

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting December 21, 2021 noting County Commissioners Alvin Schaaf, Ronnie Maez and Warren Brown, Interim County Administrator/County Attorney Todd Weaver and County Clerk and Recorder Kristy Archuleta present.

Chairman Schaaf called the meeting to order at 1:31 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. Item F under New Business was being moved to Item B in Old Business because it was a continuation from the previous meeting on December 7, 2021. **Commissioner Brown moved to approve the agenda as adjusted. Commissioner Maez seconded the motion and it carried unanimously.**

Public Comments

Bill Hudson, 446 Loma St., stated they were circulating a petition regarding vacation rentals. They are requesting a fee of \$150 per month per bedroom for short term rentals to help the housing situation within the Town of Pagosa Springs. He stated they have approximately 90 signatures so far. They are trying to level the field between hotels and vacation rentals. Mr. Hudson asked the Board of County Commissioners to adopt something similar.

Reports

A. Health District Investigation Committee Final Report

Leslie Davis, representing the Health District Investigation Committee, presented the Final Report to the Commissioners in order for them to make a decision for a Health Department that would be in the best interest for the community. Mary Beth Snyder was also on this committee and stated she believed there was a need for another committee to complete the next step of the process before a decision was made.

B. 1st, 2nd & 3rd Quarter 2021 Financial Reports for Archuleta County

LeeAnn Martin, Finance Director, presented the Financial Reports from the 1st, 2nd and 3rd quarters for 2021.

Chairman Schaaf recessed the Regular Meeting and convened the Land Use Hearing at 2:26 p.m.

Land Use Regulation Hearing

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

A. Ray Minor Subdivision Final Plat (PLN21-128)

Pamela Flowers, Development Director, reported Joshua Ray applied for approval of the Ray Minor Subdivision Final Plat at 626 Catchpole Drive. Director Flowers reported staff findings and conditions.

Chairman Schaaf opened the floor for comments “In Favor or Opposed to the Final Plat.”

Chairman Schaaf closed comments “In Favor or Opposed to the Final Plat.”

Commissioner Maez moved to approve PLN21-128, the Ray Minor Subdivision Final Plat at 626 Catchpole Drive with Findings A and B and Condition 1 as presented. Commissioner Brown seconded the motion and it carried unanimously.

B. Pagosa Meadows Unit 4 Amendment 2021-01 Minor Lot Line Adjustment Final Plat (PLN21-134)

Pamela Flowers, Development Director, reported Bruce & Sandra Jones and Ken D. Biggs applied for approval of the Pagosa Meadows Unit 4 Amendment 2021-01, being a minor lot line adjustment of Lots 12X, 13 and 64, creating Lot 12XZ (473 Cameron Pl) and Lot 64Z (594 Belford Pl) (PLN21-134). Director Flowers reported staff finding and conditions.

Chairman Schaaf opened the floor for comments “In Favor or Opposed to the Final Plat.”

Chairman Schaaf closed comments “In Favor or Opposed to the Final Plat.”

Commissioner Brown moved to approve PLN21-134, the Pagosa Meadows Unit Four Amendment 2021-01 Final Plat, being a minor lot line adjustment of Lots 12X, 13 and 64 to create Lots 12XZ and 64Z with Findings A and B and Conditions 1-8 as presented. Commissioner Maez seconded the motion and it carried unanimously.

Chairman Schaaf adjourned the Land Use Regulation Hearing and reconvened the Regular Meeting at 2:37 p.m.

Consent Agenda

A. Payable Warrants and Purchase Cards

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|--|-------------------|
| Payable Warrants for dates of Dec 8 thru Dec 21, 2021 | |
| General Fund Payable | 208,764.31 |
| Road and Bridge Fund Payable | 146,301.97 |
| Department of Human Services Fund Payable | 34,535.71 |
| 1A Fund | 120.00 |
| All Combined Dispatch Fund Payable | 23,397.39 |
| Conservation Trust | - |
| Justice System Capital Fund | 145,190.95 |
| Solid Waste Fund Payable | 23,197.39 |
| Airport Fund Payable | 1,125.44 |
| Fleet Fund Payable | 45,383.11 |
| Total | 628,016.27 |
| Payable Wire Transfers for dates of Dec 8 thru Dec 21, 2021 | |
| 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 Dec 8 thru Dec 21, 2021 | |
| 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 | - |
| GRAND TOTAL | 628,016.27 |

- B. Regular Meeting Minutes
12/7/2021
- C. Special Meeting Minutes
12/14/2021
- D. Agreement with Pictometry International Corp.
- E. Ratification of the Chairman's Signature on the Statement of Grant Award from the Underfunded
Courthouse Facility Commission
- F. Ratification of the Chairman's Signature on the County Attorney Employment Agreement
- G. Ratification of the Chairman's Signature on a Modification of Grant or Agreement with USDA

Todd Weaver, Interim County Administrator/County Attorney, read the Consent Agenda for the record.

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

Old Business

A. Findings and Conclusion for Appeal of Fines for an Un-Permitted Vacation Rental Property

Todd Weaver, Interim County Administrator/County Attorney, reported on December 7, 2021, the Board of County Commissioners ("BoCC") held a hearing on the appeal of fines issued against an un-permitted vacation rental property located at 10600 County Road 326 in Pagosa Springs, owned by Pawprint Properties LLC. This item provided the findings and conclusion from the hearing.

Commissioner moved to uphold the Planning Commission's decision to uphold the fines in the amount of \$39,500, but due to extreme circumstances related to the owner and their family deaths during the relevant time span, a fine in the amount of \$20,000 is more appropriate for the unpermitted rental property located at 10600 County Road 326 as presented.

Commissioner Maez seconded the motion and it carried unanimously.

Continuation of Budget Hearing

B. Resolution 2021-95 Certification of Levies and Revenues

LeeAnn Martin, Finance Director, presented a resolution for the Certification of Levies and Revenues. Pursuant to C.R.S. 39-1-111, no later than December 22nd in each year, the Board of County Commissioners ("BoCC") by an order to be entered in the record of its proceedings, levy against the valuation for assessment of all taxable property located in the County, and in the town, school districts and special districts within the County, the property taxes for all purposes required by law.

The BoCC shall certify all such levies to the Assessor, on the "Certification of Levies and Revenue" form and a copy of the certification will be sent to the Property Tax Administrator, Division of Local Government and the Department of Education, no later than December 22nd.

The Certification of Levies and Revenue for Archuleta County includes 21 governmental entities:

- 1 County

- 1 Town
- 3 School Districts
- 16 Special Districts

Archuleta County's 18.233 mills are divided as follows:

- 16.409 (90%) to General
- 0.912 (5%) to Road & Bridge
- 0.912 (5%) to Public Welfare (DHS)

The governmental entities had until December 15th to supply a certification of their tax levies to the County Commissioners. Only those received by the due date are included.

Chairman Schaaf opened the floor for comments "In Favor of or Opposed to the Resolution."
Chairman Schaaf closed comments "In Favor of or Opposed to the Resolution."

Commissioner Maez moved to adopt Resolution 2021-95 certifying levies and revenue for budget year 2022 to the Assessor and Property Tax Administrator as presented. Commissioner Brown seconded the motion and it carried unanimously.

New Business

A. First Amendment to Purchase and Sale Agreement with Western Heritage Event Center

Todd Weaver, Interim County Administrator/County Attorney, advised in January 2020, the Board of County Commissioners approved a Purchase and Sale Agreement with Western Heritage Event Center for a tract of land on Highway 84, which included the Hughes Pavilion. This First Amendment to the Purchase and Sale Agreement amends Sections 1.2, 1.2.1 and 6.1 of the Agreement. **Commissioner Brown moved to approve the First Amendment to the Purchase & Sale Agreement with the Western Heritage Event Center as presented. Commissioner Maez seconded the motion and it carried unanimously.**

B. Letter of Commitment for Upper San Juan Watershed Enhancement Partnership's Application to Colorado Water Conservation Board

Todd Weaver, Interim County Administrator/County Attorney, presented a letter committing \$10,000 as a cash match for the CWCB grant application for the South Yamaguchi Project. **Commissioner Maez moved to approve the letter to the Colorado Water Conservation Board committing \$10,000 from the Conservation Trust Fund for the South Yamaguchi Project as presented. Commissioner Brown seconded the motion and it carried unanimously.**

C. Request to Submit Grant Application to DOLA

Todd Weaver, Interim County Administrator/County Attorney, advised the Community Development Corporation on behalf of the Broadband Services Management Office requested the County submit a grant application and provide a letter of support to the Department of Local Affairs for a Broadband Grant. **Commissioner Brown moved to approve submission of a DOLA grant for broadband expansion and to approve the letter of support as presented. Commissioner Maez seconded the motion and it carried unanimously.**

D. Public Contract for Services with Healthy Archuleta, Inc.

LeeAnn Martin, Finance Director, presented a contract, which provided the terms and conditions for Healthy Archuleta, Inc.’s work involving the Colorado Department of Public Health and Environment Health Disparities Community Grant Program called “Archuleta Nutrition Security-Health Equity Project”. **Commissioner Maez moved to approve Contract for Public Services with Healthy Archuleta, Inc. as presented. Commissioner Brown seconded the motion and it carried unanimously.**

E. Appointment of Planning Commission Members to Three-Year Term

Pamela Flowers, Development Director, advised there were two open seats on the Archuleta County Planning Commission, which were advertised. Applications were received and reviewed from Adam Buttons, Peter Beaudry and Mark Weiler. The Planning Commission recommended appointing Adam Buttons and Peter Beaudry. **Commissioner Brown moved to appoint Adam Buttons and Peter Beaudry to the Archuleta County Planning Commission for a three-year term as presented. Commissioner Maez seconded the motion and it carried unanimously.**

G. County Manager Employment Agreement

Todd Weaver, Interim County Administrator/County Attorney, presented the County Manager Employment Agreement and advised after conducting the recruitment process, the County Commissioners decided to offer the position of County Manager to James (Derek) Woodman and designated Chairman Schaaf to serve as the negotiator. **Commissioner Maez moved to go back out for more applicants for an additional 30 days. The motion died for a lack of a second.**

Commissioner Brown moved to accept the County Administrator Employment Agreement with James (Derek) Woodman as presented. Commissioner Schaaf seconded the motion and it carried with Commissioners Brown and Schaaf voting Aye and Commissioner Maez voting Nay.

Commissioner Comments

With no further business coming before the Board, the meeting adjourned at 3:02 p.m.

_____ Approved this 4th day of January 2022.
Kristy Archuleta
Archuleta County Clerk & Recorder

Alvin Schaaf, Chairman