

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting May 21, 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 Wadley moved to approve the Agenda as written. Commissioner Schaaf seconded the motion and it carried unanimously.**

Public Comments

Chairman Maez stated he was opening the floor for public comments for those wanting to comment on items not on this agenda. Comments were asked to be held to 3 minutes for each person desiring to speak. No response from the Board would be given.

Reports

A. Archuleta County Department of Human Services First Quarter 2019 Report

Matt Dodson, Director of Human Services, presented the first quarter report for 2019.

B. Archuleta County First Quarter Financial Report

Larry Walton, Finance Director, presented the first quarter report for 2019.

Chairman Maez recessed the Regular Meeting and convened the Board of Adjustment Hearing at 2:10 p.m.

Board of Adjustment Hearing

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

A. Clifford Front & Golf Course Variances, Lot 9X Block 16 Pagosa In The Pines

Terry D. Clifford has applied for a variance from the Archuleta County Land Use Regulations, on Lot 9X Block 16 Pagosa in the Pines, at 128 Divot Pl., Pagosa Springs, CO. The applicant requested variances to build less than 30' from the front lot line and less than 50' from the golf course boundary in the Planned Unit Development zone. No fiscal impact on the County is anticipated.

Chairman Maez open the floor for comments "In Favor of the Variance."

- James Strickler, 88 Divot Place, sent in a letter with his approval for the variance.
- Murray Nobles, 118 Divot Place, expressed his approval of the variance.

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

Commissioner Schaaf moved to approve the Clifford Front Variance with Findings A and B and Condition #1 of the staff report, and instruct staff to draft a Resolution stating the Findings and Conditions of Approval as presented. Commissioner Wadley seconded the motion and it carried unanimously.

Commissioner Wadley moved to approve the Clifford Golf Course Variance with Findings C and D and Condition #2 of the staff report, and instruct staff to draft a Resolution stating these Findings and Conditions of Approval as amended to 37’. Commissioner Schaaf seconded the motion and it carried unanimously.

Chairman Maez adjourned the Board of Adjustments Hearing and convened the Liquor Board Hearing at 2:21 p.m.

Liquor Board Hearing

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

A. Consideration of a Special Events Permit for Mineral County Fairgrounds Association

Flora Goheen, Planning Technician, presented an application for a Special Events Permit for the Mineral County Fairgrounds Association, to sell malt, vinous, spirituous liquor at the Western Heritage Events Center located at 344A Hwy 84 for the Thursday Night Rodeos on June 13, 20, 27, July 11, 18, 25, and August 8, 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.” – There were none.

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

Commissioner Schaaf moved to approve a Special Events Permit for the Mineral County Fairgrounds association for the seven Thursday Night Rodeos during the summer of 2019 as presented. Commissioner Wadley seconded the motion and it carried unanimously.

B. Transfer of a Hotel & Restaurant Liquor License for Marcos of Colorado, LLC to Marconi’s Family Restaurant, LTD dba Marconi’s Family Restaurant

Flora Goheen, Planning Technician, presented a request to transfer ownership of a Hotel & Restaurant Liquor License from Marcos of Colorado, LLC to Marconi’s Family Restaurant, LTD dba Marconi’s Family Restaurant located at 117 Navajo Trails Dr. Suite D Pagosa Springs, Colorado with no changes to the premises. The application was complete and the proper fees have been submitted. The Sheriff’s Office has completed their background check and the Building

Department inspected the premises for changes.

Chairman Maez open the floor for comments “In Favor of the Hotel & Restaurant Liquor License Transfer.” – There were none.

Chairman Maez closed comments “In Favor of the Hotel & Restaurant Liquor License Transfer” and opened the floor for comments “Opposed to the Hotel & Restaurant Liquor License Transfer.” – There were none.

Commissioner Wadley moved to approve the transfer of the Hotel and Restaurant Liquor License from Marcos of Colorado, LLC to Marconi’s Family Restaurant, LTD dba Marconi’s Family Restaurant as presented. Commissioner Schaaf seconded the motion and it carried unanimously.

C. Temporary Hotel & Restaurant Liquor Permit for Marconi’s Family Restaurant, LTD dba Marconi’s Family Restaurant

Flora Goheen, Planning Technician, presented a request for a ninety (90) day Hotel & Restaurant Liquor Permit for Marconi’s Family Restaurant, LTD dba Marconi’s Family Restaurant located at 117 Navajo Trail Dr. Ste. D Pagosa Springs, Colorado. The application is complete and the proper fees have been submitted. The Building Department 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 Ninety Day Permit.” – There were none.

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

Commissioner Schaaf moved to approve a 90 Day Temporary Hotel & Restaurant Liquor Permit for Marconi’s Family Restaurant, LTD dba Marconi’s Family Restaurant as presented. Commissioner Wadley seconded the motion and it carried unanimously.

Chairman Maez adjourned the Liquor Board Hearing and reconvened the Regular Meeting at 2:26 p.m.

Consent Agenda Board of Adjustment

- A. Resolution 2019-02BOA Approving Variance from the Archuleta County Land Use Regulations for Maes on Lot 8 Block 6 Pagosa In The Pines

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

Consent Agenda Liquor Board

- A. Hotel & Restaurant Liquor License Renewal for PSGC, LLC dba Pagosa Springs Golf Club and Report of Changes
- B. Liquor Store Liquor License Renewal for Olsen David C dba Turkey Springs Trading Post

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

Consent Agenda

- A. Payroll for and Payable Warrants with Purchase Cards May 8, 2019 – May 21, 2019

Payable Warrants for dates of May 8, 2019-May 21, 2019	
General Fund Payable	156,249.49
Road and Bridge Fund Payable	90,833.89
Department of Human Services Fund Payable	36,015.14
1A Fund	-
All Combined Dispatch Fund Payable	7,263.72
Conservation Trust	15,000.00
Justice System Capital Fund	-
Solid Waste Fund Payable	2,913.96
Airport Fund Payable	14,981.79
Fleet Fund Payable	246,326.87
Total	569,584.86
Payroll Warrants for dates of May 8, 2019-May 21, 2019	
General Fund Payroll	184,954.03
Road and Bridge Fund Payroll	37,253.08
Department of Human Services Fund Payroll	36,329.24
All Combined Dispatch Fund Payroll	20,477.06
Solid Waste Fund Payroll	13,965.65
Airport Fund Payroll	4,320.15
Fleet Fund Payroll	5,980.81
Total	303,280.02

- B. Regular Meeting Minutes
May 7, 2019
- C. Special Meeting Minutes
May 6, 2019
- D. Letter of Intent with Growing Water Smart
- E. Resolution 2019-44 Lot Consolidation Pagosa Highlands Estates owned by Douglas J. Scott and Trudy L. Scott
- F. Resolution 2019 -45 Lot Consolidation Pagosa Highlands Estates owned by Riley R. Christensen
- G. Resolution 2019-46 Affirming Legal Lot Status for Kleckner
- H. Resolution 2019-47 Affirming Legal Lot Status for Mountain Cabin Rental LLC
- I. Ratification of the Chairman’s Signature for the Gravel Supply and Haul Agreement with

- Descendants Trust created under David C. Lindner 2002 Special Trust
- J. Bridges Day Treatment Alternative Program (BDTAP) and ACDHS 2019 Contract
- K. ACDHS and Authentic Solutions Home Based Therapy Contract 2019
- L. Resolution 2019-48 Approving the Archuleta County Fee Schedule

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

New Business

A. Resolution 2019- Amending the Meeting Times for County Meetings

Scott Wall, County Administrator, presented a resolution to amend the meeting time for the first Board of County Commissioner meeting of the month to 6:00 p.m. The Board tested the change during the months of March, April and May. The number of attendees at those meetings did not increase over the number that attended the afternoon meetings, staff recommends denial of this resolution. Chairman Maez requested a motion. Chairman Maez advised the Resolution to amend the meeting times for County meetings would be postponed indefinitely for the lack of a motion.

B. Intergovernmental Agreement with Town of Pagosa Springs for Joint Management of Fiber Assets and Broadband Deployment

Todd Weaver, County Attorney, presented an Intergovernmental Agreement between the Town of Pagosa Springs and Archuleta County on cost sharing for managing, maintaining and repairing the jointly owned fiber optic cables and associated equipment, constructing a carrier neutral facility, sharing of revenue from the leasing of fiber optic cables to third-parties, and the possibility of funding the construction expansions to the existing network. **Commissioner Schaaf moved to approve the Intergovernmental Agreement with the Town of Pagosa Springs for joint management of fiber assets and broadband deployment as presented. Commissioner Wadley seconded the motion. Chairman Maez asked for public comment. The motion carried unanimously.**

C. Agreement with Town of Pagosa Springs and the Pagosa Springs Community Development Corporation for Management of Fiber Assets and Broadband Deployment

Todd Weaver, County Attorney, presented an agreement providing the terms and conditions between the Town of Pagosa Springs, the Pagosa Springs Community Development Corporation (“CDC”) and Archuleta County for the management of the fiber assets and the broadband deployment. **Commissioner Wadley moved to approve the Agreement with the Town of Pagosa Springs and the Pagosa Springs Community Development Corporation for management of fiber assets and broadband deployment as presented. Commissioner Schaaf 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 Schaaf 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

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property interest in connection with the property located at 85 Harman Park Drive in Pagosa Springs, Colorado and pursuant to C.R.S. 24-6-402(4)(b) conference with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions related to irrigation ditch culvert repairs. Commissioner Wadley 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 2:42 p.m.

Chairman Maez reconvened the Regular Meeting at 3:07 p.m.

Commissioner Wadley moved to appoint Commissioner Ronnie Maez as negotiator for the possible County purchase of property located at 85 Harman Park Drive. 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 ongoing concerns about the 1033 Program.

Commissioner Comments

With no further business coming before the Board, the meeting was adjourned at 3:10 p.m.

Tomi Bliss
Deputy County Clerk & Recorder

Approved this 18th day of June, 2019.

Ronnie Maez, Chairman