Minutes of the Board of County Commissioners Meeting, held on December 14, 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

Request to move Treasurer before Public Hearing, add new COA for FLYOX 1, addition of MKK Mechanical Engineers Worksession for Judicial Center, move HR Worksession to be last on Agenda, and add Value West Extension on Consent Agenda.

Gigi Dennis stated the MKK Mechanical Engineers are going to call in and Judge Pattie Swift will be attending as she has some concerns on the system.

m/s Sigmond/Yohn motion to approve Agenda with changes
Motion was approved unanimously.

Approval of Minutes

m/s Sigmond/Yohn motion to approve minutes of November 16, 2016
Motion was approved unanimously

Approval of Bills/Obligations

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

Public Comment

Judith Gritz who resides at 8015 S Hwy 285 spoke. The last two and a half months of the County Meeting Minutes are not available online. Consequently she was not able to get the November 16th minutes. She would like to address the Jail/Judicial Project. The first proposal was in August 2014 where they were told the Judicial Building would cost $13 million and the Jail would be $3-$5 million for a total of $18 million. Then in 2015 the proposal came out with a 3 story judicial building and only 35 beds for the jail at a cost of $21,431,000. On November 16th because Sheriff Jackson has done such a
wonderful job with the jail you put a hold on the jail and will proceed with the Judicial building. Which this project now has come to $24.5 million. When first proposed the 1 cent sales tax to pay for all of this, they were told that the jail was so deplorable, unsanitary, and not up to standards. The County Commissioners have known for the last 10 years that we would need a new jail building. So we were sold on the necessity of the jail and by the way it would be nice to build a Judicial Center all at once. The main reason we were sold on this idea is that the inmates would have a separate entrance into the courthouse. Now we have a 3 story monstrosity for $24.5 million. It is like I have taken out a credit card with a huge debt on it so I will take out another credit because in a couple of years I will pay that off. Right now the proposal is with 35 beds and that is not going to be enough to meet the needs when we have that right now. Her suggestion is to build a new jail so it is good for at least another 10-15 years and save the $350,000 a year and go back to the $13 million project you started with for the Judicial Center. Build the buildings as it is coming out of your own pockets.

Commissioner Allen responded that her information was not up to date and not correct. Right now the Judicial building project is a 1 story at $14 million and the jail at $8.4 million with 64 news beds with updating the heating and cooling for a grant total of $22 million. Right now the Judicial Center is 36,000 sq. ft. They are still working on the numbers.

Judith Gritz stated that was not what was in the Courier.

Commissioner Allen responded they do not control what is in the Valley Courier.

Ron Brink who resides on 106 S spoke. He congratulated Gigi Dennis in getting Administrator of the year. He would like to address the parking lot at the Airport. It is a shame they built a nice new airport terminal which was going to be good impression to Alamosa County. Then they walk out to a parking lot that is worse than some of the potato warehouses. He blames the City too and they have heard from him also. They should have never given you a Certificate of Occupancy. Your own County Building Codes would not allow a new building without a parking lot. This needs to be addressed soon.

Commissioner Allen responded this is on our priority list.

Consent Agenda

CDOT Division of Aeronautics Grant Agreement-SLV Regional Airport
2016-G-8 Resolution designating certain County roads as a section of a Pioneer Trail
2017 Emergency Management Performance Grant Application
County Clerk’s Report for October
Loaf N Jug #10 Liquor License Renewal
Treasurer Report for November
CDHS Certification of Compliance-Year 2017 County Personnel & Merit System
Value West Extension Contract

Commissioner Sigmond requested to pull 2016-G-8 Resolution for further discussion.

Commissioner Yohn requested to pull the Loaf N Jug Liquor License and the Value West contract.

m/s Yohn/Sigmond motion to approve Consent Agenda without the three requested to be pulled
Motion was approved unanimously

December 14, 2016 Minutes
2016G8 Resolution

Commissioner Sigmond stated when this was first presented she went to the Sangre de Cristo meeting where they referred her to speak with Fred Bunch as he is an expert on the trail. She forwarded everyone the email from him. She agreed with him. We are being asked to designate certain roads as Pikes trail but the trail was not exactly the trail that Pike followed. We know he was in this area but to be historically accurate the resolution would need to be modified.

Commissioner Allen stated maybe we need to redo the Resolution.

m/s Sigmond/Yohn motion to pull this Resolution at this time to modify it
Motion was approved unanimously

Loaf N Jug #10 Liquor License Renewal

Commissioner Yohn stated on page 66 on number 4 there is a yes marked. This question states “Since the date of filing of the last application has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended, or revoked? If yes, attach a detailed explanation”. There is a yes marked with no explanation.

Commissioner Allen asked maybe we should look into this. It could have been marked in error.

Jason Kelly stated Commissioner Yohn is correct if there is a question of suspension or revocation we need to clarify. You can then check with Melanie Woodward or have her come in and explain.

m/s Yohn/Sigmond motion to table Loaf N Jug #10 Liquor License until our December 19th meeting
Motion was approved unanimously

Value West Extension

Jason Kelly stated the Value West was renewable each year with a written agreement. Sandra Hostetter stated she is happy with their service. We decided this was the best way to send a letter extending service for another year.

m/s Yohn/Sigmond motion to approve the Value West Extension
Motion was approved unanimously

Alamosa County Treasurer

Lois Widholm was present. A Summary of the 2016 Tax Lien Sale was presented. The report is going to report some successfulness. She gave a summary of a report of unsold parcels that we did not sell or have a lien on. They advertised 434 real estate parcels. They took 305 to sale for a total of $22,802.13. The total taxes collected in sales was $219,565.29 with 258 parcels sold. 97% of total unpaid taxes were collected. One parcel was over $111,000 and we did have a tax lien purchase so this helped with our numbers. Of 47 unsold parcels they had 23 that they have to strike off. We will be adding these
additional parcels to County Held Properties. They will present this report on County Held Properties at a later time. She is very pleased to report, this resulted in only 3% of total unpaid taxes not collected. The Premium bids collected on 258 parcels, which is excess, is $1,701.77 which we deposited to the General Fund. The afternoon of the final day of sale we do a live auction of any mobile homes. We were able to do a lot better with the Sheriff’s assistance this year. The Mobile Home sale was held on November 10th where they advertised 21 mobile homes and took 13 homes to sell. We had one person who came to the auction and sold one mobile home. The other 12 are being County Held. A Summary of the mobile homes that was unsold that were not picked up by lienholders was presented.

Commissioner Yohn asked how the Sheriff was helpful in the mobile home collection.

Lois Widhalm stated there is a statute to distraint mobile homes. A document needs to be presented to the mobile homeowner in hopes that the owner will take care of the debt. Originally we had 53 to distraint. The Sheriff always assists them but this year their efforts made only 21 come to the sale. They were 100% successful on personal property that was delinquent.

Gigi Dennis asked what happens to the 12 that is struck off to the County.

Lois Widhalm stated this depends on ownership, if rented, or if vacant. They work with the Assessor to investigate what we are dealing with. They do investigate if there is a mobile home before taking it to sale.

Commissioner Allen stated many times the value of the mobile home is a lot less than the cost to move the mobile home.

Lois Widhalm stated we had a mobile home they took to sale three years ago. They have a lienholder who has the certificate and paid endorsement of taxes except for one. Now the Clerk’s Office and the Assessor are telling us the VIN# is nonexistent. They researched and found it came to this County from Pueblo incorrect. We have to be the ones to remove the certificate and return the money we received. The process of a mobile home purchase is the VIN# is part of the title which is the responsibility of the Clerk and the value becomes the responsibility of the Assessor and then we the Treasurer’s Office collect it.

Gigi Dennis asked where they are at on the project to combining the lots to become more desirable to sell.

Lois Widhalm stated it is on top of the priority list. We decided to wait until 2017.

Rachel Baird stated we have selected properties along the way but we should be ready for a presentation in the next couple of months.

Gigi Dennis asked if they can map where these delinquent homes are.
Public Hearing

Chief Finance Officer

Brittney DeHerrera was presented.

PLEASE SEE PUBLIC HEARING MINUTES FOR FURTHER INFORMATION.

Brittney DeHerrera noted we did have sales tax for the Justice Center but this includes debt for the lease payment and we will have additional operating costs for the larger building for more staff and utilities. This will help additional operating costs we didn’t have before.

Commissioner Yohn asked about Tab 4 page 1 for the Alamosa Depot & Motorway lease.

Brittney DeHerrera stated it is not included in the Alamosa County Budget but in the Marketing District Budget but because they are a component of us we have to include it. Nowhere out of our budget is their lease being paid for. It comes out of their dollars.

Commissioner Yohn asked about Tab 4 page 2 under Sheriff Lease they approved 3 new vehicles so is this included. On Tab 8 page 2 payment in lieu of taxes for 2016 where is that figure.

Brittney DeHerrera stated this is in the Road & Bridge fund now. We moved them out of the General Fund in 2016 to try to help give them some more dollars. Budget Statute requires her to keep the columns for three years so next budget she will be able to remove it from the General Fund.

Commissioner Yohn asked about Tab 8 Commissioners for Coop landfill do we still have money in there.

Brittney DeHerrera stated it is under Miscellaneous. If needed this year we can. We haven’t used that much. She doesn’t know what the State is coming up with closures of landfills. Also a line item was built in for the UAS out of the Commissioners Fund.

Commissioner Yohn asked about Tab 12 he knows it is restricted on Conservation Trust fund why can’t we have the East Side Park because their utilities are probably more.

Brittney DeHerrera stated there are no expenses for the West Side Park but they are both on there. It should read East/West Side parks.

Commissioner Yohn asked about Tab 21 Local Marketing if the Commissioners have to approve their Operating Plan.

Belina Ramirez stated on November 16th meeting it was approved under the Consent Agenda.

Commissioner Sigmond asked about Tab 8 Commissioners Other Professional Services being significant in 2015 but nothing for this year.

Brittney DeHerrera stated these were for the Pre-trial Services but those were terminated. She has moved this to the Sheriff’s Department for RMOMS Service.

Commissioner Sigmond asked about Tab 10 showing restricted and nonrestrictive; is this combined with the ending balance.

Brittney DeHerrera stated yes.
Commissioner Sigonnd asked about Tab 13 the Contingency fund balance.

Brittney DeHerrera stated she budgets for something arising through the year. If we spend the whole thing we would have the $49,000 left.

Commissioner Sigonnd asked on Tab 16 $116,000 is going to the Sheriff for extra expenses from the Sales Tax.

Brittney DeHerrera stated yes.

Commissioner Allen stated the Budget is a roadmap and the numbers never remain the same. Monthly expenditures are shared so we can keep track of where they are at. The Community Development he can’t think of a better use for the money than with Mosca since most of the solar companies are in their district.

The Commissioners commended the work Brittney DeHerrera has done completing the budget.

m/s Sigmond/Yohn motion to approve Resolution 2016-F-3 and Adopt the 2017 County Budget
Motion was approved unanimously

m/s Yohn/Sigmond motion to approve Resolution 2016-F-4
Motion was approved unanimously

m/s Sigmond/Yohn motion to approve Resolution 2016-F-5
Motion was approved unanimously

m/s Yohn/Sigmond motion to approve Resolution 2016-F-6
Motion was approved unanimously

m/s Yohn/Sigmond 2017 Public Trustee Budget Resolution
Motion was approved unanimously

Special Use Permit

Max Salazar Attorney on behalf of Applicants Arnold/Marguerite Salazar and Rachel Baird were present.

PLEASE SEE PUBLIC HEARING MINUTES FOR FURTHER INFORMATION

Commissioner Sigmond stated she is in support of this. She attended the Boys & Girls fundraiser event there. Most of these events are at night and no bike peddlers or runners would be out then. She believes they shouldn’t have someone posted there. It has been properly vetted and should be approved.

Commissioner Yohn stated it is a very busy bike path but no different than crossing traffic. Visibility is not restricted. The Healthy Living Park has had a lot more traffic as Mr. Brink stated. He asked Max Salazar if they are good with all conditions except positioning someone on the bike path. The Fire Department did approve but did they actually inspect this. We hear places burning down lately.

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Max Salazar stated Ken Vanlwarden inspected this when it was built. It was built for an Assembly hall classification. Heavy timber fire rating of an hour. This inspection process determined this was safe without sprinklers. It was deemed appropriate or necessary for them.

Rachel Baird stated this was not built to the International code for commercial use but was built for a barn when inspected by the Building Inspector. Don Chapman, the Fire Chief has inspected this. She spoke with them at length twice. He was the one who recommended the limitation of the occupancy and the exit lights. He said if ever renovated he would recommend them putting a sprinkler system. As the use is set up now it is sufficient. The heavy time construction does provide a certain amount of safety. He was comfortable with this.

Commissioner Yohn started if liquor will be sold they are aware they have to have a license to sell.

Max Salazar stated only the sale of alcohol is the biggest issue here. Alcohol can be served. They do plan on serving alcohol but are not planning on selling it. The comment on eventually doing this they are not sure at this point. It will just be consumed on the premise now.

Commissioner Yohn stated he is supportive of this and a Bed & Breakfast would be an asset to East Alamosa.

Commissioner Allen asked if there was response from CDOT.

Rachel Baird stated she emailed her but hasn’t heard anything back from them.

Commissioner Allen stating setting cones out is a good move. Sometimes people have to take responsibility for their actions. They just have to look out when there is an event. He doesn’t believe having someone on duty during an event is necessary.

Max Salazar asked how we should coordinate to put up signage.

Commissioner Allen suggested to sit down with the Sheriff to maximize the event.

Gigi Dennis suggested besides the signage for pedestrians put signage on their side to look out for traffic/pedestrians.

Commissioner Yohn stated they do have some conditions required that are adequate besides putting someone out on the bike path.

List of Exhibits

1. Special Use Application Checklist
2. Staff Report
3. Application
4. Pre-Application Conference
5. Right to Farm and Ranch
6. Code of the West
7. Receipt of Payment
8. Title Insurance
9. Deeds
10. Assessor Record

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11. Receipt of Taxes Paid
12. Site Plan
13. Water Documentation
14. Letter from Lender
15. Authorized Representative Letter
16. GIS Aerial View
17. List of Adjoining Property Owners
18. Letter to Neighbors
19. Public Notice for the Planning Commission
20. Public Notice for the BOCC
21. Notice to Applicant
22. Agency Courtesy Letters
23. Photos from Applicant
24. Valley Courier Letter to Editor

m/s Sigmond/Yohn motion to Approve and Adopt Findings & Recommendations of Planning
Commission minus requirement of individual posted during events to control traffic
Motion was approved unanimously

Clean Energy Collective
Kevin Morse Vice President of Sales for Clean Energy Collective was present.

They were founded in 2009 in Carbondale, Colorado but are now in Louisville, Colorado. They built their
first Community Solar in El Jebel, Colorado. This project they are proposing is a 2 mgw project for
customers of Xcel Energy. They have been working with Xcel since 2013. They are developing 6 new
projects right now with Xcel. They are a great partner of theirs. They build large offsite solar facilities
that are connected directly to a utilities grid. Then they sell or subscribe the panels to customers of that
utility in that area so the power produced is credited to those subscribers bill as a credit. There is no
upfront cost to the customers. It provides a significant savings to your electric bill right away. It also
provides 100% offset to all of County’s buildings use. They have looked at the County’s usage for the
last month and it could offset utility use with a 500 kw system. We would expect in the first year
generating $83,000 credit. You get the credit on your electric bill. You would then pay Clean Energy
$74,000 saving the County $8,300. You pass on 90% to them and keep 10% of the credit. Over a 20 year
agreement your annual savings would be 17% saving the County $300,000. They build the system and
maintain it through the life of the system so there are no obligations to the County. It provides
flexibility. Credits can be transferred from one facility to another just by calling them. The rate you pay
us is 90% of what Xcel pays you. Subsequently years after will fluctuate according to the rates of Xcel.
The rate would also adjust by a 2% a year that you would pay us also. The credit rate will go up higher
than it escalates. This creates a fixed rate for the 20 years.

Commissioner Sigmond asked if they have a sample contract you use for Jason Kelly, County Attorney, to
review. It sounds too good to be true.

Kevin Morse stated the risk involved is if the utility rate drops or stays flat then the savings upfront could
erode and you end up paying more.
Commissioner Sigmond stated the cost of building is greater than the savings.

Kevin Morse stated the cost is built into the payment structure to make a profit.

Commissioner Sigmond asked if he can share some names of customers that we can talk to.

Kevin Morse stated one is Adams State and another is Conejos County. Other counties are Arapahoe, Eagle, Summit, and Logan County.

Rachel Baird stated she started talking to him three months ago. She didn’t bring it up before because it did sound too good to be true and was unsure how this worked. She has talked with Xcel Energy and they explained how shares are sold. She mentioned Clean Energy and they endorsed them greatly that they are a great company and do provide a legitimate business.

Commissioner Yohn asked where the location is.

Kevin Morse stated this project is between Romeo and La Jara technically in Conejos County.

Commissioner Yohn asked if the billing rate is higher for renewable energy than conventional rates.

Kevin Morse stated the rates stay the same as you are paying now. The bill wouldn’t change. Xcel’s rate pays higher and can be used to offset all the costs associated.

Commissioner Yohn stated they have been warned before that the real profit is the middle man. We have a lot of property here in Alamosa County and as we build new facilities it is interesting to see what is available. It is good information.

Kevin Morse stated the County can get or use rather than large utility projects built here. You get a direct benefit from direct billing. You keep the benefit local.

Gigi Dennis stated we have had other companies come in. They all make reference to the project in Conejos so are you all together?

Kevin Morse stated they are doing on their own, not with anyone else.

Gigi Dennis stated she has asked Xcel to come in for an update but they won’t be coming in until January.

Commissioner Allen asked if there is a minimum bill.

Kevin Morse stated an average home would take 4-5 kw. The County would need 500 kw. One limit they have in place is no customer is allowed to offset more than 120% of their usage. Also the customer must be in the County or adjacent Counties to the project.

Commissioner Yohn asked if there would be possibility for us to build one individually.

Kevin Morse answered they are always willing to look at other areas.
Public Health Department

Della Cox-Vieira was present.

The HealthScope Benefits Contract, Jason Kelly would like to modify some language in the contract so she would request to pull until the January meeting. They have not worked with them in the past. They are new to them.

They have been collaborating with the hospital. Alamosa is the only hospital that delivers babies and part of our Child Fatality Prevention Program we were able to obtain some funding for Safe Sleep Educational materials, staff training for OB staff, and also offer a voucher for Pack N Play and Safe Sleep Survival kits. If someone can’t afford this kit they can issue a voucher to pick one up from us. They have collaborated with the Valley Counties to obtain these funds to buy these kits.

They have done some revisions on their Emergency Preparedness & Response Plans. She will be presenting this for signature in January.

We have been waiting for a new database for Retail Establishments but haven’t received it yet. They have started receiving some checks for their license, so once up they get this database they will input the information in the system.

Commissioner Yohn inquired about Waste tire if there is funding for this in 2017.

Della Cox-Vieira stated they have used additional funds this year to work with rural areas in Counties that have tires piling up. They will haul the tires out of the Valley.

Commissioner Yohn stated we have a tire shredder. If we can avoid shipping out so we can utilize this machine and get the funding.

Commissioner Allen stated rules are changing for this. Anyone hauling 9 tires or more to the landfill has to be a certified hauler through the State now. We are trying to see how we can get an exception for the Counties.

Commissioner Sigmond point out a miscalculation in the Financials that were provided.

County Administrator

She was contacted this summer regarding purchasing the old County Shop building by Johnny Martin. We know the property could potentially have environmental concerns and shared this information with him. Mr. Martin did quite a bit of research on this and the building condition. He decided he would still like to pursue this property. In October he presented a proposal. Under the Commissioners direction we advertised this property. We did received one bid but withdrew his offer prior to the deadline date. She believes this is a fair offer of $20,000 when you look at the condition of the building. There was talk of tearing down and hauling off which was determined to be very costly. Now there is opportunity to develop a business in Alamosa County.

Helen Sigmond stated she is in support. She would like see someone with financial backing to benefit a better to our community.

Gigi Dennis asked one thing if they accept the offer if they can make an agreement to leave the items there now for some time.
Johnny Martin and Jessica Martin were present. He has met with Tim DeHerrera on the storage issue. This property is going to take some time to get going so they are willing to allow to leave equipment in some of the area.

Commissioner Yohn stated they agreed something to needed to be done there to get back on the tax rolls. We went through proper channels to advertise. We did have another offer on it and he would like to give full disclosure it was his brother-in-law at 50% more. Since that time he has rescinded his offer. The best way is to lease the Quonset for 6 months until able move things around.

Gigi Dennis asked if they could let her work on the negotiations on this and they will work with Tim DeHerrera and Jason Kelly.

Commissioner Yohn stated on the proposal list “as is”. There may be a situation where the environmental could come back to the original owner.

Commissioner Sigmond stated he can indemnify us if there is an issue.

Jason Kelly stated he can indemnify to us but the owner can’t hold us responsible but the government can. If the US Government says cleanup we can answer we are no longer the owner. They would say who cares clean it up. We can then go back and bill the current owner. We have spoken to Mr. Martin about this.

Helen Sigmond stated you understand we can go to new owner and recoup costs.

Jason Kelly stated he did sent a draft to his Attorney Jeff Motz.

Commissioner Yohn stated we want to be open and transparent on this.

Johnny Martin stated he understands and it is a roll of the dice with it.

Jessica Martin stated it is hard to see his vision with this but she has seen this before where he has had a vision and he has come through. You will be proud of it when he is done.

Commissioner Allen stated he has been in support since the beginning. He would like to give authority to Jason and Gigi to put a contract together to have closure before the 1st of the year. Also something for Tim DeHerrera to store for a while.

Commissioner Yohn asked if the payment would be a cash payment if there is any earmark for the proceeds go to Grounds for a small building.

Jason Kelly stated the money would go into the General Fund.

Helen Sigmond stated they should have this in the motion to give Gigi signatory authority with minimal or no costs for keeping equipment there for a while.

**m/s Yohn/Sigmond motion to proceed on selection of bid for sale of County Property 1320 17th to Johnny Martin submitted “as is” with understanding of county using part of the property for storage subject to reaching agreeable terms & conditions with County Administrator having Signatory Authority**

Motion was approved unanimously

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m/s Sigmond/Yohn motion to un-table the Liquor License Renewal for Loaf N Jug #10
Motion was approved unanimously

Commissioner Sigmond stated they got an email from Melanie Woodward with some clarification that this was for another location and not here in Alamosa.

m/s Sigmond/Yohn motion to approve Liquor License Renewal for Loaf N Jug #10
Motion was approved unanimously

Worksessions

Alamosa County Land Use
Update on Mosca General Improvement District

SLV Regional Airport Manager
Discussion of SLV Regional Airport Board

Alamosa County Human Resources
Discussion of Personnel Handbook

Board/Staff Updates

Commissioner Sigmond had to leave the Commissioners meeting for a Sangre de Cristo National Heritage meeting.

COA Singular Aircraft FLYOX 1

Jason Kelly stated they are looking at adding to our existing COA’s. His concern is it is quite different than the other but we are going to try it. If it doesn’t go through he wants to make sure you are aware we will have to make an official COA request. They are not going to rely on Alamosa County for Air Worthiness Certificate they can go back to the Certificate going on the singular aircraft.

m/s Yohn/Allen motion to go forward with the COA Singular Aircraft FLYOX 1
Motion was approved with Sigmond absent.

Meeting Adjourned

There being no further business, the Regular Meeting of the Board of Alamosa County Commissioners 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.
Minutes of the Public Hearing for 2017 County Budget was held on December 14, 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
Brittney DeHerrera, Chief Financial Officer
Belina Ramirez, Deputy Clerk

Brittney DeHerrera was present. Presentation of 2017 County Budget.

The budget message was read. Graph charts showed Revenues and Expenditures for Alamosa County. Also a chart showing where the property taxes are allocated.

Commissioner Yohn noted on the Property Tax Allocation Chart Department of Human Services get $598,009 where Road & Bridge gets $30,306. Also noting on the General Fund Expenditures by Department Chart shows the majority of money is going to the Sheriff's Department of $3,816,903 from the total $9,203,269.

Commissioner Sigmond asked some of this comes from the Justice Center Fund.

Brittney DeHerrera stated yes it has to be because just with the amount of revenues of the County the Sheriff's expenditures exceeds that amount.

Tab 4 is the Resolutions. Resolution 2016-F-3 summarizes expenditures and revenues for each fund. It shows for County Funds a total of $62,565,798 and Component Units of Government a total of $2,145,340 for a grand total of $64,711,138. Resolution 2016-F-4 shows expenditures broken down into operating expenses of $48,156,879, capital outlay of $12,148,000, and debt service of $2,260,919. Also it shows the Component Units of Government broken down into operating expenses of $604,340, capital outlay of $1,456,000, and debt service of $85,000. Resolution 2016-F-5 is Adoption of Mill Levies and it describes how they are allocated. The total Mill Levy is 25.238. Resolution 2016-F-6 is the Mill Levy for Alamosa Weed & Pest Control District. The total Authorized levy is 1.500 but they are not DeBruced so they are limited to restrictions of TABOR so she has to make sure it is not more than allowable TABOR growth and it is so she has to take a temporary Mill Levy credit.

Tab 5 is the Lease-purchase Agreement Supplemental Schedule. It shows the remaining annual debt service for the leases.

Tab 6 is the Assessed Valuations, Mill Levies & Property Tax allocation. The Assessed Value is $1,052,768 which generated $26,570.

Tab 7 is the Public Trustee Budget.
Tab 8 is the General Fund. Page 6 shows the Projecting 2016 ending fund balance as $3,664,603 with the 2017 Projecting Revenues of $3,664,603, 2017 Projected Expenditures of $7,495,641, a transfer from the Justice Center Fund of $9,203,260 for a total of $2,556,975 Projected 2017 Fund Balance.

Tab 9 is the Department of Human Services. This shows Total Expenditures of $15,874,853 for a Fund balance of $1,516,794.

Tab 10 is the Public Health Department. This shows Total Revenues of $3,793,589, Total Expenditures of $3,694,183 for a fund difference of $99,406. Beginning Fund Balance is $2,904,862. It also shows some of their fund balance is restricted of $748,123. Leaving the total available at $2,256,145.

Tab 11 is Road & Bridge. This shows Projected 2016 Ending Fund Balance of $1,771,479. 2017 Projected Revenues of $2,618,165, 2017 Projected Expenditures of $2,573,482 for a projected ending balance of $1,816,162. They have non-spendable Fund Balance of $377,712 so the 2017 Projected Available Fund Balance is $1,438,450.

Tab 12 is the Conservation Trust Fund. The Miscellaneous is put in there to give access to those funds if things come up through the year but there is nothing earmarked for those funds. SLV TV and West Side Park utilities are paid out of here. They are very restrictive on the use of these funds. The State is very particular in what is eligible for these funds. They do go through an annual audit and review to make sure what we are spending is eligible. It shows Total Revenue of $70,000 and Total Expenditures of $127,452 for a projected Ending Fund Balance of $479,292.

Tab 13 is the Contingency Fund. This has never been used in the 8 years she has been here. It shows the 2017 Projected Ending Fund Balance of $49,808.

Tab 14 is the Retirement Fund. We do put Property Tax in here for employees that have been here for a year. It shows the 2017 Project Ending Fund Balance of $85,069.

Tab 15 is the Community Development Fund. This is contributions from participating solar energy developers that have moved into Alamosa County for solar projects. Contributions and Donations for 2016 was $593,000 due to one solar company deciding to make a one-time contribution to this fund. There is some built into this fund for things throughout the year such as a scholarship program. Also it was decided to use these funds to fund the local agencies from the SLV Commissioners Association. Also included is the Mosca General Improvement District for County’s contribution towards the Wastewater Treatment Plant project. This shows a 2017 Projected Ending Fund Balance of $442,028.

Tab 16 is the Justice Center Fund. This is a new fund for us. This fund collects all the sales tax that was approved by the voters for the Justice Center/Jail Project. It also tracks all the expenditures with the renovation of the Sheriff’s Office and the Justice Center Facility. She estimated what will be collecting from sales tax and how will they receive their grant dollars. Currently the only thing they will be paying for out of this fund is the Owners Rep fees. We will
be moving money in from the proceeds that were approved and moving out to Capital Expenditures Fund where she has to account for construction and debt service. The transfer to General Fund is to offset the Sheriff’s budget. The transfer to Debt Service has to do with what our payment will be. The transfer to Capital Projects is what she estimates they will spend on the projects. This shows the 2017 Projected Ending Fund Balance of $1,884,169.

Tab 17 is the Capital Projects Fund. This will account for all the costs for the Justice Center and County Jail addition.

Tab 18 is Debt Service Fund. We are putting a little bit of Property Tax and Sales Tax to offset the lease payment. It shows the 2017 Projected Ending Fund Balance of $285,730.

Tab 19 is the Health Insurance Fund. This is our internal service fund to account for all our benefits. It is supported by the County’s share and the employees share. We take from each department and accumulate here and pass along to the provider. We have 120 employees on single health, 20 employees on couple health, and 11 employees on family.

Tab 20 is the Equipment Acquisition Fund. This is just for the General Fund to purchase an item for any department in the General Fund. We then charge them rent to provide funding for this fund.

The remaining tabs are Component Units of Government.

Tab 21 is the Local Marketing District. It shows a total Revenue of $400,000 and total Expenditures of $400,000. The 2017 Projected Ending Fund Balance is $209,033.

Tab 22 is the Lodging Tax Fund. The 2017 Projected Ending Fund Balance is $222,486.

Tab 23 is the Northwest Weed Control District. The 2017 Projected Ending Fund Balance is $121,041.

Tab 24 is the Mosca General Improvement District. This shows Total Revenue of $14,200 for charges of services and Total Expenditures of $1,480,040. Capital Outlay is included in here for the wastewater treatment system that will be going into effect. Other Financing Sources is $1,613,700. This shows all the grants to help fund this project. The 2017 Projected Ending Fund Balance is $190,578.

Commissioner Allen asks if anyone in the Public has comments on the 2017 Budget.

Ron Brink who resides on 106 S spoke. He had a question on the Justice Center if the fund balance is $1.8 million. Also will the Mosca Wastewater System be a separate fund?

Brittney DeHerrera answered yes for the Justice Center and Mosca is separate from the General Fund.
Gigi Dennis noted no monies come from the General Fund for the Mosca Wastewater Project. It comes from grants and funds from Community Development.

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

ATTEST:

Belina Ramirez, Deputy Clerk

Darius Allen, Chair

Michael Yohn, Vice-Chairman

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 Special Use Permit for Arnold & Marguerite Salazar was held on December 14, 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

Rachel Baird and Attorney Max Salazar on behalf of Applicants Arnold/Marguerite Salazar were present.

Proposal: The applicants are proposing to use their newly constructed barn at 6491 South Highway 17 as an event center that may be rented for special events and professional workshops.

Project History and Background: According to the Alamosa County Land Use and Development Code (LUDC), private recreational clubs or lodges in Rural (RU) zoned areas of Alamosa County require a Special Use Permit. Recreational clubs or lodges are not open to the general public but allow access to members and guests.

The property has the applicant’s home, a second restored historic residence and a newly constructed heavy timber barn. The barn is 3,400 square feet with two emergency exits, two bathrooms, and a gourmet kitchen. Heavy timber construction has exterior walls of non-combustible materials and the interior building materials are of solid or laminated wood without concealed spaces. The gourmet kitchen includes a commercial refrigerator, freezer, and sink, a catering stove, an ice machine, and metal food preparation tables.

The applicants propose renting their barn for special events such as fundraisers, training seminars, weddings, and political events. So far this year, they have hosted a campaign event for Gail Schwartz, a fundraiser for the SLV Boys & Girls Club, and Adam State University Diversity Training. Temporary Use Permits were obtained for each event exceeding the threshold of "special event" as defined by the LUDC. The applicants also propose using the residence at 6487 South Highway 17 for a bed and breakfast which is allowed by right in a Rural (RU) zoned district. Depending on the performance of the event center and bed and breakfast the applicants may begin agritourism activities based on the existing agricultural use of the property.

Public Notice: Adjacent land owners within 1,500 feet of the subject properties have been notified by mail and notice was published in the Valley Courier. Courtesy letters were sent to the Colorado Department of Transportation, East Alamosa Water and Sanitation District, Alamosa Fire Protection District, Alamosa County Road & Bridge, Alamosa County Public Health Department, and the Alamosa County Building Inspector. We have received three responses to this application. A pastor at a nearby church who wanted to verify it would not be used as a bar. A neighbor called wanting clarification of the proposed use and an email notification the barn was being used for special events.
Compatibility: This parcel is bounded on the north, west, and south, by the Ranch open space which is zoned Agricultural (A) by the City of Alamosa. The parcel has Industrial (I) and Residential Medium (RM) zoned lots to the east.

Findings:

1. The application is not anticipated to endanger the public health or safety if located where proposed. According to the Alamosa County Public Health Department, the facility will require a Retail Food Establishment License to prepare food on site or must work with certified caterers. The Alamosa Fire Chief has reviewed the barn facility and determined the stairways and balconies are of adequate width and there are a sufficient number of emergency exits. He suggested the occupancy be limited to 160 and back-up emergency lighting be installed in the exit signs in the event of a power outage.

2. The applicant has met all the Special Use Permit application standards. The site conforms to the principles of sound land use planning as it is located on a major travel corridor and is easily accessible from the City of Alamosa. The locations as an event center is bolstered by the 1,300 acre Alamosa Ranch which provides access to trails and open space. The corridor on Highway 17 between Highway 160 and County Road 6 South where this use is proposed is already mixed commercial, residential, industrial, and agricultural use.

3. The Special Use Permit is not expected to substantially injure the value of adjoining property and is unlikely to be detrimental to the use or development of adjacent lots. The Ranch on three sides is unlikely to be developed as it is dedicated open space and pasture. The area to the east is already a well-established neighborhood. The event center is set back from the highway which should limit its impact on neighbors in terms of noise and light disturbance. Traffic maybe an issue for large events but the Road and Bridge Director did not have any concerns and no comments were received from CDOT. The site has sufficient area for parking and it is not expected any on street parking will be necessary.

4. The application is not anticipated to adversely affect the adopted plans and policies of the county and meets specific demands by encouraging economic development and filling a need in the community. It is found to be consistent with the adopted plans and policies of the county according to the purposes of the LUDC article 1, Section 1.3, in that it seeks to:

   J) Maintain opportunities for development and redevelopment to respond to changes in the marketplace, while respecting the character of surrounding areas;

It also supports Goal 5.4 of the Alamosa County Master Plan under Community Economics which states:

Policy 5.4.2: Develop and implement special use permit regulations that allow tourist-based businesses that are appropriately located within the unincorporated areas of the County with the goal of minimizing any potential negative impacts.

Policy 5.4.3: Encourage the location of commercial, lodging, restaurant, and other tourism-based activities in the municipalities and those planned unit developments that allow for commercial uses.

Policy 5.5.3: Where appropriate, Alamosa will support home occupations, pending necessary permits, for the purposes of promoting entrepreneurship wetlands, growth and employment in local cottage industries.
5. The proposed application is not anticipated to impact environmental protections, wildlife habitats, ground and surface water, air quality, or jurisdictional wetlands. It is located within Zone X of the floodplain which is protected by the levees.

Department Recommendation: The applicant has met all submittal requirements for a Special Use Permit according to the Alamosa County LUDC. The Land Use has reviewed the proposed application and recommends approval of the Special Use Permit application with the following conditions:
1. Event Center occupancy may not exceed 160;
2. Applicants must install back-up emergency lighting in each exit sign of the event center;
3. Event Center must maintain a minimum of one parking space per 300 square feet of gross floor area. Bed and Breakfast must maintain 1 space per guest room. Under no circumstances may on-street parking be allowed along State Highway 17 or the paved pedestrian path parallel to State Highway 17;
4. There may be one two-sided, permanent, on-premise identification sign per road frontage but the sum area of one face shall not exceed 40 square feet.
5. Hours of operation are limited to 8:00 AM to 10:00 PM Monday through Thursday and 8:00 AM to 12:00 AM Friday through Sunday;
6. Preparation and service of food shall conform to all applicable regulations of the State of Colorado as well as the Alamosa County Public Health Department;
7. Applicants must obtain a liquor license from the County Clerk & Recorder if alcohol is sold;
8. The facility must register with the state for sales tax purposes;
9. Light and sound disturbances at levels deemed excessive or which create a nuisance to the neighbors must be abated or may result in the suspension or revocation of the permit;
10. Applicants are responsible for maintaining the portion of the pedestrian path parallel to State Highway 17 between their property and the highway. It must be kept clear of gravel and debris before and after events.
11. Applicants must post signage and safety cones alerting pedestrians of increased traffic and station someone at the entrances of the property to ensure safe passage during events.
12. The special use permit shall remain in force unless the use or activity ceases for a period of 12 consecutive months. In such instance the special use permit shall become void. If a special use is determined by the administrator to be void, such determination shall be transmitted in writing to the applicants.

Planning Commission Recommendations: The Planning Commission met on November 9, 2016 to discuss the application. They were concerned about the eleven parking spaces requirement for an event center for 160 people. Staff explained that was the minimum required in the LUDC for the proposed use. They verified the applicant was aware changing the use of the property to a commercial business would change their property tax rate from 7.96% to 29% for the buildings other than their home. One member questioned the inclusion of health and liquor recommendations if those industries are regulated by the state and staff explained it was partially to address concerns from neighbors but also to expedite revocation of the special use permit if either of those terms were violated. Another member questioned how agrotourism could be included in the proposal if the zoning remains the same. Staff explained the Special Use Permit applies to the entire property and can combine multiple special uses. Final questions arose
across concerning maintenance responsibility of the pedestrian path parallel to State Highway 17. Staff explained the issue is still being investigated.

The meeting was opened to public comment and Al Gagliardi, former state patrol officer and State Representative, brought up concerns regarding the pedestrian bike path. He worries runners, children walking to Splashland, and people in wheelchairs will be at risk with increased traffic crossing the path to turn into the applicant’s property for events. He stated the gravel displaced from the applicant’s driveway on to the paved path will create an obstacle for the public. He considers the project a liability because he has seen as many as fifty cards for events and also doesn’t think there is a need in the community for the proposed use. He believes community businesses such as the American Legion, Elks Lodge, VFW, etc. are already struggling. Another neighbor, Gilbert Garcia, raised concerns the property would cease to grow gardens and would like the agricultural use of the property to remain. Francis Clark who runs the trailer park directly across the street stated she is not against the project just worried about the pedestrian path because she knows how much it is used. A final neighbor, Paul Arellano raised concerns about traffic on Highway 17 and stated that he already experiences difficulty turning on to his property on Tinkham Lane because many drivers speed and tailgate on the portion of Highway 17 between Highway 160 and Road 5 South. He worries more traffic will just add to the problem.

After closing public comment, the Planning Commission discussed ways to reduce impacts of the event center on the pedestrian path. They unanimously motioned to approve the Special Use Permit proposed by Arnold and Marguerite Salazar with additional conditions to prohibit parking on the pedestrian path, keep it maintained, and clear of debris before and after events, post signage and safety cones, and have someone directing pedestrians on the path during events.

Max Salazar spoke. One thing he would like to oppose is the requirement of stationing someone on the bike path. Some events could only have 10 people. It is just unnecessary and it will cause a big burden on them. They do want to keep people safe on the bike path.

Commissioner Allen asked if anyone is in favor of or opposition to this Special Use Permit.

Al Gagliardi a resident of Alamosa spoke. During the last hearing a comment was made that this Foundation was going from a public club entity to commercial where liquor would be sold. Something has to be done because there is a variety of people that use the pedestrian bike path. It will become a hazard. He would have more people speaking that use this path here but the runners are at finals. Children use this path. His concern is this type of business will create a hazard. He talked to people from Saguache and out of state that use this bike path. They can’t foresee this being a safe program. He doesn’t have anything against any business or creating taxes for our community. They will have people drinking and driving in and out of here. He heard they had overflow parking on the Highway at their last event. His concern is for the people.

Ron Brink who resides on 106 S spoke. He doesn’t see how this is a problem at all. The people who use the running path have to look for traffic such as when they cross the highway. He doesn’t think this will create much traffic to create a hindrance. The Healthy Living Garden
Park has had events there with 70-90 cars and they didn't have people directing traffic so that is a mute part. He knows the Salazar's and they do everything the right way so this should be a yes vote.

There being no further business, the Public Hearing for a Special Use Permit for Arnold & Marguerite Salazar was adjourned.

ATTEST:

Belina Ramirez, Deputy Clerk

Darius Allen, Chair

Michael Yohn, Vice-Chairman

Helen Sigmond, Commissioner

Note:
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