

**ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

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

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**DISCLOSURES AND/OR CONFLICT OF INTEREST**

**APPROVAL OR ADJUSTMENTS TO AGENDA**

\* Executive Session - Specific Agenda Topic

**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. Human Services 2016 3rd Quarter Report**

The Archuleta County Department of Human Services administers many programs. The attached quarterly report will provide program updates and statistics related to our program goals and services.

Presenter	Matthew A. Dodson, LCSW
Presenter's Title	Director

Documents:

[DHS 2016 3RD QUARTER REPORT.PDF](#)

**B. Third Quarter 2016 Finance Report**

The presentation of the third quarter 2016 financial report.

Presenter	Larry Walton
Presenter's Title	Finance Director

**LIQUOR BOARD**

**A. Renewal Of Liquor License For Aspen Springs Bar And Grill**

This is a renewal of a Hotel and Restaurant Liquor License for Aspen Springs Bar and Grill. The Sheriff's office completed their background check, the Building Department having

inspected the premises for changes. The licensing fee and the late fee have been paid. The applicant has requested the late fees be waived.

This license expired on October 2, 2016. Pursuant to C.R.S. §12-47-302(2)(a) ....., a licensee whose license has been expired for not more than ninety days may file a late renewal application upon the payment of a nonrefundable late application fee of five hundred dollars each to the state and local licensing authorities. A licensee who files a late renewal application and pays the requisite fees may continue to operate until both state and local licensing authorities have taken final action to approve or deny such licensee's late renewal application.

C.R.S. §12-47-302(2)(d)(III) For licensees subject to issuance or approval by a local licensing authority, if the local licensing authority allows the licensee to apply for a reissuance of the expired license, the licensee must submit to the local licensing authority: (A) An application for a reissued license;  
(B) Payment of a five-hundred-dollar late application fee; and

C.R.S. §12-47-302(2)(d)(IV) After the local licensing authority accepts the application, late application fee, and fine, the licensee may continue to operate and sell alcohol beverages until the state licensing authority and local licensing authority have each taken final action on the licensee's application for license reissuance.

C.R.S. §12-47-302(2)(d)(V) If the local licensing authority approves the reissuance of the licensee's license, the local licensing authority shall forward the approved application to the state licensing authority for review. In addition to the late application fee and fine imposed by the local licensing authority, the state licensing authority shall impose a five-hundred-dollar late application fee and a fine of twenty-five dollars per day for each day the license has been expired beyond ninety days.

Presenter                      Tonya McCann  
Presenter's Title              Executive Assistant\Paralegal

Documents:

[20161025163907.PDF](#)  
[20161025163922.PDF](#)

## **BOARD OF ADJUSTMENTS HEARING**

### **A. Consideration Of Board Of Adjustment Resolution 2016-14BOA Approving Variance From Archuleta County Land Use Regulations On Lot 412, Pagosa Highlands Estates**

Request to consider and approve a Resolution of the Board of Adjustment stating Findings and Conditions for Approval of the Sweitzer Request for Variance from Structure Separation in Section 3.2.6.2 of the *Archuleta County Land Use Regulations*, with conditions. Variance approved on October 18, 2016.

Presenter                      John Shepard, AICP  
Presenter's Title              Planning Manager

Documents:

[BOA RESOLUTION 2016-14 - SWEITZER VAR SEPARATION.PDF](#)

**B. Consideration Of Board Of Adjustment Resolution 2016-15BOA Denying Variance From Archuleta County Land Use Regulations On Lot 412, Pagosa Highlands Estates**

Request to consider and approve a Resolution of the Board of Adjustment stating Findings of Denial of the Sweitzer Request for Variance from Sideyard Setback in the PUD zone. Variance denied on October 18, 2016.

Presenter John Shepard, AICP  
Presenter's Title Planning Manager

Documents:

[BOA RESOLUTION 2016-15 - SWEITZER VAR SETBACK.PDF](#)

**C. Board Of Adjustment Public Hearing Of Webb Request For Holiday RV South Variance From Paving, Parcel 3, Ridgeview Subdivision Replat**

Jeremiah "J" Webb, Holiday RV South, Inc. of South Fork, CO, has applied for the Holiday RV South Variance from Section 5.4.5.4 of the *Archuleta County Land Use Regulations* and Sections 27.1.7.3 and 27.1.7.4 of the *Archuleta County Road and Bridge Design Standards* requiring paving of access and parking, for property owned by Bruce Lamereaux; being Parcel 3, Ridgeview Subdivision Replat, at 633 Navajo Trail, Pagosa Springs, CO (PLN16-055). This hearing was continued on October 4, 2016, to this meeting.

Presenter John Shepard, AICP  
Presenter's Title Planning Manager

Documents:

[PLN16-055\\_HOLIDAY\\_RVS-BOA\\_20161101-STAFFREPORT.PDF](#)  
[A1-PLN16-054\\_055\\_AREA\\_MAPS.PDF](#)  
[A2-MEMO-PUD ZONE DEVELOPMENT REQUIREMENTS.PDF](#)  
[A3-PLN16-054\\_055\\_REVIEWCOMMENTS.PDF](#)  
[A4-PLN16-054\\_055\\_LAMEREAUX-ILC\\_SKETCHPLAN.PDF](#)  
[A5-PLN16-054\\_055\\_HOLIDAYRVSSOUTH-NARRATIVES.PDF](#)  
[A6-PLN16-054\\_055\\_HOLIDAYRVSSOUTH-SITE\\_SKETCH\\_600DPI.PDF](#)

**LAND USE REGULATION HEARING**

**A. Public Hearing Of Webb Request For Holiday RV South Conditional Use Permit, Parcel 3, Ridgeview Subdivision Replat**

Jeremiah "J" Webb, Holiday RV South, Inc. of South Fork, CO, has applied for the Holiday RV South Conditional Use Permit, on property owned by Bruce Lamereaux; being Parcel 3, Ridgeview Subdivision Replat, at 633 Navajo Trail, Pagosa Springs, CO (PLN16-054). The proposal will permit Outdoor Sales of Recreational Vehicles in the PUD zone. This hearing was continued on October 4, 2016, to this meeting.

Presenter John Shepard, AICP  
Presenter's Title Planning Manager

Documents:

[PLN16-054\\_HOLIDAY\\_RVS-BOCC\\_20161101-STAFFREPORT.PDF](#)  
[A1-PLN16-054\\_055\\_AREA\\_MAPS.PDF](#)

[A2-MEMO-PUD\\_ZONE\\_DEVELOPMENT\\_REQUIREMENTS.PDF](#)  
[A3-PLN16-054\\_055\\_REVIEWCOMMENTS.PDF](#)  
[A4-PLN16-054\\_055\\_LAMEREAUX-ILC\\_SKETCHPLAN.PDF](#)  
[A5-PLN16-054\\_055\\_HOLIDAYRVSSOUTH-NARRATIVES.PDF](#)  
[A6-PLN16-054\\_055\\_HOLIDAYRVSSOUTH-SITE\\_SKETCH\\_600DPI.PDF](#)

## **CONSENT AGENDA**

### **A. PAYROLL, PAYABLE WARRANTS AND PURCHASE CARDS**

**For October 19, 2016 - November 1, 2016**

### **B. Consideration Of Resolution 2016 - \_\_\_\_\_ Consolidating 4 Lots Into 1 Lake Pagosa Park Block 13 Owned By Timothy H. Olson**

This request is to consider the Resolution authorizing the consolidation of Lots 19 through 22 Lake Pagosa Park Block 13, to become Lot 22X owned by Timothy H. Olson

Presentor                      Bentley Henderson  
Presentor's Title              County Administrator

Documents:

[LOT CONSOLIDATION - TIM OLSEN.PDF](#)  
[OLSON O AND E.PDF](#)

### **C. Consideration Of Resolution 2016 - \_\_\_\_\_ Consolidating 2 Lots Into 1 Martinez Mountain Estates Owned By M. Carrol Family No. 1 Limited Partnership**

This request is to consider the Resolution authorizing the consolidation of Lots 122 and 123 Martinez Mountain Estates, to become Lot 123X owned by M. Carrol Family No. 1 Limited Partnership

Presentor                      Bentley Henderson  
Presentor's Title              County Administrator

Documents:

[LOT CONSOLIDATION - M. CARROLL FAMILY TRUST.PDF](#)  
[MCARROL FMAILY.PDF](#)

### **D. Consideration Of Resolution 2016 - \_\_\_\_\_ Consolidating 2 Lots Into 1 Lake Hatcher Park Owned By Larry Dee Reed And Sandra Reed**

This request is to consider the Resolution authorizing the consolidation of Lots 127 and 128 Lake Hatcher Park, to become Lot 128X owned by Larry Dee Reed and Sandra Reed

Presentor                      Bentley Henderson  
Presentor's Title              County Administrator

Documents:

[LOT CONSOLIDATION - REED.PDF](#)  
[REED L.PDF](#)

**E. Consideration And Approval Of A Hotel And Restaurant Liquor License Renewal For Chimney Rock Restaurant And Tavern, LLC**

This is a renewal of a Hotel and Restaurant Liquor License for Chimney Rock Restaurant and Tavern, LLC located at 18710 US Hwy 160 Pagosa Springs, Colorado. This renewal includes no changes. The application is complete and the proper fees have been submitted. The Sheriff's Office has completed their background check and the Building Department has inspected the premises for changes.

Responsible Staff: Flora Goheen, Administrative Assistant

Documents:

[CHIMNEY ROCK LIQUOR RENEWAL.PDF](#)

**F. Authorization To Enter Into A Contract Agreement With The Colorado Department Of Transportation**

Archuleta County Transportation is requesting that authorization be conferred upon the Chairman of the Board of County Commissioner to execute the attached documents accepting the grant award through the Colorado Department of Transportation for two new transit vehicles to serve the residents of Archuleta County.

The award and associated documents have been reviewed by appropriate County staff, and funds have been appropriated to meet the required match.

Staff recommends authorizing the Chairman to execute the contract documents.

Presenter	Bentley Henderson
Presenter's Title	County Administrator

Documents:

[5310 TRANSIT GRANT DOCS.PDF](#)

**NEW BUSINESS**

**A. PROST Recommended Proposal For A Snow Cat And Haul Vehicle For Pagosa Nordic Club**

The Pagosa Nordic Club has approached PROST with a request for County 1A Parks and Recreation funds. They would like the BoCC to allocate up to \$25,000 of 1A money as a match to the Club's anticipated fundraised \$25,000 to purchase a used snowcat and haul vehicle to improve their ability to groom cross-country ski trails in the Pagosa area.

Presenter	Bentley Henderson
Presenter's Title	County Administrator

Documents:

[FINAL PROST FUNDING REQUEST\\_10 17 16.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**

## **EXECUTIVE SESSION**

Pursuant C.R.S. 24-6-402(4): The Board reserves the right to meet in executive session for any purposes allowed and announced prior to voting to enter into executive session.

### **A. For Purposes Of The Board Receiving Legal Advice On Specific Legal Questions Pursuant To C.R.S. §24-6-402(4)(B)**

1. Courthouse Matters
2. Fletcher, et al v. Board of County Commissioners, et. al.

### **B. Personnel Matters Pursuant To C.R.S. §24-6-402(4)(F)**

## **NEW BUSINESS**

## **CONSIDERATION AND APPROVAL OF THE COUNTY ADMINISTRATOR'S EMPLOYMENT CONTRACT**

Presenter                      Bentley Henderson  
Presenter's Title              County Administrator

## **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.



## Archuleta County Department of Human Services

### 3rd Quarter Report 2016

To provide prevention, protection, advocacy and support services to families, children and adults so they can maximize their quality of life, well-being and potential.

The Archuleta County Department of Human Services provides financial, protection and prevention services to assist individuals and families. Assistance programs are provided to eligible residents in need and include: Supplemental Nutrition Assistance Program, Colorado Works, Health First Colorado/Medicaid, Child Care Assistance, Child Support, and Low-Income Energy Assistance, all designed to help families and individuals toward financial self-sufficiency. Protection & Prevention services are provided by child and adult protection services, along with community focused programming.

The Department seeks to strengthen individuals, families and our community with the services provided and is dedicated to providing effective and efficient programs.

## LEAP Activity

**Activity Purpose Statement:** The Colorado LEAP program is a federally funded state-supervised, county-administered system and is designed to assist with winter heating costs.

**Narrative:**

Colorado's Low-Income Energy Assistance Program (LEAP) is a state-run program that accepts applications for energy bill payment assistance between November 1 and April 30. LEAP applications must be mailed in to Discover My Goodwill:

LEAP  
P.O. Box 39200  
Colorado Springs, CO 80949

There is no data available at this time as the season is just starting. The Archuleta County Department Human Services has received the 2016 LEAP applications which will be distributed beginning in November. The County is unable to distribute applications prior to November 1<sup>st</sup>.

Total # of Applications Received	Total # of Applications Approved	Total # of Applications Denied	Total # of Applications Pending

## Child Protection Activity

**Activity Purpose Statement:** The purpose of the Child Protection Activity is to provide safety assessment and in home and out of home case management services to children at risk of abuse and neglect and their families so they can maintain a safe and permanent home.

**Narrative:**

The third quarter saw an increase in referrals from the second quarter. This is a typical state wide summertime trend. Since becoming a Differential Response County on June 6, 2016; the Department has assigned a number of referrals as a Family Assessment Response (FAR). The FAR designation allows the department an opportunity to work with families without necessitating a finding or disposition against them. Our staff has had positive feedback in engaging families using FAR, rather than a more punitive method. We are excited to be a part of this innovative practice.

There has been significant transition within the team during this quarter. Home Based Therapist, Tiffany Ramos, has been promoted to the position of Protective Services Supervisor on July 15, 2016. Lacy Bass transitioned from the Intake/Assessment worker to working as an Ongoing worker with court involved cases. Lacy has been successful in engaging families and has assisted several children returned to their families safely. During this quarter we have had four new staff members join the team. These four include John Lovely, to fill the role of Assessment worker and Morgan Olsson who will be filling the role of Fostercare/Resource worker. Lisa Carpino who will be managing both Assessment and Ongoing cases. Kimberly Domingo will be taking on the role of Life Skills/Visitation worker. All four of these workers have been attending trainings as part of the child welfare certification process. This training process is long and strenuous; however these new staff have embraced the challenge and worked diligently through the process.

	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Year End Total
Total # Reports Made	92	76	89		
Reports Accepted for Assessment	31	18	22		
Assessments Founded	7	5	5		
Assessments Inconclusive	10	4	2		
Assessments Unfounded	2	1	15		
Reports Handled as I & R	12	9	13		
Reports Screened Out	61	58	67		
Assessments In Progress	12	8	4		

During the third quarter the team has worked diligently to engage families who are court involved. This increase in engagement has been proving to be successful as three families are currently in the final stages of reunification. The parents have shared feeling an increased level of support by staff who have assisted them in gaining skill to safely parent their children.

Of the children in care, one is placed in an Archuleta County Certified home, one is placed through a CPA's and the remaining are in kinship placements.

	<b>1<sup>st</sup> Quarter</b>	<b>2<sup>nd</sup> Quarter</b>	<b>3<sup>rd</sup> Quarter</b>	<b>4<sup>th</sup> Quarter</b>	<b>Year End Total</b>
Child Welfare Court Cases	9	9	6		
# of Children in Court Cases	15	15	12		

## Foster Care Activity

**Activity Purpose Statement:** The purpose of the Adoption and Foster Care Activity is to provide recruitment, development and support services to current and potential adoptive and foster families so they can provide a safe and stable environment for adoptive and foster children.

**Narrative:**

In the third quarter the Department has received multiple requests by other states to certify kinship families in our community in an effort to place children with family members who reside in Archuleta County. These certifications have been successful and a positive asset for broadening our kinship/foster home resources.

One of the long standing providers licensed by the county adopted a child they have had in their home for the past seven years. The adoption is an exciting event and the department, foster/adopt family and youth have all worked very hard to make the adoption a possibility. Part of this process involves completing a needs based assessment and determining a subsidy for the ongoing needs the child has. Department staff has invested significant resources and time into understanding this process in order to make sound decisions in years to come.

Although the department does a great deal of educating families about how parenting looks different with children in placement and the role of reunification with biological families, providers continue to struggle with the challenges children in care present with. The Department has utilized resources of the Home Based Therapist, Regional Youth and Families Support program and contracted with local clinicians to support foster families.

The department has recently recruited a Foster Care Coordinator, Morgan Olsson. Morgan is excited and energetic about continuing to improve our current foster care unit. Recently the foster care unit participated in an audit regarding our foster care homes and cases. The audit provided us with a great learning opportunity which will allow us to continue to build the program and also to focus on areas where improvement is necessary.

	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Year End Total
Children Foster Care	8	8	10		
Adoptions Finalized	0	0	2		
Adoptions Pending	2	2	0		
Adoption Subsidies Children	14	14	16		
Current Foster Care Homes Licensed in Archuleta County	3	4	3		
Current Certified Kinship Homes	0	0	2		
New Foster Care and Kinship Homes	3	2	2		

## Adult Protection Activity

**Activity Purpose Statement:** The purpose of the Adult Protection Activity is to provide assessment, advocacy, support and community referral services to at-risk adults so they can maintain a safe and independent living situation.

**Narrative:**

Adult protection needs and services provided to elders in the community continue to be on the rise. The department's APS unit is responsible for responding to adult protection referrals that meet statutory criteria for assignment as well as carry several ongoing cases when the needs of the elder are beyond their ability to control and when they do not have family to assist them. The more typical type of calls received by the department involves elders who have neglected themselves or whom have been neglected by a relative (e.g., financial exploitation). The first type, self-neglect occurs in the form of not eating, failing to take medications, failing to maintain a sanitary living environment and often has overlap with memory loss or memory failure. The second type, financial exploitation occurs when a relative or acquaintance misuses an elder's resources, property or money to make personal gain for them.

The department is growing its capacity to respond to the increasing workload associated with providing APS services. We are represented on the APS allocation work group in order to fully understand funding opportunities and to provide a voice for like-sized counties and the issues we encounter in rural Colorado when it comes to providing services and the cost. We successfully advocated for the most recent allocation formula to include a driver of demographics at 70 percent as opposed to basing it on case load size alone. By doing so, the county is better equipped to establish an APS program that has a less volatile allocation assigned to it.

APS staff has provided several community presentations on APS and elder issues. Topics of those presentations have been:

- Financial Exploitation and Forensic Accounting
- Sexual Exploitation on the Elderly
- Elderly Abuse and How to Report

APS unit staff will continue to reach out to surrounding communities and others in order to learn ways of improving our APS unit and to improve services to at risk elders.

	1 <sup>st</sup> Quarte r	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Year End Total
Total # Reports Made	35	28	20		
Reports Accepted for Assessment	6	4	5		
Reports Screened Out	29	24	15		
Assessments Substantiated	0	0	0		
Assessments Inconclusive	0	0	1		

Assessments Unsubstantiated	N/A	N/A	2		
Unable to Investigate	N/A	N/A	2		
Assessments In Progress	2	0	0		
Total # of Open Cases	4	3	2		
Guardianship	2	2	2		
Conservatorship	2	2	2		
Representative Payee	2	2	2		

## Child Care Activity

**Activity Purpose Statement:** The purpose of the CCCAP Program is to provide eligible households with access to high quality affordable child care that supports healthy child development and school readiness while promoting household self-sufficiency and informed child care choices.

The Child Care Assistance Program (CCCAP) served 10 households in July, 11 in the month of August and 10 in the month of June. Some families did not return redetermination paperwork, which is required on a yearly basis, so their cases closed.

The Child Care worker was challenged with some technical issues which impacted the CSTAT report during the last quarter regarding payments that were made manually. In particular the CSTAT measure related to making manual payments was impacted. Research was conducted and it was learned that the Point Of Service (POS) device was not working correctly and/or some clients were not swiping their card before or after picking their child(ren) up from care. There were also issues with a day care provider not receiving payments in the first 2 weeks in September which was determined to be a State IT issue. For an unclear reason the system reverted the rate back to a rate that had been in place prior to July, 1<sup>st</sup> 2016. This caused an under-payment to that provider which had to be manually corrected. The Director and the Cap Coordinator had a discussion with a State CCAP Program expert regarding the CSTAT report on September 2, 2016. It was determined that the automated system was at fault and this problem has been rectified.

The Office of Early Childhood, Division of Early Care and Learning continues to be pleased with the support Archuleta County has shown to Colorado Child Care Assistance Program (CCCAP) families through the Cliff Effect Pilot SB 14-003/SB 16-022 Grant Program. We are excited to move forward with Round Three-Extension in the facilitation of this pilot project. The purpose of the Cliff Effect Pilot Program is to mitigate the cliff effect for low-income working families receiving child care assistance. The program extends child care assistance benefits to families for a period of up to 2 years after they are no longer eligible based on the county's FPL threshold. This pilot will create an additional safety net period of transition to these families while gradually increasing the family responsibility for the cost of child care.

The State CCCAP/CHATS teams are excited to partner with counties as they begin this phase of the system's modernization project, and greatly appreciate our patience and support as they work toward the goal of introducing a system that complements the growing program.

The Department has also been working closely with the Archuleta County Early Care and Education Work Group toward understanding the need for child care programming and improvement. A survey was recently developed and information is being collected which will be used to further develop a 2 year plan which will be presented by the work group to the BoCC and community. It is hoped that these efforts result in action that will favorably impact the community and children.

	<b>1<sup>st</sup> Quarter</b>	<b>2<sup>nd</sup> Quarter</b>	<b>3<sup>rd</sup> Quarter</b>	<b>4<sup>th</sup> Quarter</b>	<b>Year End Total</b>
Total Number of Ongoing Child Care Cases	13	12	10		
Number of Children Served	26	24	17		

\*The child care report has been added to the 2016 annual report. Quarterly averages will be monitored over the next year.

## Family Advocate / PSSF Activity

**Activity Purpose Statement:** The purpose of the Family Advocate / PSSF Activity is to provide referrals to families with children in need of short-term emergency or long-term support. The Family Advocate assists child welfare clients address barriers to becoming self-sufficient. The Family Advocate provides assistance with engaging families that are involved in the child welfare system. The Family Advocate also provides domestic violence education services.

In August 2016, the Family Advocate participated in a two-day training for Motivational Interviewing, in Durango, Colorado. Motivational Interviewing is a technique used to strengthen a person's motivation and commitment to change. The Family Advocate feels the technique will be an excellent tool to engage client's that may be "resistant" or "ambivalent" to making changes in life.

During this quarter, the Family Advocate collaborated with child welfare staff in efforts to develop and coordinate many resources on behalf of families and participated in Red Team daily. Red Team is used to review child welfare referrals and to make decisions about the level of involvement ACDHS will have with a family referred and to determine next steps.

The following narrative provides a description for the chart below. Basic services consist of providing financial assistance for rent, utilities, car insurance, and or car repairs and helping families with accessing services within the community.

The state department recently announced that the PSSF grant, which funds a portion of the Family Advocate's position, will require submission of a proposal in the upcoming year. Historically, the PSSF grant has not been a competitive process and funding was allocated to those counties who were originally awarded funding based on performance outcomes. Due to the change, the five counties in the region plan to meet to discuss our application and proposal in order to secure funding into the future.

	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Year End Total
Alternative Activities					
Basic Needs	171	177	59		
Family Literacy					
Health Care	3	1	98		
Parent Education/Support		12	4		
Youth Services					
Total Services Provided	174	190	161		

## Child Support Activity

**Activity Purpose Statement:** The purpose of the Child Support Activity is to provide establishment and enforcement services to custodial and noncustodial parents so they can consistently receive and/or pay court-ordered support for their children.

The Quarterly Meeting was held in Alamosa County with Huerfano County hosting. Eight counties and a state representative from the Enforcement Unit, Program Specialist attended. All technicians were trained, each on individual training computers, to use CSS Tools, a program designed to help manage establishment, enforcement and modifications of all CSS cases. Since the training, ACDHS technicians have been using the CSE Tools program to further organize of their caseloads and to prioritize time sensitive case activities. The program also enables technicians to see when another county has entered workplace information for an NCP promoting the opportunity to get the NCP served, establish a case or enhance enforcement.

During this review period one of the CSS technicians was on FMLA. It is anticipated that her absence will impact the CSTAT measure; however, the technician has returned and is working to catch up.

	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Year End Total
Percent of Current Child Support Collected (State goal is 66%)	61	63			
Percent of Cases With Arrears Payments (Statewide goal is 44.8%)	39	39			

\*Child Support Activities will reflect a period under review which may not be precisely quarterly as the results for this program area are not available at the end of each month/quarter on a regular basis due to the number of interfaces that occur in order to formulate actual numbers.

## **Financial Resource Services Activity**

### **Public Assistance**

**Activity Purpose Statement:** The purpose of the Financial Resource Services Activity is to provide information, referrals, eligibility and outreach services to children, families and individuals so they can access food, shelter and medical care.

County Grant Program through HCPF (Department of Health Care Policy & Financing): As indicated in the last quarterly report, HCPF created a County Grant Program. This program allows individual county departments of Human/Social services to submit grant proposals to HCPF in order to receive additional funding to improve their business process and client experience when working with their local community while still furthering HCPF's strategic plan for the improvement of eligibility processes. Archuleta County wrote a grant and submitted it to HCPF following discussion with other county departments, State staff, and due to our increased awareness related to fraud and its overall impact. HCPF informed Archuleta County in late July, 2016 that we were approved for funding for a Fraud Investigator, specific to the Health First Colorado (Medicaid) Program. Due to unforeseen circumstances, the Department has not been able to begin the Fraud portion of the awarded grant funding. The Fraud/Claims position is currently posted through the Archuleta County website. However, claims are being addressed and acted upon timely by the Resource Manager and eligibility staff. Three significant claims have been initiated in the amounts of \$4800.00 for over issuance due to client error and an additional \$700.00 and \$924.00.

Case File Reviews: The Resource Manager continues to conduct case file reviews of all eligibility program files (including case file reviews for Workforce Development through The Training Advantage). This has provided efficiency and consistency across all programs for timeliness processing, strategies to address difficult cases, interpreting program rules, outreach to community partners for information gathering, and performance monitoring. Additionally, the Resource Manager coordinates mandated training for all technicians.

Archuleta County was selected by the State to participate in a Tier III review of Colorado Works and Adult Financial Cases. The State made recommendations regarding specific cases and the Resource Manager worked diligently, with eligibility staff, to make corrections to the cases reviewed. The Department also submitted a Food Assistance case to the State for a Quality Assurance review.

One of the recommendations by the State consisted of putting a system in place to resolve Income Eligibility Verification System (IEVS) discrepancies. IEVS discrepancies must be researched through Colorado Labor and Employment to verify work quarters and potential overpayment of cash and food programs. The Department did put a system in place and went from 806 IEVS discrepancies to 334 in one month. As of 9/30/16, there are no IEVS discrepancies on the "overdue" list. Technicians started checking all IEVS discrepancies at initial application and during redeterminations to ensure accuracy of benefits. Claims are initiated if necessary and repayment agreements are sent to program participants.

The Resource Manager participated in a two day work session in Breckenridge, CO with the State and Mathematica. Mathematica Policy Research is a research organization that focuses on programs that affect public well-being. Mathematica experts complete research, data collection, and data analytics and work with decision makers across the public and private sectors for improved policy and program effectiveness. The State was able to provide this opportunity to small and medium counties to discuss innovative approaches for improved Colorado Works service delivery. The next steps for the work with Mathematica will be to incorporate analytic techniques in Archuleta County for identifying what works and for whom when implementing policy and/or program change. The Resource Manager will be working one-on-one with a Mathematica coach through this process and be supported by the State.

The Resource Manager actively participates in child welfare's RED Team (Review Evaluate Direct). RED Team is a decision-making process used to determine whether or not a referral received by child protection of suspected child abuse/neglect meets the criteria for further Assessment. The Resource Manager specifically assists child protection with family demographics and benefit status for resource programs. Information is also gathered for the Resource Team regarding eligibility requirements for customers receiving benefits such as Food Assistance, Colorado Works, Adult Financial, and Medicaid.

The Resource Manager was nominated to assist in representing the Southwest Colorado Region as an advisory member for the Economic Security Sub-PAC committee. The committee is composed of State and County representatives that develop and address human services policies through collaboration, cooperation, and effective communication on a statewide basis to improve the process of delivery of services for children, families, and adults across the state of Colorado.

One specific eligibility technician provides Outreach and Education within the community through the "No Wrong Door" model. This model is designed to support a community approach to maximize the number of individuals who are enrolled in health coverage across the state. Part of the eligibility technician's role is to work out of the Pagosa Mountain Hospital every Friday. She is able to process Medicaid applications for patients that do not have medical coverage.

In August, 2016, the Resource Manager and the Outreach and Education Eligibility Technician attended a Medical Collaboration Committee (MCC). The MCC members collaboratively pool resources and efforts to provide outreach, education and health insurance enrollment assistance to those who remain uninsured in Archuleta and La Plata counties.

Cash and Food ongoing caseloads have been consistent from July, 2016 through September, 2016. There are approximately 450 Food Assistance Households, 24 TANF Households, 1900 Family and Adult Medicaid Households, and 64 Adult Financial Households. Archuleta County also assisted with two Medicaid benefit burials within this 3<sup>rd</sup> Quarter.

## Financial Resource Services Activity Colorado Public Assistance

Ongoing Workload Summary	1 <sup>st</sup> Quarter			2 <sup>nd</sup> Quarter			3 <sup>rd</sup> Quarter			4 <sup>th</sup> Quarter			Year End Total
	(duplicated numbers)	Jan	Feb	Mar	Apr	May	June	July	Aug.	Sept.			
TANF Households		29	27	25	26	26	23	22	24				
Food Assistance Households		464	447	489	471	481	459	474	456				
Family and Adult Medicaid Households		1862	1880			1875	1892	1880	1919				
Adult Financial		60	61	64	65		61	64	64				
*Adult Medicaid Households include long-term care, medicare savings, and medicare part D programs													

**RETAIL LIQUOR OR 3.2 BEER  
 LICENSE RENEWAL APPLICATION**

ASPEN SPRINGS BAR AND GRILL  
 43 BUTTERCUP DRIVE  
 PAGOSA SPRINGS CO 81147-7799

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

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 <b>WALLIS PAMELA J</b>		DBA <b>ASPEN SPRINGS BAR AND GRILL</b>		
Liquor License # <b>26605880000</b>	License Type <b>Hotel &amp; Restaurant (county)</b>	Sales Tax License # <b>26605880000</b>	Expiration Date <b>10/02/2016</b>	Due Date <b>08/18/2016</b>
Operating Manager <b>PAM WALLIS</b>	Date of Birth <b>9-23-60</b>	Home Address <b>844 Kaccoon Drive, Pagosa Spgs, CO 81147</b>		
Manager Phone Number <b>970-946-0691</b>	Email Address <b>BPDwallis@aol.com</b>			
Street Address <b>43 BUTTERCUP DRIVE PAGOSA SPRINGS CO 81147-7799</b>				Phone Number <b>9707319919</b>
Mailing Address <b>43 BUTTERCUP DRIVE PAGOSA SPRINGS CO 81147-7799</b>				

- 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 \_\_\_\_\_
190. Since the date of filing of the last 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 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 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

**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 <b>Pam Wallis</b>	Title <b>Mgr</b>
Signature <i>[Signature]</i>	Date <b>9-2-16</b>

**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

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF TRADE NAME**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, a Statement of Trade Name for:

Aspen Springs Bar and Grill

(Entity ID # 20151674274 )

was filed in this office on 10/21/2015 with an effective date of 10/21/2015 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/21/2016 that have been posted, and by documents delivered to this office electronically through 10/24/2016 @ 16:10:50 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 10/24/2016 @ 16:10:50 in accordance with applicable law. This certificate is assigned Confirmation Number 9895714 .



A handwritten signature in blue ink that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*  
*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*

## COMMERCIAL LEASE AGREEMENT

This Commercial Lease Agreement ("Lease") made and entered into effective Sept 1, 2013, between Dan Burgess, LLC, Landlord, and Randall N. Wallis and Pamela J. Wallis, Tenant.

### WITNESSETH:

Landlord agrees to lease and Tenants agree to pay in rent in accordance with the terms and conditions of this Lease.

1. **PROPERTY.** The property is the following described real property located in Archuleta County, Colorado (the "Property"):

Lot 1, Block 2, Aspen Springs Subdivision No. 2, according to the Amended plat thereof filed June 15, 1971, as Reception No. 74503, in the office of the Clerk and Recorder, County of Archuleta, State of Colorado.

The Real Property or its address is commonly known as: 43 Buttercup Drive, Pagosa Springs, Colorado 81147.

2. **TERM.** The term of this lease shall be for a period of one year commencing January 1, 2013 and ending at 12:00 P.M. on December 31, 2013. The parties agree and stipulate that any other Lease Agreement between the parties for the Property is terminated effective January 1, 2015, and that this Commercial Lease Agreement shall be the only lease in effect for the Property during the term hereof. If all obligations have been performed by Tenants in a timely manner, the Lease shall automatically renew for one additional one year period, unless either party gives written notice at least 60 days before the end of the Lease of his intent not to renew. If either party gives timely notice of intent not to renew, the Lease shall terminate at the end of the term, at which time the Tenant shall vacate the premises and there shall be no holdover tenancy. Tenant shall pay rent in the amount of \$575 per month. Rental payments received after the 5<sup>th</sup> day of each month will be subject to a late charge of 20% of the amount of the late payment. In the event that rent is not received by the 15<sup>th</sup> day of the month, Tenant shall be in default and Landlord may commence an action to evict the Tenant pursuant to Paragraph three. Payments shall be made to Dan Burgess, LLC, 26000 Avenida Aeropuerto SPC 199, San Juan Capistrano, CA 92675.

3. **LANDLORD'S REMEDIES.** If rent is not received on or before the 15<sup>th</sup> day after such rental is due, or if Tenant is in default under any other obligation imposed by this lease and continues in such default for 15 days after written notice of default, Landlord shall have the following rights in addition to any other rights allowed by law:

A) Landlord may, at Landlord's option, give Tenant notice pursuant to the Colorado Forcible Entry and Detainer Statute, and institute an action in the appropriate court to terminate the Lease and take possession of the Property. In order to effect this

right, Landlord may use any peaceable means, including entry on the Property and securing the Property from further entry by Tenant. In such case, Tenant's personal property found on the premises will be stored at Tenant's expense, and Tenant agrees to pay for such storage and to hold Landlord harmless for any damage to property during the period of such storage.

B) In the event that the Lease is terminated because of a breach of the terms of the Lease by the Tenant, and/or that the Landlord retakes possession of the premises through a proceeding in *Forcible Entry and Detainer*, Tenant shall remain liable for all amounts owed for the remainder of the term of the Lease, less any amount received by Landlord by re-letting the Property.

4. UTILITIES. All of the utilities applicable to the Property shall be paid by the Tenants. Such utilities include, but are not limited to the following: electric, gas water, or other utilities that may be brought to the Property. Tenant will also pay for any utility deposits.

5. OTHER SERVICES. The Landlord shall not be obligated to provide janitorial or any other services to the Tenant.

6. USE. The Property shall be used by the Tenant in its ordinary business uses which include use as a Bar and Grill in accordance with ordinary business practices. If Tenant ceases use of the Premises for longer than 30 days, Landlord shall have the option to terminate this Lease and proceed pursuant to paragraph three or to affirm this Lease and continue as if the Lease were in full force. The Parties agree that as of the date of the execution of this Lease, the Property is fit for the purpose described herein.

7. SIGNS. Tenant may construct outdoor signs on the premises in accordance with applicable sign codes.

8. SECURITY DEPOSIT. Tenant shall deposit with Landlord the sum of \$ 0, which Landlord shall hold until the termination of this Lease as security for payment of rent, other obligations under the Lease and any damages that may arise as a result of Tenant's occupation of the Property. This amount shall not bear any interest. Upon termination of the Lease, Landlord shall have sixty (60) days to return said deposit, less amounts withheld for damages to the premises or any other lawful reason.

9. IMPROVEMENTS. No improvements will be made on the Property without the express written consent of the Landlord. Any improvements that are made shall become the Property of the Landlord. Tenant shall not allow any mechanic's liens to attach to the property. Attachment of any such lien to the Property shall be considered an event of default by the Tenant.

10. MAINTENANCE AND REPAIR. The Landlord shall not be responsible for the maintenance or repair of the building. The Tenant shall be responsible for all the other repairs and maintenance, specifically including, but not limited to repair of any item

caused or damaged by the Tenant, its agents, employees, licensees, invitees, or subtenants which occur during the term of the lease. Tenant shall keep the Property in good repair at all times, and Tenant's failure to do so shall be considered an event of default by the Tenant.

11. INSURANCE. The Tenants will carry their own insurance for liability and property damage of their own personal property. The liability policy shall be in the amount of no less than \$1,000,000 per occurrence, and shall name Landlord as an additional insured. Upon signing of this Lease, Tenants shall provide proof of such insurance to Landlord. Said insurance owned by Tenant shall require notification to Landlord in case of any cancellation of coverage.

12. SUBLEASE AND ASSIGNMENT. Tenant may not sublease or assign any portion of the Lease or the Property to anyone without the consent of the Landlord, which consent may be withheld be in the Landlord's sole discretion.

13. SECURITY. Tenants shall be responsible for security of the Property. Landlord shall not be responsible to Tenant, or any agent, employee, licensee, or invitee of Tenant, for any personal injury or property damage caused by any third-party at the premises.

14. LANDLORD'S RIGHT OF ENTRY. The Landlord shall have a right of entry inside the premises for the purposes of inspecting the Property during the regular business hours. At the signing of this Lease, Tenant shall provide to Landlord a key, which shall not be used by Landlord to effectuate entry except in a manner consistent with this Lease and/or applicable Colorado law.

15. LEASEHOLD IMPROVEMENTS AND PERSONAL PROPERTY. At the termination of this Lease, fixtures attached to the structure and leasehold improvements shall become property of the Landlord. Tenant shall remove all personal property and equipment owned by them at termination of this Lease.

16. INDEMNITY. The Tenant indemnify and hold harmless the Landlord from any loss, claim or damage arising from the Tenant's use of the premises, the conduct of Tenant's business or from any act or omission of the Tenant, its agents, contractors or employees, including costs, attorneys fees and expenses incurred in the defense of any such action.

17. DESTRUCTION OF THE PROPERTY. If the Property shall be destroyed or damaged to such an extent that Tenant cannot continue use of the Property for the use intended under this Lease, Tenant may, within 30 days of such destruction or damage, terminate the Lease through written notice to Landlord. Any insurance proceeds for destruction of the structure(s) on the Property or any improvements thereto or fixtures thereon shall be payable solely to the Landlord.

18. CONDEMNATION OF THE PROPERTY. If the Property or any portion of the Property shall be condemned for public use, Tenant shall have no claim to the proceeds of such condemnation. All such proceeds shall be payable solely to the Landlord.
19. COMPLIANCE WITH LAW. Tenant covenants that it shall comply with all applicable federal, state and local laws, ordinances and regulations, and that it shall not permit any employee, agent or invitee to conduct any illegal act on the Property.
20. VACATION OF PROPERTY. Upon vacating the property, the Tenant will clean the premises and allow the Landlord to inspect and approve before the security deposit is returned.
21. NO SECURITY INTEREST. Landlord and Tenant agree that this Lease confers on Tenant only a leasehold interest in the Property. This Lease shall not create any security interest, right of redemption, option to purchase, or other interest in the Property whatsoever. The payments required hereunder are in consideration of this leasehold interest only and are not payments towards any other obligation between the parties.
22. COST OF ENFORCEMENT. In the event of any default by Tenant under the terms of this Lease, the Landlord shall be entitled to an award of all costs of such action, including but not limited to reasonable attorney fees, expert witness fees and any other costs arising out of enforcement this Lease or an obligation due under this Lease.
22. TERMINATION DUE TO INSOLVENCY. This Lease shall terminate upon filing of Tenants' petition for bankruptcy, either voluntary or involuntary. This Lease shall also terminate in case of Tenants' insolvency. The return of two or more of Tenants' checks written to Landlord for insufficient funds shall be conclusive proof of Tenant's insolvency, and Landlord shall have the right to terminate this Lease.
23. MODIFICATIONS. This Lease may not be changed orally, but only by an agreement in writing and signed by the party against whom enforcement of any waiver, change, modification or discharge is sought.
24. SEVERABILITY. If any provision of this Lease shall be declared invalid or unenforceable, the remainder of the Lease shall continue in full force and effect.
25. COUNTERPARTS. This Lease may be executed in two or more counterparts, each of which shall be deemed to be an original and all of which together shall constitute but one and the same original instrument.
26. FACSIMILE SIGNATURES. Facsimile machine copies of and original signature by either party shall be binding as if they were original signatures.

27. WAIVER. No failure by Landlord to exercise any right it may have shall be deemed to be a waiver of that right or of the right to demand exact compliance with the terms of this Lease.

IN WITNESS WHEREOF, the parties have signed this lease this 14 day of Oct, 2016

Landlord

Tenant

Dan Burgess  
Dan Burgess, as  
Manager of Dan Burgess, LLC

Randall N. Wallis  
Randall N. Wallis

Pamela J. Wallis  
Pamela J. Wallis

Aspen Springs  
Bunkerhill  
11-1-  
PARKING

NEW HANDICAP RAMP

STEPS

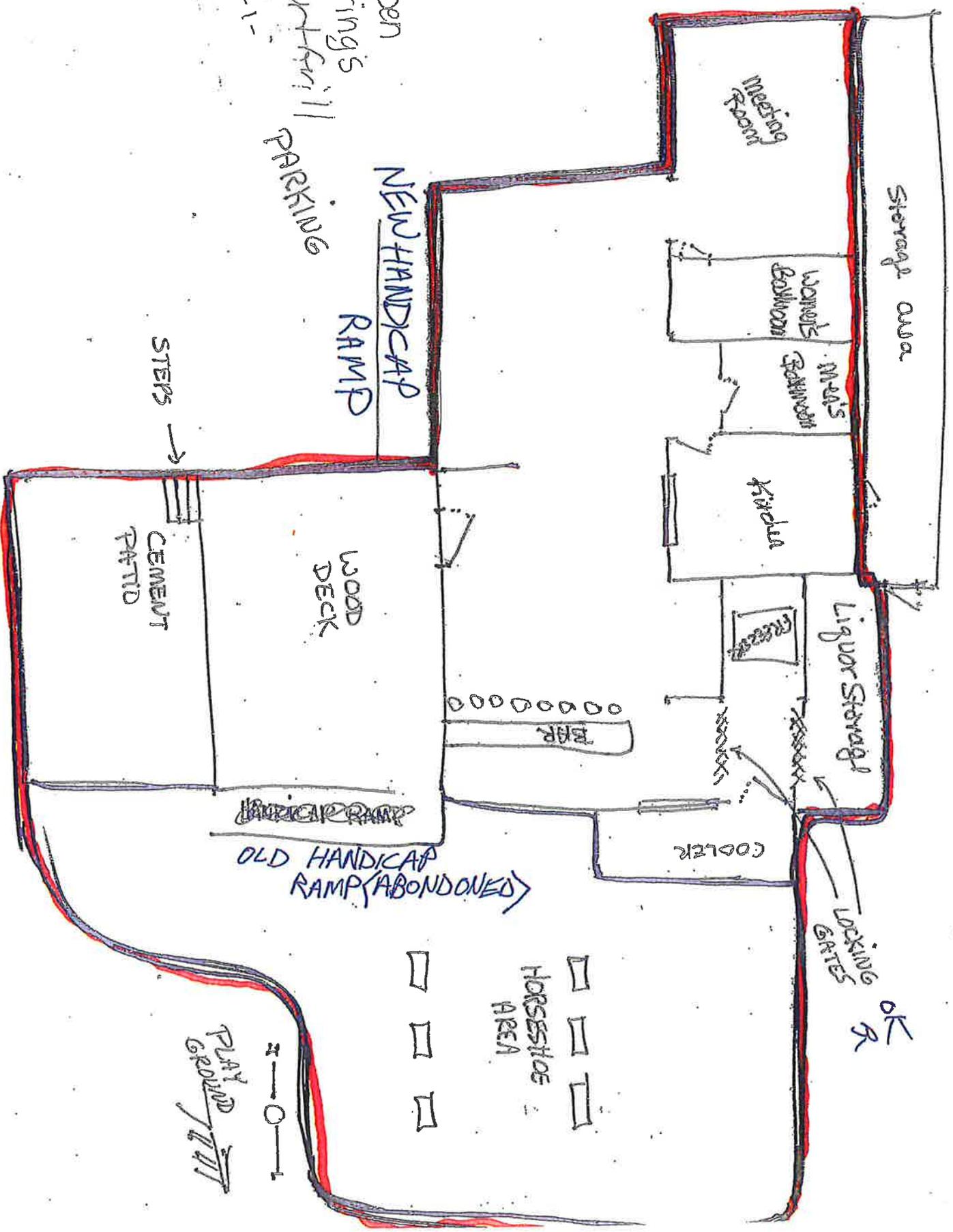
CEMENT PATIO

WOOD DECK

~~HANDICAP RAMP~~  
OLD HANDICAP RAMP (ABANDONED)

HORSESHOE AREA

PLAY GROUND



Storage Area

Meeting Room

WOMEN'S BATHROOM

MEN'S BATHROOM

Kitchen

Liquor Storage

COOLER

BAR

LOCKING GATES

OK R

PAM WALLIS  
ASPEN SPRINGS BAR AND GRILL  
43 Buttercup Drive  
Pagosa Springs, CO 81147  
970-731-9919; cell-970-946-0691

October 19, 2019

To Whom It May Concern:

Like in prior years, I did not receive my renewal on a timely basis. That being beside the case, once received, I did fill it out and fax over to the office of the Board of Commissioners. I knew it would not be accepted without the rental/lease agreement from the building owner so I addressed that of which I received the agreement just Monday, October 17, 2016.

I request to have any late fees waived, that might be assessed due to the following. In early September the business was broken into, vandalized, and all available funds were stolen. Windows were broken, the door was damaged, money was taken, small safes were taken, and alcohol was taken. All in all, over \$5,000.00 in loss and damage. Although the authorities were contacted, a standard report was the only action. I requested the premises to be fingerprinted, however that was refused as a statement was made of, "what, do I fingerprint the missing bottles?" In the past, Federal investigation is initiated if there is alcohol taken, but not in this case. To date, there are no leads on the suspect(s).

I have spent the last six weeks trying to do repairs and replacements. With a faulty lighted sign of which I had ordered parts and repairs (costs in excess of \$6600), I had to postpone the repairs which then left me to attempt to do business in the evenings without a lighted sign, which resulted in incredibly decreased revenue. I had to then postpone the repairs of the windows, as well, due to the overall picture.

To this date, I have finally got my sign repaired and paid for and JUST got enough funds to order the new windows. The repairs on the door will still have to wait.

Please understand these issues and accept my standard fees as I have paid. I am available for any question and answers if needed. Thank you.



Pam Wallis

**ARCHULETA COUNTY, COLORADO  
RESOLUTION 2016-14 BOA**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT APPROVING VARIANCE  
FROM THE ARCHULETA COUNTY LAND USE REGULATIONS  
ON LOT 412, PAGOSA HIGHLANDS ESTATES**

**WHEREAS**, the Board of County Commissioners has adopted the *Archuleta County Land Use Regulations*, pursuant to C.R.S. §30-28-101, *et. seq.*, C.R.S. §24-64.1-101 *et. seq.*; C.R.S. §24-67-101 *et. seq.*; and C.R.S. §29-20-101 *et. seq.*; and

**WHEREAS**, Michele A. Sweitzer applied for Variance from Section 3.2.6.2 of the Land Use Regulations for an Accessory Structure to be located less than 10' from a principal structure (PLN16-100); and

**WHEREAS**, Michele A. Sweitzer is the owner of record of Lot 412, Pagosa Highlands Estates, located at 60 Flintlock Pl., Pagosa Springs, CO; and

**WHEREAS**, the property is zoned Planned Unit Development (PUD), and a concurrent application has been made for a building permit to locate two accessory structures on the lot; and

**WHEREAS**, the Board of County Commissioners sits as the Board of Adjustment, as provided by Section 1.2.4.2 of the *Archuleta County Land Use Regulations*; and

**WHEREAS**, the Board of Adjustment conducted a public hearing on the request on October 18, 2016; and

**WHEREAS**, public notice of the hearing was given by publication in a newspaper of general circulation in the County, posted on site and mailed to adjacent property owners, at least twenty-one (21) days prior to the public hearing, as required by Section 2.2.3 of the *Archuleta County Land Use Regulations*; and

**WHEREAS**, at the public hearing testimony was taken from all persons appearing and wishing to give testimony; and

**WHEREAS**, the Board of Adjustment considered in full the requirements of Section 2.2.3 of the *Archuleta County Land Use Regulations* as to Standards for the Grant or Denial of Variances; and

**WHEREAS**, the Board of Adjustment voted 3-0 to approve the request.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:**

**Section 1. Findings.**

The Board of Adjustment finds that:

- a. The application meets each of the standards for a grant of variance in Section 1.2.4.4(1) of the *Archuleta County Land Use Regulations*, and
- b. Variance is granted for the specific plans proposed by Applicant, to locate an Accessory Structure closer than 10' from the Principal Structure; and

**Section 2. Conditions.**

The Board of Adjustment approves the Sweitzer Request for Variance from Structure Separation, in Section 3.2.6.2 of the *Archuleta County Land Use Regulations*, with the following conditions:

1. Either Shed 1 or Shed 2 must be placed on a permanent foundation.
2. Shed 1 shall be placed at the 10' sideyard setback.

APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016, in Pagosa Springs, Archuleta County, Colorado.

BOARD OF ADJUSTMENT  
OF ARCHULETA COUNTY, COLORADO

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

ATTEST:

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

*Return Copy to Planning*

**ARCHULETA COUNTY, COLORADO  
RESOLUTION 2016-15 BOA**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT DENYING VARIANCE FROM  
THE ARCHULETA COUNTY LAND USE REGULATIONS  
ON LOT 412, PAGOSA HIGHLANDS ESTATES**

**WHEREAS**, the Board of County Commissioners has adopted the *Archuleta County Land Use Regulations*, pursuant to C.R.S. §30-28-101, *et. seq.*, C.R.S. §24-64.1-101 *et. seq.*; C.R.S. §24-67-101 *et. seq.*; and C.R.S. §29-20-101 *et. seq.*; and

**WHEREAS**, Michele A. Sweitzer applied for Variance from the Land Use Regulations, including a Portable Accessory structure located less than 10' from a side setback in the PUD zone (PLN16-100), as shown on the submitted survey; and

**WHEREAS**, Michele A. Sweitzer is the owner of record of Lot 412, Pagosa Highlands Estates, located at 60 Flintlock Pl., Pagosa Springs, CO; and

**WHEREAS**, the property is zoned Planned Unit Development (PUD), and a concurrent application has been made for a building permit to locate two accessory structures on the lot; and

**WHEREAS**, the Pagosa Lakes Property Owners Association (PLPOA) approved location of the accessory structures only within the yard setbacks under the covenants of record; and

**WHEREAS**, the Board of County Commissioners sits as the Board of Adjustment, as provided by Section 1.2.4.2 of the *Archuleta County Land Use Regulations*; and

**WHEREAS**, the Board of Adjustment conducted a public hearing on the request on October 18, 2016; and

**WHEREAS**, public notice of the hearing was given by publication in a newspaper of general circulation in the County, posted on site and mailed to adjacent property owners, at least twenty-one (21) days prior to the public hearing, as required by Section 2.2.3 of the *Archuleta County Land Use Regulations*; and

**WHEREAS**, at the public hearing testimony was taken from all persons appearing and wishing to give testimony; and

**WHEREAS**, the Board of Adjustment considered in full the requirements of Section 2.2.3 of the *Archuleta County Land Use Regulations* as to Standards for the Grant or Denial of Variances; and

**WHEREAS**, the Board of Adjustment voted 3-0 to deny the request.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:**

**Section 1. Findings.**

The Board of Adjustment finds that:

- a. The application DOES NOT meet the standards for a grant of variance in Section 1.2.4.4(1) of the *Archuleta County Land Use Regulations*, and

**Section 2. Conditions.**

The Board of Adjustment DOES NOT approve the Sweitzer Request for Variance from Sideyard Setbacks in the PUD zone.

APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016, in Pagosa Springs, Archuleta County, Colorado.

BOARD OF ADJUSTMENT  
OF ARCHULETA COUNTY, COLORADO

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

ATTEST:

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

*Return Copy to Planning*



Archuleta County  
Development Services—Planning Department  
1122 HWY 84  
P. O. Box 1507  
Pagosa Springs, Colorado 81147  
970-264-1390  
Fax 970-264-3338

## MEMORANDUM

TO: Archuleta County Board of Adjustment

FROM: John C. Shepard, AICP; Planning Manager

DATE: November 1, 2016

RE: Webb Request for Holiday RV South Variance from Paving in the PUD zone, Parcel 3, Ridgeview Subdivision Replat at 633 Navajo Trail (PLN16-055)

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### EXECUTIVE SUMMARY

Jeremiah “J” Webb, Holiday RV South, Inc. of South Fork, CO, has applied for the Holiday RV South Variance from Section 5.4.5.4 of the *Archuleta County Land Use Regulations* and Sections 27.1.7.3 and 27.1.7.4 of the *Archuleta County Road and Bridge Design Standards* requiring paving of access and parking, for property owned by Bruce Lamereaux; being Parcel 3, Ridgeview Subdivision Replat, at 633 Navajo Trail, Pagosa Springs, CO (PLN16-055).

Applicant has made a concurrent request for a Conditional Use Permit to permit Outdoor Sales of Recreational Vehicles in the PUD zone (PLN16-054). On Tuesday 20 September, the Board opened this item and continued consideration to the 4<sup>th</sup> of October, when it was further continued to the 1<sup>st</sup> of November.

### REVIEW PROCEDURE

The *Archuleta County Land Use Regulations* (Section 1.2.4) provide for variance from the strict application of the regulations. The Board of Adjustment (at this time the Board of County Commissioners sits as the BOA) may grant relief if strict application of the Regulations would result in peculiar and exceptional practical difficulties, or exceptional and undue hardship. The *Archuleta County Road and Bridge Design Standards and Construction Specifications* provides in Section 27.6 for variances from design standards, with similar criteria. Variance is, essentially, a grant of authority to use property in a manner forbidden by the regulations, and should be granted sparingly.

Public notice was provided to the applicant and notice was originally mailed on June 1, 2016; however, the newspaper notice was not published on time and the public hearing was delayed. After the Applicant refused to re-notice, Staff provided public notice for this hearing as required.

### DISCUSSION

In July 2015, Holiday RV South Inc. of South Fork, Colorado, opened for business at 633 Navajo Trail at the corner of Bastille Dr., without a Land Use Permit. After securing approval from the

Pagosa Lakes Property Owners Association (PLPOA), Applicant graded and finished gravel RV parking display areas without County approval.

The *Archuleta County Community Plan's* 2001 Future Land Use Map shows this area as High Density Residential transitioning to Industrial to the east (the commercial area along N. Pagosa Blvd north of Highway 160). This property was approved as a one-lot Planned Unit Development (PUD) in the year 2000, as an office/sales building. In 2005, the use was changed to office space.

### **Paving**

Section 5.4.5.4 of the *Archuleta County Land Use Regulations* requires that all parking areas shall be paved. Section 27.1.7.3 and 27.1.7.4 of the *Archuleta County Road and Bridge Design Standards and Construction Specifications* provides design standards for driveways and parking areas. Section 27.1.7.4(C) specifically requires parking areas and access for development (other than single family homes or duplexes) *must* be paved. This requirement is intended to maintain compliance with EPA Air Quality and Clean Water Act standards. Bastille Drive and Navajo Trail are both Local Access roads on the Primary road system.

No public comments have been received. This application and the concurrent CUP were referred to local utilities and regulatory agencies for review. Comments received include:

- County Engineering rejected the letter submitted as a Drainage Study, required by Sec. 5.3.4 of the Land Use Regulations, but did not object to the variance approval itself.
- Pagosa Fire Protection District: A cluster of Recreational Vehicles in close proximity can create a conflagration hazard, however, with adequate spacing between units (minimum 8'), the close proximity of a fire hydrant, and the lack of other exposures, the Pagosa Fire Protection District has no objections to the approval of this application.
- The County Clerk has expressed concern with proper sales tax collection.
- PAWSD had no comments.

The Board of Adjustment may grant a variance if all of the standards in Section 1.2.4.4 of the Land Use Regulations are found to exist:

- a. Peculiar and exceptional practical difficulties or an unnecessary and unreasonable hardship will be imposed on the property owner if the provisions of these Regulations are strictly enforced.
- b. Circumstances creating the hardship were created subsequently through no fault of the appellant.
- c. That the property for which a variance is requested possesses exceptional narrowness, shallowness, shape or topography or other extraordinary and exceptional situation or condition which does not occur generally in other property in the same zoning or overlay district.
- d. That the variance, if granted, will not diminish the value, use or enjoyment of the adjacent properties, nor curtail desirable light, air and open space in the neighborhood, nor change the character of the neighborhood.
- e. The variance, if granted, will not be directly contrary to the intent and purpose of these Regulations or the Community Plan.

Applicant discusses justification of the request in their narrative (See attached):

- Pavement odor can permeate the RVs on display.
- The weight of the RVs can destroy the integrity of the pavement (up to 4800 lbs per square inch).
- Pavement damages RV's tires, axles, springs and shackles when turned abruptly.
- Pavement/tar can track into units on display when Hot.
- Pavement can create high and sometimes damaging high heat radiation.
- Unhealthy conditions inside an RV can be caused by the pavement and the heat it draws.
- Pavement run off can cause long term damage to the surrounding properties and wildlife.
- Pavement does not create the atmosphere they like to project.

All five standards in Section 1.2.4.4 **must** be met to approve relief from the zoning regulations. Considering each:

- a. Is this a "peculiar" hardship, unique to this property? The hardship claimed does not seem to be unique to the property or business—any outdoor vehicle sales would have the same concerns.
- b. Applicant just leased the property last year, so circumstances have not changed.
- c. The property has access on both a paved road (Navajo Trail) and a gravel road (Bastille Dr).
- d. Most other parking lots on Navajo Trail are paved.
- e. The Community Plan recognizes this location as a transition area.

## RECOMMENDATION AND FINDINGS

**If the Board accepts that Applicants have provided sufficient evidence for relief, staff recommends the Board of Adjustment then find that:**

- a. The application meets each of the standards for a grant of variance in Section 1.2.4.4(1) of the *Archuleta County Land Use Regulations*, and
- b. The application meets the standards for variance from design standards in Section 27.6 of the *Archuleta County Road and Bridge Design Standards and Construction Specifications*, and
- c. Variance is granted for the specific plans proposed by Applicant; and

**That the Board of Adjustment approves the Webb Request for the Holiday RV South Variance from Sections 27.1.7.3 and 27.1.7.4 of the *Archuleta County Road and Bridge Design Standards* and Section 5.4.5.4 of the *Archuleta County Land Use Regulations* requiring paving of parking, on Parcel 3, Ridgeview Subdivision Replat at 633 Navajo Trail, Pagosa Springs, CO, with the following conditions:**

1. Should Bastille Dr. be paved within five (5) years of this approval, the site must be brought into compliance with the access and parking standards then in effect within two (2) years of paving.

2. Variance approval is contingent on compliance with terms of Conditional Use Permit approval.

**And that the Board of Adjustment instruct staff to draft a Resolution stating these Findings and Conditions of Approval for consideration at the earliest public meeting.**

#### PROPOSED MOTION

**I move to approve the Webb Request for the Holiday RV South Variance from PAVING requirements in the Road and Bridge Design Standards, with Conditions 1-2 of the staff report, and instruct staff to draft a Resolution stating Findings and Conditions of Approval.**

#### ATTACHMENTS.

Attachment 1: Area Maps

Attachment 2: Staff Memo on PUD Zone Development Requirements, 8/17/2015

Attachment 3: Review Comments

Attachment 4: Original PUD PILC and Site Sketch

Attachment 5: Applicant's Narrative

Attachment 6: Applicant's Site Sketch



## Site Map

Holiday RV South  
CUP/Variance  
16-054/-055

### Legend

- Highway
- Primary Road
- Lakes
- Pagosa Springs
- Parcels
- Project Location



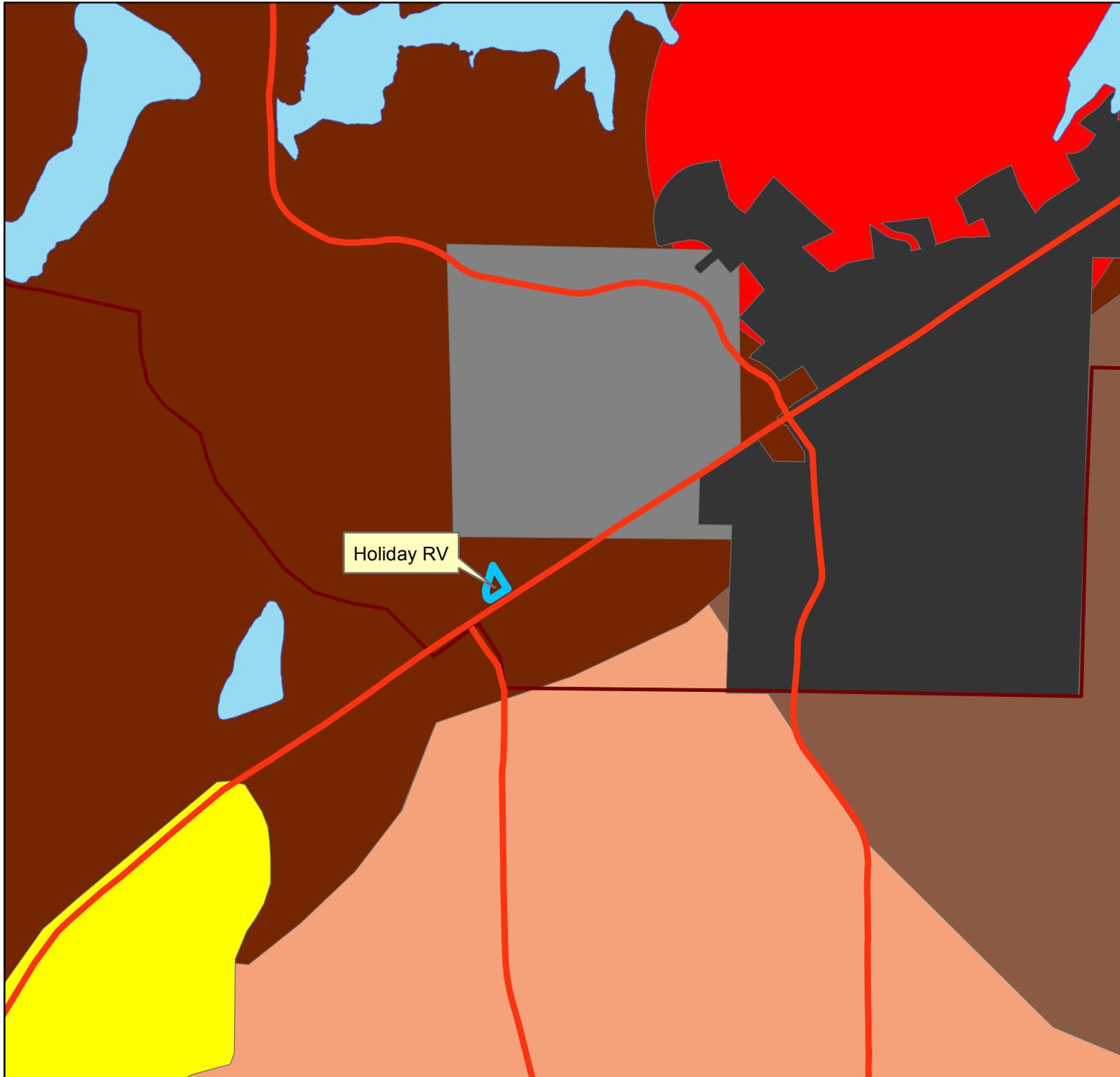
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



280 140 0 280 Feet



# Archuleta County Community Plan Detail: Future Land Use



## Legend

- Major Roads
- Rivers & Streams
- Lakes
- Critical Wildlife Habitat
- Migration Corridor
- Joint Planning Area
- Pagosa (2009)
- Tier 1
- Tier 2
- Industrial Park
- Commercial Area

## Future Landuse

- High density residential
- Medium density residential
- Low density residential
- Very low density residential
- Public land
- Village Center



Detail of map developed 21 Sept 2011

Archuleta County Development Services  
1 July 2016





# Site Map

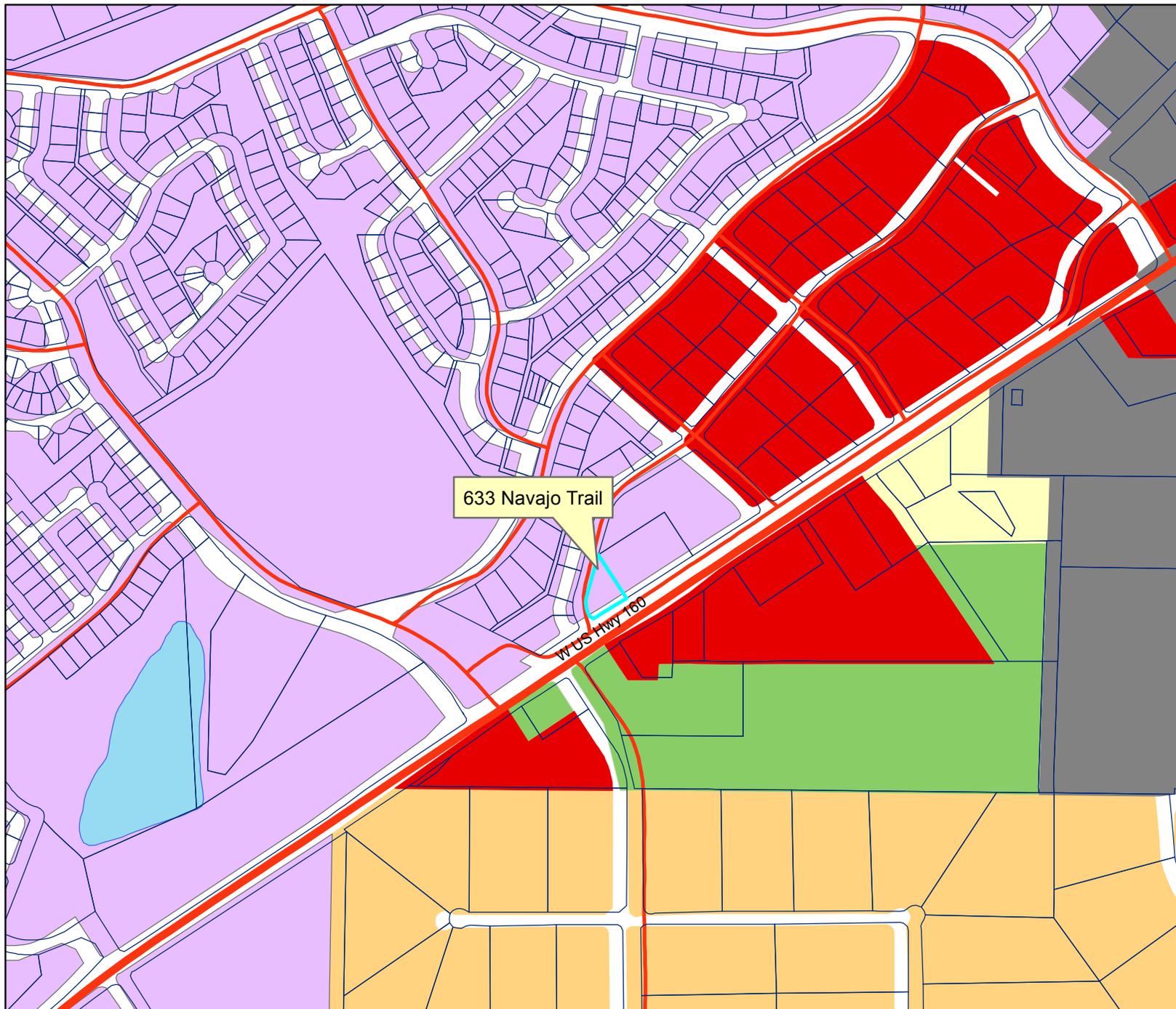
Holiday RV South  
CUP/Variance  
16-054/-055

## Legend

- Highway
- Primary Road
- Lakes
- Pagosa Springs
- Parcels

## Zoning Map 2011 Zoning Districts

- Agriculture Forestry (AF)
- Agriculture Ranching (AR)
- Agricultural Estate (AE)
- Rural Residential (RR)
- Residential (R)
- Mobile Home Park (MHP)
- Commercial (C)
- Industrial (I)
- PUD
- Project Location



280 140 0 280 Feet





# Site Map

Holiday RV South  
CUP/Variance  
16-054/-055

## Legend

- Highway
- Primary Road
- Pagosa Springs
- Parcels
- Project Location



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



50 25 0 50 Feet





Archuleta County  
Development Services—Planning Department  
1122 HWY 84  
P. O. Box 1507  
Pagosa Springs, Colorado 81147  
970-264-1390  
Fax 970-264-3338

## MEMORANDUM

TO: Archuleta County Planning Commission  
FROM: John C. Shepard, AICP; Planning Manager  
DATE: August 17, 2015  
RE: PUD Zone District Development Requirements

---

Development in a Planned Unit Development is a partnership between property owners, a property owners' association, and the County.

The Board of County Commissioners adopted a comprehensive revision of the *Archuleta County Land Use Regulations* on May 23, 2006, and adopted the first Official Zoning Map on August 22, 2006 (since revised and updated by resolution). Work sessions at the time on the Zoning Transition Program discussed mapping subdivisions, then developed as master-planned communities, into the newly created Planned Unit Development (PUD) zone district which addresses both zoning and subdivision standards. These areas included:

- Pagosa Lakes Property Owners Association subdivisions (approximately 6,000+ parcels)
- Reserve at Pagosa Peak
- Crowley Ranch Reserve
- A number of parcels adjacent to these areas, to avoid spot zoning.

Since adoption of the Official Zoning Map, areas zoned PUD that had been subdivided into lots for final development have been considered a "final" PUD. Areas not previously subdivided are considered a "preliminary" PUD; a final PUD would be required prior to further development. The private land use designations specified by covenants of record at that time serve as the Development Plan for future approvals.

Two new PUD developments have also been established since 2006 through the rezoning process, but have not proceeded to final approval:

- Reservoir River Ranch PUD (2009)
- River's Gate PUD (2010)

Section 3.1.6 of the Land Use Regulations provides for review of development in a PUD. An application for creation or amendment of a PUD follows Rezoning provisions for land use standards, as well as Major Subdivision review for sketch plan, preliminary plan, and final plat.

In a PUD, the Development Plan (as defined in Section 11) outlines detailed provisions for development, which may include use, setbacks, density, and other provisions. Development standards in the Land Use Regulations still apply, including the need for Conditional Use Permits and Variances, unless addressed in a Development Plan.



**MEMO**

Date: June, 23, 2016

To: John Shepard

From: Yari Davis

CC: Bob Perry

RE: Holiday RV South Inc.

The Engineering Department has reviewed the variance requested by Holiday RV South Inc. from Archuleta County Road & Bridge Design Standards, Section 27.1.7.4.C, "that requires parking serving commercial uses must be paved". The Engineering Department has no objections with the variance approval but before this approval our requirement comments follow:

- We are agreed with the letter from G/T Structural Engineers submitted by the Applicant that there would only minimal change in the value for existing grassy field versus gravel surface. The Engineering Department is not concern with the change from grass to gravel, we are concern that the existing structure and pave driveway when was propose back in 2002 the County did not obtain a drainage study and according to our new regulations, the applicant shall submit storm water runoff calculations for historic and developed runoff to the Engineering Department with the plans and shall be prepared by a qualified Colorado Registered Professional Engineer. If runoff calculations show that stormwater detention is required the applicant shall supply calculations and plans for detention pond location, volume, and outlet structures with the plans. Also, provide engineering and construction details for all drainage structures adequate to handle the drainage.
- After construction and before the Planning Department issued a permit , the applicant shall submit to the Engineering Department a signed and sealed letter from the design engineer that drainage and detention basin was built according to approved plans.

⊕ 970-264-5660 ⊕ FAX: 970-264-6815 ⊕

⊕ PO Box 1507 ⊕ 1122 S. HIGHWAY 84 ⊕ PAGOSA SPRINGS, CO 81147

YARCENEAUX@ARCHULETACOUNTY.ORG ⊕



# Pagosa Fire Protection District



May 27, 2016

Review of Land Use Permit Application:

Project: Holiday RV South

Address: 633 Navajo Trail

Applicant: Jeremiah Webb

Fire District Comments:

A cluster of Recreational Vehicles in close proximity can create a conflagration hazard, however, with adequate spacing between units (minimum 8'), the close proximity of a fire hydrant, and the lack of other exposures, the Pagosa Fire Protection District has no objections to the approval of this application.

Randy Larson

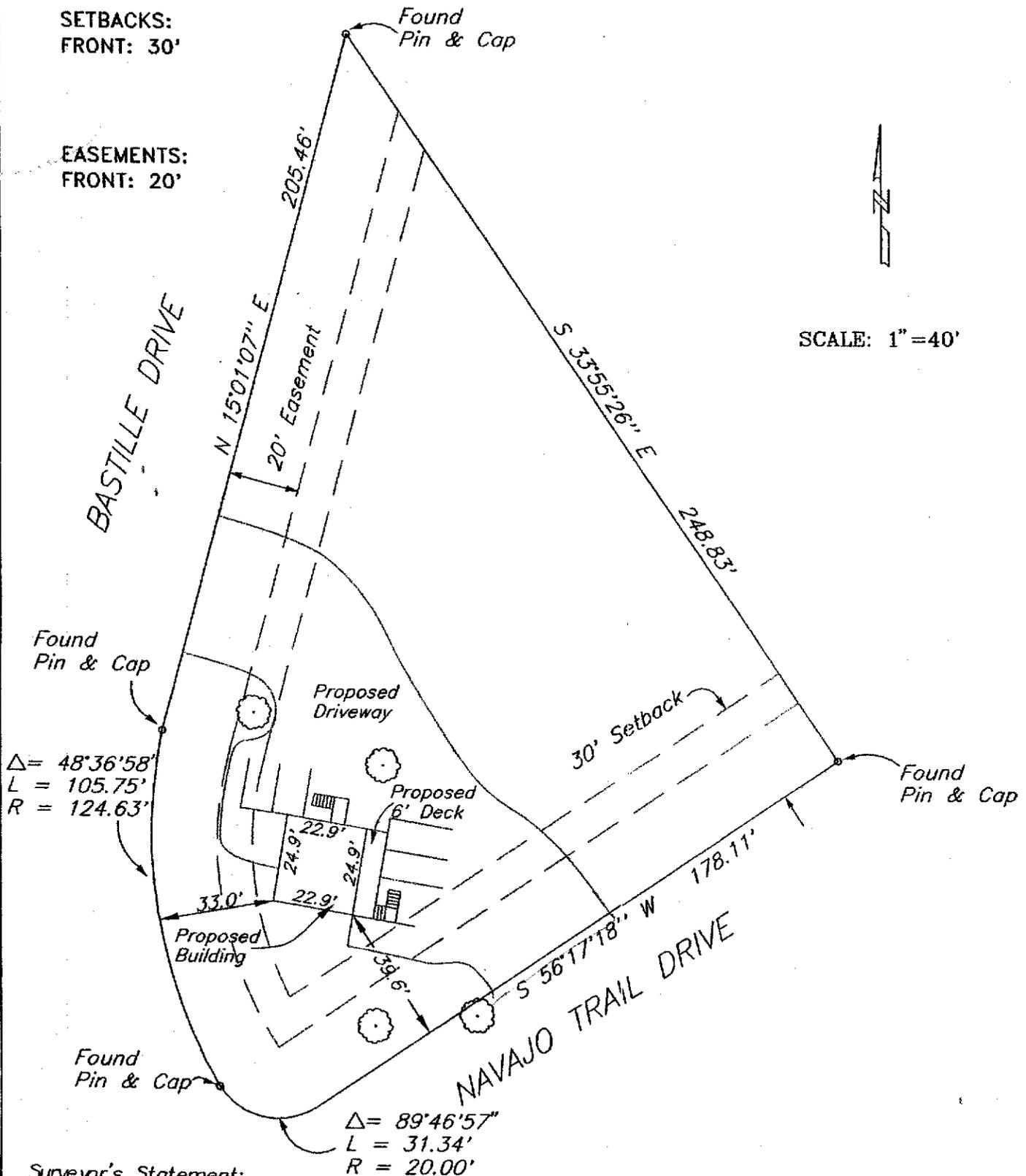
Fire Chief

# PROPOSED IMPROVEMENT LOCATION CERTIFICATE

PARCEL 3, RIDGEVIEW SUBDIVISION - ARCHULETA COUNTY, COLORADO  
633 NAVAJO TRAIL DRIVE, PAGOSA SPRINGS

SETBACKS:  
FRONT: 30'

EASEMENTS:  
FRONT: 20'

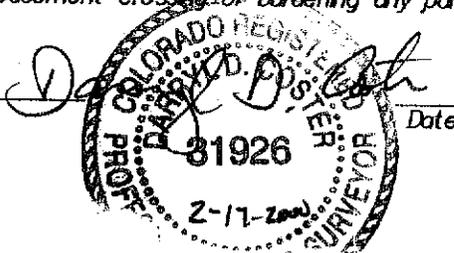


**Surveyor's Statement:**

I hereby certify that this proposed improvement location certificate was prepared for Unique Mountain Log Homes, LLC, that it is not a land survey plat or improvement survey plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines.

I further certify that the proposed improvements on the above described parcel, on this date, February 18, 2000, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

Darryl D. Coster, PLS  
Colorado Registration No. 31926



Date

According to the laws of the State of Colorado, legal action based upon any defect in this survey must commence within three years from the date after which it is first discovered. In no event, may action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DWG: SHELBY	SCALE: 1" = 40'	DRAWN BY: DDC
JOB: 00-104	DATE: FEB. 18, 2000	CHECKED BY: DDC

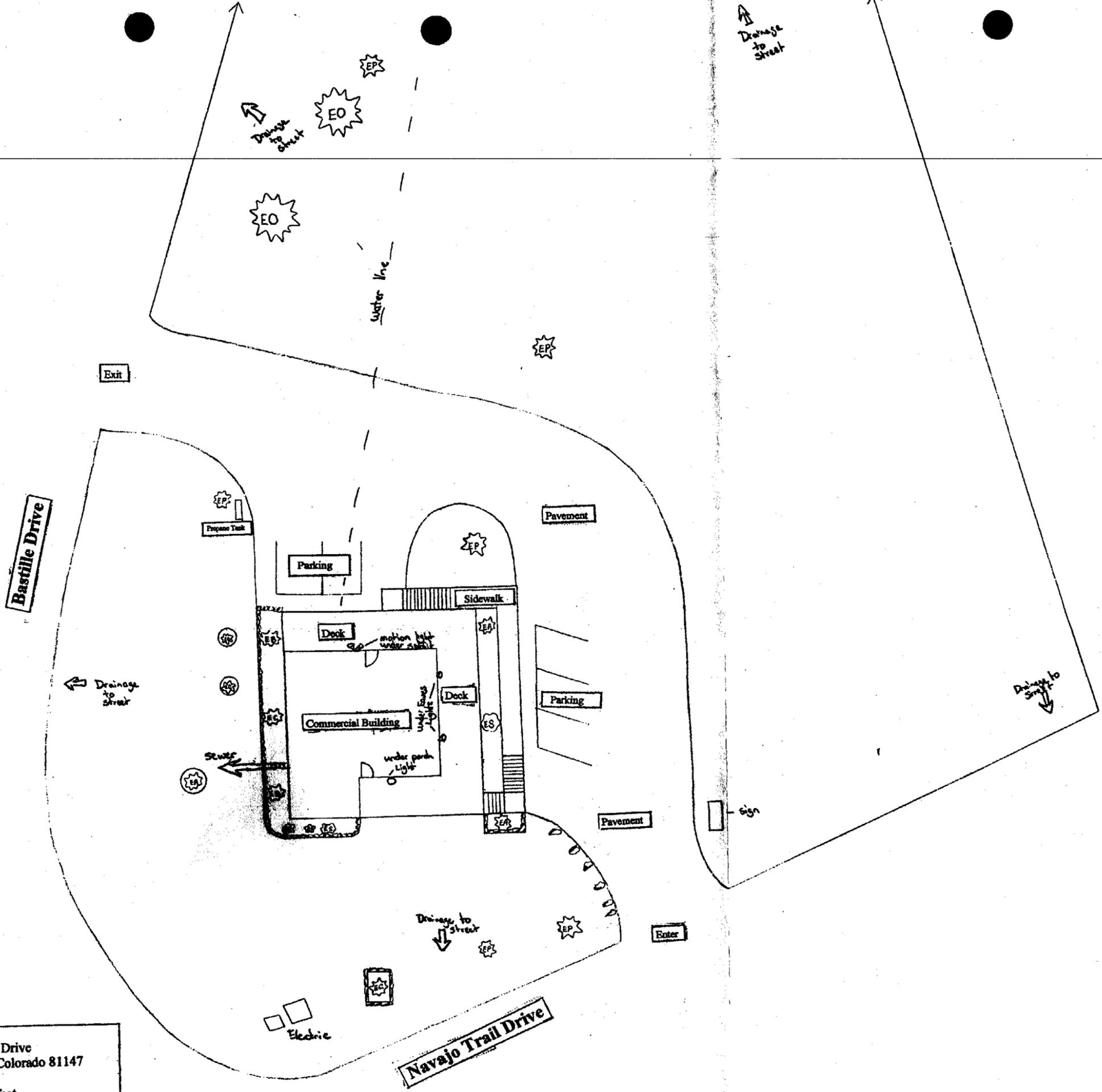
## BECHTOLT

### ENGINEERING, LLC

P.O. BOX 2580    PAGOSA SPRINGS, COLORADO 81147  
(970) 731-0255    FAX (970) 731-0257

**LEGEND**

Stairs	
Boulders	
Utilities- Telephone	
Utilities- Electric	
Existing Ponderosa Pine	
Existing Blue Spruce	
Existing Aspen	
Existing Crab	
Existing Oakbrush	
Existing Shrub	
Rock Border	



633 Navajo Trail Drive  
 Pagosa Springs, Colorado 81147  
 Scale 1 inch = 8 feet

5/20/16

**Holiday RV South Inc.**  
633 Navajo trail  
Pagosa Springs, Co.  
(Project Narrative)

Holiday RV South Inc., Colorado dealer License # 37920 Hereby requests the following considerations by Archuleta County for the purpose of selling New and Late model pre-owned recreational vehicles (RV'S)

RV types:

Travel Trailers  
Fifth Wheels  
Camp trailers  
Motor homes  
Truck Campers

We request that a Variance and Conditional Use permit be granted on the basis to expand and Continue the operations of Holiday RV (South) in Pagosa Springs Colorado.

- Holiday RV South, Inc. (HRVS) over the last 14 years has been serving the Pagosa Springs/ Archuleta county community in its need for an RV dealership.

HRVS currently serves the people of Archuleta county from our South Fork location which is logistically problematic due to Wolf Creek Pass and the challenges it can present for towing and safety.

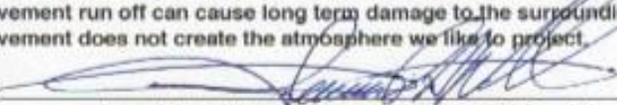
HRVS as well as a number of your community members find that a choice for RV commerce would add to the Pagosa Springs experience and could benefit the county on basis of tax dollars generated and jobs created. Currently there are no other dealers in or around the Pagosa Springs area. Other than Tarpley RV (73 miles west) in Durango or our dealership in South Fork (47 miles east).

- HRVS plans to expand its sales dept. in Pagosa Springs to better serve the needs of the community already in place and to build revenue to fund a more complete and viable dealership that may include parts and service to meet the expanding needs of the RV community.
- HRVS has a very unique business model that allows us to sell to locals at an average of 20% less than other options in the state. Added sales tax revenue would be created and added entertainment for tourists would be added.
- Holiday RV South is in need of a Conditional use permit due to current zoning changes that made our current location (633 navajo trail) limited to office use only with no outside display.  
(Our business model requires outside display)
- Holiday RV South Inc. requests a Variance on the requirement to pave the location for a number of reasons as listed below. (1"-2" crushed aggregate / gravel in place of pavement)

Reasons:

1. Pavement odor can permeate the RV's on display
2. The weight of the RV's can destroy the integrity of the pavement  
(up to 4800lbs. per square inch)
3. Pavement damages RV's Tires, axles, springs and shackles when turned abruptly.
4. Pavement / tar can track into units on display when Hot.
5. Pavement can create high and sometimes damaging high heat radiation.
6. Unhealthy conditions inside an RV can be caused by the pavement and the heat it draws.
7. Pavement run off can cause long term damage to the surrounding properties and wildlife.
8. Pavement does not create the atmosphere we like to project.

Signed

  
Jeremiah A. Webb | Owner of Holiday RV South Inc.

date 5/20/16

meeting the 50% build out restriction Holiday RV South has developed this proposal for consideration.

**Property line**

**30' road Set Backs**

**Parking Pads**

(1" - 2" screened rock )

**Improved area**

( note: paved parking for RV storage is not optimal for axle stress / failure and pavement failure due to high concentration of weight per square inch)





Archuleta County  
Development Services—Planning Department  
1122 HWY 84  
P. O. Box 1507  
Pagosa Springs, Colorado 81147  
970-264-1390  
Fax 970-264-3338

## MEMORANDUM

TO: Archuleta County Board of County Commissioners

FROM: John C. Shepard, AICP; Planning Manager

DATE: November 1, 2016

RE: Webb Request for Holiday RV South CUP, Parcel 3, Ridgeview Subdivision Replat at 633 Navajo Trail (PLN16-054)

---

### EXECUTIVE SUMMARY

Jeremiah “J” Webb, Holiday RV South, Inc. of South Fork, CO, has applied for the Holiday RV South Conditional Use Permit, on property owned by Bruce Lamereaux; being Parcel 3, Ridgeview Subdivision Replat, at 633 Navajo Trail, Pagosa Springs, CO (PLN16-054). The proposal will permit Outdoor Sales for Recreational Vehicles in the PUD zone.

Applicant has also made a concurrent request for a Variance from requirements to pave the parking area, which will be heard separately by the Board of Adjustment (PLN16-055).

At their meeting on Wed 27 July 2016, the Archuleta County Planning Commission recommended approval (3-1) with conditions. On Tuesday 20 September, the Board of County Commissioners opened this item and continued consideration to the 4<sup>th</sup> of October, when it was further continued to the 1<sup>st</sup> of November.

### REVIEW PROCEDURE

*Archuleta County Land Use Regulations* Section 3.2.3 Conditional Use Permit (CUP) provides for Conditional Uses, which require review and evaluation with respect to their effects on surrounding properties and Archuleta County at large. The Planning Commission can recommend conditions to the Board of County Commissioners, according to the Review Criteria in Section 3.2.3.4.

Public notice was provided to the applicant for publication in the *Pagosa Springs Sun*, to be posted on site, and to mail to adjacent property owners as required. Notice was originally mailed on June 1, 2016; however, the newspaper notice was not published on time and the public hearing was delayed. After the Applicant refused to re-notice, Staff provided public notice for this hearing as required.

## DISCUSSION

In July 2015, Holiday RV South Inc. of South Fork, Colorado, opened for business at 633 Navajo Trail at the corner of Bastille Dr., without a Land Use Permit or approval from the Pagosa Lakes Property Owners Association (PLPOA). The business sells new and late model used recreational vehicles (RVs). Applicant also graded and finished gravel RV parking display areas without County approval. There is unimproved property to the east and north, and an auto sales lot to the west.

The *Archuleta County Community Plan* of 2001 provides guidance for future development. The Future Land Use Map shows this area as High Density Residential transitioning to Industrial to the east (the commercial area along N. Pagosa Blvd north of Highway 160). The *Joint Town County Planning Commission Zoning Discussion 2010* map recognizes this parcel as part of the Planned Unit Development (PUD) area, with areas further east and directly across US Hwy 160 as Commercial. This property is zoned PUD, and the project was approved by PLPOA on 5/19/2016, even though the recorded covenants state “the operations from such stores, shops or businesses shall be conducted entirely within an enclosed building.” Bastille Drive and Navajo Trail are Local Access roads on the Primary road system.

This property was approved as the one-lot Unique Mountain Log Homes PUD in the year 2000, as an office/sales building, under the regulations then in place. In 2005, the use was changed by Derek Lamereaux to the Clarion Mortgage Limited Impact Use (2005-02) for office space. After the Applicant occupied the property without required permits, County and PLPOA staff tried to work with him to determine appropriate approval process (since the property is located in the Planned Unit Development) and to complete an application packet. While an application to amend the approved PUD Development Plan would be the usual process, the County had previously approved Outdoor Retail Sales at the Ace Hardware on the same block with a Conditional Use Permit in 2005. Section 5.4.2.6(2) of the Land Use Regulations requires outdoor merchandise displays to be approved only by the Planning Commission or Board of County Commissioners, and a CUP would provide that process.

On November 15, 2015, the County Attorney ordered the property owner and Applicant to apply for a Conditional Use Permit. Applicant submitted an application on May 23, 2016, for a CUP and Variance from requirements for paving. The application was accepted, but lacked several items required by Sec. 3.2.3.2 of the Land Use Regulations, including:

- (3) No Site Development Plan. The sketch submitted is entirely inadequate for review against Development Standards or Engineering Standards. Parking lot layouts must be approved by the County Engineer.
- (8) Incomplete Proof of Ownership.

The County would not normally enforce covenants, but the covenants provide the basis for development standards in the PUD zone. A wide variety of commercial uses are permitted at this location, but as noted the covenants specifically require commercial activity be entirely within an enclosed building—the proposed use appears to be prohibited. Ridgeview Subdivision Replat was approved in 1999, with a 20’ utility easement along both frontages on Navajo Trail and Bastille Drive. The covenants declare different easements, including a 25’ drainage easement. No improvements may be placed in easements; however, no objections have been

received by utility providers (see comments below). The Improvement Location Certificate approved with the original PUD shows a setback of 30', which would apply unless the PUD was amended; however, it is not clear if Outdoor Retail Sales are permissible within the setback as shown on the site sketch. No RVs or other improvements could be located within the Vision Clearance Area (Section 5.4.7 of the Land Use Regulations) or Sight Triangle (Section 27.1.6.3 of the Road & Bridge Design Standards). Applicant has also displayed flag-type signs which are prohibited in the Archuleta County Land Use regulations.

No public comments have been received. This application and the concurrent Variance were referred to local utilities and regulatory agencies for review, as provided in Section 2.2.5.

Comments received include:

- County Engineering rejected the letter submitted as a Drainage Study, required by Sec. 5.3.4 of the Land Use Regulations.
- Pagosa Fire Protection District: A cluster of Recreational Vehicles in close proximity can create a conflagration hazard, however, with adequate spacing between units (minimum 8'), the close proximity of a fire hydrant, and the lack of other exposures, the Pagosa Fire Protection District has no objections to the approval of this application.
- The County Clerk has expressed concern with proper sales tax collection.
- PAWSD had no comments.

The review criteria for a Conditional Use Permit in Section 3.2.3.4 of the *Archuleta County Land Use Regulations* include:

- (1) The relationship and impact of the use on the development objectives of Archuleta County.
- (2) The effect of the use on light and air, distribution of population, transportation facilities, utilities, schools, parks and recreation facilities, and other public facilities.
- (3) The effect of the use upon traffic, with particular reference to congestion, vehicular and pedestrian circulation, safety and convenience, traffic flow and control, access, maneuverability, and removal of snow from the roads, sidewalks and parking areas.
- (4) The effect of the use upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses.
- (5) The adequacy of the design features of the site to accommodate the proposed use, including but not limited to accessibility, service areas, parking, loading, landscaping and buffering, lighting, etc.
- (6) The effect of the use upon the natural resources and wildlife habitat areas.
- (7) Such other factors and criteria as the Planning Commission and the Board of County Commissioners deems applicable to the proposed use.

Finally, before acting on the application, the Board must be able to make the findings under Section 3.2.3.5:

- (1) That the proposed location of the use, the proposed access to the site, and the conditions under which the use would be operated or maintained will not be

detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

- (2) That, if required by the proposed use, there are adequate and available utilities and public services to service the proposed use, without reduction in the adequacy of services to other existing uses. These utilities and public services may include, but are not necessarily limited to, sewage and waste disposal, water, electricity, law enforcement, and fire protection.
- (3) That the proposed use will be compatible with adjacent uses, including but not limited to site design and operating factors, such as the control of any adverse impacts including noise, dust, odor, vibration, exterior lighting, traffic generation, hours of operation, public safety, etc.

Applicant discusses justification of their request in their narrative (See attached). In summary:

- Holiday RV South (HRVS) has served Archuleta County for 14 years from South Fork, CO.
- There are no other dealers in or around Pagosa Springs.

Despite the deficiency in notice, the Archuleta County Planning Commission held a public hearing at their regular meeting on 7/27/2016, which the Applicant declined to attend. No members of the public spoke for or against the project. After discussion, the Planning Commission voted (3-1) to recommend approval of the CUP, with the following conditions:

1. Applicant shall submit a detailed site development plan meeting the requirements of Section 3.2.3.2(3) of the *Archuleta County Land Use Regulations*, for approval by the Development Services Department, within 30 days.
2. Applicant shall submit a drainage study, signed and sealed by a professional engineer, meeting the requirements of Section 5.3.4 of the Land Use Regulations, within 30 days.
3. Applicant shall submit parking area construction plans signed and sealed by a professional engineer, as required by Section 5.4.5 of the Land Use Regulations and Section 27.1.7.4 Design Standards for Parking Areas in the *Archuleta County Road and Bridge Design Standards*, within 90 days.
4. Recreational Vehicles shall not be parked in required setbacks shown on the Bechtolt Engineering Improvement Location Certificate, in the Vision Clearance Areas required by Section 5.4.7 of the Land Use Regulations, or Sight Triangle required by Section 27.1.6.3 of the Road & Bridge Design Standards.
5. Recreational Vehicles shall only be parked with adequate spacing between units (minimum 8'), as required by the Pagosa Fire Protection District.
6. Proof of Publication must be provided prior to scheduling the Board of County Commissioners public hearing.

Staff prepared and placed required public notice (combined with the concurrent Variance request), including publication in the *Pagosa Sun*, posting notice on the right-of-way adjacent to the site, and mailing notice to adjacent property owners, at a cost of \$89.74 without accounting for staff time.

In summary, the Applicant occupied the property without required permits, in violation of the *Archuleta County Land Use Regulations*. The application, once submitted 11 months later, is

inadequate to recommend approval. As well, the use does not appear to be permitted under the covenants; however, similar outdoor retail sales have been permitted along Navajo Drive in the past.

## RECOMMENDATION AND FINDINGS

If the Board concludes that, based on evidence provided the Applicants have met the goals and objectives of the Land Use Regulations, then **staff would recommend the Board of County Commissioners find that:**

- a. The application meets the review criteria for a Conditional Use Permit in Section 3.2.3.4 of the *Archuleta County Land Use Regulations*, and
- b. The application meets the required findings for a Conditional Use Permit in Section 3.2.3.5 of the *Archuleta County Land Use Regulations*, and

**That the Board approve the Webb Request for the Holiday RV South CUP, Parcel 3, Ridgeview Subdivision Replat at 633 Navajo Trail, with the following conditions:**

1. Applicant shall submit a detailed site development plan meeting the requirements of Section 3.2.3.2(3) of the *Archuleta County Land Use Regulations*, for approval by the Development Services Department, within 30 days.
2. Applicant shall submit a drainage study, signed and sealed by a professional engineer, meeting the requirements of Section 5.3.4 of the Land Use Regulations, within 30 days.
3. Applicant shall submit parking area construction plans signed and sealed by a professional engineer, as required by Section 5.4.5 of the Land Use Regulations and Section 27.1.7.4 Design Standards for Parking Areas in the *Archuleta County Road and Bridge Design Standards*, within 90 days.
4. Recreational Vehicles shall not be parked in required setbacks shown on the Bechtolt Engineering Improvement Location Certificate, in the Vision Clearance Areas required by Section 5.4.7 of the Land Use Regulations, or Sight Triangle required by Section 27.1.6.3 of the Road & Bridge Design Standards.
5. Recreational Vehicles shall only be parked with adequate spacing between units (minimum 8'), as required by the Pagosa Fire Protection District.
6. Applicant shall reimburse Archuleta County for necessary public notice, within 30 days.

## PROPOSED MOTION

**I move to approve the Webb request for the Holiday South RV CUP, with the Findings A and B, and conditions 1-6 of the Staff Report.**

ATTACHMENTS.

Attachment 1: Area Maps

Attachment 2: Staff Memo on PUD Zone Development Requirements, 8/17/2015

Attachment 3: Review Comments

Attachment 4: Original PUD PILC and Site Sketch

Attachment 5: Applicant's Narrative

Attachment 6: Applicant's Site Sketch



## Site Map

Holiday RV South  
CUP/Variance  
16-054/-055

### Legend

- Highway
- Primary Road
- Lakes
- Pagosa Springs
- Parcels
- Project Location



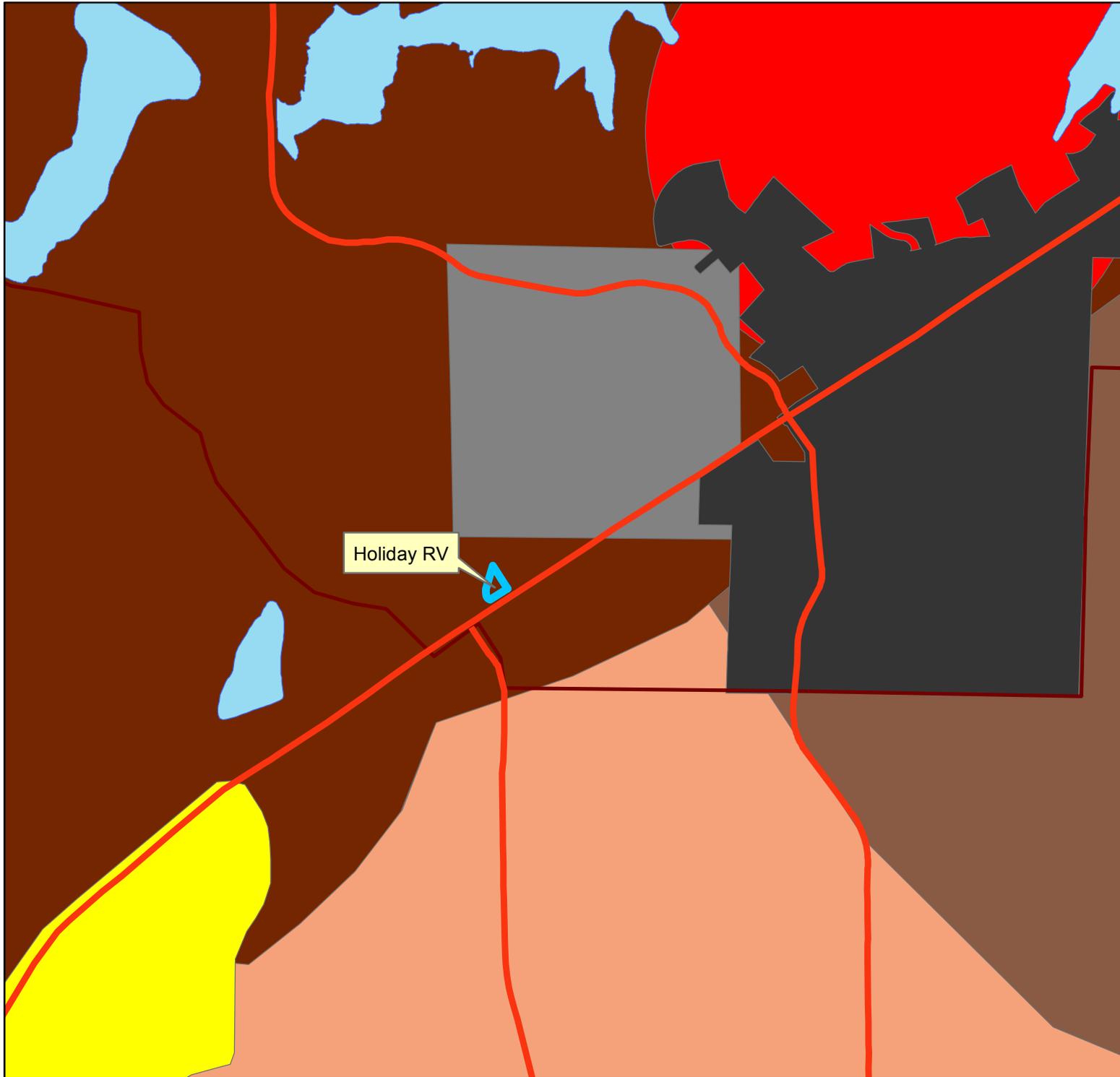
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



280 140 0 280 Feet



# Archuleta County Community Plan Detail: Future Land Use



## Legend

- Major Roads
- Rivers & Streams
- Lakes
- Critical Wildlife Habitat
- Migration Corridor
- Joint Planning Area
- Pagosa (2009)
- Tier 1
- Tier 2
- Industrial Park
- Commercial Area

## Future Landuse

- High density residential
- Medium density residential
- Low density residential
- Very low density residential
- Public land
- Village Center



Detail of map developed 21 Sept 2011

Archuleta County Development Services  
1 July 2016





# Site Map

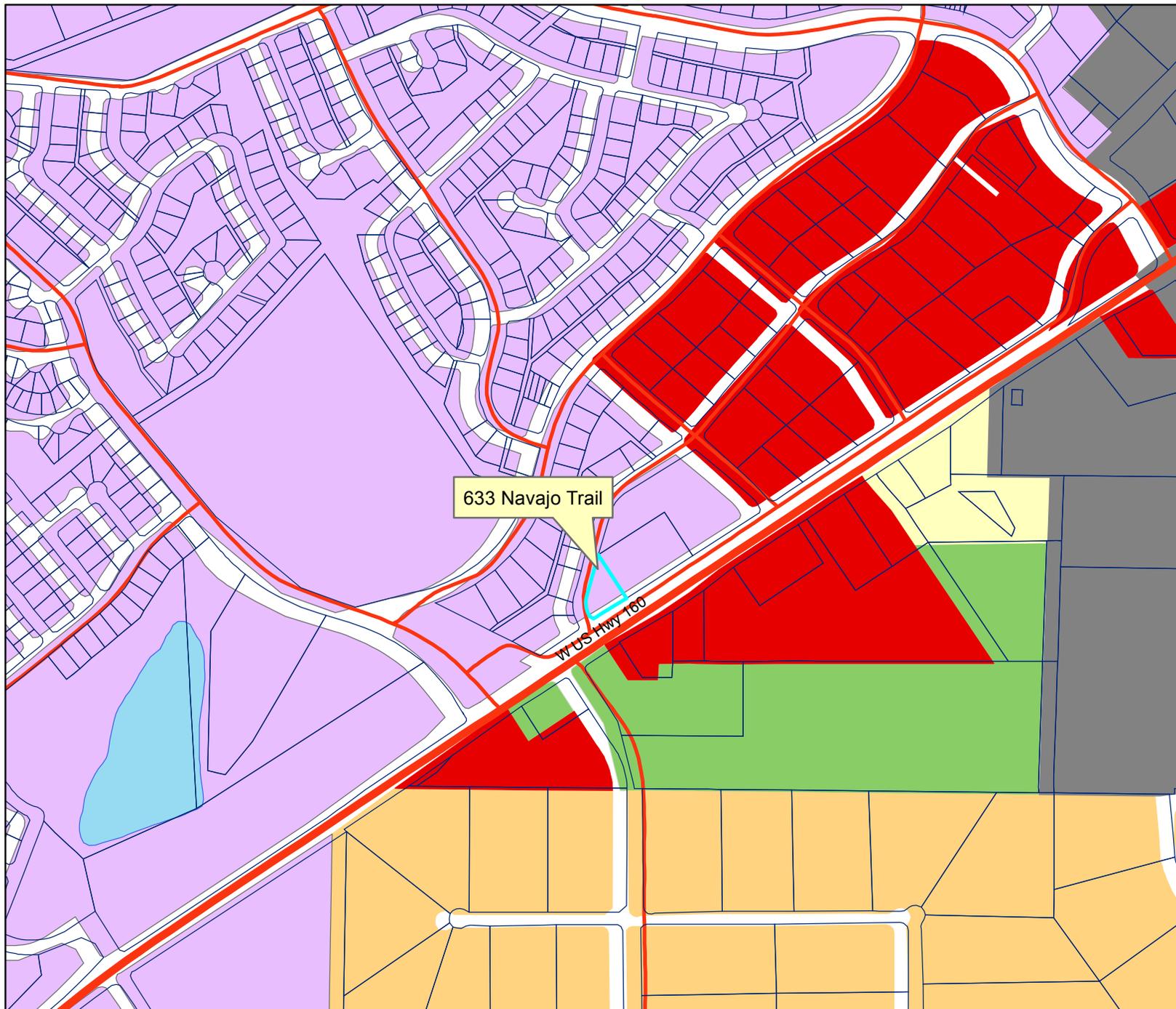
Holiday RV South  
CUP/Variance  
16-054/-055

## Legend

- Highway
- Primary Road
- Lakes
- Pagosa Springs
- Parcels

## Zoning Map 2011 Zoning Districts

- Agriculture Forestry (AF)
- Agriculture Ranching (AR)
- Agricultural Estate (AE)
- Rural Residential (RR)
- Residential (R)
- Mobile Home Park (MHP)
- Commercial (C)
- Industrial (I)
- PUD
- Project Location



280 140 0 280 Feet



This map has been produced using various geospatial data sources. The information displayed is intended for general planning purposes and the original data will routinely be updated. No warranty is made by Archuleta County as to the accuracy, reliability or completeness of this information. Consult actual legal documentation and/or the original data source for accurate descriptions of locations displayed herein.



# Site Map

Holiday RV South  
CUP/Variance  
16-054/-055

## Legend

- Highway
- Primary Road
- Pagosa Springs
- Parcels
- Project Location



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



50 25 0 50 Feet





Archuleta County  
Development Services—Planning Department  
1122 HWY 84  
P. O. Box 1507  
Pagosa Springs, Colorado 81147  
970-264-1390  
Fax 970-264-3338

## MEMORANDUM

TO: Archuleta County Planning Commission  
FROM: John C. Shepard, AICP; Planning Manager  
DATE: August 17, 2015  
RE: PUD Zone District Development Requirements

---

Development in a Planned Unit Development is a partnership between property owners, a property owners' association, and the County.

The Board of County Commissioners adopted a comprehensive revision of the *Archuleta County Land Use Regulations* on May 23, 2006, and adopted the first Official Zoning Map on August 22, 2006 (since revised and updated by resolution). Work sessions at the time on the Zoning Transition Program discussed mapping subdivisions, then developed as master-planned communities, into the newly created Planned Unit Development (PUD) zone district which addresses both zoning and subdivision standards. These areas included:

- Pagosa Lakes Property Owners Association subdivisions (approximately 6,000+ parcels)
- Reserve at Pagosa Peak
- Crowley Ranch Reserve
- A number of parcels adjacent to these areas, to avoid spot zoning.

Since adoption of the Official Zoning Map, areas zoned PUD that had been subdivided into lots for final development have been considered a "final" PUD. Areas not previously subdivided are considered a "preliminary" PUD; a final PUD would be required prior to further development. The private land use designations specified by covenants of record at that time serve as the Development Plan for future approvals.

Two new PUD developments have also been established since 2006 through the rezoning process, but have not proceeded to final approval:

- Reservoir River Ranch PUD (2009)
- River's Gate PUD (2010)

Section 3.1.6 of the Land Use Regulations provides for review of development in a PUD. An application for creation or amendment of a PUD follows Rezoning provisions for land use standards, as well as Major Subdivision review for sketch plan, preliminary plan, and final plat.

In a PUD, the Development Plan (as defined in Section 11) outlines detailed provisions for development, which may include use, setbacks, density, and other provisions. Development standards in the Land Use Regulations still apply, including the need for Conditional Use Permits and Variances, unless addressed in a Development Plan.



**MEMO**

Date: June, 23, 2016

To: John Shepard

From: Yari Davis

CC: Bob Perry

RE: Holiday RV South Inc.

The Engineering Department has reviewed the variance requested by Holiday RV South Inc. from Archuleta County Road & Bridge Design Standards, Section 27.1.7.4.C, "that requires parking serving commercial uses must be paved". The Engineering Department has no objections with the variance approval but before this approval our requirement comments follow:

- We are agreed with the letter from G/T Structural Engineers submitted by the Applicant that there would only minimal change in the value for existing grassy field versus gravel surface. The Engineering Department is not concern with the change from grass to gravel, we are concern that the existing structure and pave driveway when was propose back in 2002 the County did not obtain a drainage study and according to our new regulations, the applicant shall submit storm water runoff calculations for historic and developed runoff to the Engineering Department with the plans and shall be prepared by a qualified Colorado Registered Professional Engineer. If runoff calculations show that stormwater detention is required the applicant shall supply calculations and plans for detention pond location, volume, and outlet structures with the plans. Also, provide engineering and construction details for all drainage structures adequate to handle the drainage.
- After construction and before the Planning Department issued a permit , the applicant shall submit to the Engineering Department a signed and sealed letter from the design engineer that drainage and detention basin was built according to approved plans.

⊕ 970-264-5660 ⊕ FAX: 970-264-6815 ⊕

⊕ PO Box 1507 ⊕ 1122 S. HIGHWAY 84 ⊕ PAGOSA SPRINGS, CO 81147

YARCENEAUX@ARCHULETACOUNTY.ORG ⊕



# Pagosa Fire Protection District



May 27, 2016

Review of Land Use Permit Application:

Project: Holiday RV South

Address: 633 Navajo Trail

Applicant: Jeremiah Webb

Fire District Comments:

A cluster of Recreational Vehicles in close proximity can create a conflagration hazard, however, with adequate spacing between units (minimum 8'), the close proximity of a fire hydrant, and the lack of other exposures, the Pagosa Fire Protection District has no objections to the approval of this application.

Randy Larson

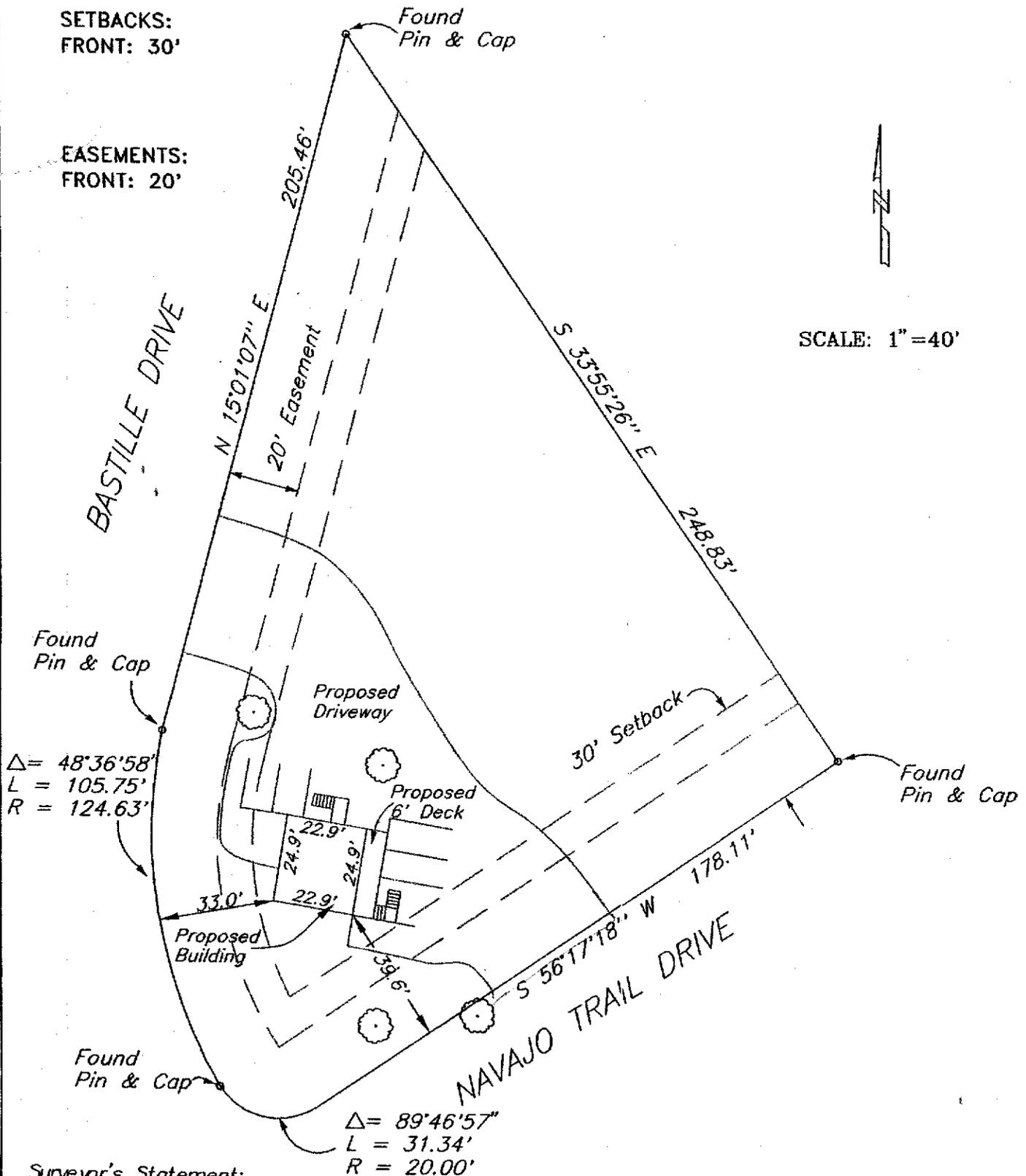
Fire Chief

# PROPOSED IMPROVEMENT LOCATION CERTIFICATE

PARCEL 3, RIDGEVIEW SUBDIVISION - ARCHULETA COUNTY, COLORADO  
633 NAVAJO TRAIL DRIVE, PAGOSA SPRINGS

SETBACKS:  
FRONT: 30'

EASEMENTS:  
FRONT: 20'

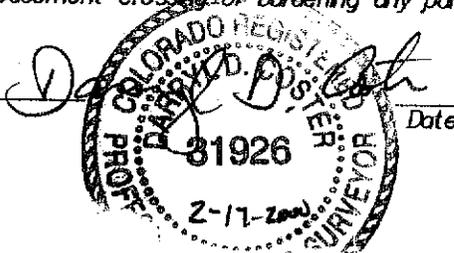


**Surveyor's Statement:**

I hereby certify that this proposed improvement location certificate was prepared for Unique Mountain Log Homes, LLC, that it is not a land survey plat or improvement survey plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines.

I further certify that the proposed improvements on the above described parcel, on this date, February 18, 2000, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

Darryl D. Coster, PLS  
Colorado Registration No. 31926



Date

According to the laws of the State of Colorado, legal action based upon any defect in this survey must commence within three years from the date after which it is first discovered. In no event, may action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DWG: SHELBY	SCALE: 1" = 40'	DRAWN BY: DDC
JOB: 00-104	DATE: FEB. 18, 2000	CHECKED BY: DDC

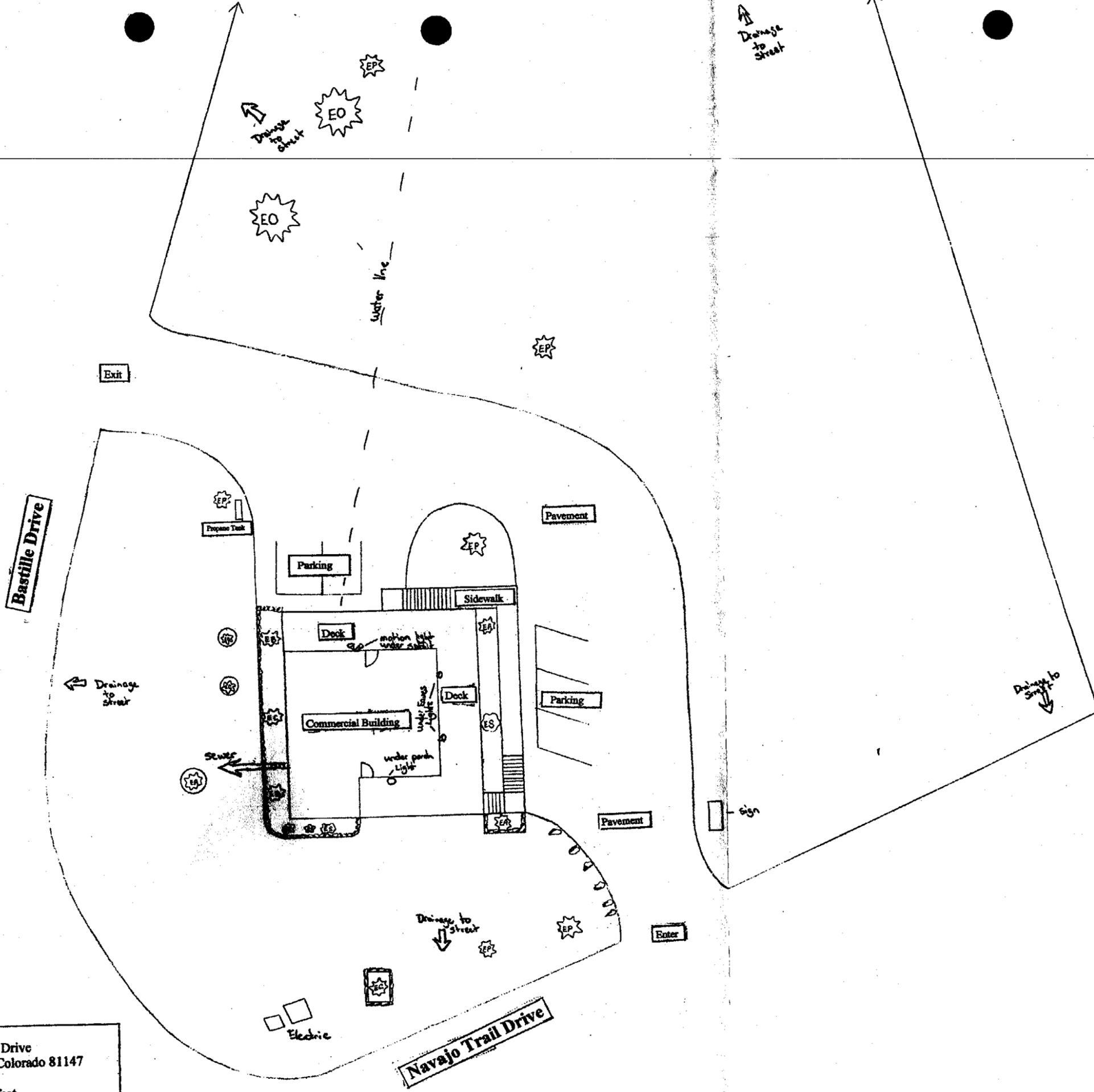
## BECHTOLT

### ENGINEERING, LLC

P.O. BOX 2580 PAGOSA SPRINGS, COLORADO 81147  
(970) 731-0255 FAX (970) 731-0257

**LEGEND**

Stairs	
Boulders	
Utilities- Telephone	
Utilities- Electric	
Existing Ponderosa Pine	
Existing Blue Spruce	
Existing Aspen	
Existing Crab	
Existing Oakbrush	
Existing Shrub	
Rock Border	



633 Navajo Trail Drive  
 Pagosa Springs, Colorado 81147  
 Scale 1 inch = 8 feet

5/20/16

**Holiday RV South Inc.**  
633 Navajo trail  
Pagosa Springs, Co.  
(Project Narrative)

Holiday RV South Inc., Colorado dealer License # 37920 Hereby requests the following considerations by Archuleta County for the purpose of selling New and Late model pre-owned recreational vehicles (RV'S)

**RV types:**

Travel Trailers  
Fifth Wheels  
Camp trailers  
Motor homes  
Truck Campers

We request that a Variance and Conditional Use permit be granted on the basis to expand and Continue the operations of Holiday RV (South) in Pagosa Springs Colorado.

- Holiday RV South, Inc. (HRVS) over the last 14 years has been serving the Pagosa Springs/ Archuleta county community in its need for an RV dealership.

HRVS currently serves the people of Archuleta county from our South Fork location which is logistically problematic due to Wolf Creek Pass and the challenges it can present for towing and safety.

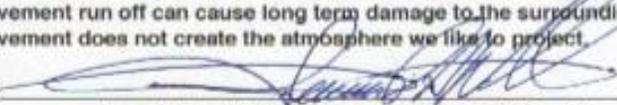
HRVS as well as a number of your community members find that a choice for RV commerce would add to the Pagosa Springs experience and could benefit the county on basis of tax dollars generated and jobs created. Currently there are no other dealers in or around the Pagosa Springs area. Other than Tarpley RV (73 miles west) in Durango or our dealership in South Fork (47 miles east).

- HRVS plans to expand its sales dept. in Pagosa Springs to better serve the needs of the community already in place and to build revenue to fund a more complete and viable dealership that may include parts and service to meet the expanding needs of the RV community.
- HRVS has a very unique business model that allows us to sell to locals at an average of 20% less than other options in the state. Added sales tax revenue would be created and added entertainment for tourists would be added.
- Holiday RV South is in need of a Conditional use permit due to current zoning changes that made our current location (633 navajo trail) limited to office use only with no outside display.  
(Our business model requires outside display)
- Holiday RV South Inc. requests a Variance on the requirement to pave the location for a number of reasons as listed below. (1"-2" crushed aggregate / gravel in place of pavement)

**Reasons:**

1. Pavement odor can permeate the RV's on display
2. The weight of the RV's can destroy the integrity of the pavement  
(up to 4800lbs. per square inch)
3. Pavement damages RV's Tires, axles, springs and shackles when turned abruptly.
4. Pavement / tar can track into units on display when Hot.
5. Pavement can create high and sometimes damaging high heat radiation.
6. Unhealthy conditions inside an RV can be caused by the pavement and the heat it draws.
7. Pavement run off can cause long term damage to the surrounding properties and wildlife.
8. Pavement does not create the atmosphere we like to project.

Signed

  
Jeremiah A. Webb | Owner of Holiday RV South Inc.

date 5/20/16

meeting the 50% build out restriction Holiday RV South has developed this proposal for consideration.

## Property line

## 30' road Set Backs

## Parking Pads

(1" - 2" screened rock )

## Improved area

( note: paved parking for RV storage is not optimal for axle stress / failure and pavement failure due to high concentration of weight per square inch)



0 50 100 feet

**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 Timothy H. Olson, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

**WHEREAS**, the Board has found that Timothy H. Olson, 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 19 through 22, 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 22X 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 1<sup>st</sup> day of November, 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-16-3642**

September 21, 2016

Tim Olson

RE: O&E Report 16-3642 (Lot Consolidation)

\*\*\*\*\*

**PROPERTY DESCRIPTION(S):**

**Lots 19, 20, 21 & 22, Block 13, Lake Pagosa Park, according to the plat thereof filed March 13, 1970, as Reception Nos. 72998 thru 73013, in the office of the Clerk and Recorder, Archuleta County, Colorado.**

**TAX SCHEDULE NO(S):**

**5699-082-04-116 as to All Lots**

**VESTED OWNER(S):**

**Timothy H. Olson by Warranty Deed recorded October 11, 1984 as Reception No. 126571, in the office of the Clerk and Recorder, Archuleta County, Colorado. (as to Lots 19, 20 & 21)**

**Timothy H. Olson by Warranty Deed recorded May 7, 1985 as Reception No. 131168, in the office of the Clerk and Recorder, Archuleta County, Colorado. (as to Lot 22)**

**LIEN(S) AND ENCUMBRANCE(S) OF RECORD AS OF September 14, 2016 @ 8:00 a.m.:**

**NONE**

Any tax, assessment, fee or charge by reason of the inclusion of the subject property in the Owner's Association (If any) 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 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

INVOICE

OWNERSHIP & ENCUMBRANCE REPORT  
O&E-16-3642

September 21, 2016

Tim Olson

RE; O&E Report 16-3642 (Lot Consolidation)

<u>Item</u>	<u>Amount</u>
O&E Report	\$100.00
<b>Total Amount Due:</b>	<b>\$100.00</b>

Please make check payable to: High Country Title, Inc.  
Tax ID # 84-1126564

**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 M. Carrol Family No. 1 Limited Partnership, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

**WHEREAS**, the Board has found that M. Carrol Family No. 1 Limited Partnership, 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 122 and 123, Martinez Mountain Estates, according to the plat thereof filed for record November 8, 1978, as Reception No. 93208, Archuleta County, Colorado, to become Lot 123X 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 \_\_\_ day of \_\_\_\_\_ 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-16-3645**

October 4, 2016

M. Carrol Family No. 1 Limited Partnership

RE: O&E Report 16-3645 (Lot Consolidation)

\*\*\*\*\*

**PROPERTY DESCRIPTION(S):**

**Lots 122 & 123, Martinez Mountain Estates, according to the plat thereof filed November 8, 1978, as Reception No. 93208, in the office of the Clerk and Recorder, Archuleta County, Colorado.**

**TAX SCHEDULE NO(S):**

5695-011-02-009 as to Lot 122

5695-011-02-010 as to Lot 123

**VESTED OWNER(S):**

**M. Carrol Family No. 1 Limited Partnership by Warranty Deed recorded August 15, 2001 as Reception No. 20107235 in the office of the Clerk and Recorder, Archuleta County, Colorado. (as to Both Lots)**

**LIEN(S) AND ENCUMBRANCE(S) OF RECORD AS OF September 26, 2016 @ 8:00 a.m.:**

NONE

Any tax, assessment, fee or charge by reason of the inclusion of the subject property in the Owner's Association (If any) 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 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.

**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 Larry Dee Reed and Sandra Reed, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

**WHEREAS**, the Board has found that Larry Dee Reed and Sandra Reed, 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 127 and 128, Lake Hatcher Park, according to the plat thereof filed for record November 5, 1973, as Reception No. 78738, Archuleta County, Colorado, to become Lot 128X 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 1<sup>st</sup> day of November, 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.



**RETAIL 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 _____	_____
Amount Due/Paid	

CHIMNEY ROCK REST AND TAVERN LLC  
 18710 W HWY 160  
 BAYFIELD CO 81122

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 <b>CHIMNEY ROCK REST AND TAVERN LLC</b>		DBA <b>CHIMNEY ROCK REST AND TAVERN LLC</b>		
Liquor License # <b>42749520000</b>	License Type <b>Hotel &amp; Restaurant (county)</b>	Sales Tax License # <b>42749520000</b>	Expiration Date <b>12/09/2016</b>	Due Date <b>10/25/2016</b>
Operating Manager <b>BRENT LANGLAIS</b>		Home Address <b>18710 U.S. HWY 160 CHIMNEY ROCK, CO 81122</b>		
Manager Phone Number <b>281 201 2011</b>		Email Address <b>BRENT 88 LANG @ YAHOO. COM</b>		
Street Address <b>18710 W HWY 160 PAGOSA SPRINGS CO 81147</b>				Phone Number <b>9707315237</b>
Mailing Address <b>18710 W HWY 160 BAYFIELD CO 81122</b>				<b>281-732-4142</b>

- 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 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 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 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

**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 <b>BRENT G. LANGLAIS</b>	Title <b>PRESIDENT / OWNER</b>
Signature <i>Brent G. Langlais</i>	Date <b>10-15-16</b>

**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

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Chimney Rock Restaurant and Tavern, LLC

is a

Limited Liability Company

formed or registered on 08/19/2009 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20091443836 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/21/2016 that have been posted, and by documents delivered to this office electronically through 10/24/2016 @ 16:13:58 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 10/24/2016 @ 16:13:58 in accordance with applicable law. This certificate is assigned Confirmation Number 9895725 .



A handwritten signature in blue ink that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



**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: Nov 15, 2014

**LIQUOR / 3.2% BEER LICENSE RENEWAL**

Establishment: Chimney Rock Rest & Tavern LLC  
Individual's name(s): Brent Langlais  
DOB: \_\_\_\_\_ SS# \_\_\_\_\_  
DOB: \_\_\_\_\_ SS# \_\_\_\_\_  
Business Address: 18710 W 160 St, Co 81447  
Type of License: Hotel & Restaurant  
Expiration Date: 12/9/2016

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  
Archuleta County Undersheriff



ARCHULETA COUNTY LIQUOR BOARD

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

On agenda NOV 15, 2016

NEW APPLICATION:  RENEWAL:  (CHECK ONE)

TYPE OF LICENSE Hotel & Restaurant

NAME OF APPLICANT Brent Langlais

BUSINESS NAME Chimney Rock Rest & Tavern LLC

LOCATION ADDRESS 18710 W. 160 P.S., Co 81147

TELEPHONE NUMBER 731-5237 / 281-732-4142

LICENSE NUMBER 42749520000

Building Department  
264-1390

APPROVED  
SIGNATURE

DISAPPROVED  
SIGNATURE

\_\_\_\_\_  
Printed Name

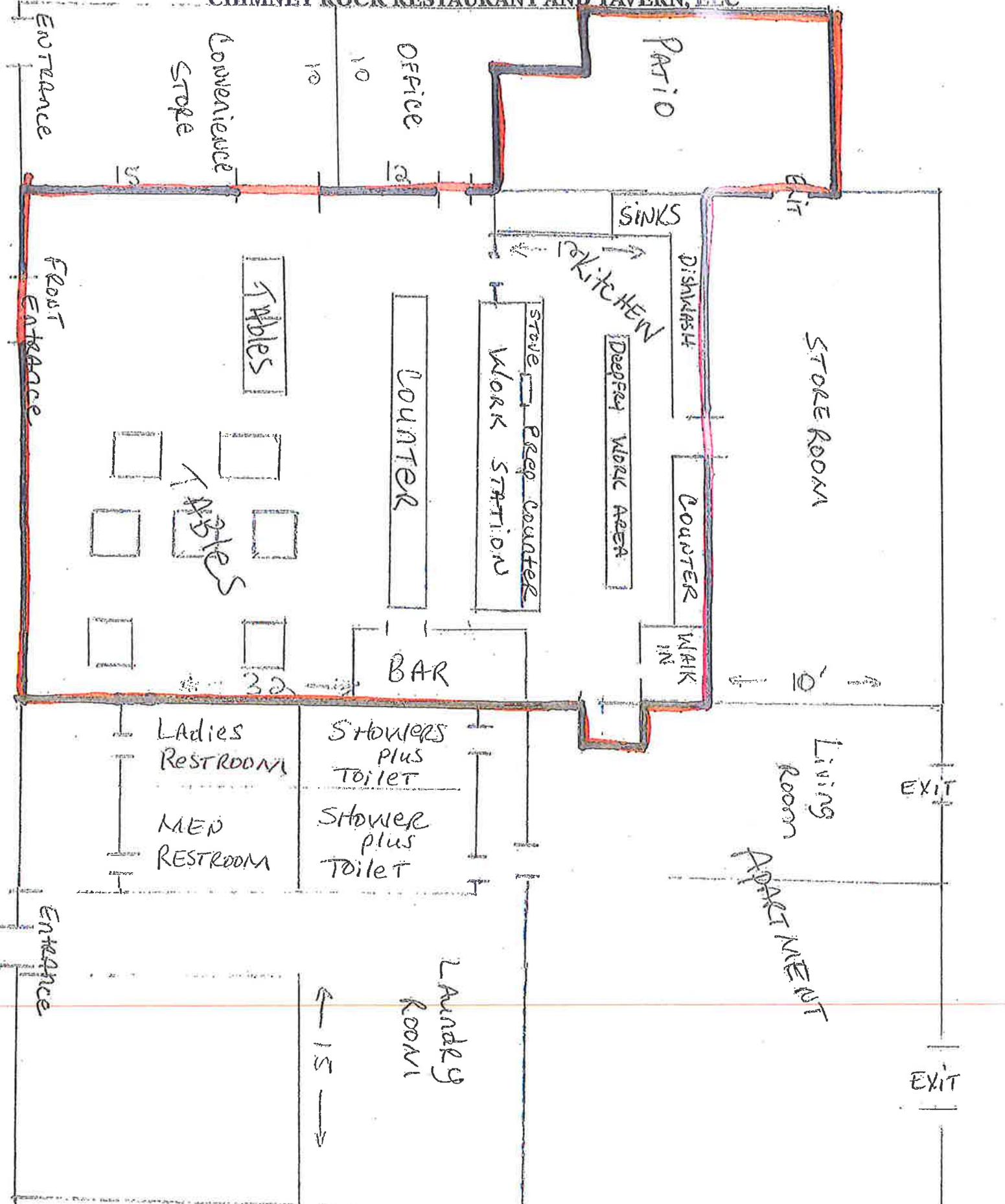
\_\_\_\_\_  
Printed Name

DATE INSPECTION MADE: \_\_\_\_\_

Attach Premises Map

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

CHIMNEY ROCK RESTAURANT AND TAVERN, LLC



**22. SIGNATURE PAGE**

**THE PARTIES HERETO HAVE EXECUTED THIS GRANT**

**\* Persons signing for Grantee hereby swear and affirm that they are authorized to act on Grantee's behalf and acknowledge that the State is relying on their representations to that effect.**

<p style="text-align: center;"><b>GRANTEE ARCHULETA COUNTY</b></p> <p><b>By:</b> _____ Print Name of Authorized Individual</p> <p><b>Title:</b> _____ Print Title of Authorized Individual</p> <p>_____ *Signature</p> <p><b>Date:</b> _____</p>	<p style="text-align: center;"><b>STATE OF COLORADO John W. Hickenlooper, Governor Colorado Department of Transportation Shailen P. Bhatt- Executive Director</b></p> <p>_____</p> <p><b>By:</b> _____ Signatory avers to the State Controller or delegate that, except as specified herein, Grantee has not begun performance or that a Statutory Violation waiver has been requested under Fiscal Rules</p> <p><b>Date:</b> _____</p>
<p style="text-align: center;"><b>2nd Grantee Signature if Needed</b></p> <p><b>By:</b> _____ Print Name of Authorized Individual</p> <p><b>Title:</b> _____ Print Title of Authorized Individual</p> <p>_____ *Signature</p> <p><b>Date:</b> _____</p>	

**ALL GRANTS REQUIRE APPROVAL BY THE STATE CONTROLLER**

**CRS §24-30-202 requires the State Controller to approve all State grants. This Grant is not valid until signed and dated below by the State Controller or delegate. Grantee is not authorized to begin performance until such time. If Grantee begins performing prior thereto, the State of Colorado is not obligated to pay Grantee for such performance or for any goods and/or services provided hereunder.**

**STATE CONTROLLER  
Robert Jaros, CPA, MBA, JD**

**By:** \_\_\_\_\_  
Colorado Department of Transportation

**Date:** \_\_\_\_\_

**23. EXHIBIT A - SCOPE OF WORK AND BUDGET**

**Archuleta County**

<b>Title of Project</b>	FY17 FASTER Local Replacement BOCs Project	<b>ALI</b>	11.12.04
<b>Project Description</b>	FY17 FASTER Local Replacement BOCs Project		
<b>Recipient</b>	Archuleta County	<b>DUNS #</b>	156125015
<b>Contact Name</b>	John Egan	<b>Vendor Number</b>	2000058
<b>Address</b>	P.O. Box 1507 777 County Road 600 Pagosa Springs, CO 81147 USA	<b>Phone #</b>	(970) 264-2250
<b>Email</b>	jegan@archulletacounty.org	<b>Fax #</b>	n/a
<b>Project Budget</b>	*WBS 21662.10.50		
	State Share (at 80% or less)	\$111,390.00	
	Local Share (at 20% or more)	\$27,849.00	
	<b>Total Project Budget</b>	<b>\$139,239.00</b>	

*\*The grants and line item WBS numbers may be replaced without changing the amount of the grant at CDOT's discretion.*

**A. Agency Overview**

Mountain Express Transit is a division of Archuleta County Transportation serving the transit dependent population of Archuleta County including the elderly, disabled, low income, and workforce population in and around the Pagosa Springs area. Mountain Express operates a local transit service Monday through Friday. The service operates in the Pagosa Springs area along the U. S. Highway 160 corridor as far west as the Vista Subdivision west of Pagosa Springs. The service operates from 6:45 in the morning until approximately 5:00 p.m., Monday through Friday. There is no transit service on the weekends. Transportation options have been provided by the County for over 12 years. Mountain Express Transit operates in Archuleta County exclusively and only in the Pagosa Springs area.

Mountain Express Transit operates a demand response system referred to as the Call & Ride service. Passengers call Mountain Express Transit the day prior to the required service and make reservations to ride Mountain Express from their requested point of origin to their desired destination. They can make arrangements to be picked up and returned to their pick-up point or another destination. The one day advanced reservation requirement prevents Mountain Express Transit from competing directly with private transportation services in the Pagosa Springs area.

Mountain Express Transit operates a complimentary paratransit system for persons requiring door-to-door service. This includes people with physical or mental disabilities and the elderly who cannot drive and do not have ready access to the Fixed Route Bus System. Passengers call not less than 24 hours in advance to reserve a ride. Destinations include all public buildings, grocery and major shopping areas, doctors, dentists and other medical services and the Pagosa Springs Medical Center. Paratransit and Fixed route service are not currently available on weekends.

**B. Project Description**

Archuleta County shall perform all Project activities described in the application submitted to the State APP-012716 and as specifically described in this Grant. The application and application update are incorporated herein by reference to the extent consistent with this Grant.

Archuleta County shall use FASTER capital funds to purchase two replacement cutaway vehicles (Project Property”).

You may include options in your vehicle(s) purchase that are reasonably needed to provide public transit in your jurisdiction. Options may include but are not limited to, the following:

- Bike rack
- Brake retarder
- Electronic destination sign
- Mud and snow tires
- Drop down chains

The vehicle(s) being purchased are to replace the following existing vehicle(s) in the Archuleta County fleet:

VIN#:	COTRAMS Cap Inv#:	Year	Make	Model
1FDXE45S4YHB88760	INV- 00002345	2001	E350	FORD
1FDXE45S4HB45321	INV- 00002349	2005	Senator	FORD

**C. Performance Standards**

1. Archuleta County will utilize the Project Property purchased through this project in its transit operations to achieve the performance goals established by CDOT. Archuleta County will comply with established CDOT requirements for maintenance of effort and effective utilization of equipment that maintains a State Interest.
2. Performance will be reviewed annually. If the State's review determines Archuleta County performance does not meet the standards of performance set forth in this section, the following steps will be taken:
  - a. The State will notify Archuleta County in writing that performance does not meet the requirements of this Grant.
  - b. Thirty (30) calendar days after date of such notification, Archuleta County will submit to the State a written explanation of the cause(s) of the substandard performance, which shall include a written plan for improving performance.
  - c. The State will review the plan for improvement and notify Archuleta County of its decision within 21 days.
  - d. If the plan is approved by the Department, Archuleta County will implement the plan immediately upon receipt of the State's notification. If the plan is not approved by the Department remedial measures will be determined on a case by case basis. Such remedial measures may include termination of this Grant and return of the grant funds or capital equipment purchased with such funds, in accordance with the terms of this Grant.

3. Milestones

Milestone Name	Milestone Description	Original Est. Complete Date
MILE-030282	Grant Agreement with CDOT is Executed	October 2016
MILE-030283	Submit Procurement Process and Bid Package to CDOT Project Manager for Approval	November 2016
MILE-030284	Bid Package is Released	November 2016

MILE-030285	Bids are Due	November 2016
MILE-030286	Process Documentation Submitted to CDOT Project Manager for Concurrence	November 2016
MILE-030287	Submit Procurement Authorization to CDOT Project Manager for Approval	November 2016
MILE-030288	Take Delivery of (First) Vehicle(s)	March 2017
MILE-030289	Take Delivery of and Accept All Vehicle(s)	March 2017
MILE-030290	Submit Reimbursement Request to DTR	April 2017
MILE-030291	Close out Project with DTR	May 2017
<b>IMPORTANT NOTE:</b> All milestones in this scope of work must be completed no later than the contract expiration date of 12/31/2018.		

**D. Project Budget**

1. The cost for this FASTER project is estimated to be as follows:

*WBS	21662.10.50
State Share (at 80% or less)	\$111,390.00
Local Share (at 20% or more)	\$27,849.00
<b>Total Project Budget</b>	<b>\$139,239.00</b>

2. The Total Project Budget shall not exceed the maximum allowable cost of \$139,239.00. The State will pay no more than 80% of the eligible, actual capital costs up to the maximum FASTER amount of \$111,390.00. In the event the final, actual Project cost is less than the maximum allowable cost, the State is not obligated to provide any more than 80% of the eligible, actual capital costs. The State will retain any remaining balance of the FASTER share. Archuleta County shall be solely responsible for all costs incurred in the Project in excess of the amount paid by the State from FASTER funds for the state share of eligible, actual costs.
3. No refund or reduction of the amount of the Grantee's share to be provided will be allowed unless there is at the same time a refund or reduction of the state share of a proportionate amount.
4. The State will administer state funds for this Project under the terms of this Grant, provided that the FASTER funds to be administered by the State are made available and remain available. In no event shall the State have any obligation to provide State FASTER funds for the Archuleta County of the Project. The Archuleta County shall initiate and prosecute to completion all actions necessary to enable the Archuleta County to provide its share of the total project budget at or prior to the time that such funds are needed to meet the total project budget.

**E. Contract Expiration**

This Grant will expire according to the terms and conditions of the Grant. The expiration date for this Grant is 12/31/2018.

Pagosa Nordic Club  
Po Box 568  
Pagosa Springs, Co. 81147  
[PagosaNordic.com](http://PagosaNordic.com)  
[PagosaNordic@gmail.com](mailto:PagosaNordic@gmail.com)



*"Enhancing winter recreational opportunities in Pagosa Springs by providing accessible no fee groomed winter trails for skate skiing and classic cross country and encouraging trail use through education, marketing and events".*

Date: October 17, 2016  
To: PROST and the Archuleta County BoCC  
From: James Dickhoff, President, Pagosa Nordic Club  
RE: Request for infrastructure funding for snow cat

Dear PROST Committee and Board of County Commissioners,

The Pagosa Nordic Club (PNC) has recently established a sub-committee with the mission of identifying and securing parcels of land that would provide a large venue(s) (30 km – 50 km) for groomed X-C Nordic Ski trails.

The BOCC recently allowed the PNC to groom Cloman Park and the club has secured permission to groom the adjacent Davis Ranch with access through Cloman Park, utilizing the Cloman Park trail head parking lot facilities. PNC will start with 10km – 20km this winter at this new location. We will also continue to groom our current venues which include: Fall Creek, West Fork, Reservoir Hill, Yamaguchi Park that will now include an extension to behind the High School.

Though we have had much success using our current snowmobile grooming equipment, there are many times during the winter when snowmobile grooming is less than ideal for quality and frequency of grooming, especially after big storms, which can take multiple days before trails are packed and groomed. The number of man hours and the back breaking work after big storms limits our ability to respond quickly after large snow events, delaying trails being available for use. This is particularly important when Wolf Creek Pass closes, and access to the ski area is closed.

PNC has identified that a snowcat will be an important addition to our grooming equipment to ensure the long term continued success of providing groomed X-C Ski Trails in our community. One of PNC's primary goals is to continue to develop Pagosa Springs as a X-C Ski destination, promoting more overnight visitors during the winter months, which requires that we provide frequently groomed high quality trails on a daily basis. For us to compete with other Colorado destination X-C ski areas that have the capabilities of snowcat grooming, we need to step up and purchase a snowcat.

The Pagosa Nordic Club (PNC) board and PNC venue subcommittee have collectively decided to proceed with the purchase of a used snowcat and haul vehicle, that will enable the club to provide more frequent and better quality Trails. To do this, a substantial fundraising effort must be embarked on.

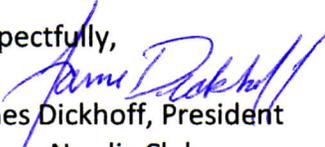
As much as we would love a new snowcat, they cost in excess of \$200,000, however, there is very limited funding opportunities for X-C ski clubs. We would still operate our snowmobile fleet to provide grooming as needed, however, a snowcat would be an important addition to our equipment fleet, along with a haul truck to mobilize the snowcat at a number of different trail heads as needed.

A good used smaller snowcat is not easy to find, however, we have sourced some in the \$25,000-\$30,000 range. Used tilt bed tow trucks are running around \$15,000-\$20,000. This would require raising \$50,000. We would like to request a matching fundraising campaign. We would like to ask the Board of County Commissioners to allocate \$25,000 from the Parks and Recreation 1A Funds and ask our community residents for the other \$25,000. We currently have approximately \$14,00 in commitments to reach this funding goal.

We have researched the necessary annual expenses associated with maintaining and operating such equipment, and have determined that we will need to raise more funding through trail use donations during the winter. Given the improved trail experience anticipated with the snowcat, we are confident we can raise the necessary annual funding.

We appreciate your serious consideration for this important matching funding request.

Respectfully,



James Dickhoff, President  
Pagosa Nordic Club  
Po Box 568,  
Pagosa Springs, Co. 81147  
970-946-5549