

**ARCHULETA COUNTY PROCEEDINGS  
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting on July 19, 2022 noting County Commissioners Alvin Schaaf, Ronnie Maez and Warren Brown, County Manager Derek Woodman, County Attorney Todd Weaver and Deputy County Clerk and Recorders Tomi Bliss and Hazel Wedemeyer 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 explained 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**

There was 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 amended. Commissioner Maez seconded the motion and it carried unanimously.**

**Public Comments**

Candace Jones, 758 Rainbow Dr., read an email she previously sent to the Commissioners regarding the San Juan Basin Health District and her concerns with the direction and communication by the County.

Patricia Byers, 189 Twin creek Cir., expressed her disapproval of the County possibly leaving the San Juan Basin Health District and requested transparency and communication.

Chairman Schaaf recessed the Regular Meeting and convened the Board of Equalization at 1:39 p.m.

**Board of Equalization**

**A. 2022 Assessor's Report of Valuation**

Johanna Tully-Elliott, County Assessor, presented the Assessor's 2022 Report of Valuation. Ms. Tully-Elliott advised the real property valuation had an assessed value of \$378,843,700, personal property valuation had an assessed value of \$19,931,090 for a total non-exempt assessed value of \$398,765,790. In addition, the Assessor's Office received 25 Protests for Real and Personal Property for 2022, with 19 being approved and 6 denied.

Chairman Schaaf adjourned the Board of Equalization and convened the Land Use Regulations Hearing at 1:43 p.m.

**Land Use Regulations Hearing**

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

**A. Public Hearing of Amendments to the Land Use Regulations and Consideration and Approval of Resolution 2022-70 Amending the Archuleta County Land Use Regulations**

Pamela Flowers, Development Director, presented the proposed amendments to Section 3 – Zoning and Section 11 – Definitions of the Archuleta County Land Use Regulations providing additional options for securing swimming pools and hot tubs from unwanted access by children and clarifying requirements regarding setbacks and utility easements for personal utility systems, such as solar panels, propane tanks and cisterns.

Chairman Schaaf opened the floor for public comment in favor of the amendments.

Chairman Schaaf opened the floor for public comment opposed to the amendments.

Chairman Schaaf closed the floor for public comment.

**Commissioner Maez moved to adopt Resolution 2022-70 amending the Archuleta County Land Use Regulations by omitting 3.2.5.2 and eliminating definitions regarding public and private pools and keeping the definition regarding utilities. Commissioner Brown seconded the motion and it carried unanimously.**

Chairman Schaaf adjourned the Land Use Hearing and convened the Liquor Board at 2:02 p.m.

**Liquor Board**

Chairman Schaaf swore in Jamie Jones, Administrative Assistant, for testimony.

**A. Special Events Permit for Pagosa Mountain Morning Rotary Club**

Jamie Jones, Administrative Assistant, presented an application for a Special Events Permit for the Pagosa Mountain Morning Rotary Club to sell Malt, Vinous and Spirituous Liquor at the Archuleta County Fairgrounds located at 344 Hwy 84, Pagosa Springs, CO 81147 for the Archuleta County Fair on August 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup>, 2022. 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. **Commissioner Brown moved to approve the Special Events Permit for Pagosa Mountain Morning Rotary Club for their event on August 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup>, 2022 as presented. Commissioner Maez seconded the motion and it carried unanimously.**

**Liquor Board Consent Agenda**

A. Beer & Wine (County) License Renewal for Parelli Natural Horsemanship

Derek Woodman, County Manager, 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 re-convened the Regular Meeting at 2:04 p.m.

**Consent Agenda**

**A. Payable Warrants and Purchase Cards**

Payable Warrants for dates of JULY 6 to JULY 19, 2022:	
General Fund Payable	616639.19
Road and Bridge Fund Payable	170963.31
Department of Human Services Fund Payable	110254.25
1A Fund	0.00
All Combined Dispatch Fund Payable	14429.24
Conservation Trust	0.00
Justice System Capital Fund	54517.48
Solid Waste Fund Payable	27428.60
Airport Fund Payable	700.67
Fleet Fund Payable	60525.68
<b>Total</b>	<b>1055458.42</b>
Payable Wire Transfers for dates of JULY 6 TO JULY 19, 2022:	
General Fund Payable	1449.72
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	
<b>Total</b>	<b>1449.72</b>

Payable Purchase Card Closings for dates of JULY 6 to JULY 19, 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		0.00
<b>GRAND TOTAL</b>		<b>1056908.14</b>

- B. Regular Meeting Minutes  
07/05/2022
- C. Consideration of Resolution 2022-71 Lot Consolidation in Piedra Park Subdivision No. 2-A,  
Owned by Mary Baker
- D. Consideration of Resolution 2022-72 Lot Consolidation in Rio Blanco Subdivision “A”,  
Owned by Herbert D. Grover
- E. Consideration of Resolution 2022-73 Lot Consolidation in Loma Linda Subdivision Unit  
Four, Owned by Barbara and William Remien
- F. Consideration of Resolution 2022-74 Lot Consolidation in Pagosa Highlands Estates,  
Owned by Bruce E. Bliss
- G. Ratification of the Chairman’s Signature on a Grant Offer for Airport Pavement  
Maintenance

Derek Woodman, County Manager, 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.**

**New Business**

**A. Resolution 2022-75 Imposing a Temporary Moratorium on the Submission, Acceptance, Processing or Approval of any Application for a Permit or Other Land Use Approval Related to the Operation of a Vacation Rental in Unincorporated Archuleta County**

Todd Weaver, County Attorney, presented a resolution placing a temporary six-month moratorium on accepting, processing and approving new applications for vacation rental permits to allow County Staff time to thoroughly research and develop possible revisions to the Archuleta County Land Use Regulations to properly regulate such permits. Attorney Weaver also explained the process for a special exception petition. In addition, Attorney Weaver clarified the parameters for those currently under contract or having applied for a building permit.

Bryan Wells, 217 Pinon Cswy #3021 & #3022, expressed his concerns with rentals and especially condominium developments.

Lauri Heraty, 380 W. Golf Pl., provided statistics on the past and current real estate market and trends. Ms. Heraty also stated her dislike for moratoriums, however, suggested the moratorium begin November 1<sup>st</sup> to allow for the summer selling season.

Mike Heraty, 380 W. Golf Pl., thanked the Board and Ms. Flowers for the public meetings, which were previously held. Mr. Heraty stated he would be supportive of the moratorium with specific language changes, which would not show prejudice to short-term rental owners.

Heather Simpson, 145 Davis Cup Dr. #4049, questioned the process for an exception petition. Attorney Weaver addressed the concerns.

Bill Hudson, 446 Loma St., commented on behalf of Pagosa Daily Post. Mr. Hudson expressed his appreciation for the Board's efforts and believed the moratorium was a good idea. Mr. Hudson referenced a report written for Region 9 stating 40% of the STR's in Southwest Colorado were within Archuleta County and Archuleta County only accounts for approximately 15% of the population. Additionally, Mr. Hudson commented on the unique county situation as 85% of the residents live within the county and counties are normally not burdened with population control.

Charlee Michelle, 283 Twin creek Cir., advised their company I Trip Vacations, have lowered their fees this year between 30% to 40% along with receiving 10% lower bookings.

Mike Knapp, 374 Whitaker Pl., started by stating Archuleta County is a tourism county. Mr. Knapp commented short term rentals have already been reduced and questioned the current emergency. Mr. Knapp requested leadership and believes the resolution would hurt tourism, businesses, and property owners.

Commissioners questioned sections 4 and 5. Attorney Weaver advised the resolution would not be as defensible if the moratorium were challenged in court without the sections in question. Attorney Weaver continued the moratorium would preserve the status-quo for those who have short-term rentals, as the department would not be able to process applications and draft new regulations at the same time.

Development Director, Pamela Flowers, suggested amending Exhibit A to read if someone were under contract by September 1, 2022, they would have the opportunity to apply for a special exemption.

**Commissioner Brown moved to adopt Resolution 2022-75 setting a six-month moratorium on new vacation rental permit applications effective beginning September 1, 2022. Commissioner Maez seconded the motion and it carried unanimously.**

#### **B. Letter of Support for Broadband Services**

Derek Woodman, County Manager, presented a letter to the Colorado Broadband Office providing the Board of County Commissioners' support for a regional collaboration to apply to the middle mile broadband and infrastructure program and capital project funds to help provide more broadband service to residents in Southwest Colorado. **Commissioner Maez moved to approve a letter of support for the broadband middle mile grant application as presented.**

**Commissioner Brown seconded the motion and it carried unanimously.**

**C Approval of 11 Applications for Treasurer Deeds**

Todd Weaver, County Attorney, advised at the April 5, 2022 work session, the Board was given a proposal for putting certain county-held lien properties through the process of Treasurer's Deed and quiet title in order to auction the parcels to the highest bidder. Phase IV of the proposal was for eleven properties in the Trails Subdivision. The first step in the process is to apply for the Treasurer's Deed. **Commissioner Brown moved to approve 11 separate applications for Treasurers deeds 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 2:52 p.m.

\_\_\_\_\_ Approved this 2<sup>nd</sup> day of August, 2022.  
Tomi Bliss  
Deputy Archuleta County Clerk & Recorder

\_\_\_\_\_ Alvin Schaaf, Chairman