

**ARCHULETA COUNTY PROCEEDINGS  
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting September 17, 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. **Commissioner Schaaf moved to accept the agenda as presented. Commissioner Wadley 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.

- Greg Giehl, 351 S. 7<sup>th</sup> St., presented a document to the Board (attached) regarding the proposed settlement agreement.
- Wayne Bryant, 235 Rimview Ct., expressed his concern with the proposed settlement agreement.

**Proclamations**

**A. National Suicide Prevention and Awareness Month**

Flora Goheen, Planning Technician, presented a proclamation by the Board of County Commissioners of Archuleta County proclaiming September 2019 to be National Suicide Prevention and Awareness Month. **Commissioner Wadley moved to recognize September as National Suicide Prevention and Awareness Month in Archuleta County. Commissioner Schaaf seconded the motion and it carried unanimously.**

Chairman Maez recessed the Regular Meeting and convened the Board of Adjustment at 1:55 p.m.

**Board of Adjustment – Consent Agenda**

A. Resolution 2019-06BOA Approving Variance from the Archuleta County Land Use Regulations for One In The Spirit LLLP, for the San Juan River (aka Trujillo Rd) Takeout Lot Size Variance.

Scott Wall, County Administrator, 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.

Chairman Maez adjourned the Board of Adjustment Hearing and convened the Land Use Hearing at 1:56 p.m.

**Land Use Regulation Hearing**

Chairman Maez swore in Scott Wall, County Administrator, for testimony.

**A. Open and Continue Public Hearing for Crowley Ranch Tract B PUD Development Plan to 11/12/2019**

Scott Wall, County Administrator, advised Kelley Barsanti, KEL-CAM, Inc., of Redlands, CA, represented by Ron Barsanti of Pagosa Springs, has applied for a PUD Development Plan by rezoning Tract B, Replat of Crowley Ranch Reserve Phase 1, at 270 Ronnie’s Ct., Chromo. August 28, 2019, the Archuleta County Planning Commission continued their public hearing on the application to their next regular meeting. Staff recommends the Board of County Commissioners open and continue this advertised public hearing to their scheduled meeting on Tuesday, November 12, 2019.

Chairman Maez opened the floor for comments “In Favor of the Crowley Ranch Tract B PUD Development Plan.”

Chairman Maez closed comments “In Favor of the Crowley Ranch Tract B PUD Development Plan” and opened the floor for comments “Opposed to the Crowley Ranch Tract B PUD Development Plan.”

**Commissioner Wadley moved to continue the public hearing for Crowley Ranch Tract B PUD Development Plan to November 12, 2019. Commissioner Schaaf seconded the motion and it carried unanimously.**

Chairman Maez adjourned the Land Use Regulation Hearing and convened the Liquor Board at 1:58 p.m.

**Liquor Board**

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

**A. Hotel & Restaurant Liquor License Renewal and Report of Changes for 2 Chicks & A Hippie, LLC dba 2 Chicks & A Hippie**

Flora Goheen, Planning Technician, presented an application for a renewal of a Hotel & Restaurant Liquor License for 2 Chicks & A Hippie, LLC dba 2 Chicks & A Hippie located at 117 Navajo Trail Dr. #A, Pagosa Springs, Colorado. The report of changes added additional seating in fenced patio area for serving. The application was 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.

Chairman Maez opened the floor for comments “In Favor of the License Renewal and Changes.”

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

**Commissioner Schaaf moved to approve the Hotel and Restaurant Liquor License Renewal AND to approve the Report of Changes for 2 Chicks and a Hippie, LLC dba 2 Chicks and a Hippie as presented. Commissioner Wadley seconded the motion and it carried unanimously.**

**B. Report of Changes Application for a Hotel & Restaurant Liquor License for MAS Events, LLC dba Keyah Grande Guest Lounge**

Flora Goheen, Planning Technician, presented a report of changes for a Hotel & Restaurant Liquor License for MAS Events, LLC dba Keyah Grande Guest Lounge, located at 13211 W Hwy 160, removing Maryann Sackman as sole member as of May 13, 2019 and replacing with Warren A. Sackman. The application was complete. Fingerprints, and proper application fees have been submitted.

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

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

**Commissioner Wadley moved to approve the Report of Changes for MAS Events LLC dba Keyah Grande Guest Lounge as presented. Commissioner Schaaf seconded the motion and it carried unanimously.**

**C. Special Events Permit for Pagosa Springs Arts Council**

Flora Goheen, Planning Technician, presented an application for a Special Events Permit for the Pagosa Springs Arts Council, to sell malt, vinous, spirituous liquor for fundraisers on September 19 and October 2, 2019 located at 197 Navajo Trail Dr. The Sheriff was notified of the event. The proper fees were collected and the premises was posted for the required ten (10) days prior to the hearing.

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

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

**Commissioner Schaaf moved to approve the Special Events Permit for the Pagosa Springs Arts Council for a fundraiser at 197 Navajo Trail Drive on September 19 and October 2, 2019 as presented. Commissioner Wadley seconded the motion and it carried unanimously.**

**D. Special Events Permit for The Archuleta County Democratic Party Central Committee**

Flora Goheen, Planning Technician, presented an application for a Special Events Permit for the Archuleta County Democratic Party Central Committee, to sell malt, vinous, spirituous liquor for a fundraiser on September 27, 2019 located at 344 Hwy 84. The Sheriff was notified of the event. The proper fees were collected and the premises was posted for the required ten (10) days prior to the hearing.

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

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

**Commissioner Wadley moved to approve the Special Events Permit for the Archuleta County Democratic Party Central Committee for a fundraiser at 344 Highway 84 on September 27, 2019 as presented. Commissioner Schaaf seconded the motion and it carried unanimously.**

Chairman Maez adjourned the Liquor Board and reconvened the Regular Meeting at 2:04 p.m.

**Consent Agenda**

**Commissioner Wadley moved to amend the consent agenda by removing Item S to Item B under New Business. Commissioner Schaaf seconded the motion and it carried unanimously.**

**A. Payroll, Payable Warrants with Purchase Cards September 4, 2019 – September 17, 2019**

| Payable Warrants for dates of September 4, 2019- September 17, 2019 |                   |
|---|-------------------|
| General Fund Payable  | 168,257.50        |
| Road and Bridge Fund Payable  | 182,232.95        |
| Department of Human Services Fund Payable                           | 8,473.94          |
| 1A Fund   | -                 |
| All Combined Dispatch Fund Payable                                  | 7,567.52          |
| Conservation Trust  | -                 |
| Justice System Capital Fund   | 46,000.00         |
| Solid Waste Fund Payable  | 2,571.38          |
| Airport Fund Payable  | 5,004.83          |
| Fleet Fund Payable  | 24,963.12         |
| <b>Total</b>  | <b>445,071.24</b> |
| Payroll Warrants for dates of September 4, 2019- September 17, 2019 |                   |
| General Fund Payroll  | 189,706.30        |
| Road and Bridge Fund Payroll  | 39,196.17         |
| Department of Human Services Fund Payroll                           | 34,086.07         |
| All Combined Dispatch Fund Payroll                                  | 21,336.54         |
| Solid Waste Fund Payroll  | 11,246.93         |
| Airport Fund Payroll  | 4,320.15          |
| Fleet Fund Payroll  | 10,420.44         |
| <b>Total</b>  | <b>310,312.60</b> |

**B. Regular Meeting Minutes**

September 3, 2019

**C. Special Meeting Minutes**

September 5, 2019

- D. Resolution 2019-84 Affirming Legal Lot Status for Jacobs
- E. Resolution 2019-85 Affirming Legal Lot Status for Kohorst
- F. Resolution 2019-86 Affirming Legal Lot Status for Tyner
- G. Resolution 2019-87 Affirming Legal Lot Status for Drescher
- H. Resolution 2019-88 Affirming Legal Lot Status for Appel Living Trust (#1)
- I. Resolution 2019-89 Affirming Legal Lot Status for Appel Living Trust (#2)
- J. Resolution 2019-90 Affirming Legal Lot Status for Appel Living Trust (#3)
- K. Resolution 2019-91 Affirming Legal Lot Status for Murrey
- L. Resolution 2019-92 Lot Consolidation Lake Forest Estates owned by Paul L. White and Patricia J. Popovich
- M. Resolution 2019-93 Lot Consolidation TwinCreek Village owned by Michael Cummings and Susan Cummings
- N. Resolution 2019-94 Reversal of Lot Consolidation Lakewood Village owned by Timothy J. Grose
- O. Resolution 2019-95 To Vacate an Unused Utility Easement for Lot 218-219 of Chris Mountain Village at Pagosa Unit II owned by James S. Cruice and Molly B. Cruice
- P. Resolution 2019-96 To Vacate an Unused Utility Easement for Lot 448X of Aspen Springs Subdivision No. 6 owned by Ana N. Smith
- Q. Resolution 2019-97 To Vacate an Unused Utility Easement for Lot 9X of Pagosa In The Pines Block 3 owned by Kimberly Dawn Brown and Sky Ferguson
- R. Resolution 2019-98 Supporting a Colorado Parks and Wildlife State Trails Construction Grant
- S. Resolution 2019-99 Recognizing the Archuleta County Housing Authority as the Housing Agency  
for All of Archuleta County's Housing Needs (moved to New Business Item B)
- T. Assignment of a Hangar Ground Lease for Hangar A-1 to Randall Davey Pitcher
- U. Mutual Release and Settlement Agreement with Sharon Parker

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

#### New Business

##### **A. Ratification of the Signature of the Chairman of the Board of Commissioners on the Contract to Purchase Property at 85 Harman Park Drive**

County Attorney, Todd Weaver, advised on August 20, 2019, the Board approved the submission of a formal offer to purchase the property located at 85 Harman Park Drive for \$600,000.00 and the seller accepted the offer. The contract to buy real estate and related documents were signed by the Chairman on September 6<sup>th</sup> and 9<sup>th</sup>, 2019. The Addendum to the contract would be signed upon approval. **Commissioner Wadley moved to approve the chairman's signature on the Contract to Purchase and related documents concerning the property at 85 Harman Park Drive AND to approve the execution of the Addendum to the Contract which included items explained and presented by Attorney Weaver. Commissioner Schaaf seconded the motion.** Chairman Maez asked for public comment. **The motion carried unanimously.**

##### **B. Resolution 2019-99 recognizing the Archuleta County Housing Authority as the Housing Agency for All of Archuleta County's Housing Needs**

Clifford Lucero, 374 S. 9<sup>th</sup> St., representing the Housing Authority requested the Board of County Commissioners' support recognizing the Archuleta County Housing Authority as the Housing Agency for Archuleta County's housing needs. Mr. Lucero advised on the importance of the designation. Lynne Vickerstaff, 443 Valhalla Pl., representing Pagosa Housing Partners, requested clarification regarding the control of the Archuleta County Housing Authority being named the Housing Agency for Archuleta County's Housing needs. The Board advised the resolution would not prevent anyone from working with other agencies. **Commissioner Schaaf moved to approve Resolution 2019-99 recognizing the Archuleta County Housing Authority as the Housing Agency for All of Archuleta County's Housing Needs with Amendments. Commissioner Wadley 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.

- Donald Valdez, Colorado State Representative House District 62, introduced himself and looks forward to working with Archuleta County.

**Commissioner Comments**

With no further business coming before the Board, the meeting was adjourned at 2:37 p.m.

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Tomi Bliss  
Deputy County Clerk & Recorder

Approved this 1st day of October, 2019.

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Ronnie Maez, Chairman