



**ARCHULETA COUNTY
BOARD OF COUNTY COMMISSIONERS**

**CALL TO ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS OF SEPTEMBER 17, 2019 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).

PROCLAMATIONS

A. National Suicide Prevention And Awareness Month

Proclamation by the Board of County Commissioners of Archuleta County proclaiming September 2019 to be National Suicide Prevention and Awareness Month.

Presenter	Flora Goheen
Presenter's Title	Planning Technician

Documents:

[SUICIDE PREVENTION AWARENESS MONTH.PDF](#)

BOARD OF ADJUSTMENT - CONSENT

A. BoA Consideration Of Resolution 2019-06BOA Approving Variance From The Archuleta County Land Use Regulations For One In The Spirit LLLP, In S3 T33N R2W NMPM

Request to consider and approve a Resolution of the Board of Adjustment stating Findings and Conditions of Approval of the San Juan River (aka Trujillo Rd) Takeout Lot Size Variance to divide part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ (GLO Lot 29) in S3 T33N R2W NMPM, from a parcel addressed as 11000 County Rd 500 (PLN19-374). Variance was approved September 3, 2019.

Documents:

[BOA_RESOLUTION_2019-06BOA_SJR_TAKEOUT_VAR.PDF](#)

LAND USE REGULATION HEARING

A. **Open And Continue Public Hearing For Crowley Ranch Tract B PUD Development Plan To 11/12/19**

Kelley Barsanti, KEL-CAM, Inc., of Redlands, CA, represented by Ron Barsanti of Pagosa Springs, has applied for a PUD Development Plan by rezoning Tract B, Replat of Crowley Ranch Reserve Phase 1, at 270 Ronnie's Ct, Chromo (PLN19-370). At their meeting on 8/28/19, the Archuleta County Planning Commission continued their public hearing on this application to their next regular meeting. Staff recommends the Board of County Commissioners open and continue this advertised public hearing to their scheduled meeting on Tuesday 11/12/19.

LIQUOR BOARD

A. **Consideration And Approval Of A Hotel & Restaurant Liquor License Renewal And Report Of Changes For 2 Chicks & A Hippie, LLC DbA 2 Chicks & A Hippie**

This is a renewal of a Hotel & Restaurant Liquor License for 2 Chicks & A Hippie, LLC dba 2 Chicks & A Hippie located at 117 Navajo Trail Dr. #A, Pagosa Springs, Colorado. The Report of Changes is to add additional seating in fenced patio area for serving. 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. The financial impact to the County is the fees paid per the County Fee Schedule and I move to Approve the Hotel & Restaurant Liquor License and the Report of Changes for 2 Chicks & A Hippie.

Presenter Flora Goheen
Presenter's Title Planning Technician

Documents:

[2 CHICKS AND A HIPPIE 19 RENEWAL AND REPORT OF CHANGES.PDF](#)

B. **Consideration Of The Report Of Changes Application For A Hotel And Restaurant Liquor License For MAS Events, LLC DbA Keyah Grande Guest Lounge**

This is Report of Changes for a Hotel and Restaurant Liquor License for MAS Events, LLC dba Keyah Grande Guest Lounge, located at 13211 W Hwy 160, removing Maryann Sackman as sole member as of May 13, 2019 and replacing with Warren A. Sackman. The application is complete. Fingerprints, and the proper application fees have been submitted. There is no financial impact to the County.

Presenter Flora Goheen
Presenter's Title Planning Technician

Documents:

[MAS REPORT OF CHANGES MGR 19.PDF](#)

C. **Consideration Of A Special Events Permit For Pagosa Springs Arts Council**

This is an application for a Special Events Permit for the Pagosa Springs Arts Council, to sell malt, vinous, spirituous liquor located at 197 Navajo Trail Dr. for a fundraiser on September 19 and October 2, 2019. 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. The financial impact to the County is the fees paid per the County Fee schedule and I move to

approve this Special Events Permit.

Presenter Flora Goheen
Presenter's Title Planning Technician

Documents:

[PAGOSA SPRINGS ART COUNCIL 9.19 10.2.19.PDF](#)

D. Consideration Of A Special Events Permit For The Archuleta County Democratic Party Central Committee

This is an application for a Special Events Permit for the Archuleta County Democratic Party Central Committee, to sell malt, vinous, spirituous liquor at located at 344 Hwy 84 for a fundraiser on September 27, 2019. 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. The financial impact to the County is the fees paid per the County Fee schedule and I move to approve this Special Events Permit.

Presenter Flora Goheen
Presenter's Title Planning Technician

Documents:

[AC DEMO PARTY SE CHILI DINNER 9.27.19.PDF](#)

CONSENT AGENDA

A. PAYROLL, PAYABLE WARRANTS AND PURCHASE CARDS

September 4, 2019 - September 17, 2019

B. REGULAR MEETING MINUTES

Regular Meeting Minutes 9/3/2019

Draft of the Regular Meeting Minutes from September 3, 2019 for approval.

Documents:

[09-03-19R.PDF](#)

C. SPECIAL MEETING MINUTES

Special Meeting Minutes 9/5/2019

Draft of the Special Meeting Minutes from September 5, 2019 for approval.

Documents:

[09-05-19S.PDF](#)

D. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Jacobs

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Nicki Wayne Jacobs and Angela Jean Jacobs, an approx. 2.34-acre tract of land being a portion of Tract 116 of Townships 33N & 34N Ranges 1W & 1-½W, NMPM, on County Rd 335 (IDP19-137). No net fiscal impact expected.

Documents:

[RESOLUTION_AFFIRMING_LEGAL_LOT_STATUS_IDP19-137.PDF](#)
[IDP19-137 CERTIFICATE.PDF](#)

E. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Kohorst

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Zachariah Kohorst, an approx. 7.36-acre tract of land being a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32 T33N R2W, NMPM, at 17787 County Rd 500 (IDP19-425). No net fiscal impact expected.

Documents:

[RESOLUTION_AFFIRMING_LEGAL_LOT_STATUS_IDP19-425.PDF](#)
[IDP19-425 CERTIFICATE.PDF](#)

F. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Tyner

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Justin Tyner, an approx. 0.3-acre tract of land being a portion of Lots 155 and 166, San Juan River Resort Unit No. 1 Subdivision, at 34 Harman Ave (IDP19-222). No net fiscal impact expected.

Documents:

[RESOLUTION_AFFIRMING_LEGAL_LOT_STATUS_IDP19-222.PDF](#)
[IDP19-222 CERTIFICATE.PDF](#)

G. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Drescher

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Michael Drescher, an approx. 8.5-acre tract of land being a portion of Tract 116 of Townships 33N & 34N Ranges 1W & 1- $\frac{1}{2}$ W, NMPM, on County Rd 335 (IDP19-223). No net fiscal impact expected.

Documents:

[RESOLUTION_AFFIRMING_LEGAL_LOT_STATUS_IDP19-223.PDF](#)
[IDP19-223 CERTIFICATE.PDF](#)

H. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Appel Living Trust (#1)

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Appel Living Trust (#1), an approx. 10-acre tract of land being the N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 34N Range 1W, NMPM, at 2101 Catchpole Dr. (IDP19-233). No net fiscal impact expected.

Documents:

[RESOLUTION_AFFIRMING_LEGAL_LOT_STATUS_IDP19-233.PDF](#)
[IDP19-233 CERTIFICATE.PDF](#)

I. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Appel Living Trust (#2)

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Appel Living Trust (#2), an approx. 10-acre tract of land being the E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 34N Range 1W, NMPM, on Catchpole Dr. (IDP19-235). No net fiscal impact expected.

Documents:

[RESOLUTION AFFIRMING LEGAL LOT STATUS IDP19-235.PDF](#)
[IDP19-235 CERTIFICATE.PDF](#)

J. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Appel Living Trust (#3)

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Appel Living Trust (#3), an approx. 10-acre tract of land being the S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 34N Range 1W, NMPM, on Catchpole Dr. (IDP19-237). No net fiscal impact expected.

Documents:

[RESOLUTION AFFIRMING LEGAL LOT STATUS IDP19-237.PDF](#)
[IDP19-237 CERTIFICATE.PDF](#)

K. Consideration Of Resolution 2019-___ Affirming Legal Lot Status For Murrey

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by David Murrey, an approx. 110-acre tract of land being the E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 34N Range 1W, NMPM, (AS ATTACHED) at 235 Ghost Elk Ct. (IDP19-442). No net fiscal impact expected.

Documents:

[RESOLUTION AFFIRMING LEGAL LOT STATUS IDP19-442.PDF](#)
[IDP19-442 CERTIFICATE.PDF](#)

L. Resolution 2019-___ To Consolidate 2 Lots Into 1 Lake Forest Estates Owned By Paul L. White And Patricia J. Popovich

This request is to consider a Resolution authorizing the consolidation of Lots 488 and 489 Lake Forest Estates to become Lot 488X owned by Paul L. White and Patricia J. Popovich. This consolidation has been reviewed and is recommended for approval by Development Services Planning Technician, Flora Goheen. The impact to the County budget includes fees paid per the County Fee Schedule, generally balanced by reduction in property taxes.

Documents:

[WHITE POPOVICH LC RESOLUTION 2019.DOC](#)
[WHITE-POPOVICH TITLE WORK.PDF](#)

M. Resolution 2019-___ To Consolidate 2 Lots Into 1 Twincreek Village Owned By Michael Cummings And Susan Cummings

This request is to consider a Resolution authorizing the consolidation of Lots 578 and 579 Twincreek Village to become Lot 578X owned by Michael Cummings and Susan Cummings. This consolidation has been reviewed and is recommended for approval by Development Services Planning Technician, Flora Goheen. The impact to the County budget includes fees paid per the County Fee Schedule, generally balanced by reduction in property taxes.

Documents:

N. Resolution 2019- ____ A Reversal Of Consolidation 1 Lot Into 2 Lakewood Village Owned By Timothy J. Grose

This request is to consider a Resolution authorizing the reversal of the consolidation of Lot 130X Lakewood Village, to become Lots 129A and 130XA owned by Timothy J. Grose. This reversal of the consolidation has been reviewed and is recommended for approval by Developments Services Planning Technician, Flora Goheen. The impact to the County budget includes fees paid per the County Fee Schedule and generally increased property taxes.

Documents:

[7014.PDF](#)
[GROSS TITLE WORK.PDF](#)

O. Resolution 2019- ____ To Vacate An Unused Utility Easement For Lot 218-219 Of Chris Mountain Village At Pagosa Unit II Owned By James S. Cruice And Molly B. Cruice

This request is to consider a Resolution to vacate an unused utility easement for lot 218-219 of Chris Mountain Village at Pagosa Unit II owned by James S. Cruice and Molly B. Cruice as provided by Section 4.6.5 of the Archuleta County Land Use Regulations as amended. This vacation has been reviewed and is recommended for approval by Development Services Planning Technician, Flora Goheen. The impact to the County budget is none.

Documents:

[CRUICE EASEMENT_VACATE.DOCX](#)

P. Resolution 2019- ____ To Vacate An Unused Utility Easement For Lot 448X Of Aspen Springs Subdivision No. 6 Owned By Ana N. Smith

This request is to consider a Resolution to vacate an unused utility easement for lot 448X of Aspen Springs Subdivision No. 6 owned by Ana N. Smith as provided by Section 4.6.5 of the Archuleta County Land Use Regulations as amended. This vacation has been reviewed and is recommended for approval by Development Services Planning Technician, Flora Goheen. The impact to the County budget is none.

Documents:

[SMITH ANA EASEMENT_VACATE.DOCX](#)

Q. Resolution 2019- ____ To Vacate An Unused Utility Easement For Lot 9X Of Pagosa In The Pines Block 3 Owned By Kimberly Dawn Brown And Sky Ferguson

This request is to consider a Resolution to vacate an unused utility easement for lot 9X of Pagosa in the Pines Block 3 owned by Kimberly Dawn Brown and Sky Ferguson, as provided by Section 4.6.5 of the Archuleta County Land Use Regulations as amended. This vacation has been reviewed and is recommended for approval by Development Services Planning Technician, Flora Goheen. The impact to the County budget is none.

Documents:

[BROWN FERGUSON EASEMENT_VACATE.DOCX](#)

R. Consideration Of Resolution 2019-____ Supporting A Colorado Parks And Wildlife State Trails Construction Grant

Pagosa Lakes Property Owners Association is applying for a grant from the Colorado Department of Parks and Wildlife to construct a pedestrian footbridge and concrete and asphalt walkways adjacent to North Pagosa Blvd. near the Village Dam area of Pagosa Lakes. This resolution provides the County's support for the grant application.

Documents:

[RESOLUTION 2019-____ SUPPORT OF COLORADO PARKS AND WILDLIFE STATE TRAILS CONSTRUCTION GRANT.PDF](#)

S. Consideration Of Resolution 2019-____ Recognizing The Archuleta County Housing Authority As The Housing Agency For All Of Archuleta County's Housing Needs

This resolution recognizes the Archuleta County Housing Authority as the housing agency for all of the County's public housing needs.

Documents:

[RESOLUTION 2019-____ RECOGNIZING ACHA AS THE COUNTY HOUSING AGENCY.PDF](#)

T. Consideration And Approval Of Assignment Of A Hangar Ground Lease For Hangar A-1

This document assigns all rights, title and interest in Hangar A-1 from the Kingsbury Pitcher and Charity Jane Pitcher Revocable Trust, u/t/a/d December 19, 1985 to Randall Davey Pitcher.

Documents:

[HANGAR GROUND LEASE ASSIGNMENT - A-1.PDF](#)

U. Consideration And Approval Of Mutual Release And Settlement Agreement With Sharon Parker

Sharon Parker is a Plaintiff, along with 14 other individuals, who filed a lawsuit against current and former County Commissioners and the former County Attorney (case number 2016CV4). The District Court awarded attorney's fees to the County in the amount of \$18,565.50 jointly and severally against all the Plaintiffs except one. This Mutual Release and Settlement Agreement sets forth terms to settle and resolve all the issues from this case. Ms. Parker has signed the agreement and has paid the amount of \$1,326.11 (1/14 of the attorney's fees) and will not participate further in this or any related lawsuit against the County.

Documents:

[PARKER SETTLEMENT AGREEMENT.PDF](#)

NEW BUSINESS

A. Ratification Of The Signature Of The Chairman Of The Board Of Commissioners On The Contract To Purchase Property At 85 Harman Park Drive

On August 20, 2019, the Board approved the submission of a formal offer to purchase the property located at 85 Harman Park Drive for \$600,000.00 and the seller accepted the offer. The Contract to Buy Real Estate and some of the related documents were signed by the Chairman on September 6th and 9th, 2019. The Addendum to the Contract will be signed upon approval.

Presenter	Todd Weaver
Presenter's Title	County Attorney

Documents:

[CONTRACT TO BUY AND SELL REAL ESTATE 2019_0906.PDF](#)
[RESIDENTIAL ADDENDUM TO CONTRACT 2019_0906.PDF](#)
[ADDENDUM TO CONTRACT - 85 HARMAN PARK DRIVE V2.PDF](#)
[SELLERS PROPERTY DISCLOSURE 2019_0906.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**).

COMMISSIONER COMMENTS

EXECUTIVE SESSION

Pursuant to 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.

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.