



**ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**CALL TO THE ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF JULY 17, 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

**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).

**ACKNOWLEDGEMENTS**

**A. Archuleta County Fair Royalty**

Introduction of the 2018 Archuleta County Fair Royalty:  
Fair Queen is Emma Happ  
Fair Princess is Katelynn Turner  
Fair Junior Princess is Alillyanna Davis

**REPORTS**

**A. Semiannual Report By Archuleta County Treasurer**

The county treasurer is required to give a report to the board of county commissioners twice each year. This will be the second report.

Presenter	Betty Diller
Presenter's Title	Archuleta County Treasurer

Documents:

[2018-07 SEMIANNUAL REPORT.PDF](#)

**BOARD OF ADJUSTMENT HEARING**

**A. Board Of Adjustment Public Hearing Of The Horton Residence Height & Setback Variances, Lot 37, Block 13, Lake Pagosa Park**

Roger Horton, represented by Courtney King, has applied for the Horton Residence Variances, for Lot 37, Block 13, Lake Pagosa Park, at 33 S. Debonaire Ct., Pagosa Springs, CO (PLN18-111). The property is owned by Carrie L. Lewis of Mankato, MN. Applicant is requesting approval to vary from requirement 4, R-I-P Single Family Patio Residences, Planned Unit Development (PUD) zone, that “All buildings and structures shall be limited to a single story”, for a new single family residence. Finished building height would be approximately 26’ as defined by the Archuleta County Land Use Regulations. Applicant is also requesting variance from required 25’ Front Yard and 20’ Rear Yard setbacks, to build 15’ from the front lot line and 13’ from the rear lot line, in the R-I-P area.

Presenter                    John Shepard, AICP  
Presenter's Title        Planning Manager

Documents:

[PLN18-111\\_HORTON\\_RESIDENCE-BOA\\_20180717\\_STAFFREPORT.PDF](#)  
[A1-PLN18-111\\_AREAMAPS.PDF](#)  
[A2-PLN18-111\\_REVIEW.PDF](#)  
[A3-MASTER\\_DECS\\_PLPOA\\_R-1-P.PDF](#)  
[A4-PLN18-111\\_HORTON\\_RESIDENCES\\_VARS-NARRATIVE\\_20180625.PDF](#)  
[A5-PLN18-111\\_HORTON\\_RESIDENCES\\_VARS-BLDG\\_PLANS\\_20180620.PDF](#)  
[A6-PLN18-111\\_HORTON\\_RESIDENCES\\_VARS-SITEPLAN\\_20180620.PDF](#)

#### **B. BOA Interpretation Of Shaper Construction LQ Temporary Use Permit**

Leah Shaper, represented by David Mauriello, has applied for a Temporary Use Permit to allow “construction camping” living quarters on her property, an approx. 10 acre tract in GLO Lot 3, section 31, T34N R1W NMPM, at 3915 County Rd 335 (PLN18-110). The property is zoned Agricultural Estates (AE). Staff is requesting an interpretation by the Board of Adjustment as to whether the request meets the requirements of Section 3.2.4 of the *Archuleta County Land Use Regulations* for a Temporary Use Permit.

Presenter                    John Shepard, AICP  
Presenter's Title        Planning Manager

Documents:

[PLN18-110\\_SHAPER\\_BOA-20180717\\_STAFFREPORT.PDF](#)  
[A1-PLN18-110\\_AREAMAPS.PDF](#)  
[A2-REVIEW ENG - MEMO 7-2-18.PDF](#)  
[A3-ACLUR-SEC\\_1\\_2\\_4-SEC\\_3\\_2\\_4.PDF](#)  
[A4-PLN18-110\\_SHAPER\\_CONSTRUCTION\\_LQ\\_TUP-LUP\\_20180622.PDF](#)  
[A5-PLN18-110\\_SHAPER\\_CONSTRUCTION\\_LQ\\_TUP-PILC\\_SKETCHED.PDF](#)

### **LAND USE REGULATION HEARING**

New Business

#### **A. Consideration Of Grant Of Easement On Tract C-4 Colorado's Timber Ridge**

R.J. Berry Jr. Inc. Employee Profit Sharing Trust is requesting an Access & Utility Easement from Cool Pines Drive to Lot 3 of Colorado's Timber Ridge Phase Five, across Tract C-4 of Colorado's Timber Ridge Phase One which was dedicated to the public with the plat recorded August 25, 1999.

Presenter                    John Shepard, AICP  
Presenter's Title        Planning Manager

Documents:

[EASEMENT\\_AGREEMENT-CO\\_TIMBER\\_RIDGE\\_TRACT\\_C-4\(RJ BERRY\)  
\\_REV\\_20180710.PDF](#)

## **LIQUOR BOARD**

### **A. Special Event Permit For Pagosa Mountain Morning Rotary Club**

This is an application for a special event permit for Pagosa Mountain Morning Rotary Club to sell malt, vinous, spirituous liquor at the Western Heritage Event Center located 344 Hwy 84 for a fundraiser on August 2, 3, 4, 5, 2018. The Sheriff has been notified of this event. The proper fees were collected and the premises was posted for the required ten (10) days prior to today's hearing.

Presenter	Flora Goheen
Presenter's Title	Administrative Assistant

Documents:

[PAGOSA MTN MORNING ROTARY 8-2-18 FAIR EVENT.PDF](#)

## **CONSENT AGENDA**

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

**July 4, 2018 - July 17, 2018**

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

#### **Regular Meeting Minutes for 6-19-18**

Draft of Regular Meeting Minutes of 6-19-18 for approval.

Documents:

[06-19-18R.DOCX](#)

#### **Regular Meeting Minutes of 7-03-18**

Draft of Regular Meeting Minutes for approval of 7-3-18

Documents:

[07-03-18R.PDF](#)

### **C. Consideration And Approval Of A Liquor License Renewal For A Bed And Breakfast Permit For Elkwood Manor, Inc. DBa Elkwood Manor B&B**

This is a renewal of a Bed and Breakfast liquor license permit for Elkwood Manor, Inc. DBa Elkwood Manor B&B located at 85 Easy St. Pagosa Springs, Co. 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:

**D. Ratification Of Grant Award Acceptance**

The Electronic Recording Technology Board, has awarded Archuleta County a grant in the amount of \$106,267.83 from the Electronic Recording Technology Fund. The purpose of the grant is to assist the County in its efforts to digitize the records in the County Clerk's office.

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents:

[ELECTRONIC RECORDING TECHNOLOGY BOARD GRANT \(002\).PDF](#)

**NEW BUSINESS**

**A. Reconsideration Of Fire Restrictions In Archuleta County**

For the year 2018, the Archuleta Board of County Commissioners or the Archuleta County Sheriff may immediately amend, rescind, or instate any fire restrictions within unincorporated Archuleta County with a public statement as to the parameters of the fire restriction. The fire restriction can be immediately effective. A discussion of the fire restriction will be promptly scheduled for a regular Board of County Commissioners meeting, at which time; the Board shall either confirm or rescind the said restriction.

Presenter Bentley Henderson  
Presenter's Title County Administrator

**B. Appointment To Fill The Coroner's Vacancy**

State Statute provides that the Board of County Commissioners shall be the body responsible for the appointment of an official to fill a vacancy of the unexpired term of an elected official.

Presenter Bentley Henderson  
Presenter's Title County Administrator

**C. Reconsideration Of Strategic Priorities Funding For Housing**

This is a reconsideration of Strategic Priorities Funding for Housing.

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents:

[MEMORANDUM STRATEGIC PRIORITIES FUNDING V2.PDF](#)

**D. Introduction And First Reading Of Ordinance No. 2018 - \_\_\_\_ For Establishing Off-Highway Vehicle Routes, And Regulating The Operation Of Off-Highway Vehicles In Unincorporated Areas Of Achuleta County**

Provided for your consideration is Ordinance No. 2018- 19 for Establishing Off-Highway Vehicle Routes, and Regulating the Operation of Off-Highway Vehicles in unincorporated areas of Archuleta County.

Presenter                    Todd Starr  
Presenter's Title         County Attorney

Documents:

[OHV ORDINANCE.PDF](#)  
[OHV MAP24X36.PDF](#)

**E. Consideration And Approval Of Full And Final Settlement Agreement For The Legal Action Between Archuleta County And Hart Construction Corporation, Et Al.**

The BoCC will consider the Settlement Agreement prepared as a result of the recent mediation.

Presenter                    Todd Starr  
Presenter's Title         County Attorney

Documents:

[HART CONSTRUCTION FULL AND FINAL SETTLEMENT AGREEMENT.PDF](#)

**F. Consideration Of Bill Of Sale For Public Utility Infrastructure Facilities**

It has come to our attention that the water and sewer line that runs from Cloman to the airport terminal along with the booster system necessary for fire flow located at the corner of Cloman and Industrial has never been conveyed to Pagosa Area Water and Sanitation, thus the county still owns the infrastructure. Provided for your consideration is a bill of sale that would effectively quit claim the lines to PAWSD so that they can take over ownership and maintenance responsibilities.

Attached are two maps showing the location of the line, an easement description, and bill of sale that can be used to convey the infrastructure to PAWSD.

Presenter                    Bentley Henderson  
Presenter's Title         County Administrator

Documents:

[BOS\\_AIRPORT 2006-2007 IMPROVEMENTS - NOT EXECUTED\\_2018-06-22\\_P\\_.PDF](#)  
[DOC050 \(002\).PDF](#)  
[SINGLEPDF2464-01 \(002\).PDF](#)  
[MAP.PDF](#)

**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**).

**COMMISSIONER COMMENTS**

**EXECUTIVE SESSION**

For purposes of the Board to discuss Personnel matters pursuant to Colo. Rev. Stat. . § 24-6-402 (4)(f).

Purpose: of 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.