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Minutes of the Board of County Commissioners Meeting, held on December 6, 2023, at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

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Members Present:

Lori Laske, Chair  
Vern Heersink, Vice-Chair  
Arlan Van Ry, Commissioner  
Jason Kelly, County Attorney  
Roni Wisdom, County Administrator  
Jamie Greeman, Deputy Clerk

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**Invocation**

**Pledge of Allegiance**

**Approval of Agenda**

**m/s Heersink/Van Ry motion to approve the December 6, 2023 agenda as presented**  
**Motion was passed unanimously**

**Approval of Minutes**

**m/s Van Ry/Heersink motion to approve the November 8 Regular Meeting Minutes, November 8 Public Hearing Minutes 2024 Budget, and November 8 Public Hearing Minutes Mosca Wastewater Fee Increase**  
**Motion was passed unanimously**

**Approval of Bills/Obligations**

General Account Check # 158326 - 158903  
PH Check # 35683 - 35737

Request to remove check payable to Arlan's Pro Services for separate approval.

**m/s Heersink/Van Ry motion to approve the Remaining Bills/Obligations of Alamosa County**  
**Motion was passed unanimously**

**m/s Heersink/Laske motion to approve bill for Arlan's Pro Services**  
**Motion was approved with Van Ry abstaining**

**Public Comment**

**Phillip "Bix" Busby Jr** – Handouts were distributed to the Commissioners by Phillip Busby. The first two handouts are regulations from the City of Alamosa concerning open burning. The rules specifically allow religious events and creations. He would like to urge the Commissioners to adopt these rules for the County as well, then he could apply for a conditional use permit for his crematory. Then the citizens and planners could voice their opinions. He feels that by adopting these rules, it would save the Land Use office a lot of time. The third page is a picture of his son who wants his picture updated. The final page is of the Christian symbol he erected at Mosca Garden. It represents the crucifixion of Jesus Christ with two criminals also crucified on either side.

## **Consent Agenda**

Alamosa State Bank Contract  
Alamosa County Public Health IGA  
Revised 2024 Commissioner Meeting Calendar  
Contract for Architectural Services  
Xcel Clean Energy Plan Support  
DOLA Energy Impact Grant Application - DA building

Commissioner Heersink asked to pull the contract with Alamosa State Bank and the Contract for Architectural Services from the Consent Agenda

### **m/s Heersink/Van Ry motion to approve remaining Consent Agenda items Motion was approved unanimously**

Commissioner Heersink said that he did not have a specific issue with the Alamosa State Bank contract, he just wanted to take the opportunity to thank Alamosa State Bank. As a Commissioner, he is really grateful for the opportunity to move the DA's office to an appropriate location. He asked Roni Wisdom to expound on the project.

Roni Wisdom said she would like to really thank the Board at Alamosa State Bank, and also, Chas Moeller and Russell Achatz for all of their hard work on this. This could not have done without them. It is really exciting to be moving forward on this. There have been some really great articles in the newspapers and on Alamosa Citizen, and she thanks them for such positive reporting.

Roni Wisdom wanted to clarify that the original contract with Don Spencer with Spencer Architecture was for a \$1 million project. At the start, it was estimated that's all that was able to be spent on this project. The contract is based on 8% of the total price. So that will change because after visiting with the Department of Local Affairs, it was decided that a grant could be obtained from them for about \$860,000, which would be matching. But that would increase the project to about \$1.6 million. There will have to be a contract amendment for Spencer Architecture because of that. The building needs a little bit of an update. There will be updates to heating and air conditioning, electrical, and plumbing. All of those things have not been substantially touched in many years. Roni Wisdom knows that the District Attorney would love to move in tomorrow, but it will still be a little while yet.

Commissioner Laske wanted to clarify that any costs to renovate the building will ultimately be paid by the District Attorney's office. The match required will not come from the County's general account.

Roni Wisdom said that is correct. The District Attorney will pay the County back through a lease purchase so that there is sufficient funding to take care of the renovation costs. The more grants that can be applied to the project is less that will have to be paid back. And then once it is paid off, they will not have a lease payment. That will be very advantageous to all of the counties in the San Luis Valley.

### **m/s Van Ry/Heersink motion to approve pulled Consent Agenda items Motion was approved unanimously**

## **Public Hearing**

**1041 Permit Waiver Request – See Public Hearing Minutes**

The Public Hearing ended and the Regular Commissioner Meeting resumed.

Commissioner Heersink said that he would like to see the water issue addressed in the permit, and not waive the water requirement.

Commissioner Laske would like to see the full application and have a chance to discuss how the facility will operate. That does not mean that the issue won't be resolved at a later date, but at this point, she doesn't feel like she has enough information to waive that requirement because once it is waived, it can't be required at a later date.

**m/s Heersink/Van Ry motion to approve the 1041 permit waiver absent Section (2) (v) A, 1 and 2.  
Motion was approved unanimously**

**Dune Glamping Special Use Permit Violation – See *Public Hearing Minutes***

The Public Hearing ended and the Regular Commissioner Meeting resumed.

Commissioner Heersink said that the biggest thing he's concerned about is condition seven that says the special use permit shall expire 12 months from the date unless the use has commenced. That puts the County in a quandary because use has commenced, but it was not permitted use.

Jason Kelly said that language is in the permit just so that if nothing gets done at all, there's no progress or anything, then it just kind of goes away because the conditions have not been met, therefore, it's expired. He thinks in this case, they've done work on the property to meet the conditions. In this particular circumstance, it would be safe to say that they've met that condition in that they're actively trying to develop the property. There are some other issues with their use and not meeting those conditions.

Commissioner Heersink asked when the construction of the OWTS will be in place.

Susannah Barnes said that she hopes that it will be early spring. In early January they expect to do the soil testing.

Commissioner Van Ry asked if the domes will be built this summer.

Susannah Barnes said their goal was always to have some domes in operation by summer of 2024. They anticipated a lengthy process of securing enough funding to actually build the domes, but they were self-funding everything to keep them going. Once the OWTS is in place, they could move forward, install their solar system and potable water system, and then they would begin construction of the domes.

Commissioner Van Ry asked if one of the decisions to be made is to extend the permit for a certain amount of time.

Jason Kelly said that the permit would not necessarily be extended, because a permit has not been actually issued, but a finding can be made that they're not in compliance with the conditions. Basically,

the Commissioners could issue an order saying that they not conduct any operations pursuant to the application, until such time as they have met all of the conditions of the permit. That does not mean approval of the OWTS, that means that the system will be physically and completely installed.

Even if the applicant has installed the OWTS, they cannot start the tent operation because it is not part of the original application. That would not be able to happen until they submit a new application to the Land Use Office for the tent sites.

Commissioner Van Ry said that there needs to be some kind of deadline so that this project can get moving in the right direction. He wants to see this operation continue, it's a good thing. The County will not treat this business any differently than anybody else. This is a regular business, but the County could shut it down because the conditions have not been met. If the applicants are working towards completing these things, then the permit approval should be extended. Commissioner Van Ry just doesn't want this to go on indefinitely while there is nothing being done out there. There needs to be some progress made.

Commissioner Laske said she would like to consider it as amending the terms or having the applicants come back for a public hearing and amending the terms. At this point, all business needs to cease. She is a little disheartened to see that even after the County notified them, they did continue to operate.

Jason Kelly said that there are two separate issues. The tent issue is another issue outside of the original application. If the Commissioners want the applicants to come back, there could be a motion to continue the public hearing for a period of six months to decide as to whether or not they've met all the conditions of the initial application. If they have not met the conditions in six months, the Commissioners could repeal the original application. In the interim, if the applicant files an application for the tent sites, it can be addressed at that time.

**m/s Heersink/Van Ry motion to continue the public hearing for six months to make a final determination as to whether or not the applicant is in compliance.**

**Motion was approved unanimously**

**District Attorney Anne Kelly** - DA Kelly attended the Commissioner meeting to take the opportunity to thank Roni Wisdom and Lori Laske, and everyone else from the County for working so hard, and recognizing what the DA's office desperately needed, which was a space that was appropriate for their office. She is thankful for all the support that has been given to her office, and they plan to use that space as a way to boost their community involvement and to have community events and public events to make sure that everyone has access to the DA's office and that they are following through with their goal of transparency. She really appreciates everybody's commitment to their office.

### **Appointments**

**Logan Simpson Comprehensive Plan Update** – Richard Hubler provided an update on the status of the contract. A revised contract was sent to the Commissioners the previous evening. The Commissioners had previously selected Logan Simpson as the preferred consultant at the November Commissioner meeting. The Planning Commission had another follow up meeting with them and the review team to discuss some amendments to their scope of work and services. Richard Hubler would like to make one change on the contract concerning time and expenses-based accounting. Instead, they'd like to change

that to a lump sum based on task and phase not to exceed the amount of \$342,000. There will still be monthly reports and they will be incredibly engaged in that process.

Another topic that arose out of conversations with their review team is to engage the Spanish speaking population of the community.

Commissioner Heersink asked for clarification on whether it was task related reimbursement or if they would be billed monthly.

Richard Hubler said that there would be monthly invoicing. Because this scope of work is labor, but also materials and engagement, rather than having to track all that individually, they're going to do it by the tasks or deliverables as lined out in the contract. For instance, if it's 40% complete, they would bill for 40% of that task. This is opposed to asking them to submit an invoice for every single expense that they incurred.

**m/s Heersink/Van Ry motion to approve the Logan Simpson contract for the Comprehensive Plan as amended.**

**Motion was approved unanimously**

**Hooper Mosca Action Plan Adoption** – Richard Hubler said this plan was presented last fall. At that point in time, they hadn't had the opportunity to fully engage with the residents in Hooper, particularly around some of the things that were proposed in that plan. What is being proposed is to adopt that study because they're using that as a framework for some of their conversations going forward with the Comprehensive Plan update. They've already included the other things like the hazard mitigation plan that has been adopted. The County's existing codes and all the City's codes have relevant things that feed into this. The Land Use Office felt that this was relevant to the most recent study related to possible actions the County can take in Mosca and Hooper, but it's not committing the County to any of those things. This plan just identifies where the shortcomings are, and where the opportunities are.

Commissioner Heersink said that he is concerned that the residents of Mosca and Hooper had not been engaged in conversations concerning this. But, if that has already been done, he would feel more comfortable.

Commissioner Laske said that she doesn't have a problem with the plan or disagrees with the plan. But she will be voting no, because she doesn't believe that there was proper stakeholder engagement in planning it. This happened before she was a Commissioner. But she doesn't believe that they did the stakeholder engagement in Hooper or Mosca. Commissioner Laske took it to the Hooper City Council and their trustees. They had the same concerns.

Richard Hubler said that this plan is a starting point. The plan is guidance for the County to help identify ways in which the County can help Hooper. The adoption of this plan doesn't hurt the County, failure to adopt, doesn't hurt either. From a staff perspective Richard Hubler said that he agrees with the report. The consultants for this report were hired by the Housing Coalition that were looking at communities across the valley as an introductory approach. He thinks that the study is a good starting place and it's useful to have this adopted even if it's not perfect.

Commissioner Van Ry said this was the first time he had seen the report and he doesn't see anything wrong with it. He thinks it's a good thing to have when applying for any kind of grants for housing or something like that.

Commissioner Heersink said that it was important to note that it does not obligate the County to anything.

**m/s Heersink/Van Ry motion to the approve the Hooper Mosca Action Plan  
Heersink/Van Ry for, Laske against; motion passed 2-1**

**Resolution to Adopt the 2024 Alamosa County Budget** – Maricruz Mora presented the Resolution to Adopt the 2024 Alamosa County Budget. The Alamosa County Office of Financial Management respectfully submits the following 2024 recommended budget to the Alamosa County Commissioners and to the residents of Alamosa County for consideration, review and guidance. The recommended budget should not be viewed as a final budget document, but rather as a decision-making tool to facilitate financial discussion and promote understanding. These budgets have been prepared in accordance with all applicable Colorado State Statutes generally accepted accounting principles and Alamosa County budget and financial policies.

Budget Overview - in December 2023, the Board of County Commissioners adopted a \$61 million balanced budget for fiscal year 2024. The budget was developed in accordance with Colorado State statutes governing budget law and the County's own fiscal and budgetary policies. The 2024 budget represents a 3% increase over the 2023 adopted budget of \$59.4 million. The Board of County Commissioners approved a revenue budget of \$55.3 million for 2024 and will certify a mill levy of 25.23 mills in January. That is usually approved this month but because of new regulations that have come up this has been moved to January.

Alamosa County has set the following 2024 budgeting goals. Alamosa County wants to strive to provide a total employee compensation package in line with the job market to the extent possible under the revenue constraints of revenue projection as Alamosa County recognizes that employees are their most important asset. Alamosa County has allocated the necessary resources needed to maintain the County's current level of operations and to maintain the fund balance that provides stability and control growth in the County with space in the budget to uphold sustainability for any unforeseen events.

The 2024 budgeted revenue for Alamosa County is \$55.3 million and represents a \$1.6 million increase from 2023 estimated revenue. County revenue is composed of many different sources and categorized into the major groups of property taxes, intergovernmental revenues, sales and use taxes and all other revenue sources. The total budget, budgeted property tax revenue for the County is \$5.6 million for 2024. This is based on the current assessed value as of this date. The 2024 Alamosa County sales and use taxes are forecasted to increase by 4% in 2024 over 2023. This forecast is based upon historical trends, current economic indicators and partial year actual 2023 collections. The total estimated 2024 revenue from sales and use taxes for all County funds is \$3.6 million. The total estimated 2024 revenue from sales and use tax for the Justice Center is \$4.5 million. Alamosa County's 2024 budgeted expenditures are \$61,000,000. 2024 expenditures will increase by \$1.6 million or 3% from 2023 budgeted expenditures. The major

increases are related to Alamosa County capital projects and purchases and compensation and benefit costs. As with most service organizations, compensation and benefit costs are the largest category of expenditures.

As with most service organizations, compensation and benefit costs are the largest category of expenditures. Alamosa County strives to maintain and offer competitive compensation packages for employees. The County is currently implementing a pay for performance compensation package for 2024 to recruit and retain a high performing workforce. The objective is to offer compensation that is competitive in the market and that provides internal equity, all while maintaining fiscal sustainability and financial stewardship for future years. The 2024 budget includes a COLA at .50 cents per hour increase for all County employees and a potential 2% for performance increase. Additionally, for 2024, health premiums have increased between 13 to 20%. Alamosa County employees will see no increase to these premiums due to the Board of County Commissioners decision for the County to cover these additional costs. The components of the adopted 2024 Alamosa County compensation package total is \$18.2 million.

The County's fund balance policy outlines appropriate fund balance levels necessary to conform with legal requirements. These levels also helped maintain a strong financial position. The County has met its TABOR requirements which specify that 3% of fiscal year spending must be reserved for emergencies. The organization also abides by an internal policy of maintaining a general fund reserve, which provides for a positive cash balance throughout the year, and that sustains the financial position of the county. As the budget is created, the County focuses on each fund's ending fund balance to make sure that it can absorb the proposed recommendation. In all proposals, the County focuses on seeking opportunities that are guided by the following foundations to maximize the impact on the Alamosa community. Cash Funding versus incurring debt, maintain adequate fund balances to withstand economic shifts, and to prepare for emergencies.

Alamosa County financial statements are recorded using the current financial resources, measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and collectible within the current period or soon thereafter to pay liabilities of the current period. For this purpose, the County considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Property taxes are recognized as revenues in the year for which they are levied. Grants are recognized as revenue when eligibility requirements are met. Sales and use taxes, other taxes, charges for services, intergovernmental revenues, and interest, are all considered to be prone to accrual and so will be recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the County.

Expenditures are generally recorded when a liability is incurred under accrual accounting. However, debt service expenditures as well as expenditures related to compensated absences and claims and judgments are recorded only when payment is.

Alamosa County's 2024 budget is sound and was carefully built to allocate the necessary resources needed to maintain the County's current level of operations to safeguard its reserves and to provide investment in infrastructure and other capital items. The County is maintaining its financial strategy to control growth in its base budget in order to be sustainable in the event of revenue drop in the future. Our fund balances currently provide the County with that needed stability.

The 2024 budget for Alamosa County reflects the \$5.6 million use of fund balance in the general fund. There is a \$926,000 use of the fund balance. This consists of a \$700,000 transfer to the airport to assist with the FAA fees and a one-time capital expenditure that was approved for construction or remodeling of the Coroner building. The Road and Bridge fund reflects a \$1.7 million use of the fund balance. Over the past couple of years, the County has set aside funds for the Lane Six North project. That project has concluded and there were some savings on that project. That will provide the County with resources to address equipment which have been sidelined.

Along with the savings, the County has the highway users tax fund, where the Road and Bridge receives more than half of its revenue. That has shown a steady increase of about 3% for the past couple years. The SLV Regional Airport fund reflects \$1.2 million use of the fund balance. This is a result of current FAA findings and the fees and all the adjustments the County has had to make to ensure the County's standards are up to date. The Department of Human Services reflects the \$440,000 use of fund balance. The Public Health Department demonstrates a \$224,000 fund balance use. The remaining \$481,000 is encompassed in Conservation Trust, Community Development, Capital Projects, Doppler Radar, and the Mosca Wastewater Treatment. These funds are mostly one-time capital expenditures. Other than the Mosca Wastewater Treatment Plant, they don't have operating expenses.

Before the Board of County Commissioners of Alamosa County, is Resolution number 2023 F-3, a resolution summarizing expenditures and revenues for each fund and adopting a budget for the County of Alamosa, Colorado for the calendar year beginning on the first day of January 2024 and ending on the last day of December 2024.

WHEREAS, the Board of Commissioners of Alamosa County has appointed Maricruz Mora, Controller, to prepare and submit a proposed budget to said governing body at the proper time, and;

WHEREAS, Maricruz Mora, Controller has submitted a proposed budget to this governing body on October 11, 2023, for its consideration, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from the reserves / fund balances so that the budget remains in balance, as required by law.

Now therefore be it resolved by the Board of County Commissioners of the County of Alamosa, Colorado. Section one, the estimated expenditures for each fund are as follows for the general fund \$16,166,114, Department of Human Services \$21,364,750, Road and Bridge fund \$5,965,700, Public Health fund \$2,336,198, Justice Center, \$5,147,713. That brings the total governmental funds to \$50,980,550. Alamosa County Weed Control District has \$19,750. The Capital Projects fund is \$1,070,000. The Community Development fund is \$232,866. The Conservation Trust Fund \$247,156, Debt Service fund \$304,620, Doppler Radar fund \$62,700, Internal Service Fund \$99,791, Local Marketing District fund \$807,150, Lodging Tax \$385,000. The total non-major special funds is \$3,329,033. Other business type funds; the SLV Regional Airport is \$4,475,000, Mosca Wastewater Treatment \$182,726. The Health Insurance fund is \$2,124,662. Total business type fund is \$6,782,392. Total Expenditures are \$61,091,946.



Total available revenue for the general fund is \$29,004,228. The Department of Human Services is \$23,082,522, Road and Bridge fund, \$8,786,522. The Public Health fund is \$3,092,049. The Justice Center fund is \$9,965,187. Total revenue for governmental funds is \$73,930,508. For the non-major special funds, Alamosa County Weed Control District's revenue is \$144,413. Capital Projects funding is \$1,144,375, Community Development Fund is \$807,172. Conservation Trust Funds, \$780,423, Debt Service fund is \$502,362, Doppler radar fund is \$64,921, Internal Service fund is \$315,507, Local Marketing District fund is \$1,564,202. Lodging Tax fund \$851,473. Total non-major special funds revenues \$6,182,848. The SLV Regional Airport is \$4,347,932. Mosca Wastewater Treatment is \$186,288, Health Insurance is \$2,205,099. Total business type revenues are \$6,739,339. Total Revenue was \$86,852,695.

The budget as submitted, amended, and hearing above summarized by fund B and the same hereby is approved and adopted as the budget of the County of Alamosa for the year 2024. The budget hereby approved and adopted shall be signed by the Board of County Commissioners and made part of the public records of the County. Per 29 11033 of the Colorado Revised Statutes, the total amount to be expended for payment obligations under the lease purchases in 2024 are as follows. The Department of Human Services building \$197,620, the Airport Ambulance Hangar, \$14,143, the Justice Center building is \$1,699,500, Road & Bridge 2023 equipment \$74,215, Road & Bridge 2024 equipment \$71,450, and a one-time down payment for Road & Bridge 2024 equipment \$222,135 The total lease purchase obligations are \$2,279,063. The County's payments under the lease purchases are expressly subject to annual appropriation and therefore are not financial obligations as to future fiscal years.

**m/s Heersink/Van Ry motion to approve Resolution 2023 F-3 to Adopt the 2024 Alamosa County Budget**

**Motion was approved unanimously**

**Resolution Appropriating Sums of Money 2023 F-4** Before the Board of County Commissioners of Alamosa County Resolution Number 2023 F-4, a resolution appropriating sums of money to the various funds and spending agencies in the amounts and for the purposes as set forth below for the County of Alamosa, Colorado for the fiscal year 2024 budget.

Whereas the Board of County Commissioners has adopted the annual budget in accordance with the local government budget law on December 6 2023.

Whereas the Board of County Commissioners has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget.

And whereas it is not only required by law but also necessary to appropriate the revenues and reserves or fund balances provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of Alamosa County.

Now, therefore, be it resolved by the Board of Commissioners of the County of Alamosa, Colorado.

The estimated expenditures for each fund are as follows. The total government fund is \$50,980,550. The total non-major special fund is \$3,329,033. The total business type fund is \$6,782,392. The total expenditures are \$61,091,940.

**m/s Heersink/Van Ry motion to the approve Resolution 2023 F-4 Appropriating Sums of Money**

**Motion was approved unanimously**

**Alamosa County Public Health Update** Beverly Strnad, Interim Director presented the September financial report and provided a department update. The Home Health Agency currently has a negative balance, but since September they have been trending in a positive direction. They're continuing to have financial meetings once a month to make sure that they're looking at all ways that can be implemented to keep it going in a better direction. The rest of their program areas are all in a positive place at the end of September, the non-reserve fund balance is \$1,236,090.

#### Home Health (SLV Home Health)

- Census 70
- Staff needs: CNA, RN, PT
- Staffing agency RN contract ends December 9; have changed one of the two current LPN's from per diem to part-time and are redistributing workloads.

#### Regional Environmental Health Program

- David will complete food standardization by January 1, then assume more retail food responsibilities from Gary.
- Have not yet been notified if we have been awarded the National Environmental Health Association (NEHA) FDA Voluntary National Retail Food Regulatory Program Standards grant which was applied for in October.
- Retail Food license renewals sent recently.

#### Regional Emergency Preparedness and Response

- Assisting all counties with Public Health Emergency Preparedness, including:
- Communication Plan updates
- Strategic National Stockpile planning
- Resiliency Plan development
- EPR Coordinator is now a CPR instructor to assist Public Health agencies in the region keep staff CPR certified.

#### Public Health Partnership

- Finalizing our Regional Community Health Assessment
- Alamosa County had 135 community Health Assessment surveys submitted.
- Community Health Assessment data reviewed with Directors during PHP meeting November 16.
- Next step is to assemble the data into a document.

#### Public Health

- ARPA 6.1 Contract on consent agenda today.
- Staffing: One PHN is on maternity leave. Applications for PHN being accepted.
- Immunization program
- Senior Center Health Fair on October 24 in partnership with AHEC.
- Provided flu vaccines to inmates at Alamosa County jail and will do again, along with COVID vaccine.
- Providing COVID vaccines at San Luis Care Center and Evergreen Nursing Home.
- Offering all vaccines, including Flu, COVID and RSV weekly on Tuesday.
- Ongoing participation in Vaccine Equity group.

#### Communicable Disease Prevention and Control

- COVID – Community level jumped up to Medium in mid-October, then went back to

Low. Have had higher numbers of reported cases the week of 11/13 and 11/20.

- Outreach to Advantage Treatment Center and Alamosa County Jail includes mitigation recommendations and tests. We continue to provide home tests to the community and encourage each household to keep a test kit for each household member on hand during the respiratory season.
- GI illness – reports of GI illness ongoing the last several weeks.
- STI's – Syphilis, gonorrhea, chlamydia rates have been high locally, statewide and nationwide.
- Working with Pueblo Health Department to expand their STI grant to Alamosa, working with Alamosa Jail for syphilis testing, treatment and follow-up; and with San Luis Valley Harm Reduction (SHARRP) to provide syphilis, Gonorrhea and HIV testing, treatment and follow-up at Alamosa SHARRP.

#### Temple Hoyne Buell Healthy Teen Sexuality

- Completed Fall semester Comprehensive Sex Education at Alamosa High School October 30-November 5.

#### Other

- Wellness – conducting a staff Mental Health survey.
- Host site/agency for EPA Lead Awareness training November 8.
- Continue to host ASU Nursing students a couple days a week.
- Continuing to work on department policies.
- Continuing to update our Public Health Emergency Operations Plan (PHEOP).

**Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e);**

**m/s Heersink/Van Ry motion to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e);**

**Motion was approved unanimously**

The audio recording of the regular meeting was turned off.

The audio recording of the regular meeting was turned back on.

Commissioner Laske said the time is now 12:16 and the executive session has been concluded. The participants in the executive session were Commissioner Heersink, Commissioner Laske, Commissioner Van Ry, County Attorney Jason Kelly, County Administrator Roni Wisdom, Deputy Clerk Jamie Greeman and Will Hickman joined the meeting after it began. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session, or that any improper action occurred during the executive session in violation of the open meeting laws, concerns should be stated for the record.

**Department of Human Services Update** – Catherine Salazar provided an update for the Human Services Department. As of October 31, revenues for the month were \$1,232,272.07. They have pretty much

collected all the property tax that will be collected for this tax year, unless there is additional specific ownership tax or delinquent taxes that come in before the end of the year.

The expenditures came in at \$1,403,848.64. The change in fund balance for the month is \$171,576.57. They are running a little high in the adult protection defense because of their allocations. For the Summary Report, the Adult Financial caseload is sitting at under 59 cases. The Colorado TANF caseload is sitting at 116, the food assistance caseload is 2,339 cases. The medical assistant caseload is 4,022 cases. There has been a 200-case reduction from September to October.

Commissioner Van Ry asked if a person worked for only minimum wage, would they qualify for any assistance.

Catherine Salazar responded that it could depend on family size and the different programs that may be applied for.

Commissioner Laske asked if the numbers would ever get back to pre-COVID levels.

Catherine Salazar said that it might get close within a year or two depending on legislation at the federal level.

For the Child Welfare, Adult Protection caseload report. In November, there were 37 referrals. The department screened in eight for additional assessment. They have 20 kids in out-of-home placement and seven in home cases. There are 114 paid adoption subsidies with Medicaid and there are 70 that are just Medicaid only cases. There have only been two adoptions this year.

For the Recovery Collection report as of October, food assistance recoveries were \$1,752.73. Public assistance recoveries were \$847.28. The current accounts receivable in these two areas are at \$369,922. They recently had a big fraud case in the amount of \$50,000.

A deputy director was recently hired and she's been on the job for four weeks. She has attended the Child Welfare Academy as well and is coming up with good ideas already.

Roni Wisdom said that she has had conversations with Catherine Salazar about the facility behind the Rite of Passage building. They have discussed selling the building and using the proceeds to build a facility on the backside of the current Human Services building that could be used for visitations.

### **Board/Staff Updates**

**m/s Heersink/Van Ry motion to appoint Roni Wisdom as the proxy for CCI meetings in the event that the Commissioners are unable to attend.**

**Motion was approved unanimously**

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

**ATTEST:**



Jamie Greeman, Deputy Clerk



Lori Laske, Chair



Vern Heersink, Vice-Chair



Arlan Van Ry, 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 [jgreeman@alamosacounty.org](mailto:jgreeman@alamosacounty.org).

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Minutes of the Public Hearing for RWE Clean Energy 1041 Permit Waiver Request was held on December 6, 2023 at 9:00 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

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Members Present:

Lori Laske, Chair  
Vern Heersink, Vice-Chair  
Arlan Van Ry, Commissioner  
Roni Wisdom, County Administrator  
Jason Kelly, County Attorney  
Jamie Greeman, Deputy Clerk

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**Public Hearing for RWE Clean Energy 1041 Permit Waiver Request** – Presented by Richard Hubler, Land Use Office Director. The applicants that joined the meeting by Zoom are Tara Wilkins, John Huley, and Johnathan Berry. The applicants are proposing a battery storage system. The proposed location is near Mosca, and it's directly adjacent to one of the power stations so their proposal benefits from a lot of the same kind of consideration that was given in the past to renewable energy solar projects.

The preliminary report notes that they will not have on site offices, and therefore asked to not be required to provide details on the building sewer and water systems. The Land Use Office agrees with that. They do not propose water use for the operation of the facility. They have no water rights and haven't secured any for this project. And they've got very limited employee engagement on site. The Land Use Office agrees with the analysis, both from the applicant and from the third-party reviewer. The applicant requested not to explore noise concerns related to their proposal. However, staff felt that it was appropriate to do a noise study for this and that study is already underway. The applicants have requested a waiver for the surface and subsurface drainage analysis. Staff felt that the current condition drainage study was appropriate. The Land Use Office recommends approval of these waivers, as noted here with those two exceptions.

Tara Wilkins said that on behalf of RWE Consultants they appreciate the opportunity to pursue this project in Alamosa County. They've been working with Richard Hubler on this project and really appreciate all the support he's given to them. They are looking forward to coming back for a permit approval hearing in the coming months.

Commissioner Heersink noted that this is the first 1041 waiver that he recalls seeing. And this is the first battery project that the County is anticipating so he wants to be thoughtful about the process and take it slow as the County works through this. He asked if this is the first step before they actually get to submit their permit.

Richard Hubler explained that the way the 1041 process works is that once the County has received a complete application, then hearings are scheduled. Then, the County staff or third party reviewers would all work together to formulate a complete application for consideration by the board. Part of that preliminary process and application grew out of the discussions at that time to identify a waiver process which is spelled out in the County's regulations to allow applicants to say that certain requirements did not apply to them.

Once the noise study is completed, the Land Use Office will do a quick review to make sure it is what they were expecting and then they will deem the application complete. That will start the window under

the regulations for public hearings. At that point, the final application gets forwarded to the Commissioners with the review comments, and then there will be a hearing on the application itself.

Commissioner Laske wondered about the water system proposal whether there are full time or occasional employees. And she wondered about fire suppression.

There is a mix of staff use on solar projects in Alamosa County. Some of them have office buildings on site and security people on site but quite a few don't. Containerized battery systems are much more self-contained and more remote managed. They don't propose to have an office on site, there's not a need to have anybody on site, they can dispatch technicians as necessary. There's not necessarily going to be anybody staying on site needing a bathroom during the day. That's why they did not propose an office building and don't need the corresponding kind of water supply treatment and sewer to go with that.

Concerning the fire suppression, Land Use staff and the third-party reviewer considered their application packet and determined that this waiver request was appropriate based on that application. Tara Wilkins said that they included a robust discussion about fire suppression and their application. It is her understanding that water isn't necessarily the safest way to treat fires from these battery storage facilities. They will propose to store water on site for uses that may be needed. But they don't need any kind of sewer system.

Commissioner Laske asked how often an employee would be on-site.

She said that it would be one day a month, and then more often if there's an issue which is triggered by a remote sensor inside the battery systems.

Commissioner Laske said the request includes a waiver for the wildlife, the aquatic, water system and air pollution. A waiver for the surface drainage is no longer being considered because they are already doing that.

Richard Hubler said the noise study and surface drainage are already underway.

Commissioner Heersink asked for clarification on what questions that should be asked now and if they get into those specifics now or wait until the permit is actually submitted.

Jason Kelly said that if the Commissioners are going to waive a requirement, this is the hearing in order to do that. If the Commissioners were to make a motion to adopt the recommendations of staff and exhibit four, the applicants will not address any of those things in the final application. If the Commissioners have questions in regards to one of those categories, now's the time to determine whether or not to ask for more information.

Jason Kelly read the list of Exhibits.

#### STAFF MEMO

2. EMAIL FROM LOGAN SIMPSON DATED APRIL 3, 2023
3. PRELIMINARY APPLICATION REVIEW MEMO FROM LOGAN SIMPSON
4. WAIVER CHECKLIST SPREADSHEET

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

ATTEST:

  
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Jamie Greeman, Deputy Clerk

  
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Lori Laske, Chair

  
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Vern Heersink, Vice-Chairman

  
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Arlan Van Ry, County Commissioner



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Minutes of the Public Hearing for Special Use Permit Violation, Dune Glamping was held on December 6, 2023 at 9:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

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Members Present:

Lori Laske, Chair  
Vern Heersink, Vice-Chair  
Arlan Van Ry, Commissioner  
Roni Wisdom, County Administrator  
Jason Kelly, County Attorney  
Jamie Greeman, Deputy Clerk

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**Public Hearing for Special Use Permit Violation, Dune Glamping** - Richard Hubler, Land Use Director reminded the Commissioners that this permit was conditionally approved in November 2022. Since then, the applicants moved forward to develop their approved project, which was a number of domes with plumbing direct to the domes that was kind of unique to this project compared to the other dozen or so campground applications that had been approved. The previous resolution from 2022 specifies a number of conditions, the first condition being basically that the permit itself would not be issued until an engineering plan was received. That's still in the works. They had a contract at that point in time with Davis engineering. Richard Hubler has had some conversations with Davis Engineering about that.

But it's been more than a year since the initial permit was approved. To be clear though, the Commissioners approved the proposal, but haven't actually issued the special use permit for this yet, because the Land Use Office hasn't seen the engineering plan for the OWTS. In the meanwhile, the applicant started using a portion of their property for a campground that was not part of the original plan and was not approved by the County. The Land Use office performed a site visit back in June, there were some email exchanges over the summertime. And then ultimately, a much more forceful letter was sent by the Land Use office letting the applicants know that they needed to stop operating their tent sites.

Susannah Barnes said that the tent sites were installed out of ignorance, they were unaware that they could not do that. They were also unaware that there needed to be an amendment process to their application. They did shut down their tent reservations in October. They hope to get through this process so that they can amend their application to include the tent sites and carry on with the original plan. They brought copies of their business plan for the Commissioners. They have absolutely no intention of running an illegal campground. They want to be in good standing with the County and continue to develop good relationships with the community.

Commissioner Laske said that the special use permit was not issued because the conditions were not met, so it can't be revised, and there would have to be a new permit applied for.

Richard Hubler said the County approved the special use permit with conditions. The County could amend those conditions, or the permit could be revoked.

Jason Kelly said it puts the board in a quandary in terms of where the process is at. It's normally a revocation process that is gone through. But in this case, the applicants were never actually issued that permit. The Commissioners could amend what was granted at that point, or revoke it. The Commissioners would be within their right to do so. If the Commissioners want to move forward with something different, that becomes a question of what the application is for. If it is for an application for a new campground, there is a

moratorium on new campgrounds. But, they already have the application and what the applicants are asking is to amend the terms and conditions of what it is they're wanting to do and the Commissioners are not able to do that at this hearing today.

Jason Kelly said that the applicant would need to reapply or make an amendment to the conditions of the application that was granted. Once they do that, then there can be a public hearing and determine whether or not the Commissioners want to amend those conditions prior to the issuance of the certificate. He doesn't think that the moratorium prohibits them from seeking that modification because it's not a new campground. At this meeting, the Commissioners could find that there was a violation of the conditions and if there will be a repeal of the approval of the application. Or the Commissioners could choose to do nothing. And if nothing changes technically, they're still not in compliance and haven't been issued a certificate. The applicants should not be offering any sort of tent sites or anything like that until they meet all of the other conditions.

Commissioner Heersink asked for an update of where the applicants were at in their process and if they were still in the design phase.

Susannah Barnes said that the only thing needed to get the special use permit is the submission of the OWTS engineering plan. She currently has the schematic from Davis Engineering and they need to do the soil testing next. That should be submitted to the County by the end of January.

Commissioner Heersink said that it is clearly stated in the application that prior to operation there would be a certificate of completion for the OWTS and approval from CDPHE. He asked Susannah Barnes if it was her assumption that if they installed tents that those requirements would not apply.

Susannah Barnes said that is correct.

Commissioner Laske asked when they began working with Davis Engineering. And she asked why the tents were put in an area that wasn't initially going to be utilized for the business and if they would still be utilized after the domes were constructed.

Susannah Barnes said that they initially engaged Davis Engineering in June of 2022. They had a portion of the property that was kind of a no man's land that wasn't going to be used for the domes, so they chose to put the tent sites there. The tents sites will be used and incorporated into the septic system. There will be potable water as well as bathroom facilities. She asked if they are allowed to continue with their plan, would they have a future date to amend the proposal to include the tent sites.

Richard Hubler said the clear direction is going to be to stop using the tent sites until they are permitted by the County. If the applicants want to use those sites moving forward, then they would have to apply through the Land Use office to amend the original permits to use those sites.

Richard Hubler noted that on the map provided, access is shown from the Dunes Driveway. But, currently access is actually directly from Lane Six through property that does not belong to the applicant.

Susannah Barnes said that they were not aware that the easement did not exist until Richard Hubler brought it up. They will now divert all traffic to the eastern-most driveway.

There have been a few conditions that have been met since the original application. The Land Use office did get documentation from the Division of Water Resources for the wells. The question originally was related to the allowance of commercial exempt wells to serve a certain number of uses. They're distinct, not interconnected. DWR had a number of conditions, those wells met all those conditions, and they're appropriately permitted. Jason Kelly has also reviewed documents and is satisfied that the applicants have clear title and ownership to the property, which was the concern at that point.

Jason Kelly provided a list of exhibits.

1. EMAIL FROM SUSANNAH BARNES DATED NOVEMBER 19, 2023
2. TENT NARRATIVE
3. REVISED TENT SITE PLAN
4. DUNE GLAMPING AMENDED AREA SCHEMATIC
5. PUBLIC HEARING NOTICE LETTER TO APPLICANT
6. HIPCAMP REVIEWS AS OF NOVEMBER 9, 2023
7. SITE PHOTOS TAKEN OCTOBER 30, 2023
8. EMAIL TO APPLICANT SENT JULY 20, 2023
9. EMAIL REPLY FROM SUSANNAH BARNES DATED JUNE 29, 2023
10. EMAIL TO APPLICANT SENT JUNE 27, 2023
11. SITE PHOTOS TAKEN JUNE 24, 2023
12. RESOLUTION 2022-SUP-8
13. BUSINESS PLAN FOR DUNE GLAMPING
14. NEW OWTS SCHEMATIC

**There being no further business, the Public Hearing was adjourned.**

ATTEST:



Jamie Greeman, Deputy Clerk



Lori Laske, Chair



Vern Heersink, Vice-Chairman



Arlan Van Ry, County Commissioner