

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting on March 15, 2016 noting County Commissioners Michael Whiting, Clifford Lucero and Steve Wadley, County Administrator Bentley Henderson, County Attorney Todd Starr and June Madrid County Clerk & Recorder present.

Chairman Whiting called the meeting to order at 1:30 p.m.

The meeting began with the Pledge of Allegiance and a moment of silence.

Disclosures and/or Conflicts of Interest

Approval or Adjustments to Agenda

Commissioner Wadley moved to approve the agenda. Commissioner Lucero seconded the motion and it carried unanimously.

Public Comments

Chairman Whiting stated that he was opening the floor to public comments for those wanting to comment on items not on this agenda. Comments were asked to be held to 3 minutes for each person desiring to speak. No response from the Board would be given.

- Cynda Greene 17 of Roxanna's Court wanted to talk about a problem with junk in Pagosa Development Subdivision 2. She felt it was erroneously zoned. Most of the parcels are 1 acre. She asked why the Board would create laws and then not enforce them. People move here and expect you to enforce laws not ignore them. A neighbor was being allowed to create a junk yard. Mr. Ruyle did not follow through when the report was given to him. Her neighbor Ms. Carlson filed the complaint. She was speaking on her behalf. They were told the complaint was referred to Mr. Starr who has yet to respond. They wrote to all Commissioners with no response. Commissioner Wadley said he was sorry she didn't get a response but the issue talked about this morning at the Board's work session. She asked what was decided at the work session and was told they could not talk about that now. She said she hoped they would do something, requests should not be ignored.
- Bill Hudson of 268 Hermosa Street just wanted to read a brief excerpt from a book; ask and it will be given to you, seek and it will be shown to you, knock and it will be opened to you. If you notice, it doesn't say, out of fear don't go around the voters to get approval. It also doesn't say ask only once. He also asked when was the public going to be provided evidence of what the Town and County had found drilling on the Levine property. What was found, what was the outcome? It appears a half million dollars was spent so far and no results.

Chairman Whiting recessed the Regular Meeting and convened the Liquor Board Authority at 1:37 p.m.

Liquor Board Authority

Chairman Whiting swore in Tonya McCann Executive Assistant for testimony.

A. Special Events Permit for the Humane Society of Pagosa Springs

Executive Assistant McCann presented a Special Events Permit for the Board's approval from the Humane Society of Pagosa Springs to serve malt, vinous and spirituous liquor at 230 Port Ave for the annual "Chocolate Auction". The Sheriff had been notified and the proper fees were collected. The premises was posted for the required 10 days prior to today's hearing. They were requesting the permit to cover April 2, 2016. **Commissioner Lucero moved to approve the Special Events Permit for the Humane Society of Pagosa Springs. Commissioner Wadley seconded the motion. Chairman Whiting asked for discussion.**

Commissioner Lucero asked if there were handicapped parking spaces at these special events. Do we require them? County Attorney Starr said he didn't think it was up to the County it was up to the permit holder. Commissioner Lucero stated that the County should be doing all they could to help out the handicap and access to functions.

Commissioner Whiting asked for comments in favor of this permit and/or against this permit.

The motion carried unanimously.

B. Special Events Permit for Our Savior Lutheran Church of Pagosa Springs

Executive Assistant McCann presented a Special Events Permit for the Boards approval for Our Savior Lutheran Church of Pagosa Springs to serve malt, vinous and spirituous liquor at 56 Meadows Drive for a fund raiser event. The Sheriff had been notified and the proper fees were collected. The premises was posted for the required 10 days prior to today's hearing. They were requesting the permit for March 19, 2016. **Commissioner Wadley move to approve the Special Events Permit for Our Savior Lutheran Church of Pagosa Springs. Commissioner Lucero seconded the motion.** Chairman Whiting asked for discussion. He asked for public comments in favor of and/or against this permit.

The motion carried unanimously.

Chairman Whiting closed the Liquor Board Authority and convened a Land Use Regulation Hearing at 1:43 p.m.

Land Use Regulation Hearing

Chairman Whiting swore in John Shepard, Planning Manager for testimony.

A. The SourceGas Development Improvements Agreement

Planning Manager Shepard presented a request of the Board to approve a Development Improvements Agreement for SourceGas Distribution LLC/Black Hills Gas Distribution, LLC so they could apply to temporarily occupy their new office building at 520 Cloman Blvd. before they finish all site improvements required by their Site Plan and Variance approvals. This is an indication of the development crash is behind us and we are moving forward with building. This project was regarding SourceGas which was recently acquired by Black Hills Gas. **Commissioner Lucero moved to approve the SourceGas Development Improvements Agreement. Commissioner Wadley seconded the motion.** Chairman Whiting asked for comments.

- Commissioner Lucero asked if we had done this before, are we setting precedence. Planning Manager Shepard answered staff had done research and it's been about 5 years, it had been done on multi phase projects. It will set precedence in that it will set up a project. Commissioner Lucero said this makes it open ended. County Attorney Starr said this particular one makes them complete the project by August. The penalty would be that the

County could pull the Letter of Credit and do the items ourselves. Commissioner Lucero said they didn't want to do that but they didn't want this to go on and on. It's important this goes in the minutes so we start something new.

- Commissioner Wadley said sometimes we need to be flexible to get a business to success but we also live in an area where weather impacts situations. There was a Letter of Credit so we are protected but we need to be business friendly and not foolish. County Administrator Henderson said it's spelled out in Section 6 of the Agreement, the days they have before them must complete the project.

Chairman Whiting asked for public comment in favor of the Agreement.

- Bill Hudson of 268 Hermosa Street said it was a great idea but felt the Board should hold them responsible so it doesn't fall through the cracks. Hopefully you have something in the computer to pop up and remind staff.

Chairman Whiting closed public comments in Favor of the Agreement and opened for comments "Opposed to the Agreement". He then closed public comment.

The motion carried unanimously.

Chairman Whiting closed the Land Use Regulation Hearing and reconvened the Regular Meeting at 1:51 p.m.

Consent Agenda

A. Payroll & Payable Warrants and Purchase Cards for March 3, 2016-March 15, 2016

General Fund Payable	87,067.65
Road and Bridge Fund Payable	1,091.90
Department of Human Services Fund Payable	13,482.06
All Combined Dispatch Fund Payable	8,533.96
Solid Waste Fund Payable	6,137.29
Airport Fund Payable	2,200.34
Fleet Fund Payable	25,409.16
Total	\$ 143,922.36
General Fund Payroll	145,457.40
Road and Bridge Fund Payroll	33,765.83
Department of Human Services Fund Payroll	29,949.78
All Combined Dispatch Fund Payroll	16,801.80
Solid Waste Fund Payroll	7,420.98
Airport Fund Payroll	4,073.28
Fleet Fund Payroll	8,829.22
Total	\$ 246,298.29

B. Regular Meeting Minutes

March 1, 2016

C. Special Meeting Minutes

March 4, 2016

March 8, 2016

D. 2015 Fourth Quarter Emergency Management Program Grant Activities and Finance Expenses

E. Letter of Support for the Town of Pagosa Springs for their upcoming SF grant application for the old Pagosa Water Treatment Plant

- F. Independent Contractor Agreement for the County Coroner for Deputy Coroners
- G. Resolution 2016-23 Donation of Ammunition to the Sheriff's Department from James Huffman
- H. Resolution 2016-24 Lot Consolidation of lots in Pagosa Highlands Estates owned by Gerald D Shoaf and Claire R. Harrison
- I. Resolution 2016-25 Lot Consolidation of lots in Pagosa Vista owned by Carolanne P. Kidd
- J. Resolution 2016-26 Lot Consolidation of lots in Pagosa Trails owned by The Marty G. Ryan Revocable Living Trust

County Administrator Henderson read the Consent Agenda. **Commissioner Wadley moved to approve the Consent Agenda as read. Commissioner Lucero seconded the motion.** Chairman Whiting thanked Jim Huffman for donating the ammunition for the third year to the Sheriff's Office. Commissioners Lucero and Wadley agreed. Commissioner Wadley said ammunition had gotten very expensive and appreciated the availability for the Sheriff's office to practice for something hopefully they will never need during their daily routine. **The motion carried unanimously.**

New Business

A. Award of the Magnesium Chloride Contract to GMCO Corporation

Ken Feyen Public Works Director presented a contract for the Board's consideration. Archuleta County received bids for the supply and application of Magnesium Chloride to various County roads. The contract would be for 2016 with the option to extend into 2017 and 2018 for a total of 3 years. GMCO Corporation was the apparent low bidder. The total price per gallon to be delivered and applied was \$0.725. The proposed application in 2016 would take approximately 440,000 gallons making the cost \$319,000. Staff was asking for approval to award the contract to GMCO Corporation. **Commissioner Lucero moved to approve the Magnesium Chloride Contract with GMCO Corporation in an amount not to exceed \$319,000. Commissioner Wadley seconded the motion.** Chairman Whiting asked for public comment.

- Commissioner Lucero asked if we would have some (Magnesium Chloride) available for property owners to purchase. Public Works Feyen said they had and already had significant phone calls for this kind of project.
- Commissioner Wadley asked if this vendor could produce in a timely manner where in the past we have had problems. He felt that would not be a problem.
- Commissioner Whiting asked how much was received to be used for public requests and the answer was 15-18,000 gallons for private residence paying.

The motion carried unanimously.

B. Fixed Base Operator Lease Assignment and Assumption

County Administrator Henderson presented a request of the Board to allow for lease assignment of a hangar at the Archuleta County Airport. Marc Foulkrod, Archuleta County Airport Fixed Base Operator was asking to assign and assume the lease that Mr. Foulkrod has with the County regarding the facilities associate with the FBO. The assignment would be from Avjet Corporation to Blackhawk Aviation, Inc. dba Avjet Pagosa Springs. The change in the name and Lessee is coming from the owner doing some long range planning. **Commissioner Wadley moved to approve the Assignment and Assumption Lease Agreement between Avjet Corporation and Blackhawk Aviation, Inc. dba Avjet Pagosa Springs. Commissioner Lucero seconded the motion.** Chairman Whiting asked for public comment.

March 15, 2016

Commissioner Wadley asked if this merely housekeeping where someone is just housing. It's a corporate change in Avjet and should not affect the FBO. The lease expires March 21, 2030. **The motion carried unanimously.**

Public Comments

Chairman Whiting stated that he was opening the floor to public comments for those wanting to comment on items not on this agenda. Comments were asked to be held to 3 minutes for each person desiring to speak. No response from the Board would be given.

- Bill Hudson of 268 Hermosa Street noticed brief discussion prior to consent agenda. He understood those items on the consent are not going to be discussed but when you discuss them prior you should pull them off and put them where they can be discussed by the public also.
- Mark Weiler of 7 Parelli Way said he understood that before a vote by the Board the people should be able to make a comment. He was not given that opportunity with the last item.

Media Questions

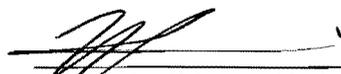
Commissioner Comments

- Commissioner Lucero said it's nice to see people at the meetings.

With no further business coming before the Board, the meeting was adjourned at 2:09 p.m.


June Madrid
County Clerk & Recorder

Approved this 5th day of April, 2016.


Michael Whiting, Chairman

①



21601548 3/17/2016 10:19 AM June Madrid
1 of 1 RES R\$0.00 D\$0.00 Archuleta County

RESOLUTION NO. 2016-23

ARCHULETA COUNTY, COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO ACCEPTING A
DONATION TO BE USED FOR SECURING AMMUNITION FOR
THE ARCHULETA COUNTY SHERIFF'S DEPARTMENT**

WHEREAS, Archuleta County Sheriff's Department has the need to acquire ammunition to be used by officers for training purposes; and

WHEREAS, James Huffman, a local resident has approached the Archuleta County Sheriff's Department, without being solicited, and has expressed a desire to donate funds to be used for the sole purpose of the Archuleta County Sheriff's Department procuring ammunition to be used in training; and

WHEREAS, the Board of County Commissioners of Archuleta County wish to provide assurance to James Huffman, that the monies he donates will in fact be used for the purpose he intended.

NOW, THEREFORE, BE IT RESOLVED that Archuleta County will accept a cash donation from James Huffman and that such donation will be used solely for the purpose of acquiring ammunition to be used by the Archuleta County Sheriff's Department for training purposes.

**DONE AND ADOPTED IN PAGOSA SPRINGS, ARCHULETA COUNTY,
COLORADO, this 15th day of March, 2016.**

ATTEST

BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO

June Madrid
County Clerk, June Madrid
by Bryan McKenna
Deputy Clerk

[Signature]
Michael Whiting, Chair

*June Madrid
Resolutions*



1

21601549 3/17/2016 10:20 AM June Madrid
1 of 1 RES R\$0.00 D\$0.00 Archuleta County

RESOLUTION NO. 2016-24

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 Gerald D. Shoaf and Claire R. Harrison, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

WHEREAS, the Board has found that Gerald D. Shoaf and Claire R. Harrison, 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 140 and 141, Pagosa Highlands Estates, according to the plat thereof filed for record February 7, 1972, as Reception No. 75409, Archuleta County, Colorado, to become Lot 141X 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 1st day of March, 2016.

The Board of County Commissioners
Archuleta County, Colorado



ATTEST:

June Madrid by Sonya McLean
June Madrid, Secretary
Archuleta County Clerk and Recorder

[Signature]
Chairman Michael Whiting

Return copy to Planning Dept.



①

21601550
1 of 1

3/17/2016 10:20 AM
RES R\$0.00 D\$0.00

June Madrid
Archuleta County

RESOLUTION NO. 2016-25

**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 Carolanne P. Kidd, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

WHEREAS, the Board has found that Carolanne P. Kidd, 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 585 and 586, Pagosa Vista, according to the plat thereof filed for record September 13, 1971, as Reception No. 74884, Archuleta County, Colorado, to become Lot 585X 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 15th day of March, 2016.

The Board of County Commissioners
Archuleta County, Colorado

ATTEST:

June Madrid by Joyce McLean
June Madrid,
Archuleta County Clerk and Recorder

[Signature]
Chairman Michael Whiting

Return copy to Planning Dept.

Rtn:

JUNE MADRID
RESOLUTIONS



①

RESOLUTION NO. 2016-26

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 of County Commissioners of Archuleta County, Colorado, has heretofore adopted Resolution 2015-36 which recognized certain lots in the Chris Mountain Village at Pagosa Unit 2 and Pagosa Trails subdivisions as combination lots and shall be considered as one lot, recorded June 18, 2015, as Reception No. 21503813; and

WHEREAS, the Board has received an application from Marty G. Ryan Trustee of the Marty G. Ryan RLT dated December 2, 2015, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

WHEREAS, the Board has found that Marty G. Ryan Trustee of the Marty G. Ryan RLT dated December 2, 2015, 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 145 through 149, Pagosa Trails, according to the plat thereof filed for record September 13, 1971, as Reception No. 74885, Archuleta County, Colorado, to become Lot 148X 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 15th day of March, 2016.

The Board of County Commissioners
Archuleta County, Colorado

Chairman Michael Whiting

ATTEST:

June Madrid,
Archuleta County Clerk and Recorder



Return copy to Planning Dept.

Rth:
JUNE MADRID
RESOLUTIONS