

**ARCHULETA COUNTY PROCEEDINGS  
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting February 19, 2019 noting County Commissioners Ronnie Maez, Steve Wadley and Alvin Schaaf, County Attorney Todd Weaver and Deputy Clerk and Recorder Tomi Bliss present. Interim County Administrator Greg Schulte 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 Wadley moved to approve the Agenda as written. Commissioner Schaaf seconded the motion and it carried unanimously.**

**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. There were none.

**Reports**

**A. Department of Human Services 4<sup>th</sup> Quarter Report for 2018**

Matthew Dodson, Director of the Archuleta County Department of Human Services (ACDHS) presented the 4<sup>th</sup> quarter report to the Board. Commissioner Wadley commended the work of the Department of Human Services. Chairman Maez praised the Department's C-Stats and leadership, Commissioner Schaaf commented working with ACDHS and their professionalism.

Chairman Maez recessed the Regular Meeting at 2:00 p.m. and convened the Board of Adjustment Hearing at 2:01 p.m.

**Board of Adjustments Hearing**

Chairman Maez swore in Planning Manager John Shepard for testimony.

**A. Shooting Star Pagosa LLC Accessory Structure Variance Request**

Planning Manager John Shepard presented a request for an accessory structure variance, Lot 191, Colorado's Timber Ridge Phase Four Subdivision, at 220 Shooting Star Dr. for Shooting Star Pagosa, LLC. The variance would permit an accessory structure to remain located closer than ten (10) feet to a principal structure. Kimberly Brown, with Galles Properties, was present to represent the applicants.

Chairman Maez opened the floor for comments “In Favor of the Variance.” There were none.

Chairman Maez closed comments “In Favor of the Variance” and opened the floor for comments “Opposed to the Variance.” There were none.

**Commissioner Schaaf moved to approve the Shooting Star LLC Accessory Structure Variance with findings A & B of the staff report as presented and instructed staff to draft a resolution stating findings and conditions of approval. Commissioner Wadley seconded the motion and it carried unanimously.**

Chairman Maez closed the Board of Adjustments Hearing and reconvened the Regular Meeting at 2:10 p.m.

**Consent Agenda**

**A. Payroll and Payable Warrants and Purchase Cards for February 6, 2019 - February 19, 2019.**

Payable Warrants for dates of February 6, 2019-February 19, 2019	
General Fund Payable	157,478.07
Road and Bridge Fund Payable	4,807.78
Department of Human Services Fund Payable	19,157.06
1A Fund	115.00
All Combined Dispatch Fund Payable	7,916.20
Conservation Trust	7,500.00
Justice System Capital Fund	3,375.00
Solid Waste Fund Payable	66,757.91
Airport Fund Payable	15,354.73
Fleet Fund Payable	55,920.20
Total	338,381.95
Payroll Warrants for dates of February 6, 2019-February 19, 2019	
General Fund Payroll	179,389.02
Road and Bridge Fund Payroll	37,259.85
Department of Human Services Fund Payroll	36,685.45
All Combined Dispatch Fund Payroll	22,772.90
Solid Waste Fund Payroll	7,695.22
Airport Fund Payroll	4,147.33
Fleet Fund Payroll	9,526.30
Total	297,476.07

**B. Regular Meeting Minutes  
February 5, 2019**

**C. Special Meeting Minutes  
February 4, 2019**

**D. Resolution 2019-10 Lot Consolidation in Lake Forest Estates owned by Duane Edwin Peter and Bonnie Jean Peter, Trustees of the Peter Family Revocable Trust.**

**E. Resolution 2019-11 Lot Consolidation in Pagosa in the Pines owned by Jonathan M. Goheen and**

Flora H. Goheen.

- F. Archuleta County CSU Extension Advisory Board Bylaws Amendment.
- G. Appointment of Lisa Jensen to the CSU Extension Advisory Committee to a Three-Year Term.
- H. Resolution 2019-12 Affirming Legal Lot Status for Disner.
- I. Resolution 2019-13 Amendment to the Meeting Times for the first meeting of the month for March, April and May to be held at 6:00 p.m.

Attorney Todd Weaver presented the Consent Agenda. **Commissioner Wadley moved to accept the Consent Agenda as presented. Commissioner Schaaf seconded the motion and it carried unanimously.**

**New Business**

**A. Resolution 2019-14 Approving and Designating Institutions with which the County Treasurer may Bank and Invest County Funds**

County Attorney Todd Weaver presented a resolution for the Board's consideration designating the institutions with which the Treasurer may bank and invest County Funds. Attorney Weaver advised the Treasurer requested to be able to deposit County funds with Bank of Colorado, Bank of the San Juans, Division of Glacier Bank, TBK Bank, First Southwest Bank, Rio Grande Savings & Loan, and Wells Fargo Bank, N.A. She requested the following firms for investment purposes: Peaks Investment Management and Hilltop Securities Inc. **Commissioner Schaaf moved to approve Resolution 2019-14 approving and designating institutions with which the County Treasurer may bank and invest County funds. Commissioner Wadley seconded the motion and it carried unanimously.**

**B. Adoption of the 2015 International Building Code without any Appendices, the 2015 International Residential Code with Modifications and the Archuleta County Building and Safety Regulations as Amended**

County Attorney Todd Weaver presented a resolution to change from the currently adopted 2006 International Residential Code and the 2006 International Building Code and to adopt the 2015 International Building Code without any appendices and the 2015 International Residential Code with modifications 1. Deleting Section: R313 residential sprinkler, 2. Deletion of Chapter 11, and 3. Add Appendixes J, R, and S. Attorney Weaver also presented modifications to the County's Building and Safety Regulations which would allow to update code references. **Commissioner Wadley moved to approve the adoption of Resolution 2019-15 of the 2015 International Building/Residential Code Modifications as presented and moved to approve Resolution 2019-16 amending the Archuleta County Building and Safety Regulations as presented. Commissioner Schaaf seconded the motion.** Chairman Maez asked for public comment.

- Darrell Brueckner, 77 Gala Place, spoke against adoption of the 2015 code due to the potential increase in cost. Commissioner Wadley expressed the need to address building materials and methods which were not available in 2006.
- Larry Ash, 306 Easy Street, believed adoption of the 2015 Code would not increase costs and endorsed the adoption. Mr. Ash stated many research hours went into processing the codes and a group of builders and contractors made suggestions to support the local community.

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- Mark Hall, 17685 County Road 500, reiterated cost concerns and suggested adoption of the 2018 Code which addresses tiny homes. Chairman Maez and Commissioner Wadley advised they want to look into tiny homes in the future.
- John Shephard, Planning Manager, spoke at the request of the Planning Commission to express their recommendation not to make any changes at this time and suggested further study of the 2018 Codes.
- Tim Miller, 76 Mockingbird Place, expressed concern with cost. He stated there is no affordable housing in Pagosa Springs. He questioned the safety concerns of the Board which would warrant the adoption of the 2015 Code.
- Ero Brown, 159 Teal Circle, spoke multiple times against the adoption of the 2015 Code. He inquired about the amendment process. Commissioner Wadley advised there were multiple work sessions and requested comment from Building Official John Ruyle.
- John Ruyle, Archuleta County Building Official, advised on the deletions and modifications to the 2015 Building Code being presented for adoption. He also advised on the amendments to the Archuleta County Building and Safety Regulations.
- Ero Brown, 159 Teal Circle, questioned the importance of following the Town as they have their own inspector and planning department. Chairman Maez stated they must move forward or progress cannot be achieved. Chairman Maez mentioned how the economy sets standards and prices. Chairman Maez requested comment from Pagosa Fire Chief Randy Larson in regards to insurance savings.
- Pagosa Fire Chief Randy Larson, stated his concerns pertain to fire and life safety. He believed the ISO rating could be lowered with all agencies working under the same code and with the implementation of the fire district's 24/7 services.
- Darrell Brueckner, 77 Gala Place, stated builders are infuriated and feel they were not represented by the building group and were not made aware of meetings. Mr. Brueckner stressed the importance of slowing down and re-evaluating.
- Steve Schwartz, 584 Monument Avenue, member of the building committee supported the adoption of the 2015 Code. He advised meetings were open and they researched every aspect thoroughly. He mentioned he tried to get more people involved.
- Mark Hall, 17685 County Road 500, stressed that many people felt out of the loop.
- Ero Brown, 159 Teal, questioned if the meetings were publicized.
- Larry Ash, 306 Easy Street, responded the informal volunteer committee was formed to be a bridge between community building departments and industry. They strived to work together rather than continue the dysfunction. He explained they spent two years working on this project. He continued he attempted to get a wide range of representation present at those meetings.

**The motion carried unanimously.**

Chairman Maez recessed the meeting at 3:11 p.m. for a break.

Chairman Maez reconvened the meeting at 3:14 p.m.

### **C. County Administrator Employment Agreement**

County Attorney Weaver stated that after conducting the recruitment process, the County Commissioners decided to offer the position of County Administrator to L. Scott Wall and designated Chairman Maez to serve as the negotiator. Attorney Weaver presented the Employment Agreement for approval. **Commissioner Schaaf moved to accept the Employment Agreement with L. Scott Wall for the position of County Administrator as presented. Commissioner Wadley seconded the motion and it carried unanimously.**

**D. Amendment No. 2 to the Interim County Administrator Employment Agreement**

County Attorney Weaver submitted a second amendment to the Employment Agreement to extend Gregory J. Schulte's service to March 22, 2019. **Commissioner Wadley moved to accept Amendment Number 2 to the Interim County Administrator Agreement with Gregory J. Schulte as presented. Commissioner Schaaf seconded the motion and it carried unanimously.**

**Public Comments**

Chairman Maez stated 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, 446 Loma Street, commended the Board for allowing active conversation in regards to the building code changes.

**Commissioner Comments**

With there being no further business before the Board, the meeting was adjourned at 3:18 p.m.

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Tomi Bliss  
Deputy County Clerk & Recorder

Approved this 5th day of March, 2019.

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Ronnie Maez, Chairman