ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners held a Regular Meeting on July 3, 2012 with County Commissioners Clifford Lucero, Michael Whiting and Steve Wadley, County Administrator Greg Schulte and County Attorney Todd Starr present.

Chairman Lucero called the meeting to order at 1:30 p.m.

The meeting began with the Pledge of Allegiance followed by a moment of silence.

Public Comments

- Cynthia Myers of 1172 Scenic thanked the Board for all they had done with the budget.
- Edward Bennett of 559 S 8th St. wanted to talk about a letter he received from the County Attorney regarding the accusations that he harassed the Director of the Senior Center. He had said something derogatory when the Pledge of Allegiance was said. Ms. Wollenweber (Director of the Senior Center) stated that he was out of line and he responded by saying 'bite me". He stated that he meant, shut up and go away. He was asked if he had said bite me to the Director of Seniors and he answered yes, but meant stop bothering, me go away. Commissioner Wadley explained what 'bite me' suggested sexually. Mr. Bennett said the letter accused him of discrimination which he would never do based on his family. He read some portion of the letter regarding the sexual overtones of the remark. He said he found the letter to be offensive and was ashamed of the County and was ashamed to have anyone look at him this way. He asked the Board if they regarded him as a sexual pervert. County Attorney stated that he did not think the Board should respond. Commissioner Lucero answered, no, they did not.
- Cecilia Hopper of 963 Bob's Place commented on Mr. Bennett's letter. She stated that Ms. Wollenweber from the Senior Center used "bite me" to the seniors on a regular basis but when it was used back to her she took offense. She did not feel this was fair.

Proclamation

County Administrator Schulte presented a Proclamation for the Board's consideration. He read it for the record. It was a proclamation stating the County's support for the Ignacio Bike Week being held the week of August 29 through September 3, 2012 in Ignacio, Colorado. **Commissioner Wadley moved to approve the Proclamation supporting the Ignacio Chamber of Commerce in holding its Ignacio Bike Week August 29 through September 3, 2012. Commissioner Whiting seconded the motion and it carried unanimously.**

Chairman Lucero recessed the Regular Meeting and opened the Liquor Board at 1:40 p.m.

Liquor Board Hearing

Annette DeGraaf Administrative Assistant was sworn in for testimony.

A. Renewal of the Retail Liquor Store License for David C. Olsen dba Turkey Springs Trading Post

Annette DeGraaf Administrative Assistant presented for the Board's approval an application for the renewal of the Retail Liquor Store License for David C. Olsen dba Turkey Springs Trading Post located at 11497 W. Hwy 160. The premises had been inspected by the Building Department and posted for the required 10 days, the Sheriff had completed their background checks and the proper fees had been submitted. **Commissioner Whiting moved to approve the renewal of the Retail Liquor Store License for David C. Olsen dba Turkey Springs Trading Post located at 11497 W Hwy 160 with the Building Department having inspected the premises, the premises being posted for the required 10 days prior to today's Hearing, the Sheriff having completed their background check and the complete paperwork being submitted. Commissioner Wadley seconded the motion and it carried unanimously.**

Chairman Lucero closed the Liquor Board and convened a Land Use Regulation Hearing at 1:41 p.m.

Land Use Regulations Hearing

Cindy Schultz County Planner was sworn in for testimony.

A. Resolution 2012-44 Consolidation of Lots for Steven R. & Jean R. Bowser

Cindy Schultz County Planner presented a resolution to the Board for consideration. The resolution consolidated Lakewood Village, Lots 60 & 61 to become 61X for the owners Steven R. & Jean R. Bowser. The application requirements had been met and fees paid. **Commissioner Wadley moved to approve the resolution as Resolution 2012-44 consolidating Lakewood Village, Lots 60 & 61 to become Lot 61X for owners Steven R. & Jean R. Bowser. Commissioner Whiting seconded the motion.** Chairman Lucero asked for public comments. No comments were presented. **The motion carried unanimously**.

B. Resolution 2012-45 Consolidation of Lots for Robert W. Burch, Jr. and Julie K. Burch

Cindy Schultz Planning Manager presented a resolution to the Board for consideration. The resolution consolidated Twincreek Village, Lots 783 and 784 to become Lot 784X for the owners Robert W. Burch, Jr. and Julie K. Burch. The application requirements had been met and fees paid. **Commissioner Whiting moved to approve the resolution as Resolution 2012-45 consolidating Twincreek Village, Lots 783 & 784 to become Lot 784X with the owners being Robert W. Burch, Jr. and Julie K. Burch. Commissioner Wadley seconded the motion.** Chairman Lucero asked for public comments. No comments were presented. **The motion carried unanimously**.

C. Resolution 2012-46 Consolidation of Lots for Brad & Gretchen Nelson

Cindy Schultz Planning Manager presented a resolution to the Board for consideration. The resolution was correcting Resolution 2012-38. The resolution was to have consolidated Lots 558 and 559 of the Replat of Twincreek Village Lot 558X to become Lot 558XAX. Due to a typo, the wrong lot number was shown as the ending consolidated lot. This resolution corrects that. This resolution consolidates Lots 558 & 559 of the Replat of Twincreek Village Lot 558 to become Lot 558XAX for the owners Brad & Gretchen Nelson. **Commissioner Wadley moved**

to approve the resolution as Resolution 2012-46 correcting Resolution 2012-38 and consolidating Lots 558 & 559 of the Replat of Twincreek Village Lot 558X to become Lot 558XAX for owners Brad & Gretchen Nelson. Commissioner Whiting seconded the motion. Chairman Lucero asked for public comments. No comments were presented. **The motion carried unanimously**.

Chairman Lucero closed the Land Use Regulations Hearing and reconvened the Regular Meeting at 1:46 p.m.

Consent Agenda

A. Approval of the Contract between the San Juan Basin Area Agency on Aging and Archuleta County to provide congregate meals, home delivered meals, emergency meals and assisted transportation through Senior Services in the amount of $95,120.

B. Approval of the sale of one half of the lease for Hagar A-2 at the Archuleta County Airport; from Greg Hazelwood to Cary Masten.

C. Appointment of Stanley Velarde as a Resident Board Member to the Archuleta County Housing Authority Board.

D. Payroll Warrants and Payable Warrants for the dates of June 20-July 3, 2012.

Payable Warrants for dates of June 20 thru July 3, 2012	
General Fund Payable	118,674.02
Road and Bridge Fund Payable	171,589.25
Department of Human Services Fund Payable	12,236.61
All Combined Dispatch Fund Payable	12,351.06
Housing Choice Voucher Payable	30,521.64
Casa de los Arcos Payable	9,870.70
Solid Waste Fund Payable	6,918.13
Fleet Fund Payable	67,903.06
Total	430,064.47
Payroll Warrants for dates of June 20-July 3, 2012	
General Fund Payroll	172,478.71
Road and Bridge Fund Payroll	30,789.12
All Combined Dispatch Fund Payroll	14,327.90
Housing Choice Voucher Payroll	1,193.98
Casa de los Arcos Payroll	886.91
Solid Waste Fund Payroll	7,876.82
Fleet Fund Payroll	8,416.73
Total	$ 235,970.17

Regular Meeting Minutes

E. June 19, 2012

Special Meeting Minutes

F. June 21, 2012

County Administrator Schulte read the Consent Agenda items for the record. **Commissioner Whiting moved to approve the Consent Agenda as read. Commissioner Wadley seconded the motion.** Beverly Arrendell of 5 S Dawning Court asked to make a public comment and was allowed. She wanted to speak for those Seniors who wished to speak about the Contract on this

agenda item regarding the increase in cost for the Senior meals. She said that at a specific meeting they (Seniors) were told these figures for Thursday meals would be shared with Triple A. No figures had been shared. She said she and another person had met with County Administrator asking how the County could approve a contract when the cost was not shown in the contract. At the Senior Center there had been three cost amounts presented to them for meals: $9.40, $10.40 and $11.50. The $11.50 had shown up in other reports. When they had asked which cost was accurate, Ms. Wollenweber stated the $11.50 was not correct and had not been correct for months (at least 6). The $10.40 was not correct either. They had asked for accurate figures June 1 and still had not received any. They had requested figures for meals five days a week and meals for the week plus every other Thursday. They respectfully request that the Board present them with real figures. They feel very unimportant and ignored. They have been asking for a month and they part of the citizenship of this community. Commissioner Whiting asked County Administrator Schulte to talk about the process. County Administrator Schulte said that one way to increase the amount of meals was by cost shifting with the Southern Utes for meals in Arboles, suggesting meal contributions be increased from $3.00 to $4.00 and another to establish a reservation system. At this point, we are the only County who does not take reservations. He said he had already talked to Seniors regarding these issues. All three are in the works. He apologized for the slowness of the County but there were processes to be adhered to. The County didn't know yet how many meals they can do with the shift of the Arboles lunches and asked for their patience. County Administrator Schulte reminded the Board that this item was not just one item, there were several. This portion was just the agreement to enter into with Triple A to get the money to provide emergency and congregate meals. He thought this item could be discussed at the later time in the agenda. Commissioner Wadley pointed out that this Board had taken very serious positions regarding Seniors and Veterans. The Board did take their petition and letter seriously, it did not sit in a basket, but the process takes time.

Chairman Lucero closed public comments. **The motion carried unanimously.**

Reports

A. Mountain Express Transportation regarding Wilderness Express

John Eagan Project Coordinator for Archuleta County Mountain Express Transit presented a report to the Board regarding comments that had been made a previous meeting by the Wilderness Express. He explained what Mr. Walls with the Wilderness Express had made about Mountain Express making an unfair atmosphere for his business when the Transit began picking up people. He felt that the County charging $2.00 per ride was not fair because he could not compete with that price. The Board had asked Mr. Egan to make sure Archuleta County was operating in tandem with the law. He had discussed this issue with County Attorney Starr and felt they were. He had talked with Greg Ellis Grant Manager with CDOT who also agreed that the County was operating within our rights. We are going to someone's home, upon receiving a phone call and take them where they need to go for $2.00 a ride. Mr. Walls stated he could not compete with this price. CDOT had been looking at counties to see what passengers per mile were. Archuleta County was at 2 passengers per mile. Our goal was to increase to 3 passengers per mile which is working. They are focusing on the seniors and those people who do not have vehicles. Chairman Lucero said that the 24 hour in advance notice that someone needs to call is different than a taxi services. This 24 hour advance notice makes it not a competition to

Wilderness Journeys. The Board did not see this issue as the County competing with the existing business. A copy of the report will be attached to the minutes.

New Business

A. Acceptance of the NRA Grant for Sheriff's Office

Harry Harris, Special Deputy/Detention Officer submitted a request of the Board to allow the Sheriff's Office to accept a grant from the NRA in the amount of $6,699.83 to be used for ammunition and body armor. There would be no match necessary from the County. Commissioner Wadley stated that he was happy that the County was receiving this grant. **Commissioner Wadley moved to accept the NRA Grant in the amount of $6,699.83 for the Sheriff's Office to be used for ammunition and body armor. Commissioner Whiting seconded the motion and it carried unanimously.**

B. Cost Share Agreement with Hinsdale County, US Forest Service and Archuleta County concerning the Little Sand Fire

Drew Peterson Director of Emergency Management of the Archuleta County Sheriff's Office presented a Cost Share Agreement with Hinsdale County, US Forest Service and Archuleta County concerning the Little Sand Fire. As stated in the 2012 Annual Operating Agreement for Wildland Fires in Southwest Colorado, when a wildland fire occurs on or threatens multiple jurisdictions, the cost of the incident may be split by agreement between the jurisdictions. When a fire is on Federal lands and threatening private lands, this process is important because if allows fire management activities take place on private lands, if needed. Cost share can either be cash transfers or in-kind services.

To date, the Little Sand fire had burned mostly Federal lands. There was a small portion of the fire on private property in Hinsdale County. This agreement stated Archuleta County would support the fire by providing an array of in-kind services. San Juan National Forest had agreed to pay for all of the hard costs. It was being estimated that together, Archuleta County and Hinsdale County had provided over $80,000 in in-kind help. The fire's current cost was $4,800,271 increasing to the current amount of $6.7 million, as of today's meeting. Mark Stiles Forest Supervisor with the Forest Service thanked the Board for all the hard work from the County employees. It had been expensive, but relatively inexpensive, based on the size of the fire because of the way the fire was being fought. It currently was costing $300 per/acre. Hopefully rain fall predicted for Thursday and Friday would help and would be greatly appreciated. C**ommissioner Whiting moved to approve a Cost Share Agreement with Hinsdale County, the US Forest Service and Archuleta County regarding the Little Sand Fire. Commissioner Wadley seconded the motion.** Chairman Lucero asked for public comment from the floor.

- Bill Hudson with the *Pagosa Daily Post* asked if there was a dollar expense for Archuleta County. The answer was not money, just in-kind services.

Chairman Lucero closed public comments. **The motion carried unanimously.**

C. Resolution 2012-47 Amending the Archuleta County Fee Schedule-Suggested Donations for Senior Meals

County Administrator Schulte stated that the County had received notice from Triple A saying SUCAP was going to do the Arboles meals. The idea now was to take that funding and move it to pay for two Thursday meals at the Senior Center. He felt it should be done on a trial basis twice a month and hoping to do so without anymore cost. He asked to respond to Ms. Arrendell's comments. He did not feel it was a straight estimate on this. He would rather start out and expand if we can show it will work. He felt the County had acted in good faith and had communicated well with the Seniors.

Musetta Wollenweber Director for the Senior Services submitted a resolution for the Board's consideration. The request came from the Archuleta County Seniors, Inc. to increase the suggested cost of the meals for the seniors from $3.00 to $4.00. The Archuleta Seniors, Inc. is a non-profit group who act as the local council on aging which give advice and suggestions to the Director of the Senior Center. They are also requesting a Thursday meal to be served which currently was not happening. Staff was asking that the cost not be raised and to serve Thursday meals only twice a month. Commissioner Wadley asked about the reservation process. Ms. Wollenweber said they had already begun the reservation process. You may call in or go on-line and reserve a meal. Commissioner Whiting stated his role on the Triple A board was to issue feedback. These additional meals are not budgeted. **Commissioner Wadley moved to approve the request from the Archuleta Seniors, Inc. to increase the meals served to the Archuleta County Seniors from a suggested $3.00 to $4.00 donation and allow staff to now prepare Thursday meals twice a month. A discussion began as to the verbiage of the contract. Commissioner Wadley asked to withdraw his motion. With no objections, Chairman Lucero stated the motion was withdrawn.**

Commissioner Wadley moved to approve Resolution 2012-47 to amend the Archuleta County Fee Schedule to include a suggested $4.00 donation for Senior congregate meals. Commissioner Whiting seconded the motion. Chairman Lucero opened the floor for public comment.

- Nancy Ford of 503 S 8th St., Unit 7 wanted to say that the suggested $4.00 is just that. It is a suggestion. Not all people can pay that nor are they expected to. Some people will pay more than $4.00 so they feel this extra money will help with the Thursday meals.
- Cecelia Hopper, Chairman of the Coop of Area on Ageing said she had asked for this increase years ago with a negative response. She thanked the Board for helping now.

Chairman Lucero closed public comments. **The motion carried unanimously.**

Chairman Lucero moved "Item G" to this portion on the agenda.

G. Operational Agreement with Archuleta County Seniors, Inc.

County Administrator Schulte presented an Operation Agreement between Archuleta County and Archuleta County Seniors, Inc. for the Board's consideration. Until now, there had not been a written document that memorializes the relationship. A document had been drawn up with the main points being: office hours, computer supports, cost for copies, display space and activities coordination. County Administrator Schulte had been working with Nancy Ford representative

for the Seniors on this agreement. **Commissioner Wadley moved to approve the Operational Agreement between Archuleta County and Archuleta County Seniors, Inc. as presented. Commissioner Whiting seconded the motion.** Chairman Lucero asked for public comments.

- Cecilia Hopper of 963 Bob's Place wanted the public to be aware that ASI funded all the computers being used now in the computer room and also the salad bar.

Chairman Lucero closed public comments. **The motion carried unanimously.**

D. Adoption of the Community Development Action Plan (CDAP)

Greg Schulte County Administrator presented the Community Development Action Plan (CDAP) for consideration of the adoption of the plan. Laura Lewis Marchino with Region 9 was present also. She said their last update to the Board was 2009. She was hoping this final daft was approved today. They were asking for the Board's approval of the Community Development Action Plan (CDAP) for Archuleta County being submitted today. The plan is updated every two years and serves as a tool for Archuleta County by outlining and ranking projects according to specified categories including but not limited to: Public Infrastructure, Transportation, Telecommunications, Education & Culture, Land Use, Economics Development, Public Safety, Agriculture and Housing. It also assists the Region 9 staff in assessing projects and opportunities for grant funding and cooperative funding agreements and is an element of the Comprehensive Economic Development Strategy. The document had already been reviewed and comments made by Region 9, Archuleta County, Town of Pagosa Springs, Pagosa Area Water and Sanitation District, Pagosa Mountain Hospital and the Archuleta County Adult Education Center. **Commissioner Whiting moved to approve the 2012 Archuleta County Community Development Action Plan as presented. Commissioner Wadley seconded the motion.** Chairman Lucero opened the floor for public comments.

- Bill Hudson with the *Pagosa Daily Post* said he appreciated public comment on this but had not seen the final draft and wondered if anyone else had seen the final draft. He felt the Board should have presented the final draft so everyone could see it, take public comments on the draft then approve the final document. He would like to see public comment prior to approval.
- Muriel Eason of 392 Antero Dr. agreed with Mr. Hudson. She had not seen the final draft. There were items discusses at the last work session and she knew some things were going to be taken out and would like to see the end product prior to the Board's approval. It was on-line but had been taken off after the Board's last input. It was never put out in its final draft form.
- Commissioner Wadley stated that a lot of time had been spent on this but he felt we were at the point that it had to be completed. This plan incorporates everything talked about at the last work session. It will be available to the public now. Ms. Eason asked if the public sees something or if something comes up or something was missed, could it be reviewed and updated before two years and the answer was yes. Commissioner Whiting stated he agreed. He felt all revisions requested up to now were in this final document. It may not be perfect but could be updated. It's gone through the Town, Special Districts and several other groups.
- Muriel Eason of 392 Antero Dr. asked about the change process. If it were to be a living document, what would the process be? Ms. Marchino answered that she was not completely sure. The County Commissioners would be notified and an addendum would be approved then added as a part of the document the next time the document itself was

approved.

- Mr. Hudson of the *Pagosa Daily Post* asked would the process be the same to take something out. Ms. Marchino answered, yes, it would be the same.

Chairman Lucero closed public comments. **The motion and it carried unanimously.**

E. Adoption of the County Airport 5-year Capital Improvement Plan

County Airport Manager Kate Alfred presented the 5-year Capital Improvement Plan for the Archuleta County Airport for the Board's consideration. Archuleta County was required to annually update and submit a CIP document to the Colorado Department of Transportation–Aeronautical Division detailing capital improvement plans for Stevens Field. The document helps the County, CDOT-Aeronautical and the Federal Aviation Administration (FAA) to plan capital expenditures for future years. The time period for this CIP was 2012-2016. The projects for this time frame are: 2nd phase of the Parallel Taxiway (2015) Commissioner's request
Mid-field apron expansion-phase 1 (2016)
Crack and fog seal airfield pavement (2016)

Commissioner Wadley moved to approve the Archuleta County Airport's 5-year Capital Improvement Plan for 2012-2016. Commissioner Whiting seconded the motion and it carried unanimously.

F. Agreement with the Town of Pagosa Springs to Share Costs for Laying of Broadband Fiber

County Administrator Schulte presented an Agreement for the Board's consideration. It was with the Town of Pagosa Springs. The Southwest Colorado Council of Governments (SWCCOG) had twelve of fifteen local political subdivisions participating in the Intergovernmental Agreement. On behalf of those participating, SWCCOG was awarded a $3,000,000 grant from the Department of Local Affairs (DoLA) for a regional telecommunication and broadband infrastructure improvement project. Archuleta County and the Town of Pagosa Springs are partnering to create a fiber optic network to implement affordable, high-capacity, connectivity among public facilities.

USA Communications is installing fiber-optic fibers along Highway 160 from North Pagosa Blvd through downtown. They have agreed to a cost sharing proposal for the cost of laying fiber along the route. Upon completion, the Town and County would own twelve (12) strands of fiber which would serve as the foundation for our telecommunications and internet access. On June 5, 2012, the Pagosa Springs Town Council approved a sole-source agreement with USA communications. The Town will serve as the contracting agency on behalf of the County and other CAI's. This will constitute the necessity of the cost sharing document for the work to be performed. The money had already been budgeted for 2012. The Agreement was not quite ready so permission was being asked for the Chairman to sign as soon as it was approved by the County Attorney. $49,272 was going to be the County's share and was budgeted. **Commissioner Whiting moved to approve the Cost Sharing Agreement with the Town of Pagosa Springs sharing costs for the laying of the fiber optic cable with the money already being budgeted in the 2012 budget and authorize the Board Chairman to execute said Agreement consistent with the Agreement presented today. Commissioner Wadley seconded the motion and it carried unanimously.**

H. Rejection of the IFB No. 2710-12-001 and Approval of the Release of a new IFB No. 2710-12-002 for the Replacement of the Roof at Casa de los Arcos

Jodi Starr Director of Archuleta County Housing Authority asked for the Board's consideration of rejecting a bid received for doing the roof project for the Casa de los Arcos. Originally, a bid was put out and received to replace the roof at Casa de los Arcos. The bid came in higher than funding is available for. The current bidder could not reduce their amount nor would DoLA increase their amount. The County does not have the extra money budgeted to cover the additional amount. Staff is requesting to put out another IFB for bids. Before this can be done approval needs to be made to reject the bid received. They would be advertising a broader area this time. **Commissioner Wadley moved to reject the bid received for IFB No. 2710-12-001 for replacing the roof at Casa de los Arcos and approving a new IFB No. 2710-12-002 for replacing the roof at Casa de los Arcos. Commissioner Whiting seconded the motion and it carried unanimously.**

Public Comments

- Nancy Ford of 503 S 8th St., Unit 7, Casa de los Arcos wanted a little clarification on the letter discussed earlier regarding the increase in the cost of meals. The reason they were so adamant about the Board communicating quickly was that there is a time frame at the state level also, not just the County and that deadline fell on AIS. So they were just following their necessary timeline.

With there being no further business before the Board, the meeting was adjourned at 2:57 p.m.

_____ Approved this 17th day of July 2012.

June Madrid
County Clerk & Recorder

_____
Clifford Lucero, Chairman