



**ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**CALL TO ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS OF AUGUST 6, 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. Second Quarter 2019 Financial Report Of Archuleta County**

The 2019 Second Quarter financial report of Archuleta County.

Presenter                      Larry Walton  
Presenter's Title              Finance Director

Documents:

[2ND QRT FINANCIAL - PRESENTATION.PDF](#)  
[2ND QRT FINANCIAL REPORT.PDF](#)

**B. ACDHS 2nd Quarter Report**

Each quarter the Department of Human Services provides a report including statistical and performance measure information for a number of our high-level programs. The attached report includes information from the second quarter (April, May and June 2019).

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

Documents:

## LAND USE REGULATION HEARING

### A. **Public Hearing Of San Juan River Resort Unit No. 2 Amendment 2019-01 Final Plat, A Replat Of Lots 1-15, 66-68 & A Portion Of Alpine Dr.**

Cynthia Purcell, San Juan River Village Metropolitan District, has applied for final plat approval of the San Juan River Resort Unit No. 2 Amendment 2019-01, a replat of Lots 1-15 and 66-68, and the teardrop outlot on HWY 160, and vacating an unbuilt portion of Alpine Drive, creating Lots 180-184, and relocating unused access and utility easements (PLN19-287). The property at 734 Alpine Dr. and 16 Monkshood Dr., Pagosa Springs, is zoned county Residential (R). At their meeting on July 24, 2019, the Planning Commission recommended conditional approval.

Presenter                      John Shepard, AICP  
Presenter's Title              Planning Manager

Documents:

A1-PLN19-287 AREAMAPS.PDF  
A2-PLN19-071\_287\_288 REVIEWS\_CERTIFICATION-BOCC.PDF  
A3-PLN19-287\_288 SJRR\_AMEND-SJRV\_METRO\_CUP-NARRATIVE.PDF  
A4-PLN19-287 SJRR\_AMEND\_2019-01\_FINAL-PLAT\_20190628.PDF  
PLN19-297 SJRR2\_AMEND\_2019-01\_BOCC-20190806\_STAFFREPORT.PDF

### B. **Public Hearing Of San Juan River Village Metro District Conditional Use Permit (CUP) On Lot 10, San Juan River Resort Unit 2, At 578 Alpine Dr.**

Cynthia Purcell, San Juan River Village Metropolitan District, has applied for the SJRV Metro District Conditional Use Permit (CUP), on Lot 10, San Juan River Resort Unit 2; with a concurrent application for final plat approval of the San Juan River Resort Unit 2 Amendment 2019-01 re-plat, to be known as Lot 184. The proposal will cover the pre-existing non-conforming Public Utility use and to add a new Shop building (PLN19-288). The property at 578 Alpine Dr., Pagosa Springs, is zoned county Residential (R). At their meeting on July 24, 2019, the Planning Commission recommended conditional approval.

Presenter                      John Shepard, AICP  
Presenter's Title              Planning Manager

Documents:

PLN19-288 SJRV\_CUP\_BOCC-20190806\_STAFFREPORT.PDF  
A1-PLN19-287 AREAMAPS.PDF  
A2-PLN19-071\_287\_288 REVIEWS.PDF  
A3-PLN19-287\_288 SJRR\_AMEND-SJRV\_METRO\_CUP-NARRATIVE.PDF  
A4-PLN19-288 SJRV\_METRO\_CUP-SHOP\_PLANS\_2019-03-21.PDF  
A5-PLN19-188 SJRV\_METRO\_CUP-PILC.PDF

## LOCAL LICENSING AUTHORITY

### A. **Consideration And Approval Of A Retail Center License Renewal For J And J Enterprises, Inc. DbA Pagosa Therapeutics**

This is an application for a Retail Marijuana Center License renewal for J and J Enterprises, Inc. dba Pagosa Therapeutics, located at 235 Bastille Drive in Pagosa Springs, Colorado. There are no changes, the application is complete and the proper fees have been paid. The County's Building and Planning Departments, the Sheriff's Department and the Fire District

have done their inspections and there are no objections. Staff recommends approval of this Retail Center License Renewal.

Presenter Mary Helminski  
Presenter's Title Executive Assistant

Documents:

[STORE APPLICATION - JANDJ.PDF](#)

**B. Consideration And Approval Of A Retail Optional Premises Cultivation License Renewal For J And J Enterprises, Inc. Dba Pagosa Therapeutics**

This is an application for a Retail Optional Premises Cultivation License renewal for J and J Enterprises, Inc. dba Pagosa Therapeutics, located at 354 Bastille Drive in Pagosa Springs, Colorado. There are no changes, the application is complete and the proper fees have been paid. The County's Building and Planning Departments, the Sheriff's Department and the Fire District have done their inspections and there are no objections. Staff recommends approval of this Retail Optional Premises Cultivation License Renewal.

Presenter Mary Helminski  
Presenter's Title Executive Assistant

Documents:

[OPC APPLICATION - JANDJ.PDF](#)

**LIQUOR BOARD**

**A. Ratification Of A Special Events Permit For The Pagosa Mountain Morning Rotary Club**

An application for a Special Events Permit for the Pagosa Mtn. Morning Rotary Club, to sell malt, vinous, spirituous liquor at the Western Heritage Events Center located at 344A Hwy 84 for a fundraiser on August 1, 2, 3, 4, 2019 was submitted. 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 the special event. The application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

Pursuant to the Colorado Liquor Code, a hearing does not need to be held if no one has protested the permit and the applicant has been advised of its responsibility to comply with the Colorado Liquor Code. There were no protests for this special event application, therefore, the Chair of the County Liquor Board has signed the Permit.

The financial impact to the County is the fees paid per the County Fee schedule and Staff moves the Liquor Board to ratify the Chair's signature of this Special Events Permit.

Presenter Flora Goheen  
Presenter's Title Planning Technician

Documents:

[SPECIAL EVENT FAIR PERMIT.PDF](#)

**B. Consideration Of A Special Events Permit For The Pagosa Mountain Morning Rotary Club**

This is an application for a Special Events Permit for the Pagosa Mtn. Morning Rotary Club, to sell malt, vinous, spirituous liquor at the PLPOA Clubhouse located at 230 Port Ave for a fundraiser on August 7th and 9th, 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 Staff moves to approve this Special Events Permit.

Presenter                      Flora Goheen  
Presenter's Title            Planning Technician

Documents:

[SPECIAL EVENT MTN LIGHT ORCESTRA PERMIT.PDF](#)

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

This is a request for an additional thirty (30) day Temporary Liquor Permit for a Hotel & Restaurant license for Marconi's Family Restaurant, LTD DBA Marconi's Family Restaurant located at 117 Navajo Trail Drive, Suite D, Pagosa Springs, Colorado. The Application for a Transfer of Ownership and Temporary Permit was approved by the Board of County Commissioners on May 21, 2019. There is no financial impact to the County and Staff moves to approve this extension for an additional thirty (30) day temporary liquor permit to Marconi's Family Restaurant.

Presenter                      Flora Goheen  
Presenter's Title            Planning Technician

Documents:

[MARCONIS EXTENSION.PDF](#)

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

**A. BoA Consideration Of Resolution 2019-04BOA Approving Variance From The Archuleta County Land Use Regulations For Western Refining Retail, LLC, On Tr. 1 Village Center**

Request to consider and approve a Resolution of the Board of Adjustment stating Findings and Conditions of Approval for the Western Refining Request for Speedway Sign Variance, on pt. Tr.1, Village Center, at 25 N. Pagosa Blvd. Variance was approved July 16, 2019.

Documents:

[BOA\\_RESOLUTION\\_2019-04BOA\\_SPEEDWAY\\_VAR.PDF](#)

**B. CONSENT AGENDA BY BoCC/BOARD OF EQUALIZATION**

**2019 County Board of Equalization Hearing Minutes**

Draft of the Board of Equalization Meeting Minutes from July 22nd, July 24th and July 30th, 2019 for approval.

Documents:

[07-22-19CBOE.PDF](#)  
[07-24-19CBOE.PDF](#)

**CONSENT AGENDA**

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

**July 17, 2019 - August 6, 2019**

**B. REGULAR MEETING MINUTES**

**Regular Meeting Minutes 7/16/2019**

Draft of the Regular Meeting Minutes from July 16, 2019 for approval.

Documents:

[07-16-19R.PDF](#)

**C. Ratification Of The Signature Of The Chairman Of The Board Of Commissioners On Amendment To The Archuleta County Incentives Contract**

An Amendment to the County Incentives Contract was approved and executed by the BoCC on June 18, 2019. A drafting error was later discovered on the Amendment, however the error did not impact the Statement of Work, any of the Performance Incentives or the ability to receive payment. It was only to extend the Agreement through June 30, 2020.

This Amendment documents the intended extension and identifies the end of the performance period as June 30, 2020.

Documents:

[20190722161700.PDF](#)

**D. Resolution 2019- \_\_\_\_ To Consolidate 2 Lots Into 1 Twincreek Village Owned By Cynthia Kay Kessler**

This request is to consider a Resolution authorizing the consolidation of Lots 737 and 738 Twincreek Village to become Lot 738X owned by Cynthia Kay Kessler. 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:

[KESSLER LC RESOLUTION 2019.DOC](#)  
[KESSLER TITLE WORK.PDF](#)

**E. Consideration Of Resolution 2019- \_\_\_\_ Affirming Legal Lot Status For Blackwell**

Affirm Planning Manager's Certificate of Designation of Legal Lot Status of property owned by Mary Ann Blackwell, an approx. 18.8-acre tract of land being a portion of Section 29 T35N R2E, NMPM, at 12645 County Rd 326 (IDP19-138). No net fiscal impact expected.

Documents:

[RESOLUTION AFFIRMING LEGAL LOT STATUS IDP19-138.PDF](#)  
[IDP19-138 CERTIFICATE.PDF](#)

**F. Resolution 2019- \_\_\_ Assigning A Name To One (1) Previously Platted And Named Road Located In Crowley Ranch Reserve Phase One**

This request is to consider a Resolution authorizing a request by the Crowley Ranch Reserve Association that the previously platted road segment described herein be renamed from Crowley Dr. to Ronnie's Ct. The Road Naming has been reviewed and is recommended for approval by Development Services Planning Technician, Sherrie Vick. There is no financial impact to the County, and the safety of the local property owners is enhanced.

Documents:

[RESOLUTION 2019-\\_\\_\\_ RENAMING ROAD SEGMENT IN CROWLEY RANCH RESERVE.DOC](#)

**G. Consideration Of King Request For Extension Of Pagosa Forest Products Site Plan Approval**

Courtney King has applied for a one-year extension of the Pagosa Forest Products Use by Right Site Plan (7/30/2018), on behalf of property owner JR Ford. Section 2.1.11 of the Archuleta County Land Use Regulations provides that the Board may approve a one-time, one-year extension of this administrative approval, to 7/30/2020. Fiscal impact to the County is offset by the extension application fee. Recommended for approval by John Shepard, AICP, Planning Manager (case file PLN19-359).

Documents:

[PLN19-359 PFP\\_EXTENSION\\_REQUEST-LET\\_201908723.PDF](#)

**H. Consideration Of BP Request For Extension Of BP Ross 2 Well Pad Permit Approval**

Patti Campbell, BP America, Durango, has applied for a one-year extension of the BP Ross 2 Well Pad Minor Oil & Gas permit (11/14/2018). Section 2.1.11 of the Archuleta County Land Use Regulations provides that the Board may approve a one-time, one-year extension of this administrative approval, to 11/14/2020. Fiscal impact to the County is offset by the extension application fee. Recommended for approval by John Shepard, AICP, Planning Manager (case file PLN19-360).

Documents:

[PLN19-360 ROSS2\\_EXTENSION\\_REQUEST-LET\\_20190725.PDF](#)

**NEW BUSINESS**

**A. Consideration And Approval Of The 2019 Vista Boulevard Asphalt Preservation Project**

On July 9, 2019, the County received bids for the 2019 Vista Boulevard Asphalt Preservation Project. Attached please find the bid abstract detailing bids, with only one bid (Precision Asphalt Paving LLC). It has been recommended from Davis Engineering to Not award the contract to Precision Asphalt Paving, LLC based on the fact they were the only bidder and their bid is 32% higher than the engineers' estimate.

Davis Engineering recommends adding the asphalt patching on Vista Boulevard, via change order, to the previously awarded 2019 Asphalt Preservation Project slated to begin August 1, which would allow the County to move forward with patching on Vista Boulevard.

Please see attached letter from Davis Engineering on recommendations and the Bid Abstract sheet.

Presenter Matt Archuleta  
Presenter's Title Public Works Division Operations Manager

Documents:

[20190717101501.PDF](#)

**B. Consideration And Approval Of Intergovernmental Agreement For Family Engagement Meeting Coordination Services**

Archuleta County Department of Human Services (DHS) wishes to engage the services of La Plata County to provide (and La Plata County wishes to provide) Family Engagement Meeting Services, "Family Meetings" or "FMs" in La Plata and Archuleta County. FMs include the family, their identified supports, and the professionals working with them. Family members' voices are highlighted in discussion and included in as much decision-making as possible. Discussion focuses on: why DHS is involved; goals for safety, permanency and/or well-being; and planning next steps. Archuleta County shall compensate La Plata County for services in an amount not to exceed \$15,000 (County portion \$3,000). The term of this Agreement shall be for a period of one year, commencing on July 1, 2019, and terminating on June 30, 2020. This Agreement may extend for an additional one-year period upon the mutual agreement of the parties. Any extension should be in the form of a written Addendum and signed by the parties.

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

Documents:

[2019\\_0710\\_IGA BTWN LPC AND AC RE FMS\\_4821-6824-6428 MJ.DOC](#)

**C. Consideration And Approval Of Intergovernmental Agreement For San Juan River Takeout**

This Agreement sets forth the terms and provisions of acquiring and improving a public, San Juan River take-out and access location for the benefit of the community. The Property is located downstream, approximately 12 miles south of the Town of Pagosa Springs on Trujillo Road.

The Agreement dictates that the Property will be purchased jointly by the Town and County. The Friends of the Upper San Juan is anticipated to contribute one-third of the purchase price.

Presenter Todd Weaver  
Presenter's Title County Attorney

Documents:

[IGA FOR SAN JUAN RIVER TAKEOUT.PDF](#)

**D. Introduction And First Reading Of Amended And Restated Ordinance 18-2017 For The Regulation Of Open Burning In The Unincorporated Areas Of Archuleta County**

Provided for the consideration of the Board of County Commissioners is an Amended and Restated Ordinance No. 18-2017 which provides clarification on the regulation of open burning in the unincorporated areas of Archuleta County. The clarifications to the original Ordinance are highlighted in yellow on the attached copy.

Presenter Derek Woodman  
Presenter's Title Undersheriff

Documents:

[AMENDED AND RESTATED FIRE BURN ORDINANCE - CLEAN COPY\\_REVISION  
JULY19V.2.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.

### **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.