



ARCHULETA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**CALL TO ORDER THE REGULAR BOCC MEETING OF MARCH 3, 2015 AT 1:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**APPROVAL OR ADJUSTMENTS TO AGENDA**

**DISCLOSURES AND/OR CONFLICT OF INTEREST**

**PUBLIC COMMENTS FROM THE FLOOR\***

This is an opportunity during the session for the public to address the Commissioner. Please step up to the podium, **STATE YOUR NAME AND ADDRESS FOR THE RECORD** and keep your comments to 3 minutes (**the Board is not required to discuss your comment or make a decision regarding your comment, under this section**).

**ABATEMENT HEARING**

**A. Petition For Abatement Or Refund Of Taxes For Norman W & Barbara K Kennedy**

Norman W. & Barbara K. Kennedy brought it to the attention of the Assessor's Office that one of their vacant parcels did not receive the residential rate as requested. The Kennedy's do own 2 parcels that are contiguous to their residential parcel and although the parcel listed was entered into the correct area of the CAMA system, it did not transfer over to the portion of the system that calculates the tax. The internal problem with the CAMA system has been resolved and an abatement needs to be processed. Because the abatement amount is over the \$2000 limit that I may approve on my own, I am before you today for approval.

Parcel #5699-273-06-004  
Colorado's Timber Ridge Unit 5, Lot 4  
\$5,032.20-Abatement

Presenter Natalie Woodruff  
Presenter's Title County Assessor

**LAND USE REGULATION HEARING**

**A. Review And Consider A Land Use Regulations Amendment To Section 2, 3 And 11**

Background:

Land Use Regulations Amendment for Medical and Retail Marijuana and revision of Section 2.1.2.1, Section 3-Table 3, and Section 11-Definitions.

Presenter Todd Starr  
Presenter's Title County Attorney

Documents: [REPORT TO BOCC MEDICAL AND RETAIL MARIJUANA ESTABLISHMENTS.PDF](#) , [MARIJUANA CHANGES TO LAND USE REGULATIONS SECTION 2 3 11.PDF](#)

**LIQUOR BOARD**

**A. Special Events Permit For Humane Society Of Pagosa Springs**

This is an application for a Special Events Permit for Humane Society of Pagosa Springs to serve malt, vinous and spirituous liquor at 230 Port Avenue for the Chocolate Auction on March 28, 2015. The Sheriff has been notified of the event. The proper fees were collected and the premises was posted for the 10 required days prior to today's Hearing.

Presenter Kathleen Baca  
Presenter's Title Administrative Assistant

Documents: [HUMANE SOCIETY SPECIAL EVENT 2015.PDF](#)

**REPORTS**

**A. Report From County Clerk & Recorder**

**Annual statistical report from County Clerk & Recorder**

Presenter June Madrid  
Presenter's Title County Clerk

Documents: [5 YEAR STATISTICS.XLSX](#), [STATISTICS COUNTY KEPT MONEY.XLSX](#), [STATISTICS W RESTRICTED TOTALS.XLS](#), [STATISTICS.XLS](#)

**CONSENT AGENDA**

**A. Regular Minutes For 02-17-15R**

Draft of Feb. 17, 2015 Regular Meeting

Documents: [02-17-15R.DOC](#)

**B. Payroll And Payable Warrants February 18, 2015 - March 3, 2015**

**C. Review And Consider Resolution 2015- To Consolidate 2 Lots Into 1 In Pagosa Highland Estates Owned By Phillip M. Slusher And Lyna K. Slusher**

This request is to consider the Resolution authorizing the consolidation of Lots 386 and 387, Pagosa Highland Estates, to become Lot 386X owned by Phillip M. Slusher and Lyna K. Slusher.

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents: [SLUSHER MG.PDF](#), [SLUSHER LC RESOLUTION 2015.DOC](#)

**D. Renewal Of The Liquor Store License For Pagosa Liquor Inc. DbA Pagosa Liquor**

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents: [2016 RENEWAL.PDF](#)

**E. Renewal Of The Liquor Store License For Piedra Peak General Store, LLC DbA Piedra Peak General Store**

Documents: [2016 PIEDRA PEAK RENEWAL.PDF](#), [PIEDRA PEAK LEASE ENDING MAY 30 2015.PDF](#)

**F. Consider Approving Deborah Schulte As An Arbitrator For 2015 Tax Appeals**

Presenter Todd M. Starr  
Presenter's Title County Attorney

**G. Review And Consider A Letter Of Support For Senate Bill 15-89**

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents: [LOS SENATE BILL 15 -89.PDF](#)

#### H. **Cancellation Of April 7, 2015 Regular BoCC Meeting**

Please consider cancelling the April 7th, 2015 Regular BoCC Meeting due to lack of a quorum.

Presenter Bentley Henderson  
Presenter's Title County Administrator

### **NEW BUSINESS**

#### A. **Review And Consider Waiving Fees At The County Recycling Facility For The Week Of April 19th Through April 25th, 2015 In Recognition Of Earth Day.**

This is a request by Southwest Organization for Sustainability (SOS) to waive the drop-off fee at the County's recycling facility in recognition of Earth Day which is April 22<sup>nd</sup>. The request is for the waiver of the fees for the entire week of April 19<sup>th</sup> through April 25<sup>th</sup>.

Presenter Bentley Henderson  
Presenter's Title County Administrator

Documents: [MEMORANDUM EARTH DAY.PDF](#)

#### B. **Review And Consider The Award Of Magnesium Chloride**

Archuleta County accepted bids for the supply and application of Magnesium Chloride to various County Roads. The Contract would be for 2015 with the option to extend the contract in 2016 and 2017 for a total of three years. Desert Mountain Corporation was the low bidder. The total price per gallon to be delivered and applied to Archuleta County various Roads in 2015 is \$0.689. The proposed application of Magnesium Chloride in 2015 to County roads will be approximately 440,000 gallons. The total cost for Magnesium Chloride will not exceed \$303,160.

Presenter Ken Feyen  
Presenter's Title Public Works Director

#### C. **Review And Consider The 2015 Roadway Program**

Background: The 2015 Road Program is a combination of preventative maintenance, repair of damaged roads, and reconstruction of failed pavement areas. The attached plan identifies specific projects for the commissioners to select. The plan was developed in conjunction with the 5 year Road Plan and based upon available funds.

---

Recommended Action:

Select and approve projects to be undertaken in 2015.

Presenter Ken Feyen  
Presenter's Title Public Works Director

Documents: [2015 ROADWAY PROGRAM MEMORANDUM.PDF](#) , [2015 ROADWAY PROGRAM 1.PDF](#)

**D. Review And Consider Professional Engineering Services For The 2015 Road Plan**

In order to complete the 2015 Road Program it will be necessary to retain the services of a consultant to provide the necessary plan, specifications, and bid documents and provide construction administration services. Staff has reviewed the current On-Call list to determine the best available firm. Based upon past experience, familiarity with the project location, and the firm location, staff selected Davis Engineering. Staff requested and received a proposal from Davis Engineering to provide the required services to complete the 2015 Road Program.

---

Recommended Action:

Award Davis Engineering the contract to provide Professional Engineering Services in an amount Not-To-Exceed \$327,750.00 for the 2015 Road Program.

Presenter Ken Feyen  
Presenter's Title Public Works Director

Documents: [20150220081448441.PDF](#)

**E. Review And Consider A Detention Center Medical Services Proposal**

In March of 2011, Archuleta County awarded a multi-year Medical Services agreement to Pagosa Springs Family Medicine Center. During 2013, the Pagosa Springs Family Medicine Center found it increasingly difficult to provide the services required by the agreement. It was understood at the time that this was because of the illness of a principle of that business. On September 1, 2013, the agreement was assigned to Cornerstone Family Medicine, LLC, with an adjusted Term that allows for automatic “month to month” renewal for one month periods until 30 days notice is provided. That arrangement continues, but the Sheriff’s Department determined it was in the best interest of the County to do a new competitive procurement of the service.

Therefore, on January 22, 2015, the County released an RFP (Request for Proposals) for the provision of Medical Services to the Detention Center. Two proposals were received by the Feb. 4th due date, as follows:

\$6,250/Month (Base Fee) - Pagosa Springs Family Medicine Center  
\$8,333/Month (Base Fee) – Pagosa Springs Medical Center

The existing service provider (Cornerstone Family Medicine) feels that they made a proposal by virtue of sending an email indicating their intention to continue providing services as they have in the past, and at the same rates. However, this form of proposal was specifically excluded from the County’s RFP and it has been set aside. Even if it had not been set aside, the Base Fee rate would have been higher than Pagosa Springs Family Medicine Center.

After review of the two “acceptable” proposals (in their entirety, including terms as well as the Base Fee), the Sheriff’s Department would like the Commissioners to accept the proposal made by the Pagosa Springs Family Medicine Center, as amended in the attached Notice of Award. Note that the Base Fee of \$6,250 per month will add to \$75,000 over a one year period. The current 2015 annual budget for this service is \$80,000.

Presenter Rich Valdez/Larry Walton  
Presenter's Title Sheriff/Finance Director

Documents: [NOTICE OF AWARD.PDF](#)

**F. Review And Consider The Department Of Human Services Fraud Investigator Contractor With The Archuleta County Sheriff's Office**

The Archuleta County Department of Human Services would like to renew the Fraud, Locate and Quality Assurance contract with the Sheriff's Office. The Sheriff's Office has the technical skill and

ability to provide the required services of the contract including investigation of fraud referrals, completing parent locate services and completing periodic case reviews in income maintenance programs.

Attached is a copy of the contract.

Recommended action: Approve the Fraud, parent locate and case review contract with the Archuleta County Sheriff's Office for \$17,000.

Presentor                    Matthew A. Dodson  
Presentor's Title         Director

Documents: [FRAUD CONTRACT 2015.PDF](#)

**G. Review And Consider Approval Of The Scope Of Services For Phase I Of The Courthouse Remodel**

Provided for review and approval is the scope of services for the courthouse remodel project. The attached documentation is consistent with the numerous ongoing conversations that have taken place regarding the scope, phasing, and fees associated with the courthouse remodel project.

Presentor                    Bentley Henderson  
Presentor's Title         County Administrator

Documents: [ARCHULETA COUNTY 2015-02-25.PDF](#), [COURTHOUSE REMOD PH I MEMORANDUM.PDF](#)

**H. Consideration Of A Loan To PAGWAPA**

Presentor                    Bentley Henderson  
Presentor's Title         County Administrator

Documents: [PAGWAPA NOTE 2.PDF](#), [GUARANTY PV 2.PDF](#)

**MEDIA QUESTIONS**

**PUBLIC COMMENTS FROM THE FLOOR**

This is an opportunity during the session for the public to address the Commissioners on a subject not covered on the agenda. Please step up to the podium, **STATE YOUR NAME AND ADDRESS FOR THE RECORD** and keep your comments to 3 minutes (**the Board is not required to discuss your comment or make a decision regarding your comment, under this section**).

**COMMISSIONER COMMENTS**

**EXECUTIVE SESSION**

**A. Per C.R.S. 24-6-402**

The purchase, acquisition, lease, transfer, or sale of real, personal or other property pursuant to C.R.S. 24-6-402(4)(a).

Purpose: 95 Acres

Presentor                    Todd Starr  
Presentor's Title         County Attorney

**ADJOURNMENT OF THE REGULAR BOCC MEETING**

All meetings to be held in the Archuleta County Administration Offices at 398 Lewis Street unless otherwise stated.

All Regular and Special BoCC Meetings are recorded.