Minutes of the Board of County Commissioners Meeting, held on November 16, 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
Resolution designated certain roads as a section of Pioneer Trail to be added under Board/Staff updates.

m/s Yohn/Sigmond motion to approve November 16, 2016 Agenda with addition
Motion was approved unanimously

Approval of Minutes

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

Approval of Bills/Obligations

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

Public Comment

No comment was made.

Consent Agenda

Medicaid Medical Transportation Broker/Provider Agreement-Red Willows Inc
Certification of ESG Funds-La Puente
FlexSystem Flexible Compensation Benefit Agreement
Alamosa County Events & Facilities Marketing District 2017 Operating Plan
Agreement with Riley Johnson for Architect Services
Agreement for Jail Housing Services-Chaffee County
Agreement for Jail Housing Services-La Plata

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Commissioner Sigmoid requested Medicaid Medical Transportation, Riely Johnson Agreement, and MOU Corporation Services be removed to discuss further.

**m/s Yohn/Sigmoid motion to approve the Consent Agenda without the three requested to be removed**

   Motion was approved unanimously

**Medicaid Medical Transportation Broker/Provider Agreement-Red Willow**

Commissioner Sigmoid stated she would like to add a provision to 6.1 of (i) that there would be no texting and (j) no human trafficking. Also in the attachment there is an expiration date that she would like to delete to avoid confusion of appeal process being in effect.

Jason Kelly stated this doesn’t change the contract so it should be fine. It is to make sure there is no texting but it is illegal.

Commissioner Sigmoid stated the contract does include no drinking. A lot of our State Contracts require this.

**m/s Yohn/Sigmoid motion to accept the Medicaid Medical Transportation Broker/Provider Agreement with the additions**

   Motion was approved unanimously

**Reilly Johnson Agreement**

Commissioner Sigmoid stated on Article 6.1. the attachments differ from what was presented yesterday. Also in 6.2 they refer to work adjusted on 6.4 and 6.5 when these have been deleted so this is confusing of why this is included when it has been deleted.

Jason Kelly stated this is a format issue.

Commissioner Sigmoid asked if we have an exact designated list of services.

Jason Kelly stated the spreadsheet he gave last week addresses these. If you approve Agreement A on page 5 of 9 of Attachment A which is the services. Number 33 is the model of the old courthouse. We are not doing anything right now with the courthouse so they are locking in this number. Number 34 lists the Sallyport and the laundry which are remodels we have. If we want to build additional services later, you may incur more costs.

Commissioner Sigmoid stated when we met yesterday they included the laundry room and nurse remodel so she doesn’t know why they are additional charges.

Jason Kelly stated they did this in June since the project has increased 31% in terms of new construction. You can approve the contract now and not have this done. That is up to the board, but this is the cost for the additional service.
Commissioner Sigmond stated the numbers are different than the numbers they gave yesterday. Attachment B is different.

Jason Kelly stated the numbers are different because they didn’t have the cost estimator at that time.

Commissioner Sigmond stated they also mentioned they are going to make 25 trips.

Jason Kelly stated they estimate how many trips they are going to make. This goes into their reimbursable expenses.

Commissioner Sigmond is wondering where we stand on this number.

Jason Kelly stated they have a reimbursable in there but not to exceed the reimbursable amount.

Commissioner Sigmond wanted to make everyone aware the contract calls for mediation before litigation.

Jason Kelly stated yes it does.

Commissioner Sigmond asked: Because these attachments continually being revised, how does this affect the contract.

Jason Kelly stated the contract can be revised if there is change of scope of the project. They had a discussion about whether we are doing the landscaping. He got an email from Bob that Rick stated the County wants to take care of the landscape themselves so they have to reduce the cost in their design. They can credit it so there is a reduction for services in that amount. They are looking at: if you make changes, they would adjust the costs. You need to make decisions on the design so they can move forward.

Commissioner Sigmond stated Attachment page 4 paragraph 29 it states “does not include coordination with Commissioning Agent.”

Jason Kelly stated they are not doing the Commissioning Agent and they are the third party.

Commissioner Sigmond asked if we think they need to coordinate and reserve the costs for work with the Commissioning Agent.

Jason Kelly stated that is a question for Larry. It is not incurred yet unless you request this.

Commissioner Yohn stated on 3.6.4.4 of page 8 of the AIA agreement referring to submittals and change orders, it gives the architect the ability to change things and, if appropriate, the architect shall prepare supplemental costs to the owner, which is on page 8, knowing there will be changes and authorizing the architect to charge to the County.

Jason Kelly stated he has had the conversation with Bob Johnson on this and made him understand the Board has the final authority. If the record changes because the architect didn’t do something right, it doesn’t come to County costs.

Commissioner Yohn stated there can be changes they don’t know about and all of sudden there is an invoice.

Jason Kelly stated the Board has the final authority for payments.

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Commissioner Yohn stated: if we are not doing the Sallyport or holding cells, there is $29,700 there.

Commissioner Allen stated: we talked yesterday and concurred with Brittney that we had the dollars to go with the whole project so he would want to continue with these. He would want to continue with all of these.

Commissioner Yohn stated: it would be good to know we are going to do this all even though not at this time.

Jason Kelly stated: this will cost more to design as a separate piece than including them now.

Commissioner Yohn asked about 11.5 on the AIA, do we need more information.

Jason Kelly stated on item 32, it references Attachment A on page 5 of 9. It says: see item 32 of Attachment A. Page 5 of 9 shows the breakdown of percentage of fees for basic services. He feels good about the contract and Reilly Johnson’s track record. Keep in mind the May 31st deadline for the courthouse.

Commissioner Sigmond stated: they have been performing in good faith in preparing the designs knowing this contract hasn’t been approved yet.

Commissioner Allen stated: they have worked with them for years and other counties have said nothing but good about them.

**m/s Yohn/Sigmond motion to approve the Reilly Johnson Architect Agreement and include Attachment A 34 and 35 as additional services**

Motion was approved unanimously

**MOU Corporation Services Company -E-Recording**

Commissioner Yohn asked: on page 86 of the packet, is there a cost in this?

Jason Kelly stated: it is not there and he had the same question. We do this with another company. The cost is the recording fees, so there is no additional cost to the County. It is passed to the consumer.

**m/s Yohn/Sigmond motion to approve MOU Corporation Service Company E-Recording**

Motion was approved unanimously

**Public Hearing**

Dave Perkins representing First Solar, Jocelyn Finch, and Rachel Baird were present.

Commissioner Yohn asked if they are changing from 30mgw back to 37mgw.

Dave Perkins replied no they are staying at 30.

Commissioner Yohn stated: we ask for a 24 month extension and that would be adequate. 48 months is too far in the future. Do you have any specific reason for 48 months?

Dave Perkins stated Xcel Energy is of the opinion they are unable to export any additional solar generation out of the Valley until the required transmission updates are completed. Xcel’s report

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estimated this would not be done until 2022. This is the reason we are asking 48 months. We feel nothing is going to happen until the 48 months, so we would be back requesting another extension again after 24 months. TriState is conducting a 3 phase process, which phase 1 is to identify the issues, phase 2 is to come up with recommendations to solve the issues, and phase 3 is the regulatory process. PFC ruled to issue a 50mgw which will be coming out soon. They were told no projects in the SLV would be chosen because of the transmission issues.

Commissioner Yohn stated the location that you have is excellent and the transmission lines going up are those yours.

Dave Perkins stated: no we allowed this in hopes we can connect to that.

Commissioner Yohn stated: solar companies can sell out to other companies and then we have the issue to transfer these permits. He feels 24 month extension is sufficient.

Commissioner Sigmond asked: how can you address the concerns of Commissioner Yohn of changing ownership?

Dave Perkins stated at this time First Solar is committed and they expect to be here long term. The previous owner got discouraged with the transmission lines.

Commissioner Sigmond asked: what updates you could provide during the 48 month period?

Dave Perkins replied: any deemed necessary. The transmission lines are a public issue though.

Commissioner Allen asked if nothing has changed in the application. We have granted extensions before. It is comes down to transmission capacity availability. If we had transmission capacity, we would see more solar companies. Did we received any calls on this application?

Rachel Baird stated she got a three calls regarding the development, complaints on construction of transmission lines, and one complaint from a neighbor mainly concerned about water during construction.

Commissioner Allen stated: these are addressed in the application.

Dave Perkins stated since last March a number of people did express concerns and he has attempted in the last couple of months to contact these concerned individuals. We are committed to everyone.

Commissioner Allen asked if they have any projects here.

Dave Perkins stated we have land but have not pursued the 1041 permit process because of the transmission lines.

Gigi Dennis addressed the question Robert Bacon had. You can’t run transmission lines on an easement along railroad tracks because of the high energy passing through. Underground and over, it would cost millions of dollars. Next month we are being promised substantial savings from a community solar garden. Do you know anything about community solar gardens?

Dave Perkins stated essentially this 3rd party would have an agreement with Xcel or Tristate to be used right here in the Valley. He would equate it to the person selling it makes the most money out of it and
the homeowner saves a little. There is more savings if you build it yourself and keep the middle man out.

Gigi Dennis commented: the cost to build is expensive.

List of Exhibits

1. Staff Report
2. Letter from Applicant
3. Amended letter from Applicant
4. 1041 Permit—LRE Alamosa LLC
5. Resolution No. 2010-G-013
6. Resolution No. 2012-G-007
7. Resolution No. 2014-G-003
8. Resolution No. 2015-G-008
9. Public Notice for the BOCC
10. Deeds
11. Assessor Property Cards
12. GIS Aerial View
13. List of Adjoining Property Owners
14. Neighbor Letter

m/s Sigmond/Yohn motion to follow Department Recommendations of 48 months extension with addition of an update to BOCC at 24 months

Motion was approved unanimously

Department of Public Health

Della Cox-Vieira was present.

Homecare Homebase LLC LLC Client Service Agreement

Jason Kelly stated he was concerned that no costs were listed but, if Della was comfortable with the terms, it is fine.

Commissioner Sigmond asked if they have been able to use this yet.

Della Cox-Vieira stated they haven’t built in yet, but several nurses have used it in previous jobs. They are comfortable using this in the field and here in our office. Because we have 4 clinicians and a supervisor who have already used this in the past, we feel the training would be less. This will help us document in the field during home visits and would streamline services in our office. This is difficult in the system we have now.

Commissioner Sigmond asked if this coordinates with Ytime.

Della Cox-Vieira stated they don’t require the field technicians to use Ytime because of the indirect time. This system has the capability to track the clinician by GPS for safety reasons.

Commissioner Sigmond asked if the money she receives will cover this cost.
Della Cox-Vieira replied they split half of the payment to 2017 because it won’t go live until March 2017. She does expect to save money on the training side.

Commissioner Yohn stated the cancellation fee is 50% so they want to make sure this will be used.

Della Cox-Vieira stated they very much want to use this and the tracking. Their current system is 12 years old. They are all looking for something up to date and able to track.

**CDPHE –Core Immunization Services**

Della Cox-Vieira stated this has reduction in funds because of the reduced work expectations.

Commissioner Sigmond requested an update on the water issue in Romeo.

Della Cox-Vieira stated Regional staff has set up the EOC for the water boil for Conejos County in Romeo. November 10th testing found bacteria. They must flush the system and pull 3 clean bacteria-free tests to remove the “boil only water” advisory.

**m/s Yohn/Sigmond motion to authorize Della to sign agreements**

**Motion was approved unanimously**

**SLV Regional Airport**

Dustin Allinger and Linn Elfrink were present

Dustin Allinger presented some additional information from the FAA. Certificate Part 139 is for air carriers for more than 9 passenger seats. FAA requires this certification to provide safety operations to obtain certain standards and to require firefighting and rescue equipment. The regulation does allow exemptions to airports that have few passengers yearly for some requirements that may be a hardship. We have received one of these exemptions for firefighting capability but we have not used it. On September 28th the FAA Safety Branch Manager Carol Suomi, inspector Mark Gable, and Assistant Manager FAA District Office Chris Shaffer traveled to our airport for Surveillance inspection due to several years of inspections. The Airport has been under investigation for many years for violations of part 139. These were for safety area violations and insufficient qualified personnel. They did emphasize not having qualified personnel, lack of training, record keeping issues and notices to area. The FAA has offered some options to us Option 1: the FAA would not access civil penalties on the airport if we surrender the 139 certificate. We can continue to operate the airport without this certificate. We cannot grow. Currently Boutique Air flies their aircraft with weight limitations of no more than 50 lbs. If the flight is full with only 8 passengers in the aircraft. If we do surrender the Certificate we can reapply for the 139 Certificate if we show a letter of intent from an air carrier that they want to serve the Valley. We haven’t been compliant for part 139 for 10 years and in order to regain we would have to bring the airport to compliance. We have been working on these violations. The surface area is only used in an emergency. The safety area is the grass area outside of the paved area. The runway itself is 100 feet wide and from the center line 250 feet in each direction is considered the safety area. This has to be maintained to certain standards. It has to be clear of ruts, humps, pavement edge lifts and any danger that may cause to a plane. The safety area is the direct area of training which is in violation. There is no documentation of training being had. There were times through the past years training was brought up to compliance but fell back again. This is what the FAA is assessing this on.
He likes the safety standards so he would continue these whether we have a certificate or not. The Civic penalties they were told could be $25,000 per day per item that is not in compliance which could be millions of dollars. Once they assess penalties, they would go into the mitigation phase. They do take into consideration the size of the airport. Once we would go into the mitigation process, they could show hiring an Airport Manager, hiring an Administrator, and present a letter of agreement with Road & Bridge on use of their equipment. Also there would be a possibility of funding changes if we surrender the Certificate. When an inspection occurs and there are safety area violations found, it would be helpful to have the 139 Certificate to ask for funding to improve the safety area. The FAA has already granted us the $6 million Airport Improvement Grant for the runway repaving project that is taking place next year. This was not put in writing, but he was told it shouldn’t affect much of the funding going forward as long as we have a letter of intent from an air carrier for more than 9 passenger seats and are in compliance with the 139, they would not have an issue giving this certificate back. There is a caveat to that. If there is a carrier that has jet service, there would be a requirement of an environmental study, which would include noise, and this would be at our cost.

Gigi Dennis asked Dustin what his qualifications are to work as Airport Manager.

Dustin Allington stated he has been in Civil Aviation for over 10 years, began in San Antonio International Airport working with communications, 8 years of operation experience, which is in air field experience in working with Part 139, and experience at the Colorado Springs Airport in an operations role. He is a certificated member of the American Association for Airport Executives, ACE operation (Airport Certified Employee & Operations).

Gigi Dennis asked: with this report given to you, were the employees explained about the safety area issues or if they understood what was needed to meet the corrective action?

Dustin Allinger stated he feels at times they did know. It was noted at times that the training was brought up to speed. We should have been compliant.

Gigi Dennis stated one concern she has is that we are sort of being threatened to give up our certificate or we are going to fine you. Another is we don’t know what Congress is going to do. If they are going to keep on pursuing small airports to fend on their own. Next year the money has already been appropriated to do our runway. Our runway is not the normal size for large carriers to land on at 150 ft. Her concern is when they look at funding, they will look at the size and all the issues. If we give up the Certificate, will we be knocked down on funding?

Dustin Allinger stated no one in the northwest area have asked for the certificate back.

Gigi Dennis stated there have been several airports that have surrendered their Certificate 139. Tim Gallagher is in favor of relinquishing the certificate.

Linn Elfrink stated he hasn’t changed his mind. His big concern is funding in the future. We don’t know what the future holds. He feels will we be able to get it back. The future is unknown. The big fact is that they could access penalties. We are in a fair position to get those minimized. We have taken care of most of the violations. The paperwork is up to date or in order; not that it was wrong. If we give up the requirements, we will not change that we have to maintain the safety areas and pavement conditions to keep the airport safe. You don’t need to maintain records, but you cannot operate as an Airport without maintaining records. To give up firefighting would not be good. It should stay in place.
and continue. The thing that bothers him most is the penalty phase. One thing in favor is one inspection didn’t list any violations, but the record shows it. He has optimism that our service will expand.

Commissioner Allen stated the board is in split decision and the Airport Manager doesn’t want to make a recommendation.

Dustin Allinger stated we would maintain the standards anyway, but how much growth can you envision of deployments.

Commissioner Sigmond asked what the codes mean.

Dustin Allinger stated he has emailed them about these but he doesn’t not know.

Commissioner Sigmond stated one inspection in 2014 has discrepancies. There are multiple entries for the same day.

Dustin Allinger stated it is confusing. The second page is for 2014 and noted the Airport Manager had given her resignation.

Commissioner Sigmond stated we haven’t had a qualified Airport Manager prior.

Commissioner Yohn stated his concern is what sanctions they can impose against us. He feels the FAA wants us to release this because it is trouble for them to come here. With Dustin here now, we are capable of bringing it back to code. He feels the Airport is really going to grow with this Airline. We have Dustin, and with the personnel there now, we can succeed. What about the jets coming in, when we have a few landing now, where they look for a 139 Airport.

Dustin Allinger stated they look at the ARFF index where it does show we have ARFF and gas available here, so jets can land. The past history of systemic violations of the 139, they are not looking at the current inspection, the current airport manager, and the corrections made.

Commissioner Yohn asked, if assessed penalties, can you surrender the certificate at that time?

Dustin Allinger stated they could possibly during the negotiation process.

Jason Kelly said he has been searching in recent past. There have been major fines the FAA has given out. $917,000 fine to Puerto Rico Airport Authority, $200,000 to Detroit Airport, $735,000 fine to Cleveland Airport. Puerto Rico follows what our issues follow. Those three airports, according the wikapedia numbers, they had 346,000 annual enplanements. With our enplanements, he is estimating a fine of $19,000.

Dustin Allinger stated there was one small airport that was privately owned but the others were larger. Puerto Rico was large safety issue. Mark Gable the Inspector did say our Airport is safe. A regional jet could land at 100 ft depending on weight.

Commissioner Sigmond asked how this would affect our current service with the improvements.

Dustin Allinger replied he is working with Avigation on a plan to minimize the number of closures. They would break it down into segments with different amount of closures. We are still in the planning phase.
Commissioner Yohn stated mostly the difference would be in the paperwork, but it was noted, if we should have an accident, they would go back at past paperwork. They would keep that up as a standard anyway.

Dustin Allinger stated there would be inspections either way. Without the certificate, it would be every 3 years on the financial side by the FAA.

Commissioner Allen stated the biggest concern is, if we give it up, we won’t be able to get it back.

Dustin Allinger stated he did get one thing in writing that, if we give up our certificate, we would not be fined. Carol Suomi said that should never have been put in writing.

Gigi Dennis stated Tim Gallagher had said, with the current requirements, the pilots have to have to fly, it would be 10 years until they have enough pilots to fly these large carriers. His feeling is it would be at least 10 years until this would happen and would give us lots of time to make the corrections that the Airport needs.

Dustin Allinger stated they do have a king air which carries a lot more weight. He got a written agreement from Mark Gable saying they wouldn’t fine us if we surrender the 139.

Commissioner Allen stated, if we do give it up, we would still strive for same standards, have no penalties, but no larger planes coming in, and could get certificate back.

Dustin Allinger stated we do have discretionary funds that can be given to anyone of $6 million for next year.

Gigi Dennis stated we would have to match the funds.

Commissioner Allen asked if they said anything about the wildlife fencing.

Dustin Allinger stated we have put a Wildlife Plan in place and the training is in place. They made recommendations to reduce the deer in the area. Another inspection is scheduled in December. We would go through another process. He feels confident they will get airport in compliance within 6-8 months. His priority is getting the safety area in compliance.

Gigi Dennis stated the Airport Chairman wanted the Airport Board to make the decision themselves. The County Attorney and she felt this should be the County Commissioners’ decision.

Dustin Allinger stated he spoke with other Airports who had given up their certificates. They still maintain the standards and haven’t got to the point of wanting it back. Cortez surrendered theirs just a month ago.

Gigi Dennis stated unfortunately, in the past, we had a Colorado representative on the Transportation Department but now we don’t.

Commissioner Yohn recommended wait until we are assessed violations and go into negotiations.

Commissioner Sigmond agrees. Do you need to notify them that we are not surrendering?

Dustin Allinger stated he told Mark Gable he would submit ACM manual update to him if we are going to keep the certificate.
Jason Kelly stated no action by the Board to affirmatively surrender the certificate is an action. Another action could be revocation of the 139, which would make it harder to get the status back when surrendering it.

Commissioner Allen stated he feels, with the information given, we should give it up and surrender, but he knows the Airport and its history so he thinks we should keep it.

Commissioner Sigmond stated she would like to keep it.

Commissioner Yohn stated he would like to keep it until we can’t afford it.

*Airport Parking Lot*

Gigi Dennis stated the parking lot has been in poor shape for quite a while. The Building was built under different management. The City told her they were under the impression that they only issued the Certificate of Occupancy because we were in the process of paving. The City asked if the money earmarked was spent elsewhere. Brittney found emails that said go ahead, everything was ok. She said it was never agreed upon and that we never had the money to do the whole lot. She asked the City Manager if we could gravel it. The City responded they didn’t like this at all. She spoke with Councilman Griego and he asked if she would provide a letter that said we would pave it. Gigi said yes, but she would not put a date when we would. Probably not for 3-5 years, she told the City Manager. It is in their code that all new buildings would have pavement. The City Manager mentioned two buildings that have been built and required pavement. She mentioned the Pink Elephant project. The City Manager responded that was a demolishion and it doesn’t follow along the same guidelines.

Linn Elfrink stated this is news to him from the City. He thought that it would suffice for some time. Grading needs to be done. Options to gravel or shoot asphalt or seal coat. Doing this every year would gradually build up to resist travel better than gravel.

Commissioner Allen stated Tim DeHerrera thought drainage would be a problem for seal coat. Would they allow us to use a dust abatement on gravel? When this was designed by Jviation, they estimated $3 million, and we knew we couldn’t do that. We said we would 30 feet within the building.

Commissioner Yohn stated he wouldn’t be in favor of seal coat, but grading and gravel would be an improvement for drainage until some funding comes.

Dustin Allinger stated Jviation’s plan was over 3 years for the entire parking lot.

Gigi Dennis stated this will be addressed in a City Council meeting tonight.

Commissioner Sigmond stated she is in favor of writing a letter without any timeframe.

Commissioner Allen stated they could say part of the Comprehensive Plan is looking for funding.

*Sage Constructors*

Larry Schreiner was present. Schematic drawings are done for both projects. Currently the Jail’s projected cost will be $8,748,200. The Courthouse with Probation wing of 45,700 sq. ft. projected total cost will be $13,488,900. The total project cost will be $22,237,000. The addition of Professional Fees of Reilly Johnson Architect, Engineers, and Geotech geothermal testing would be another $2,055,000. Also odds and ends such as permits will bring to a total of $24,564,000. Current funding is $25.7 million.

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Reilly Johnson is carrying a contingency of 15% bringing us to $28 million. He has been working with Reilly Johnson and took some things out. There was a lightning protection system estimated at $45,000 that we eliminated. They did $420,000 in landscape fees, where we will reduce significantly to help costs. We discussed doing a base bid for both projects.

Commissioner Sigmond asked how much work with commissioning agent because this was not in the contract.

Larry Shreiner stated Reilly Johnson is aware we are hiring a commissioning agent and we have to time set this.

Commissioner Sigmond asked when they do estimates, do they factor in rural area vs metro area?

Larry Shreiner stated we are going to have to bring in specialty, such as a masonry person from Pueblo or Albuquerque. The estimates he was impressed with and they are correct. We have a kitchen equipment meeting scheduled Monday at 1:30pm.

Commissioning Agent they received 3 proposals. Jeremy Rivera proposed $68,000 for jail and $42,000 for Courts for a total of $110,000. He is doing a lot more, but has gone overboard. Iconergy $45,000 for jail and $36,000 for Courts for total of $81,000. Jeremy has 16 trips and Iconergy has 4 trips. We also have $16,000 for mechanical & electrical work and building inspections so we should go with Iconergy. They are very much needed because they look over the equipment pretty thoroughly.

Commissioner Sigmond asked if we could talk to Jeremy to talk him down.

Larry Shriener stated Jeremy is against going with this system. He is dead set against it. Another thing Iconergy caught on was the smoke evacuation in the jail. This is critical. He talked with Jeremy and told him our budget is tight but he put in all the bells and whistles.

Commissioner Sigmond asked if 4 trips are sufficient.

Larry Shriener stated yes. If they have to make a special trip because something wasn’t done correct they back charge the contractor for that trip.

Commissioner Yohn stated he was against the separate units, but he could see the savings. He knows Andrew has to work on these, so he takes that into it. It makes sense to go with Iconergy.

Gigi Dennis asked if he can get more visits within this neighborhood.

Larry Shriener stated he can talk to them. Both firms want to look at the schematic drawings, so if they see something that won’t be efficient, it would be better to get it in design quickly.

**m/s Yohn/Sigmond motion to get Commissioning Agent Iconergy**

*Motion was approved unanimously*

The existing Jail has fire alarm system that is not functional. It would cost $80,000-$85,000 for a new system. They need to bring this up to code.

**m/s Sigmond/Yohn motion to proceed with RFP for fire alarm system**

*Motion was approved unanimously*
Facilities Management

Andrew Atencio and Jinger Tilden were present. They are looking at a pole barn to put at the Road & Bridge Department. This is on County property. They are looking at one from a company out of Oklahoma 40x150x16 at $47,720.

Jinger Tilden stated they put out some calls. A&M came at $75,000 for 16ft walls and waiting on bids from Cleary Buildings, Turner Construction, Pro Shed, and Alcon Construction. The bid is for just the building itself. We will do insulation, electrical, and plumbing ourselves. We can tie into the plumbing/sewer system from the Road & Bridge building.

Gigi Dennis stated we also own property behind the Food Bank Building, but this is in the City and if it is larger than 25ft it would require sidewalk and a parking lot. If we need a timeline to put up the utility building for sale.

Andrew Atencio stated he got some quotes from some companies to move the utility building. One quote was for $45,000 to move but reassembling would cost more. We removed the interior material. Everyone has contributed to clean out their vaults. There still is quite a bit left. April 1st this needs to be removed.

Commissioner Sigmond asked how they came to the size of this pole barn.

Andrew Atencio stated he went off what the existing buildings. He has seen where they divide areas with chain link fencing instead of building walls, which would be less expensive.

Commissioner Sigmond asked if it would require heat or sewer.

Jinger Tilden stated in the future they would like to have a bathroom for the maintenance crew. It will be more for storage for their mowers, blades, and equipment.

Commissioner Yohn stated seems like every department would utilize it and having it on County Property makes sense. We should have cement and electrical before you move into it. It would have been nice to move the old utility but the costs associated with that is expensive. Maybe there is a market for this building.

Gigi Dennis asked how they would advertise this, through an ad in the newspaper or the auction site Public Surplus.

Commissioner Allen stated sometimes someone would purchase it just for the salvage.

Jinger Tilden stated you would need engineer drawings which could cost $3,000-$4,000. The advantage to having it on the Road & Bridge is it is a secured area. Next to the Food Bank we would have to have our own meter.

Gigi Dennis stated the property next to the Food Bank would need some dirt work.

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m/s Yohn/Sigmond motion to put the Utility Building for Sale
Motion was approved unanimously

Board/Staff Updates

Gigi Dennis stated an advertisement for sale of the old County shops has been put in for today and Thursday. We asked for bid price, plan on use of the building, and how they are going to pay for this.

Jason Kelly stated you will have to wait until the next meeting to make a decision or you can make a motion today stating in the event there are no other bids received, you would accept the one proposal and proceed with the sale of the property.

Commissioner Sigmond thinks this bidder would appreciate moving forward quickly.

Commissioner Yohn stated this might not be the final bid because he mentioned he would go up a few thousand.

Jason Kelly stated that would be a counteroffer to him. You can make a motion to accept the proposal for intended use and request a counteroffer to authorize Gigi to negotiate a higher price.

Commissioner Allen stated he is ok with the price right now.

Commissioner Yohn stated he is ok with that but requiring someone to list their intent of the property. Their intent could change in the future.

Jason Kelly stated Counties do this because in the event of getting multiple bids it may be the factor of the decision. It may not be just to the highest bidder.

Commissioner Yohn stated it shouldn’t be in the decision because you cannot enforce it.

Jason Kelly stated you can but he doesn’t think you want to do this.

Sigmond motion to authorize acceptance of Johnnie Martin’s bid if no other bids are received. Motion was withdrawn.

Commissioner Yohn stated there are other interests in it. There is Pepsi and some individuals that are interested.

Commissioners agreed to wait.

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 Amendment to a HB 1041 Permit for San Luis Valley LLC was held on November 16, 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

Dave Perkins Solar and Joslyn Benchen representing First Solar, and Rachel Baird were present.

Proposal: The applicant is seeking an extension of a HB 1041 permit for the Site Selection and Construction of a Major Facility of a Public Utility as set forth in the Alamosa County Guidelines and Regulations for Areas and Activities of State Interest.

Location: The 255 acre site is bounded by County Road 9 South to the South, County Road 8 South to the North, and private lands to the East and West. The legal description is the NW1/4 of and a fraction of the SW1/4 of Section 16, T.37N and R.10E.

Project History and Background: The applicant, San Luis Valley, LLC is seeking an extension of their permit issued on November 23, 2010 by Resolution No 2010-G-013. A summary of revisions to the original 1041 permit is as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Resolution No:</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 23, 2010</td>
<td>2010-G-013</td>
<td>Issued 1041 Permit to LRE Alamosa LLC.</td>
</tr>
<tr>
<td>March 26, 2014</td>
<td>2014-G-003</td>
<td>Transferred permit to San Luis Valley LLC; extended permit until December 31, 2016; reduced capacity from 37.4 mw to 30 mw; adjusted Decommissioning Security and Community Development proportionally to mw reduction</td>
</tr>
<tr>
<td>March 11, 2015</td>
<td>2015-G-008</td>
<td>Amendments included increasing the height and length of the project transmission line; adding a water source and increasing water consumption during construction; increasing the number of employees and duration of construction; and increasing dust control methods.</td>
</tr>
</tbody>
</table>

Public Notice: Notice was published in the Valley Courier on October 15, 2016 and courtesy letters were sent to adjacent land owners within 1,500 feet of the subject property.
HB 1041 Permit Extension: On September 9, 2016, First Solar Inc on behalf of the San Luis Valley LLC requested their permit be extended another 24 months until December 2018 or beyond if possible. After discussion with the applicant’s representative from Arcadis, an amended letter was sent requesting the permit be extended until December 2020. The applicant stated their reason for the request being they “anticipate that this extended timeframe should allow for the existing transmission issues and related upgrades to be completed, both within and outside of the San Luis Valley. Following resolution of the transmission issues, a power purchase agreement will also need to be established.

Department Recommendation: There is no language in the original permit or any subsequent resolutions to preclude an extension of this permit. In the Alamosa County Guidelines and Regulations for Areas and Activities of State Interest, under Section 2.403 Revocation or Suspension of Permits, Section 2.a states that

“The applicant has failed to take substantial steps to initiate the permitted development or activity …or, if such steps have been taken, the applicant has failed to complete the development of activity or any condition of permit approval with reasonable diligence. “Substantial steps” do not require construction activity and may include, among other things, legal or administrative proceedings and activities directly associated with the applicant’s project. An extension of the time within which substantial steps to initiate the permitted development or activity need be taken may be granted by the Permit Authority upon the request of the applicant and a showing of good cause therefore.”

According to 10-Year Transmission Plan for the State of Colorado published by Xcel Energy, Tri-State Generation and Transmission, and Black Hills Energy on February 1, 2016. “New high-voltage transmission must be built in the San Luis Valley (“SLV”) region of south-central Colorado to restore electric system reliability and customer load-serving capability, and to accommodate development of potential generation resources. …At a minimum, an additional 230kv line is needed to increase system reliability. Studies show that this could be accomplished by either adding a new 230 kv line or rebuilding an existing lower voltage line to and operating it at 230 kv.” The project is called the “San Luis Valley-Poncha 230kv”. It is projected to be in service by 2022 and will cost $58 million to build.

Transmission capacity limitations in the San Luis Valley have been the greatest obstacle for utility-scale solar development in recent years. Utility-scale solar projects must compete with other renewable energy projects from around the state to secure a Power Purchase Agreement (PPA) from a major utility company. Despite repeated attempts to secure a PPA, these transmission issues have been made projects in the area less competitive which may explain the San Luis Valley LLC project’s inability to move forward. With infrastructure improvements already in progress, it is anticipated a 48-month extension will give the applicant sufficient time to secure a PPA. The applicant has met all submittal requirements for an extension to a HB 1041 permit for the State Selection and Construction of a Major Facility of a Public Utility. The Land Use staff has reviewed the request and recommends the HB 1041 Permit for San Luis Valley LLC be extended until December 31, 2020.
Dave Perkins of First Solar spoke. First Solar is a leading manufacturer of photovoltaic (PV) solar panels and the leading developer of utility scale PV projects. They have deployed 12,000 mgw of solar panels of large scale projects worldwide. They acquired the San Luis Valley project mid-2014. They have been attempting to advance the project. They performed re-studies of all the major electrical connection studies. They are working to finalize a large Generator Interconnection Agreement (GIA) with Xcel and also to secure the PPA, and internal projects. We expect to execute the GIA by the end of the year but we have been unable to secure the PPA. They had numerous conversations with Xcel but transmission lines is the main issue. Xcel and Tristate have launched a multiphase planning process. The dual goals is to improve electrical lines in the SLV and outside of the Valley. The last transmission was proposed coming from Walsenburg and was unsuccessful so there are no guarantees. There is a great deal of uncertainty for these reasons we are requesting this extension. First solar is committed to Alamosa to make this project successful.

Commissioner Allen asked if anyone would like to make a public comment.

Robert Bacon stated he is new to the area but through research Rural Electric Coop is running active fiber optics along railroad easements along La Veta pass so he doesn’t know what steps one would take. Has this been considered. Apparently they are running subservice lines and doesn’t know if this would be a problem to run subsurface.

Rachel Baird stated Xcel Energy is exploring things she doesn’t know about subservice. They will communicate with each other. It is a huge process. We won’t see it for 20-30 years.

Robert Bacon stated he understood a couple of months of the year we get cloud coverage. Do you have storage if not then you have two months of the year you are losing energy.

Dave Perkins stated the SLV has been determined the best solar in North America equivalent to California and Nevada. Whenever cloud cover comes over it would affect generating energy but the studies over decades with computer simulation they feel this project would be commercially successful without battery storage. Right now no plans for battery storage if they change their minds they would have to come back to make a request.

Rachel Baird responded we have 350 days of sunshine on average. According to the farms operating on the 8 north, they even produce the days when they have clouds. They produce at 98.5% efficiency which is impressive for the solar industry.

There being no further business, the Public Hearing for Amendment to a HB 1041 Permit for San Luis Valley LLC was adjourned.
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.