Minutes of the Board of County Commissioners Meeting, held on September 14, 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
Jason Kelly, County Attorney
Mark Garcia, Interim Administrator
Carol Osborn, Administrative Assistant
Belina Ramirez, Administrative Secretary

Commissioner Allen introduced the Interim Administrator Mark Garcia. Mr. Garcia spoke a little about himself. He was born and raised in Santa Fe NM. He has a Mechanical Engineer Degree from University of New Mexico. He worked for the Department of Defense where he worked on Naval Ships all around the world. He got tired of that so he and his wife moved to Pagosa Springs. They have resided there since 1994. He worked for the City with their Geothermal Heating system and moved into more responsibilities with the City. He eventually became Town Manager in 2003. In 2008 he resigned and he became sole proprietor of a business that is called Gov-plus. He works with small local governments, counties, and towns. He has worked with the City of Urey, County of Dolores, Town of Center, and the Town of Antonito.

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

The addition of the Resolution authorizing and approving Service Contract for Interim Administrator to the Consent Agenda.

M/S Wilkinson/Yohn motion to approve the agenda of September 14, 2011 with addition. Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
Regular Minutes- August 24, 2011
Public Hearing –Zapata Zoning Amendment
Public Hearing –Valley Motocross
M/S Wilkinson/Yohn motion to approve the Minutes of August 24, 2011.
Motion was passed unanimously with Allen abstaining due to not being here.

Approval of Bills/Obligations

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

Public Comment

Leon Moyer who resides at 19417 Ridge Dr was present. He would like them to keep updating the website to include the most recent minutes. So if a person misses a meeting they could know what happened at a previous meeting by reading the minutes. There is a problem with the Local Marketing District Board operations. There have been conflicts of interest, ethical issues, and most recently they failed to post their meeting. They held the meeting but took no action. This shows a lack of diligence so the County Commissioners should consider re-appointing some new members to that Board as soon as possible. Also their budget for 2011 listed $100,000 for Administrative Staff and the Marketing District just brings a little of $300,000 a year so this is an unusual percentage of the total budget for staff. This should be addressed in the future. On the agenda you have listed an Executive Session and he would ask before going into the session you should be more specific. The Administrator Contract the pay scale is higher compared to the City Manager and the School Superintendent. This is slightly excessive. This is setting a wrong precedent for the real administrator that would come in.

Approval of Consent Agenda
LEDS Agreement
CDPHE Children with Special Health Care Needs
Help Keep Alamosa County Beautiful
Resolution to authorize the County Attorney to intervene in litigation matter known at Kerr et al v. State of Colorado US District Court Case
Contract for Interim County Administrator-Mark Garcia
Resolution for Interim County Administrator

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

SLV EOC Committee
Resolution for Appointment of the SLV EOC Committee to manage and coordinate changes to the SLV EOC

David Osborn was present. He is the Planning Coordinator for the Regional Emergency Preparedness and Response and also the Vice-Chair of the SLV EOC Committee. The Committee was established in 2008 to coordinate, manage, and train for Incident Resource Allocation. They have representation from each of the six counties. Each Emergency Manager is part of the committee. They also have Regional Staff of Homeland Security, Retac, and EPR that sits on the committee. It is the only Regional in the State of Colorado. As technology
increases and things change they thought if any changes occur that those requests should go through the EOC Committee first. It would be necessary to have a Resolution for this. This would not allow any equipment come in without anyone knowing. This Committee would make their recommendation to the Board for approval.

Commissioner Allen asked if the Board would take care of up keep. They have a small budget for such as replacing bulbs and a cushion for something that might occur stated Mr. Osborn.

Mr. Garcia asked if the Committee is active. This last year they haven’t because they have been working on Preparedness Planning. Jeff Babcock is Chair of the Committee and all the Emergency Managers are part of the board.

Commissioner Yohn asked if this was going to control access to the EOC from the other departments. They have pretty good control right now. Their policy states that any acting Emergency Manager, Sheriff, or lead officer official can get access to the EOC in case of an emergency. They do this through the Colorado State Patrol. Commissioner Wilkinson stated the emergency would take precedence over anything else.

Commissioner Allen asked if the other counties have to take a resolution regarding this. Mr. Osborn stated no because this is Alamosa County’s building so Alamosa County must make the decision. Mr. Kelly stated that is correct the building is Alamosa’s and they decide what comes in and out of this building. They would incur costs after one week free gratis from the EOC staff and anything longer would incur costs.

**M/S Yohn/Wilkinson motion to pass Resolution for SLV EOC Committee to manage and coordinate changes to the SLV EOC.**

Motion was approved unanimously.

**Alamosa County Land Use**

Ken Vanlwarden and Kacey Garrison were present.
Ms. Garrison spoke regarding the activities of Land Use. They closed some files on Blight Issues. She spoke about some of the active files.

They have completed 32 files since the implementaiton of the Iwork system. Commissioner Allen asked how that system was working. Ms. Garrison stated that it has been useful.

Commissioner Yohn stated it isn’t a pleasant job but they appreciate it.

**August Activities**
Issued 11 building permits
Fees Collected $2012
Total Construction Value $168440
Total of all fees collected $3467
The Mental Health building should be completed but they have made a lot of changes. They had to send plans to the State Health Department.

Commissioner Yohn asked when they apply for addresses do we have the numbers available for them. Mr. VanIwarden has been thinking about what they are doing in Rio Grande County where they require numbers that they have available. When they are building they would like to have the addresses shown visible. This is important for emergency services to find the addresses. Commissioner Yohn stated he is on the E911 board and they discussed those letters. Mr. Garcia stated they could make this change incorporated in the Land Use Development Code. In our Building Code right now it states it just has to visible from the street.

**National Guard Armory**

Keith Luttrell with Davis Engineering, Greg Dorman Resource, Director and Legislative Liaison for the Colorado Department of Military Veterans Affairs and Howard Williams Program Manager, Howard Williams Program Manager. Mr. Keith Luttrell spoke. The National Guard is in the process of finding an armory here. Through his research County Road 109 was owned by the County which put a hold on their City annexation. They would like the County to deed the property to the City of Alamosa to facilitate their annexation.

Mr. VanIwarden stated the City wanted to annex that property the National Guard is interested in but the County owns a strip of land there. The County cannot just give any property without a proper public meeting. Mr. Don Koskelin Public Works from the City is present. This is because not having enough common border this is the process to complete the annexation. Mr. Kelly stated the issue has come up of why not sell the property rather than give it. This is a community effort and they want the National Guard here. Mr. Garcia asked if the City would maintain the road. Yes they would stated Mr. Koskelin.

M/S Wilkinson/Yohn motion to approve Transfer of Property to the City for Annexation for the National Guard Armory.

Motion was passed unanimously.

**Alamosa County Public Health**

She introduced the new Public Health Nurse Samantha Escobedo.

They had three positive West Nile Pool. They were all out of the Mosquito District limits so they did no spraying.

They want to accept referrals for methanthetamin from law enforcement only. They need a resolution addressing this.

M/S Wilkinson/Yohn motion to approve Resolution of policy regarding referrals of possible Methanthetamin labs or contaminated property.

Motion was approved unanimously.
Bed bugs is another issue they are dealing with right now. They are considered a nuisance not a public health threat. They have sent letters to a hotel in town. There is no proof of bed bugs causing any type of disease for them to get involved in a court issue.

She sent them the Core Public Health Service Rule overview. There will be a State Board of Health adopting Core Public Health requirements that they will all have to do. This is so everyone will have access to the same kind of services. Small Counties may not have the funding to do that. One of the things they have to do is participate in a Research Program and they do that with the Prevention Research Center. Environment Health they do have a state inspector to do resteraunts and they are not going to change that anytime soon. The one she is uneasy about is protect and improve air quality, water quality, and solid waste management. If they fail to provide Core Public Health Services requirements the state can reallocate funds from the agency. They will take comments until October 1st.

They are partnering with the hospital. They have to do a Community needs assessment for something they have a concern with such as sexually transmitted infections and teen pregnancy. They have a meeting set with Valley Wide, the hospital, and Alamosa Schools to do a leadership team to see how they could work together.

OLTC she is requesting an employee vacancy contingent on Healthcare & Finance. If they do not have to send money back they could afford to hire that position if not they have to think about this position. They do not have that information right now. Her request is have permission to replace position as funds are available. Ms. Kim Canty stated before they were able to spend any money leftover. Then they began reconciliation and took the funds back.

M/S Yohn/Wilkinson motion to approve employee vacancy for OLTC as funds are available
   Motion was approved unanimously.

They were able to have a Rabies Training for local animal control.

**Alamosa County Home Health**

Rather than hire another person at this time they have a LPN filling in at a hourly position. However if she needs this position she would like to hire this position.

M/S Wilkinson/Yohn motion to approve Employee Request of LPN filling in for the position but approving hiring someone if so needed.
   Motion was approved unanimously.

She has been appointed to the Long Term Care Advisory Committee of Health Care and Finance. This is a two year commitment. She would like to go to one meeting at least to see who she is talking to. She could attend the meetings via phone conference for the following meetings.
With HCP the state couldn’t still see why she is not Sue Foster’s supervisor. They are going to cut a lot more funds with this program. They do see she is not responsible for this program just the Case Management.

**Alamosa County Road & Bridge**

They have been hand patching. They fixed the Malouff Road and the Sanford Highway. The 107 has nothing but clay. The little asphalt at the Comfort Inn they couldn’t even roll it because it was just breaking up. They are going to dig that up but they are going to get a locator on that first because there is a gas and sewer line. They will go back to Maple to work on that. They lent Conejos County 5 belly dumps. They are graveling the road up on Platoro. They did the 4 South from the 108 to the 112. They reshaped but they haven’t put anything on it yet. They could top it with clay or gravel. Commissioner Allen stated it was a lot better today. They went to the Lane 4 where they ran the fiber optic for the solar farm to the 17. They stayed on the west shoulder of the 106 up to the 4 and to the 108. They still have a culvert to replace. Mr. Altamirano stated they can cut the maintenance from James Cooley’s Road to the solar farm down to once a week given that most of the cement trucks are done with the work. They will continue to monitor the roads.

The sign near the new Elemetary School he was going to take it out but it belongs to the City. The sign is adequate. This is an enforcement problem stated Mr. West.

**Break**

**Alamosa County Sheriff**

VALE (Victims Assistance Law Enforcement) Grant

This grant is less this year because Rio Grande has opted out.

**M/S Wilkinson/Yohn motion to approve VALE Grant**

Motion was approved unanimously.

They did receive the grant for a Mental Health Counselor. He needs this back before the 27th.

**Employee Request**

**M/S Yohn/Wilkinson motion to approve Employee Request for Sheriff’s Office**

Motion was approved unanimously.

**Rio Grande Water Conservation District**

Steve Vandiver was present. The Special Approval Subdistricts a hearing has been set for Management Plan held by Supreme Court in December. 2011 pumping for meter readings that have been pumped for each meter and what has been calculated for this season. They will be setting the fees before December 1st and in January for tax collection. They had no moisture in
the spring and lots of wind that maximized pumping. They had high commodity prices. They
lost 24000 feet out of aquifer. They are now at the lowest growing level. They have to curtail
pumping. They hope to get a positive ruling from the Supreme Court. They are finishing the
work on the Habitat Conservation Plan for the Southwestern flycatcher. The Rio Grande
Natural Area will have a formal commission meeting. They will be writing a plan.

Commissioner Allen asked about the land if it can be irrigated.

San Luis Valley Museum

Joyce Gunn was present.

Executive Session

CRS 14-6-402(4)(b) –Purpose of receiving legal advise

M/S Wilkinson/Yohn motion to move into Executive Session
Motion was approved unanimously.

Going into executive session. Tape turned off. Time is 12:40 Carol back into room and because
of privilege attest and record and reflect the Executive Session to satisfy the requirements. They
will have the tape to for 90 days. The time 12:41 and conclude to go out of executive session.

Board/Staff Updates

Executive Session concluded with the 3 Commissioners, Mark Garcia, Jason Kelly, Sheriff
Stong, Dennis Hunt, Belina Ramirez, and Carol Osborn.

Back in public meeting and had discussion regarding some liability issues and working with
Dennis Hunt and Mark Garcia to establish policies and procedures. Have the sheriff continue the
dialog.

M/S Wilkinson/Yohn to work with Mark Garcia and Dennis Hunt to go over the issues at
the sheriff’s office. The time frame would continue until all issues are addressed.
Motion was approved unanimously.

M/S Yohn/Wilkinson to amend the above motion to include that Jason Kelly would also be
available to them.

Unanimous roll call vote.

Commissioner Yohn reported the following:

Crossroads Turning Points Meeting today at 11:30.

E-911 Board will request the radios for the Road and Bridge department for 15,000.
Mr. Horton, there are a lot of people switching to antennaeas because of the economy.
Senior Citizens Board had meeting again and they have plans for breakfast at the Early Iron as a fundraiser which they made $1,100.

The pavement at the senior center he spoke with Marsha Tuggle City Council and she will ask for asphalt for them.

Commissioner Wilkinson reported the following:

The SLV Heritgage met with the consultants and they are still working on the plan and will have it finalized in December. They are getting a statement or request for budget to Alamosa County and municipalities. Trying to contact them and get them on the agenda.

Jason Kelly reported on the following:

Email from David Broyles where he suggests the county bill charges for the law suit to the Marketing District.

Commissioner Allen reported the following:

Email from Connie Ricci that she is still waiting on Ken Vanlwarden to get his evaluations done. Send a letter that the board has been made aware and this needs to get completed for any possible pay raises.

Jason presented the board with an appeal to the District Court for the Board of Assessment.

m/s Wilkinson/Yohn motion to have represent the Commissioners in the defense for the appeal for Leon Moyer.

Unanimous roll call vote.

Depositions for Gallegos Court case will be October 4th and 5th, 2011.

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, Chairman

George Wilkinson, Vice-Chair

Mike Yohn, County Commissioner