

The board met in regular session on Wednesday May 31, 2017 at 9:07 A.M.

Present were:  
Terry Hart, Chair  
Sal Pace, County Commissioner  
Garrison Ortiz, County Commissioner  
Greg Styduhar, County Attorney  
Peggy Pleasant, Clerk to the Board

Greg Styduhar: Led the Pledge of Allegiance.

The minutes for May 15 and 17, 2017 were approved.

Commissioner Pace: Moved to approve the minutes for May 15 and 17, 2017.  
Commissioner Ortiz: Seconded the motion.  
Commissioner Hart: Confirmed motion and second. There being no further discussion or objection,

All in Favor:

ORTIZ-AYE PACE-AYE HART-AYE

The motion passed unanimously.

The Agenda for May 31, 2017 was approved.

Commissioner Pace: Moved to approve the Agenda for May 31, 2017.  
Commissioner Ortiz: Seconded the motion.  
Commissioner Hart: Confirmed motion and second. There being no further discussion or objection,

All in Favor:

ORTIZ-AYE PACE-AYE HART-AYE

The motion passed unanimously.

**NO PUBLIC COMMENTS**

**NO COMMISSIONERS COMMENTS**

**SPECIAL ISSUES OF PUBLIC INTEREST**

1. Certificate of Appreciation, Care & Share Food Bank by Tanya Gurule, USDA Food Distribution Program

Tricia Sierra, Interim Director, HHS: Introduced Tanya Gurule, Manager, USDA Food Distribution Program to present the Certificate of Appreciation.

Tanya Gurule: Stated she wanted to express her sincerest gratitude to Southern Colorado Care & Share Food Bank. On Sunday May 14, 2017 around 5pm she made an emergency call to Scott Trenary from Care & Share and asked for help because the refrigerators had malfunctioned and they needed to transport their food immediately to another refrigerator so they wouldn’t lose it. Mr. Trenary and his team jumped right in to help them. Mr. Trenary and Dave Causey, Driver/Warehouse were able to save them the loss of over \$26,000 worth of food. She thanked them on behalf of Housing & Human Services and Pueblo County then awarded them their Certificate of Appreciation.

Commissioner Hart: Thanked them for stepping up to help them.

Patsy Cresswell, Director, HR: Introduced New Hires/Promotions, Years of Service and Retirees.

*New Hires/Promotions*

Name	Activity	Date	Dept.	Title
Corey Canterbury	New Hire	5/10/2017	ASSR	Deed Title Specialist
Taylor Gurule	New Hire	4/24/2017	CLERK	MV Title/Reg Specialist
Nancy Harpel	New Hire	4/24/2017	CLERK	MV Title/Reg Specialist
Crystal Talley	New Hire	4/24/2017	CLERK	MV Title/Reg Specialist
Jason Munoz	New Hire	5/11/2017	CLERK	Recording Clerk
Kerry Clasby	New Hire	4/17/2017	DSS	Office Support III
Natalie Cordova	New Hire	4/18/2017	DSS	Office Support III
Stacy Markley	New Hire	4/24/2017	DSS	Technician
Miguel Lopez	New Hire	5/1/2017	DSS	Caseworker
Stephen Dill	New Hire	5/8/2017	DSS	Legal Technician



**1. SPECIAL USE PERMIT APPEAL NO. 2017-001 - Daniel Hobbs (Applicant)**  
(Administrative decision on appeal, no public hearing)

*Greg Styduhar: Introduced this item and stated there is quite a bit of introductory language to describe the official act they are to perform regarding this appeal however, he understands there might be a motion to continue.*

*Commissioner Hart: Stated they have discussed a continuance because they just received the appellate packet the middle of last week and all three of them have been trying to go over it then asked the BOCC what they wanted to do.*

*Greg Styduhar: Stated for their benefit and the public's benefit he noted for the record the Pueblo County Code sets forth some pretty strict timelines as far as consideration of this appeal then explained them in detail to the BOCC.*

*A brief discussion took place between the BOCC and Mr. Styduhar regarding procedures, material, timeline and dates available. Mr. Styduhar stated for the record he has no issue defending the BOCC's decision to further considering this serious issue to continue as long as they are returning to the issue as soon as possible.*

*Greg Styduhar: Clarified with Joan Armstrong, Director, Planning and Development that June 14, 2017 is the next Planning and Development meeting which she confirmed is correct. Mr. Styduhar suggested they continue it to a date certain of June 14<sup>th</sup>, 2017 at 9:00 A.M.*

*Commissioner Pace: Stated he is ok with the date certain of Wednesday June 14, 2017 at 9:00 A.M.*

*Commissioner Ortiz: Stated he is also ok with that date then seconded the motion.*

*Commissioner Hart: Confirmed motion and second. There being no further discussion or objection,*

*All in Favor:*

ORTIZ-AYE

*PACE-AYE*

HART-AYE

*The motion passed unanimously.*

## CONSENT AGENDA ITEMS

## **CONTRACTS/RESOLUTIONS**

**RESOLUTION NO. 17-138**

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

**APPROVING THE 2017-18 PUEBLO COUNTY EMERGENCY  
SOLUTIONS (ESG) GRANT PROGRAM SUBCONTRACTS BETWEEN PUEBLO  
COUNTY, COLORADO, AND POSADA, AND THE PUEBLO YOUNG  
WOMEN'S CHRISTIAN ASSOCIATION (YWCA)**

**WHEREAS**, by Resolution No. 17-073, dated March 13, 2017, this Board entered into a Contract with the State of Colorado, Department of Local Affairs, Division of Housing, for \$32,000.00 in Emergency Solutions Grants (ESG) Program funding under the Stewart B. McKinney Homeless Assistance Act, to provide emergency shelter services in Pueblo County during FY 2017-2018 to homeless families and individuals; and

**WHEREAS**, the Pueblo County Department of Housing and Human Services now proposes to utilize these funds by entering into Subcontracts with non-profit agencies already serving the homeless and the at-risk of becoming homeless in Pueblo County, Colorado, by awarding ESG funds in the amount of \$14,000.00 to Posada for Operations; \$14,000.00 to the Pueblo Young Women’s Christian Association (YWCA) for Operations; and \$4,000.00 to the Pueblo County Department of Housing and Human Services for Administration, subject to the appropriation of funds for these expenditures.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pueblo County, Colorado, that the Pueblo County Emergency Shelter Grants Program Subcontracts between Pueblo County, Colorado, and Posada, and the Pueblo YWCA, are hereby approved and the Chair of the Board of County Commissioners of Pueblo County, Colorado, is authorized to execute the Subcontracts on behalf of Pueblo County and the Director of the Department of Housing and Human Services is named Grant Administrator and Contact Person, and is authorized to sign periodic reports and other documents pertaining to the coordination and administration of the Project, on behalf of Pueblo County.

**PASSED AND ADOPTED** this 31<sup>st</sup> day of May 2017, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

By: \_\_\_\_\_  
Terry A. Hart, Chair

**ATTEST:**

By: \_\_\_\_\_  
Gilbert Ortiz, County Clerk

**RESOLUTION NO. 17-139**

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

**APPROVING THE GRANT APPLICATION TO THE CITY OF PUEBLO,  
DEPARTMENT OF HOUSING AND CITIZEN SERVICES, FOR FY 2018-2019  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS**

**WHEREAS**, Community Development Block Grant (“CDBG”) funds, through the U.S. Department of Housing and Urban Development (“HUD”), under Title I of the Housing and Community Development Act of 1974, as amended to date, are available to the City of Pueblo, a Municipal Corporation (“City”), to execute certain projects and/or perform certain services to benefit the community; and

**WHEREAS**, the Emergency Housing Rehab is a partnership program that includes Senior Resource Development Agency, Pueblo County Department of Housing and Human Services, and the City of Pueblo, and serves the needs of low-income elderly households with badly needed emergency repairs and essential services to their homes, including accessibility modification; and

**WHEREAS**, the Pueblo County Department of Housing and Human Services (“Department”) desires to make application to the City for FY 2018-2019 CDBG funds, in the amount of \$45,000.00, for the Senior Emergency Repairs and Essential Services Program (ERESP), and this Board recognizes the value of such a program in assisting Pueblo County Senior Citizens (60+) with the much-needed repairs to their homes in order to ensure their safety, improve the condition of their homes, and to improve their quality of lives, and desires to support the efforts of the Department by authorizing application for the aforementioned federal funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pueblo County, Colorado, that the application for FY 2018-2019 CDBG funds to the City of Pueblo, Department of Housing and Citizen Services, the terms and conditions of which are incorporated herein by this reference, is hereby approved, and the Director of Pueblo County Department of Housing and Human Services is authorized to sign the Grant Application on behalf of Pueblo County.

**PASSED AND ADOPTED** this 31<sup>st</sup> day of May 2017, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

By: \_\_\_\_\_  
Terry A. Hart, Chair

**ATTEST:**

By: \_\_\_\_\_  
Gilbert Ortiz, County Clerk

**RESOLUTION NO. 17-140**

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

**AMENDING RESOLUTION NO. 17-012, ESTABLISHING THE ADMINISTRATIVE STRUCTURE OF  
PUEBLO COUNTY GOVERNMENT FOR THE YEAR 2017**

**WHEREAS**, on January 12, 2017, the Board of County Commissioners adopted Resolution No. 17-012, Establishing the Administrative Structure of Pueblo County Government for the Year 2017; and

**WHEREAS**, Section 3 of said Resolution No. 17-012 sets forth the Commissioners’ service on various community boards and commissions; and

**WHEREAS**, this Board now desires to amend Resolution No. 17-012, dated January 12, 2017, in order to reassign representation on the Pueblo City-County Board of Health; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pueblo County, Colorado, that effective immediately, Resolution No. 17-012, dated January 12, 2017, is hereby amended as follows:

**Section 3. Boards and Commissions**

The members of the Board of County Commissioners also serve the community in the capacity of board members for other entities to which they have been or are appointed as set forth below:

- A. Commissioner Terry A. Hart
1. PACOG (Pueblo Area Council of Governments)
  2. PEDCO (Pueblo Economic Development Corporation) (alternate)
  3. Desert Hawk at Pueblo West Management Board

- B.
- Commissioner Garrison Ortiz

- ..... **PASSED AND ADOPTED** this 31<sup>st</sup> day of May 2017, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

By: \_\_\_\_\_  
Terry A. Hart, Chair

**ATTEST:**

By: \_\_\_\_\_  
Gilbert Ortiz, County Clerk

**NO ABATEMENTS**

## NO WARRANT CANCELLATIONS

*Commissioner Pace: Moved to approve the Consent Agenda.*  
*Commissioner Ortiz: Seconded the motion.*  
*Commissioner Hart: Confirmed motion and second. There being no further discussion or objection,*

*All in Favor:*

*ORTIZ-AYE*
*PACE-AYE*
*HART-AYE*

*The motion passed unanimously.*

## **REGULAR AGENDA ITEMS**

## CONTRACTS/RESOLUTIONS

**RESOLUTION NO. 17-141**  
**THE BOARD OF COUNTY COMMISSIONERS**  
**OF PUEBLO COUNTY, COLORADO**

**APPROVING THE CONVEYANCE OF PROPERTY HELD BY PUEBLO COUNTY, COLORADO, TO  
SOUTHERN COLORADO CHOICES REAL ESTATE, LLC**

**WHEREAS**, pursuant to C.R.S. § 30-11-101(b), (c), and (d) and C.R.S. § 30-11-103, the Board of County Commissioners of Pueblo County (“Board”) is authorized sell and enter into all contracts regarding real property on behalf of the County; and

**WHEREAS**, pursuant to C.R.S. § 38-30-141, the Board is authorized to appoint a single commissioner to sell and convey property on its behalf; and

**WHEREAS**, the Board has determined that Pueblo County may own or hold an interest in certain real property identified by assessor schedule number 0526121006 and more accurately described in section 1 of this Resolution below, which is a narrow strip of land in Pueblo County lying between two developed parcels; and

**WHEREAS**, the County has no need or present use of the property, and the County believes that the property's characteristics make a profitable sale unlikely or impossible; and

**WHEREAS**, given the location of the property, the interest of the community would be best served by conveying it to one or both of the neighboring property owners, which would both reduce uncertainty in the local real estate market and add taxable property to the rolls of the Pueblo County Assessor; and

**WHEREAS**, in this instance, the County has determined that the property should be conveyed to Southern Colorado Choices Real Estate, LLC, the owner of the parcel to the west of the County's property.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pueblo County that:

1. Pueblo County will convey to Southern Colorado Choices Real Estate, LLC (“Grantee”) the following real property (hereinafter described as the “Subject Property”):

A parcel of land located within a portion of the SW ¼ of the NE ¼ of Section 26, Township 20 South, Range 65 West of the Sixth Principal Meridian, County of Pueblo, State of Colorado, being more particularly described as follows:

The east four (4) inches of the west one third (1/3) of Lot 8, Block 21 of Irving Place an Addition to the City of Pueblo according to the recorded plat thereof filed for record March 6, 1889 in Book 4 at Page 17 in the records of the Pueblo County Clerk and Recorder.

Said parcel contains 40 square feet, more or less.

**RESOLUTION NO. 17-141 (CONTINUED)**

2. The Chair of the Board is authorized and directed to execute an Agreement for the conveyance of the Subject Property and a quitclaim deed conveying the Subject Property to the Grantee along any other documents relating to the conveyance of property described in this Resolution.

3. The officers, employees and agents of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution in accordance with Colorado law.

**PASSED AND ADOPTED** this 31<sup>st</sup> day of May 2017, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

By: \_\_\_\_\_  
Terry Hart, Chair

**ATTEST:**

By: \_\_\_\_\_  
Gilbert Ortiz, County Clerk

*Greg Styduhar: Presented a brief history on this Resolution.*

*Commissioner Pace: Moved to approve this Resolution.*

*Commissioner Ortiz: Seconded the motion.*

*Commissioner Hart: Confirmed motion and second. There being no further discussion or objection,*

*All in Favor:*

ORTIZ-AYE

*PACE-AYE*

HART-AYE

*The motion passed unanimously.*

**RESOLUTION NO. 17-142**

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

**SUPPORTING THE GARDENWALK ON SPAULDING PROPOSAL FOR AN AFFORDABLE HOUSING TAX CREDIT AWARD**

**WHEREAS**, Belmont Development Company, LLC, is proposing to construct a forty-eight (48) unit housing development to be known as GardenWalk on Spaulding within the Pueblo Metropolitan District, Pueblo County, Colorado; and

**WHEREAS**, GardenWalk on Spaulding will seek to provide affordable housing for working families and transitioning veterans of the United States Military; and

**WHEREAS**, the Board of County Commissioners has reviewed Belmont Development Company, LLC's proposal for economic development and affordable housing and finds it to be in the best interest of Pueblo County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pueblo County, Colorado, that the Board supports giving favorable consideration to the GardenWalk on Spaulding proposal for an affordable housing tax credit award.

**PASSED AND ADOPTED** this 31<sup>st</sup> day of May 2017, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

By: \_\_\_\_\_  
Terry A. Hart, Chair

**ATTEST:**

By: \_\_\_\_\_  
Gilbert Ortiz, County Clerk

*Greg Styduhar: Presented information on this Resolution.*

*Judy Leonard, President, Pueblo West Metro Board: Commented that this is a very good project, great Economic Development for Pueblo West and stated that this is affordable housing for working families and transitioning veterans. A brief discussion took place between the BOCC and Ms. Leonard.*

*Commissioner Pace: Moved to approve this Resolution.*

*Commissioner Ortiz: Seconded the motion.*

*Commissioner Hart: Confirmed motion and second. There being no further discussion or objection,*

*All in Favor:*

ORTIZ-AYE

*PACE-AYE*

HART-AYE

*The motion passed unanimously.*

**NO ORDINANCES**

**NO OTHER ISSUES**

## EXECUTIVE SESSION

*Greg Styduhar: Staff request the BOCC go into Executive Session.*

A. *For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. §24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. §24-6-402(4)(e) and the following additional details are provided for identification purposes only. A legal discussion related to IA Gap Financing, Public Utility Commission Proceeding No. 16AL-0326E which is a denial of Black Hills request for re-hearing, re-argument and reconsideration. A discussion of an Economic Development Project, Proposed, negotiations of a potential intergovernmental agreement with HARP; a legal discussion of the US Department of Justice policies on ICE Detainers and a proposed settlement agreement with Martin Marietta.*

*Commissioner Pace: Moved to go into Executive Session.*

*Commissioner Ortiz: Seconded the motion.*

*Commissioner Hart: Confirmed motion and second. There being no further discussion or objection,*

*All in Favor:*

ORTIZ-AYE

*PACE-AYE*

HART-AYE

*The motion passed unanimously. We are in Executive Session.*

*The next meeting will be June 12, 2017.*

Attest: \_\_\_\_\_  
*Pueblo County Clerk and Recorder*

By: \_\_\_\_\_