

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting on September 5, 2023, noting County Commissioners Ronnie Maez, Warren Brown and Veronica Medina, County Manager Derek Woodman, County Attorney Todd Weaver and County Clerk and Recorder Kristy Archuleta present.

Chairman Maez called the meeting to order at 1:30 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. **Commissioner Brown moved to approve the agenda as presented. Commissioner Medina seconded the motion and it carried unanimously.**

Public Comments

Bill Hudson, 446 Loma St., stated we are forced to pay taxes when we buy food or a car. Mr. Hudson believed at the work session this morning he did not believe the \$1.7 million dollars they were discussing was allowable by law. He did not believe they could take the \$1.7 million dollars from last year and allocate it to this year because budgets expire at the end of a year. The contracts that were not within budget shall not be paid because it was not budgeted.

Wayne Bryant, 235 Rim View Rd., was concerned with the Dog Ordinance that was up for adoption. He stated he was receiving calls with concern for the verbiage used in the ordinance. He believed the wording used would include people in enforcing the ordinance. He also thought the whole ordinance was too strong and would not allow his dog to go to the river without a leash. He did not believe we needed these kind of restrictions.

Reports

A. Department of Human Services 2nd Quarter 2023 Report

Isabel Vita, Director Archuleta County Department of Human Services, presented the report for the 2nd Quarter of 2023 for the Department of Human Services.

Chairman Maez recessed the Regular Meeting and convened the Board of Health at 1:58 p.m.

Board of Health

A. Consideration and Approval of Colorado Department of Public Health and Environment Master Task Order

Ashley Wilson, Public Health Director, stated the Master Task Order was the overarching contract that allowed the Public Health Department to receive funds from programs through CDPHE. This was the first step in finalizing scopes of work and funding. **Commissioner Medina moved to approve the Master Task Order with Colorado Department of Public Health and Environment as presented. Commissioner Brown seconded the motion and it carried unanimously.**

Consideration and Approval of Disbanding the Transitional Advisory and the Transitional Oversight Committees

Ashley Wilson, Public Health Director, stated the County Public Health Department Transitional Advisory Committee (TAC) was formed to research programs that San Juan Basin Public Health currently offered to the citizens of Archuleta County and to recommend to the County Board of Health the programs that were statutorily required and other programs the Committee felt would best benefit the community when the department opens in January 2024. The Internal Oversight Committee (IOC) was formed to oversee the TAC and to assist where needed. The TAC recommendations were provided to the Board of Health who accepted them at their Regular Meeting on August 1, 2023. With their mission completed, the TAC voted on August 16, 2023 to recommend the Board of Health disband the Committee and signed a mutual resignation memo stating such. The IOC signed a similar recommendation letter on August 25, 2023. **Commissioner Brown moved to disband the Archuleta County Public Health Department's Transitional Advisory and Transitional Oversight Committees effective immediately as presented. Commissioner Medina seconded the motion and it carried unanimously.**

Chairman Maez adjourned the Board of Health and convened the Board of Equalization at 2:02 p.m.

Board of Equalization

A. Consideration and Approval of a Letter of Authorization for Property Tax Valuation Appeals

Todd Weaver, County Attorney, stated following the County Board of Equalization (CBOE) hearings in July and August, petitioners had thirty days to pursue further appeals to the Board of Assessment Appeals, the District Court or through Binding Arbitration. The CBOE has received notice of at least eleven appeals to date. This agenda item was for the CBOE to authorize the County Attorney, Todd Weaver, to represent the CBOE at the hearings and to execute any possible stipulations on its behalf. **Commissioner Medina moved to approve a letter authorizing the County Attorney to act on behalf of the Board of Equalization in any and all 2023 property tax valuation appeals to the Board of Assessment Appeals, Archuleta County District Court and/or Binding Arbitration as presented. Commissioner Brown seconded the motion and it carried unanimously.**

Chairman Maez adjourned the Board of Equalization and convened the Land Use Regulation Hearing at 2:04 p.m.

Land Use Regulation Hearing

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

A. Public Hearing for Final Plat Review and Approval of Pagosa Meadows Unit 4 Amendment 2023-01 (PLN23-150)

Pamela Flowers, Development Director, stated Paul Thomas and Eric Ford had applied for approval of PLN23-150 the Pagosa Meadows Unit Four Amendment 2023-01, Final Plat. The purpose of this action was to divide the approximately 13.8-acre lot at 1097 Buttress Ave. into two lots of approximately 6.94 acres each. The existing parcel is zoned Planned Unit Development.

Chairman Maez opened the floor for public comment.

Chairman Maez closed public comment.

Commissioner Brown moved to approve PLN23-150, the Pagosa Meadows Unit Four Amendment 2023-01, Final Plat at 1097 Buttress Avenue with Findings A and B and conditions 1 and 2 as presented. Commissioner Medina seconded the motion and it carried unanimously.

B. Public Meeting for and MLLA Final Plat Review and Approval of Aspen Springs Subdivision No. 6 Amendment 2023-01 (PLN23-061)

Pamela Flowers, Development Director, stated Tanya & John Thibodeaux and Mark Marple had applied for approval of PLN23-061 the Aspen Springs Subdivision No. 6 Amendment 2023-01 Final Plat, being a Minor Lot Line Adjustment of Lot 392 and Lot 394X2, Creating Lot 392Z and 394X2Z at 1562 and 1624 Doc Adams Place. The purpose of this action was to resolve and existing structural encroachment. **Commissioner Medina moved to approve PLN23-061, the Aspen Springs Subdivision No. 6 Amendment 2023-01 Final Plat, being a minor lot line adjustment of Lot 392 and Lot 394X2, creating Lot 392Z and Lot 394X2Z, at 1562 and 1624 Doc Adams Place, with Finding A and no conditions as presented. Commissioner Brown seconded the motion and it carried unanimously.**

Chairman Maez adjourned the Land Use Regulations Hearing and convened the Liquor Board at 2:14 p.m.

Liquor Board

Chairman Maez swore in Ashley Springer, Administrative Assistant, for testimony.

A. Consideration and Approval of a Special Events Permit for Pagosa Lakes Property Owners Association A Tribute To Patsy Cline

Ashley Springer, Administrative Assistant, presented an application for a Special Events Permit for Pagosa Lakes Property Owners Association to sell Malt, Vinous and Spirituous Liquor at 45 Eagles Loft Circle in Pagosa Springs, CO for A Tribute to Patsy Cline on September 16, 2023. The Sheriff had been notified of the event. The proper fees had been collected. The premises was posted for the required ten days prior to the event. **Commissioner Brown moved to approve the**

Special Events Permit for Pagosa Lakes Property Owners Association for their event on September 16, 2023 as presented. Commissioner Medina seconded the motion and it carried unanimously.

Chairman Maez adjourned the Liquor Board and reconvened the Regular Meeting at 2:15 p.m.

Consent Agenda

A. Payable Warrants and Purchase Cards

Payable Warrants for dates of AUG 16, 2023-September 5, 2023	
General Fund Payable	\$ 366,000.17
Road and Bridge Fund Payable	\$ 820,165.74
Department of Human Services Fund Payable	\$ 15,010.79
Public Health	\$ 74.00
1A Fund	\$ -
All Combined Dispatch Fund Payable	\$ 71.82
Conservation Trust	\$ 15,000.00
Justice System Capital Fund	\$ 350.00
Solid Waste Fund Payable	\$ 202,063.43
Airport Fund Payable	\$ 1,437.95
Fleet Fund Payable	\$ 34,313.65
Total	\$ 1,454,487.55
Payable Wire Transfers for dates of AUG 16 2023 - SEPTEMBER 5 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 AUG 16-SEPTEMBER 5 2023	
General Fund Payable	\$ 17,711.02
Road and Bridge Fund Payable	\$ 3,659.28
Department of Human Services Fund Payable	\$ 3,215.26
Public Health	\$ 818.00
1A Fund	
All Combined Dispatch Fund Payable	\$ 490.22
Conservation Trust	
Justice System Capital Fund	
Solid Waste Fund Payable	\$ 94.06
Airport Fund Payable	
Fleet Fund Payable	\$ 1,938.98
Total	\$ 27,926.82

- B. Regular Meeting Minutes
August 15, 2023
- C. Consideration of Resolution 2023-100 Lot Consolidation in San Juan Resort
Subdivision Unit No. 2, Owned by Strom Family Revocable Trust
- D. Consideration and Approval of Assignment of Hangar Ground Lease for Hangar 500-F
- E. Consideration and Approval of Division Order for Morningstar Operating LLC
- F. Ratification of the Chairman’s Signature on a Letter of Support for the Energy
Efficiency and Conservation Block Grant
- G. Ratification of the Chairman’s Signature on a Letter of Opposition to the Secretary of
Commerce Regarding the Letter of Credit Requirement for BEAD
- H. Ratification of the Chairman’s Signature on a Letter of Support for the Community
Development Corporations’ Application for CBDO Certification

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

Chairman Maez recessed and reconvened the Regular Meeting at 2:20 p.m.

Derek Woodman, County Manager, stated the following would not be included in the payables but tabled until a later meeting.

Sunland Asphalt & Construction, LLC	\$58,590.00
Crossfire Aggregate Services, LLC	\$57,673.83
C & J Gravel Products, Inc.	\$48,274.14
M & M Construction Services, LLC	\$28,515.00
Drop Tine Trucking & Excavation, LLC	\$24,900.00
J & K Espinosa, Inc	\$20,440.00
CRG Construction, Inc	\$13,720.00
Taylor Ranch Trucking, LLP	\$ 7,490.00

Commissioner Medina moved to approve the Consent Agenda with the exception of the items County Manager Derek Woodman read out to be excluded or tabled at this time. Commissioner Maez seconded the motion and it carried unanimously.

Commissioner Medina moved to approve line item of CCI reimbursement for Commissioner Brown. Commissioner Maez seconded the motion and it carried. Commissioner Brown recused himself from the vote.

Old Business

A. Consideration and Approval of Quit Claim Deed for Community Development Corporation

Todd Weaver, County Attorney, stated at the Regular Meeting on May 16, 2023, the Board of County Commissioners approved donating a vacant land parcel at 50 Home Court owned by the County to the Community Development Corporation. This Quit Claim Deed finalized the donation. **Commissioner Brown moved to approve a Quit Claim Deed to donate the vacant land at 50 Home Court to the Community Development Corporation as presented. Commissioner Medina seconded the motion and it carried unanimously.**

B. Consideration and Approval of Letter to Terminate FCI Constructors Inc. for Construction of Transit Facility

Kevin Bruce, Transportation Coordinator, stated after receiving four proposals for the construction management/general contractor contract for construction of the new transit facility, the Board of County Commissioners awarded the contract to the highest scorer, FCI Constructors, Inc. at their Regular Meeting on July 5, 2023. Despite knowing the maximum amount to build was capped at \$4.7 million, FCI provided an initial estimate of \$5.6 million and said they'd need to make many design and/or engineering changes in order to bring it down to the \$4.7 million cap. This agenda item was to terminate the contract with FCI Constructors, Inc. **Commissioner Medina moved to approve a letter terminating the contract with FCI Constructors, Inc. for the construction of the new county bus transit facility as presented. Commissioner Brown seconded the motion and it carried unanimously.**

New Business

A. Consideration and Selection of Contactor for Archuleta County Bus Transit Facility

Kevin Bruce, Transportation Coordinator, stated the Transportation Department solicited proposals for a Construction Management/General Contractor for the new bus transit facility and four bids were received. The highest scorer, after being awarded the contract, came back with an estimate far higher than the maximum amount of \$4.7 million. The second highest scorer, Building By Design, has stated they can build the facility for no more than the maximum amount of \$4.7 million. This agenda item is to award the contract to Building by Design. **Commissioner Brown moved to award the construction management/general contractor contract for the new transit facility to Building By Design for a cost not to exceed \$4.7 million and to authorize the contractor to break ground in Spring 2024 as presented. Commissioner Medina seconded the motion and it carried unanimously.**

B. Consideration and Approval of Reimbursement for Trenching & Backfilling in Chris Mountain Village

Todd Weaver, County Attorney, stated this agenda item was for the approval of a disbursement in the amount of \$42,800.00 from the Fairfield Settlement Fund to reimburse Tim Brown Construction for trenching and backfilling electrical service for sixteen lots in Chris Mountain

Village 2. **Commissioner Medina moved to approve a reimbursement from the Fairfield Settlement Fund to Tim Brown Construction in the amount of \$42,800.00 for trenching and backfilling 16 lots in Chris Mountain Village II as presented. Commissioner Brown seconded the motion and it carried unanimously.**

C. Consideration and Approval of Changing the Archuleta County Domain from .org to .gov

Derek Woodman, County Manager, stated during election time, there are many websites that are created with misinformation. The state was encouraging all 64 counties to update their domain to .gov. It's a long and involved process to obtain a .gov domain as it is a trusted and verified source by the state and nation. By changing Archuleta County's domain from .org to .gov, the county will be able to discredit any information that does not come from a .gov site. The IT Department will update the county website, staff email addresses and anything else related to this change. This letter was the first step to being a verified government source and obtaining a .gov domain. This agenda item was tables from the August 15, 2023 Regular Meeting as the Commissioners had some specific questions which were addressed by the IT Director. **Commissioner Brown moved to approve a letter to .gov Domain Registration to change the Archuleta County domain from .org to .gov as presented. Commissioner Medina seconded the motion and it carried unanimously.**

Commissioner Comments

Commissioner Maez reiterated the importance of having the County Attorney and County Manager involved in all contracts before signing.

With no further business coming before the Board, the meeting adjourned at 2:41 p.m.

Approved this 19th day of September 2023.

Kristy Archuleta
Archuleta County Clerk & Recorder

Ronnie Maez, Chairman