



**ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**CALL TO THE ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS OF AUGUST 7, 2018**

**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 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**).

**PROCLAMATIONS**

**A. Bill Burgess Proclamation**

Proclamation by the Commissioners of Archuleta County proclaiming August 7th to be Bill Burgess Day.

Presenter	Steve Wadley
Presenter's Title	Chairman of The Board

Documents:

[BILL BURGESS PROCLAMATION.PDF](#)

**REPORTS**

**A. ACDHS 2nd Quarter Report**

Each quarter the Department of Human Services provides a quarterly report. The report will include information from the second quarter (April, May and June). Narrative, statistic and performance measure information will be presented for select programs. Attached is the ACDHS 2nd quarter report.

Presenter	Matthew A. Dodson, LCSW
Presenter's Title	Director, Archuleta County Department of Human Services

Documents:

[2018 ACDHS 2ND QUARTER REPORT.PDF](#)

## **B. Second Quarter 2018 Financial Report Of Archuleta County**

The 2018 Second Quarter financial report of Archuleta County.

Presenter                      Larry Walton  
Presenter's Title              Finance Director

Documents:

[2ND QRT FINANCIAL - PRESENTATION.PDF](#)  
[2018 SECOND QUARTER - FINANCIAL REPORT.PDF](#)

## **BOARD OF ADJUSTMENT HEARING**

### **A. Board Of Adjustment Continued Public Hearing Of The Horton Residence Height And 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 which was owned by Carrie L. Lewis of Mankato, MN, was purchased by Roger A. Horton and Elizabeth L. Horton on 7/18/2018. 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. This item was continued at the Applicant's request to August 7th, to allow time for PLPOA's Environmental Control Committee to review the application.

Presenter                      John Shepard, AICP  
Presenter's Title              Planning Manager

Documents:

[PLN18-111\\_HORTON\\_RESIDENCE-BOA\\_20180807\\_CONT\\_STAFFREPORT.PDF](#)  
[A1-PLN18-111\\_AREAMAPS.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](#)  
[A2-PLN18-111\\_REVIEW-REV.PDF](#)

### **B. Board Of Adjustment Public Hearing Of BP Ross 2 Paving Variance, In Pt. NE¼ And SE¼, S13, T32N R6W, NMPM, At 762 County Rd 975, Arboles**

BP Production Company, represented by Naomi Azulai of Durango, CO, has applied for the BP Ross 2 Paving Variance, concurrent with an application for a Minor Oil & Gas well permit on an approx. 89 acre parcel in pt. NE¼ and SE¼, S13, T32N R6W, NMPM, at 762 County Rd 975, Arboles, CO (PLN18-119 & PLN18-120). The property is owned by Hale Family Investments LP of Tulsa, OK. Applicant is requesting approval to vary from Section 27.1.6.3.G of the Archuleta County Road & Bridge Design Standards, which requires that driveways serving non-residential facilities that access paved road shall be paved.

Presenter John Shepard, AICP  
Presenter's Title Planning Manager

Documents:

[PLN18-120\\_BP\\_ROSS2\\_PAVING-BOA\\_20180807\\_STAFFREPORT.PDF](#)  
[A1-PLN18-119\\_120 AREAMAPS.PDF](#)  
[A2-REVIEW.PDF](#)  
[A3-BP\\_ROSS2-NARRATIVE\\_ROADIMPACTPLAN\\_PHOTOS-20180629.PDF](#)  
[A4-BP\\_ROSS2-SITEPLAN\\_VICINITYMAP-20180607.PDF](#)

## LAND USE REGULATION HEARING

New Business

### A. Public Hearing Of BP Cox 3 Well Pad Special Exception, Pt. SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, T32N R6W NMPM, At 815 County Rd 988, Arboles

BP Production Company, represented by Naomi Azulai of Durango, CO, has applied for a Major Oil & Gas Facility Permit for the BP Cox 3 Well Pad Special Exception, on a portion of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 14, T32N R6W NMPM, under a Surface Use Agreement with property owners Raymond Charles Egger and RaDawna Ann Egger, at 815 County Rd 988, Arboles, CO. This property is zoned Agricultural/Ranching (AR). (Case file 18-094.) The proposal is for a new well pad to accommodate one well by Special Exception to exceed four well pads within Section 14, south of Hwy 151 and east of the county line. There are 3 existing Southland well pads in the South  $\frac{1}{2}$  of Section 14 and one BP (Cox 2) in the NE  $\frac{1}{4}$ .

On July 25, 2018, the Planning Commission voted (2-1) to recommend denial of the application.

Presenter John Shepard, AICP  
Presenter's Title Planning Manager

Documents:

[PLN18-094\\_BP\\_COX3\\_SE-BOCC\\_20180807\\_STAFFREPORT.PDF](#)  
[A1-PLN18-094\\_AREAMAPS.PDF](#)  
[A2A-REVIEWS\\_AND\\_COMMENTS.PDF](#)  
[A2B-PETERSON\\_2008\\_OGPERMITS.PDF](#)  
[A3A-PLN18-094\\_APP\\_TAB\\_A-C.PDF](#)  
[A3B-PLN18-094\\_TABD\\_SITEPLAN\\_SURVEY\\_20180725.PDF](#)  
[A3C-PLN18-094\\_APP\\_TAB\\_D-E\\_SITEPLAN\\_VICINITY.PDF](#)  
[A3D-PLN18-094\\_APP\\_TAB\\_F-K.PDF](#)  
[A3E-PLN18-094\\_APP\\_TAB\\_L\\_GRADING\\_PLAN\\_20180529.PDF](#)  
[A3F-PLN18-094\\_APP\\_TAB\\_O-R.PDF](#)  
[A4-COGCC\\_APPROVED\\_WELL\\_PERMITS.PDF](#)

### B. Public Hearing Of Lakeview Estates Amendment 2018-01 Final Plat, A Replat Of Lots 113, 114 & 115X, Creating Lots 113Z And 115XZ

Bill & Jean VanSickle and Greg & Cindi Taylor, have applied for final plat approval of the Lakeview Estates Amendment 2018-01, a replat of Lots 113, 114 & 115X of Lakeview Estates, creating Lots 113Z (133 Lighthouse Dr.) and 115XZ (36 Beacon Ct.) (PLN18-115). The property is owned by William J. Van Sickle and Jean A. Van Sickle, and Gregory Lee Taylor and Cindi Denise Taylor, zoned Planned Unit Development (PUD). On July 25, 2018, the Planning Commission voted to recommend approval (4-0).

Presenter John Shepard, AICP  
Presenter's Title Planning Manager

Documents:

[PLN18-115\\_LVE\\_AMEND\\_2018-01\\_BOCC-20180807\\_STAFFREPORT.PDF](#)  
[A1-PLN18-115\\_AREAMAPS.PDF](#)  
[A2-REVIEWS\\_LVE\\_AMEND\\_2018-01.PDF](#)  
[A3-PLAT CERTIFICATIONS DRAFT 20180525.PDF](#)  
[A4-LAKEVIEW\\_ESTATES-CCRS.PDF](#)  
[A5-PLN18-115\\_LVE\\_AMEND\\_2018-01-NARRATIVE.PDF](#)  
[A6-PLN18-115\\_LVE\\_AMEND\\_2018-01\\_FINAL-PLAT\\_201805.PDF](#)

**LIQUOR BOARD**

**A. Consideration And Approval Of A Hotel And Restaurant Liquor License For 2 Chicks & A Hippie LLC DBA 2 Chicks & A Hippie**

This is a new application for a Hotel and Restaurant Liquor License for 2 Chicks & a Hippie LLC DBA 2 Chicks and a Hippie, located at 47 Navajo Trail Drive, Pagosa Springs, Colorado. The application is complete and the proper fees have been submitted. The Building Department has inspected the premises and the Sheriff's Office has completed their background check. Fingerprints were submitted to the Colorado Bureau of Investigations for the purpose of conducting a fingerprint-based criminal history records check.

Presenter                      Flora Goheen  
Presenter's Title              Administrative Assistant

Documents:

[2 CHICKS AND A HIPPIE LIQUOR LICENSE APPLICATION PACKET.PDF](#)

**B. Consideration And Approval Of A Temporary Hotel And Restaurant Liquor License For 2 Chicks & A Hippie LLC DBA 2 Chicks & A Hippie**

This is a request for a ninety (90) day temporary Hotel and Restaurant liquor permit for 2 Chicks & a Hippie LLC DBA 2 Chicks & A Hippie located at 47 Navajo Trail Drive, Pagosa Springs, Colorado. The application is complete and the proper fees have been submitted. The Building Department has inspected the premises and the Sheriff's Office has completed their background check. Fingerprints were submitted to the Colorado Bureau of Investigations for the purpose of conducting fingerprints-based criminal history records check.

Presenter                      Flora Goheen  
Presenter's Title              Administrative Assistant

Documents:

[TEMP APPLICATION 2 CHICKS AND A HIPPIE 2018.PDF](#)

**C. Consideration And Approval Of A Hotel And Restaurant Liquor License Renewal For The Buck Stops Here, LLC DBA The Buck Stops Here Market And Eatery**

This is a renewal application of a Hotel and Restaurant Liquor License for The Buck Stops Here LLC DBA The Buck Stops Here Market and Eatery located at 19 Navajo Trail Drive, Pagosa Springs, Colorado. This renewal includes no changes. The application is complete and the proper fees have been collected. The Sheriff's Office has completed their background check and the Building Department has inspected the premises for changes.

Presenter                      Flora Goheen

Presenter's Title      Administrative Assistant

Documents:

[BUCK STOPS HERE RENEWAL APP PACKET 2018.PDF](#)

**D. Special Events Permit For Pagosa Lakes Property Owners Association**

This is an application for a special events permit for Pagosa Lakes Property Owners Association (PLPOA) to sell malt, vinous, spirituous liquor at the Pagosa Lakes Clubhouse located at 230 Port Avenue for the What SUP event on August 11, 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:

[SPECIAL EVENT PACKET 8-11-18 - PLPOA.PDF](#)

**E. Special Events Permit For Pagosa Mountain Morning Rotary Club**

This is an application for a special events permit for Pagosa Mountain Morning Rotary Club to sell malt, vinous, spirituous liquor at the Pagosa Lakes Clubhouse located at 230 Port Avenue for a fundraising event on August 10, 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:

[SPECIAL EVENTS PERMIT 8-10-18.PDF](#)

**CONSENT AGENDA**

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

**July 18, 2018 - August 7, 2018**

**B. REGULAR MEETING MINUTES**

**Regular Meeting Minutes of 07-17-18**

Draft of the Regular Meeting minutes for July 17, 2018 for approval

Documents:

[07-17-18R.PDF](#)

**C. SPECIAL MEETING MINUTES**

**Special Meeting Minutes of 6-26-18**

Draft of the Special Meeting Minutes for 6-26-18 for approval.

Documents:

[06-26-18S.PDF](#)

**Board of Equalization Minutes for 07-31-18CBOE**

Draft of the CBOE minutes for 07-31-18 for approval.

Documents:

[07-31-18CBOE.PDF](#)

**Special Meeting Minutes of 07-31-18**

Draft of the Special Meeting minutes for 07-31-18 for approval.

Documents:

[07-31-18S.PDF](#)

**D. Consideration Of Resolution 2018- \_\_\_\_ To Consolidate 2 Lots Into 1 Pagosa Highlands Estates Owned By Walter And Kathy Embry Family Trust Dated December 14, 2017**

This request is to consider the Resolution authorizing the consolidation of Lots 530 and 531 Pagosa Highlands Estates, to become Lot 531X owned by Walter and Kathy Embry Family Trust Dated December 14, 2017

Documents:

[RESOLUTION 2018- KATHY EMBRY FAMILY TRUST .PDF](#)  
[EMBRY TITLE WORK.PDF](#)

**E. Consideration Of Resolution 2018- \_\_\_\_ To Consolidate 2 Lots Into 1 Pagosa In The Pines B-16 Owned By Terry Clifford**

This request is to consider the Resolution authorizing the consolidation of Lots 9 and 10 Pagosa in the Pines B-16, to become Lot 9X owned by Terry Clifford

Documents:

[RESOLUTION 2018 - LOT CONSOLIDATION TERRY CLIFFORD.PDF](#)  
[CLIFFORD TITLE WORK - PAY OFF.PDF](#)

**F. Consideration Of Resolution 2018- \_\_\_\_ To Consolidate 2 Lots Into 1 Lakewood Village Owned By Alison C. Grace**

This request is to consider the Resolution authorizing the consolidation of Lots 254X and 255 Lakewood Village, to become Lot 254XX owned by Alison C. Grace

Documents:

[RESOLUTION 2018 - ALISON C. GRACE LOT CONSOLIDATION.PDF](#)  
[GRACE TITLE WORK.PDF](#)

**G. Position Classification Pay Scale Update**

In order to keep the Classification Pay Scale current with operational changes through the organization, from time to time it's necessary for it to be updated.

Recommended changes include:

Changing the title of the Executive Assistant in Administration to Paralegal-Executive Assistant to the BoCC.

Removing the part-time Administrative Assistant position (which was included in the 2018 budget) and the Maintenance and Operations Specialist position in the Airport department and adding an Airport Maintenance Technician position.

Adding a part-time Code Enforcement Officer position in the Planning department (which was approved during the budget process).

In the Sheriff's Office, removing the part-time Investigator position and adding a part-time Records Technician position, keeping the Evidence Technician as a dedicated full-time position which was approved during the budget process. In order to fund adding a full-time Operations Lieutenant position, the Sheriff has agreed to drop one of the two budgeted Patrol Sergeant positions.

Removing the County Engineer in the Public Works department and adding a Public Works Operations Manager position.

Presenter Robert Smith  
Presenter's Title Human Resource Administrator

Documents:

[POSITION CLASSIFICATION PAY SCALE UPDATE.PDF](#)  
[PROPOSED POSITION CLASSIFICATION PAY SCALE - 8-7-18.PDF](#)

#### **H. Revision To The Personnel Policy And Procedures Handbook**

##### Drug Free Work Place Policy Update

There have been changes made to the US Department of Transportation (USDOT) Office of Drug and Alcohol Policy & Compliance effective January 1, 2018 that requires us to make changes to our Drug Free Work Place policy.

Presenter Robert Smith  
Presenter's Title Human Resources Administrator

Documents:

[DRUG ALCOHOL POLICY - FTA UPDATE BH COMMENT.PDF](#)

#### **I. Ratify The Chairman's Signature For A Letter Of Support For PPOS**

Ratify the Chairman's signature for a letter of support for the Pagosa Peak Open School (PPOS) to receive grant funds to secure a permanent location for their school.

Documents:

[PPOS LETTER OF SUPPORT.PDF](#)

#### **J. Ratify The Chairman's Signature For A Letter Of Support For PSMC**

Ratify the Chairman's signature for a letter of support for the Dr. Mary Fisher Medical Foundation d/b/a the Pagosa Springs Medical Center Foundation's application for Enterprise

Zone Contribution Project Designation in Pagosa Springs' medically under served area.

Documents:

[LETTER OF SUPPORT - PSMC.PDF](#)

## **NEW BUSINESS**

### **A. Resolution 2018- To Amend Voting Precinct Boundaries**

The law allows voting precincts to contain no more than 2,000 active voters. We have two precincts that are needing to have changes made. This is only a "fix" until the 2020 Census then all voting precincts and Districts will be looked at.

The four precincts affected are Precincts 1, 5, 6 & 8.

A portion of Precinct 6 including Pagosa Vista will be moved into Precinct 5. In Precinct 8, the following streets will be moved into Precinct 1: S6th, 7th, 8th, 9th and 10th.

Letters will be sent to each voter that will be moved.

Presenter	June Madrid
Presenter's Title	County Clerk

Documents:

[RESOLUTION BOUNDARY CHANGES.PDF](#)

### **B. Interim County Administrator Employment Agreement**

Provided is a copy of the employment agreement between Archuleta County and Gregory Schulte for services to be provided as Interim County Administrator. Action necessary is ratification of the Chairman's signature on the agreement.

Presenter	Bentley Henderson
Presenter's Title	County Administrator

Documents:

[INTERIM ADMINISTRATOR AGREEMENT.PDF](#)

### **C. Interim County Attorney Contract**

Provided is an agreement between Archuleta County and Cunningham Swain for services to be provided as Interim County Attorney. Action on this contract is requested.

Presenter	Bentley Henderson
Presenter's Title	County Administrator

Documents:

[AGREEMENT TO SERVE AS INTERIM LEGAL COUNSEL.PDF](#)

### **D. Consideration Of Sign Code Waiver**

Pursuant to Section 7.1.6, of the Archuleta County Land Use Regulations, Archuleta County is requesting that the Board of County Commissioners grant a square footage maximum allowable area waiver for a sign located at 344 Highway 84, Archuleta County Colorado.



Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents:

[SIGN WAIVER.PDF](#)

**E. Public Hearing For Second And Final Approval Of Ordinance No. 19-2018 For Establishing Off-Highway Vehicle Routes And Regulating The Operation Of Off-Highway Vehicles In Unincorporated Areas Of Archuleta County**

Provided for consideration and approval is Ordinance No. 19-2018 which establishes off-highway vehicle routes and regulates the operation of off-highway vehicles in unincorporated areas of Archuleta County. The Ordinance was introduced and read at a regular meeting of the Board of County Commissioners on July 17, 2018 and was published in full in its original form on July 26, 2018. The Ordinance has not been revised since the First Reading and is now being submitted for its Second Reading and approval.

Presenter Todd Starr  
Presenter's Title County Attorney

Documents:

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

**PUBLIC COMMENTS FROM THE FLOOR\***

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**COMMISSIONER COMMENTS**

**ADJOURNMENT OF THE REGULAR BOCC MEETING**

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