

The board met in regular session on Wednesday August 16, 2017 at 9:09 A.M.

Present were:

Terry Hart, Chair
Sal Pace, County Commissioner
George Rosenberg, Interim County Attorney
Peggy Pleasant, Clerk to the Board

Excused:

Garrison Ortiz, County Commissioner

George Rosenberg: Led the Pledge of Allegiance.

The minutes for August 7, 2017 were approved.

Commissioner Pace: Moved to approve the minutes for August 7, 2017.

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

All in Favor:

PACE-AYE

HART-AYE

The motion passed unanimously.

The Agenda for August 16, 2017 was approved.

Commissioner Pace: Moved to approve the Agenda for August 16, 2017.

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

All in Favor:

PACE-AYE

HART-AYE

The motion passed unanimously.

PUBLIC COMMENTS

Emily Price, PW Resident: Commented positively on the Liquor and Marijuana Board and their professionalism.

James Casias, Owner, Ultimate Performance of Pueblo and Mike Salazar, Executive Director, Hardknox Gang Prevention, Inc.: Spoke on their joint venture to provide Boxing and Athletic Training to At-Risk youth in our community. The program as outlined in the packet before the BOCC, described in detail this program proposal.

Commissioner Pace: Offered suggestions to them on what to do next and who to contact for help. A brief discussion took place between the BOCC and Mr. Salazar regarding the program and directed him to get with Tim Hart, Director, Department of Social Services for support on this program. The BOCC thanked them for their presentation.

Sophia Halverson, Citizen: Spoke on a Community Benefit she is having for a friend who snapped his wrist in a Long Boarding competition. This event will be held September 30th at the Nature Center. She is asking the BOCC to help promote this event as well as for an In-kind and monetary donation.

Commissioner Hart: Explained the process for requesting a donation and thanked Ms. Halverson. A brief discussion took place between Commissioner Pace and Ms. Halverson regarding what type of In-kind donation she is requesting which she stated volunteers to help clean up the Nature Center.

Ennis Bradshaw, Citizen: Spoke on the Jail proposal for a new facility and presented alternative suggestions on the Jail Project.

Commissioner Hart: Suggested he get with the Jail Task Force Committee with his ideas. A brief discussion took place between the BOCC and Mr. Bradshaw requesting Emily Price speak with him since she is on the Jail Task Force.

Commissioner Pace: Thanked Mr. Bradshaw for his comments then spoke on incarceration in the US stating its start was the War on Drugs with the Nixon Administration. Commissioner Pace read a quote from John Erlichman. Commissioner Hart thanked Ms. Price for her help in guiding Mr. Bradshaw in the process.

COMMISSIONERS COMMENTS

Commissioner Pace: Shared that his grandfather was in the Office of Strategic Services (OSS) and parachuted behind French lines with no permit and fought against Nazi's.

NO SPECIAL ISSUES OF PUBLIC INTEREST

NO PROCLAMATIONS

NO REPORTS

CONSENT AGENDA ITEMS

CONTRACTS/RESOLUTIONS

RESOLUTION NO. 17-190

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

CANCELLING UNCOLLECTIBLE PERSONAL PROPERTY TAXES

WHEREAS, C.R.S. § 39-10-114(2)(a) provides that any taxes levied on personal property, including but not limited to mobile homes, which are determined to be uncollectible after a period of one year after the date of their becoming delinquent may be cancelled by the Board of County Commissioners; and

WHEREAS, the Pueblo County Treasurer has submitted a list of personal property taxes, totaling \$10,570.40, he has attempted to collect and for which the one (1) year period in C.R.S. § 39-10-114(2)(a) has expired; and

WHEREAS, the Pueblo County Treasurer has submitted a list of accounts, totaling \$5,434.51, involved in bankruptcy proceedings wherein claims were filed as Unsecured/Priority because equipment was unobtainable; and

WHEREAS, the Pueblo County Treasurer has submitted a list of accounts, totaling \$5,135.89, that involves corporations which are defunct and assets no longer exist; and

WHEREAS, this Board believes that it is in the best interests of the citizens of Pueblo County to cancel said taxes, thereby allowing the Pueblo County Treasurer to close the books on these taxes and eliminating the need to incur further administrative costs with respect to such taxes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that those delinquent and uncollectible personal property taxes set forth in the aforementioned Treasurer's list, which is attached hereto and incorporated herein by this reference, are cancelled in accordance with the provisions of C.R.S. § 39-10-114(2)(a) and the Pueblo County Treasurer is authorized and directed to add these cancelled personal property taxes to his record of uncollectible taxes and to include them in his report to the Property Tax Administrator pursuant to C.R.S. § 39-10-114(3).

PASSED AND ADOPTED this 16th day of August 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. 17-191

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

CANCELLING UNCOLLECTIBLE REAL ESTATE TAXES

WHEREAS, C.R.S. § 39-10-114(2)(b), provides that when any property has been stricken off to a county by virtue of a tax sale and there has been no transfer by the county of a certificate of purchase thereon, the taxes on such property may be determined to be uncollectible after a period of six (6) years from the date of becoming delinquent, and they may be cancelled by the board of county commissioners; and

WHEREAS, the Pueblo County Treasurer has submitted the attached list of real estate taxes totaling \$13,872.05, which he has determined to be uncollectible pursuant to C.R.S. § 39-10-114(2)(b), and therefore requests this Board cancel such taxes; and

WHEREAS, this Board believes that it is in the best interests of the citizens of Pueblo County to cancel said taxes, thereby allowing the Pueblo County Treasurer to close the books on these taxes and eliminating the need to incur further administrative costs with respect to such taxes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado,

that the uncollectible real estate taxes contained in the attached list, which list is incorporated herein by this reference, are hereby cancelled pursuant to C.R.S. § 39-10-114(2)(b), and that the Pueblo County Treasurer is hereby authorized and directed to add these cancelled real estate taxes to his record of uncollectible taxes and to include them in his report to the Property Tax Administrator pursuant to C.R.S. § 39-10-114(3).

PASSED AND ADOPTED this 16th day of August 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. 17-192

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

CANCELLING UNCOLLECTIBLE MOBILE HOME TAXES

WHEREAS, C.R.S. § 39-10-114(2)(a) provides that any taxes levied on personal property, including, but not limited to mobile homes, which are determined to be uncollectible after a period of one year after the date of their becoming delinquent, may be cancelled by the Board of County Commissioners; and

WHEREAS, the Treasurer has submitted the attached list of mobile home taxes totaling \$942.23, which he has determined to be uncollectible because they have been destroyed or moved illegally or are uninhabitable, pursuant to C.R.S. § 39-10-114(2)(a).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that the uncollectible mobile home taxes contained in the attached list, which list is incorporated herein by this reference, are hereby cancelled pursuant to C.R.S. § 39-10-114(2)(a) and the Pueblo County Treasurer is hereby authorized and directed to add these cancelled personal property taxes to his record of uncollectible taxes and to include them in his report to the Property Tax Administrator, pursuant to C.R.S. § 39-10-114(3).

PASSED AND ADOPTED this 16th day of August, 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

Tina Malespini, Property Tax Supervisor, Treasurer’s Office: Presented information regarding these 3 Tax Resolutions.

RESOLUTION NO. 17-193

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

**APPROVING THE CHANGE ORDER NO. 2 TO THE AGREEMENT BETWEEN H.W. HOUSTON
CONSTRUCTION, LLC, AND PUEBLO COUNTY, COLORADO, FOR BUILDING RENOVATIONS AT 405 W.
9th STREET, PUEBLO, COLORADO**

WHEREAS, Pueblo County, acting by and through the Pueblo County Purchasing Department, sought, received, opened, and reviewed original bid proposals for building renovation at 405 West 9th Street, Pueblo, Colorado; and

WHEREAS, by Resolution No. 17-060, dated February 22, 2017, this Board accepted the bid and approved the Agreement between H.W. Houston Construction, LLC, and Pueblo County for building renovation at the newly purchased building located at 405 West 9th Street in the amount of \$1,393,600.00; and

WHEREAS, the Pueblo County Facilities Department recommends a Change Order No. 2 be entered into with H.W. Houston Construction for the building renovations in the amount of \$30,307.00; and

WHEREAS, this Board concurs with said recommendation and desires to enter into a Change Order to the Agreement with said firm H.W. Houston Construction, LLC, subject to the appropriation of funds for this expenditure by

Pueblo County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that the Change Order No. 2 to the Agreement between H.W. Houston Construction, LLC, and Pueblo County, for building renovations at 405 West 9th Street, the terms and conditions of which are incorporated herein by this reference, is hereby approved and that the Chair of the Board of County Commissioners is authorized to execute said Change Order on behalf of Pueblo County.

PASSED AND ADOPTED this 16th day of August 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

Sean Tapia, Director, Facilities: Presented information regarding this Resolution. A brief discussion took place between the BOCC and Mr. Tapia.

NO ABATEMENTS

NO WARRANT CANCELLATIONS

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

All in Favor:

PACE-AYE

HART-AYE

The motion passed unanimously.

REGULAR AGENDA ITEMS

CONTRACTS/RESOLUTIONS

RESOLUTION NO. 17-194

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

APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE COLORADO DEPARTMENT OF TRANSPORTATION AND PUEBLO COUNTY, COLORADO, FOR IMPROVEMENTS TO NORTH MESA ELEMENTARY, UNDER THE SAFE ROUTES TO SCHOOLS PROGRAM

WHEREAS, the Board of County Commissioners recognizes the need for walking and biking improvements, education, and programs promoting safe access to schools within Pueblo County and specifically to address unsafe conditions in the area of North Mesa Elementary School; and

WHEREAS, by Resolution No. 06-13, dated January 11, 2016, this Board authorized Pueblo County to submit a grant application in partnership with Pueblo School District No. 70 for the North Mesa Elementary Safe Routes Improvements Project, Phase 1 Infrastructure Capital Project, requesting funding in the amount of \$200,000 from the Colorado Department of Transportation (“CDOT”) Colorado Safe Routes to Schools Program which includes \$50,000 in matching funds for the project from Pueblo County, subject to the appropriations of funds for said purpose; and

WHEREAS, CDOT has submitted an Intergovernmental Agreement to the Pueblo County Facilities Department setting forth the terms and conditions to receive the above reference funding under the Safe Routes to Schools Program for the North Mesa Elementary Improvements project; and

WHEREAS, this Board supports this project and desires to enter said Intergovernmental Agreement between CDOT and Pueblo County, subject to the appropriations of funds for said purpose.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that the Intergovernmental Agreement between Colorado Department of Transportation (“CDOT”) and Pueblo County for the North Mesa Elementary Safe Routes Improvements Project, is hereby approved, and the Chair of the Board of Commissioners is hereby authorized to execute said Intergovernmental Agreement on behalf of Pueblo County.

PASSED AND ADOPTED this 16th day of August 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

Sean Tapia: Presented information regarding this Resolution.

A brief discussion took place between the BOCC, Mr. Rosenberg and Mr. Tapia regarding this project, funding, signature authority and completion date. Commissioner Hart thanked Mr. Tapia and his staff for their work.

Commissioner Pace: Moved to approve this Resolution.

Commissioner Hart: Confirmed motion and seconded. There being no further discussion or objection.

All in Favor:

PACE-AYE

HART-AYE

The motion passed unanimously.

RESOLUTION NO. 17-195

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

**APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE COLORADO DEPARTMENT
OF TRANSPORTATION AND PUEBLO COUNTY, COLORADO, FOR THE PUEBLO RIVER TRAIL
EXTENSION STUDY UPDATE**

WHEREAS, the Colorado Department of Transportation administers the Transportation Alternatives Program (TAP) which falls under the Fixing America's Surface Transportation (FAST) Act; and

WHEREAS, the Pueblo County Engineering and Public Works Department desires to update the Pueblo River Trail Extension Study that was prepared in 1998 in view of changes in land use, to link into current trail systems, to be in compliance with ADA standards, current environmental issues and community priorities; and

WHEREAS, by Resolution No. 16-169, this Board approved the submission of the FY2018-FY2020 Transportation Alternative Program Application for grant funding in the amount of \$132,800, with a required twenty (20%) percent local match of \$33,200, for total project cost of \$166,000.00 for the Pueblo River Trail Extension Study Update to the Colorado Department of Transportation (CDOT); and

WHEREAS, CDOT has submitted an Intergovernmental Agreement to the Pueblo County Engineering and Public Works Department setting forth the terms and conditions to receive the above referenced funding under the Transportation Alternative Program (TAP); and

WHEREAS, this Board supports this project and desires to enter said Intergovernmental Agreement between CDOT and Pueblo County, subject to the appropriations of funds for said purpose.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that the Intergovernmental Agreement between Colorado Department of Transportation (“CDOT”) and Pueblo County, for the Pueblo River Trail Extension Study Update, the terms and conditions of which are incorporated herein by this reference, is hereby approved and the Chair of the Board of Commissioners is hereby authorized to execute said Intergovernmental Agreement on behalf of Pueblo County.

PASSED AND ADOPTED this 16th day of August 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

Alf Randall, Director, Engineering and Public Works: Presented information regarding this Resolution.

A question/answer session took place between the BOCC and Mr. Randall regarding funding, excise tax and quality of life.

Commissioner Pace gave credit to Commissioner Hart for spearheading this project. Commissioner Hart asked Mr.

Randall about ownership of property on Joplin down by Fountain Creek, a brief discussion ensued.

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

PACE-AYE

The motion passed unanimously.

NO OTHER ISSUES

Commissioner Pace: Moved to adjourn.

All in Favor:

HART-AYE

Attest: _____
Pueblo County Clerk and Recorder

By: _____