

**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 recessed 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.

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Kristy Archuleta  
Archuleta County Clerk & Recorder

Approved this 20<sup>th</sup> day of April 2021.

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Alvin Schaaf, Chairman