



**ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**CALL TO ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS OF MAY 21 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).

**REPORTS**

**A. Archuleta County Department Of Human Services 1st Quarter Report**

Each quarter the Department of Human Services provides a report including statistic and performance measure information for a number of our high-level programs. The attached report includes information from the first quarter (January, February and March 2019).

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

Documents:

[1ST QUARTER 2019 ACDHS REPORT.PDF](#)

**B. First Quarter 2019 Financial Report Of Archuleta County**

The 2019 First Quarter financial report of Archuleta County.

Presenter                      Larry Walton  
Presenter's Title              Finance Director

Documents:

## BOARD OF ADJUSTMENT HEARING

### A. **BoA Public Hearing Of Clifford Front & Golf Course Variances, Lot 9X Block 16 Pagosa In The Pines**

Terry D. Clifford has applied for Variances from the *Archuleta County Land Use Regulations*, on Lot 9X Block 16 Pagosa in the Pines, at 128 Divot Pl., Pagosa Springs, CO (PLN19-161). Applicant is requesting variances to build less than 30' from the front lot line and less than 50' from the golf course boundary in the Planned Unit Development (PUD R-1-90) zone. No fiscal impact on the County is anticipated.

Presenter                      John Shepard, AICP  
Presenter's Title              Planning Manager

Documents:

[PLN19-161 CLIFFORD\\_FRONT-GOLF\\_COURSE-BOA\\_20190521\\_STAFFREPORT.PDF](#)  
[A1-PLN19-161 AREAMAPS.PDF](#)  
[A2-PLN18-161\\_REVIEW\\_CCRS.PDF](#)  
[A3-PLN19-161 CLIFFORD\\_VARS-NARRATIVE\\_20190416.PDF](#)  
[A4-PLN19-161 CLIFFORD\\_VARS\\_BLDG\\_PLANS.PDF](#)  
[A5-PLN19-161 CLIFFORD\\_VARS-PILC\\_20180723.PDF](#)

## LIQUOR BOARD

### A. **Consideration Of A Special Events Permit For Mineral County Fairgrounds Association**

This is an application for a Special Events Permit for the Mineral County Fairgrounds Association, to sell malt, vinous, spirituous liquor at the Western Heritage Events Center located at 344A Hwy 84 for the Thursday Night Rodeos on June 13, 20, 27, and July 11, 18, 25, and August 8, 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.

Responsible Staff: Flora Goheen, Planning Technician

Presenter                      Flora Goheen  
Presenter's Title              Planning Technician

Documents:

[MINERAL COUNTY FAIRGROUNDS 2019 THURSDAY NIGHT RODEOS.PDF](#)

### B. **Consideration And Approval To Transfer Hotel & Restaurant Liquor License For Marcos Of Colorado, LLC To Marconi's Family Restaurant, LTD DBA Marconi's Family Restaurant**

This is a request to transfer ownership of a Hotel & Restaurant Liquor License from Marcos of Colorado, LLC to Marconi's Family Restaurant, LTD DBA Marconi's Family Restaurant located at 117 Navajo Trails Dr. Suite D Pagosa Springs, Colorado. This includes no changes to the premises. 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 would be the fees

collected per the Fee schedule and I move to approve the Liquor License for Marconi's Family Restaurant.

Presenter                      Flora Goheen  
Presenter's Title              Planning Technician

Documents:

[MARCONIS 2019 TRANSFER OF OWNERSHIP APP REDACTED.PDF](#)

**C. Consideration And Approval Of A Temporary Hotel And Restaurant Liquor Permit For Marconi's Family Restaurant, LTD DBA Marconi's Family Restaurant**

This is a request for a ninety (90) day Temporary Liquor Permit for a Hotel & Restaurant for Marconi's Family Restaurant, LTD DBA Marconi's Family Restaurant located at 117 Navajo Trail DR. Suite D Pagosa Springs, Colorado. The Application is complete and the proper fees have been submitted. The Building Department has inspected the premises for changes 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. There is no financial impact to the County and I move to approve This Temporary Permit for Marconi's.

Presenter                      Flora Goheen  
Presenter's Title              Planning Technician

Documents:

[MARCONIS 2019 TEMP PERMIT REDACTED.PDF](#)

**CONSENT AGENDA BY BOCC/BOARD OF ADJUSTMENT**

**A. BoA Consideration Of Resolution 2019-02BOA Approving Variance From The Archuleta County Land Use Regulations For Maes On Lot 8 Block 6 Pagosa In The Pines**

Request to consider and approve a Resolution of the Board of Adjustment stating Findings approving the Maes Golf Course Variance in the PUD zone for Lot 8 Block 6 Pagosa in the Pines, at 832 County Rd 600, with no conditions. Variance approved May 7, 2019.

Documents:

[BOA RESOLUTION 2019-02BOA\\_MAES\\_GOLF\\_COURSE\\_VAR.PDF](#)

**CONSENT AGENDA BY BOCC/LIQUOR BOARD**

**A. Consideration And Approval Of A Hotel & Restaurant Liquor License Renewal For PSGC, LLC DBA Pagosa Springs Golf Club And Report Of Changes**

This is a renewal of a Hotel & Restaurant Liquor License for TPSGC, LLC dba Pagosa Springs Golf Club located at 1#1 Pines Club Place Pagosa Springs, Colorado. The Report of Changes is to remove Jonathon Mercer from the business and to keep current owner/manager John Janowski. 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 for Pagosa Springs Golf Club.

Responsible Staff: Flora Goheen, Planning Technician

Documents:

[PSGC,LLC 2019 RENEWAL AND REPORT OF CHANGES.PDF](#)

**B. Consideration And Approval Of A Liquor Store Liquor License Renewal For Olsen David C DBA Turkey Springs Trading Post**

This is a renewal of a Liquor Store Liquor License for Olsen David C dba Turkey Springs Trading Post located at 11497 W. Hwy 160 Pagosa Springs, Colorado. This renewal includes no changes. 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 Liquor Store Liquor License for Turkey Springs Trading Post.

Responsible Staff: Flora Goheen, Planning Technician

Documents:

[TURKEY SPRINGS TRADING POST 19 RENEWAL.PDF](#)

**CONSENT AGENDA**

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

**May 8, 2019 - May 21, 2019**

**B. REGULAR MEETING MINUTES**

**Regular Meeting Minutes 5/7/2019**

Draft of the Regular Meeting Minutes from May 7, 2019 for approval.

Documents:

[05-07-19R.PDF](#)

**C. SPECIAL MEETING MINUTES**

**Special Meeting Minutes 5/6/2019**

Draft of the Special Meeting Minutes from May 6, 2019 for approval.

Documents:

[05-06-19S.PDF](#)

**D. Consideration And Approval Of Letter Of Intent With Growing Water Smart**

The Growing Water Smart Work Group (GWSWG) has been focused on analyzing and recommending a base set of growth projection ranges specific for our community. The GWSWG has representatives from six organizations, including Archuleta County. This letter of intent designates Steve Wadley and John Shepard as the County representatives for GWSWG and commits the County's continued participation in the GWSWG.

Steve Wadley and John Shepard were previously appointed to this Work Group by the BoCC on January 15, 2019. Therefore, Staff recommends approval of this Letter of Intent.

Responsible Staff: Scott Wall

Documents:

[GROWING WATER SMART LETTER OF INTENT.DOCX](#)

[GROWING WATER SMART BRIEF.DOCX](#)

**E. Resolution 2019- \_\_\_\_ To Consolidate 2 Lots Into 1 Pagosa Highlands Estates Owned By Douglas J. Scott And Trudy L. Scott**

This request is to consider a Resolution authorizing the consolidation of Lots 561 and 562 Pagosa Highlands Estates to become Lot 561X owned by Douglas J. Scott and Trudy L. Scott. This consolidation has been reviewed and is recommended for approval by Development Services Planning Technician, Sherrie Vick. The impact to the County budget includes fees paid per the County Fee Schedule, generally balanced by reduction in property taxes.

Documents:

[SCOTT LC RESOLUTION 2019.DOC](#)

[SCOTT TITLE WORK.PDF](#)

**F. Resolution 2019- \_\_\_\_ To Consolidate 2 Lots Into 1 Pagosa Highlands Estates Owned By Riley R. Christensen**

This request is to consider a Resolution authorizing the consolidation of Lots 564 and 565 Pagosa Highlands Estates to become Lot 564X owned by Riley R. Christensen. This consolidation has been reviewed and is recommended for approval by Development Services Planning Technician, Sherrie Vick. The impact to the County budget includes fees paid per the County Fee Schedule, generally balanced by reduction in property taxes.

Documents:

[CHRISTENSEN LC RESOLUTION 2019.DOC](#)

[CHRISTENSEN TITLE WORK.PDF](#)

**G. Consideration Of Resolution 2019-\_\_\_\_ Affirming Legal Lot Status For Kleckner**

Consideration to affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Scott D. Kleckner, an approx. 26.0-acre tract of land, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 11, T36N, R2.5W, NMPM. (IDP19-096). No net fiscal impact is expected.

Documents:

[RESOLUTION\\_2019-XX\\_AFFIRMING\\_LEGAL\\_LOT\\_STATUS\\_IDP19-096.PDF](#)

[IDP19-096 CERTIFICATE.PDF](#)

**H. Consideration Of Resolution 2019-\_\_\_\_ Affirming Legal Lot Status For Mountain Cabin Rental LLC**

Consideration to affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Mountain Cabin Rental, LLC, an approx. 32.1-acre tract of land, in the NW¼NE¼ of Section 9, T32N, R5W, NMPM. (IDP19-108). No net fiscal impact is expected.

Documents:

[RESOLUTION\\_2019-XX\\_AFFIRMING\\_LEGAL\\_LOT\\_STATUS\\_FOR\\_IDP19-108.PDF](#)  
[IDP19-108 CERTIFICATE.PDF](#)

**I. Ratification Of The Signature Of The Chairman Of The Board Of Commissioners On The Gravel Supply And Haul Agreement With Descendants Trust Created Under David C. Lindner 2002 Special Trust**

This Agreement allows the County exclusive right to remove sand and gravel from the gravel storage area located at 398A USFS Rd 660 which is owned by the Descendants Trust Created Under David C. Lindner 2002 Special Trust, to use the gravel storage area on that property to store county owned equipment and certain other rights as described in the agreement. The County does not pay for the sand and gravel, but instead agrees to maintain the access roads to El Rancho Pinoso. This agreement is a renewal from a prior agreement and the term is for two years with an option to renew.

Responsible staff member: Robert Perry, Public Works Director

Documents:

[GRAVEL SUPPLY AND HAUL AGREEMENT.PDF](#)

**J. Bridges Day Treatment Alternative Program (BDTAP) And ACDHS 2019 Contract**

Bridges Day Treatment Alternative Program (BDTAP) is a collaborative effort between the Archuleta County Department of Human Services (DHS), and the Archuleta School District 50 JT, to provide a school based program for at risk students and their families (not necessarily limited to E.D. Special Ed). The purpose of the BDTAP is to maintain the youth in his/her own home or the least restrictive placement; and to provide education, therapeutic, and related services for youth so that re-entry into general education is made possible. The BDTAP assures a continuity of care for all students enrolled and will work with each student to achieve, maintain, and/or re-establish emotional and /or physical health, maximum growth, and adaptive capability.

The term of this agreement is from June 1, 2019 through May, 31 2020. The Archuleta School District 50 JT will be paid for their services the sum of \$86,176.86.

Funding for the contract is provided through the CDHS CORE services annual allocation. BDTAP has been approved by the State in the CORE services annual and three year plans.

Recommendation: Approve the Bridges Day Treatment Alternative Program Contract

Documents:

[DAY TREATMENT ALTERNATIVE CORE SERVICES COUNTY DESIGNED SERVICE.PDF](#)

**K. ACDHS And Authentic Solutions Home Based Therapy Contract 2019**

ACDHS is desirous of entering into an agreement with contractor, Authentic Solutions to provide CORE Mental Health Services, Home Based Therapy, to eligible youth and families at home or such location as shall facilitate the provision of such services.

The term of this agreement is from June 1, 2019 through May, 31 2020. The monthly amount paid will be based on the monthly activity report that will accompany monthly invoices. Authentic Solutions will be paid a sum not to exceed \$45,000.

Funding for the contract is provided through the CDHS CORE services annual allocation.

Recommendation: Approve the ACDHS and Authentic Solutions Contract.

Documents:

[CORE HBT CONTRACT 19-20 \(2\).DOC](#)

**L. Consideration Of Resolution 2019-\_\_\_ Approving The Archuleta County Fee Schedule**

Provided for your consideration is adoption of the Archuleta County Fee Schedule. The Board of County Commissioners are charged with establishing fees pursuant to C.R.S. 30-11-107. As has been our practice in the past, any suggested amendments or additions to this fee schedule are highlighted to ensure transparency in how we represent changing fees.

Documents:

[RESOLUTION FEE SCHEDULE.PDF](#)  
[FEE SCHEDULE MAY 2019.PDF](#)

**NEW BUSINESS**

**A. Consideration And Approval Of Resolution 2019-\_\_\_ Amending The Meeting Times For County Meetings**

In February 2019, the Board of County Commissioners ("BoCC) approved a resolution to amend the meeting time for the first BoCC meeting of the month to 6:00pm in an effort to bring more citizens to the meetings. This was a test program for the months of March, April and May. This resolution extends the 6pm meeting time through 2019.

Since the number of attendees at these meetings did not increase over the number that attend the afternoon meetings, it is Staff's recommendation to not approve this resolution as there is a slight increase in payroll costs for administrative staff to attend the evening meetings.

Presenter	Scott Wall
Presenter's Title	County Administrator

Documents:

[RESOLUTION AMENDING MEETING TIMES - 1.PDF](#)  
[AMENDING MEETING TIMES STAFF REPORT.PDF](#)

**B. Consideration And Approval Of Intergovernmental Agreement With Town Of**

## **Pagosa Springs For Joint Management Of Fiber Assets And Broadband Deployment**

This Agreement provides the terms and conditions between the Town of Pagosa Springs and Archuleta County on cost sharing for managing, maintaining and repairing the jointly owned fiber optic cables and associated equipment, constructing a carrier neutral facility, sharing of revenue from the leasing of fiber optic cables to third-parties, and the possibility of funding the construction expansions to the existing network.

Presenter                      Todd A. Weaver  
Presenter's Title              County Attorney

Documents:

[STAFF REPORT - IGA WITH TOPS ON JOINT MANAGEMENT OF FIBER ASSETS.PDF](#)  
[IGA FOR JOINT MGMT OF FIBER ASSETS AND BROADBAND DEPLOYMENT.PDF](#)

### **C. Consideration And Approval Of Agreement With Town Of Pagosa Springs And The Pagosa Springs Community Development Corporation For Management Of Fiber Assets And Broadband Deployment**

This agreement provides the terms and conditions between the Town of Pagosa Springs, the Pagosa Springs Community Development Corporation ("CDC") and Archuleta County for the management of the fiber assets and the broadband deployment.

Presenter                      Todd A. Weaver  
Presenter's Title              County Attorney

Documents:

[CDC MGMT AGREEMENT STAFF REPORT.PDF](#)  
[AGREEMENT FOR MGMT OF FIBER ASSETS AND BROADBAND DEPLOYMENT.PDF](#)

## **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.

### **A. Executive Session**

Pursuant to C.R.S. 24-6-402(4)(a) concerning the purchase, acquisition, lease, transfer or sale of any real, personal or other property interest in connection with the property located at 85 Harman Park Drive in Pagosa Springs, CO and pursuant to C.R.S. 24-6-402(4)(b) conference with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions related to irrigation ditch culvert repairs.

Presenter                      Scott Wall  
Presenter's Title              County Administrator

## **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**

**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.