



ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**CALL TO ORDER THE REGULAR BOCC MEETING OF FEBRUARY 16, 2016 AT 1:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**DISCLOSURES AND/OR CONFLICT OF INTEREST**

**APPROVAL OR ADJUSTMENTS TO AGENDA**

**PUBLIC COMMENTS FROM THE FLOOR\***

This is an opportunity during the session for the public to address the Commissioner. Please step up to the podium, **STATE YOUR NAME AND ADDRESS FOR THE RECORD** and keep your comments to 3 minutes (**the Board is not required to discuss your comment or make a decision regarding your comment, under this section**).

**REPORTS**

**A. Fourth Quarter Financial Report**

The fourth quarter report of the Archuleta County Finance Department.

Presenter	Larry Walton
Presenter's Title	Finance Director

Documents: [QUARTERLY FINANCIAL REPORT - 2015-Q 04 LW.PDF](#), [2015 Q4 FINANCIAL REPORT - PRESENTATION.PDF](#)

**LIQUOR BOARD**

**A. Renewal Of The Hotel & Restaurant Liquor License For Ho's Shanghai Corp  
Dbas Shang Hai Restaurant**

Documents: [2016 SHANG HAI RENEWAL.PDF](#)

**B. Renewal Of The Hotel & Restaurant Liquor License For Chavolo's Mexican  
Restaurant Of Pagosa Springs Dbas Chavolo's Mexican Restaurant**

Documents: [2016 CHAVOLOS RENEWAL.PDF](#)

**LAND USE REGULATION HEARING**

**A. Request To Open & Continue Public Hearing For Pagosa Lakes  
Telecommunication Facility Development Plan Rezoning In The PUD Zone**

Black & Veatch, representing Verizon Wireless, is requesting approval to Rezone a parcel in the PUD zone to establish a Development Plan, for property owned by the Pagosa Lakes

Property Owners Association. On January 27, 2016, the Planning Commission continued their public hearing on this item to their regular meeting on February 24, 2016. Staff is requesting the Board of County Commissioners open this noticed public hearing and continue consideration to March 8, 2016 at 5:00 p.m. The Land Use Public Hearing will be held at the Emergency Operations Center at 777 Piedra Road.

Presenter                      John Shepard, AICP  
Presenter's Title              Planning Manager

## **CONSENT AGENDA**

### **A. PAYROLL AND PAYABLE WARRANTS**

#### **February 3, 2016 - February 16, 2016 Payroll, Payable Warrants and Purchase Cards**

### **B. REGULAR MEETING MINUTES**

#### **Regular Meeting Minutes of February 2, 2016**

Draft of the February 2, 2016 Regular Meeting for approval.

Documents: [02-02-16R.PDF](#)

### **C. Review And Consider Resolution 2016 - \_\_\_\_\_ To Consolidate 2 Lots Into 1 The Reserve At Pagosa Peak Phase 2 Owned By Valerie Ann Green**

This request is to consider the Resolution authorizing the consolidation of Lots 23 and 24 The Reserve at Pagosa Peak Phase 2, to become Lot 23X owned by Valerie Ann Green

Responsible Staff Person: John Shepard, County Planner

Documents: [RESOLUTION - GREEN LOT CONSOLIDATION.PDF](#), [GREEN O AND E.PDF](#)

### **D. Review And Consider Resolution 2016 - \_\_\_\_\_ To Consolidate 2 Lots Into 1 Lake Pagosa Park Block 13 Owned By Anthony Licciardello**

This request is to consider the Resolution authorizing the consolidation of Lots 72 and 73 Lake Pagosa Park Block 13, to become Lot 72X owned by Anthony Licciardello.

Responsible Staff Person: John Shepard, County Planner

Presenter                      Bentley Henderson  
Presenter's Title              County Administrator

Documents: [LICCIARDELLO O AND E.PDF](#), [RESOLUTION - LICCIARDELLO LOT CONSOLIDATION.PDF](#)

## **NEW BUSINESS**

### **A. Consideration Of Waiver Of Fees For Pagosa Springs Medical Center**

Pagosa Springs Medical Center is requesting the County to waive construction related (solid waste) fees.

Presenter                      Bentley Henderson  
Presenter's Title              County Administrator

Documents: [PSMD WAIVER OF FEES REQUEST.PDF](#), [MED CTR FEE WAIVER MEMORANDUM.PDF](#)

## **B. Pagosa Area Geothermal Water And Power Authority Funding Request**

At their February 8th Board Meeting, the Board of Directors of the Pagosa Area Geothermal Water and Power Authority (PAGWAPA) approved the continued pursuit of additional information regarding geothermal resources in Archuleta County. To that end, the Board authorized PAGWAPA Board member Don Volger to represent them in a funding request of the Board of County Commissioners for \$44,500 to support the additional exploration.

Presenter	Bentley Henderson
Presenter's Title	County Administrator

Documents: [EIAF SCENARIOS.PDF](#), [PAGWAPA FUNDING MEMORANDUM.PDF](#)

### **PUBLIC COMMENTS FROM THE FLOOR**

This is an opportunity during the session for the public to address the Commissioners on a subject not covered on the agenda. Please step up to the podium, **STATE YOUR NAME AND ADDRESS FOR THE RECORD** and keep your comments to 3 minutes (**the Board is not required to discuss your comment or make a decision regarding your comment, under this section**).

### **MEDIA QUESTIONS**

### **COMMISSIONER COMMENTS**

### **ADJOURNMENT OF THE REGULAR BOCC MEETING**

All meetings to be held in the Archuleta County Administration Offices,  
398 Lewis Street unless otherwise stated.  
All Regular and Special BoCC Meetings are recorded.



# Quarterly Financial Report 2015 – Fourth Quarter YTD (January to December 2015)

**Unaudited**

## Executive Summary

Please note that this report is unaudited and that amounts reported are not final until the year end close process is completed late in March. Some expenses and revenues not yet received will be accrued back to 2015 when they are received later on. Also, some accounts may be adjusted, when all reconciliations and reviews are completed. The following points are clear, regardless of the provisional nature of the exact numbers:

2015 positive developments include:

- Sales Tax Revenue was 18% higher than it was in 2014. It was also \$665,000 above the 2015 budget and set a record for our County. When we factor out amounts received that related to prior years, it was still 15% than 2014.
- The annual PILT (Payment in Lieu of Taxes) was \$314,712 higher than budget, due to the Fed's extending an emergency funding act for one more year.
- The primary source of revenue for the Solid Waste Fund (Landfill Fees) was 7% higher than expected and budgeted.
- None of the funds overspent their total expense budgets.

On Dec. 22, 2016, the Board of County Commissioner approved modification of the original budget, as follows:

- Unanticipated Revenue: Certain revenues were received that were not assured at the time the 2015 budget was approved and adopted. Those revenues were added to the budget, along with any corresponding, related or associated expenses, as follows:
  - General Fund: \$827,574 (higher than anticipated Sales Tax and Rural Roads Funding passed to Schools).
  - DHS Fund: \$39,108 (for new Medicaid Outreach Program).
  - Dispatch Fund: \$4,140 (training grant).
  - Solid Waste Fund: \$27,500 (gain on the sale of unused equipment).
- Transfer Between Funds:
  - From General to Fleet Fund: \$350,000 to accelerate the replacement of ageing/broken equipment and vehicles.
- Transfer Between Departments:
  - Within the General Fund: Various transfers from Departments that underspent their budget, to Departments that overspent their budget, totaling \$281,915. These adjustments were anticipated and reported in the first, second and third quarterly reports, but not executed until December, so that the adjustment amounts could be more accurately estimated.

The following funds will be reported in detail within this report:

General	Human Services	Fleet
Road & Bridge	Solid Waste	

## General Fund:

### Budget Adjustments

During the year each department was closely monitored to insure expenditures remained within budget. As the year unfolded, it became apparent that adjustments to some department expense budgets were both advisable and justified. In addition, some other departments appeared to be in danger of going over budget, although the actual need to adjust those budgets was uncertain, as various efforts were being made to compensate by adjusting the planned use of unspent monies.

Accordingly, the County chose to delay making most budget adjustments until very close to year end. This allowed the County to better calculate the *minimum* adjustments needed; and to specifically identify sources to cover any expense increases, such as unanticipated revenue or savings in other departments.

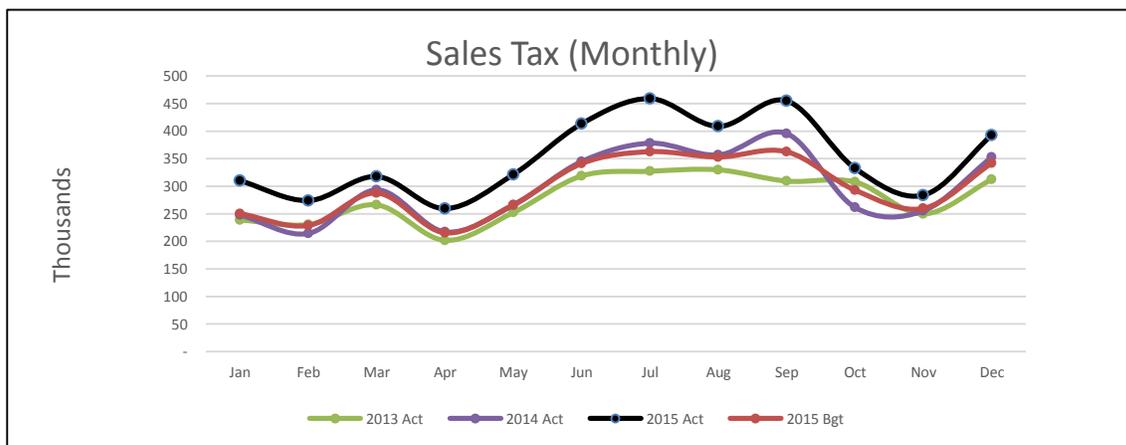
Adjustments were finally proposed to and approved by the Board of County Commissioners on December 22, 2015. Most budget adjustments (\$827,574) were covered by new, unbudgeted revenues in the General fund.

An additional \$281,915 was added to a variety of departments, coming entirely from budget savings realized in other departments. These adjustments created no net increase in the total General fund budget.

### Revenue Detail

Overall 2015 total revenue came in 2% higher than budget. In individual revenue accounts, some significant variances occurred. Information about some of the more interesting accounts follow:

**Sales Tax:** 2015 Sales Tax revenue was 18% higher than it was in 2014. It was also \$665,000 above the original 2015 budget and set a new record for our County. However, part of the amounts received included adjustments to collections by the State for *prior years*. If we factoring those adjustments out, the revenue still increases by 15%. In 2014, the growth rate was approximately 7%. Note that Sales Tax revenue is split evenly between the General Fund and Road & Bridge Fund.



**Payment in Lieu of Taxes (PILT):** PILT revenue was received in a single installment during the second quarter and came in 41% (\$314,712) over budget. The increase was due to the Feds deciding to extend the Emergency Economic Stabilization act, as it applies to this funding, during 2015. When this revenue was budgeted, that extension was uncertain, so that portion was not included.

**Charges for Services:** These revenues were 7% (\$100,000) higher than budgeted. While the excess received is a remarkably even number, it is actually made up of numerous amounts in several revenue streams. Primarily, these extra revenue amounts resulted from increased Election Cost Reimbursements, Legal Document Reception and Planning Charges.

Other good news included the reimbursement of over \$41,000 of 2013 Mountain Express transportation costs by the Colorado Department of Transportation; and higher than expected (\$34,000) Livestock Auction sales during the County Fair.

**Expense Detail:**

Total General fund expenses were a net \$1,182,890 (9%) **under** budget at year end. Thirty out of thirty seven individual department budgets were under budget, while seven departments were over their expense budget, at year end.

Regarding the departments that were over budget:

Two of the seven departments that went over their expense budgets (Tourism and Jail Commissary) are essentially “pass thru’s” of actual revenues received. The expenses went over because the revenue received (and passed through the County books) was higher than anticipated. There was no net drain on County fund balances.

Five budgets went over budget without compensating revenue. However, all five of those budgets (CSU Extension Office, Fair Board, Animal Control, County Treasurer and the Attorney’s Office) went over by trivial amounts, being on a combined basis about 9/100 of 1% of the General fund budget.

Regarding the departments that were under budget:

Some departments underspent their budgets because they had vacant positions for part of the year, while recruiting replacements for departed staff. Some savings were realized due to lower than expected fuel costs. The closure of the detention facility resulted in savings, despite fees paid to LaPlata County (for housing Archuleta County inmates), because of savings in Detention Officer salaries and in some related contracted services. Also, some budgeted Capital Outlay expenses were deferred.

By far the largest unspent budget was the \$500,000 “Appropriated Contingency” budget (within the County Commissioners budget). This contingency line item was approximately equal to 1.5% of the total 2015 expense budget of the County. It was untouched in 2015.

The General Fund “Summary of Revenues and Expenditures” appears on the next page.

**Governmental Fund - General**

YTD Percent = 100%

as of December 31, 2015

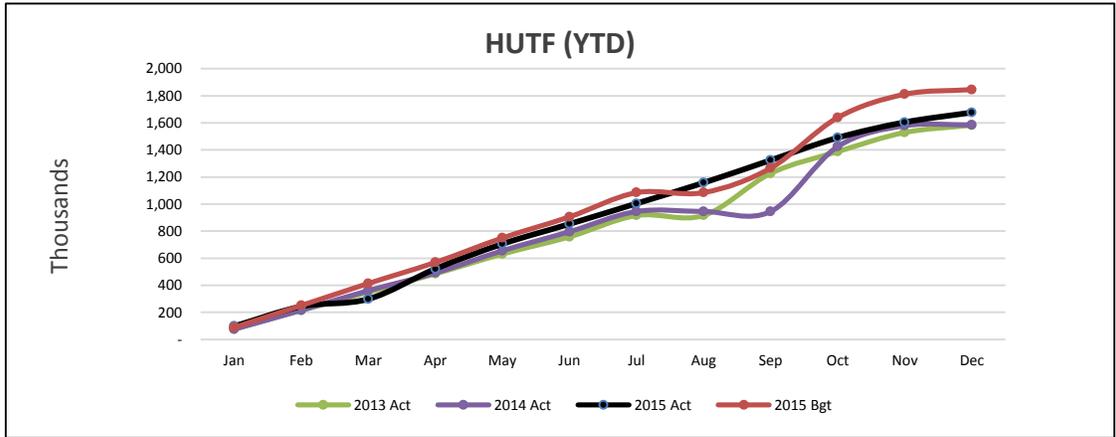
	Original Budget	Amended Budget	YTD Actual	Remaining Budget	% of Budget
<b>Revenues</b>					
Taxes	6,032,657	6,382,657	6,516,662	(134,005)	✓ 102%
Licenses and Permits	511,400	511,400	521,899	(10,499)	✓ 102%
Intergovernmental	949,500	1,300,511	1,289,095	11,416	⚠ 99%
Charges for Services	1,327,283	1,341,228	1,441,228	(100,000)	✓ 107%
Interest	75,000	75,400	74,852	548	⚠ 99%
Misc	288,000	400,218	402,861	(2,643)	✓ 101%
<b>Total Revenues</b>	<b>9,183,840</b>	<b>10,011,414</b>	<b>10,246,597</b>	<b>(235,183)</b>	<b>✓ 102%</b>
<b>Expenditures</b>					
Administration	3,230,297	3,540,297	3,498,533	41,764	✓ 99%
Attorney	230,215	220,215	222,244	(2,029)	✓ 101%
Building & Grounds	252,027	448,633	445,992	2,641	✓ 99%
Community Services Fund	10,000	10,000	5,570	4,430	✓ 56%
County Assessor	544,238	544,238	521,642	22,596	✓ 96%
County Clerk & Recorder	412,225	412,225	390,965	21,260	✓ 95%
County Clerk- Elections	97,064	97,064	71,073	25,991	✓ 73%
County Commissioners	1,097,529	1,097,529	571,287	526,242	✓ 52%
County Coroner	54,688	73,188	64,373	8,815	✓ 88%
County Fair Board	70,575	70,575	71,626	(1,051)	⚠ 101%
County Surveyor	4,638	16,638	15,598	1,040	✓ 94%
County Treasurer	462,259	480,759	487,796	(7,037)	⚠ 101%
County Treasurer - Public Trustee	15,110	15,110	15,087	23	✓ 100%
CSU Extension	136,312	136,392	138,059	(1,667)	⚠ 101%
CSU Extension Checking	20,000	20,000	13,243	6,757	✓ 66%
Development Services-Building	161,374	171,374	139,282	32,092	✓ 81%
Development Services-Planning	139,416	139,416	113,617	25,799	✓ 81%
District Attorney	338,846	338,846	338,846	0	✓ 100%
Finance	400,374	395,374	364,954	30,420	✓ 92%
Human Resources	110,892	118,892	114,054	4,838	✓ 96%
IT/GIS	466,065	466,065	448,419	17,646	✓ 96%
Jail Commissary	10,000	10,000	63,186	(53,186)	⚠ 632%
Livestock Auction	200,000	234,000	229,956	4,044	✓ 98%
Pass-Thru	-	332,000	332,000	0	✓ 100%
Sheriff Administration	286,453	312,898	301,000	11,898	✓ 96%
Sheriff Animal Control	50,000	50,000	53,008	(3,008)	⚠ 106%
Sheriff Court Security	60,746	76,746	72,012	4,734	✓ 94%
Sheriff Detention	990,640	990,640	907,927	82,713	✓ 92%
Sheriff Emergency Management	269,671	320,519	288,734	31,785	✓ 90%
Sheriff Investigations	204,794	207,399	196,566	10,833	✓ 95%
Sheriff Patrol	792,743	772,818	702,970	69,848	✓ 91%
Tourism Fund	85,000	85,000	87,342	(2,342)	⚠ 103%
Transportation Administration	100,083	86,483	70,183	16,300	✓ 81%
Transportation Mountain Express	92,448	106,448	95,413	11,035	✓ 90%
Veterans Services	68,309	84,224	84,040	184	✓ 100%
Weed & Pest	102,841	102,841	95,962	6,879	✓ 93%
Non-Departmental	420,000	230,600	-	230,600	✓ 0%
<b>Total Expenditures</b>	<b>11,987,872</b>	<b>12,815,446</b>	<b>11,632,556</b>	<b>1,182,890</b>	<b>✓ 91%</b>
Revenue over (under) Expenditures	(2,804,032)	(2,804,032)	(1,385,958)		

# Road & Bridge Fund:

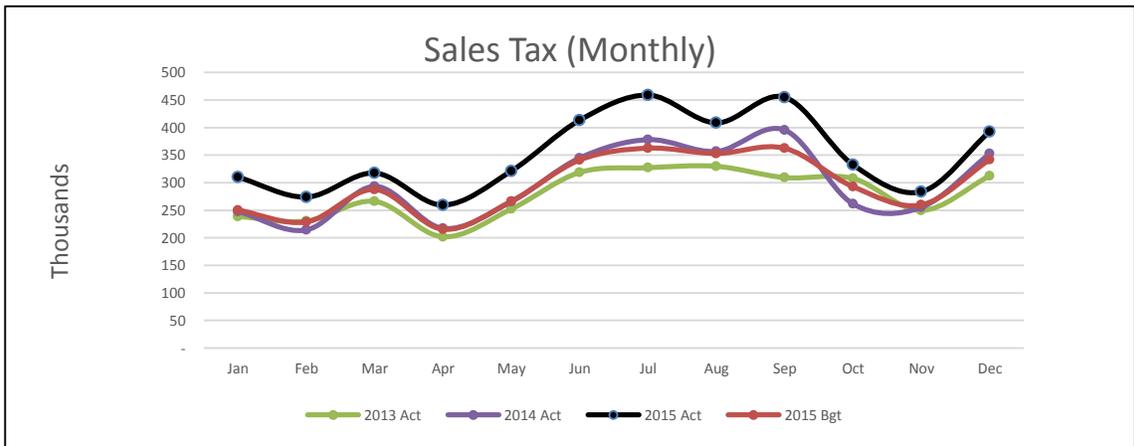
## Revenue Detail

Total 2015 Road & Bridge revenue was 5% higher than expected and budgeted *overall*. Information about Individual revenue sources follows:

During 2015 actual HUTF revenue was only 91% of budget, but it was higher than the previous two years. An expected increase occurred, but was not nearly as high as anticipated.



The County received almost \$665,000 more than the original Sales Tax budget by year end. Since this revenue is evenly shared with the General Fund, this means the excess received by this fund was over \$332,000. While Sales Tax revenue has historically been the second largest source of funding for this fund, it surpassed HUTF revenue and is now the largest single source of funding for the Road & Bridge.



Licenses and Permits revenue ended the year at 155% of budget, due to higher than expected road cut and driveway permit activity.

RCI Capital Improvement revenue was lower than expected, but for a good reason. The budget revenue was for grant reimbursements for the Rio Blanco Bridge projects, which has come in under budget. Since the expenses were lower, so were the reimbursements.

**Expense Detail:**

Several different parts of the Road & Bridge fund came in under budget in 2015, for a variety of reasons. Some budgeted positions were vacant during the year, resulting in lower than expected wage and benefit costs. The unusually rainy spring disrupted the start of the road maintenance and construction season, and some activity planned for 2015 had to be deferred to 2016. Fleet and fuel costs were significantly lower than expected, partly due to lower than normal repair costs and also because of very low fuel costs. Also, the Rio Blanco Bridge project has come in under budget.

**Governmental Fund - Road & Bridge**

YTD Percent =	100%
---------------	------

as of December 31, 2015

	Original Budget	Amended Budget	YTD Actual	Remaining Budget	% of Budget
<b>Revenues</b>					
Taxes	3,194,961	3,194,961	3,617,934	(422,973)	✓ 113%
Licenses and Permits	16,000	16,000	24,751	(8,751)	✓ 155%
Intergovernmental	1,903,715	1,903,715	1,896,251	7,464	⚠ 100%
Misc	-	-	48,650	(48,650)	N/A
RCI Capital Improvement	794,799	794,799	613,115	181,684	⚠ 77%
<b>Total Revenues</b>	<b>5,909,475</b>	<b>5,909,475</b>	<b>6,200,701</b>	<b>(291,226)</b>	<b>✓ 105%</b>
<b>Expenditures</b>					
Administration	802,204	802,204	718,630.90	83,573	✓ 90%
Road Capital Improvement	1,125,093	1,125,093	991,148.65	133,944	✓ 88%
CR500/Cloud Cap	2,000,000	2,000,000	586,578.69	1,413,421	✓ 29%
RCI-Piedra DCP	-	-	24,084.66	(24,085)	N/A
RCI-Five Year Plan	326,500	326,500	271,093.85	55,406	✓ 83%
Road Maintenance	2,230,619	2,230,619	1,705,210.89	525,408	✓ 76%
Harebell Bridge	-	-	-	-	N/A
Rio Blanco Bridge	993,499	993,499	799,800.18	193,699	✓ 81%
<b>Total Expenditures</b>	<b>7,477,915</b>	<b>7,477,915</b>	<b>5,096,548</b>	<b>2,381,367</b>	<b>✓ 68%</b>
Revenue over (under) Expenditures	(1,568,440)	(1,568,440)	1,104,154		

## **Department of Human Services (DHS) Fund:**

### **Revenue Detail**

Most of the revenue received in the DHS fund is (essentially) a reimbursement from the State for actual costs incurred. Over the course of the year, actual expenses only totaled about 85% budget. Revenue came in at 90% of budget. Therefore, the County realized more income (relative to reimbursable expense) than anticipated, resulting in a net gain to the fund balance.

### **Expense Detail**

Twenty seven (27) out of thirty three (33) DHS departments spent within their expense budgets during the year. Total expenditures within the fund were well within budget (85% spent). Regarding those departments that expended more than expected and budgeted, we can say:

- Child Welfare Sub-Adoption is 150% expended: The Child Welfare Sub-Adoption overspending is actually positive development. It is caused by a shift of child placement from Foster Care (which comes out of the Child Welfare 80/20 budget) to the more permanent and much less expensive Sub-Adoption placement. The result of this shift is a better life situation for the children involved and a (net) cost savings to both the State and the County of over \$20,000 within 2015.
- County Local Medicaid (Medical Transportation) is 149% expended: Health Care reform in the USA has led to a significant increase in Medicaid applications across the country, as a surge in reimbursable Medical Transportation. While this results in a greater administrative burden on the county, the direct costs are reimbursed at 100%.
- LEAP 122% expended: LEAP is an energy assistance program, subsidizing heating costs incurred by qualifying families during the winter months. This program is difficult to budget, since heating costs are very dependent on the severity of each winter, and the number of eligible households also varies. However, 100% of these costs are reimbursed by the State.
- Old Age Pension 119% expended: The actual costs of this program are not controllable by the County, but are based on the number of eligible persons. Like LEAP, the costs are covered by the State.
- Two other programs were over by very modest amounts.

As mentioned above, 27 departments/programs were within budget and the amounts underspent were significant. It is worth noting that the County sets expense budgets so as to create the maximum ability to access Federal funding to the benefit of County citizens in need, should they be required. However, actual expenditures are based on actual eligibility for benefits.

The DHS Fund "Summary of Revenues and Expenditures" appears on the next page.

**Governmental Fund - Human Services**

YTD Percent = 100%

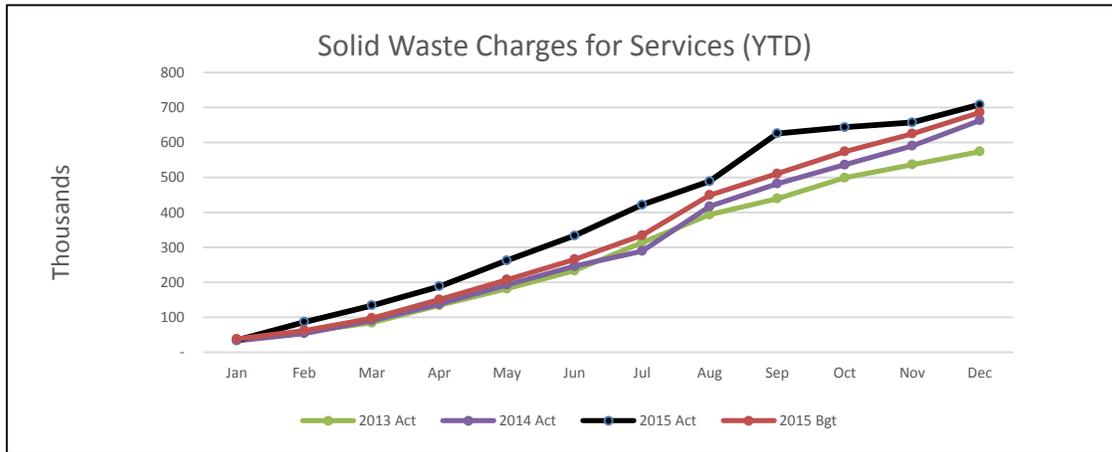
as of December 31, 2015

	Original Budget	Amended Budget	YTD Actual	Remaining Budget	% of Budget
<b>Revenues</b>					
Taxes	293,655	293,655	301,837	(8,182)	✓ 103%
Intergovernmental	4,112,270	4,151,378	3,628,137	523,241	⚠ 87%
Misc	22,719	22,719	68,774	(46,055)	✓ 303%
<b>Total Revenues</b>	<b>4,428,644</b>	<b>4,467,752</b>	<b>3,998,748</b>	<b>469,004</b>	<b>⚠ 90%</b>
<b>Expenditures</b>					
Admin	160,151	160,151	99,585	60,566	✓ 62%
Admin IM Direct	194,374	178,632	149,907	28,725	✓ 84%
Adult Protective Services	39,350	39,350	45,841	(6,491)	⚠ 116%
Aid to Needy Disabled	27,000	27,000	23,853	3,147	✓ 88%
Child Care	147,378	147,378	84,578	62,800	✓ 57%
Child Support Enforcement	143,342	143,342	132,812	10,530	✓ 93%
Child Welfare Admin 100	57,387	57,387	63,635	(6,248)	⚠ 111%
Child Welfare Admin 90/10	-	-	18,228	(18,228)	N/A
Child Welfare Admin 80/20	450,572	450,572	412,585	37,987	✓ 92%
Child Welfare CHRP	14,358	14,358	-	14,358	✓ 0%
Child Welfare Child Care	14,358	14,358	3,652	10,706	✓ 25%
Child Welfare Hotline	-	-	1,950	(1,950)	N/A
Child Welfare Kinship	-	-	5,895	(5,895)	N/A
Child Welfare Out of Home EBT	357,308	357,308	84,653	272,655	✓ 24%
Child Welfare Res Mental Health	20,066	20,066	-	20,066	✓ 0%
Child Welfare Subadopt	35,000	35,000	52,587	(17,587)	⚠ 150%
Colorado Works Admin	-	-	40,638	(40,638)	N/A
Colorado Works Admin	234,476	234,476	227,844	6,632	✓ 97%
Core Services 80/20	55,257	55,257	4,275	50,982	✓ 8%
Core Services Other-FICF	192,901	192,901	183,530	9,371	✓ 95%
Core Services Special	2,375	2,375	523	1,852	✓ 22%
Cty Local Gen Assitance	19,500	19,500	8,633	10,867	✓ 44%
Medical Transportation	36,478	36,478	54,443	(17,965)	⚠ 149%
Employment First 100%	45,558	45,558	43,145	2,413	✓ 95%
Excess Parental Fees	10,332	10,332	-	10,332	✓ 0%
Fatherhood Initiative	420,802	420,802	291,858	128,944	✓ 69%
Food Assistance Benefits	1,534,463	1,534,463	1,429,952	104,511	✓ 93%
LEAP	150,128	150,128	182,592	(32,464)	⚠ 122%
Medicaid Outreach	-	54,850	38,074	16,776	✓ 69%
Old Age Pension	145,660	145,660	173,607	(27,947)	⚠ 119%
Payroll Clearing	-	-	2	(2)	N/A
Promoting Safe & Stable Families	43,183	43,183	25,336	17,847	✓ 59%
Unallocated	-	-	2,147	(2,147)	N/A
<b>Total Expenditures</b>	<b>4,551,757</b>	<b>4,590,865</b>	<b>3,886,358</b>	<b>704,507</b>	<b>✓ 85%</b>
Revenue over (under) Expenditures	(123,113)	(123,113)	112,389		

# Solid Waste Fund:

## Revenue Detail

Most revenue in the Solid Waste Fund comes from Charges for Services, being fees collected at the landfill. At the time of the writing of this report, this revenue was about 7% ahead of the amounts expected and budgeted for the year. Some modest additional amounts are outstanding at this time and so the final total will be a little higher.



## Expense Detail

The Solid Waste fund (as a whole) ended the year under budget, as expected. For much of the year, the position of Solid Waste Director has been vacant, resulting in lower Solid Waste Admin costs. More importantly, unexpectedly low fuel costs resulted in a significant reduction in the operating costs of heavy equipment at the landfill. This boost to the “bottom line” will help the County cover the cost of Cell 4, as well as badly needed new equipment, scheduled for replacement in 2017.

### Enterprise Fund - Solid Waste as of December 31, 2015

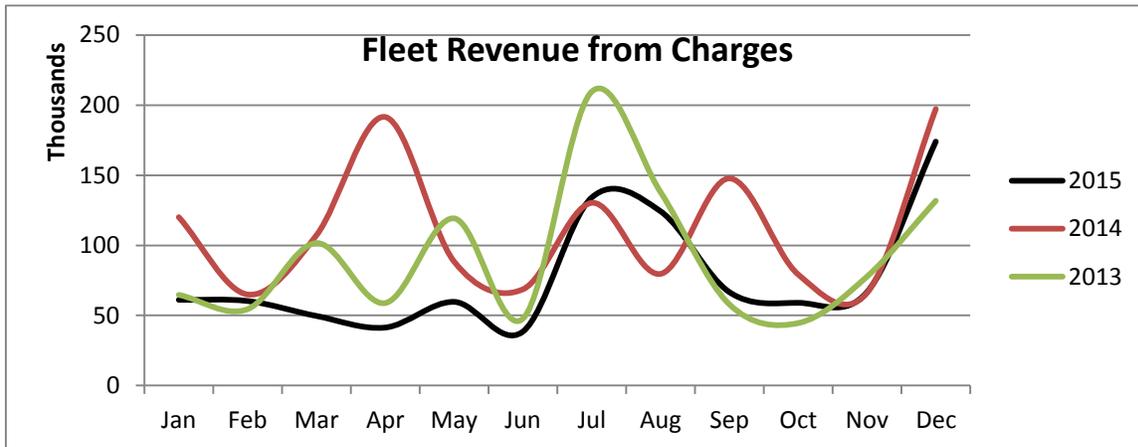
YTD Percent = 100%

	Original Budget	Amended Budget	YTD Actual	Remaining Budget	% of Budget
<b>Revenues</b>					
Charges for Services	674,000	674,000	721,207	(47,207)	✓ 107%
Misc	11,400	38,900	32,481	6,419	⚠ 83%
Transfers In	341,862	341,862	341,862	-	✓ 100%
<b>Total Revenues</b>	<b>1,027,262</b>	<b>1,054,762</b>	<b>1,095,549</b>	<b>(40,787)</b>	<b>104%</b>
<b>Expenditures</b>					
Administration	146,799	146,799	117,381	29,418	✓ 80%
Arboles Transfer Station	31,967	31,967	29,377	2,590	✓ 92%
Landfill	358,143	385,643	293,877	91,766	✓ 76%
Pagosa Transfer Station	41,833	41,833	40,205	1,628	✓ 96%
Recycling	49,344	49,344	46,579	2,765	✓ 94%
Non-Departmental	76,558	76,558	76,558	-	✓ 100%
<b>Total Expenditures</b>	<b>704,644</b>	<b>732,144</b>	<b>603,978</b>	<b>128,166</b>	<b>82%</b>
Revenue over (under) Expenditures	322,618	322,618	491,571		

## Fleet Fund:

### Revenue Detail

Fleet revenue comes from charges to County departments for fuel and services. From month to month, they are highly variable, depending upon the need for major repairs on heavy equipment. During the last few years these charges have averaged slightly over \$100,000/month and were budgeted in 2015 at \$115,833/month. During 2015 these charges averaged about \$78,000/month.



The reduced revenue is related to the reduced cost of fuel (fuel related revenue is tied to the cost of fuel), and to reductions in work performed, especially during the first two quarters of the year, relative to recent years. Processed work order history for the period January through June was as follows:

2011	865 processed work orders
2012	907 processed work orders
2013	803 processed work orders
2014	904 processed work orders
2015	674 processed work orders

During the second half of the year, activity was very close to the average over the last three years

The fewer work orders processed in the first half of 2015 was partly due to a reduction in the demand for services during that period and partly due to reduced capacity to perform the available work. Work demand was lower because there were no major breakdowns during the first quarter (winter months) and because the spring rains slowed the pace of Mag Chloride applications, making it easier to avoid expensive repairs. Also, considerable time and money was spent during 2014 in preparing the five belly dump tractor/trailers for 2015 gravel operations. The capacity to perform work was also reduced; because the Fleet department was short a lead mechanic for over two months and several employees were out on vacation or sick.

### Expense Detail

Fleet Wage/Benefit costs were under budget by about \$22,000, in part because of short staffing during part of the year. Materials and outside repair costs were significantly under budget for the year, mostly due to lower fuel costs.

The capital outlay part of the budget was amended (after unanticipated revenue was received) to allow for the purchase of badly needed equipment and vehicle replacements. That part of the budget appears under spent, because one large procurement (a front end loader) was ordered and received, but has not yet been invoiced.

**Internal Services Fund - Fleet**

as of December 31, 2015

YTD Percent =	100%
---------------	------

	Original Budget	Amended Budget	YTD Actual	Remaining Budget	% of Budget
<b>Revenues</b>					
Charges for Services	1,390,000	1,390,000	935,300	454,700	⚠️ 67%
Misc	-	-	818	(818)	N/A
Transfers In	244,000	594,000	594,000	-	✅ 100%
<b>Total Revenues</b>	<b>1,634,000</b>	<b>1,984,000</b>	<b>1,530,118</b>	<b>453,882</b>	<b>⚠️ 77%</b>
<b>Expenditures</b>					
Fleet Services					
Personnel Costs	273,767	273,767	251,382	22,385	✅ 92%
Materials & Services	936,596	936,596	794,561	142,035	✅ 85%
Capital Outlay	344,000	694,000	539,728	154,272	✅ 78%
Depreciation	168,868	168,868	168,868	-	✅ 100%
<b>Total Expenditures</b>	<b>1,723,231</b>	<b>2,073,231</b>	<b>1,754,539</b>	<b>318,692</b>	<b>✅ 85%</b>
Revenue over (under) Expenditures	(89,231)	(89,231)	(224,420)	135,189	

## Finance Department Performance Measures

This section shows progress on various Performance Measures being used within the Finance Department, in a "table" format.

<u>Activity</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>
Audit (Good Opinion)	N/A	N/A	100%	N/A
Budget (GFOA Award)	N/A	N/A	100%	N/A
Expenditures/Fund (Within Budget)	100%	100%	100%	100%
<i>Core Processes on Schedule:</i>				
Audit Prep	88%	95%	N/A	N/A
Accounts Payable	100%	100%	100%	100%
Budget	N/A	N/A	100%	100%
Human Services Accounting	100%	100%	100%	100%
Payroll	100%	100%	100%	100%
Quarterly Reporting	100%	100%	100%	100%
Year End Close Process	90%	98%	N/A	N/A

Highlights from the fourth quarter include:

- Working with the County Administrator, the Finance Department designed and constructed a "Long Range Financial Modeling" process, then used it to assist in the 2016 budget process. The tool is expected to be useful, whenever the County is considering actions that might financially impact future years.
- The financial modeling process and some other budgeting tools were incorporated into the format of the County's 2016 budget book, specifically into a new section called "Planning & Forecasting". This section of the budget is intended to provide clear information about the assumptions made when preparing the budget, as well as the goals and intentions behind it.
- The 2016 budget process was completed on schedule. Special thanks to LeeAnn Martin for her fast and accurate processing and for engineering improvements in the process of compiling the 300+ page budget book, that allow it be done faster than previously possible.
- A vacancy arose in the Finance Department earlier in the year. The first attempt to fill the position was not successful. However, the position was filled during the fourth quarter.
- The old County GIS map site has been replaced. The County's GIS Analyst (Sam Montoia) continues to work with Sidwell (consulting group) to add some "bells and whistles" that should make the site easier to use.
- Some individual invoices were paid after the date they were expected, for a variety of reasons, but mostly due to late submission of those invoices to the Finance Department. On occasion, the Finance Director (myself) put payment of an invoice on hold, pending resolution of a documentation issue, and that caused the late payment of an invoice. These late payments are estimated to have been approximately 5/100's of 1% of the dollar volume of invoices paid.
- Every Accounts Payable and County Payroll *batch run* was processed on time. This is a continuation of Emmy Kuhl's excellent record of timely and accurate work.

  
 \_\_\_\_\_  
 Larry Walton, Finance Director

2/12/2016  
 \_\_\_\_\_  
 Date

# **Quarterly Financial Report**

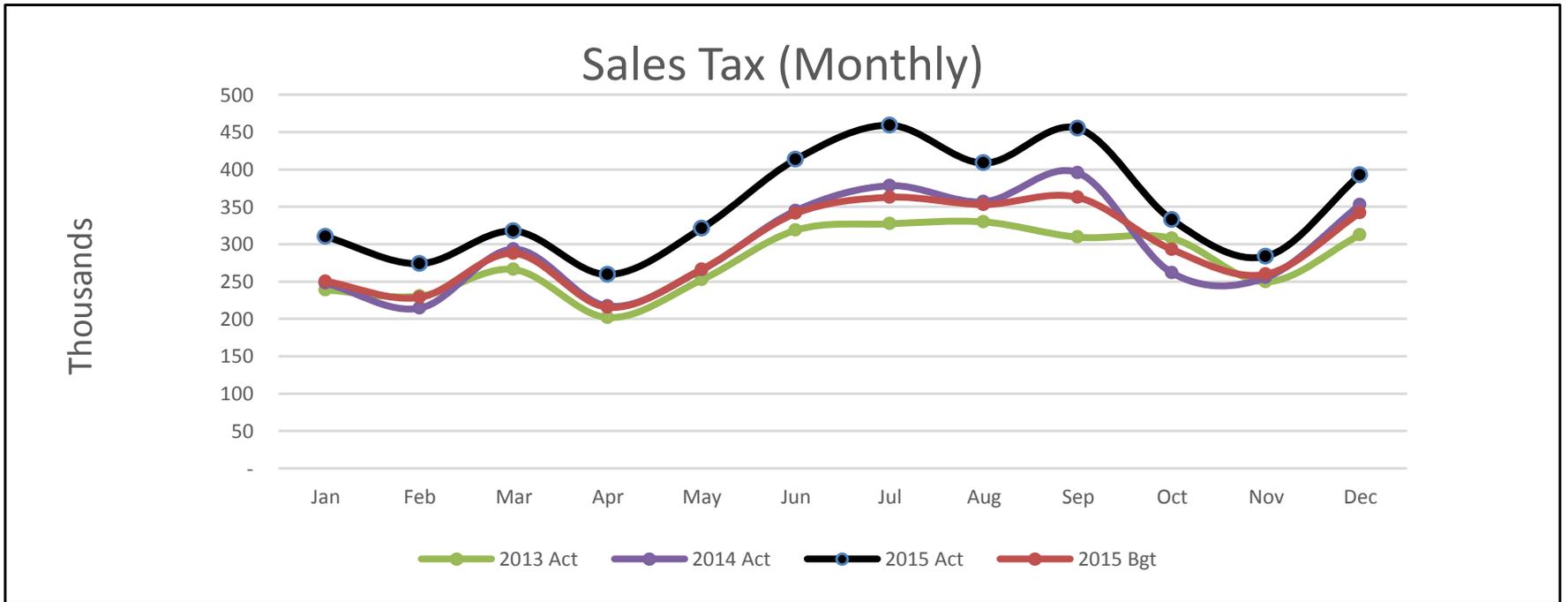
**2015**

**Fourth Quarter**

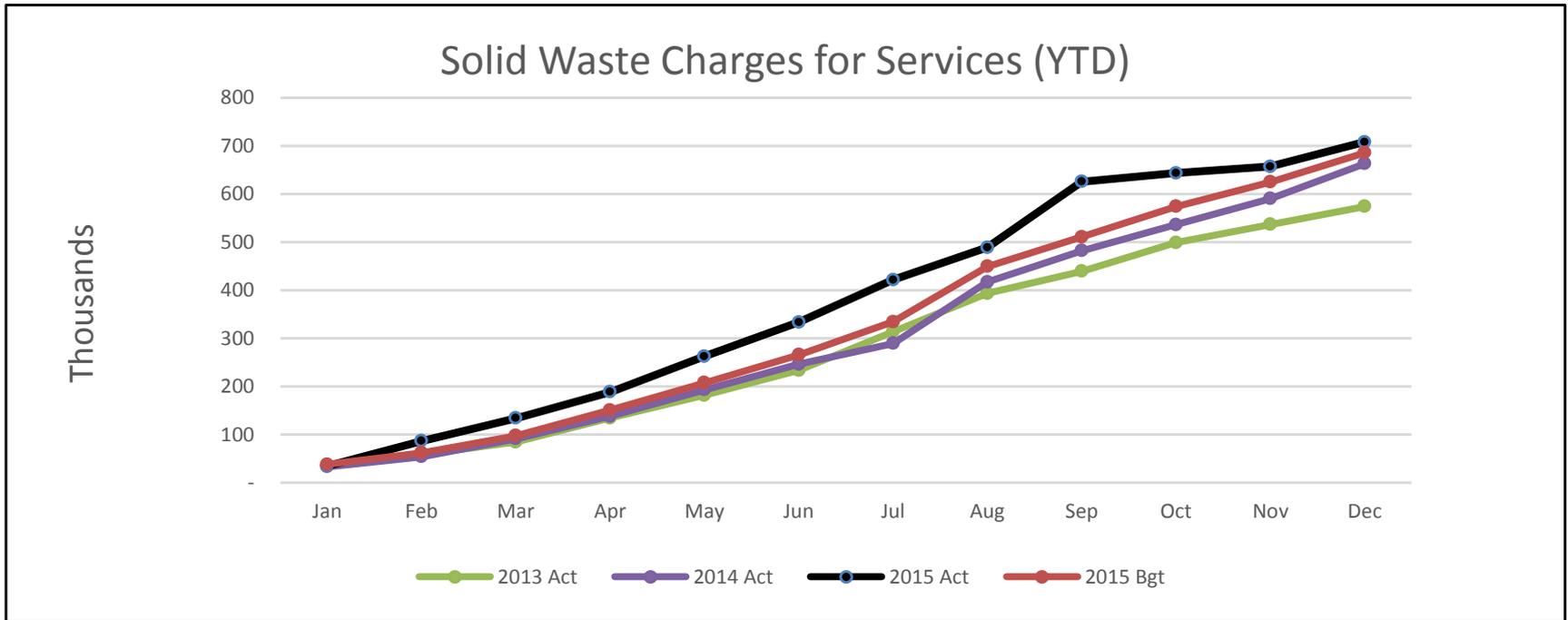
# Positive Outcomes

- Sales Tax Revenue:
  - Much higher than expected (15% growth, plus prior period adjustments).
  - Received about \$665,000 more than budgeted. (Split between General and R&B Fund)
- PILT funding:
  - \$314,712 over budget due to Fed action.
- Solid Waste “Charges for Services”
  - Ended the year about 7% higher than budgeted.

# Sales Tax



# Solid Waste Revenue



# More Positive Outcomes

- General Fund Variances Were Favorable:
  - Total revenues in the General fund exceeded the adjusted budget by a net \$235,183 (2%) and the original budget by \$1,062,757 (11.5%).
  - Total expenses in the General fund were \$1,182,890 under the adjusted budget (9%) and the original budget by \$355,316 (3%).
- All “Fund” Expenditures Under Expense Budget:
  - Total expenses within each individual Fund were under budget.

# General Fund: Departmental Budget Adjustments

- Department spending was closely monitored during all of 2015.
- Each previous quarterly report included information about anticipated adjustments and the reasons for them.
- All specific adjustments were deferred to the fourth quarter, when accurate estimates of the amounts needed could be made.
- Those adjustments were approved by the BoCC on Dec. 22, 2016.

# Budget Adjustments Made in 2015

- ADD – Unanticipated Revenue and Corresponding Expense:
  - General Fund: \$827,574
  - DHS Fund: \$39,108
  - Solid Waste Fund: \$27,500
  - Other: \$4,140
- TRANSFER – Between Funds
  - \$350,000 from General to Fleet Fund.
  - To facilitate Equipment/Vehicle Replacements.
  - Amount moved was from Unanticipated Revenue.
- TRANSFER – Between Departments
  - \$281,915 in savings within various departments was transferred to other departments that had overspending.

# Finance Department Highlights

- As mentioned last quarter, a new long range fund forecasting and modeling budget tool was designed and created and was successfully used to assist decision making as the 2016 budget was finalized.
- The Budget Book was modified to provide additional information about County Planning and Forecasting.
- 2016 Budget and 322 page Budget Book were completed on time. A major factor was efforts made by LeeAnn Martin.
- The old GIS on-line map was replaced with a reengineered version. Apps are under development to improve the efficiency of some County processes which make use of the map.
- AP and Payroll “batch runs” were all processed on time, thanks to hard work by Emmy Kuhl.

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

SHANG HAI RESTAURANT  
 20 VILLAGE DR  
 PAGOSA SPRINGS CO 81147

Make check payable to: **Colorado Department of Revenue.**  
 The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name HO'S SHANGHAI CORP		DBA SHANG HAI RESTAURANT		
Liquor License # 41036500002	License Type Hotel & Restaurant (county)	Sales Tax License # 41036500002	Expiration Date 4/23/2016	Due Date 3/9/2016
Street Address 20 VILLAGE DR PAGOSA SPRINGS CO 81147-8368				Phone Number 970-731-1688
Mailing Address 20 VILLAGE DR PAGOSA SPRINGS CO 81147				
Operating Manager Kiu Ha	Date of Birth 8/22/77	Home Address 955 Hills Circle Pagosa Springs, CO 81147		Phone Number 970-731-1662

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last annual 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.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Kiu Ha	Title Manager
Signature 	Date 1/13/16

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest

LEASE

THIS LEASE, dated 3/12/12, is between

Kiu Tran Ha, as the Landlord, and

Ho's Shanghai Corp : DBA Shanghai Restaurant, as the Tenant.

The Landlord, in consideration of the covenants of the Tenant hereinafter set forth, hereby leases to the Tenant the following described property:

also known by street and number as 20 Village Dr. Pagosa Springs, CO 81147

SAID PREMISES are to be leased to the Tenant from 4/1/2012 (date) to

1/1/2042 (date). The Tenant, in consideration of the leasing of the premises as set forth

above, covenants and agrees to pay the Landlord as rent the sum of \$ 4500<sup>00</sup>, payable as follows:

MONTHLY, ON THE FIRST OF EACH MONTH

The Tenant further covenants with the Landlord, that at the expiration of this lease, peaceable possession of said premises shall be given to the Landlord, in as good condition as they now are, the usual wear and tear, inevitable accidents, and loss by fire excepted.

It is agreed that if the Tenant shall be in arrears in the payment of any installment of rent, or any portion thereof, or in default of any of the covenants or agreements herein contained to be performed by the Tenant, which default shall be uncorrected for a period of three (3) days after the Landlord has given written notice pursuant to applicable law, the Landlord may, at Landlord's option, undertake any of the following remedies without limitation: (a) declare the term of the lease ended; (b) terminate the Tenant's right to possession of the premises and reenter and repossess the premises pursuant to applicable provisions of the Colorado Forcible Entry and Detainer Statute; (c) recover all present and future damages, costs and other relief to which the Landlord is entitled; (d) pursue Landlord's lien remedies; (e) pursue breach of contract remedies; and/or (f) pursue any and all available remedies in law or equity. In the event possession is terminated by a reason of default prior to expiration of the term, the Tenant shall be responsible for the rent occurring for the remainder of the term, subject to the Landlord's duty to mitigate such damages. Pursuant to applicable law [13-40-104(d.5), (e.5) and 13-40-107.5, C.R.S.] which is incorporated by this reference, in the event repeated or substantial default(s) under the lease occur, the Landlord may terminate the Tenant's possession upon a written Notice to Quit, without a right to cure. Upon such termination, the Landlord shall have available any and all of the above-listed remedies.

IT IS FURTHER COVENANTED AND AGREED, between the parties aforesaid that

This lease shall be subordinate to all existing and future security interest on the premises. All notices shall be in writing and be personally delivered or sent by first class mail, unless otherwise provided by law, to the respective parties at the address immediately below their signature. If any term or provision of this lease shall be invalid or unenforceable, the remainder of this lease shall not be affected thereby and shall be valid and enforceable to the full extent permitted by law. This lease shall only be modified by amendment signed by both parties. This lease shall be binding on the parties, their personal representatives, successors and assigns.

Where used herein, the singular shall include the plural.

Landlord: Kim Tran Ha  
*[Signature]*

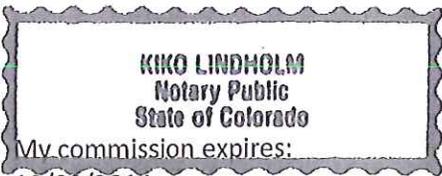
Tenant: Hoi's Shanghai Corp *[Signature]*  
Kim Tran Ha *[Signature]*  
DBA: Shang Hai Restaurant

Address: 20 Village Drive  
Pagosa Springs, CO 81147

Address: 20 Village Drive  
Pagosa Springs, CO 81147

State of Colorado  
County of Archuleta

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of March by Kiu Tran Ha.



*Kiko Lindholm*  
Notary Public  
Kiko Lindholm



## NOTICE OF PUBLIC HEARING

STATE OF COLORADO  
COUNTY OF ARCHULETA

Public Notice is hereby given that on January 13, 2016, an application for a Hotel and Restaurant Liquor License to be issued to Ho's Shanghai Corp of Pagosa Springs Inc. was filed with the Board of County Commissioners of Archuleta County, Colorado. The premises is to be known as (dba) Shang Hai Restaurant, and more particularly described as 20 Village Drive.

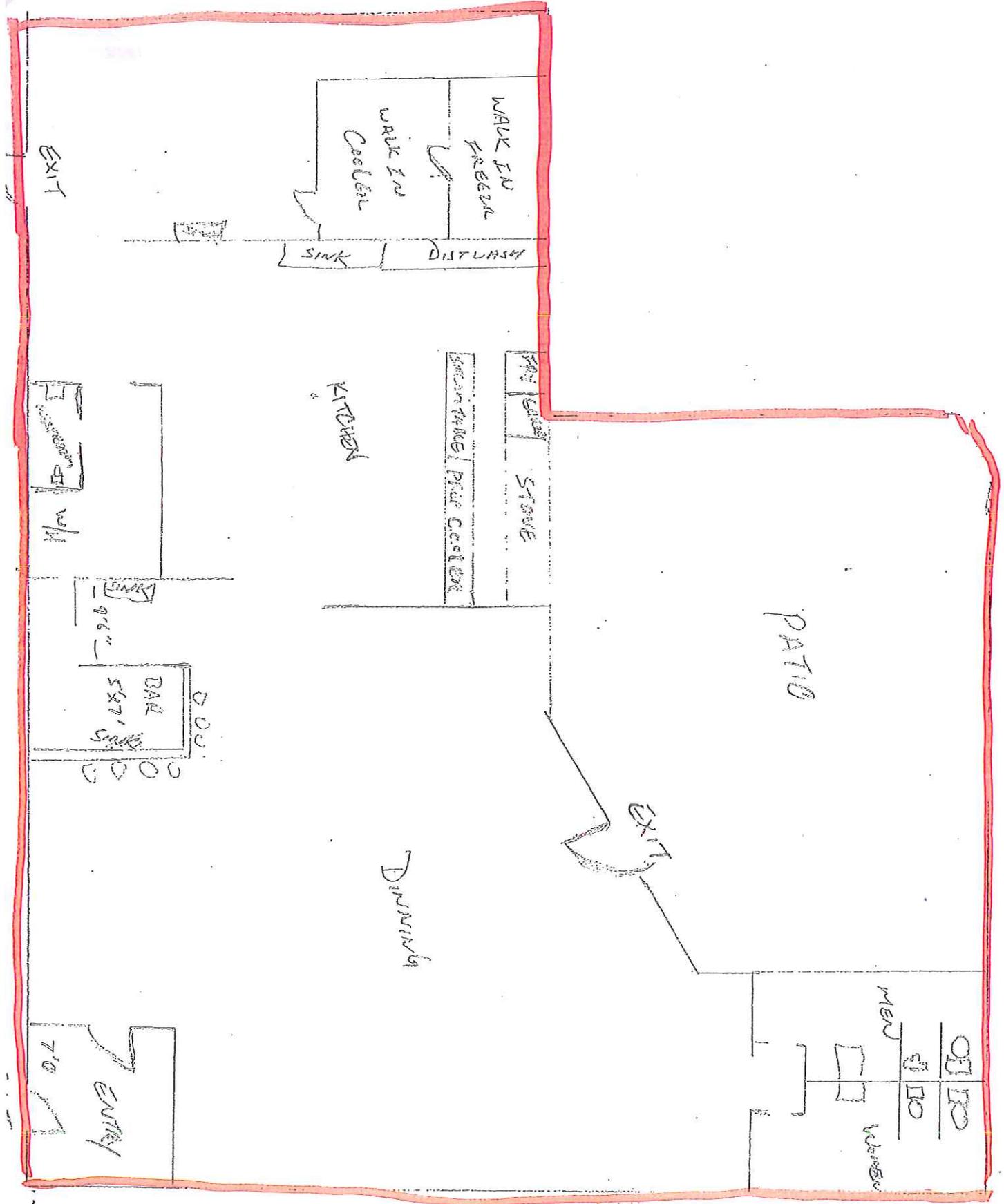
Notice is further given that a hearing for said application will be held on February 16, 2016 at 1:30 p.m. in the County Commissioners' Meeting Room located in the Archuleta County Administration Offices in Pagosa Springs, Colorado.

At said time and place, all parties of interest shall be allowed to appear in support of, or in opposition to, the granting of said license by petitions, objections or personal appearances. Petitions or objections may be filed in the said County Commissioners' Office in the Archuleta County Administration Office, 398 Lewis Street, Pagosa Springs, Colorado, prior to said hearing.

This notice is given by order of the Board of County Commissioners of Archuleta County, Colorado this 1st day of February, 2016.

Board of Commissioners  
Archuleta County, Colorado

Publish in the Public Notice Section in the February 11, 2016 edition of the *Pagosa Springs Sun*



1650"

SOUTH



**ARCHULETA COUNTY SHERIFF'S DEPARTMENT**

449 San Juan St. • P.O. Box 638  
Pagosa Springs, Colorado 81147-0638  
Office: (970) 264-2131  
Fax: (970) 264-4700

On Agenda: Feb 16, 2016

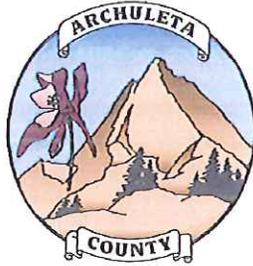
**LIQUOR / 3.2% BEER LICENSE RENEWAL**

Establishment: Shang Hai Restaurant  
Individual's name(s): Kiu Ha  
DOB: \_\_\_\_\_ SS# \_\_\_\_\_  
DOB: \_\_\_\_\_ SS# \_\_\_\_\_  
Business Address: 20 Village Drive  
Type of License: Liquor - Restaurant  
Expiration Date: 4/23/2016

This is to certify that the above establishment, which is in possession of either a liquor license or a 3.2% Beer Retail License issued by the State of Colorado and the County of Archuleta, did not have any reported violations cited by the State of Colorado or have they been cited by the Archuleta County Sheriff's Office for the previous year.

  
\_\_\_\_\_  
Tonya Hamilton  
blundersheriff

  
\_\_\_\_\_  
Richard Valdez  
Archuleta County Sheriff



**PHYSICAL INSPECTION REQUIRED FOR RENEWAL FOR LIQUOR  
LICENSE/3.2% BEER APPLICATIONS AND RENEWALS**

On agenda Feb 16, 2016

NEW APPLICATION:  RENEWAL:  (CHECK ONE)

TYPE OF LICENSE Restaurant Liquor

NAME OF APPLICANT Shang Hai Restaurant

BUSINESS NAME Kin Ha

LOCATION ADDRESS 20 Village Drive

TELEPHONE NUMBER 970-731-1688

LICENSE NUMBER 41036500002

Building Department  
264-1390

APPROVED  
SIGNATURE

DISAPPROVED  
SIGNATURE

  
JOHN RUYLE

Printed Name

Printed Name

DATE: 2/4/2016

After required inspection, please return this form to the County Commissioner's Office.

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

CHAVOLO'S MEXICAN RESTAURANT  
 301 N PAGOSA BLVD  
 PAGOSA SPRINGS CO 81147

Make check payable to: **Colorado Department of Revenue.**  
 The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name CHAVOLO'S MEXICAN RESTAURANT OF PAGOSA SPRINGS MEXICAN RESTAURANT		DBA CHAVOLO'S	
Liquor License # 4701217	License Type Hotel & Restaurant (county)	Sales Tax License # 35072960001	Expiration Date 4/23/2016
Street Address 301 N PAGOSA BLVD PAGOSA SPRINGS CO 81147		Due Date 3/9/2016	
Mailing Address 301 N PAGOSA BLVD PAGOSA SPRINGS CO 81147		Phone Number (970) 903 1840	
Operating Manager Sofia D. Rodriguez	Date of Birth 8-1-57	Home Address 46 Teal Circle, Pagosa Springs CO 81147	Phone Number 970-903-1840

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last annual 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.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

**AFFIRMATION & CONSENT**  
 I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Edgar Chavolo's Mexican Restaurant / Edgar S. Ortiz	Title President
Signature Edgar S. Ortiz	Date 01/28/15

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**  
 The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest

## NOTICE OF PUBLIC HEARING

STATE OF COLORADO  
COUNTY OF ARCHULETA

Public Notice is hereby given that on January 28, 2016, an application for a Hotel and Restaurant Liquor License to be issued to Chavolo's Mexican Restaurant of Pagosa Springs Inc. was filed with the Board of County Commissioners of Archuleta County, Colorado. The premises is to be known as (dba) Chavolo's Mexican Restaurant, and more particularly described as 301 N. Pagosa Blvd, Ste B-2.

Notice is further given that a hearing for said application will be held on February 16, 2016 at 1:30 p.m. in the County Commissioners' Meeting Room located in the Archuleta County Administration Offices in Pagosa Springs, Colorado.

At said time and place, all parties of interest shall be allowed to appear in support of, or in opposition to, the granting of said license by petitions, objections or personal appearances. Petitions or objections may be filed in the said County Commissioners' Office in the Archuleta County Administration Office, 398 Lewis Street, Pagosa Springs, Colorado, prior to said hearing.

This notice is given by order of the Board of County Commissioners of Archuleta County, Colorado this 1st day of February, 2016.

Board of Commissioners  
Archuleta County, Colorado

Publish in the Public Notice Section in the February 11, 2016 edition of the *Pagosa Springs Sun*

**Not Lease**

**1. Names**

This lease is made by Doug Cook, (landlord), and Chavolo's Mexican Restaurant of Pagosa Springs, Inc. (tenant).

**2. Premises' Being Leased**

Landlord is leasing to tenant, and Tenant is leasing from Landlord, a portion of the following premises.

**301 N. Pagosa Blvd, N 1/2 B1 & B2  
Pagosa Springs, CO 81147**

Specifically, tenant is leasing 2,000 square feet of Unit 13-2 & Northeast section of B-1. bathrooms to be shared with tenant of Southwest B-1.

**3. Shared Facilities**

As part of this lease, Tenant and Tenant's employees and customers may use the following additional facilities in common with other tenants, employees and customers:

**Parking:**

Parking in front of units

**Restrooms:**

Bathroom facilities to be shared with B-1 tenants.

**Other Areas:**

Back of building space must be kept free of debris and clean around dumpsters.

**Term of the Lease:**

This lease begins on April 1, 2014 and ends on March 31, 2016.

2019

*APC  
WCC  
E.O.*

**Rent:**

Tenant will pay rent in advance on the first day of each month.

Tenant's first rent payment will be on April 1, 2014. Tenant will pay rent of \$2,900.00 per month for the first year of the lease. rent will increase each year, on the anniversary of the starting date in paragraph 3, as follows:

Rent may be increased upon mutual agreement between parties after the first year by 10 percent

**Option to Extend Lease:**

Landlord grants Tenant the option to extend this lease for an additional year on the same terms.

Tenant may exercise the option only if Tenant is in substantial compliance with the terms of this lease. To exercise the option, Tenant must give Landlord written notice on or before March 31, 2016.

If Tenant chooses to exercise the option granted above, Tenant will then have the option to extend this lease for 1 year beyond the first option period on the same terms

Tenant may exercise this additional option only if Tenant is in substantial compliance with the terms of this lease. To exercise this option, Tenant must give Landlord written notice on or before March 31, 2016.

**Improvements by Landlord:**

Tenant accepts the premises in "as is" condition. Landlord need not provide any repairs or improvements before lease terms begin.

**Improvements by Tenants:**

Tenants may make alterations and improvements to the premises after obtaining the Landlord's written consent, which will not be unreasonably withheld. At any time before this lease ends, Tenant may remove any of the Tenant's alterations and improvements, as long as Tenant repairs any damage caused by attaching the items to or removing them from the premises

**Tenant's Use of Premises:**

Tenant will use the premises for the following business purposes:

Restaurant

Tenant will also use the premises for purposes reasonably related to the main use

**Landlord's Representations:**

Landlord represents that:

A. At the beginning of the lease term, the premises will be properly zoned for Tenant's stated use and will be in compliance with all applicable laws and regulations.

**B.** The premises have not been used for the used for the storage or disposal of any toxic or hazardous substance and Landlord has received no notice from any governmental authority concerning removal of any toxic or hazardous substance from the property.

**Separately Metered Utilities and Services:**

Tenant will pay for the following utilities and services that are separately metered or billed to Tenant:

- Electricity
- Gas

Tenant will pay for these utilities in monthly installments.

**Maintenance and Repair of Common Areas:**

Landlord will maintain and make all necessary repairs to the common areas of the building adjacent premises and keep these areas safe and free of trash. This includes:

- On-site parking areas
- Restroom facilities
- Storage Areas
- Hallways, stairways and elevators
- Sidewalks and Driveways
- Dumpster Area, Landlord may inspect interior and exterior upon reasonable notification to tenant for cleanliness.

Tenant will pay Landlord 0% of the cost of such maintenance and repairs. Tenant will pay these amounts in monthly installments on or before the first day of each month. In advance, in an amount estimated by Landlord. Within 90 days after the end of each lease year, Landlord will give Tenant a statement of the actual amount of Tenant's share of such costs for such period. If Tenant's share of the actual costs exceeds the amount paid in advance by Tenant, Tenant will pay Landlord the difference within 30 days. If Tenant has paid more than Tenant's share of the actual costs, Tenant will receive a credit for the overage which will be applied to reduce the next installments due from Tenant.

**Maintenance and Repair of Leased Premises:**

Landlord will maintain and make all necessary repairs to the following parts of the building in which the leased premises are located:

- Roof
- Foundation and Structural Components
- Exterior Walls
- Sprinkler System

Tenant will maintain and repair the leased premises and keep the leased premises in good repair except for those items specified above as being Landlord's responsibility.

**Insurance:**

A. Tenant will carry public liability insurance, which will include Landlord as an additional insured party. The public liability coverage for personal injury will be in at least the following amounts:

\$100,000 per occurrence, and  
\$300,000 in any one year.

B. Landlord will carry fire and extended coverage insurance on the building, Tenant will pay Tenant's proportionate share (100%) of such insurance within ten days after receiving a statement from Landlord as to the cost.

C. Landlord and Tenant release each other from any liability to the other for any property loss, property damage or personal injury to the extent covered by insurance carried by the party suffering from the loss, damage or injury.

D. Tenant will give the Landlord, and Landlord will give the Tenant, a certificate of insurance for all insurance policies that this lease requires Tenant and Landlord to obtain.

**Taxes:**

A. Tenant will pay 0% of all taxes that may be levied against the building and the land for the period of the lease. Tenant will pay these taxes in monthly installments on or before the first day of the month, in advance, in an amount estimated by the Landlord. Landlord will give Tenant copies of the tax bills as Landlord receives them. If Tenant's share of the actual taxes exceeds the amount paid in advance by the tenant, Tenant will pay Landlord the difference within 30 days. If Tenant has paid more than Tenant's share of the actual taxes, Tenant will receive a credit for the overage which will be applied to reduce the next installments due from the Tenant. Taxes to be paid by Tenant will be prorated on due date's basis and will be assumed to cover a period of one year from the due date.

B. Tenant will pay all personal property taxed levied and assessed against Tenant's personal property.

**Subletting and Assignment:**

Tenant will not assign this lease or sublet any part of the premises without the written consent of the Landlord.

**Damage to Premises:**

A. If the premises are damaged through fire or other cause not the fault of the Tenant, Tenant will owe no rent for any period during which the Tenant is substantially deprived from the use of the premises.

B. If Tenant is substantially deprived of the use of the premises for more than 90 days because of such damage; Tenant may terminate this lease by delivering written notice of termination to the Landlord.

**Notice of Default:**

Before starting a legal action to recover possession of the premises based on Tenant's default, Landlord will notify Tenant in writing of the default. Landlord will take legal action only if Tenant does not correct the default within ten days after written notice is given or mailed to Tenant.

**Successor and Assignees:**

This lease binds and benefits the heirs, successors and assignees of the parties.

**Notice:**

All notices must be in writing. A notice may be delivered to a party at the address that follows a party's signature or to a new address that a party designates in writing. A notice may be delivered:

In Person  
By Certified Mail, or  
By Overnight Courier.

**Governing Law:**

This lease will be governed by and constructed in accordance with the laws of the state of Colorado.

**Counterparts:**

The parties may sign several identical counterparts of this lease. Any fully signed counterpart shall be treated as an original.

**Modification:**

This agreement may be modified only by a writing signed by the party against whom such modification is sought to be enforced.

**Waiver:**

If one party waives any term or provision of this lease at any time, that waiver will be effective only for the specific instance and specific purpose for which the waiver was given. If either party fails to exercise or delays exercising any of its rights or remedies under this lease, that party retains the right to enforce that term or provision.

**Severability:**

If any court determines that any provision of this lease is invalid or unenforceable, any invalidity or unenforceability will affect only that provision and will not make any other provision of this lease invalid or unenforceable and shall be modified, amended or limited only to the extent necessary to render it valid and enforceable.

**LANDLORD**

Dated: 02/23/2014 02/05/2016

By: Doug Cook Doug Cook  
Doug Cook / Owner

Dated: 02/23/2014 02/05/2016

By: Lynn F. Cook Lynn F. Cook  
Lynn F. Cook / Broker/Owner

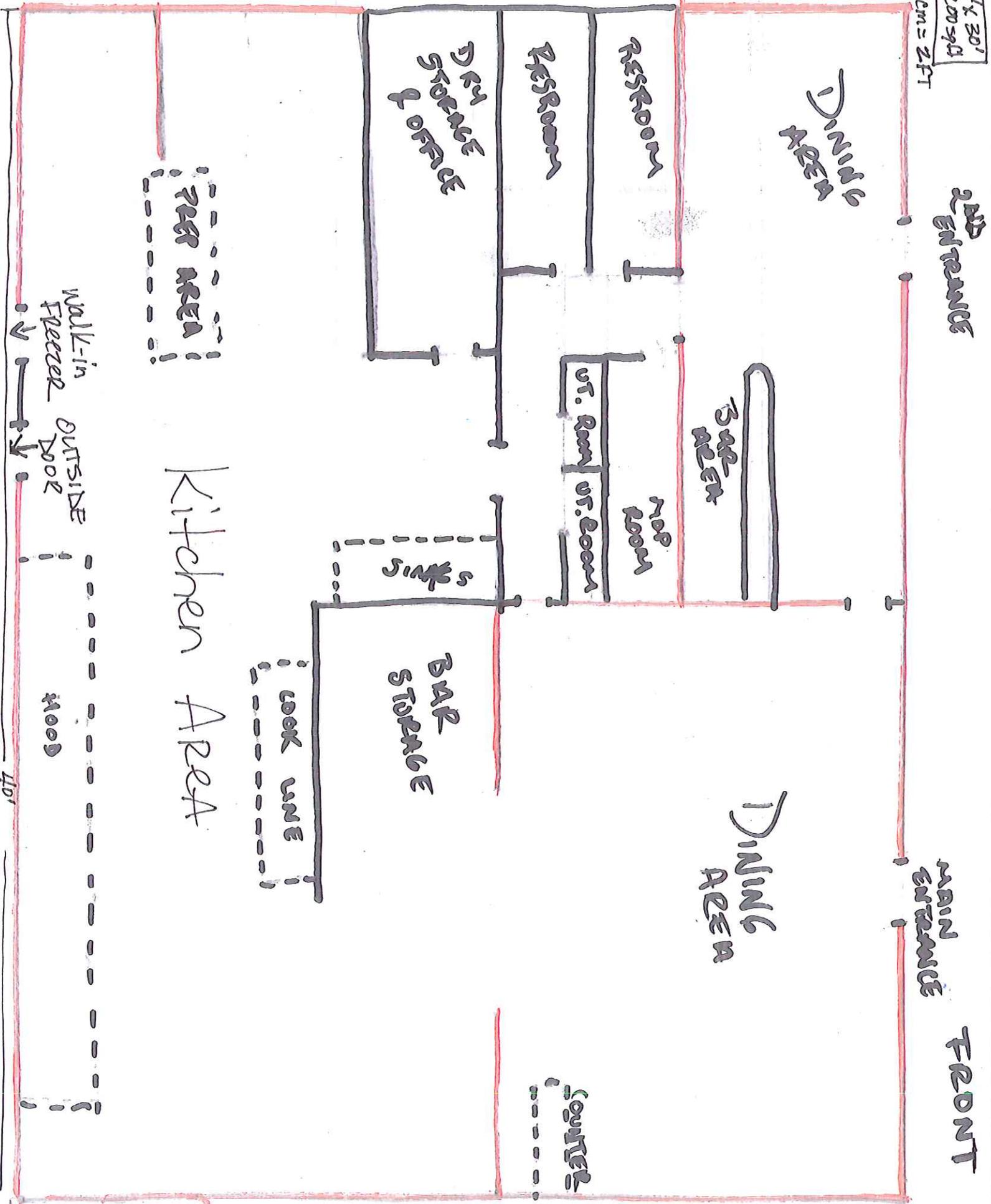
**TENANT**

Dated: 02/25/14 02/05/16

By: Edgar S. Ortiz Edgar S. Ortiz  
Edgar S. Ortiz / Chavolo's Mexican Restaurant of Pagosa Springs, Inc.

# CHAVOLD'S RESTAURANT

140' x 30'  
1200 sq ft  
5cm = 2ft





**ARCHULETA COUNTY SHERIFF'S DEPARTMENT**

449 San Juan St. • P.O. Box 638  
Pagosa Springs, Colorado 81147-0638  
Office: (970) 264-2131  
Fax: (970) 264-4700

On Agenda: Feb 16, 2016

**LIQUOR / 3.2% BEER LICENSE RENEWAL**

Establishment: Chavolo's Mexican Restaurant  
Individual's name(s): Sofia D. Rodriguez  
DOB: \_\_\_\_\_ SS# \_\_\_\_\_  
DOB: \_\_\_\_\_ SS# \_\_\_\_\_  
Business Address: 301 N. Pagosa Blvd  
Type of License: Hotel & Restaurant  
Expiration Date: 4/23/16

This is to certify that the above establishment, which is in possession of either a liquor license or a 3.2% Beer Retail License issued by the State of Colorado and the County of Archuleta, did not have any reported violations cited by the State of Colorado or have they been cited by the Archuleta County Sheriff's Office for the previous year.

  
\_\_\_\_\_  
Tony Hamilton Undersheriff  
Richard Valdez  
Archuleta County Sheriff

**ARCHULETA COUNTY PROCEEDINGS  
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting on February 2, 2016 noting County Commissioners Michael Whiting, Clifford Lucero and Steve Wadley, County Administrator Bentley Henderson, County Attorney Todd Starr and June Madrid County Clerk & Recorder present.

Chairman Whiting called the meeting to order at 1:30 p.m.

The meeting began with the Pledge of Allegiance and a moment of silence.

**Disclosures and/or Conflicts of Interest**

**Approval or Adjustments to Agenda**

**Commissioner moved to approve the agenda as adjusted. Commissioner seconded the motion and it carried unanimously.**

**Public Comments**

Chairman Whiting stated that he was opening the floor to public comments for those wanting to comment on items not on this agenda. Comments were asked to be held to 3 minutes for each person desiring to speak. No response from the Board would be given.

Chairman Whiting recessed the Regular Meeting and convened for an Abatement Hearing at 1: p.m.

**Abatement Hearing**

Chairman Whiting swore in County Assessor Natalie Woodruff for testimony.

**A. Schedule #5581-202-00-120, Owner John M & Teresa Ann Huft  
Eagle Peak Ranch, a Portion of Lot 6; Lots 7-9**

Chairman Whiting asked the County Assessor to present their case.

County Assessor Woodruff submitted a Petition for Abatement or Refund for Schedule #5581-202-00120 for owners John M. & Teresa Ann Huft. The account had been split deeding 55.55 acres to GC Colorado, LLC on November 9, 2015. The Assessor was going to abate the original account and will be sending new tax statements on the two newly created accounts, R019193 & R019194 This would be for the tax year 2015. This would result in an abatement or refund in the amount of \$4,565.44. The Assessor was recommending approval of this request. This original amount will still be billed so this process is considered a wash.

Chairman Whiting asked for comments in “Favor of” or “In Opposition to” the Petition for Abatement or Refund”.

Chairman Whiting closed comments.

**Commissioner moved to approve/deny the Petition for Abatement or Refund of taxes for John M & Teresa Ann Huft owning Parcel 5581-202-00-120 as presented. Commissioner**

**seconded the motion. The motion carried unanimously.**

Chairman Whiting closed the Abatement Hearing and convened the Liquor Board Authority at 1: p.m.

**Liquor Board Authority**

Chairman Whiting swore in Executive Assistant/Paralegal Tonya McCann for testimony.

**A. Special Events Permit for Pagosa Lakes Property Owners Association, Inc.**

Tonya McCann Paralegal submitted an application from Pagosa Lakes Property Owners Association for a Special Events Permit for February 12, 2016 allowing them to sell malt, vinous and spirituous liquor at the Pagosa Lakes Property Owners building located at 230 Port Avenue for a Local Vocals Even on February 12, 2016. The proper fees had been submitted, the Sheriff's Office had been notified of the event and the premises was posted the 10 days prior to today's Hearing.

Chairman Whiting asked for public comments "For the Permit".

**Comments "For the Permit"**

There were none.

Chairman Whiting closed the comments "For the Permit" and opened the floor for comments "Against the Permit".

**Comments "Against the Permit"**

There were none.

Chairman Whiting closed the comments "Against the Permit" and asked for Commissioner Comments.

**Commissioner Comments.**

There were none.

**Commissioner moved to approve the Special Events Permit for Pagosa Lakes Property Owners Association, Inc. as presented. Commissioner seconded the motion and it carried unanimously.**

Chairman Whiting closed the Liquor Authority Board and reconvened the Regular Meeting at 1: p.m.

**Reports**

**A. Department of Human Services Quarterly Report-2015**

Matt Dodson Director of the Department of Human Services presented the quarterly report to the Board for his department for the last quarter in 2015. A copy of the report will be attached to the minutes.

**B. County Clerk & Recorder End of Year Report-2015**

County Clerk June Madrid presented a report regarding the end of year statistics for her office for 2015. A copy of the report and statistics presented will be attached to the minutes.

**Consent Agenda**

A. Payroll & Payable Warrants for January , 2016

B. Resolution 2016- Lot Consolidation of lots in Lake Pagosa Park for owners Thomas C & Catherine Garduno

C. Regular Meeting Minutes

January 05, 2016

January 19, 2016

D. 2016 Position Classification Pay Scale

County Administrator Henderson read the Consent Agenda. **Commissioner moved to approve the Consent Agenda as read. Commissioner seconded the motion and it carried unanimously.**

**New Business**

**A. Grant Award from the Department of Natural Resources Division of Parks & Wildlife to Archuleta County for the Pagosa Regional Trails Project**

County Administrator Henderson presented a request to the Board for consideration. In 2013 the County applied for, but did not receive grant monies from the Department of Natural Resources, Division of Parks & Wildlife through the State Trails Program for the construction of the Pagosa Regional Trails Project in Pagosa Lakes (PLPOA). The same grant was approved last April for the County to receive \$199,645. For this particular grant, the Pagosa Lakes Property Owners Association was again acting on behalf of the County who was technically the applicant of the grant. PLPOA will act as the project/construction manager for all day to day activities and Archuleta County staff will be responsible for the grant administration which includes the submittal of reimbursement requests. Staff will draw up an operational agreement between Archuleta County and the PLPOA to ensure both parties are in agreement as to how the project will be executed. Staff was recommending the Board authorize the Chairman to execute and accept the award for the Pagosa Regional Trails Project. **Commissioner moved to approve/deny the grant award in the amount of \$199,645 from the Department of Natural Resources Division of Parks & Wildlife to Archuleta County for the Pagosa Regional Trails Project. Commissioner seconded the motion.** Chairman Whiting asked for public comment. **The motion carried unanimously.**

**B. Resolution 2016- Increasing the Allowable Active Registered Voters in Precincts 6, 7 & 8**

June Madrid County Clerk & Recorder submitted a resolution for the Board's consideration. C.R.S. 1-5-101(3) allows for the Board of County Commissioners for any Colorado County to pass a resolution allowing for more than 1,500 active voters per precinct. Because of growth, 3 of our precincts are almost or are at that amount. The Clerk was asking to be able to allow the active voters to be over 1,500 for Precincts 6, 7 & 8. Currently the Active Voter totals in these precincts are as follows: 6 has 1,716, 7 has 1,250 and 8 has 1,560. This resolution would bring the county back into compliance with statute. Clerk Madrid was also asking in this resolution to be able to set up a committee to study the size of the precincts and make bring changes forward if need be in 2017. **Commissioner moved to approve/deny Resolution 2016- allowing for more than 1,500 Active Registered Voters in Precincts 6, 7 & 8 in Archuleta County. Commissioner seconded the motion.** Chairman Whiting asked for public comments. **The motion carried**

unanimously.

**C. Resolution 2016- Approving Banking and Investment Organizations for the Treasurer**

Betty Diller County Treasurer submitted a resolution for the Board's consideration. The resolution set the banking depositories to be used by the Treasurer to be:

Bank of Colorado

Bank of the San Juans, Division of Glacier Bank

Citizens Bank of Pagosa Springs

First Southwest Bank

Rio Grande Savings & Loan

Wells Fargo Bank, NA

The investment institutions to be used by the Treasurer would be:

Peaks Investment Management

Hilltop Securities, Inc.

**Commissioner moved to approve/deny Resolution 2016- establishing the depositories and investing institutions to be used by the Treasurer for 2016. Commissioner seconded the motion. Chairman Whiting asked for public comment. The motion carried unanimously.**

**Media Questions**

**Public Comments**

Chairman Whiting stated that he was opening the floor to public comments for those regarding items that were not on this agenda. Comments were asked to be held to 3 minutes for each person desiring to speak. No response from the Board would be given.

**Commissioner Comments**

With no further business coming before the Board, the meeting was adjourned at     p.m.

\_\_\_\_\_ Approved this 16<sup>th</sup> day of February, 2016.

June Madrid  
County Clerk & Recorder

\_\_\_\_\_  
Michael Whiting, Chairman

**RESOLUTION NO. 2016 - \_\_\_\_**

**A RESOLUTION APPROVING THE CONSOLIDATION OF CERTAIN  
LOTS IN ARCHULETA COUNTY, COLORADO**

**WHEREAS**, the Board of County Commissioners of Archuleta County, Colorado, has heretofore adopted regulations relating to the consolidation of lots in Archuleta County, Colorado, (Resolution No. 2006-25); and

**WHEREAS**, the Board has received an application from Valerie Ann Green, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

**WHEREAS**, the Board has found that Valerie Ann Green, has met all the requirements contained in said regulations for Lot Consolidations and the Board may consolidate the hereafter mentioned lots.

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Archuleta County as follows: The Chair does hereby sign on authority granted by the Board of County Commissioners and approves the consolidation of Lots 23 and 24, The Reserve at Pagosa Peak Phase 2, according to the plat thereof filed for record October 5, 2005, as Reception No. 20510466, Archuleta County, Colorado, to become Lot 23X with the condition that if, at a future date, there is a request to split or re-subdivide the consolidated lots, the applicant must comply with the applicable Land Use Regulations in effect at the time the application is made.

APPROVED AND ADOPTED DURING A MEETING DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD IN PAGOSA SPRINGS, ARCHULETA COUNTY, COLORADO, this 16<sup>th</sup> day of February, 2016.

The Board of County Commissioners  
Archuleta County, Colorado

ATTEST:

\_\_\_\_\_  
June Madrid,  
Archuleta County Clerk and Recorder

\_\_\_\_\_  
Chairman Michael Whiting

Return copy to Planning Dept.



High Country Title, Inc.  
Post Office Box 2400  
486 Lewis Street  
Pagosa Springs, CO 81147  
(970) 264-2128 Office  
(970) 264-2130 Fax

**OWNERSHIP & ENCUMBRANCE REPORT  
O&E- 15-3550**

December 30, 2015

Valerie Green

RE: O&E Report 15-3550

\*\*\*\*\*

**PROPERTY DESCRIPTION(S):**

Lots 23 & 24, The Reserve at Pagosa Peak Phase 2, according to the plat thereof recorded October 5, 2005 as Reception No. 20510466, in the office of the Clerk and Recorder, Archuleta County, Colorado.

**TAX SCHEDULE NO(S):**

5583-251-01-023 (As to Lot 23)

5583-251-01-024 (As to Lot 24)

**VESTED OWNER(S):**

Valerie Ann Green by Warranty Deed recorded November 24, 2015 at Reception No. 21508751 in the office of the Clerk and Recorder, Archuleta County, Colorado. (As to Lots 23 and 24)

**LIEN(S) AND ENCUMBRANCE(S) OF RECORD AS OF December 17, 2015 AT 8:00 A.M.:**

NONE

Authorized Signature

THE INFORMATION SET FORTH IN THIS REPORT IS BASED ON A CAREFUL SEARCH AND EXAMINATION OF THE RECORDS OF THE ARCHULETA COUNTY CLERK AND RECORDER'S OFFICE. HOWEVER, THIS REPORT IS NOT TO BE CONSTRUED AS AN ABSTRACT OF TITLE, NOR AN OPINION OF TITLE, NOR A GUARANTY OF TITLE, AND THE LIABILITY HEREIN SHALL NOT EXCEED THE AMOUNT PAID FOR THIS REPORT



High Country Title, Inc.  
Post Office Box 2400  
486 Lewis Street  
Pagosa Springs, CO 81147  
(970) 264-2128 Office  
(970) 264-2130 Fax

**OWNERSHIP & ENCUMBRANCE REPORT**  
**O&E-15-3525**

October 19, 2015

Anthony Licciardello

RE: O&E Report 15-3525 – Account #R005385 and R 5386

\*\*\*\*\*

**PROPERTY DESCRIPTION(S):**

Lots 72 and 73, Block 13, Lake Pagosa Park, according to the plat thereof filed March 13, 1970, as Reception No. 7299 thru 73013, in the office of the Clerk and Recorder, Archuleta County, Colorado

**TAX SCHEDULE NO(S):**

569908204122, as to Lot 72 and 569908204123, as to Lot 73

**VESTED OWNER(S):**

Anthony Licciardello by Warranty Deed recorded August 31, 2011 as Reception No. 21105662, in the office of the Clerk and Recorder, Archuleta County, Colorado. (as to Lot 72)

Anthony Licciardello by Warranty Deed recorded September 28, 2015 as Reception No. 21507118, in the office of the Clerk and Recorder, Archuleta County, Colorado. (as to Lot 73)

**LIEN(S) AND ENCUMBRANCE(S) OF RECORD AS OF October 13, 2013 @ 8:00 a.m.:**

NONE

Any tax, assessment, fee or charge by reason of the inclusion of the subject property in the Owners Association as supported by the most recent Certificate of Taxes Due, issued by the Archuleta County Treasurer's Office.

Authorized Signature

THE INFORMATION SET FORTH IN THIS REPORT IS BASED ON A CAREFUL SEARCH AND EXAMINATION OF THE RECORDS OF THE ARCHULETA COUNTY CLERK AND RECORDER'S OFFICE. HOWEVER, THIS REPORT IS NOT TO BE CONSTRUED AS AN ABSTRACT OR TITLE, NOR AN OPINION OF TITLE, NOR A GUARANTY OF TITLE, AND THE LIABILITY HEREIN SHALL NOT EXCEED THE AMOUNT PAID FOR THIS REPORT.

**RESOLUTION NO. 2016 - \_\_\_\_**

**A RESOLUTION APPROVING THE CONSOLIDATION OF CERTAIN  
LOTS IN ARCHULETA COUNTY, COLORADO**

**WHEREAS**, the Board of County Commissioners of Archuleta County, Colorado, has heretofore adopted regulations relating to the consolidation of lots in Archuleta County, Colorado, (Resolution No. 2006-25); and

**WHEREAS**, the Board has received an application from Anthony Licciardello, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

**WHEREAS**, the Board has found that Anthony Licciardello, has met all the requirements contained in said regulations for Lot Consolidations and the Board may consolidate the hereafter mentioned lots.

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Archuleta County as follows: The Chair does hereby sign on authority granted by the Board of County Commissioners and approves the consolidation of Lots 72 and 73, Lake Pagosa Park Block 13, according to the plat thereof filed for record March 13, 1970, as Reception No. 72998 through 73013, Archuleta County, Colorado, to become Lot 72X with the condition that if, at a future date, there is a request to split or re-subdivide the consolidated lots, the applicant must comply with the applicable Land Use Regulations in effect at the time the application is made.

APPROVED AND ADOPTED DURING A MEETING DULY AND REGULARLY CALLED, NOTICED, CONVENEED AND HELD IN PAGOSA SPRINGS, ARCHULETA COUNTY, COLORADO, this 16<sup>th</sup> day of February, 2016.

The Board of County Commissioners  
Archuleta County, Colorado

ATTEST:

\_\_\_\_\_  
June Madrid,  
Archuleta County Clerk and Recorder

\_\_\_\_\_  
Chairman Michael Whiting

Return copy to Planning Dept.

# PAGOSA SPRINGS Medical Center

Better health and wellness  
where you live

February 10, 2016

Archuleta County Board of County Commissioners  
Via Email

Dear Board of County Commissioners,

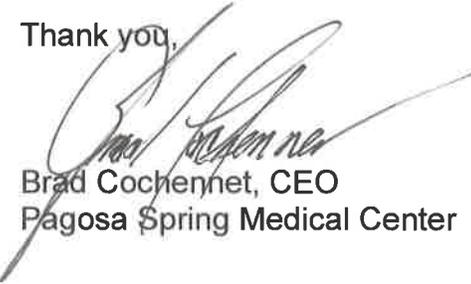
This letter is to request a waiver of construction-related fees (dump fees) to assist Pagosa Springs Medical Center in building facilities to meet the current and future needs of the town, its residents, and visitors. We have asked for and been granted a waiver of impact fees from the Town of Pagosa Springs (\$89,0864.60), and the Fire Protection District (\$17,413.50).

We estimate that we will make approximately 70 trips hauling 30 cubic yard dumpsters for an approximate total of 2100 cubic yards.

The medical center was started with limited initial community investment, now the town's medical facility needs broad-based support to address pressing space and capacity constraints. To date, the hospital has grown through internally generated resources. The next phase of healthcare development in Pagosa Springs will need community support. We believe the county, town, Fire Protection District and PAWSD can assist in a variety of ways that do not require traditional funding mechanisms. This waiver is one of those ways.

Such a waiver constitutes an investment in infrastructure and diversifying economic development for the town. It also supports essential community services, not unlike similar waivers provided for the construction of affordable housing. The medical center is, after all, the only medical facility that serves everyone in our community regardless of ability to pay. To keep healthcare affordable and accessible, and to support the economic engine that is our growing facility, we ask for this tangible support.

Thank you,

  
Brad Cochennet, CEO  
Pagosa Spring Medical Center



# Memorandum

TO: Chairman Michael Whiting and the Archuleta County Board of Commissioners  
DATE: February 10, 2016  
FROM: Bentley Henderson  
RE: Fee Waiver Request

Attached for your consideration is a request from the Pagosa Springs Medical Center for a waiver of land fill fees for their upcoming project.

Based on the information provided, the anticipated volume of waste (2100 cubic yards), at our regular rate, would result in a loss of revenue to the solid waste department of \$29,400. It is important to note that the solid waste function in Archuleta County is operated as an enterprise fund. As such, it is expected that the operations of the fund will be self-supporting. We are fortunate that the solid waste function is on solid ground financially and requires no general fund operational subsidy.

This is not the case however, with regard to the long range capital needs of the operation. Expansion and capital purchases simply cannot be accomplished without support from the general fund. Two significant capital expenditures are looming. Those being, a planned expansion, into cell 4, and a major capital equipment purchase. With regard to the cell 4 expansion, planning, engineering, and construction are anticipated to run as much as \$550,000. Additionally, staff is programming approximately \$350,000 to \$400,000 dollars for the replacement of the compactor.

While it is clear that there is broad community support for the Medical Center, it is incumbent upon staff to make certain that the BoCC has a full understanding of the operational needs of the solid waste function.

# Match Scenarios for EIAF Funds

	No EIAF	40% EIAF	50% EIAF	75% EIAF
High Risk Exploration Well	\$ 650,000	\$ 650,000	\$ 650,000	\$ 650,000
Monthly Lease Payments	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
PM Exploration Well	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000
High Risk Total	\$ 745,000	\$ 745,000	\$ 745,000	\$ 745,000
EIAF Contribution	\$ -	\$ 298,000	\$ 372,500	\$ 558,750
PW Cost Share	\$ 745,000	\$ 447,000	\$ 372,500	\$ 186,250
Current PW Funds	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
Remainder to Raise	\$ 670,000	\$ 372,000	\$ 297,500	\$ 111,250
40% share (each from T&C)	\$ 268,000	\$ 148,800	\$ 119,000	\$ 44,500
20% share (from PV)	\$ 134,000	\$ 74,400	\$ 59,500	\$ 22,250
Effectual EIAF Share	0%	40%	50%	75%
Effectual PW Share	10%	10%	10%	10%
Effectual County Share	36%	20%	16%	6%
Effectual Town Share	36%	20%	16%	6%
Effectual PV Share	18%	10%	8%	3%

# Memorandum

TO: Chairman Michael Whiting and the Archuleta County Board of Commissioners

DATE: February 10, 2016

FROM: Bentley Henderson

RE: Pagosa Area Geothermal Water and Power Authority funding request

## BACKGROUND

Over the course of the past few months, the Board of Directors of the Pagosa Area Geothermal Water and Power Authority (PAGWAPA) have been receiving project updates from their advisors as to the “state of the project.” As is the case with any project, the topic receiving the greatest amount of attention has been funding. The funding issue came to the forefront with the decision of the Department of Energy to withdrawal their funding in the spring of 2015. This development has had a devastating impact on PAGWAPA’s ability to continue with any exploratory efforts. Since receiving notification of the elimination of that award, Pagosa Waters’ staff have been looking into alternatives to continue exploration.

Presented at the February 8<sup>th</sup> 2016 PAGWAPA board meeting, were a number of funding alternatives developed for consideration (included on the attachment). These funding scenarios were intended to provide alternatives to the Board that would allow for continued exploration.

At the February Board meeting, the PAGWAPA Board of Directors formally approved a recommendation regarding moving forward with a program that expands on the exploratory drilling work that was undertaken in the spring and summer of 2015. The action taken by the Board was two-fold. Motions were made and approved to, 1) engage with the Department of Local Affairs (DoLA) in renegotiation of the present Energy Impact Assistance Fund Grant for both a time extension, and in a change in the local match requirement, and 2) approach the two governmental partners for additional funding for exploration.

## DISCUSSION

In order to resume exploratory/confirmation efforts, a comprehensive financial restructuring is necessary. Due to the elimination of the DoE funding, the primary source of funding for the project is now the Department of Local Affairs Grant. Restructuring involves additional funding from the all of the partners in PAGWAPA, and a renegotiation of the contract terms with DoLA. As indicated, renegotiation of match requirements is a critical component in efforts to move forward. Attached is a breakdown of the funding options as they relate to different DoLA local match scenarios (the present match formula is 43.58% DoLA and 56.42% local). At their Board meeting, the BoD of PAGWAPA formally directed negotiators to pursue an amendments to the DoLA Grant to reflect a funding scenario with DoLA reducing the local match down to 25%.

## DECISION SCENARIO

The request of the Department of Local Affairs and the request of the two governmental partners is happening somewhat simultaneously. In the interest of time, PAGWAPA directed Board Representative Don Volger to approach the BoCC at their (the BoCC's) next regular meeting to obtain a commitment to the funding scenario described above should the terms of the DoLA Grant be modified. If that contract amendment is successful, the two local government partners would be asked to contribute \$44,500 each toward the project.