

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting on May 16, 2023, noting County Commissioners Ronnie Maez and Veronica Medina, County Manager Derek Woodman, County Attorney Todd Weaver and County Clerk and Recorder Kristy Archuleta present. Commissioner Warren Brown appeared via Zoom.

Chairman Maez called the meeting to order at 1:31 p.m. with the Pledge of Allegiance and a moment of silence.

Chairman Maez 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 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. New Business Item F to delete verbiage from this item to be Consideration to Approve and Establish Terms for the Transfer of Certificates of Purchase for Specific Real Estate Donation and Transfer of Title of County Property to the Pagosa Springs Community Development Corporation. **Commissioner Medina moved to approve the agenda as amended. Commissioner Brown seconded the motion and it carried unanimously.**

Public Comments

There were none.

Reports

A. Archuleta County Human Services 1st Quarter Report 2023

Isabel Vita, Department of Human Services Director, presented a report to the Board of County Commissioners for the 1st Quarter of 2023 which included January through March.

Abatement Hearing

Chairman Maez swore in Carla Elliott, Chief Deputy, for testimony.

A. Petition for Abatement or Refund of Taxes for Account R007205-Parcel 5699-153-18-001 at 122 Harman Park Drive

Carla Elliott, Chief Deputy Assessor, stated the petitioner, Wells Fargo Bank, was requesting an abatement in regards to the Colorado Supreme Court Placeholder. The abatement was being filed to correct an error made by the Assessor not factoring in the impact of Covid-19 on the

2020 value. Assessor Tully-Elliott recommended denial of this abatement because the property owner did not provide any proof or evidence that would support a lower value from the impact of Covid-19 and in the data analysis for the reappraisal that took place for tax year 2019-2020, the records did not support a decrease in value but did show an increase. There had been nothing resolved with the Colorado Supreme Court case and no provisions had been made to delay the abatement process.

Chairman Maez opened the floor for public comment.

Chairman Maez closed public comment.

Commissioner Brown moved to approve the Assessor's recommendation not to accept the petition by Wells Fargo to abate their 2020 real estate tax schedule R0007205 as presented. Commissioner Medina seconded the motion and it carried unanimously.

Chairman Maez recessed the Regular Meeting and convened the Budget Hearing at 1:56 p.m.

Budget Hearing

A. Budget Hearing-Amendment to the 2023 County Budget for Public Health

Chad Eaton, Finance Director, presented an amendment to the 2023 County Budget to appropriate funds for the creation of the Public Health Department and a Water Quality Division within the Development Services Department. This amended budget also included adding one position to the Development Services Department. **Commissioner Medina moved to adopt Resolution 2023-41, a resolution for Supplemental Budget and Appropriation as presented. Commissioner Brown seconded the motion and it carried unanimously.**

Chairman Maez recessed the Regular Meeting and convened the Land Use Regulation Hearing at 1:59 p.m.

Land Use Regulation Hearing

Chairman Maez swore in Stephen Slade, Planner, for testimony.

A. Consideration and Approval of PLN23-037, Miller Thunder Valley Minor Subdivision Amendment 2023-01, Final Plat

Stephen Slade, Planner, stated Scott and Jamie Miller had applied for approval of PLN23-037 the Miller Thunder Valley Minor Subdivision Final Plat. The purpose of this plat was to subdivide their approximate twenty acre parcel at 571 Wildlife Park Rd. into three lots of approximately 5.02 to 10.02 acres in size. The proposal was reviewed and approved by the Planning Commission on the May 26, 2023.

Chairman Maez opened the floor for public comments.

Chairman Maez closed public comment.

Commissioner Brown moved to approve PLN23-037, the Miller, Thunder Valley Minor Subdivision final plat at 571 Wildlife Park Road with findings A and B as presented. Commissioner Medina seconded the motion and it carried unanimously.

Chairman Maez adjourned the Land Use Regulation Hearing and convened the Liquor Board at 2:03 p.m.

Liquor Board

Chairman Maez swore in Mary Helminski, Executive Assistant/Paralegal, for testimony.

A. Consideration and Approval of a Special Events Permit for Fundraiser Benefitting the County Fair

Mary Helminski, Executive Assistant/Paralegal, presented an application for a Special Events Permit for Pagosa Mountain Morning Rotary Club to sell Malt, Vinous and Spirituous Liquor at 344 Highway 84 in Pagosa Springs, CO for the County Fair Fundraiser Dance on May 19, 2023. The Sheriff had been notified of this event. The applicant requested a waiver of the fees due to the fact this event benefits the County Fair. The premises had been posted for the required ten days prior to today's hearing. **Commissioner Medina moved to approve a Special Events Permit for Pagosa Mountain Morning Rotary for the fundraiser on May 19, 2023 and to not approve a waiver as presented. Commissioner Brown seconded the motion and it carried unanimously.**

B. Consideration and Approval of a Special Events Permit for Burris and Sons Bucking Bulls, LLC Rodeo and Dance

Mary Helminski, Executive Assistant/Paralegal, presented a Special Events Permit for Burris and Sons Bucking Bulls, LLC to sell Malt, Vinous and Spirituous Liquor at 344 Highway 84, Pagosa Springs, CO for the Rodeo and Dance Events on June 1, 8, 15, 22, 29 and July 13, 20 and 27, 2023. The Sheriff had been notified of this event. The proper fees had been collected and the premises was posted for the required ten days prior to today's hearing. **Commissioner Brown moved to approve a Special Event Permit for Burris and Sons Bucking Bulls Rodeo and Dance on several dates in June and July as presented. Commissioner Medina seconded the motion and it carried unanimously.**

Liquor Board Consent Agenda

A. Consideration and Approval of a Lodging & Entertainment License Renewal for Ghost Pines Properties LLC dba Tennyson Building Event Center

Mary Helminski, Executive Assistant/Paralegal, read the Liquor Board Consent Agenda for the record.

Commissioner Medina moved to approve the Liquor Board Consent Agenda as presented. Commissioner Brown seconded the motion and it carried unanimously.

Chairman Maez adjourned the Liquor Board and reconvened the Regular Meeting at 2:08 p.m.

Consent Agenda

A. Payable Warrants and Purchase Cards

Payable Warrants for dates OF MAY 3,2023- MAY 16, 2023	
General Fund Payable	\$ 799,482.96
Road and Bridge Fund Payable	\$ 44,401.85
Department of Human Services Fund Payable	\$ 12,511.37
1A Fund	
All Combined Dispatch Fund Payable	\$ 4,210.41
Conservation Trust	
Justice System Capital Fund	
Solid Waste Fund Payable	\$ 21,003.50
Airport Fund Payable	\$ 2,360.36
Fleet Fund Payable	\$ 89,728.72
Total	\$ 973,699.17
Payable Wire Transfers for dates of MAY 3, 2023-MAY 16,2023	
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 MAY 3, 2023- MAY 16, 2023	
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	\$ -

- B. Regular Meeting Minutes
May 02, 2023
- C. Consideration and Approval of Resolution 2023-42 Lot Consolidation in Lake Forest Estates, Owned by Eric B. and Meghan B. Johnson
- D. Consideration and Approval of Resolution 2023-43 Lot Consolidation in Aspen Springs Subdivision No 5, Owned by Douglas D. Sanders and Rebecca C. Davenport
- E. Consideration and Approval of Resolution 2023-44 Unconsolidation in Martinez Mountain Estates Unit 2, Owned by Folkstone Holdings, LLC
- F. Consideration and Approval of the Upper San Juan Hospital District Emergency Medical Services Ambulance Licenses
- G. Consideration of Resolution 2023-45 to Appoint Members to the Archuleta County Fair Board
- H. Ratification of the Chairman’s Signature on Letters of Support for Communications Towers in the Upper Piedra Area

Derek Woodman, County Manager, read the Consent Agenda for the record.

Commissioner Brown moved to approve the Consent Agenda as presented. Commissioner Medina seconded the motion and it carried unanimously.

Old Business

A. Consideration and Approval of Letter to DOLA Requesting Extension to Complete SLFRF IGA Grant Agreement

Todd Weaver, County Attorney, stated this letter to Department of Local Affairs was to request their permission to extend the deadline to complete the SLFRF IGA Grant for six months. **Commissioner Medina moved to approve a letter to DOLA requesting an extension to complete the SLFRF IGA Grant agreement as presented. Commissioner Brown seconded the motion and it carried unanimously.**

New Business

A. Consideration and Approval of Refunding of County Portion of 2022 Real Estate Taxes for HO Enterprises LLC

Todd Weaver, County Attorney, stated in April 2023, the Board of County Commissioners approved an Agreement to Award Incentive to Maintain 311 S. 7th Street as Affordable Housing. Section 1.b of the Agreement states that an annual report shall be provided to the Board of County Commissioners setting forth the rental rate for each unit at 311 S. 7th Street compared to the 100% of the AMI for Archuleta County. Upon receipt of the report and full payment of the real estate taxes, a refund of the county's portion of that tax bill shall be sent to the property owner. The refund would come out of the overages recognized by Archuleta County from fees on Short-Term Rentals. HO Enterprises, LLC had provided the report and this agenda item was to request a refund of \$473.15 from the 2022 real estate taxes. **Commissioner Brown moved to approve a refund of the county portion of 2022 Real Estate Taxes for HO Enterprises, LLC, not to exceed \$473.15 as presented. Commissioner Medina seconded the motion and it carried unanimously.**

B. Consideration and Approval of Purchase Requisition for Emergency Rebuild of Unit 090

Derek Woodman, County Manager, stated Unit 090 is a 2006 140H motor grader with 12,677 hours. The repairs needed include a new differential, transmission, engine, brakes and tandems. This was the sole source of procurement. **Commissioner Medina moved to approve the purchase requisition for emergency rebuilding of motor grader Unit 090 for a cost not to exceed \$178,198.99 as presented. Commissioner Brown seconded the motion and it carried unanimously.**

C. Consideration and Approval of Emergency Repairs of Unit 306

Derek Woodman, County Manager, stated Unit 306 was a 2006 Caterpillar D6R Dozer with 9,000 engine hours used daily at the Landfill. The repairs would include the reconditioning of the transmission, engine, final drive, cab interior and tracks. This was a sole source repair. **Commissioner Brown moved to table this item until the next meeting to have time to receive a written estimate for repairs. Commissioner Medina seconded the motion and it carried unanimously.**

D. Consideration of Resolution 2023-46 Amending Fees for County Services and Information

Derek Woodman, County Manager, stated pursuant to C.R.S. 30-11-108, the Board of County Commissioners were charged with establishing fees charged for county services. This resolution updated certain fees. **Commissioner Medina moved to adopt Resolution 2023-46 amending fees for county services and information amending the fee for carcasses, toilets, grills and dishwashers to be \$10 each. Commissioner Brown seconded the motion and it carried unanimously.**

E. Consideration of Resolution 2023-47 Approving Donation and Transfer of Title of County Property to the Pagosa Springs Community Development Corporation and Approval of 5 Applications for Treasurer's Deeds

Todd Weaver, County Attorney, stated at the May 9, 2023 Work Session, the Pagosa Springs Community Development Corporation, in collaboration with local resident, Julian Caler, requested a donation of six county-held lien properties in Chris Mountain Village II to develop workforce housing. This agenda item was to adopt a resolution approving the donation of one of

the parcels and committing to the donation of the remaining five parcels which still must go through the process of Treasurer's Deed and quiet title prior to donating them. The applications for Treasurer Deed for five parcels was included in this agenda item. **Commissioner Brown moved to adopt Resolution 2023-47 approving donation of transfer of title of county property to the Pagosa Springs CDC and approval of 5 applications for Treasurer's Deeds as presented. Commissioner Medina seconded the motion and it carried unanimously.**

F. Consideration of Resolution 2023-48 to Approve and Establish Terms for the Transfer of Certificates of Purchase for Specific Real Estate Donation and Transfer of Title of County Property to the Pagosa Springs Community Development Corporation

Todd Weaver, County Attorney, stated this resolution provided the terms for the sale of thirteen Certificates of Purchase for thirteen parcels of land to Julian Caler. **Commissioner Medina moved to adopt Resolution 2023-48 approving and establishing terms for the transfer of Certificates of Purchase for specific real estate as presented. Commissioner Brown seconded the motion and it carried unanimously.**

Commissioner Comments

There were none.

With no further business coming before the Board, the meeting adjourned at 2:49 p.m.

Approved this 6th day of June 2023.

Kristy Archuleta
Archuleta County Clerk & Recorder

Ronnie Maez, Chairman