

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting March 20, 2018 noting County Commissioners Steve Wadley, Michael Whiting, and Ronnie Maez, County Administrator Bentley Henderson and Samantha Courtney County Clerk & Recorder Deputy present.

Chairman Wadley called the meeting to order at 1:30 p.m. with the Pledge of Allegiance and a moment of silence.

Disclosures and/or Conflicts of Interest

Chairman Wadley asked for any disclosures or conflicts of interest between the Board and the agenda. There were none.

Approval or Adjustments to Agenda

Executive Session per 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.

Commissioner Whiting moved to change the Agenda by moving Consent Item “G” to New Business as Item “B”. Commissioner Maez seconded the motion and it carried unanimously.

Commissioner Whiting moved to approve the Agenda as amended. Commissioner Maez seconded the motion and it carried unanimously.

Public Comments

Chairman Wadley 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.

- James Huffman of 898 Hersch Ave. gave a few comments regarding the ECE study. He expressed his concern with the fact that Archuleta County has run out of room for early education students under 2 years of age. He talked about how important this was for the County and the fact he thought the County should be supporting Seeds of Learning more. He thought the County and Town should come together to help this problem.
- Commissioner Whiting responded these funds are not allocated funds and the purpose of work groups and the ECE for one is that they are to meet and bring ideas back to the Board.
- Bill Hudson of 446 Loma St. talked about home-based care combined with some of our single moms. This could be part of the answer. He felt home based care would provide opportunity for moms to work from home and receive additional money.
- Darrel Steed of 324 Cimarrona Circle moved here about 3 years ago and felt there was an issue of safety in Archuleta County. Emergency contacts are made through 911 with failure to process some of these calls. When cell phone signals are not received people are at risk. His concern was that a previous cell phone tower was denied by the County and would like to know if another cell phone tower would be offered in the near future.
- Commissioner Wadley answered that not a single cell tower had been turned down when offered in our County.

- Sheriff Valdez wanted to add to the Cell Phone Tower Usage conversation by saying cell phone usage is poor in the Arboles area also. There is such a problem that the emergency calls had been routed to New Mexico. They had already recognized some of these challenges and brought them to the Board with no resolution.
- JB Smith of 43 Scratch Court addressed the problem he saw concerning the County's senior bus and the accessibility onto the bus which he felt was not adequate because it does not hold wheel chairs properly. They can and do fall over. The old bus could handle these but the new bus does not.

Reports

A. Fourth Quarter Financial Report of Archuleta County

County Finance Director Walton presented the 4th quarter report for 2017 to the Board.

Chairman Wadley recessed the Regular Meeting at 2:18 p.m. and convened the Land Use Regulation Hearing.

Land Use Regulation Hearing

Chairman Wadley swore in John Shepard Planning Manager for testimony.

A. Resolution 2018-09 Consolidation of Lots in Lake Pagosa Park for Owners Richard L & Janice L Gammill

John Shepard Planning Manager submitted a resolution for a lot consolidation in Lake Pagosa Park for owners Richard L & Janice L Gammill. There were protests on this consolidation from the Pagosa Lakes Property Owners Association due to the fact that the owners had multiple violations on the property. Several complaints were submitted regarding storage on the property and set back from the neighboring property lines, along with a shed that was placed too close to setbacks. This consolidation would eliminate the setback problem.

Richard Gammill owner of the property was present to speak to the issue. He stated that the property was purchased 3 years ago and there was materials stored on the property by his daughter. The PLPOA measured the location of the shed and determined that it was not in compliance with the setbacks. His daughter had been living on the property but had recently moved and he was in the process of selling the property and cleaning it up. He did not want the consolidation to interfere with his sale.

Chairman Wadley opened the floor for comments "In Favor of the Resolution".

Comments "In Favor of the Resolution"

None in Favor.

He closed comments "In favor of the Resolution" and opened the floor for comments "Against the Changes".

Comments "Against the Resolution"

- Leslie Lewis of 95 Enchanted Place was going to speak against the property consolidation but when asked by Chairman Wadley if she would be ok if the property was cleaned up for sale was she still against the issue and she answered no, she was fine.
- Tony Simmons of 45 Enchanted Place stated his concern that a portion of the lot could still be used as a drive through or storage lot and he did not want to see that. He would

like to see conditions put on this property so this does not continue. Chairman Wadley stated conditions could not be attached to the property but asked Mr. Simmons if the property was cleaned up and sold would he be agreeable to move on and not request restrictions for the new owners. He answered, yes.

County Attorney Starr explained if the four criteria are met on the property the owners can legally consolidate their lots even though there may be complaints.

Chairman Wadley closed the comments “Against the Resolution” and opened the floor for Commissioner Comments.

Commissioner Comments

There were none.

Commissioner Maez moved to approve Resolution 2018-09 consolidating 2 lots into 1 in Lake Pagosa Park, Block 7 owned by Richard L. Gammill and Janice L. Gammill. Commissioner Whiting seconded the motion and it carried unanimously.

Chairman Wadley closed the Land Use Regulation Hearing and reconvened the Regular Meeting at 2:48 p.m.

Consent Agenda

A. Payroll and Payable Warrants and Purchase Cards for March 7-20, 2018

General Fund Payable	150,926.90
Road and Bridge Fund Payable	38,190.39
Department of Human Services Fund Payable	26,475.88
All Combined Dispatch Fund Payable	27,311.83
Conservation Trust	100.00
Solid Waste Fund Payable	1,182.11
Airport Fund Payable	7,010.60
Fleet Fund Payable	34,617.65
Total	\$ 285,815.36
General Fund Payroll	188,797.56
Road and Bridge Fund Payroll	39,909.65
Department of Human Services Fund Payroll	37,262.61
All Combined Dispatch Fund Payroll	19,577.98
Solid Waste Fund Payroll	8,578.96
Airport Fund Payroll	4,096.88
Fleet Fund Payroll	7,764.90
Total	\$ 305,988.54

B. Regular Meeting Minutes

March 6, 2018

C. Special Meeting Minutes

February 28, 2018

D. Resolution 2018-10 Consolidation of lots in Pagosa Meadows Subdivision Unit Two for owners Ronald J & Simona W Kormos.

E. Resolution 2018-11 Acceptance of the Donation of Ammunition to the Sheriff’s Department from James Huffman.

F. Approval of Coroner Independent Contractor Agreements for Greystone Abbott, Jason Hibbert,

Marci Jury, Roxanne Lattin, Mike Le Roux and Kelly Robertson.

G. Acceptance of the Grant Award for the Court Security Agreement/Contract with the Colorado

State Court Administrator's Office. This item was moved to New Business Item "B".

H. Approval of the Ross Aragon Community Center Agreement with the Town of Pagosa Springs

and Archuleta County for life-skill programs.

County Administrator Henderson read the Consent Agenda for the record. **Commissioner Whiting moved to approve the Consent Agenda as read. Commissioner Maez seconded the motion and it carried unanimously.**

New Business

A. Appointment of the Local Weed Advisory Board

Weed and Pest Supervisor, Ethan Proud asked for approval of the local Weed Advisory Board. There were four applicants to fill the five position Board. County Attorney Starr informed Commissioner Maez that if he were to be appointed to this board he would not be allowed to vote. **Commissioner Whiting moved to appoint Ann Shepardson, Larry Lynch, Lisa Jensen, Robin Young and Commissioner Maez to the local Weed Advisory Board. Commissioner Wadley seconded the motion.** Chairman Wadley opened the floor for public comment. **The motion carried with Commissioners Wadley and Whiting voting "Aye" and Commissioner Maez "Abstaining".**

B. Acceptance of the Grant Award for the Court Security Agreement/Contract

Pulled from Consent Item "G" and moved here.

County Administrator Henderson said this item was moved so discussion could be held.

After a lengthy discussion it was decided that for this item and the next one, the Board would table them so the District Attorney could be asked advice as to whether or not approving these agreements would be a conflict of interest with the County's court case against the courts.

Sheriff Valdez stated the fact that there could be a problem because the two agreements on the agenda today were already signed electronically by the Board and sent back to the State who awarded Archuleta County the grant. Sheriff Valdez also reminded the Board that now his Security Department could generate additional overtime.

Commissioner Whiting moved to table Item "B" until our next Regular Meeting in which council will have an answer from the District Attorney regarding the Board's concerns. Commissioner Maez seconded the motion and it carried unanimously.

B. now C. Acceptance of an Emergency Grant Award for the Court Security Officer

County Administrator Henderson submitted a grant to the Board for consideration. Archuleta County had agreed to enter into a Grant with the Colorado State Court Administrators Office for a Court Security Grant. While all Court Security Grants are annual in nature, this one is even less predictable as it is provided for Emergency Situations. It is critical that the selected individual be aware that the funding for the position is for a fixed (1 year) term. **Commissioner Maez moved to table the item until the next Regular Meeting of the Board. Commissioner**

Whiting seconded the motion and it carried unanimously.

D. Intergovernmental Agreement between Archuleta County and Rio Grande County Regarding Housing of Inmates at the Rio Grande County Detention Facility.

County Administrator Henderson presented for consideration an Intergovernmental Agreement between Rio Grande County and Archuleta County for the housing of inmates at the Rio Grande County Detention Facility for \$54 per day. **Commissioner Whiting moved to approve the Intergovernmental Agreement between Archuleta County and Rio Grande County regarding the housing of inmates at the Rio Grande County Detention Facility. Commissioner Maez seconded the motion.** Chairman Wadley asked for public comment. **The motion carried unanimously.**

E. Gravel Supply for 2018

Robert Perry County Engineer for Public Works Director, Susan Goebel-Canning discussed the award for the 2018 supply of gravel for road maintenance. It was estimated that 14,000 tons of gravel would be needed. There were a total of 4 bids. Staff recommended Crossfire Aggregate Services, LLC not to exceed \$135,000. **Commissioner Maez moved to approve the gravel supply for 2018 to #1. Crossfire Aggregate Services, LLC bid in the amount \$9.50 per ton and #2. C&J Gravel Products, Inc. bid in the amount of \$9.00 per ton with both bids not exceeding a total of 14,000 tons and the total gravel purchase amount from both suppliers 'not to exceed' \$135,000. Commissioner Whiting seconded the motion.** Chairman Wadley asked for public comment. **The motion carried unanimously.**

F. Award of the Bid for the Resurfacing Project for Backswing Drive & East Golf Place

County Engineer, Robert Perry, stated that on March 8th, Archuleta County received bids for the Backswing Drive and East Golf Place Resurfacing Project. Three bids were received for the project with Strohecker Asphalt, Inc. being the lowest bidder for the total base price of \$728,609. This amount is in contrast to the lowest bid from last August of \$862,966.25. Two other bids were included from Elam Construction in the amount of \$875,213.30 and Four Corners Material for \$881,281.37. **Commissioner Whiting moved to award the East Golf Place and Backswing Drive paving project to Strohecker Asphalt, Inc. in an amount not to exceed \$728,609. Commissioner Maez seconded the motion.** Chairman Wadley asked for public comment. **The motion carried unanimously.**

Public Comments

Chairman Wadley 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 446 Loma St. said he had discovered in his research that when it comes to the County's roads we are not capable of keeping them all paved. He felt the money had not been set aside for road maintenance nor building maintenance and that was wrong on the Board's side. He recommended the Board set up new accounts for maintenance of buildings and roads.

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- Sheriff Valdez asked for a response from the Board regarding the rental of building for his departments. The Board had told him they would hold a special meeting and get back to him but nothing was done.

After discussion, the Board agreed to put the item on the agenda at the April 3, 2018, Regular Meeting and instructed County Administrator Henderson to make sure that was done.

Commissioner Comments

- Commissioner Whiting thanked Mr. Huffman for the generous donation made to the Sheriff's Department for the live ammunition to be used for training. Mr. Huffman has been doing this for several years now and it is appreciated.
- Chairman Wadley stated that due to all that has happened recently in our County, it was more important to be ready with facilities.

With no further business coming before the Board, the meeting was adjourned at 3:37 p.m.

Samantha Courtney
County Clerk & Recorder Deputy

Approved this 3rd day of April, 2018.

Steve Wadley, Chairman