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

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

Invocation

Pledge of Allegiance

Approval of Agenda

Changes to the agenda were, after the Public Comment, Commissioner Van Ry wanted to show his appreciation to the Facilities Crew. Commissioner Heersink asked to add County Clerk Mari Felix for an election update to the agenda after the Consent Agenda. Roni Wisdom asked to add the contract for computer services with WSB Computers to the Consent Agenda.

m/s Heersink/Van Ry motion to approve the November 8, 2023 agenda as amended
Motion was passed unanimously

Approval of Minutes

m/s Van Ry/Heersink motion to approve the October 25 Regular Meeting Minutes, October 25 Public Hearing Minutes Special Use Permit Daniel and Perfilia Vigil, October 25 Public Hearing Minutes Robert and Wendy Willet, and October 25 Public Hearing Minutes Special Use Permit Denslow Cattle Company

Motion was passed unanimously

Approval of Bills/Obligations

General Account Check # 158126 - 158325
PH Check # 35658 - 35682

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

Public Comment

There was no Public Comment.

Facilities Crew Appreciation – Commissioner Van Ry wanted to thank Andrew Atencio and the Facilities Crew for the Operation Greenlight and how the Facilities Crew put exterior green lights around the County in recognition of Veterans Day. Commissioner Van Ry said that it really looks nice. He will be entering the pictures at NACO because they're publishing the pictures of all the different counties.

Election Update – Mari Felix and Terri Carver provided an update on the election. Terri Carver said the results that are posted are unofficial results. There are eight days for a cure period for UOCAVA or overseas registered voters to get their ballot in. For ballots that came in with no signatures, the Clerk’s Office sends the voter a letter and the voter has eight days after the election to cure that. On the ninth day, the Clerk’s Office can actually count all of those that come in, and then they’ll do their risk management team audit. Then the canvas board will approve all the results and then they become official. Terri Carver added that there is a bundle of 25 ballots that is held out and are not counted. If that one person comes in to cure their ballot, their votes won't be known because they will be scanned in with those 25. She wanted to stress that these are unofficial results. At this point they have 62 UOCAVA or overseas citizens. There are 22 no signature or signature discrepancies. Including the batch of 25, that totals 109 potential votes.

Commissioner Van Ry said that he noticed that the school board election was very close and he asked how close does an election have to be before there is an automatic recount.

Terri Carver said it has to be within one half of 1% of the highest votes received for that race. It has to be really close. The candidate can request a recount but they would have to pay for that recount. Terri Carver added that all of the judges did a really great job and everything went really well.

Commissioner Laske asked if everything went well after the updates to the computers in relation to what is handled by the state.

Terri Carver said that it all went well.

Commissioner Laske asked how many judges are there in addition to the regular County staff.

Terri Carver said that there are ten judges but two are backup judges. They take a lot of pride in what they do.

Roni Wisdom asked how many days the judges come in.

Terri Carver said on a coordinated election year, the Voter Service Polling Center judges come in one week prior to the election. They come in Monday through Friday, full hours and Saturday is half-day. Election day is all day. There are equal volunteers are from both parties.

Consent Agenda

CDC Infrastructure Grant for Public Health
Applied Research Letter of Access
Alamosa County/Costilla County IGA Land Use Code
Alamosa County/Rio Grande County IGA Land Use Code
Alamosa Weed District Control Report
Alamosa County Treasurer Semi Annual Report
WSB Services Agreement

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

Public Hearing

2024 Budget Presentation – See Public Hearing Minutes

The Public Hearing ended and the Regular Commissioner Meeting resumed.

Roni Wisdom pointed out that Proposition HH did not pass, so this is the budget that the County will move forward with. However, there may be a special session that may happen at the State level. For now, this is the budget. The final budget approval will be on December 6th.

Mosca Wastewater Fee Increase – See Public Hearing Minutes

The Public Hearing ended and the Regular Commissioner Meeting resumed.

Commissioner Van Ry said that this is something the Commissioners have been struggling with for the past 11 months since he joined the Board of County Commissioners and this has not been an easy decision. He understands that it is a lot to raise the rates ten dollars. The Commissioners have had several discussions on this. They understand that most of the residents of Mosca are retired and everyone loves their small community.

Commissioner Heersink said he agreed with Commissioner Van Ry. He wanted to clarify that they chose to go with an EDU rate because they felt that that was the most equitable way to divide the cost. That fee structure makes it closer to where a customer pays for what they use. The table for the proposed fee increase shows the fees for up to year 2030. Commissioner Heersink asked Jason Kelly if the Commissioners approved this, would it obligate them to the increases.

Jason Kelly said he would caution against approving the fees until 2030. Boards change and positions change. An argument could be made in the future that costs have gone down, but the fees are not going down. He advised to just set the fee. In the future, they can be amended, and they can be adjusted.

Richard Hubler said that's a relatively standard thing, both in the industry and in the San Luis Valley, to set the rates to show an increase over a period of time so that people know what to expect. But, they can always be changed. It's no different than any other fee that is set at one point, but in the future, it could be expected to be this much. It can be changed before it gets to that point.

Commissioner Heersink said that he would like to see this reevaluated yearly to see where the costs and revenues are at. They are making every effort to make the system as efficient as possible. Some costs have been cut.

Commissioner Laske said she thought the same thing. Having to do a fee increase stresses her and she appreciates the discussions. The fee is going up, but it will be ten dollars over a two-year period, not all at once. Safety and good sanitation are important. Commissioner Laske thanked everybody for coming in and sharing. She hopes everyone understands what has to be done to move forward.

m/s Heersink/Van Ry motion to the approve the Mosca Waste Water fee increase for 2024

Motion was approved unanimously

Appointments

National Adoption Day Proclamation – Kyle Gustafson attended the Commissioner meeting on behalf of the courts who are planning a National Adoption Day recognition event. It will be held Friday, November 17th. It's an important day for the community and the court system to see some of the good that does come through the processes that the courts have. Since 2021, throughout the San Luis Valley, they've averaged about 275 referrals per month to DHS. And about 30% of those get screened into the welfare system. As of 2023, in that two-year period, they've had 191 youth who obtained permanency through the welfare process, and 54 of those have been adopted. They have invited 25 families who've gone through the adoption process since January of this year. They're hoping they'll have a pretty good turnout in addition to the different partners and other County Commissioners and agencies throughout the San Luis Valley.

Commissioner Laske read the National Adoption Day Proclamation.

ALAMOSA COUNTY COMMISSIONERS

WHEREAS: Alamosa County recognizes the importance of giving children safe, loving and permanent families through adoption; and

WHEREAS: More than 113,000 children in the United States foster care system are waiting to be adopted; and

WHEREAS: More than 6 children in Alamosa County are waiting for permanent families; and

WHEREAS: The court(s) in Alamosa County will open their doors on November 17th to finalize the adoptions of local children and join other organizations to celebrate all adoptions; and

WHEREAS: This effort, along with similar celebrations in all 50 states, will offer children the chance to live with stable and loving families and encourage other dedicated individuals to make a powerful difference in the lives of a child through foster care adoption;

NOW, THEREFORE, the Alamosa County Commissioners, by virtue of the authority vested within this body, do hereby proclaim November 17th, as ADOPTION DAY in Alamosa County, and in so doing, all citizens to join in a national effort to raise awareness about the importance of foster care adoption.

Comprehensive Plan Consultant Selection – Richard Hubler said the Land Use Office has been working over the past year or so on the Comprehensive Plan. The review team reviewed three consultant firms this past week. All three were very qualified and scored pretty closely. The review team consisted of members of the planning commission, Donna Wehe from San Luis Valley Health, Deacon Aspinwall from the City of Alamosa, and Kale Mortensen from Visit Alamosa.

The highest scoring team was either first or second on nearly everyone's individual ranking. Everybody had an opportunity to review the written proposals in advance. All three teams presented their proposals in person, some consultant team members attended by Zoom. Everyone seemed pleased with the presentations.

The review team had the opportunity to ask a lot of questions, and Richard Hubler was impressed with the questions. The presentations were scheduled for an hour and a half, but most went more than two hours. The review team identified a consultant that they would recommend to select. The chosen consultant was the least expensive of the three. From that perspective there may be some capacity to

add on to their scope of work. One area that could be expanded is community engagement. It is really important, but costly. But, as the Land Use Office moves forward with this, they want to make sure that it is a plan that reflects the needs and desires of the community and the vision of the community.

Richard Hubler said that as opposed to approving a contract today, he would like to revisit the scope of work and present that contract for approval at a later date. But, he'd like to have the Commissioners select Logan Simpson as the consultant for the Comprehensive Plan.

Commissioner Van Ry asked if any of the consultants gave a time line.

Richard Hubler said that the consultants proposed a 14 to 18-month timeframe. The preferred consultant, Logan-Simpson had the most reasonable timeline.

Commissioner Heersink asked what would be included in the expanded scope of work.

Richard Hubler said in referring to the scoring matrix, some reviewers weren't as comfortable with what Logan Simpson had proposed, and the rest of the team was split between whether it met their expectations or exceeded them. The review team has some topics that they want to revisit with Logan Simpson such as community engagement. They could do direct mailers for example. After that discussion, Logan Simpson could update their scope of work and budget to match. Then that would be what the contract would include.

Commissioner Laske said that all of the proposals came in under budget. And she really appreciates the extent of the screening committee. It's not just the Planning Commission, but community members as well.

Richard Hubler said yes, they did come in under budget. They were all less than what DOLA had awarded based on last year's budget for this fiscal year. That will allow them to be able to use the extra funds for things such as GIS related pieces.

m/s Heersink/Van Ry motion to the approve the review team's recommendation to award Logan Simpson the contract for the Comprehensive Plan

Motion was approved unanimously

VALE Grant Presentation – Brenda Najera, SLV Victim Response Unit presented the VALE grant. The 12th Judicial District awarded the Victim Response Unit with \$25,000. The Victim Response Unit provides resources and help to victims, such as relocation to keep them away from their offender. They also provide support with food or gas. They document everything and ask for receipts so they can keep good records.

They work a lot with the Quality Inn which has been working really well. The victims are very grateful that the Victim Response Unit provides resources for them. They also help out with law enforcement. There are a lot of officers that work during the night and they don't have anywhere to get food or sometimes restaurants are closed so the Victim Response Unit tries to help out with snacks.

They cover six counties; Costilla, Saguache, Rio Grande, Mineral, and Alamosa. They work with 16 law enforcement agencies.

Commissioner Laske asked if the Commissioners needed to sign a contract, and if so, they have not seen a contract to review yet.

Brenda Najera said that she brought the contract with her and it is due before December 4th.

Commissioner Van Ry said that he did not have any questions but wanted to say thank you for the work that the Victim Response Unit does.

Commissioner Laske asked how what percentage of the \$25,000 is used for victims, and how much is used for law enforcement.

Brenda Najera said that it is used wherever it is needed. Lately there have been a lot of victims needing hotels. Law enforcement does reach out when they need certain things, but mostly it goes to victims.

**m/s Heersink/Van Ry motion to the approve the VALE Grant
Motion was approved unanimously**

Board/Staff Updates

**m/s Heersink/Van Ry motion to adjourn
Motion was approved unanimously**

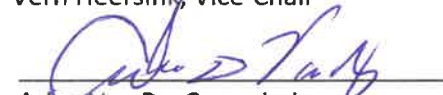
There being no further business, the Regular Meeting of the Board of Alamosa County Commissioners was adjourned.

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.

Minutes of the Public Hearing for was held on, November 8, 2023 at 9:00 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

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

Public Hearing, Alamosa County 2024 Budget – presented by Maricruz Mora, Alamosa County Controller. 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 to promote understanding.

The 2024 budgeted revenue for Alamosa County is \$55.3 million, and this represents a 1.8% increase from the 2023 estimated revenue. County revenue is compromised at many different sources and categorized into the major groups of property taxes, intergovernmental revenue, sales and use taxes and all other revenue sources. Alamosa County property tax has not changed since last meeting. It's estimated to be about \$5.6 million for 2024. Expenditures did change. For 2024, the current expected expenditures are \$61 million. 2024 expenditures will increase by \$1.6 million, or 3% from 2023 budget expenditures.

The major increases are related to capital projects and purchases, and compensation and benefit costs. Some of the adjustments made were to add grants, so there are a lot more grants this year than last year. Those changes are noted as well. Maricruz Mora addressed the change in employee health premiums. It was previously stated that , it was stated that it was one percentage, but it is a range. They have increased from 13% to 20%, depending on the premium that is chosen by the employee.

The only exhibit for the Public Hearing is the proposed budget that is posted on the Alamosa County website and hard copy is available for review.

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

ATTEST:



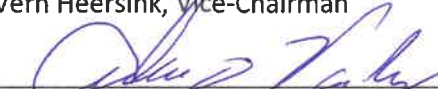
Jamie Greeman, Deputy Clerk



Lori Laske, Chair



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Public Hearing, Mosca Wastewater 2024 Fee Increase – Richard Hubler, Land Use Director said the Land Use Department is responsible for handling the billing and daily operations of the Mosca Wastewater Treatment Facility. One of the things that they’re tasked with every spring is an annual report for the prior year’s activities. In reviewing those reports, there have been discussions about the fact that the expenses were far outpacing the revenues. At the Commissioner’s direction, the Land Use Office did an analysis and review related to adjusting rates for the Mosca Wastewater Treatment System to closer align.

Richard Hubler wanted to be clear that they’re not trying to get to 100% match this year. From what he understands, the goal or requirement of the original funding, a legal requirement of some of the funding contracts, the fact that it will need to be self-sustaining is going to have to be addressed over several years.

The Mosca Wastewater Treatment System is coming up on the five-year renewal of the permit from CDPHE. Starting in the first year in fiscal year 2019, the shortfall between revenues and prepaid expenses were projected to be about \$25,000 a year. That was based on best estimates at the time. There weren’t any systems like this one that were close that they could utilize as a basis for that. Engineer, Martin Reynolds, did everything he could have accounted for and everything that could be tried to make it work. But that next fiscal year, there was already a shortfall of \$41,000. In fiscal year 2022, the first year that Richard Hubler was really hands on at the operation that deficit had grown to about \$55,000. With management and some other decisions over the past couple of years, Richard Hubler is expecting that deficit to be about \$46,000 in 2024.

There are 46 households on the system, they pay \$40 a month. There are currently six businesses paying \$75 a month, and one industrial use at \$95 a month. That generates annual revenue of about \$28,000. Those rates were set in 2018 by resolution. They’re based on the analysis done in 2015. The engineering analysis determined the rates based on an equivalent domestic unit. That is a household’s contribution to the system. Some households have more people than others, some flush the toilets more or are taking longer showers than others, but there has to be some kind of a design parameter.

The potato processing plant is three EDUs. The Sand Dunes Motel is four EDUs. The fire station, county shop, liquor store, and post office, is half an EDU. The Pitstop is two EDUs. This current year, two new commercial uses were connected. The Food Hub, is projected at three EDUs for \$95 a month. The distillery will be at eight EDUs for \$320 a month. The distillery is not connected yet. When they do come online, they’ll start getting charged that rate. For next year, the projected revenues are about \$33,000. Operating expenses are about \$79,000. That’s just for operational expenses such as utilities, and chemicals. It does not include depreciation or capital costs, and does not include special projects like the groundwater monitoring program that the Land Use Office is currently doing with CDPHE to keep the permanent compliance.

The Land Use Office recommends to increase the monthly rates as well as the connection fees for commercial connections in 2024, and an incremental fee increase in following years. In doing this, an estimated 25% of the shortfall can be made up by using existing rates as the base and setting an EDU at \$50. In other words, if a customer is more than one EDU, the customer pays whatever the equivalent. If the customer is less than one EDU, they keep paying what they're currently paying. In time, every \$10 increase in the EDU value recovers about 15% of the projected shortfall. This may need to be evaluated periodically based on changes like operating costs, but there have been a couple of stable years.

Based on the above recommendation, that would bring the residential rate for next year to \$50. The Sand Dunes Motel would be \$200. The Pitstop would be \$100. All the others, the church, fire station, post office and liquor store remain at \$75. White Rock Processing and Valley Roots would go to \$150. The distillery would go to \$400. Then it would increase by \$10, in 2026 and 2028.

The other thing that the Land Use Office recommends is the new commercial taps and rates. The current regulation sets all tap fees at \$6,500, whether it is residential or commercial, so the Land Use Office proposes evaluating tap fees. The proposed commercial tap fee is 125% of the residential tap fee if they're less than or equal to one EDU. If they're between one and five EDUs, then the rate increases 10% per EDU. For greater than five EDUs, that amount would be set by resolution specifically for that connection based on engineering analysis of the capacity and the impact of the loading from that business.

For the line extensions, the Land Use Office proposes that applicants pay no less than 50% for any line extensions. There are some areas of the of the town that are not currently served. There has been some preliminary engineering already done to explore extending lines and systems to connect those areas. If a potential new customer wants to build on one of those areas, then there could be a cost share where whatever their tap fee was, goes towards that 50%. If it's more than 50%, they just pay the tap fee. If it's less than 50%, for example, a \$30,000 line extension, then that could be a cost share.

Lastly, the Land Use Office wants to add language for the waiver for those tap fees. For economic development projects and residential housing projects that benefit the County, such as new residential developments targeting a population earning less than 80% AMI, as an example, the Board of County Commissioners would be able to waive those fees by resolution.

Don Clair, 5310 Barker Street, Mosca, commented that this has been a very difficult situation for him. This has been going on for years. From when he moved in to his home in 2000, to 2015, the sanitation system has been an issue. At that time, the County was supporting anywhere from \$15,000 to \$20,000 a year to keep the system going. The system was getting old. But there was a possibility of replacing one tank at a time, or to renovate the system. Nothing had been done with the system to keep it up to date. It took almost two years, maybe three years for this plan to be approved. Basically, the town of Mosca didn't approve it, it was approved by the County. He's flabbergasted to hear that it's gotten from \$10,000 to \$15,000 to \$45,000 to \$50,000 a year shortfall. Over 90% of the residents in Mosca are over 65 years old, they're on fixed incomes. The \$10 increase can mean for some folks that they don't get groceries. They don't get their medications. And to think that the rates will be raised until it covers 100% of the expenses is just not feasible. This system was supposed to be state of the art, it was going to answer all their questions, it was going to take care of all the problems. The residents want the Commissioners to know that they just can't afford it.

Darby Funk, owner of the Sand Dunes Motel, at 5464 State Hwy 17, Mosca, said her property is no longer a hotel. At the current time, there are only seven people living there. Her Social Security is only \$550 and she

has no money coming in to pay. She is behind even on what she owes now. She hates to see this go up. She just can't afford for it. She said that she originally had her own septic system, but then they put in the other septic system which did not work right for each block.

Charlene Witherspoon, 5265 State Hwy 17, Mosca, agrees with the previous comments. She is a widow and lives on Social Security. At least half of Mosca is comprised of retired people. The residents are not making any more money and everything has gone up. She understands that there is a shortfall, but it is not the resident's fault.

Chester Jones, 5231 Barker Street, Mosca, resident for 56 years asked if there is a breakdown of why the increase has been so drastic. He asked why it is so much money all of a sudden. From what they were told when the system was put in, it should last a long time, it's operating costs should not be drastically increased over time. He asked if they could have a breakdown of what has happened that is now costing so much more money.

Naomi Cook, 5250 Oviatt Street, Mosca said that she definitely cannot afford any more. There are about 20 widows that live in Mosca. And there are about 10 couples that she knows of. There are some people there that she does not know. But she does know that all of the widows in Mosca are on fixed incomes.

Richard Hubler said that the fee increase is not a sudden and recent increase. The very first year where there was a full year of operational numbers in fiscal year 2019, they were already \$41,000 in the hole. What has been seen over that intervening time is annual fluctuations. Some of that's a result of the way in which materials were obtained. Recently there have been some increases in costs. There have also been some decreases in the past couple years. Some of those decreases are in staffing. The County was paying Road and Bridge more money than what is currently being paid for the Land Use Staff to operate the system. They are however, paying more for chemicals.

They currently use a 55-gallon barrel of Micro-C, that's the primary reactive carbon solution that gets pumped into the system during its cycles. It is a very high-tech system. The Micro-C is over \$1,000 a barrel. They've looked into alternatives, they've explored with their licensed operator at the State about utilizing brewery waste or some other kinds of cutting-edge things that some places are doing. A disadvantage in doing that is that they would have to get re-permitted for that. But the bigger challenge is that the Land Use Office operates the system part time. It would not be something where a staff person could be up there all the time to manage alternative options. When something is introduced that has variability or fluctuations in it, there has to be a full-time staff person.

Utilities are more than what was budgeted. In the beginning, a budgeted line item was not included in the original plan for a state licensed operator, but they're required to have a state licensed operator. That cost is between \$6,000 and \$8,000 a year. That person is mostly remote. They're doing what they can to keep those costs as low as they can be. But the reality is there's just things that was not thought about before the system was put into place in 2015. They just didn't have the data readily available to do a better assessment.

In 2015, if they had known that this was going to cost \$60,000 or \$80,000 a year to operate, there might have been a different scenario. The County replaced a system that was having challenges and there were a lot of places where this was the only solution.

Commissioner Van Ry asked how many more customers could the current system handle.

Richard Hubler said the system was designed to serve Mosca as a town. At the time it was designed, there were 53 basic connections, but there's the possibility that there could be a lot more. The system was designed to be able to cover that. This system should last for decades, as long as it is kept operating correctly. There is a good bit of capacity. If a system gets to 80% capacity, it is required by the State to start designing an upgrade. Having that extra space puts that process off for a long time.

Commissioner Van Ry said that if 20 customers joined the system, the monthly cost wouldn't go down, but it would not necessarily increase either.

Richard Hubler said the amount of chemicals will probably have to change more, because there will be more hydraulic loading or water flowing through the system. But as a general rule, one of the challenges with small systems is that there is some amount of overhead just for the system to exist. The more connections there are and the more people paying in, those things can be a little cheaper. If there were any substantial residential development and there were 60 people paying in instead of 45, that would make it less of a burden on the 45 current customers.

Commissioner Heersink said to Mr. Jones' point, the increases are not so much that it's sudden, it's that the estimate was wrong at the beginning, and the County is trying to remedy what costs there are with what revenue is available to make it self-sufficient. Commissioner Heersink also asked if the minutes should be looked into if there were previous commitments made about the support of the system.

Jason Kelly provided some history about the Mosca Wastewater system. As many as nine years ago or so, the County knew that the cluster system in Mosca was not working and was failing in different clusters. It was pumping all the time. There was a preliminary engineering report commissioned in 2014. The engineer basically said that the cluster system cannot be repaired, it just wasn't going to work. And, there was not enough room to extend the leach fields. That is when the batch reactor system came up. The preliminary engineering report showed the estimated annual cost to be about \$22,000 a year.

In 1971, the residents of Mosca tried to adopt a Water and Sanitation District, they put that to a vote and it failed. After 10 years, they still had issues. Because of how the town is subdivided and in small lots, the town decided to do a cluster system. Then the Mosca Improvement District was created. Jason Kelly believes that it wasn't followed through. There were some things that were done correctly. But the general sense seemed to be that after accomplishing the initial task, then the District would dissolve and it would become a separate political subdivision of the state. However, the next steps weren't followed, they finished the cluster system and that was it. There were no minutes of any fees or anything like that for another 10 years. There was never really a process that showed how it got to the point where the cluster system is now going to fail.

The County started looking at the cost of how to remedy the situation. This is a community, it's an unincorporated area of the County. A system was put in up there, but it wasn't a County system. It didn't belong to the County, it was set up under a general improvement district. But there were some issues with that in terms of how it was set up. There were a couple of options that the County could consider at the time. One was just to keep doing things the way they were doing and try to repair a little bit of the cluster system which wasn't going to work. The County could just bow out and let the Mosca residents figure it out. There were some equitable concerns with that. There is a whole community that are constituents of the County and the County wanted to make sure that they were taken care of and had their basic sanitation needs met. However, the other statutory scheme is under a sewage system article in state statute. That process would be through the County Road & Bridge. In order to cover the costs of that there are certain

requirements that are required. The County was able to obtain a DOLA grant. That created a program that covered a vast majority of the initial construction and if it weren't for that, the new system would have never happened.

Part of the issue with the DOLA grant, was how this system could be self-sustaining. The County was not concerned about that at the time. But that was based off of the preliminary engineering report that said the estimated expenses were going to be \$22,500. With that information, the grant funding covered so much of the initial infrastructure, in terms of being able to provide those costs without passing that particular part on to the resident. Otherwise, it would be the cost of the system plus 6%, then bill everyone for their lineal share, which would have been cost prohibitive. The loan would have never gone through.

In other words, the County Commissioners can make adequate appropriations for the revenues of the system to defray such costs, until such time as the charges are received. And when received, the system shall be reimbursed to the amount of such appropriation. The goal and the statutory structure are that the system basically pays for itself.

Richard Hubler added that there have been issues that have come up since then that was not planned such as the groundwater monitoring. That's an additional \$30,000 that the County spent on funds over the last fiscal year to meet a condition of the permit that hadn't been met from the beginning because of the total dissolved solids that were discharged. This system wasn't designed for the TDS that are naturally occurring in the groundwater and in the wells in the area. Money was put aside, totally outside of all the numbers being discussed, about \$30,000 in this year's budget, to get CDPHE to amend the permit.

Commissioner Heersink said that it comes down to both the County and the citizens ending up with a system that cost more than was expected. It is a requirement of the funding that the County received to make that system self-sufficient. Another point is that even though the Mosca system is different than someone having their own system, the County does not supplement other members of the County with their personal wastewater disposal. In order to be equitable, these are the steps that the County is trying to take.

Commissioner Laske asked why Mosca was on a cluster system to begin with.

Jason Kelly said that the best he can tell from the historical documents it was due to the layout of the town. The parcels are very small and there was not room for individual septic systems.

Commissioner Laske asked how often the rates have been increased.

Richard Hubler said that the rates have not increased since the new system was installed in 2018. It is his understanding that the rates did increase from the old system's rates, but he does not have any records of those rates.

Commissioner Laske asked how an entity is reclassified if it is not operating as originally determined by the EDUs.

Richard Hubler said that it is his understanding that the property in question is operating as a four-bedroom apartment. The impact of the system is basically the same whether it is a transient user, less than 30 days, or a long-term user. The EDU was based on the four connection taps, like four separate homes.

Chester Jones said that one of the problems with the original system was uncollectable accounts, and asked where the County stood with that.

Jason Kelly said that there were very few people paying on the cluster system, and it was very costly to go up there and disconnect and then reconnect the customers as they paid. One of the advantages of doing a County system versus this general improvement district type system is that someone cannot be disconnected for not paying. But when they don't pay, a lien is put on the property. The lien will eventually get paid and everyone is contributing one way or the other. The collection piece is not really an issue at this point.

Chester Jones asked if the County has considered other options to help pay the offset.

Richard Hubler said that the offset in revenue and expenses are directly related to operational costs. He is doing everything in his office that he can to manage those expenses, and to keep them as low as possible. There were ARPA funds used when those funds became available for those kinds of special projects.

Darby Funk said that she is closing down her hotel for any rentals. It is only three units, and it is just her family of seven living there. She can not pay \$200 a month for sewer. Her daughter's house is right behind the hotel and no one has been living there for a year, but they have had to pay for the sewer.

The only exhibit was the Land Use Office Memo.

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