

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting June 18, 2019 noting County Commissioners Ronnie Maez, Steve Wadley and Alvin Schaaf, County Administrator Scott Wall, County Attorney Todd Weaver and Deputy County Clerk and Recorder Tomi Bliss present.

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. County Attorney Weaver advised the Board to table Consent Agenda Item J until the July 2, 2019 meeting and removal of the CSU Extension Office Contract under Consent Agenda Item K. Attorney Weaver corrected New Business Agenda Item E to read Forrest Service Road 649D. **Commissioner Wadley moved to approve the Agenda as adjusted to remove from the Consent Agenda Item J, CSU Extension Office Contract under Item K and New Business Item E to change the name of the Forrest Service Road to 649D. 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.

- Wayne Bryant, 241 Rimview Ct., expressed his concern regarding HB838.

Chairman Maez recessed the Regular Meeting and convened the Land Use Regulations Hearing at 1:37 p.m.

Land Use Regulation Hearing

Chairman Maez swore in John Shepard, Planning Manager, for testimony.

A. Pagosa Meadows Unit 2 Amendment 2019-01, Replat of Lot 83X Creating Lots 82Z & 83XZ

John Shepard, Planning Manager, advised Betsy C. Tidwell represented by Murrey Land Surveying, applied for final plat approval of the Pagosa Meadows Unit 2 Amendment 2019-01, a replat of Lot 83X Pagosa Meadows Unit 2 Amendment No. 2, reversing the lot consolidation and creating Lots 82Z and 83XZ, and relocating unused utility easements. The property at 2066 Meadows Dr., Pagosa Springs, is zoned Planned Unit Development. The Archuleta County Planning Commission held a public meeting on May 22, 2019, and recommended approval of the request.

Chairman Maez opened the floor for comments “In Favor of the Plat.”

Chairman Maez closed comments “In Favor of the Plat” and opened the floor for comments “Opposed to the Plat.”

Commissioner Schaaf moved to approve the Pagosa Meadows Unit 2 Amendment 2019-01 Final Plat, with Findings A and B of the staff report as presented. Commissioner Wadley seconded the motion and it carried unanimously.

B. The Last Resort RV Park & Campground Conditional Use Permit Amendment, Tract 1 Hudson’s Rio Blanco Sub #8

John Shepard, Planning Manager, advised TJ and Stacey Fitzwater, The Last Resort RV Park & Campground Inc. applied for a Conditional Use Permit amendment to a Limited Impact Use, on Tract 1 of Hudson’s Rio Blanco Subdivision #8 at 256 County Rd 339, Pagosa Springs, CO. The proposal would add 8 new RV sites to the existing 20 RV and campground sites. The property is zoned Agricultural Estates. The Archuleta County Planning Commission held a public meeting on May 22, 2019, and recommend approval of the request.

TJ Fitzwater, 256 County Road 339, addressed the issue posed from San Juan Basin Health.

Chairman Maez opened the floor for comments “In Favor of the Conditional Use Permit.”

Chairman Maez closed comments “In Favor of the Conditional Use Permit” and opened the floor for comments “Opposed to the Conditional Use Permit.”

Commissioner Wadley moved to approve TJ and Stacey Fitzwater’s request for the Last Resort RV Park & Campground Conditional Use Permit Amendment with Findings A and B and with no conditions as presented. Commissioner Schaaf seconded the motion and it carried unanimously.

Chairman Maez adjourned the Land Use Regulation Hearing and convened the Liquor Board Hearing at 1:57 p.m.

Liquor Board Hearing

Chairman Maez swore in Flora Goheen, Planning Technician, for testimony.

A. Special Events Permit for Pagosa Rotary Community Assistance Fund, Inc.

Flora Goheen, Planning Technician, presented an application for a Special Events Permit for the Pagosa Rotary Community Assistance Fund, Inc., to serve malt, vinous, spirituous liquor at the PLPOA Clubhouse located at 230 Port Ave. for a fundraiser on June 21, 2019. The Sheriff has been notified of the event. The proper fees were collected and the premises was posted for the required ten (10) days prior to today’s hearing.

Chairman Maez open the floor for comments “In Favor of the Special Events Permit.”

Chairman Maez closed comments “In Favor of the Special Events Permit” and opened the floor for comments “Opposed to the Special Events Permit.”

Commissioner Schaaf moved to approve a Special Events Permit for Pagosa Rotary Community Assistance Fund, Inc. for a fundraiser on June 21, 2019 as presented. Commissioner Wadley seconded the motion and it carried unanimously.

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

Flora Goheen, Planning Technician, 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 Ave. for a fundraiser on June 29, 2019. The Sheriff has been notified of the event. The proper fees were collected and the premises was posted for the required ten (10) days prior to today’s hearing.

Chairman Maez open the floor for comments “In Favor of the Special Events Permit.”

Chairman Maez closed comments “In Favor of the Special Events Permit” and opened the floor for comments “Opposed to the Special Events Permit.”

Commissioner Wadley moved to approve a Special Events Permit for The Humane Society of Pagosa Springs, Inc. for a fundraiser on June 29, 2019 as presented. Commissioner Schaaf seconded the motion and it carried unanimously.

C. Special Events Permit for Pagosa Mountain Morning Rotary Club

Flora Goheen, Planning Technician, presented an application for a Special Events Permit for Pagosa Mountain Morning Rotary Club, to serve malt, vinous, spirituous liquor at the PLPOA Clubhouse located at 230 Port Ave. for a fundraiser on July 1, 2019. The Sheriff has been notified of the event. The proper fees were collected and the premises was posted for the required ten (10) days prior to today’s hearing.

Chairman Maez open the floor for comments “In Favor of the Special Events Permit.”

Chairman Maez closed comments “In Favor of the Special Events Permit” and opened the floor for comments “Opposed to the Special Events Permit.”

Commissioner Schaaf moved to approve a Special Events Permit for Pagosa Mountain Morning Rotary Club for a fundraiser on July 1, 2019 as presented. Commissioner Wadley seconded the motion and it carried unanimously.

D. Special Events Permit for Our Savior Lutheran Church of Pagosa Springs, CO

Flora Goheen, Planning Technician, presented an application for a Special Events Permit for Our Savior Lutheran Church of Pagosa Springs, CO., to serve malt, vinous, spirituous liquor at the Western Heritage Events Center located at 344A Hwy 84 for the Red Ryder Rodeo on July 4, 5, and 6, 2019. The Sheriff has been notified of the event. The proper fees were collected and the premises was posted for the required ten (10) days prior to today’s hearing.

Chairman Maez open the floor for comments “In Favor of the Special Events Permit.”

Chairman Maez closed comments “In Favor of the Special Events Permit” and opened the floor for comments “Opposed to the Special Events Permit.”

Commissioner Wadley moved to approve a Special Events Permit for Our Savior Lutheran Church of Pagosa Springs for the Red Ryder Rodeo on July 4, 5, and 6, 2019 as presented. Commissioner Schaaf seconded the motion and it carried unanimously.

E. Temporary Beer & Wine Liquor Permit for Parelli Natural Horse-Man-Ship, Inc. dba Parelli’s

Flora Goheen, Planning Technician, presented an application for a ninety (90) day Temporary Beer & Wine Liquor Permit for Parelli Natural Horse-Man-Ship, Inc. dba Parelli’s located at 7110 Hwy 160 Pagosa Springs, CO. 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.

Chairman Maez open the floor for comments “In Favor of the Temporary Beer & Wine Permit.”

Chairman Maez closed comments “In Favor of the Temporary Beer & Wine Permit” and opened the floor for comments “Opposed to the Temporary Beer & Wine Permit.”

Commissioner Schaaf moved to approve a Temporary Beer & Wine Liquor Permit for Parelli Natural Horse-Man-Ship Inc. dba Parelli’s as presented. Commissioner Wadley seconded the motion and it carried unanimously.

F. Beer & Wine Liquor License for Parelli Natural Horse-Man-Ship, Inc. dba Parelli’s

Flora Goheen, Planning Technician, presented an application for a Beer & Wine Liquor License for Parelli Natural Horse-Man-Ship, Inc. dba Parelli’s located at 7110 Hwy 160 Pagosa Springs, CO. 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.

Chairman Maez open the floor for comments “In Favor of the Beer & Wine License.”

Chairman Maez closed comments “In Favor of the Beer & Wine License” and opened the floor for comments “Opposed to the Beer & Wine License.”

Commissioner Wadley moved to approve a Beer & Wine Liquor License for Parelli Natural Horse-Man-Ship Inc. dba Parelli’s as presented. Commissioner Schaaf seconded the motion and it carried unanimously.

Chairman Maez adjourned the Liquor Board Hearing and reconvened the Regular Meeting at

2:04 p.m.

Consent Agenda Board of Adjustment

A. Resolution 2019-03BOA Approving Variance from the Archuleta County Land Use Regulations for Clifford Front & Golf Course Variances in the PUD Zone for Lot 9X Block 16 Pagosa in the Pines, at 128 Divot Pl. The variance was approved May 21, 2019.

County Administrator Scott Wall read the Board of Adjustment Consent Agenda for the record. **Commissioner Schaaf moved to approve the Board of Adjustment Consent Agenda as presented. Commissioner Wadley seconded the motion and it carried unanimously.**

Consent Agenda Liquor Board

A. Renewal of a Tavern Liquor License for San Marcial Holdings, LLC dba Lone Wolf Bar & Grill located at 20 Sunset Trail Arboles, Colorado.

County Administrator Scott Wall read the Liquor Board Consent Agenda for the record. **Commissioner Wadley moved to approve the Liquor Board Consent Agenda as presented. Commissioner Schaaf seconded the motion and it carried unanimously.**

Consent Agenda

A. Payroll for and Payable Warrants with Purchase Cards June 5, 2019 – June 18, 2019

General Fund Payable	67,564.80
Road and Bridge Fund Payable	92,032.15
Department of Human Services Fund Payable	16,195.56
1A Fund	230.00
All Combined Dispatch Fund Payable	8,343.85
Conservation Trust	-
Justice System Capital Fund	7,121.90
Solid Waste Fund Payable	11,329.36
Airport Fund Payable	1,813.77
Fleet Fund Payable	105,868.21
Total	310,499.60
Payroll Warrants for dates of June 5, 2019-June 18, 2019	
General Fund Payroll	186,636.85
Road and Bridge Fund Payroll	37,253.09
Department of Human Services Fund Payroll	37,302.73
All Combined Dispatch Fund Payroll	17,727.18
Solid Waste Fund Payroll	7,746.42
Airport Fund Payroll	4,320.18
Fleet Fund Payroll	5,982.39
Total	296,968.84

Ratification of Payables from March 22, 2019

General Fund Payable	
Road and Bridge Fund Payable	
Department of Human Services Fund Payable	
1A Fund	
All Combined Dispatch Fund Payable	
Conservation Trust	
Justice System Capital Fund	51,536.20
Solid Waste Fund Payable	
Airport Fund Payable	
Fleet Fund Payable	
Total	51,536.20

Ratification of May 22, 2019 – June 4, 2019

Payable Warrants for dates of May 22, 2019-June 4, 2019	
General Fund Payable	238,656.85
Road and Bridge Fund Payable	19,927.96
Department of Human Services Fund Payable	43,908.58
1A Fund	-
All Combined Dispatch Fund Payable	12,306.90
Conservation Trust	-
Justice System Capital Fund	-
Solid Waste Fund Payable	4,197.54
Airport Fund Payable	4,390.09
Fleet Fund Payable	75,861.76
Total	399,249.68

Payroll Warrants for dates of May 22, 2019-June 4, 2019	
General Fund Payroll	201,387.81
Road and Bridge Fund Payroll	39,023.95
Department of Human Services Fund Payroll	36,535.59
All Combined Dispatch Fund Payroll	20,018.21
Solid Waste Fund Payroll	8,241.87
Airport Fund Payroll	4,406.04
Fleet Fund Payroll	6,275.93
Total	315,889.40

- B. Regular Meeting Minutes
May 21, 2019
- C. Special Meeting Minutes
May 28, 2019
- D. Ratification of the Board of Commissioners Signatures on the LPEA Round Up Foundation
Application for The TARA Historical Society
- E. Ratification of the Chairman's Signature on the 2019 Annual Operating and Financial Plan
between the Archuleta County Sheriff's Department and the USDA, Forest Service, and San
Juan
National Forest
- F. Resolution 2019-50 Lot Consolidation Aspen Springs Subdivision No. 1 Block 7 Owned by
Rodney D. Quam and Janice K. Quam
- G. Resolution 2019-51 Lot Consolidation Lake Forest Estates Owned by Frank M. Estes and
Carolyn
A. Estes
- H. Resolution 2019-52 Affirming Legal Lot Status for JCC/MCC Living Trust
- I. Meade Request for Extension of Lake Hatcher Park Amendment 2018-01 Final Plat
- J. First Amendment to Fixed Base Operator (FBO) Agreement and Hangar Lease which will allow
24-hour operations for the Classic Air Medical Company – Tabled
- K. ACDHS SFY 2019/20 Contracts (Multiple) – ACDHS renewal of contracts with a term of July
1,
2019 through June 30, 2020 for Aspire, CSU Extension Office, LaPlata County Family Center
Coalition, Rise Above Violence, San Juan Basin Public Health, SUCAP/The Training Advantage
and the Town of Pagosa Springs/Ross Aragon Community Center – Removed CSU Extension
- L. Upper San Juan Hospital District Emergency Medical Services Ambulance Licenses
- M. Resolution 2019-53 Establishing Alternative Voter Service Polling Center Locations

County Administrator Scott Wall read the Consent Agenda for the record. **Commissioner Schaaf moved to approve the consent agenda as amended. Commissioner Wadley seconded the motion and it carried unanimously.**

New Business

A. Grant Acceptance Related to Weed Treatment of Forest Service Roads

Scott Wall, County Administrator, presented a grant in the amount of \$6,000 from the USDA Forest Service, for consideration of weed treatment of various Forest Service roads. **Commissioner Wadley moved to approve the \$6,000 Grant Agreement with the USDA Forest Service for weed treatment as presented. Commissioner Schaaf seconded the motion.** Chairman Maez asked for public comment. **The motion carried unanimously.**

B. Archuleta County Department of Human Services Citizen Review Panel

Matt Dodson, Human Services Director, recommended to appoint Codie Wilson, Carmen Hubbs, and Erik Foss as members of the Citizen Review Panel. **Commissioner Schaaf moved to appoint Codie Wilson, Carmen Hubbs and Erik Foss to the Archuleta County Department of Human Services Citizen Review Panel as presented. Commissioner Wadley seconded the motion.** Chairman Maez asked for public comment. **The motion carried unanimously.**

C. Archuleta County Incentives Contract Amendment

Matt Dodson, Human Services Director, presented an amendment to the 2019-2020 Archuleta County Incentives Contract. **Commissioner Wadley moved to approve the Amendment to the Archuleta County Incentives Contract as presented. Commissioner Schaaf seconded the motion.** Chairman Maez asked for public comment. **The motion carried unanimously.**

D. Contract for the 2019 Asphalt Preservation Project

Matt Archuleta, Public Works Operations Manager, presented the bids received for the 2019 Asphalt Preservation Project. Mr. Archuleta requested the contract be awarded to PAP, LLC for the amount not to exceed \$227,018.00. **Commissioner Schaaf moved to award the 2019 Asphalt Preservation Project contract to PAP, LLC for an amount not to exceed \$227,018.00 as presented. Commissioner Wadley seconded the motion.** Chairman Maez asked for public comment. **The motion carried unanimously.**

E. Letter to Forest Service in Support of Keeping Forrest Service Road 649D Open

Todd Weaver, County Attorney, advised a local citizen requested a letter from the Board of County Commissioners to the United States Forest Service to keep Forest Service Road 649D open. Chairman Maez asked for public comment.

- Wayne Bryant, 235 Rimview Ct., spoke in favor of keeping FSRD 649D open and presented a letter for the record (attached).
- Robert Crowley, 94 Magic Meadow Ct., expressed his safety concerns and is in favor keeping the road open.
- Gary Woods, 200 Shooting Star Dr., addressed Forrest Services Roads in general and the need to provide accessibility to everyone.
- Karen Jones, 23 Ranchland Dr., reiterated safety concerns.
- Linda Barber, 109 Lisa's Ct, spoke to safety issues.
- Suzanne Bryant, 235 Rimview Ct., spoke in favor of keeping FSRD 649D open and stressed safety concerns. Ms. Bryant presented emails to be included to the record from other landowners (attached).

Commissioner Wadley moved to direct staff to draft a letter to the United States Forest Service to ascertain if Forest Service Road 649D is considered a RS-2477 Road and if it is it should be kept open. Commissioner Schaaf seconded the motion. The motion carried unanimously.

Chairman Maez recessed the meeting at 3:03 p.m.

Chairman Maez reconvened the meeting at 3:08 p.m.

F. Resolution 2019-54 Revising the Effective Date of Adoption of the 2015 Building Codes

Todd Weaver, County Attorney, advised the effective date for adoption of the 2015 building and residential codes was set for July 1, 2019 by Resolution 2019-21. Attorney Weaver explained additional time is required in order to mirror the county building codes to the codes adopted by the Town of Pagosa Springs with the exception of the fee schedule. The resolution will revise the effective date to be September 1, 2019. **Commissioner Schaaf moved to adopt Resolution 2019-**

June 18, 2019

54 revising the Effected Date of the adoption of the 2015 Building Codes to September 1, 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. 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 and pursuant to C.R.S. 24-6-402(4) (b) for the purpose of receiving legal advice regarding the dispute over whether Bristlecone Drive is a public or private road and possible options regarding the same. Commissioner Schaaf seconded the motion and it carried unanimously.

Chairman Maez announced those moving into the Executive Session would be all three Commissioners, County Administrator Scott Wall, and County Attorney Todd Weaver.

Chairman Maez announced that no decisions would be made in the Executive Session and that motion may be entertained after the session.

Chairman Maez recessed the Regular Meeting and convened the Executive Session at 3:11 p.m.

Chairman Maez reconvened the Regular Meeting at 3:30 p.m.

Commissioner Wadley motioned to direct staff to file a declaratory judgement with the courts to determine if Bristlecone is a public or private road. 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.

- David Campbell, 511 Yarrow Cir, requested clarification on the portion of Bristlecone which is a concern. Attorney Weaver addressed Mr. Campbell's concern.

Commissioner Comments

There were none.

With no further business coming before the Board, the meeting was adjourned at 3:33 p.m.

June 18, 2019

Approved this 2nd day of July, 2019.

Tomi Bliss
Deputy County Clerk & Recorder

Ronnie Maez, Chairman

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