



**ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**CALL TO THE ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS OF JULY 3, 2018 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

**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.

**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. Report From Bill Simpson**

Bill Simpson, former Department of Local Affairs, Division of Housing representative will be providing the BoCC some information regarding housing issues.

|                   |                      |
|-------------------|----------------------|
| Presenter         | Bentley Henderson    |
| Presenter's Title | County Administrator |

**ABATEMENT HEARING**

**A. Hearing For The Denial By The Assessor Of A Petition For Abatement Or Refund Of Taxes**

Hearing by the Archuleta County Board of County Commissioners regarding the Assessor's recommendation to deny the Petition for Abatement or refund of Taxes for Timothy Smith, Parcel Number 558324401101, Account Number R000799, the address being 209 Clint Cir. By the Assessor recommending a denial, the process is then for there to be a hearing at which the petitioner may present a case to the Board of County Commissioners, addressing why the value should be reduced from \$150,750 to \$65,000. The Assessor will present her case and the BOCC will make a decision.

Presenter Natalie Woodruff  
Presenter's Title Archuleta County Assessor

Documents:

[R000799 FULL ABATEMENT.PDF](#)

## **B. Abatement Or Refund Of Taxes Hearing**

Abatement or Refund of Taxes Hearing as required by Colorado Statute when the Assessor denies a Petition for the Abatement or Refund of Taxes. Petitioner is James E and Kathy L McKimmy, Parcel # 569927304155, Account # R012052, the property being located at 577 Kelseya Cir.

Presenter Natalie Woodruff  
Presenter's Title Archuleta County Assessor

Documents:

[R012052 FULL ABATMENT.PDF](#)

## **C. 2018 Protest Disposition And Registry**

Annual presentation to the BOCC of the Protest Disposition and Registry as required by Colorado Statute.

Presenter Natalie Woodruff  
Presenter's Title Archuleta County Assessor

Documents:

[2018 DISPOSITION.PDF](#)

## **BOARD OF ADJUSTMENT HEARING**

### **A. Consideration Of Board Of Adjustment Resolution 2018-03BOA Approving Variance From The Archuleta County Land Use Regulations For Lee On Lot 37, Block 1, Lake Pagosa Park**

Request to consider and approve a Resolution of the Board of Adjustment stating Findings and Conditions of Approval of the Lee Lakeside Setback Variance in the PUD zone, Lot 37, Block 1, Lake Pagosa Park, with no conditions. Variance approved June 19, 2018.

Presenter John Shepard, AICP  
Presenter's Title Planning Manager

Documents:

[BOA\\_RESOLUTION\\_2018-03\\_LEE\\_LAKESIDE\\_VAR.PDF](#)

## **LAND USE REGULATION HEARING**

Old Business

### **A. Continued Consideration Of Resolution 2018 -14 Regarding Amendments To The Archuleta County Land Use Regulations For Vacation Rentals Of**

## Residential Dwellings

Archuleta County Development Services is proposing amendments to the Archuleta County Land Use Regulations, as recommended by the Planning Commission. The proposed changes create Section 5.5 Accommodations and Lodging Standards for short-term rentals, allows Vacation Rentals of Residential dwellings in all zoning districts, and creates an Application process and Performance Standards (PLN18-029). Continued public hearing from meetings of May 1, May 15, and June 19, 2018.

Presenter                    John Shepard, AICP  
Presenter's Title         Planning Manager

Documents:

[PLN18-029\\_VACATION\\_RENTALS-MEMO\\_BOCC\\_20180703.PDF](#)  
[RESOLUTION\\_2018-14\\_LAND\\_USE\\_REGULATION\\_AMENDMENT-VACATION\\_RENTALS\\_20180703.PDF](#)  
[EXHIBIT\\_A-LAND USE\\_VACATION\\_RENTALS\\_20180625.PDF](#)  
[PLANNING\\_COMMISSION\\_MINUTES-FEB\\_MAR\\_2018.PDF](#)  
[PUBLIC\\_COMMENTS\\_VACATION\\_RENTALS-PC\\_AND\\_BOCC\\_THRU\\_20180625.PDF](#)

## CONSENT AGENDA

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

**June 18, 2018 - July 3, 2018**

### B. Consideration Of Assignment Of Hanger Ground Lease For Hangar 510D

Assignment of Hanger Ground Lease Agreement for John Robert Ashford Jr. and Archuleta County.

Presenter                    Bentley Henderson  
Presenter's Title         County Administrator

Documents:

[HANGAR GROUND LEASE 510D.PDF](#)

### C. Consideration Of Resolution 2018 - \_\_\_ Appointing Two Tourism Board Seats

This is a resolution to appoint Julian Caler and Jeannie Sinkey to the at Large Seat as a member of the Pagosa Springs Area Tourism Board for two (2) yearterm for each position.

Documents:

[PSATB BOARD APPOINTMENT BRIEF.PDF](#)  
[PSATB BOARD APPTS RESOLUTION.PDF](#)

### D. Ratify The Chairman's Signature For A Letter Of Support

Ratify the Chairman's signature for a letter of support for the BLM to move to Durango-La Plata Regional Airport.

Presenter                    Bentley Henderson  
Presenter's Title         County Administration

Documents:

## **NEW BUSINESS**

### **A. Consideration Of Resolution 2018 - \_\_\_\_ Amending The 2018 Archuleta County Fee Schedule**

Per Statute, Archuleta County is obligated to publish a schedule of County fees. Over the course of the year certain fees may need to be added, or modified in some way. Certain changes to the activities of the County now necessitate the need to update the schedule. Provided for consideration is that revised schedule.

Presenter                      Bentley Henderson  
Presenter's Title              County Administrator

Documents:

[20180628131353.PDF](#)  
[RESOLUTION FEE SCHEDULE.PDF](#)

### **B. Consideration Of The Award Of The Construction Of Cell 4A At The County Landfill**

On June 7, 2018 the County received six bids in response to IFB No. 4321-18-001, being for the excavation of approximately 215,000 cubic yards of material and the installation of a liner at the Archuleta County Landfill. The project includes surveying.

Twenty-nine businesses obtained a copy of the IFB and six submitted bids, ranging from a low of \$795,250.00 and a high of \$1,497,104.36 (inclusive of a Base Bid and Bid Alternate No. 1). The amount budgeted for the construction is \$1,304,155.

CRG Construction Inc. submitted the lowest bid and were deemed qualified to perform the work required.

Staff recommend that the County award the contract to CRG Construction Inc. for the amount of \$765,250.00 for the Base Bid, \$30,000 for Bid Alternate No. 1 for a total of \$795,250.00.

Presenter                      Robert Perry  
Presenter's Title              Public Works Director

Documents:

[IFB BID TAB.PDF](#)

### **C. Consideration Of The Award Of The Construction Services For Piedra Rd., Phase 2**

On June 7, 2018 the County received bids in response to IFB No. 6001-18-001, being for the provision of construction services on Piedra Road, Phase 2 project. This project consists of full depth reclamation of 1.35 miles of Piedra Road, from Ace Court to Cloud Cap Avenue, and it includes the replacement of one drainage culvert, the upsizing of two drainage culverts and signing and striping improvements.

Two bids were received, as follows:

- \$1,401,976.05    Old Castle
- \$1,447,986.80    Elam Construction

The engineers estimate was \$1,292,360.98, with a \$310,902.00 contingency, for a total of \$1,603,262.98.

Staff recommend that we award the contract to Old Castle for the amount, and not to exceed \$1,401,976.05.

Presenter Robert Perry  
Presenter's Title Public Works Director

Documents:

[PIEDRA ROAD PHASE 2\\_RECOMMENDATION.PDF](#)

**D. Consideration Of Resolution 2018- \_\_\_\_ For Establishing The Community Marijuana Offset Impact Fund**

By Separate Resolution of the Board of County Commissioners, a Community Marijuana Offset Impact Fund, which shall be funded by 10% of all Application, License or Operating or other fees received from Marijuana Establishments of all type, shall be established. The Community Marijuana Impact Fund shall be administered by the Board of County Commissioners after receiving recommendations from a panel, to be created by such establishing Resolutions and such funds may be used to develop awareness within Archuleta County about Marijuana in general and programs available to help Archuleta County Citizens and children in general make positive lifestyle choices.

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents:

[RESOLUTION ESTABLISHING COMMUNITY MARIJUANA OFFSET IMPACT FUND.PDF](#)

**E. Community Marijuana Offset Impact Fund Non- Profit Grant Awards**

By Separate Resolution of the Board of County Commissioners, a Community Marijuana Offset Impact Fund, has been established. Appropriations out of the fund are the result of the dedication of 10% of all Application, License, or Operating or other fees received from Marijuana Establishments of all types.

Presenter Flora Goheen  
Presenter's Title Administrative Assistant

Documents:

[MMJ SUMMARY.PDF](#)  
[MMJ APPLICATIONS.PDF](#)

**F. Strategic Priorities Funding**

In an effort to further promote the success of the three strategic priority areas of, housing, broadband, and early childcare and education, the Town and the County allocated funds in their respective 2018 budgets. Discussions around establishing the parameters for the actual expenditures of the appropriated funds were established at a joint work session in early 2018. Funds appropriated in the 2018 Archuleta County Budget were segregated as follows:

Broadband - \$50,000

Early Childcare and Education – \$100,000

Housing - \$50,000

For your consideration are recommendations made by the Joint Strategic Priorities Funding Advisory Group.

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents:

[MEMORANDUM STRATEGIC PRIORITIES FUNDING.PDF](#)

#### **G. Metro District HUTF Renewals**

Approval of the Agreement for Public Highway Maintenance between The Board of County Commissioners and Alpha/Rock Ridge Metropolitan District; Board of County Commissioners and Aspen Springs Metropolitan District; Board of County Commissioners and Colorado's Timber Ridge Metropolitan District; Board of County Commissioners and Loma Linda Metropolitan District; Board of County Commissioners and San Juan River Village Metropolitan District.

The agreements pertain to Highway User Tax Funds (HUTF) and each agreement is the same for all Metropolitan Districts.

Presenter Todd Starr  
Presenter's Title County Attorney

Documents:

[ALPHA ROCK RIDGE METRO DISTRICT - AGREEMENT FOR HIGHWAY MAINTENANCE 2018.PDF](#)  
[ASPEN SPRINGS METRO DISTRICT - AGREEMENT FOR HIGHWAY MAINTENANCE - JUNE 2018.PDF](#)  
[COLORADOS TIMBER RIDGE METRO DISTRICT - AGREEMENT FOR HIGHWAY MAINTENANCE - JUNE 2018.PDF](#)  
[LOMA LINDA METRO DISTRICT - AGREEMENT FOR HIGHWAY MAINTENANCE - JUNE 2018.PDF](#)  
[SAN JUAN RIVER VILLAGE METRO DISTRICT - AGREEMENT FOR HIGHWAY MAINTENANCE - JUNE 2018.PDF](#)

#### **H. County Coroner Resignation And Replacement Process For Completion Of Existing Term**

Provided for consideration is a resignation letter submitted by County Coroner Daniel Keuning. Submittal of this resignation effectively creates vacancy in the office of the County Coroner. State Statute provides that the Board of County Commissioners shall be responsible for the appointment of a replacement that will fulfill the duties of the office for the balance of the original elected term, which in this case is December 2018. Statute does not provide clear guidelines on the steps necessary for the appointment, leaving those choices/processes up to the BoCC.

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents:

[RESIGNATION LETTER.PDF](#)

**PUBLIC COMMENTS FROM THE FLOOR\***

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**COMMISSIONER COMMENTS**

**EXECUTIVE SESSION**

For purposes of the Board receiving legal advice on specific legal questions pursuant to C.R.S. § 24-6-402(4)(b).

**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.