

March 5, 2019

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting March 5, 2019 noting County Commissioners Ronnie Maez, Steve Wadley and Alvin Schaaf, Interim County Administrator Greg Schulte, County Attorney Todd Weaver and Deputy Clerk and Recorder Tomi Bliss present.

Chairman Maez called the meeting to order at 6:00 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. Interim County Administrator Greg Schulte advised Item A under the Land Use Regulation Hearing would be tabled at this time to make minor corrections to the Amendment and will be addressed at the March 19, 2019 meeting. **Commissioner Wadley moved to approve the Agenda as amended. 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.

- Rob Keating, 4860 County Road 335, expressed his concern about the lack of transparency within our community and the level of distrust which has incurred. Mr. Keating provided a letter of request for information to the Board, attached to these minutes. Commissioner Wadley stated the matter was referred immediately to the proper authorities both at the State and Federal level, however the matter was not brought forward to the public at the time as it may have jeopardized a criminal investigation.

Chairman Maez recessed the Regular Meeting and convened the Liquor Board Hearing at 6:09 p.m.

Land Use Regulation Hearing

Item was tabled until the March 19, 2019 meeting.

A. First Amendment to Development Agreement with Fairway Land Trust

Item was tabled until the March 19, 2019 meeting.

Liquor Board Hearing

Chairman Maez swore in Flora Goheen, Administrative Assistant for testimony.

A. Special Events Permit for Rising Stars of Pagosa Springs

Flora Goheen, Administrative Assistant, presented an application for a Special Events Permit for the

Rising Stars of Pagosa Springs to serve malt, vinous and spirituous liquor at the PLPOA Clubhouse located at 230 Port Avenue for a fundraiser on March 9, 2019. The Sheriff has been notified of the event, proper fees were collected and the premises was posted for the required ten (10) days prior to the hearing. Chairman Maez asked for public comment. **Commissioner Schaaf moved to approve the Special Events Permit for the Rising Stars of Pagosa Springs for a fundraiser on March 9, 2019 as presented. Commissioner Wadley seconded the motion and it carried unanimously.**

B. Special Events Permit for Our Savior Lutheran Church of Pagosa Springs

Flora Goheen, Administrative Assistant, presented an application for a Special Events Permit for Our Savior Lutheran Church of Pagosa Springs, to serve malt, vinous, spirituous liquor at 56 Meadows Drive for a fundraiser on March 15, 2019. The Sheriff has been notified of the event, proper fees were collected and the premises was posted for the required ten (10) days prior to the hearing. Chairman Maez asked for public comment. **Commissioner Wadley moved to approve the Special Events Permit for Our Savior Lutheran Church of Pagosa Springs for a fundraiser on March 15, 2019 as presented. Commissioner Schaaf seconded the motion and it carried unanimously.**

C. Special Events Permit for The Humane Society of Pagosa Springs, Inc.

Flora Goheen, Administrative Assistant, presented an application for a Special Events Permit for The Humane Society of Pagosa Springs, Inc., to serve malt, vinous, spirituous liquor at the PLPOA Clubhouse located at 230 Port Avenue for a fundraiser on March 16, 2019. The Sheriff has been notified of the event, proper fees were collected and the premises was posted for the required ten (10) days prior to the hearing. Chairman Maez asked for public comment. **Commissioner Schaaf moved to approve the Special Events Permit for The Humane Society of Pagosa Springs, Inc. for a fundraiser on March 16, 2019 as presented. Commissioner Wadley seconded the motion and it carried unanimously.**

Chairman Maez closed the Liquor Board Hearing and reconvened the Regular Meeting at 6:13 p.m.

Consent Agenda Board of Adjustment

A. Resolution 2019-01BOA Approving Variance from the Archuleta County Land Use Regulations for Shooting Star Pagosa LLC on Lot 191 Colorado’s Timber Ridge Phase Four.

Consent Agenda

A. Ratification of Payables from January 22, 2019

Payable Warrants To Be Ratified from January 22, 2019	
General Fund Payable	83,356.16
Road and Bridge Fund Payable	292,917.84
Department of Human Services Fund Payable	
All Combined Dispatch Fund Payable	
Solid Waste Fund Payable	
Airport Fund Payable	
Fleet Fund Payable	
Total	<u>376,274.00</u>

Payroll and Payable Warrants and Purchase Cards for February 20, 2019 – March 5, 2019.

Payable Warrants for dates of February 20, 2019-March 5, 2019	
General Fund Payable	204,702.09
Road and Bridge Fund Payable	50,414.08
Department of Human Services Fund Payable	28,837.06
1A Fund	-
All Combined Dispatch Fund Payable	16,099.30
Conservation Trust	-
Justice System Capital Fund	-
Solid Waste Fund Payable	88,346.90
Airport Fund Payable	1,504.89
Fleet Fund Payable	222,342.96
Total	<u>612,247.28</u>
Payroll Warrants for dates of February 20, 2019-March 5, 2019	
General Fund Payroll	177,929.12
Road and Bridge Fund Payroll	39,247.40
Department of Human Services Fund Payroll	34,018.18
All Combined Dispatch Fund Payroll	22,459.64
Solid Waste Fund Payroll	7,669.69
Airport Fund Payroll	4,147.31
Fleet Fund Payroll	9,701.71
Total	<u>295,173.05</u>

- B. Regular Meeting Minutes from February 19, 2019.
- C. Assignment of a Ground Lease for Hangar 502C to William A. Sommer.
- D. Resolution 2019-17 Lot Consolidation in Pagosa Peaks Subdivision No. 2 owned by William Russel Ramsey Jr.
- E. Resolution 2019-18 Affirming Legal Lot Status for David R. Dingel Trust.
- F. Resolution 2019-19 Affirming Legal Lot Status for Margaret G. Andrews.
- G. Hotel & Restaurant Liquor License Renewal for Chavolo’s Mexican Restaurant of Pagosa Springs,
Inc. dba Chavolo’s.
- H. Liquor Store License Renewal for Piedra Peak General Store, LLC dba Piedra Peak General Store.
- I. Resolution 2019-20 Appointing Jenelle Syverson to the Tourism Board Seat.
- J. Ratification of the Chairman’s Signature on an Agreement to Amend/Extend Contract for Harman
Park Property Purchase.
- K. Ratification of the Chairman’s Signature for a Letter of Support for the Southwest Colorado Council of Governments’ (SWCCOG) application of a Recycling Resources Economic Opportunity (RREO) Waste Diversion and Job Creation Grant.
- L. Ratification of the Chairman’s Signature on the Land Use Permit Application and Agreement for

Payment of Land Use Application Fees for the Detention Center.

M. 2019 Engineering Services with Weaver Consultants Group. Weaver Consultants Group has provided Archuleta County with Solid Waste Engineering services for the past several years. Services primarily included compliance activities required for the Colorado Department of Public

Health and Environment.

Interim County Administrator Schulte read the Consent Agenda and advised the Commissioners would be sitting and considering the Consent Agenda as both the Board of Adjustment and the Board of County Commissioners. **Commissioner Wadley moved to approve the Consent Agenda as read. Commissioner Schaaf seconded the motion and it carried unanimously.**

New Business

A. 2019 Magnesium Chloride Contract to Desert Mountain Corporation

Public Works Director, Robert Perry, advised the Public Works Division received bids for the supply and application of Magnesium Chloride to various County Roads. Mr. Perry stated Desert Mountain Corporation was the low bidder and requested the contract be awarded to them. The total price per gallon to be delivered and applied to various Archuleta County roads in 2019 is \$0.789. The proposed application is for approximately 109 miles and approximately 527,644 gallons. The total cost for Magnesium Chloride will not exceed \$416,311.12. **Commissioner Schaaf moved to award the contract for the supply and application of Magnesium Chloride to various county roads for 2019 to Desert Mountain Corporation for an amount not to exceed \$416,311.12. Commissioner Wadley seconded the motion.** Chairman Maez asked for public comment. **The motion carried unanimously.**

B. Resolution 2019-21 Amending Resolutions Adopting The 2015 International Building Code, The 2015 International Residential Code with Amendments and the Revised Archuleta County Building Safety Regulations

County Attorney, Todd Weaver, presented a resolution amending the International Building Codes which were approved by resolution at the Board of Commissioners Regular Meeting held on February 19, 2019. The resolution will add an Effective Date of July 1, 2019 in order to allow for seamless transition to the new codes. **Commissioner Wadley moved to approve Resolution 2019-21 Amending Resolutions 2019-15 and 2019-16 to add an Effective Date of July 1, 2019 as presented. Commissioner Schaaf seconded the motion.** Chairman Maez asked for public comment. **The motion carried unanimously.**

C. Construction Management Services for a Detention Center at Harman Park

Brad Ash, with Reynolds Ash + Associates explained the background on the process and presented proposals submitted in response to the Request for Qualifications/Request for Proposal (RFQ/RFP) for construction of the Fred C. Harman III Law Enforcement Complex at Harman Park. Submittals were received and two firms were selected to be interviewed. The interviews took place on Friday, March 1, 2019 and the evaluation committee is submitting their recommended proposal of Nunn Construction, Inc. Finance Director, Larry Walton, added the current County obligation would be for the pre-construction service fee which is \$27,900. This fee would be the cost to obtain a guaranteed maximum price which would be presented to the Board to accept or reject. Rick Fleming, Senior Project Manager with Nunn expressed his excitement and gratitude for the opportunity to build their first project in Pagosa Springs. **Commissioner Schaaf moved to accept**

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the proposal from Nunn Construction, Inc. to provide Construction Management Services as described in the County's RFQ/RFP for a Construction Manager/General Contractor as issued on February 13, 2019 and in the proposal received from Nunn Construction, Inc. on February 25, 2019 as presented. Commissioner Wadley seconded the motion. Chairman Maez asked for public comment. The motion carried unanimously.

Chairman Maez stated the Board would be going into Executive Session and requested a motion.

Executive Session

Commissioner Wadley moved to go into Executive Session pursuant to C.R.S. Section 24-6-402(4)(b) for the purpose of the Board to receive legal advice relating to the 1033 investigation and pursuant to Section C.R.S. 24-6-402(4)(a) concerning the lease of any real, personal or other property interest and C.R.S. 24-6-402(4)(e) to instruct negotiators in connection with leasing property for the Sheriff's Department. Commissioner Schaaf seconded the motion and it carried unanimously.

Chairman Maez announced Commissioners Maez, Wadley and Schaaf, Interim County Administrator Greg Schulte, County Attorney Todd Weaver, Finance Director Larry Walton, Sheriff Richard Valdez and Undersheriff Derek Woodman would be present for the first portion of the Executive Session. Sheriff Richard Valdez and Undersheriff Derek Woodman would be excused prior to the second portion of the Executive Session. Chairman Maez advised no decisions would be made during the Executive Session.

Chairman Maez recessed the Regular Meeting and convened the Executive Session at 6:35 p.m.

Chairman Maez reconvened the Regular Meeting at 7:57 p.m.

Commissioner Schaaf moved to direct staff to investigate modular prices and appoint Commissioner Wadley as property negotiator in reference to temporary Sheriff Offices. Commissioner Wadley 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. There were no public comments.

- Rob Keating, 4860 County Road 335, continued from his earlier comments regarding major dysfunction within the County and stressed the importance of the Board to assure staff are completing their jobs correctly.

Commissioner Comments

With there being no further business before the Board, the meeting was adjourned at 8:00 p.m.

_____ Approved this 19th day of March, 2019.

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Tomi Bliss
Deputy County Clerk & Recorder

Ronnie Maez, Chairman

DRAFT