Minutes of the Board of County Commissioners Meeting, held on October 26, 2016 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:
Darius Allen, Chair
Michael Yohn, Vice-Chair
Helen Sigmond, Commissioner
Gigi Dennis, County Administrator
Jason Kelly, County Attorney
Belina Ramirez, Deputy Clerk

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

m/s Yohn/Sigmond motion to approve October 26, 2016 agenda
  Motion was approved unanimously

Approval of Minutes

Jason Kelly noted on the last page of the minutes there is some language we have not seen before, a note indicating we have audio recordings and in an event of an issue the Commissioners are able to review these.

Ms. Ramirez stated that for the October 12th meeting there is no audio available due to a missing flash drive.

m/s Sigmond/Yohn motion to approve October 12, 2016 Minutes

m/s Yohn/Sigmond motion to amend previous motion to include note indicating we don’t have audio available for these minutes
  Motion was approved unanimously

Approval of Bills/Obligations

Commissioner Yohn noted credit on Xcel bill.

m/s Sigmond/Yohn motion to approve Bills/Obligations
  Motion was approved unanimously

Public Comment

No comment was made.
Consent Agenda

Ratify Airport Lease Agreement – Boutique Air
YTime Now LLC Time & Labor Management Proposal – DHS/Sheriff
County Clerk’s Report for September 2016
Public Trustee Quarterly Report for July-September 2016
ColoradoGov Payport Agreement
2017 Chafee Foster Care Independence Program Annual Plan
2017/2018 VOCA Grant – SLV Victim Response Unit

Commissioner Yohn request to pull YTime, ColoradoGov, Airport Agreement, and VOCA grant to discuss further.

m/s Yohn/Sigmond approve the remaining items on the Consent Agenda
    Motion was approved unanimously

Airport Lease Agreement

Jason Kelly stated there is one change needed on page 18 of the packet we need to change “Great Lakes” to “Boutique Air”.

m/s Sigmond/Yohn motion to approve Airport Lease Agreement with change of paragraph 13 to correct to reflect Boutique Air
    Motion was approved unanimously

Ytime

Commissioner Yohn stated on page 25 of packet his concern is the set-up fee of $4500 because he spoke to Della and for 30 employees she paid a $581 start-up fee so $4500 seems to be excessive.

m/s Yohn/Sigmond motion to approve Ytime with clarification of the up-front costs
    Motion was approved unanimously

ColoradoGov Payport Agreement

Lois Widhalms was present. The Clerk & Recorder uses ColoradoGov Payport. The intention of this new agreement is to extend the new website to host credit card payments and E-payments. She is working with Rachel Baird with the website. The agreement has been reviewed by attorney Jason T Kelly. The responsibility is a pass-through payment made by the customer of $1 for E-check or $2.50 for credit card. This doesn’t include any Property Tax payments because we are set up on a different credit card system for these payments. They are working with the Sheriff’s Office to see if they could utilize it.

Rachel Baird was present. It will also be used by Land Use for permits and Road & Bridge for right-a-way access. Maybe other departments will want to get abcard. There is a 25 cent charge from transactions for CIPA.
Lois Wildhalm stated they set up a brand new credit card system different from the Treasurer because they are with ACS.

Commissioner Yohn stated he likes the idea for the customer paying the charge. He just wanted to clarify who was paying the $2.50.

**m/s Yohn/Sigmond motion to approve the ColoradoGov Agreement**
Motion was approved unanimously

**VOCA Grant**

Gigi Dennis stated this doesn’t include any administrative fees and doesn’t know if it has in the past.

Brittney DeHerrera stated in the past they haven’t allowed for it.

Jason Kelly stated on page 88 there is a line item for it but it is blank.

Brittney DeHerrera stated we could ask but in the past they wouldn’t.

**m/s Yohn/Sigmond motion to approve the VOCA Grant**
Motion was approved unanimously

**PUBLIC HEARING**

2017 County Budget

2017 Public Trustee Budget

Brittney DeHerrera was present.

PLEASE SEE PUBLIC HEARING MINUTES FOR FURTHER INFORMATION.

**Minor Subdivision for Mark Skinner, Lou Ann Cheslock-Skinner, and Lance Cheslock**

Rachel Baird and Applicant Mark Skinner were present.

Commissioner Yohn stated the well sharing agreement is critical for the future. This doesn’t make a difference in their decision granting the subdivision.

Mark Skinner stated they have done a notarized shared agreement on the well.

Commissioner Allen stated he has seen plenty of these in the past where these things have gone bad.

**List of Exhibits**

1. Minor Subdivision Application Checklist
2. Staff Report
3. Application
4. Pre-Application Conference
5. Code of the West
6. Right to Farm and Ranch
7. Receipt of Payment
8. Letter from Lender
9. O&E
10. Deed
11. Assessor Record
12. Receipt of Taxes Paid
13. Water Documents
14. Survey
15. GIS Aerial View
16. List of Adjoining Property Owners
17. Letter to Neighbors
18. Public Notice for the Planning Commission
19. Public Notice for the BOCC
20. Notice to Applicant
21. Revised Notice to Applicant
22. Revised Letter to Neighbors

Commissioner Yohn asked regarding the revised letter if any response was received.

m/s Yohn/Sigmond motion to approve Minor Subdivision for Mark Skinner, Lou Ann Cheslock-Skinner, and Lance Cheslock

    Motion was approved unanimously

Land Use Department

Rachel Baird and Jinger Tilden were present.

August 9th we held a Mosca Town Hall Meeting. There were a lot of engineering questions. There was a lot of discontent with the system.

We officially went into agreement with the USDA. We submitted the Engineers Joint Contract Document Committee Agreement. This was approved this week.

They submitted site applications and Preliminary Effluent Requirements for the new system to the Colorado Department of Public Health and Environment for review on August 25, 2016.

On August 15th they got the Rural Community Assistance Corporation report. The study included rate comparisons from demographically similar counties with comparable systems in the SLV. The rate is anticipated to increase at least $10 for residential customers.

They are hoping Reynolds will be done in February/March 2017, then they can put out for bids and have it complete in November 2017.

Jinger Tilden stated regarding Accounts Payable/Receivable information for MGD. Since the middle of August no service calls have been made. In September there were two property sales, so they have two new residents.

Commissioner Sigmond asked when rate increases will go into effect.
Jason Kelly stated once the system goes into effect they should start the new rates. Any delinquent account should transfer under new system and under new billing structure they can add the delinquencies to their property tax.

Valley Humane League

Jinger Tilden stated they are doing the drywall inspection this afternoon, then finish painting, and then they will be done Friday. There was a lot of collaboration and working together. On the Septic side, we are in the process of having the septic test done. They are doing soil analysis now. Once they receive those, they will install a new tank. They will install an e-filter. They should have the system done in two weeks.

Commissioner Yohn stated he noticed risers for the new system but this building was not allowed to tie into the system.

Jinger Tilden stated no they were not.

Department of Human Services

Catherine Salazar was present.

Statement of Revenues and Expenditures were present.

Commissioner Yohn questioned Adult Protection at 94%.

Catherine Salazar stated allocations are low but costs are high because of case workers put towards this program. She wants the State to see they are not funding us adequately.

Commissioner Sigmond noted Food Assistance fraud is higher as well.

Catherine Salazar stated she didn’t budget enough but for 2017 Budget she has increased this.

Ongoing Workload Summary Report for was presented. It showed for September Adult Financial had 281 cases, Colorado Works had 134 cases, Food Stamps/Food Assistance had 2126 cases, and Medical Assistance had 4237 cases. Medical Assistance represents 7,491 clients which is 47% of Alamosa County’s population.

Commissioner Allen asked how we are compared to the rest of the Valley.

Catherine Salazar stated they are at the same rate but we have a higher population.

Monthly Food Assistance Issuance Report was presented. It showed $520,932 of food assistance was issued for September. For year to date it showed $4,775,720 of food assistance was issued.

Recovery Collection Comparison Report was presented.

Child Support Comparison Report was presented.

We have Workforce come in every two weeks. We make referral to them. We also have collaboration with Trinidad State Jr College for GED classes. A lot of their clients do not have their GED.
**Public Health Department**

Della Cox-Vieira was present.

**Contract Renewal for Kimberly Bryant**

We have a new grant with new deliverables so we modified the contract.

Commissioner Sigmond noted there was not a rate listed in the contract.

Della Cox-Vieira stated there is in the grant.

Jason Kelly stated instead of a set fee it is tied to the grant. This grant was approved October 1st.

Commissioner Sigmond asked whether her salary is solely dependent on grants.

Della Cox-Vieira stated it is.

**m/s Yohn/Sigmond motion to approve Contract Renewal for Kimberly Bryant**

**Motion was approved unanimously**

Gigi Dennis asked her to discuss the Environmental Health and Land Use issue.

Della Cox-Vieira stated we received complaints about noxious odors coming off waste dumping on property north of town. Land Use and Environmental Health went out to check it. Old produce and waste grief was being disposed. Waste needs to be hauled by a professional facility. They have reached out to the State. Someone is coming down to investigate. It is causing odors and flies. They are working on sending out a letter to the property owner. They will make a recommendation as to how to remedy this situation. They don’t believe the land owner is doing this, but rather the person who is leasing the property. She can give an update after the State comes in.

Commissioner Allen asked if in the meantime they have stopped.

Della Cox-Vieira stated she doesn’t believe they have.

Commissioner Yohn stated drug abuse and usage among students he was thinking if we could offer or model a class around this.

Della Cox-Vieira there are some courses that are being presented at different levels in the schools around good decisions making and healthy relationship living.

Commissioner Yohn stated he has a niece from El Paso County who has retired and she would be willing to donate her time to do this.

**Alamosa County Administrator**

Gigi Dennis stated at the last meeting we had a discussion on Home Health nurses program and how it operates. Nobody knows how they were first hired as temporary employees. With the amount of seniority, they are past being temporary employees. Wilma worked with Public Health on how Ytime works, visitations, and how it is beneficial for the County and their nurses. Jason and Tammy have worked on a schedule for how time would be accrued and how they would utilize it to work with existing accrual rates based on our personnel policy. We are adjusting the personnel policies to review
later in January. We met with the nurses last week and told them as they work out their accrual rate, if approved, it wouldn’t go into effect until January 1st. As of January 1st she would recommend giving 5 days (37.5 hrs) of sick time as well as 5 days (37.5 hrs) of vacation time for any of these employees who has given more than a year of service to us.

Commissioner Sigmond asked if this proposal puts everyone is on the same page.

Gigi Dennis stated the physical therapist has a separate contract but they are similar.

Commissioner Sigmond asked how they are different.

Della Cox-Vieira stated they are prorated different and visits per week are calculated at a different rate. They built it different for the nurses.

Jason Kelly stated this won’t be a contract but a conversion chart so if they do so many visits it converts to hours. Page 234 shows the conversion chart. They are going to have a Level 1, level 2, and level 3 for each employee based on accruals. They are trying to get away from the language of temporary employee but taking into consideration the time they have been here with the County. They are looking at the personnel policy and making adjustments with Nurses, DHS, and Admin staff, so everyone will be consistent when we do this.

Della Cox-Vieira stated we pay nurses per visits where employees are paid per hour. They have made the visits comparable to the 37.5 hours of full time.

Commissioner Sigmond stated this makes sense to be written out and acknowledged by them.

Jason Kelly stated the plan is, if approved, this structure will be showed to them and they will get with each employee to make sure they understand the terms and the structure. This is for sick and leave accruals where the pay goes outside of this.

Commissioner Yohn stated we really do value the nurses. We have to follow the law and policies. If we are changing policy we have to look at it for everyone. Also when we talked, we discussed retirement. Is that resolved?

Jason Kelly stated, if classified as full time employee they would adhere to the policy so they have to be here for a whole year, then they will be eligible for the exact same benefits.

Commissioner Yohn stated the hours will be the structure.

Jason Kelly stated this information was provided to you as a reference in terms of the visits. When they do their annual review, they will have to see how many hours have been done over the year. If a nurse has 8 visits, then they are less than the 50% with no accruals. This will have to be adjusted. They will be compensated for these visits, but, for benefits, it will be based on a per hour accrual rate.

Della Cox-Vieira stated for the most part, they do steady visits. They decided to do an annual review so they would adjust according to how they have done.

Commissioner Yohn stated she has implemented Ytime so can you utilize this.

Della Cox-Vieira stated they are not on Ytime but Health Record Time. We run productivities from this electronic health record. It gives the time they spend on the visit, indirect work, and travel.
 Commissioner Sigmond asked when they leave and are paid vacation time, are they paid on an average.

Jason Kelly stated it will be paid on hourly rate. When not doing visits, they are paid on hourly rate so this is what they would be paid out for sick or vacation leave.

Commissioner Allen asked if we do this, it will it take effect January 2017. Using the electronic health system we need to make sure we have consistency. We are heading in the right direction.

Jason Kelly stated you are approving the change in classification. If not comfortable today they can give an approval for a formal document.

Commissioner Yohn stated maybe just a nod to proceed forward to change classifications in the policy.

Jason Kelly stated they are not changing the policy just making a change of classification to match the policy. This is to get in line with the current policy. Policy is staying the same.

Commissioner Allen asked if they would also be eligible for health, dental and vision.

Jason Kelly stated this is offered to them currently.

Commissioner Sigmond stated this includes accrual for sick, vacation and retirement.

Della Cox-Vieira stated we are asking for change in status so they can accrue benefits.

Commissioner Allen stated only for those who have been for a year.

Commission Yohn stated this is for the ones who have already been here for a year and they can start retirement benefits January 1st.

Tammy Romero stated she is proud of this organization to where we came now. There was a lot of misunderstanding of what the nurses actually do within the Home Health department. She thanked them for putting the nurses on the same playing field. This is amazing for Home Health.

m/s Sigmond/Yohn motion to approve change in classification effective January 1st
Motion was approved unanimously

Gigi Dennis stated they need approval for a grant for Court Security. They applied for this grant 3 weeks ago, but it was only sent to Shawn Woods now with a deadline of Friday.

Jason Kelly stated they are requesting additional funds for cameras. This has been approved by the Chief Judge. Typically we do this grant every year, but they have requested additional funds. You are approving the application for this grant.

Commissioner Allen stated we have done this grant before.

m/s Yohn/Sigmond motion to go ahead with the application for the Court Security Grant
Motion was approved unanimously

Sage Constructors

Larry Schreiner was present. Jail renovations will require to have a Commissioning Agent on board. For the Judicial Center, if we do not require LEED Certification, no Commissioning Agent is required. Having
mechanical and electrical systems function properly is important. They have worked with Jeremy before. He wasn’t impressed with Iconergy. They didn’t follow through with the instructions.

Jason Kelly advised you can qualify them both and if you don’t reach an agreement with the 1st firm, you can proceed with the other firm. You can give a preference as to whom to work with first.

Commissioner Sigmond asked you worked with Iconergy at ASU East Campus Hall so what did you think of them.

Larry Schreiner stated they were ok. They work more towards LEED Certification. It cost around $70,000. Both agencies are qualified.

Commissioner Yohn asked can they be on an as needed basis. We know we will need them on the jail.

m/s Yohn/Sigmond motion to accept them both but with preference of Jeremy Rivera

Motion was approved unanimously

Larry Schreiner stated he received estimates for the schematic design for the jail. We are right where we were expecting to be. It is $7.6 million right now. They will be here tomorrow. They are requesting meeting on the 10th if we could. We will have designs back for the Judicial Center by then. We are going to have to make some decisions of what to include and not include.

Gigi Dennis stated we are going to have to make some cuts to the budget.

Commissioner Sigmond asked when we will find out about the underfunded grant.

Gigi Dennis stated probably not until December.

WORKSESSION

Old County Shop Building Discussion was held.

Board/Staff Updates

USDA

Land Use is requesting authorizing signatory authority to Rachel Baird for the Mosca Grant.

m/s Sigmond/Yohn motion for Rachel Baird to have signatory authority for the Mosca grant

Motion was approved unanimously

Coroner has requested to pick a public administrator for the body of the homicide in Mosca. They have not found any relatives.

Commissioner Allen stated that we have had some of these where Road & Bridge has donated their time to dig a hole at the Old Spanish Cemetery.

Jason Kelly stated the Commissioners do not have the authority to assign a public administrator. Only the courts do. They can contact the medical school.

Commissioner Sigmond asked if they have someone who handles indigent remains.
m/s Yohn/Sigmond motion for coroner to make arrangements for remains in most economical way
Motion was approved unanimously

m/s Yohn/Sigmond motion to proceed with advertising and possible sale of old county shops on 17th St

m/s Sigmond/Yohn motion to amend motion to include sell “as is”
Motion was approved unanimously

Adjourn

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

ATTEST:

Belina Ramirez, Deputy Clerk

Darius Allen, Chairman

Michael Yohn, Vice, Chair

Helen Sigmond, Commissioner

Note:
These minutes summarize the final decision made by the Board at the referenced meeting. This meeting was also audio recorded and that recording is available for review. In the event there is confusion as to what the final decision of the Board is, the Board will rely on the audio tape to interpret the Board’s intent. The audio tape shall act as an official record of these proceedings for any necessary purpose when, in the opinion of the Board, the minutes are in any way insufficient. An audio copy of the Board of County Commissioners’ proceedings is available by contacting the Deputy Clerk to the Board located at the Alamosa County Service Center, (719) 589-4848, or email to bramirez@alamosacounty.org.
Minutes of the Public Hearing for 2017 Public Trustee Budget was held on October 26, 2016 at 9:00 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:

Darius Allen, Chair
Michael Yohn, Vice-Chair
Helen Sigmond, Commissioner
Gigi Dennis, County Administrator
Jason Kelly, County Attorney
Brittney DeHerrera, Chief Financial Officer
Belina Ramirez, Deputy Clerk

Commissioner Allen asked if anyone would like to comment on the 2017 Public Trustee Budget.

No one made a comment.

There being no further business, the Public Hearing for 2017 Public Trustee Budget was adjourned.

ATTEST:

Belina Ramirez, Deputy Clerk

Darius Allen, Chair

Michael Yohn, Vice-Chairman

Helen Sigmond, Commissioner
Minutes of the Public Hearing for Minor Subdivision for Mark Skinner, Lou Ann Cheslock-Skinner and Lance Cheslock was held on October 26, 2016 at 9:00 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:
Darius Allen, Chair
Michael Yohn, Vice-Chair
Helen Sigmond, Commissioner
Gigi Dennis, County Administrator
Jason Kelly, County Attorney
Brittney DeHerrera, Chief Financial Officer
Belina Ramirez, Deputy Clerk

Rachel Baird and Applicant Mark Skinner were present.

Proposal: The applicants are proposing to divide a single 39.58 acre tract into two parcels. Tract 1 will be 13.34 acres and Tract 2 will be a 25.15 acres. The remaining acreage is right-of-way for County Road 11 South.

Project History & Background: The applicants are proposing to subdivide a 39.58 acre tract into two parcels. The owners are family members who bought the property together but would like to divide the parcel to simplify the legal record. The property has two homes and several outbuildings. Although on separate lots, the two households will continue to share the domestic well and existing driveway.

Public Notice: Adjacent land owners within 1,500 feet of the subject property have been notified by mail and notice was published in the Valley Courier.

Compatibility: The proposed subdivision is located in a Rural (RU) zoned district and is consistent with the regulations of the county. Specifically, it meets five of the six Minor Subdivision Standards of Section 5.8.1 of the LUDC in that it:
1. Has not been subdivided in at least 15 years;
2. Will not create more than three (3) additional lots;
3. Is in conformance with the goals, objectives, and policies of the County Master Plan, LUDC, and/or other County Guidelines.
4. Each parcel has access to public maintained road; County Road 11 South
5. Each parcel has access to adequate to potable water in that each parcel has legal access to the domestic well by a 40 foot easement for use and maintenance. John Skinner, Well Commissioner for District 3 of the Colorado Division of Water Resources, recommends the applicants register the domestic well together and strongly advises they have a formal well sharing agreement.
6. Although the parcels are not in a Geologic Hazard or Critical Wildlife Habitat Area, they are within Zone A of the floodplain where no base flood elevations have been established. The Cheslock home has flood insurance as it is under a mortgage but the Skinner-Cheslock home is owned outright and does not have flood insurance.
Findings:

1. The minor subdivision is found to be consistent with the adopted plans and policies of the county. The property is in a Rural (RU) zoned district which is set aside for residential and agricultural purposes and the use of the property is not changing.

2. The plat complies with five of the six Subdivision Standards of Section 5.8 of the LUZC. The parcel is located within the floodplain and all improvements will be regulated by Section 7.4.3 D that states:

   “When base flood elevation data has not been provided ... the administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from any federal, state, or other source, as criteria for requiring that new construction, substantial improvements, or other development in Zone A, are administered in accordance with the specific standards of Section 4.6.5.” which addresses Residential Construction by requiring: “New construction and substantial Improvement of any residential structure shall have the lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), elevated to one foot above the base flood elevation. Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered Colorado Professional Engineer, architect, or land surveyor. Such certification shall be submitted to the Floodplain Administrator.”

Department Recommendations: The applicants have met all submittal requirements for a Minor Subdivision and there is no foreseen major impact to the land. The Land Use Staff has reviewed the proposed application and hereby recommends approval of the Cheslock & Skinner Division of Land for Mark Skinner, Lou Ann Cheslock-Skinner, and Lance Cheslock with a waiver for No. 6 of the Minor Subdivision standards regarding subdividing within the floodplain area.

Planning Commission Recommendation: The Planning Commission met on September 14, 2016 to hear this application. They questioned which lots were in the floodplain, setbacks on accessory buildings, and the necessity of a well sharing agreement. Members noted several defects in the plat. Dwight Catalano, a neighbor commented about the difficulty of their undetermined floodplain classification. The Planning Commission unanimously recommended the Checklock & Skinner Division of Land for Mark Skinnger, Lou Ann Cheslock-Skinner, and Lance Cheslock with the caveat they “strongly advised the applicants have a well sharing agreement”.

Mark Skinner stated we have been there 25 years and just want to make things straight forward. This is just so they own land upright.

Commissioner Sigmond asked there is a mortgage on this so would this change anything.

Mark Skinner stated Lance has the mortgage and is working with Rio Grande Savings with this.

Commissioner Allen asked if anyone would like to speak in favor of or opposition to this minor subdivision.
Ron Brink who resides at 12245 S spoke. This makes a lot of sense. He is glad to hear Land Use has required a good agreement with the well because you never know it could be a real problem in the future. He thinks this application should be supported and it goes along with other minor subdivisions the County has approved before.

There being no further business, the Public Hearing for Minor Subdivision for Mark Skinner, Lou Ann Cheslock-Skinner, and Lance Cheslock was adjourned.

ATTEST:

Belina Ramirez, Deputy Clerk

Darius Allen, Chair

Michael Yohn, Vice-Chairman

Helen Sigmond, Commissioner
Minutes of the Public Hearing for 2017 County Budget was held on October 26, 2016 at 9:00 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:
- Darius Allen, Chair
- Michael Yohn, Vice-Chair
- Helen Sigmond, Commissioner
- Gigi Dennis, County Administrator
- Jason Kelly, County Attorney
- Brittney DeHerrera, Chief Financial Officer
- Belina Ramirez, Deputy Clerk

Commissioner Allen asked if anyone would like to comment on the 2017 County Budget.

No one made a comment.

There being no further business, the Public Hearing for 2017 County Budget was adjourned.

ATTEST:

Belina Ramirez, Deputy Clerk

Darius Allen, Chair

Michael Yohn, Vice-Chairman

Helen Sigmond, Commissioner