

**ARCHULETA COUNTY PROCEEDINGS  
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Special Meeting on September 22, 2020 with County Commissioners Ronnie Maez, Steve Wadley and Alvin Schaaf (by phone), County Administrator Scott Wall, County Attorney Todd Weaver and Deputy County Clerk and Recorder Tomi Bliss present.

Chairman Maez called the Special meeting to order at 9:31 a.m.

**A. Approval of Easements. Assignment & Second Amendment of Ground Lease and Deed of Trust for Rose Mountain Townhomes LP**

Todd Weaver, County Attorney, advised Rose Mountain Townhomes LP was constructing a housing project on Hot Springs Blvd. for affordable housing units and the County Department of Human Services. Attorney Weaver presented documents for the Board's approval. An easement needed to be put into place for common roadways, sidewalks, detention ponds, parking and utilities for these shared areas. An assignment and second amendment to the ground lease was to include these easements and the Boards consent on a leasehold deed of trust to secure the financing project. Attorney Weaver expressed his concerns with Paragraph 12 regarding eminent domain. **Commissioner Wadley moved to approve the Easement Agreements, Second Amendment to Ground Lease and Leasehold Deed of Trust for Rose Mountain Townhomes' inclusion of easements at the housing construction project on Hot Springs Blvd. excluding paragraph 12 regarding eminent domain as presented. Commissioner Schaaf seconded the motion and it carried unanimously.**

**Executive Session**

**Commissioner Wadley moved to go into Executive Session pursuant to C.R.S. 24-6-402(4)(b) for purposes of the Board receiving legal advice on specific legal questions and pursuant to C.R.S. 24-6-402(4)(e)(I) for determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators, relating to District Case Number 2019CV30071 Wal-Mart Stores Inc. v. Archuleta County Board of Equalization. Commissioner Schaaf seconded the motion and it carried unanimously.**

Chairman Maez announced Commissioners Ronnie Maez, Steve Wadley, and Alvin Schaaf, County Administrator Scott Wall, County Attorney Todd Weaver and County Assessor Natalie Woodruff would be going into Executive Session.

Chairman Maez announced no decisions would be made in the Executive Session and that motions may be entertained after the session.

Chairman Maez recessed the Regular Meeting and convened Executive Session at 9:45 a.m.

Chairman Maez reconvened the Regular Meeting at 9:56 a.m.

**Commissioner Wadley moved to empower the county attorney to enter into negotiation agreements with Wal-Mart to settle the dispute on the amount of the personal property**

September 22, 2020

appraisal. Commissioner Schaaf seconded the motion and it carried unanimously.

With there being no further business before the Board, the meeting was adjourned at 9:57 a.m.

Tomi Bliss  
Tomi Bliss  
Deputy County Clerk & Recorder

Approved this 6th day of October, 2020.

Ronnie Maez  
Ronnie Maez, Chairman



**ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**The Public is Highly Encouraged to Join via ZOOM Conference Call - Please contact County Administration at 970-264-8300 for log-in information. CALL TO ORDER THE SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEPTEMBER 22, 2020 AT 9:30 A.M.**

**NEW BUSINESS**

**A. Consideration And Approval Of Easements, Assignment And Second Amendment Of Ground Lease, And Leasehold Deed Of Trust For Rose Mountain Townhomes LP**

Rose Mountain Townhomes LP is constructing a housing project on Hot Springs Blvd. to include affordable housing units as well as the offices of the County Department of Human Services. The sites need to be served by common roadways, sidewalks, detention ponds, parking and utilities. There need to be easements in place that allows for these shared areas. Rose Mountain Townhomes LP further needs approval of an assignment and second amendment to the ground lease to include these easements, and the Board's consent on a leasehold deed of trust to secure financing for the project.

Presenter	Todd Weaver
Presenter's Title	County Attorney

Documents:

ARCHULETA COUNTY - FAIRWAY SEWER EASEMENT (00660085-2X9C71C)-MERGED.PDF  
LEASEHOLD DEED OF TRUST (ROSE MOUNTAIN).PDF  
ARCHULETA COUNTY RECIPROCAL EASEMENT AGREEMENT (00660510-2X9C71C)-MERGED.PDF  
ROSE MOUNTAIN - ASSIGNMENT OF GROUND LEASE (00658410-3X9C71C)-MERGED.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.

**A. Executive Session**

Pursuant to C.R.S. 24-6-402(4)(b) for purposes of the Board receiving legal advice on specific legal questions and pursuant to C.R.S. 24-6-402(4)(e)(I) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators in connection with District Case Number 2019CV30071 Wal-Mart Stores Inc. v. Archuleta County Board of Equalization.

**ADJOURNMENT OF THE SPECIAL CBOE 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.