

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting on March 1, 2022 noting County Commissioners Alvin Schaaf, Ronnie Maez and Warren Brown, County Administrator Derek Woodman, 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 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.

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

Public Comments

There were none.

Chairman Schaaf recessed the Regular Meeting and convened the Board of Adjustment at 1:31 p.m.

Board of Adjustment Hearing

A. (PLN21-120) Public Hearing for Height Variance for Verizon CMRS Tower

Pamela Flowers, Development Director, stated Verizon Wireless, represented by Kappa Consulting, had applied for a height variance to install a 90' tower in the Agricultural Ranching zoning district at 329 Cloman Blvd. where the maximum height is 40'.

Chairman Schaaf opened the floor for comments In Favor of the Variance.

Chairman Schaaf opened the floor for comments Opposed to the Variance.

Chairman Schaaf closed the floor for comments.

Commissioner Maez moved to approve a height variance for a 90' Verizon Wireless tower at 329 Cloman Blvd. as presented. Commissioner Brown seconded the motion and it carried unanimously.

Chairman Schaaf adjourned the Board of Adjustment Hearing and convened the Land Use Regulation

Hearing at 1:38 p.m.

Land Use Regulation Hearing

A. (PLN21-118) Public Hearing for Conditional Use Permit for Verizon Wireless CMRS Tower

Pamela Flowers, Development Director, stated Verizon Wireless, represented by Kappa Consulting, applied for a Board Conditional Use Permit for a Commercial Mobile Radio System (CMRS) Tower at 329 Cloman Blvd.

Chairman Schaaf opened the floor for comments In Favor of the Conditional Use Permit.

Chairman Schaaf opened the floor for comments Opposed to the Conditional Use Permit.

Chairman Schaaf closed comments.

Commissioner Brown moved to approve a Conditional Use Permit for a Commercial Mobile Radio System for Verizon Wireless at 329 Cloman Blvd. with Findings A, B and C and conditions 1-5 as presented. Commissioner Maez seconded the motion and it carried unanimously.

B. (PLN21-153) Public Hearing for Pagosa Hills 3 Subdivision Amendment 2022-01 Final Plat

Pamela Flowers, Development Director, stated Kathryn Chenault applied for a Final Plat Amendment of Pagosa Hills 3 Subdivision Amendment 2022-01 at 93 Brookhill Drive. The Plat Amendment was creating two lots instead of just one and adjusting the boundaries.

Chairman Schaaf opened the floor for comments In Favor of the Final Plat.

Chairman Schaaf opened the floor for comments Opposed to the Final Plat.

Chairman Schaaf closed the floor for comments.

Commissioner Maez moved to approve a Final Plat of the Pagosa Hills Subdivision No. 3, Amendment 2022-01 at 93 Brookhill Drive, with no conditions for Kathryn Chenault as presented. Commissioner Brown seconded the motion and it carried unanimously.

Chairman Schaaf adjourned the Land Use Regulation Hearing and reconvened the Regular Meeting at 1:50 p.m.

Consent Agenda

A. Payable Warrants and Purchase Cards

Payable Warrants for dates of Feb 15th thru March 1st, 2022	
General Fund Payable	161,659.26
Road and Bridge Fund Payable	28,587.95
Department of Human Services Fund Payable	5,874.58
1A Fund	-
All Combined Dispatch Fund Payable	499.26
Conservation Trust	-
Justice System Capital Fund	3,090.84
Solid Waste Fund Payable	11,871.43
Airport Fund Payable	924.67
Fleet Fund Payable	35,328.89
Total	247,836.88

Payable Wire Transfers for dates of Feb 15th thru March 1st, 2022	
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	
Solid Waste Fund Payable	
Airport Fund Payable	
Fleet Fund Payable	
Total	-

Payable Purchase Card Items for dates of Feb 15th thru March 1st, 2022	
General Fund Payable	19,723.84
Road and Bridge Fund Payable	1,442.43
Department of Human Services Fund Payable	3,392.56
1A Fund	
All Combined Dispatch Fund Payable	1,941.04
Conservation Trust	
Justice System Capital Fund	
Solid Waste Fund Payable	38.49
Airport Fund Payable	
Fleet Fund Payable	2,669.53
Total	29,207.89

B. Regular Meeting Minutes
02/15/2022

Derek Woodman, 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. Consideration of Resolution 2022-17 Revising the County Residential Property Tax Incentive Policy

Derek Woodman, County Administrator, stated in September 2021, the Board of County Commissioners adopted a resolution creating a policy for issuing property tax incentives on residential home construction in unincorporated Archuleta County. This resolution was tabled from the February 15, 2022 meeting. It revised the policy to increase the appraised value of the home and to offer the incentive to existing homes that are being sold to first-time home buyers.

Commissioner Maez moved to adopt Resolution 2022-17 revising the county residential property tax incentive policy as presented. Commissioner Brown seconded the motion and it carried unanimously.

B. Consideration of Proposals to Purchase 449 San Juan Street Building

Derek Woodman, County Administrator, stated the Board of County Commissioners received multiple offers to purchase the 449 San Juan Street building. This item was to consider accepting any of the offers or the put the building back out to bid or to consider other alternatives.

Commissioner Brown moved to take the offers under consideration so the Board of County Commissioners can receive feedback on the offers and potential path forward from retained financial experts. Commissioner Maez seconded the motion and it carried unanimously.

New Business

A. Consideration of Resolution 2022-18 Cancellation of Uncollectable Tax Assessment

Elsa P. White, County Treasurer, stated pursuant to C.R.S. 36-10-114(2)(a) the Board of County Commissioners may cancel any taxes levied on personal property which is determined to be uncollectable after a period of one year after the date of becoming delinquent. **Commissioner Maez moved to adopt Resolution 2022-18 for the cancellation of uncollectable tax assessments as presented at \$4528.20. Commissioner Brown seconded the motion and it carried unanimously.**

B. Consideration and Approval of Letter of Opposition to Senate Bill 22-131

Derek Woodman, County Administrator, presented a letter to Senator Don Coram to be signed by the Board of County Commissioners opposing the proposed pesticide SB22-131. **Commissioner Brown moved to approve a letter of opposition of SB22-131 as presented. Commissioner Maez seconded the motion and it carried unanimously.**

C. Consideration and Approval of Revocable License Agreement

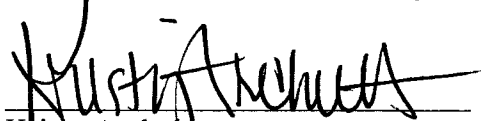
Derek Woodman, County Administrator, stated in August 2020 the Board of County Commissioners heard a presentation from Pagosa Bow Club requesting access and use of the county-owned property on Cloman Blvd. to construct a bow shooting range. A Revocable License Agreement with the Bow Club was presented. **Commissioner Maez moved to approve a Revocable License Agreement with the Pagosa Bow Club as presented. Commissioner Brown seconded the motion and it carried unanimously.**

D. Consideration and Approval of Land Lease Agreement Documents with Verizon Wireless

Todd Weaver, County Attorney, presented a Land Lease Agreement between the Board of County Commissioners and Colorado 7-Saguache Limited Partnership dba Verizon Wireless. The Agreement provided terms and conditions for Verizon's right to install, maintain and operate communications equipment at 329 Cloman Blvd. in Pagosa Springs, CO. **Commissioner Brown moved to approve the Land Lease Agreement documents with Verizon Wireless for installation of communications equipment at 329 Cloman Blvd. as presented. Commissioner Maez seconded the motion and it carried unanimously.**

Commissioner Comments

With no further business coming before the Board, the meeting adjourned at 2:25 p.m.



Kristy Archuleta
Archuleta County Clerk & Recorder

Approved this 15th day of March 2022.



Alvin Schaaf, Chairman



**ARCHULETA COUNTY
BOARD OF COUNTY COMMISSIONERS**

Meetings are conducted in person at the Administration Building located at 398 Lewis Street. Whenever possible, meetings will be broadcast online via Zoom, which can be accessed from a computer or phone with internet access. The County does not and cannot guarantee internet service or online broadcasting. Remote attendance is at the risk of the attendee as public meetings will continue in person regardless of the County's broadcast capability. View the Zoom Meeting at <https://zoom.us/j/91609048375?pwd=dIFFV0J1cGVKa1NHWHFsa2taeGxtZz09>

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Meeting ID 916 0904 8375 - Passcode 4141885

**CALL TO ORDER THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
OF MARCH 1, 2022 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

BOARD OF ADJUSTMENT HEARING

A. (PLN21-120) Public Hearing For Height Variance For Verizon Wireless CMRS Tower

Verizon Wireless, represented by Kappa Consulting, has applied for a Height Variance to install a 90' tower in the Agricultural Ranching (AR) zoning district at 329 Cloman Blvd where the maximum height is 40'. There is a companion application for the Board Conditional Use Permit for this tower and associated equipment (PLN21-118) on today's agenda.

Presentor	Pamela Flowers
Presentor's Title	Development Director

Documents:

21-120 VERIZON WIRELESS, CMRS HEIGHT VARIANCE, BOA STAFF REPORT, 220224.PDF

LAND USE REGULATION HEARING**A. (PLN21-118) Public Hearing For Conditional Use Permit For Verizon Wireless CMRS Tower**

Verizon Wireless, represented by Kappa Consulting, has applied for a Board Conditional Use Permit for a Commercial Mobile Radio System (CMRS) Tower at 329 Cloman Blvd. There is a companion application (PLN21-120) for a Height Variance for this project on today's agenda.

Presenter Pamela Flowers
 Presenter's Title Development Director

Documents:

21-118 VERIZON WIRELESS. CMRS CUP, BOCC STAFF REPORT, 220223.PDF

B. (PLN21-153) Public Hearing For Pagosa Hills 3 Subdivision Amendment 2022-01 Final Plat

Kathryn Chenault has applied for a Final Plat Approval of the Pagosa Hills 3 Subdivision, Amendment 2022-01 at 93 Brookhill Drive. The Plat Amendment would create two lots where there is now one.

Presenter Pamela Flowers
 Presenter's Title Development Director

Documents:

21-153 CHENAULT, PAGOSA HILLS 3 AMENDMENT 2022-01, 93 BROOKHILL, BOCC STAFF REPORT, 220223.PDF

CONSENT AGENDA**A. PAYABLE WARRANTS AND PURCHASE CARDS**

February 16, 2022 - March 1, 2022

B. REGULAR MEETING MINUTES

Regular Meeting Minutes 02/15/2022

Draft of the Regular Meeting Minutes from February 15, 2022 for approval.

Documents:

02-15-2022R.PDF

OLD BUSINESS**A. Consideration Of Resolution 2022-_____ Revising The County Residential Property Tax Incentive Policy**

In September 2021, the Board of County Commissioners adopted a resolution creating a policy for issuing property tax incentives on residential home construction in unincorporated Archuleta County. This resolution, which was tabled at the February 15th meeting, revises the policy to increase the appraised market value of the home and to offer the incentive to existing homes that are being sold to first-time home buyers.

Presenter Derek Woodman
 Presenter's Title County Manager

Documents:

RESOLUTION 2022-___ REVISING THE POLICY FOR RESIDENTIAL PROPERTY TAX INCENTIVE.PDF

B. Consideration Of Proposals To Purchase 449 San Juan Street Building

The Board of County Commissioners received multiple offers to purchase the 449 San Juan Street Building. This agenda item, which was tabled at the February 15th meeting, is to consider accepting any of the offers or to put the building back out to bid or to consider other alternatives.

Presentor Derek Woodman
 Presentor's Title County Manager

Documents:

COMPARISON OF BIDS RECEIVED - FEBRUARY 2022.PDF
 HART BID.PDF
 OLYMPUS BID.PDF
 SCHOLL ET AL BID.PDF
 VINZANT BID.PDF

NEW BUSINESS**A. Consideration Of Resolution 2022-_____ - Cancellation Of Uncollectable Tax Assessment**

Pursuant to C.R.S. 36-10-114(2)(a), the Board of County Commissioners may cancel any taxes levied on personal property which is determined to be uncollectible after a period of one year after the date of becoming delinquent.

Presentor Elsa P White
 Presentor's Title Archuleta County Treasurer

Documents:

RESOLUTION 2021 CANCELLATION OF UNCOLLECTABLE TAXES - FOREST SERVICE.PDF

B. Consideration And Approval Of Letter Of Opposition To Senate Bill 22-131

This letter to Senator Don Coram provides the Board of County Commissioners' opposition to the proposed pesticide bill (SB 22-131)

Presentor Ethan Proud
 Presentor's Title Weed & Pest Supervisor

Documents:

LETTER IN OPPOSITION OF SB 22-131.DOCX

C. Consideration And Approval Of Revocable License Agreement

In August, 2020, the Board of County Commissioners heard a presentation from the Pagosa Bow Club requesting access and use of county-owned property on Cloman Blvd. to construct a bow shooting range. This agenda item presents the Revocable License Agreement with the Bow Club..

Presentor Derek Woodman
 Presentor's Title County Manager

Documents:

PAGOSA BOW CLUB - REVOCABLE LICENSE AGREEMENT.PDF

D. Consideration And Approval Of Land Lease Agreement Documents With Verizon Wireless

This Land Lease Agreement and Memorandum of Land Lease Agreement between the Board of County Commissioners and Colorado 7 - Saguache Limited Partnership dba Verizon Wireless provides the terms and

conditions for Verizon's right to install, maintain and operate communications equipment at 329 Cloman Blvd. in Pagosa Springs.

Presenter Todd Weaver
Presenter's Title County Attorney

Documents:

VERIZON LAND LEASE AGREEMENT.PDF
VERIZON MEMORANDUM OF LAND LEASE AGREEMENT.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.

RESOLUTION 2022 - 17

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO, REVISING THE COUNTY
RESIDENTIAL PROPERTY TAX INCENTIVE POLICY**

WHEREAS, the availability of safe, decent and affordable housing for all residents of Archuleta County is vital to the social and economic sustainability of our community; and,

WHEREAS, the Board of County Commissioners of Archuleta County (the “BoCC”) recognizes that the community at large, and especially low-income residents, have many diverse needs for social, housing, education and other services; and,

WHEREAS, providing a range of affordability to support individuals of all ages and stages of life that allows younger generations to access housing, enables seniors to securely age in place, and assists families with children to meet their housing needs, requires a public policy response from the BoCC; and,

WHEREAS, providing a residential property tax incentive could help to bring more affordable housing units to Archuleta County; and,

WHEREAS, on September 21, 2021, the BoCC adopted Resolution 2021-75 which provided the parameters of issuing tax incentives on residential home construction in unincorporated Archuleta County; and,

WHEREAS, the economic impact of COVID-19 has made construction and material costs much higher than anticipated when Resolution 2021-75 was adopted; and,

WHEREAS, the BoCC has expressed interest in revising the policy to consider the higher cost of construction and to provide the incentive for resale of a current residence.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Archuleta County, Colorado that the BoCC hereby revises the parameters for issuing tax incentives on residential home construction and/or purchases. The parameters are attached hereto as Exhibit A.

APPROVED AND ADOPTED this 1st day of March, 2022.

ATTEST:

Kristy Archuleta
by Mary Helminski
Soperty Clerk
County Clerk and Recorder



**Board of County Commissioners
Archuleta County, Colorado**

Alvin Schaaf
Alvin Schaaf, Chair

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Kristy Archuleta
Archuleta County

EXHIBIT A

**Parameters for the Issuance of Tax Incentives on
Residential Home Construction and/or Purchase**

Property owners who plan to build a residence or plan to purchase an already built residence may qualify for a waiver of their county property taxes. The following parameters must be met in order to qualify for this tax incentive:

1. The construction must be new construction, not a remodel, or the residence must be being purchased by a first-time home buyer unrelated to the seller.
2. The incentive applies to appraised market values up to \$400,000.
3. The home must be owner occupied or a long-term rental. Short-term rental properties do not qualify for this incentive.
4. The property owner must apply for the tax incentive prior to commencement of construction or prior to the closing date of the purchase.
5. The property owner (or occupant if renting) must provide documentation that the annual income for the household falls at 100% or less of the Area Median Income (AMI) level.
6. The property owner (or occupant if renting) must provide documentation of employment within Archuleta County for no less than 30 hours per week.
7. The tax incentive is good for five years.
8. The tax incentive is for the Archuleta County portion of the taxes only.
9. All taxes to the other taxing authorities must be current to receive this annual tax incentive.
10. The maximum amount allowed is \$600.00 per year.
11. The property owner must certify annually that he/she meets all the parameters in order to receive the incentive.
12. Incentive Agreements allow for a one-time transfer to a new owner.
13. Applications for the tax incentive will be reviewed by the Assessor's Office and Finance Department. Eligible applications will then be sent to the County Manager for final approval.

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Kristy Archuleta
Archuleta County

14. New applications for this tax incentive will be accepted until December 31, 2026. Renewal applications can be submitted annually for four years after the initial application (for a total of five years of tax incentive).

2

Resolution 2022- 18

Cancellation of Uncollectable Tax Assessments

WHEREAS, consistent with C.R.S. 36-10-114(2)(a), the Board of County Commissioners has the power to cancel any taxes levied on personal property which is determined to be uncollectable after a period of one (1) year after the date of becoming delinquent; and

WHEREAS, consistent with C.R.S 39-114(2) (b), the Board of County Commissioners has the power to cancel any taxes levied on real property that is determined to be uncollectable after a period of six(6) years from the date of becoming delinquent; and

WHEREAS, the Archuleta County Treasurer has requested the cancellation of certain tax assessments in accordance with the provisions of the C.R.S. 39-10-114; and

WHEREAS, having reviewed the documentation and recommendations presented by the Archuleta County Treasurer, and having listened to all public comment, and being fully advised in the premise, the Board of County Commissioners has found sufficient evidence to support the cancellation of certain tax assessments from the County's assessment roll.

BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, as follows:

- (1) Based on information provided by the County Treasurer, the Board of County Commissioners find that the tax assessment for all account listed on Exhibit A, which is attached hereto and incorporated herein by reference, are uncollectable pursuant to C.R.S. 39-10-114.
- (2) The tax assessments described in Exhibit A, which include mobile home(s), personal property, possessory interest have been delinquent for the requisite statutory time period to be determined uncollectable and are now subject to cancellation by the board of County Commissioners.

APPROVED AND ADOPTED this 1st day of March, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO

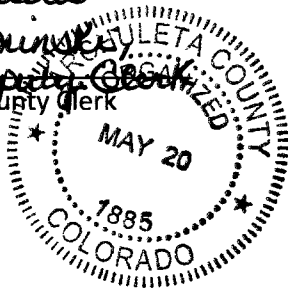
Kristy Archuleta

by Mary Helminsky
Secretary-Clerk

Kristy Archuleta - County Clerk
& Recorder

Alvin Schaaf

Alvin Schaaf - Chair County Commissioner



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Kristy Archuleta
Archuleta County

EXHIBIT A

CANCELLATION OF TAXES:

R016011 - United State of America Forest Service Department of Agriculture
Tax Year 2021

\$4,528.20