

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting October 1, 2019 noting County Commissioners Ronnie Maez and Alvin Schaaf, County Administrator Scott Wall, County Attorney Todd Weaver and Deputy County Clerk and Recorder Tomi Bliss present. Commissioner Wadley was absent.

Chairman Maez 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 Maez 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. **Commissioner Schaaf moved to accept the agenda as presented. Commissioner Maez seconded the motion and it carried with both Commissioners Maez and Schaaf voting "Aye".**

Public Comments

Chairman Maez stated he was opening the floor for 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.

Proclamations

A. Domestic Violence Awareness Month

Ashley Wilson with Rise Above Violence, presented a proclamation by the Board of County Commissioners of Archuleta County proclaiming October 2019 to be Domestic Violence Awareness Month. **Commissioner Schaaf moved to proclaim October 2019 as Domestic Violence Awareness Month in Archuleta County. Commissioner Maez seconded the motion and it carried with both Commissioners Maez and Schaaf voting "Aye".**

B. National 4-H Week

Becky Jacobson, 4-H Coordinator, along with distinguished 4-H Leaders, Ashlie Elliott, Lorah Beth Jacobson, Amelia Laverty, Macey Jacobson and Amy Shult presented a proclamation by the Board of County Commissioners of Archuleta County proclaiming October 6-12, 2019 as National 4-H Week. **Commissioner Schaaf moved to proclaim October 6-12, 2019 as National 4-H Week in Archuleta County. Commissioner Maez seconded the motion and it carried with both Commissioners Maez and Schaaf voting "Aye".**

Consent Agenda

A. Payroll, Payable Warrants with Purchase Cards September 18, 2019 – October 1, 2019

| Payable Warrants for dates of September 18, 2019-October 1, 2019 | |
|--|-------------------|
| General Fund Payable | 358,795.97 |
| Road and Bridge Fund Payable | 151,871.30 |
| Department of Human Services Fund Payable | 28,753.27 |
| 1A Fund | 115.00 |
| All Combined Dispatch Fund Payable | 1,767.71 |
| Conservation Trust | - |
| Justice System Capital Fund | - |
| Solid Waste Fund Payable | 20,214.83 |
| Airport Fund Payable | 1,307.01 |
| Fleet Fund Payable | 23,558.81 |
| Total | 586,383.90 |
| | |
| Payroll Warrants for dates of September 18, 2019-October 1, 2019 | |
| General Fund Payroll | 200,409.89 |
| Road and Bridge Fund Payroll | 38,548.14 |
| Department of Human Services Fund Payroll | 34,731.53 |
| All Combined Dispatch Fund Payroll | 20,619.38 |
| Solid Waste Fund Payroll | 9,057.27 |
| Airport Fund Payroll | 4,454.13 |
| Fleet Fund Payroll | 7,991.30 |
| Total | 315,811.64 |

B. Regular Meeting Minutes

September 17, 2019

C. Special Meeting Minutes

September 24, 2019

D. Resolution 2019-102 Amending the Meeting Dates for Calendar Year 2019

E. Resolution 2019-103 Support of the Aspen Springs Playground Grant Application

F. Ratification of Chairman Maez' signature on a letter of support to Colorado Parks and Wildlife Division for the Pagosa Regional Trail Connection

G. Approval of funding request for the Community Development Corporation ("CDC")

H. Approval of Mutual Release and Settlement Agreements with Greg Giehl, Dave Brackhahn, Wayne Bryant, Stephen Keno, Bill and Sue Gottschalk

County Administrator Scott Wall read the Consent Agenda for the record. **Commissioner Schaaf moved to approve the consent agenda as presented. Commissioner Maez seconded the motion and it carried with both Commissioners Maez and Schaaf voting "Aye".**

Old Business

A. Public Hearing on Second and Final Reading of Ordinance No. 21-2019 Adopting by Reference The 2018 Edition of The "Model Traffic Code", Repealing Ordinances In Conflict Therewith; and Providing Penalties For Violation Thereof

Derek Woodman, Undersheriff, presented Ordinance No. 21-2019 for final consideration. The ordinance was approved on first reading at the September 3, 2019 Regular Meeting of the Board of County Commissioners. The ordinance was published in full in The Pagosa Sun on September 12, 2019. A revision to the penalty section was made to remove all subsections for Sections 105 and 106 and the certification page has been amended from the first reading. Chairman Maez asked for public comment.

- Mark Guenin, 356 Dutton Drive, spoke against county-wide speed limits and questioned the income generated by citations. Chairman Maez advised revenue would go into the General Fund. Undersheriff Woodman addressed Mr. Guenin's concerns.
- Rob Keating, 4860 CR 335, inquired how the public would be educated on the changes made. Undersheriff Woodman advised traffic laws have not changed.

Commissioner Schaaf moved to adopt Ordinance 21-2019 for the regulation of traffic by adopting by reference the 2018 Edition of the Model Traffic Code, Repealing Ordinances in conflict therewith and providing penalties for violations thereof as presented. Commissioner Maez seconded the motion. The motion carried with Commissioners Maez and Schaaf voting "Aye".

New Business

A. Introduction and First Reading of Ordinance 22-2019 Concerning Noise Levels in Unincorporated Archuleta County

Todd Weaver, County Attorney, presented Ordinance No. 22-2019 which will establish countywide standards for noise level limits for various time periods and areas. Noise in excess of the limits provided constitutes a Noise Disturbance which violations and penalties are included in the ordinance. Chairman Maez asked for public comment.

- Howard Strahlendorf, 300 Cascade Avenue, spoke in favor of the ordinance and suggested clarification in regards to Section 7D and Section 9.

Commissioner Schaaf moved to approve on First Reading Ordinance No. 22-2019 concerning noise levels in Unincorporated Archuleta County and set the ordinance for second reading on November 12, 2019. Commissioner Maez seconded the motion. The motion carried with both Commissioners Maez and Schaaf voting "Aye".

Public Comments

Chairman Maez stated he was opening the floor for 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.

October 1, 2019

Commissioner Comments

With no further business coming before the Board, the meeting was adjourned at 2:05 p.m.

Jami Bliss

Tomi Bliss
Deputy County Clerk & Recorder

Approved this 15th day of October, 2019.

Ronnie Maez
Ronnie Maez, Chairman



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RESOLUTION 2019 - 102

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AMENDING THE MEETING DATES FOR THE CALENDAR YEAR 2019

WHEREAS, the Board of County Commissioners of Archuleta County pursuant to C.R.S. §24-6-402 are required to, at their first meeting of the calendar year, designate a posting place for official notices of the County; and

WHEREAS, pursuant to C.R.S. §30-10-109, the Board of County Commissioners are required to establish the days and office hours of the County or Archuleta, State of Colorado, for 2019, whereupon all County offices shall be kept open for the transaction of County business; and

WHEREAS, pursuant to C.R.S. §30-10-303, the Board of County Commissioners shall publish and schedule, as determined by resolution of the Board, the time and location for public meetings of the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of Archuleta County approved and adopted Resolution No. 2019-03 on January 2, 2019 designating the meeting dates of the Board of County Commissioners as the first (1st) and third (3rd) Tuesday of each month in 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO;

Resolution No. 2019-03 is hereby amended to change the meeting scheduled for the first (1st) Tuesday of November to be the second Tuesday of November, which date is November 12, 2019 to avoid meeting on Election Day. In addition, the meeting scheduled for the first (1st) Tuesday of December is changed to be the second Tuesday of December, which date is December 10, 2019 to allow the Commissioners to attend the CCI Winter Conference.

APPROVED AND ADOPTED, this 1st day of October, 2019.

BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO



Ronnie Maez
Ronnie Maez, Chairman

ATTEST
Kristy Archuleta
by *Mary Helminski*, Deputy Clerk
Kristy Archuleta, County Clerk and Recorder

Rln: _____



RESOLUTION 2019-103

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO IN SUPPORT OF THE ASPEN SPRINGS METRO DISTRICT PLAYGROUND GRANT APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND AND THE COMPLETION OF THE ASPEN SPRINGS METRO DISTRICT PLAYGROUND PROJECT

WHEREAS, the Board of County Commissioners of Archuleta County (the “Board”) supports the Great Outdoors Colorado grant application for the Aspen Springs Metro District Playground Project, and if the grant is awarded, Archuleta County supports the completion of the project.

WHEREAS, the Board has requested \$119,459.00 from Great Outdoors Colorado to install a playground in Aspen Springs, Pagosa Springs, CO.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO THAT:

- Section 1: The Board strongly supports the application and has appropriated 10% of the total project cost, or \$15,928.00 from the County’s Conservation Trust Fund as part of a grant with Great Outdoors Colorado.
- Section 2: If the grant is awarded, the Board strongly supports the completion of the project.
- Section 3: The Board authorizes the expenditure of Conservation Trust Funds necessary to meet the terms and obligations of any Grant awarded.
- Section 4: The project site is owned by The Aspen Springs Metro District and will be owned by The Aspen Springs Metro District for the next 25 years.
- Section 5: The Board recognizes that as the recipient of a Great Outdoors Colorado Local Government grant, the project site must provide reasonable public access.
- Section 6: The Aspen Springs Metro District of Archuleta County, CO will continue to maintain The Aspen Springs Playground on Ute Drive in a high quality condition and will appropriate funds for maintenance in its annual budget.
- Section 7: If the grant is awarded, the Board hereby authorizes Larry Walton, Archuleta County Finance Director, to sign the grant agreement with Great Outdoors Colorado.
- Section 8: This resolution is to be in full force and effect from and after its passage and approval.

Rh: _____
KRISTY ARCHULETA
RESOLUTIONS



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2 of 2

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Kristy Archuleta
Archuleta County

APPROVED AND ADOPTED this 1st day of October, 2019.

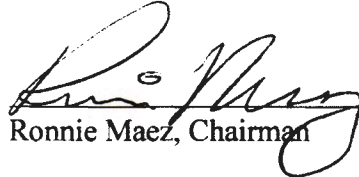


Attest

*Kristy Archuleta, by
Mary Kilmanski, Deputy Clerk*

Kristy Archuleta,
County Clerk & Recorder

BOARD OF COUNTY
COMMISSIONERS OF ARCHULETA
COUNTY, COLORADO

By: 
Ronnie Maez, Chairman

Sign In Sheet

October 1, 2019

| PLEASE PRINT NAME | TITLE | STREET ADDRESS |
|--------------------------|--------------|-------------------------|
| DEREK WOODMAN | UNDERSHERIFF | |
| ROBERT KEATING | | 4860 CR 335 |
| MARK GUEVIN | citizen | 356 Dutton Dr. P.S., CO |
| HOWARD STRAHLENDORF | CITIZEN | 300 CASCADE AVE. |
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**ARCHULETA COUNTY
BOARD OF COUNTY COMMISSIONERS**

CALL TO ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF OCTOBER 1, 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. Domestic Violence Awareness Month

Proclamation by the Board of County Commissioners of Archuleta County proclaiming October 2019 to be Domestic Violence Awareness Month.

Presenter Ashley Wilson - Rise Above Violence

Documents:

[DOMESTIC VIOLENCE AWARENESS MONTH.PDF](#)

B. National 4-H Week

Proclamation by the Board of County Commissioners of Archuleta County that October 6-12, 2019 is National 4-H Week.

Presenter Becky Jacobson

Presenter's Title 4-H Coordinator

Documents:

[NATIONAL 4-H WEEK.PDF](#)

CONSENT AGENDA

A. PAYROLL, PAYABLE WARRANTS AND PURCHASE CARDS

September 18, 2019 - October 1, 2019

B. REGULAR MEETING MINUTES

Regular Meeting Minutes 9/17/2019

Draft of the Regular Meeting Minutes from September 17, 2019 for approval.

Documents:

[09-17-19R.PDF](#)

C. SPECIAL MEETING MINUTES

Special Meeting Minutes 9/24/2019

Draft of the Special Meeting Minutes from September 24, 2019 for approval.

Documents:

[09-24-19S.PDF](#)

D. Resolution 2019-___ Amending The Meeting Dates For Calendar Year 2019

This resolution changes the 1st Tuesday of the month November and December regular meeting dates of the Board of County Commissioners to be November 12th and December 10th to avoid conflicts with Election Day and the CC1 Winter Conference.

Documents:

[RESOLUTION 2019-___ AMENDING NOVEMBER AND DECEMBER MEETING DATES.PDF](#)

E. Resolution 2019-___ In Support Of The Aspen Springs Playground Grant Application

This Resolution provides support for the Aspen Springs Metro District Playground Grant Application from the State Board of the Great Outdoors Colorado Trust Fund and the Completion of the Aspen Springs Metro District playground project. It also approves funding 10% of the project cost, not to exceed \$15,928.00, from the County's Conservation Trust Fund.

Documents:

[RESOLUTION 2019-___ IN SUPPORT OF ASPEN SPRINGS METRO DISTRICT PLAYGROUND GRANT APPLICATION.PDF](#)

F. Ratification Of Chairman Maez' Signature On A Letter Of Support To Colorado Parks And Wildlife Division For The Pagosa Regional Trail Connection

This letter proclaims the support of the Board of County Commissioners of Archuleta County ("BoCC") for a Colorado Parks and Wildlife non-motorized trail grant for the construction of a footbridge and concrete trail that will allow safe access across the Village Lake dam and spillway and connect to the existing trails on either side of the dam. The letter also states that the BoCC commits a \$30,000 cash match to the project.

Documents:

[PLPOA LETTER OF SUPPORT.PDF](#)
[RESOLUTION 2019-98.PDF](#)

G. Consideration And Approval Of Funding Request From Community Development Corporation ("CDC")

The Board of County Commissioners had previously committed \$100,000 towards broadband in 2019. To date, the County has paid the CDC \$25,000. This is a request for the final \$75,000 in committed funds.

Documents:

[BROADBAND FUNDING REQUEST.PDF](#)

H. Consideration And Approval Of Mutual Release And Settlement Agreements With Greg Giehl, Dave Brackhahn, Wayne Bryant, Stephen Keno And Bill And Sue Gottschalk

Greg Giehl, Dave Brackhahn, Wayne Bryant, Stephen Keno and Bill and Sue Gottschalk, are Plaintiffs, along with 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. These Mutual Release and Settlement Agreements set forth terms to settle and resolve all the issues from the case. The named individuals have signed and agree to pay to the County the amount of \$1,326.11 (1/14 of the attorney fees) and will not participate further in this or any related lawsuit against the County.

Documents:

[GIEHL SETTLEMENT AGREEMENT.PDF](#)
[BRACKHAHN SETTLEMENT AGREEMENT.PDF](#)
[BRYANT SETTLEMENT AGREEMENT.PDF](#)
[KENO SETTLEMENT AGREEMENT.PDF](#)
[GOTTSCHALK SETTLEMENT AGREEMENT.PDF](#)

OLD BUSINESS

A. Public Hearing On Second And Final Reading Of Ordinance No. 21-2019 Adopting By Reference The 2018 Edition Of The "Model Traffic Code", Repealing Ordinances In Conflict Therewith; And Providing Penalties For Violation Thereof

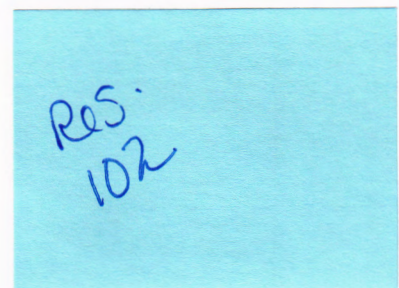
Attached for public hearing and final consideration is Ordinance No. 21-2019. This ordinance was approved on first reading at the September 3, 2019 Regular Meeting of the Board of County Commissioners. The ordinance was published in full in The Pagosa Sun on September 12, 2019. A revision to the penalty section was made to remove all subsections for Sections 105 and 106 and the Certification page has been amended from the first reading.

Presenter Derek Woodman
Presenter's Title Undersheriff

Documents:

[MODEL TRAFFIC CODE ORDINANCE_V5_2019_0904.PDF](#)

NEW BUSINESS



A. Introduction And First Reading Of Ordinance 22-2019 Concerning Noise Levels In Unincorporated Archuleta County

Provided for the consideration of the Board of County Commissioners is Ordinance No. 22-2019 which establishes county-wide standards for noise level limits for various time periods and areas. Noise in excess of the limits provided constitutes a Noise Disturbance which violations and penalties are included in the ordinance.

Presenter Todd A. Weaver
Presenter's Title County Attorney

Documents:

[2019_0827_NOISE ORDINANCE V.4 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.