

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting April 6, 2021 noting County Commissioners Alvin Schaaf, Ronnie Maez and Warren Brown, County Administrator Scott Wall, County Attorney Todd Weaver and County Clerk and Recorder Kristy Archuleta present.

Chairman Schaaf called the meeting to order at 1:30 p.m. with the Pledge of Allegiance and a moment of silence.

Chairman Schaaf provided notice of the new policy for Public Comments. He stated the Board would hear public comments on any topic during the Public Comment portion of the regular meeting. Public comments would no longer be heard at the end of each meeting. A Request for Public Comment form must be completed and handed to an Administrative Staff member before the meeting begins, although today, they would allow forms to be turned in at this time. If attendees are on Zoom, he requested to type your full name, address, email or phone number along with the topic of the comment in the Chat room. The Chairman would only allow public comments from those who have entered the information.

Disclosures and/or Conflicts of Interest

Chairman Schaaf 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 purpose allowed and announced prior to voting. Item B on the Land Use Regulation Hearing was tabled at the request of the property owner. **Commissioner Maez moved to approve the agenda as amended. Commissioner Brown seconded the motion and it carried unanimously.**

Public Comments

Chairman Schaaf stated he was opening the floor for comments. Comments were asked to be held to 3 minutes for each person desiring to speak. No response from the Board would be given.

Ellen Schmidt, 472 Meadows Dr, was concerned with voter fraud.

Lisa Jensen, 1252 Loma Dr., was concerned about election integrity. She asked for a comment regarding the validity of the election results from the Board of Commissioners.

Proclamations

A. Sexual Assault Awareness Month

Ashley Wilson, Rise Above Violence, presented a proclamation to declare April 2021 as Sexual Assault Awareness Month in Archuleta County. **Commissioner Brown moved to proclaim April 2021 as Sexual Assault Awareness Month in Archuleta County as presented. Commissioner Maez seconded the motion and it carried unanimously.**

B. Child Abuse and Neglect Prevention Month

Lacy Brown, Child/Adult Protection Supervisor, presented a proclamation to declare April 2021 as Child Abuse and Neglect Prevention Month in Archuleta County. **Commissioner Maez moved to proclaim April 2021 as Child Abuse and Neglect Prevention Awareness Month in Archuleta County as presented. Commissioner Brown seconded the motion and it carried unanimously.**

C. National Library Week

Cindi Galabota, Ruby M. Sisson Memorial Library Development Officer, presented a proclamation to declare April 4-10, 2021 as National Library Week. **Commissioner Brown moved to proclaim April 4-10, 2021 as National Library Week in Archuleta County as presented. Commissioner Maez seconded the motion and it carried unanimously.**

D. National Public Safety Telecommunicators Week

Kati Harr, Emergency Communications Director, presented a proclamation to declare April 11-17, 2021 as National Public Safety Telecommunicators Week. **Commissioner Maez moved to proclaim April 11-17, 2021 as National Public Safety Telecommunicators Week in Archuleta County as presented. Commissioner Brown seconded the motion and it carried unanimously.**

Chairman Schaaf recessed the Regular Meeting and convened the Land Use Board at 1:47 p.m.

Land Use Regulation Hearing

Chairman Schaaf swore in Pam Flowers, Development Director, for testimony.

A. Approval of Final Plat for Patrick and Kathleen Disner

Pam Flowers, Development Director, stated Patrick and Kathleen Disner applied for Final Plat Approval of the Carri Blanco Cabin Sites Amendment 2021-01 Final Plat, Being a Replat of Lots 37, 38 , 39, 40 and 41 creating lots 372Z (150 Carrico Street) and 39XZ (173 Carrico Street). **Commissioner Brown moved to approve the Carri Blanco Cabin Sites Amendment 2021-01 MLLA Final Plat for Patrick and Kathleen Disner, with findings A and B as presented with no conditions. Commissioner Maez seconded the motion and it carried unanimously.**

Chairman Schaaf adjourned the Land Use Board and convened the Local Licensing Authority at 1:50 p.m.

Local Licensing Authority

Chairman Schaaf swore in Mary Helminski, Executive Assistant/Paralegal for testimony.

A. Approval of the Renewal of a Retail Optional Premises Cultivation License for Bell's Naturals II, LLC

Mary Helminski, Executive Assistant/Paralegal, presented a renewal of a Retail Optional Premises Cultivation Center License for Bell's Naturals II, LLC, located at 765 Industrial Circle in Pagosa Springs. There are no changes, the application is complete and the proper fees have been paid. The Sheriff's Office has done their background check and the Building Department and Fire District have

done their inspections and there were no issues. Staff recommended approval of this license renewal. **Commissioner Maez moved to approve the license renewal for a Retail Optional Premises Cultivation License for Bell’s Naturals II, LLC located at 765 Industrial Circle in Pagosa Springs as presented. Commissioner Brown seconded the motion and it carried unanimously.**

Chairman Schaaf adjourned the Local Licensing Authority and convened the Liquor Board at 1:53 p.m.

Liquor Board Consent Agenda

- A. Approval of a Hotel and Restaurant Liquor License Renewal for Chavolo’s Mexican Restaurant of Pagosa Springs dba Chavolo’s Mexican Restaurant
- B. Approval of a Hotel and Restaurant Liquor License Renewal for Ho’s Shanghai Corp. dba Shang Hai Restaurant
- C. Approval of a Liquor Store License Renewal for Pagosa Liquor Inc. dba Pagosa Liquor

Scott Wall, County Administrator, read the Liquor Board Consent Agenda for the record.

Commissioner Maez moved to approve the liquor board consent agenda as presented. Commissioner Brown seconded the motion and it carried unanimously.

Chairman Schaaf adjourned the Liquor Board and reconvened the Regular Meeting at 1:54 p.m.

Consent Agenda

- A. Payable Warrants and Purchase Cards

General Fund Payable	228,923.22
Road and Bridge Fund Payable	3,827.66
Department of Human Services Fund Payable	13,188.53
1A Fund	-
All Combined Dispatch Fund Payable	8,290.40
Conservation Trust	-
Justice System Capital Fund	34,086.00
Solid Waste Fund Payable	4,634.29
Airport Fund Payable	26,705.63
Fleet Fund Payable	39,517.93
Total	359,173.66

General Fund Payable	5.00
Road and Bridge Fund Payable	-
Department of Human Services Fund Payable	-
1A Fund	-
All Combined Dispatch Fund Payable	-
Conservation Trust	-
Justice System Capital Fund	
Solid Waste Fund Payable	-
Airport Fund Payable	-
Fleet Fund Payable	-
Total	5.00
General Fund Payable	10,270.70
Road and Bridge Fund Payable	1,723.21
Department of Human Services Fund Payable	5,879.62
1A Fund	
All Combined Dispatch Fund Payable	1,252.13
Conservation Trust	
Justice System Capital Fund	
Solid Waste Fund Payable	
Airport Fund Payable	111.18
Fleet Fund Payable	1,808.56
Total	21,045.40

- B. Regular Meeting Minutes
03/16/2021
- C. Resolution 2021-23 Lot Consolidation in Wildflower Subdivision Owned by The Michael Alan Young Revocable Trust and The Laura Rose Carlile Young Revocable Trust
- D. Resolution 2021-24 Lot Consolidation in Pagosa Trails Owned by Marty G. Ryan
- E. Approval of 2021 Work and Financial Plan
- F. Approval of Master Information Technology Service Agreement with Echo IT Consulting LLC
- G. Ratification of the Chairman’s Signature on Compliance Order on Consent No. 21-00-00-01 with the Colorado Department of Public Health and Environment

Scott Wall, County Administrator, read the Consent Agenda for the record.

Commissioner Brown moved to approve the consent agenda as presented. Commissioner Maez seconded the motion and it carried unanimously.

Old Business

A. Approval of Findings and Conclusions for Appeal of Vacation Rental Permit 007222 Renewal

Todd Weaver, County Attorney, stated on March 16, 2021 the Board of County Commissioners held a hearing on the appeal of the renewal application for vacation rental permit 007222 at 500 Caddy Circle in Pagosa Springs. The County Attorney presented the Findings and Conclusions.

Court Kennedy, Attorney for the property owner, stated they had concerns regarding the language in the revision. He was specifically concerned with the noise ordinance. He stated there should be a finding to uphold this violation instead of just a complaint and suspension.

Pam Flowers, Development Director, stated she did not support the Planning Commission to uphold the findings because they were not trained to do so.

Commissioner Maez moved to adopt the Findings and Conclusions drafted by the County Attorney in the matter of the appeal of the vacation rental permit 007222 renewal application for 500 Caddy Circle in Pagosa Springs as presented. Commissioner Brown seconded the motion and it carried unanimously.

New Business

A. Approval of Joint Letter to Pagosa Springs Town Council

Richard Valdez, County Sheriff, presented a joint letter from the Board of County Commissioners to the Pagosa Springs Town Council related to the shared Intoxilyzer used to conduct DUI Investigations. **Commissioner Brown moved to approve a letter to the Pagosa Springs Town Council regarding housing of the I-9000 Intoxilyzer as presented. Commissioner Maez seconded the motion and it carried unanimously.**

B. Resolution 2021-25 Declaring Archuleta County a Right-To-Farm County

Alvin Schaaf, County Commissioner, stated as per C.R.S. 35-3.5-101 Colorado is a Right-To-Farm State and this resolution declares Archuleta County as a Right-To-Farm County. **Commissioner Maez moved to adopt Resolution 2021-25 declaring Archuleta County a Right-To-Farm County as presented. Commissioner Brown seconded the motion and it carried unanimously.**

C. Resolution 2021-26 Reaffirming Archuleta County's Opposition to the Reintroduction of Wolves Generally and Specifically Establishing Archuleta County as a Wolf Reintroduction Sanctuary County

Scott Wall, County Administrator, presented a resolution establishing the Board of County Commissioner's desire for Archuleta County as a Wolf Reintroduction Sanctuary County. **Commissioner Brown moved to adopt Resolution 2021-26 declaring Archuleta County a Wolf Reintroduction Sanctuary County as presented. Commissioner Maez seconded the motion and it carried unanimously.**

D. Approval of Underground Utility Easement and Electric Facilities Agreement

Scott Wall, County Administrator, presented an Underground Utility Easement and related Agreement between La Plata Electric Association, Inc. and Archuleta County for a perpetual easement for the distribution of electricity under and across the property at 85 Harman Park Drive, which included the new Justice Facility being constructed. **Commissioner Maez moved to approve the LPEA Underground Utility Easement for the property located at or near the Justice Facility construction site as presented. Commissioner Brown seconded the motion and it carried unanimously.**

E. Approval of Applications for Treasurer's Deeds

Todd Weaver, County Attorney, stated Archuleta County currently has numerous properties that are

held by the County due to nonpayment of taxes. Mr. Weaver stated the first step to get the properties back onto the county tax rolls is to obtain a Treasurer's Deed for each property. There are applications for 11 properties. **Commissioner Brown moved to approve eleven separate Applications for Treasurer's Deeds as presented. Commissioner Maez seconded the motion and it carried unanimously.**

F. Approval of Letter of Opposition to Senate Bill 21-062

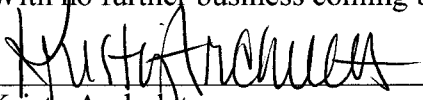
Scott Wall, County Administrator, presented a letter to the Colorado General Assembly declaring the Board of County Commissioner's opposition to Senate Bill 21-062 which restricts assets in felony and misdemeanor cases. **Commissioner Maez moved to approve a letter to the Colorado General Assembly opposing Senate Bill 21-062 as presented. Commissioner Brown seconded the motion and it carried unanimously.**

G. Approval of Addition of Employee Positions

Robert Smith, Human Resources Administrator, and Laura Vanoni, Transportation Program Coordinator, presented a request to add three additional part-time bus driver positions to allow for expanded services, including Chromo and Arboles and running Friday evening and Saturday buses. **Commissioner Brown moved to approve the addition of three additional part-time bus driver positions as presented. Commissioner Maez seconded the motion and it carried unanimously.**

Commissioner Comments

With no further business coming before the Board, the meeting was adjourned at 2:39 p.m.



Kristy Archuleta
Archuleta County Clerk & Recorder

Approved this 20th day of April 2021.



Alvin Schaaf, Chairman

Resolution 2021-23

Re-Issued in Error

Please See: Resolution 2021-28

Reception # 22102639

RESOLUTION 2021 - 24

A RESOLUTION APPROVING THE CONSOLIDATION OF CERTAIN LOTS IN ARCHULETA COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of Archuleta County, Colorado, has heretofore adopted regulations relating to the consolidation of lots in Archuleta County, Colorado, (Resolution No. 2013-23); and

WHEREAS, the Board has received an application from Marty G Ryan , to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

WHEREAS, the Board has found that Marty G Ryan, has met all the requirements contained in said regulations for Lot Consolidations and the Board may consolidate the hereafter mentioned lots.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Archuleta County as follows: The Chair does hereby sign on authority granted by the Board of County Commissioners and approves the consolidation of Lot 150-151 and Lot 148X, being a consolidation of Lots 145, 146, 147, 148, and 149 Pagosa Trails, according to the plat thereof filed Sept 13, 1971, as Reception No. 74885, as approved under Resolution No. 2016-26, recorded March 17, 2016 and Lot 150-151, Pagosa Trails, according to the plat thereof filed September 13, 1971 as Reception No. 74885, in the office of the Clerk and Recorder, Archuleta County, Colorado.

APPROVED AND ADOPTED DURING A MEETING DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD IN PAGOSA SPRINGS, ARCHULETA COUNTY, COLORADO, THIS 6th DAY OF APRIL, 2021.

ATTEST:

The Board of County Commissioners
Archuleta County, Colorado

*Kristy Archuleta,
by Mary Helinski,
Deputy Clerk*

Kristy Archuleta,
Archuleta County Clerk and Recorder



Alvin Schaeff
Chairman Alvin Schaeff

Return copy to Planning Dept.

Rtn: Kristy Archuleta
Resolutions

RESOLUTION 2021 - 25

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO,
DECLARING ARCHULETA COUNTY A RIGHT-TO-FARM COUNTY**

WHEREAS, the Board of County Commissioners of Archuleta County, Colorado (the "Board") recognizes the importance of ranching, farming and other agricultural activities and operations in Archuleta county, including the protection of the viability of such activities; and,

WHEREAS, the combination of mountains and the unspoiled rural landscape has been a significant factor in the current growth in population and resulting changes in land use in Archuleta County; and,

WHEREAS, to maintain the quality of life and the value of property of all citizens of Archuleta County, as well as the economic viability of those engaged in ranching and farming, it is important that the agricultural operations in the county be permitted to continue as they have as unaffected as possible by the pressures of growth and land use; and,

WHEREAS, the changing nature of land use and demography in Archuleta County has increased the potential for conflicts between agricultural operations, county visitors and residents of rural Archuleta County, which may threaten the continued economic viability of agricultural operations in the county; and,

WHEREAS, sources of such conflicts include but are not limited to: harassment of livestock and livestock losses due to free roaming dogs; trespass by livestock; movement of livestock on highways and county roads; gates inappropriately left open or shut; fence construction and maintenance; chemical applications; maintenance of ditches across private property and burning ditches; complaints regarding water seepage, noise, dust and odor; disposal of dead animals; weed and pest control; trespass; or movement of machinery on highways and county roads; and,

WHEREAS, it is desirable to protect agricultural operators from complaints about legal and non-negligent agricultural operations and activities; and,

WHEREAS, it is desirable to educate the public and non-agricultural residents and visitors to Archuleta County about the existence, value and importance of the county's agricultural operations and activities; and,

WHEREAS, the Board shall attempt and aspire to:

- a. Conserve, enhance and encourage ranching, farming and all manner of traditional agricultural activities and operations within and throughout Archuleta County;
- b. Minimize potential conflicts between agricultural and non-agricultural users of land in the county;

*Rtn: Kristy Archuleta
Resolutions*

c. Educate and notify new rural residents and long-time agricultural operators alike of their rights and obligations relating to agricultural activities;

d. Integrate planning efforts to provide the retention of traditional and prime agricultural lands in agricultural production, as well as the opportunity for reasonable residential and other development; and,

WHEREAS, the Board of County Commissioners, pursuant to Colorado statutes, has the power to provide for the preservation of cultural, historic and architectural history in the county and to regulate the use of land therein; and

WHEREAS, the Board pursuant to C.R.S. § 29-20-104, has the authority to plan for and regulate the use of land by regulating the use of land on the basis of its impact on the community or surrounding areas and otherwise planning for and regulating the use of land so as to provide planned and orderly use of land and protection of the environment in a manner consistent with constitutional rights; and,

WHEREAS, pursuant to C.R.S. Article 3.5, Title 35, it is the declared policy of the State of Colorado to conserve, protect, and encourage the development and improvement of agricultural lands in the production of food and other agricultural products. The Colorado General Assembly has also recognized that when non-agricultural land uses extend into agricultural areas, agricultural operations often become the subject of nuisance litigations; and further, that a number of agricultural operations have been forced to cease operations and many others are discouraged from making investments in farm operation as the result of such lawsuits. The State has also stated that the purpose of Article 3.5 is to reduce the loss to the State of Colorado of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed a nuisance; and,

WHEREAS, pursuant to C.R.S. 35-3.5-102(1), an agricultural operation is neither, nor shall it become, a public or private nuisance by any change in conditions in or about the locality of such operation after it has been in operation for more than one year, provided that it was not a nuisance at the time the operation began, and also provided that it is not a negligent operation and that a change in an operation or substantial increase in the size of operation does not result in a private or public nuisance; and,

WHEREAS, the Board has determined that it is desirable and beneficial to the citizens of Archuleta County to establish and adopt by resolution a Right to Ranch and Farm Policy involving the elements of protection of agricultural operations, education of property owners and the public, and resolution of disputes; and,

WHEREAS, the establishment and adoption of such a Right to Ranch and Farm Policy would serve and promote the public health, safety, and welfare of the citizens of Archuleta County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, THAT:

1. Policy Statement: It is the policy of the Board of County Commissioners of Archuleta County that ranching, farming, and all manner of traditional agricultural activities and operations throughout Archuleta County are integral elements of and necessary for the continued vitality of the county's history, economy, landscape, lifestyle and culture. Given their importance to Archuleta County and Colorado, agricultural lands and operations are worthy of recognition and protection.

Colorado is a "Right to Farm State" pursuant to C.R.S. § 35-3.5-101, *et seq.* Landowners, residents and visitors must be prepared to accept the activities, sights, sounds and smells of Archuleta County's agricultural operations as a normal and necessary aspect of living in a county with a strong rural character and a healthy ranching and farming sector. Those with an urban sensitivity may perceive such activities, sights, sounds and smells as inconveniences, eyesores, noises and odors. However, state law and county policy provide that ranching or other agricultural activities and operations with Archuleta County shall not be considered a nuisance as long as they are operated in conformance with the law and in a non-negligent manner. Therefore, all must be prepared to encounter noise, odors, lights, mud, dust, smoke, chemicals, machinery on public roads, livestock on public roads, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides according to applicable law; any one or more of which may naturally occur as a part of legal and non-negligent agricultural operations. In addition, all owners of land, whether ranch or residence, have obligations under state law and county regulation with regard to the maintaining of fences and irrigation ditches, controlling weeds, keeping livestock and pets under control, and other aspects of using and maintaining property. Residents and landowners are encouraged to learn about these rights and responsibilities and to act as good neighbors and citizens of the county.

2. Property Owner Notification: The Board shall notify owners of land within the county concerning the Right to Ranch and Farm by the following means:
 - a. A one-time publication in the Pagosa Sun of the above policy statement.
 - b. Whenever a subdivision, subdivision exemption, variance or other official action of the Board of County Commissioners or the Archuleta County Planning Commission, resulting in additional residential lots being created, the applicant shall be required to provide purchasers of such lots a copy of the above policy.
 - c. Whenever a building/zoning permit is issued for new construction in the unincorporated areas of Archuleta County, the Planning Department shall provide a copy of the above policy to the applicant.
 - d. The Board encourages real estate brokers doing business in Archuleta County to voluntarily disclose the policy to purchasers of real property within the

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Kristy Archuleta
Archuleta County

county. To that effect, the Board shall provide information to realtors and professionals to explain the policy.

APPROVED AND ADOPTED THIS 6th DAY OF APRIL, 2021.

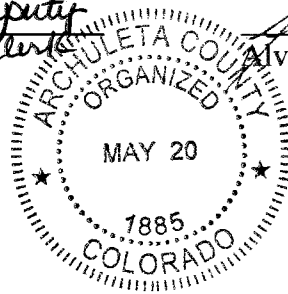
**BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, CO**

ATTEST:

Kristy Archuleta,
by Mary Helminski, Deputy
County Clerk and Recorder

Clerk

Alvin Schaaf
Alvin Schaaf, Chair



RESOLUTION 2021 - 26

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO,
REAFFIRMING ARCHULETA COUNTY’S OPPOSITION TO THE REINTRODUCTION
OF WOLVES GENERALLY, AND SPECIFICALLY ESTABLISHING ARCHULETA
COUNTY AS A WOLF REINTRODUCTION SANCTUARY COUNTY**

WHEREAS, in the November 3rd, 2020 Colorado election, Proposition 114, the ballot measure to require the artificial introduction of Canadian Gray Wolves in the State, the voters of Colorado narrowly approved the measure by a vote of 1,590,299 for and 1,533,313 against, while the voters of Archuleta County rejected the measure voting 5,638 against and 3,119 for; and,

WHEREAS, Proposition 114 received an affirmative vote in only five western slope counties, including Pitkin, Summit, San Miguel, San Juan and La Plata Counties; and,

WHEREAS, gray wolves were extirpated from the County and the State nearly 80 years ago because of their predation on cattle and sheep; and,

WHEREAS, the economy of Archuleta County is highly dependent on the livestock industry and big game hunting; and,

WHEREAS, Archuleta County is home to large populations of elk and mule deer herds; and,

WHEREAS, wolf reintroductions in other states have caused significant reductions in big game herd numbers requiring reduced opportunities for hunters and other wildlife enthusiasts; and,

WHEREAS, wolf reintroductions in other states have included a provision for “fair compensation” for livestock losses due to wolf predation, however, in practical application, this has proven from difficult to unattainable for affected livestock producers; and,

WHEREAS, Archuleta County is part of the Southwest region as defined by Colorado Parks & Wildlife. According to the *2017 Economic Contributions of Outdoor Recreation in Colorado*¹, the Southwest region spent over \$3.5 million in outdoor recreation; and,

¹ The 2017 Economic Contributions of Outdoor Recreation in Colorado, A regional and county level analysis. Colorado SCORP, Colorado Parks & Wildlife, and Southwick Associates, https://cwp.state.co.us/Documents/Trails/SCORP,2017EconomicContributions_SCORP.pdf, July 23, 2018, accessed March 31, 2021.

Rtn: Kristy Archuleta
Resolutions

WHEREAS, Archuleta County maintains a \$15.5 million agriculture industry from cattle and hay production, according to the Colorado Department of Agriculture²; and,

WHEREAS, gray wolves have naturally returned to the State over the last decade with confirmed sightings of both individuals and packs in Jackson, Routt, Rio Blanco, and Moffat counties; and,

WHEREAS, given the biology and social habits of wolf populations, it is reasonable to assume migration by Canadian gray wolves will continue in the northern portion of Colorado and Mexican gray wolves will continue into the southern portion of the state; and,

WHEREAS, given the nature of wolf behavior, the presence of artificially introduced wolf populations will reduce or eliminate the recolonization by natural migration; and,

WHEREAS, approximately 65% of Archuleta County is federal forest service land, wilderness areas and tribal lands; and,

WHEREAS, the ecological benefits of re-established wolf populations can be achieved by natural migration and reproduction; and,

WHEREAS, the adoption of this Resolution is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort, welfare, and convenience of the County and the inhabitants thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, THAT:

1. Archuleta County is declared to be a Wolf Reintroduction Sanctuary County, allowing only for the natural migration and repopulation of Gray Wolves without the competition from artificially introduced wolves.
2. "Designated Lands" for artificial reintroduction of wolves as defined in the ballot Proposition, must not include Archuleta County or any other County in the State that adopts the Sanctuary County Designation.
3. This decision is predicated on the following:
 - a. A rapid artificial repopulation of wolves into Archuleta County will cause significant economic harm in a time in which county revenues are already depressed.

² Colorado Department of Agriculture, Glimpse of Colorado Agricultural Production Map, <https://www.colorado.gov/pacific/sites/default/files/Glimpse%20of%20CO%20Agriculture%20Map%202.pdf>, accessed March 31, 2021.

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Kristy Archuleta
Archuleta County

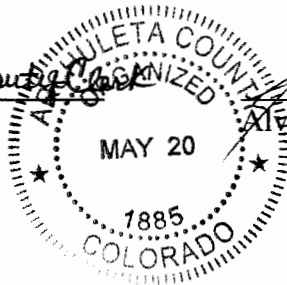
- b. A slow, extensively monitored and managed, natural restoration of wolves will facilitate a fuller understanding of regional and localized wolf behavior and of social impacts and will allow for increased temporal directed adaptive management.
 - c. Adaptive management strategies must include the ability to take as an appropriate tool as warranted.
 - d. Wolves should be artificially reintroduced only in those Colorado Counties that received an affirmative vote on Proposition 114 in the 2020 election. This will allow for comparative study of impacts, both positive and negative, of different reintroduction strategies. In other counties, including Archuleta County, wolves should be allowed to naturally populate through migration and reproduction only.
 - e. Individual wolves or packs that migrate from the original release counties must be removed from the Sanctuary County so as not to compete with or displace natural reestablishment.
 - f. Funding should be robust enough to closely monitor both naturally occurring and reintroduced wolves and the detailed effects on prey animals. Funding should be limited to the State General Fund as to not affect already limited Game Cash Funds and not encumber Sportsmen's dollars to this effort.
 - g. In that a high percentage of land within the county is federally-owned, planning and management of the wolves should be closely coordinated with the Forest Service and Bureau of Land Management.
4. The above listed approach, in large part, follows the recommendations of the Colorado Wolf Management Plan established by the working group in December 2004.

APPROVED AND ADOPTED THIS 6th DAY OF APRIL, 2021.

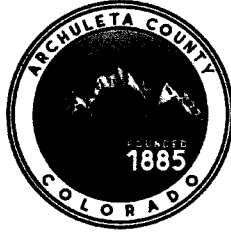
**BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, CO**

ATTEST:

Kristy Archuleta
by Mary Helminski, Deputy Clerk
County Clerk and Recorder



Alvin Schaaf
Alvin Schaaf, Chair



**ARCHULETA COUNTY
BOARD OF COUNTY COMMISSIONERS**

It is HIGHLY ENCOURAGED for the Public to Join via ZOOM as space is very limited in the meeting room. Join Zoom Meeting at <https://zoom.us/j/91609048375?pwd=dIFFV0J1cGVKa1NHWHFsa2taeGxtZz09> - Meeting ID 916 0904 8375 - Passcode 4141885

CALL TO ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF APRIL 6, 2021 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 Commissioners. Please complete the Public Comment Request Form and submit to an Administrative Staff member prior to the beginning of the meeting. Please keep your comments to three (3) minutes. The Board is not required to discuss or reply to your comment.

Documents:

PUBLIC COMMENT REQUEST FORM.PDF

PROCLAMATIONS

A. Sexual Assault Awareness Month

This proclamation declares April 2021 as Sexual Assault Awareness Month in Archuleta County.

Presenter	Ashley Wilson
Presenter's Title	Rise Above Violence

Documents:

SEXUAL ABUSE AWARENESS MONTH.PDF

B. Child Abuse And Neglect Prevention Month

This proclamation declares April 2021 as Child Abuse and Neglect Prevention Month in Archuleta County.

Presenter	Lacy Brown
Presenter's Title	Child/Adult Protection Supervisor

Documents:

CHILD ABUSE PREVENTION MONTH 2021.PDF

C. National Library Week

This proclamation declares April 4-10, 2021 as National Library Week.

Presenter Cindi Galabota
 Presenter's Title Ruby M. Sisson Memorial Library Development Officer

Documents:

NATIONAL LIBRARY WEEK.PDF

D. National Public Safety Telecommunicators Week

This proclamation declares April 11-17, 2021 as National Public Safety Telecommunicators Week.

Presenter Kati Harr
 Presenter's Title Emergency Communications Director

Documents:

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK.PDF

LAND USE REGULATION HEARING**A. Consideration And Approval Of Final Plat For Patrick And Kathleen Disner**

Patrick and Kathleen Disner have applied for Final Plat Approval of the Carri Blanco Cabin Sites Amendment 2021-01 Final Plat, Being a Replat of Lots 37, 38, 39, 40 and 41 Creating Lots 372Z (150 Carrico Street) and 39XZ (173 Carrico Street).

Presenter Pam Flowers
 Presenter's Title Development Director

Documents:

20-085 DISNER TATE MLLA REPLAT BOCC STAFF REPORT 032321.PDF

B. Consideration And Approval Of Final Plat For Paul Mancinelli

Paul Mancinelli has applied for Final Plat Approval of the Pagosa in the Pines Amendment 2021-01, a replat of lot 27X, Block 13 of Pagosa in the Pines Subdivision, creating lots 26A (429 E. Golf Place), 27XA (433 E. Golf Place) and 28A (439 E. Golf Place).

Presenter Pam Flowers
 Presenter's Title Development Director

Documents:

21-002 MANCINELLI PLAT AMENDMENT BOCC STAFF REPORT 032321.PDF

LOCAL LICENSING AUTHORITY**A. Consideration And Approval Of The Renewal Of A Retail Optional Premises Cultivation License For Bell's Naturals II, LLC**

This is a renewal of a Retail Optional Premises Cultivation Center License for Bell's Naturals II, LLC, located at 765 Industrial Circle in Pagosa Springs. There are no changes, the application is complete and the proper fees have been paid. The Sheriff's Office has done their background check and the Building Department and Fire District have done their inspections and there were no issues. The financial impact to the county is the fees paid per the county fee schedule and staff recommends approval of this license renewal.

Presenter Mary Helminski
 Presenter's Title

Executive Assistant/Paralegal

Documents:

BELLS NATURALS RENEWAL APPLICATION.PDF

CONSENT AGENDA BY BOCC/LIQUOR BOARD**A. Consideration And Approval Of A Hotel And Restaurant Liquor License Renewal For Chavolo's Mexican Restaurant Of Pagosa Springs Dba Chavolo's Mexican Restaurant**

This is a renewal of a Hotel & Restaurant liquor license for Chavolo's Mexican Restaurant of Pagosa Springs dba Chavolo's Mexican Restaurant located at 2301 N. Pagosa Blvd. in Pagosa Springs, Colorado. This renewal includes no changes. The application is complete and the proper fees have been paid. The Sheriff's Office and the County Building Department have completed their inspections and found no issues. The financial impact to the county is the fees paid per the county fee schedule and staff recommends approval of this license renewal. Responsible Staff: Mary Helminski, Liquor Licensing Agent.

Documents:

CHAVOLOS LICENSE RENEWAL.PDF

B. Consideration And Approval Of A Hotel And Restaurant Liquor License Renewal For Ho's Shanghai Corp. Dba Shang Hai Restaurant

This is a renewal of a Hotel & Restaurant liquor license for Ho's Shanghai Corp. dba Shang Hai Restaurant located at 20 Village Drive in Pagosa Springs, Colorado. This renewal includes no changes. The application is complete and the proper fees have been paid. The Sheriff's Office and the County Building Department have completed their inspections and found no issues. The financial impact to the county is the fees paid per the county fee schedule and staff recommends approval of this license renewal. Responsible Staff: Mary Helminski, Liquor Licensing Agent.

Documents:

SHANG HAI LICENSE RENEWAL.PDF

C. Consideration And Approval Of A Liquor Store License Renewal For Pagosa Liquor Inc. Dba Pagosa Liquor

This is a renewal of a Liquor Store license for Pagosa Liquor Inc. dba Pagosa Liquor located at 30-B North Pagosa Blvd. in Pagosa Springs, Colorado. This renewal also includes a Retail Warehouse Storage Permit renewal for liquor storage at 1339 B County Road 200 in Pagosa Springs. These renewals include no changes. The application is complete and the proper fees have been paid. The Sheriff's Office and the County Building Department have completed their inspections and found no issues. The financial impact to the county is the fees paid per the county fee schedule and staff recommends approval of this license renewal. Responsible Staff: Mary Helminski, Liquor Licensing Agent.

Documents:

PAGOSA LIQUOR LICENSE RENEWAL.PDF

CONSENT AGENDA**A. PAYABLE WARRANTS AND PURCHASE CARDS****March 17, 2021 - April 6, 2021****B. REGULAR MEETING MINUTES****Regular Meeting Minutes 03/16/2021**

Draft of the Regular Meeting Minutes from March 16, 2021 for approval.

Documents:

03-16-2021R.PDF

C. Consideration Of Resolution 2021-_____ To Consolidate 2 Lots Into 1 Lot In Wildflower Subdivision Owned By The Michael Alan Young Revocable Trust And The Laura Rose Carlile Young Revocable Trust

This request is to consider a resolution authorizing the consolidation of Lots 24 and 25 in Wildflower Subdivision, to become Lot 24X owned the Michael Alan Young Revocable Trust and the Laura Rose Carlile Young Revocable Trust. This consolidation has been reviewed and is recommended for approval by the Development Services Director. The impact to the county budget includes fees paid per the County Fee Schedule, generally balanced by reduction in property taxes.

Documents:

YOUNG RESOLUTION.PDF

D. Consideration Of Resolution 2021-_____ To Consolidate 2 Lots Into 1 Lot In Pagosa Trails, Owned By Marty G. Ryan

This request is to consider a resolution authorizing the consolidation of Lots 148X and 150-151 in Pagosa Trails, to become Lot 148XX owned by Marty G. Ryan. This consolidation has been reviewed and is recommended for approval by the Development Services Director. The impact to the county budget includes fees paid per the County Fee Schedule, generally balanced by reduction in property taxes.

Documents:

RYAN RESOLUTION.PDF

E. Consideration And Approval Of 2021 Work And Financial Plan

A Cooperative Service Agreement (the "Agreement") between Archuleta County and the U.S. Department of Agriculture was signed in December 2019 for a term of four years. The Agreement provides the terms for conducting wildlife damage management program activities for Archuleta County to manage conflicts caused by wildlife, including but not limited to protection of livestock from coyotes, bears and lions, and protection of irrigation ditches from beavers. Pursuant to the Agreement, this Work Plan defines the objectives, plan of action and budget for the Wildlife Services program to be conducted during calendar year 2021. The financial impact to the County will not exceed \$18,715.84.

Documents:

COOPERATIVE SERVICE AGREEMENT - WILDLIFE SERVICES.PDF
WORK AND FINANCIAL PLAN.PDF

F. Consideration And Approval Of Master Information Technology Service Agreement With Echo IT Consulting LLC

On February 16, 2021, the Board of County Commissioners approved the proposal from Echo IT Consulting LLC for high tier IT support for all the county offices. This Master Information Technology Service Agreement provides the terms and conditions for the work to be performed. Staff recommends approval of this Agreement. Responsible Staff: Gabriel Cersonsky, IT Director.

Documents:

IT SERVICES CONTRACT (COUNTY).PDF

G. Ratification Of The Chairman's Signature On Compliance Order On Consent No. 21-00-00-01 With The Colorado Department Of Public Health And Environment

The Colorado Department of Public Health and Environment ("CDPHE"), through the Hazardous Materials and Waste Management Division, issued a Compliance Advisory on August 6, 2020 related to deficiencies observed at the county landfill. This Compliance Order provides the terms and conditions for Archuleta County to settle the violations and bring the landfill into compliance with CDPHE. In order to receive a discount on the penalties and fees assessed, the Compliance Order had to be executed by April 2, 2021 and returned to CDPHE. After review and approval by the County Attorney, Commissioner Schaaf signed the Order on March 31, 2021.

Documents:

COUNTY LANDFILL COC SIGNED.PDF

OLD BUSINESS**A. Consideration And Approval Of Findings And Conclusions For Appeal Of Vacation Rental Permit 007222 Renewal**

On March 16, 2021, the Board of County Commissioners ("BoCC") held a hearing on the appeal of the renewal application for vacation rental permit 007222 at 500 Caddy Circle in Pagosa Springs. The BoCC voted to uphold the Probationary Approval with some modifications and directed the County Attorney to draft Findings and Conclusions describing those modifications. This agenda item provides the Findings and Conclusions drafted by the County Attorney for BoCC adoption.

Presenter Todd Weaver
 Presenter's Title County Attorney

Documents:

KOTTAS APPEAL FINDINGS AND CONDITIONS.DOCX

NEW BUSINESS**A. Consideration And Approval Of Joint Letter To Pagosa Springs Town Council**

This joint letter from the Board of County Commissioners and the Sheriff of Archuleta County to the Pagosa Springs Town Council is related to the shared Intoxilyzer used to conduct DUI Investigations.

Presenter Richard Valdez
 Presenter's Title Sheriff

Documents:

TOWN COUNCIL - INTOXILYZER.PDF

B. Consideration Of Resolution 2021-___ Declaring Archuleta County A Right-To-Farm County

Colorado is a Right-to-Farm State pursuant to C.R.S. 35-3.5-101 *et seq.* This resolution declares Archuleta County as a Right-to-Farm County.

Presenter Alvin Schaaf
 Presenter's Title Commissioner

Documents:

RESOLUTION 2021 -___ DECLARING ARCHULETA COUNTY AS RIGHT TO FARM.PDF

C. Consideration Of Resolution 2021-___ Reaffirming Archuleta County's Opposition To The Reintroduction Of Wolves Generally And Specifically Establishing Archuleta County As A Wolf Reintroduction Sanctuary County

This resolution provides the Board of County Commissioner's desire to establish Archuleta County as a Wolf Reintroduction Sanctuary County

Presenter Scott Wall
 Presenter's Title County Administrator

Documents:

RESOLUTION 2021 -___ DECLARING ARCHULETA COUNTY AS A WOLF REINTRODUCTION SANCTUARY COUNTY.PDF

D. Consideration And Approval Of Underground Utility Easement And Electric Facilities Agreement

This Underground Utility Easement and related Agreement between La Plata Electric Association, Inc. and Archuleta County is for a perpetual easement for the distribution of electricity under and across the

property at 85 Harman Park Drive, which includes the new Justice Facility being constructed.

Presenter Scott Wall
 Presenter's Title County Administrator

Documents:

EASEMENT AGREEMENT.PDF

E. Consideration And Approval Of Applications For Treasurer's Deeds

Archuleta County currently has numerous properties that are held by the County due to nonpayment of taxes. The first step to get the properties back onto the county tax rolls is to obtain a Treasurer's Deed for each property. This item includes applications for 11 properties.

Presenter Todd Weaver
 Presenter's Title County Attorney

Documents:

TREASURER DEED APPLICATIONS.PDF

F. Consideration And Approval Of Letter Of Opposition To Senate Bill 21-062

This letter declares the Board of Commissioners' opposition to Senate Bill 21-062 which restricts arrests in felony and misdemeanor cases.

Presenter Scott Wall
 Presenter's Title County Administrator

Documents:

LETTER TO GENERAL ASSEMBLY OPPOSING SB 21-062.PDF

G. Consideration And Approval Of Addition Of Employee Positions

This request is to add three additional part-time bus driver positions to allow for expanded bus services, including to Chromo and Arboles and running Friday evening and Saturday buses.

Presenter Robert Smith and Laura Vanoni
 Presenter's Title Human Resources Administrator and Transportation Program
 Coordinator

Documents:

TRANSIT PROGRAM POSITIONS STAFF REPORT.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.

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.