they left is because of the stress of the job. Mr. Shioshita asked if he envisions the state will change the allocation based on the over expense. It works to their benefit because if there is money left over they can redistribute it stated Mr. Henderson. Where is the state or the county going to get the extra money that the state has cut asked Mr. Shioshita.

There was discussion of Amanda Pearson’s resignation as of July 1st.

**M/S Wilkinson/Yohn motion to approve the two employee vacancies for the Department of Human Services.**

Motion was approved unanimously.

**Break**

**County Administrator Report**

They had been advertising vacancy position for the Marketing District for three weeks. There was no interest for that time. He did receive a resume from Scott Braber from SLV Brewing Company.
M/S Yohn/Wilkinson motion to fill Marketing District Board vacancy of Nacho Martinez with Scott Braber. 
Motion was approved unanimously.

April Sales Tax report was given and is up from next year.

Friday they attended Bottom Up Meeting and they had representatives from the different counties. The give areas of emphasis were Broadband Telecom, Tourism Development, Business Retention and Development, Renewable Energy, and Agriculture. They had various members from the state community such as Kathy Reynolds with CSU Extension, some with Labor Employment, and the Governors Energy Office.

Heritage Area the Management Consultants were in the Valley. They talked to downtown merchants. Their plan has to be completed by end of September.

He will be working with some guidelines and language in Facilities Usage Agreement regarding service animals because they have had several issues with unsanitary dogs.

They took the Management Team for a tour of Cogentrix Solar Project yesterday. It is quite an undertaking. They will be doing 492 pedestals with roughly 3500 square foot panels on the pedestals.

He sent an email to the Board, to Charlotte Bobiski, Brenda Flemlee, and Erin Minks regarding FAA Reauthorization Bills currently there is one in the House and one in the Senate. Potentially the House Bill is more critical because it effectively eliminates EAS. Right now Great Lakes receives a subsidy of 1.2 million dollars a year to provide commercial air access. If this bill goes through than this subsidy goes away and Great Lakes won’t provide air service here. Senate version had some discussion about employments they would eliminate EAS for airports that didn’t have less than 10 employments a day. Here at the SLV Regional Airport we had over the last 12 month period 6600 employments. The other piece was if it was less than 90 miles away from a medium or large scale airport so we are okay there too.

Medical Marijuana they had a meeting last week for rules and regulations. Provision of the moratorium to extend until 2012 is still in place. There would be no new state licensing for Medical Marijuana until the moratorium ends if this bill goes through.

Decommission and Reclamation Financial Security Agreement for San Luis Solar (Iberdrola)

M/S Wilkinson/Yohn motion to approve Decommission and Reclamation Financial Security Agreement for San Luis Solar. 
Motion was approved unanimously.

Supplemental Budget

State wanted to see information based on 100% revenue expense. Auditor of WSB has made the recommendation to make this transition. We are increasing the Human Services Fund from
$4,522,970 to $15,601,670. Even though those funds don’t come to the County the state is asking us to show those funds.

M/S Wilkinson/Yohn motion to approve the Resolution 2011-F-1 appropriating additional sums of money to defray expenses in excess of amounts budgeted for the County of Alamosa, Colorado

Motion was approved unanimously.

**Alamosa County Veteran’s Affairs**

Frank Muniz was present. He went over some figures for the year as follows: 5463 for telephone calls, 527 visitors, 20 for public contact out of the office, 215 letters written, 47 POA’s, 3 medical cases, 2 loan guarantees (real estate people from VA was involved and the outcome was the contractors were charging more than reasonable), 15 medical claims, state claims, 35 military request of records, 85 compensation claims, 9 death pensions, 4 insurance claims, and 312 of miscellaneous. Aids for attendance for nursing homes were 32. Money that comes into Alamosa County from Veterans Affairs is $5,678,000 about $800,000 above from last year. Compensation $3,279,000, Vocational Rehab $382,000, and medical expenses $1,967,000. For transportation they transported 1820 veterans, 645 trips, and logged about 178,000 miles for the year. He has four vehicles and he probably will buy another vehicle to replace one of theirs if the grants come through. State has agreed to pay fees for all the counties. Commissioner Allen asked if things are better now that he only has the one county. He still sees someone referred from the medical clinic that is from another county. He gets them started but then he sends them to the right county. Mr. Shioshita stated the other counties look to Frank Muniz for leadership because he knows those cases. Mr. Muniz stated he has a good relationship with all the VSO’s (Veteran Service Officers).

**Board/Staff Updates**

**Adjournment**

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

George Wilkinson

Mike Yohn, County Commissioner
Minutes of the Public Hearing for Martinez Brothers Minor Subdivision held on May 11, 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

Ken Vanlwarden was present. Joe and Andrew Martinez were present.

Applicants: Joe A., Richard A., John J., and Andrew I. Martinez

Legal Description: The SW1/4 NW1/4 of Section 8, Township 37 North, Range 9 East of the N.M.P.M., County of Alamosa, State of Colorado

Project History and Background: The physical address of the property is 7080 Rd 101 South and is zoned in a Rural Residential District. There is an existing single family residence on the property which will be occupied by one of the family members. The surrounding area is rural agriculture and vacant land.

The property is presently owned by four brothers and they are in agreement at this time to divide the property. The applicants have also expressed that they want to clean up the area as there are several junk cars, old farm equipment, and discarded appliances scattered about the area at the present time which are distracting from the potential use of the property. The conditions on the property are also in violation of the County Land Development Code. The proposed subdivision will divide the existing parcel into three tracts and will not change the use of the land from the historical use.

The proposed tracts will be as follows:
Tract 1 = 19.52 acres  Tract 2 = 9.76 acres  Tract 3 = 9.76 acres

There are three registered domestic wells on the property which will serve the three proposed tracts.

The Empire Ditch crosses the property on the north east end. The proper authorities were notified by mail of the proposed subdivision.

The access for each tract will be from County Road 101 South.

Referral Agency Comment: The Division of Water Resources was asked to give a review of the water available on the proposed tracts. Mr. John Skinner responded with an email comment
which is a part of this file. The staff report was forwarded to the Colorado Division of Water Resources, Office of the State Engineer, and to the Alamosa County Road & Bridge Department. **Department Recommendation:** The Land use has reviewed the proposed application and finds that the minimum requirements for water and access have been met; Address blight issues with the following conditions:

a. Approval of the plat is contingent upon the removal of all junk, inoperable cars, trucks and uninhabitable mobile homes as evidenced by the photos included in this application.
b. The area will have to be cleared of debris including discarded household appliances, old tires, and items which are strewn about.
c. The applicants will contact the Land Use Office before the 90 day expiration to request a final inspection of the property.
d. A follow-up visit in 90 days by the code enforcement officer is recommended to review the property and report to the Land Use Office.
e. Failure to comply with these conditions will result in a denial of approval for a minor subdivision in a rural zoned area.

Joe Martinez stated they have been cleaning it up. They are having trouble with their other brother and they would request assistance from them to put rules on him. They are in the process of issuing violation notices to him stated Mr. VanIwarden.

Commissioner Allen asked if anyone would like to speak in favor of or opposition to the Martinez Land Division.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY**

**RESOLUTION NO: 2011-S - 3**

**RE:** APPLICATION FOR MINOR SUBDIVISION FILED BY JOE A. MARTINEZ, RICHARD A. MARTINEZ, JOHN J. MARTINEZ, AND ANDREW L. MARTINEZ, COVERING SW 1/4 NW1/4 OF SECTION 8, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE N.M.P.M., COUNTY OF ALAMOSA, STATE OF COLORADO.

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

**WHEREAS:**

1. Joe A Martinez, Richard A. Martinez, John J. Martinez, and Andrew L. Martinez ("Martinez Brothers"), have submitted an application for a minor subdivision covering the following described property:

   **The SW1/4 NW1/4 of Section 8, Township 37 North, Range 9 East of the N.M.P.M., County of Alamosa, State of Colorado**

   said property being zoned Rural.
2. Said applicant seeks to divide the above-described property into four parcels as follows:

Tract 1 = 19.52 acres
Tract 2 = 9.76 acres
Tract 3 = 9.76 acres

3. The Alamosa County Planning Commission reviewed the application for a minor subdivision on April 13, 2011, following proper notice to the public and recommended approval of the application with certain conditions.

4. A public hearing was held on the proposed minor subdivision on May 11, 2011, before the Board of County Commissioners of Alamosa County, following proper notice to the public, applicants spoke in favor of the subdivision and no one spoke in opposition.

5. The Board of County Commissioners has determined that this application is pursuant to Article 5, Subdivision Standards of the Alamosa County Land use Development Code and that Subdivision Regulations, as amended, and is a division of land not within the purposes of Part 1 of C.R.S., 1973, Section 30-28-101, et seq. and is therefore exempt from the definition of a "subdivision" contained therein.

NOW, THEREFORE, BE IT RESOLVED that the minor subdivision of the above described property as submitted by Martinez Brothers be APPROVED, subject to the following conditions:

a. Approval of the minor subdivision is contingent upon the removal of all junk, inoperable cars, trucks, and uninhabitable mobile homes as evidenced by the photos included in this application;

b. The area will have to be cleared of debris including discarded household appliances, old tires, and items which are strewn about;

c. The applicants will contact the Land Use Office before the 90 day expiration period to request a final inspection of the property;

d. A follow-up visit in 90 days by the code enforcement officer to review the property and report to the Land Use Office;

e. Failure to comply with these conditions will result in denial of the applicants’ application for a minor subdivision.

Roll call vote resulting in approval: Commissioner Allen, Commissioner Wilkinson; Commissioner Yohn all in favor

DATED: May 11, 2011
ATTEST:

Melanie Woodward, Clerk of the Board

There being no further business, the Public Hearing for Martinez Brothers was adjourned.

ATTEST:

Belina Ramirez, Administrative Secretary

Carol Osborn, Administrative Assistant

Darius Allen, Chair

George Wilkinson, Vice-Chairman

Mike Yohn, County Commissioner