



# BOARD OF COUNTY COMMISSIONERS REGULAR MEETING AGENDA

February 14, 2023 at 10:00 AM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

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**9:00 AM - COMMISSIONERS MEETING WITH STAFF**

**10:00 AM - PUBLIC MEETING**

**Join via Zoom:** <https://us02web.zoom.us/j/82550511219> | **Meeting ID:** 825-5051-1219

**1. PLEDGE OF ALLEGIANCE**

**2. AGENDA APPROVAL**

**3. CONSENT AGENDA**

- a.** Minutes from January 24, 2023
- b.** Minutes from January 31, 2023
- c.** Sick Time Donation to Blanca Morales
- d.** Cameron Gonzales New Hire
- e.** Douglas Martinez Termination
- f.** Emilee Weniger Completion of FTO Training.
- g.** Frank Martin Promotion
- h.** Jacob Jenkins Resignation
- i.** Jeffrey Schnedler Rehire
- j.** John Johnson New Hire
- k.** John Quintana Salary Revision
- l.** John Quintana Resignation
- m.** Samuel Carreon Salary Revision
- n.** Scott Eckhardt Retirement
- o.** Tyler Martin Resignation
- p.** Lasado Martinez New Hire
- q.** Sick Time Donation to Brittney Ciarlo

**4. PUBLIC COMMENT**

**5. APPOINTMENTS**

**6. LAND USE**

- [a.](#) 22-54 Plat Amendment and Vacation – Cuchara Mountain Park
- [b.](#) Compliance Review for Monte Fiore CUP 17-001 and Variance 20-011

**7. ACTION ITEMS**

- [a.](#) Resolution 23-08 Appointing Karl Sporleder to the Federal Mineral Lease District
- [b.](#) Resolution 23-10 Adopting County Entertainment District and Common Consumption Area Regulations
- [c.](#) Resolution 23-11 Appointing Mary Jo Tesitor to the SCEDD Board of Directors
- [d.](#) Resolution 23-12 Appointing Carlton Croft to the SCEDD Board of Directors
- [e.](#) Treasurer's Semi-Annual Report for the 2nd Half of 2022
- [f.](#) Treasurer's 2022 Annual Report
- [g.](#) Sally Port Door Maintenance Agreement
- [h.](#) Parts for Bulldozer
- [i.](#) CAT Diagnostic Software
- [j.](#) Cost Allocation Plan Letter of Engagement
- [k.](#) Colorado Opportunity Scholarship Initiative County Scholarships
- [l.](#) Colorado Parks and Wildlife Impact Assistance Grant Application
- [m.](#) La Veta Trails Request for Letter of Support
- [n.](#) Southeast Rural Philanthropy Days 2023 Sponsorship
- [o.](#) Updated Quote from Gould Land Surveying for Health Department
- [p.](#) Timeclock Quote
- [q.](#) EPA Solid Waste Grant Approval to Apply
- [r.](#) 2023 County Nonprofit Support Program
- [s.](#) HCED Letter of Support for OEDIT Grant
- [t.](#) Clarification on 2023 Budget Outside Requests

**8. STAFF REPORTS**

- [a.](#) County Administrator
- [b.](#) County Attorney

**9. CORRESPONDENCE**

- [a.](#) Adams State University - COSI Thank You Letter
- [b.](#) CAPP Monthly Report
- [c.](#) CTSI Technical Update IRS Increases PCORI Rate
- [d.](#) CTSI Technical Update Power-of-Pooling

- [e.](#) FMLD 2023 Budget Message
- [f.](#) Ford Motor Company Lien Release
- [g.](#) GPID Bulk Water January 2023 Report
- [h.](#) GPID GWSD January 2023 Reports
- [i.](#) September through December 2022 Treasurers Reports
- [j.](#) HCR High County Repair Ghost River Gravel Pit Application Notice
- [k.](#) La Veta Cemetery District Transparency Notice 2023
- [l.](#) Lynette Jensen HCTB Resignation
- [m.](#) Siete Inc Special Operations Reclamation Permit Notice
- [n.](#) La Veta Trails 2022 Annual Report

#### **10. EXECUTIVE SESSION**

- [a.](#) 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). **Expired Law Enforcement Services Contract with the City of Walsenburg**
- [b.](#) For a conference with a County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. §24-6-402(4)(b). **Restructuring HR Processes.**

#### **11. ADJOURNMENT**

#### **12. UPCOMING MEETINGS**

- [a.](#) 1:30 PM - Workshop on Land Use Code Updates

**COMMISSIONER'S MEETING**  
***Special Meeting***  
**January 24, 2023**

Chairman Galusha called the meeting to order followed by the Pledge of Allegiance.

Commissioners John Galusha, Arica Andreatta and Karl Sporleder were present.

**Commissioner Andreatta called for a motion to approve the January 24, 2023 Agenda.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None.**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**Appointments 1:01PM.:**

- a. Joint hearing on #22-57 CUP (Conditional Use Permit) Atlas Tower I. Cheri Chamberlain with Huerfano County Land Use Department providing the Staff report on #22-57 CUP (Conditional Use Permit) Atlas Tower I LLC proposal.
  - 1) Mike Powers a representative of the applicant Atlas Tower I LLC provided information for the proposal.
  - 2) Lewis (Aka Beaver) Edmundson, a member of the planning commission, inquired about location of the tower.
  - 3) Dave Stroh inquired about the area the tower will encompass, will the facility be fenced, the risk to livestock, and will it interfere with ranching operations.

- b. MKinstry Energy Performance Contracting 100% Presentation.  
Ashley Brasovan, Senior Account Executive with Mckinstry, and Aaron Skroch, Program Manager with Mckinstry, presented the 100% audit report overview for the Huerfano County Energy Performance Contract.

**2:20 P.M. Action Items:**

- a. Energy Performance Contracting Agreement  
**Tabled, No Action taken**

**2:30 P.M. Executive Session:**

None

Meeting adjourned at 2:30 P.M.

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Erica Vigil, County Clerk & Recorder  
Clerk to Board of County Commissioners

**COMMISSIONERS:**

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**John Galusha, Chairman**

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**Arica Andreatta**

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**Karl Sporleder**

**COMMISSIONER'S MEETING**  
***Special Meeting***  
**January 31, 2023**

Chairman Galusha called the meeting to order followed by the Pledge of Allegiance.

Commissioners John Galusha, Arica Andreatta and Karl Sporleder were present.

**Commissioner Andreatta called for a motion to approve the January 31, 2023 Agenda as presented.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**Commissioner Andreatta called for a motion to approve the January 31, 2023 Consent Agenda as presented.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**10:04 A.M. Public Comment: None**

**10:04 A.M. Appointments:**

**Land Use**

- a. Sky Tallman, County Land Use presented information for the Joint Public Hearing discussing Permit #22-54 Map Amendment and Vacation of Right-of-Way in Cuchara Mountain Park, Filing 4. The owner Jonathon Hotaling spoke. No action was taken today. This goes back to the Planning Commission.
  
- b. Regarding the Conditional Use Permit (CUP) #22-57 Atlas Tower 1, the Planning Commission recommended approval without conditions. Chairman Galusha would like the condition of an annual review.

Motion to approve the Conditional Use Permit (CUP) #22-57 Atlas Tower 1 with the condition of an annual review.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**

- c. Regarding the Bradford Mesa Gravel Pit, Sky Tallman of Land Use stated there is no mining currently taking place and recommended taking no action. Chairman Galusha asked Land Use to contact the landowner and find out what is their intent moving forward.

**10:41 A.M. Action Items:**

County Administrator Carl Young and the Board reviewed action items.

- a. Resolution #23-08 Appointing Gerald Cisneros to the Federal Mineral Lease District Board for a term expiring on December 31, 2025.

Tabled, No Action taken

- b. Resolution #23-09 Establishing County Commissioner Liaison Responsibilities for Calendar Year 2023.

Motion to approve the Resolution #23-09 to establish the County Commissioner Liaison Responsibilities for Calendar Year 2023.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- c. Resolution #23-10 Authorizing the creation of Entertainment Districts pursuant to C.R.S. § 44-3-301 (11) and establishing application procedures for Certification of Promotional Associations to operate Common Consumption Areas within Entertainment Districts. Commissioners are tabling for now.

Tabled, No Action taken

- d. Quote for Huerfano County to renew 125 Google Workspace Business Plus licenses for a one year, term 03/31/2023 to 03/30/2024 with the option to renew in one year.

Motion to approve the renewal for the 125 Google Workspace Business Plus licenses in the amount of \$17,896.25.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**



- e. Request to apply for the Highway Safety Improvement Program (HSIP). Funds to be used for sidewalk and safety improvements in Gardner. Commissioner Andreatta thanked Sky Tallman and Carl Young for their efforts regarding this.

Motion to approve applying for the Federal Highway Safety Improvement Program (HSIP), for funds for sidewalk and safety improvements in Gardner, with cost estimates for this project at \$802,829.00.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- f. Colorado Department of Transportation (CDOT) Heavy Users Tax Form, (HUTF) has not changed since last year. Colorado Department of Transportation (CDOT) needs Huerfano County Commissioners Signature Sheet signed.

Motion to approve the signing of the Colorado Department of Transportation (CDOT) Huerfano County Signature Sheet.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- g. Request to approve updated quote and contract for Payroll and Timekeeping System.

Motion to approve the updated quote for Computer Information Concepts, Inc (CIC) Payroll and Timekeeping System for the 1<sup>st</sup> year in the amount of \$35,455.00.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- h. Parts quote for displacement pump for Primary Crusher.

Motion to approve the parts quote from Precision Hydraulics Inc for displacement pump for the Primary Crusher in amount for \$2,900.00.

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- i. Energy Performance Contracting Agreement.

Motion to approve the Energy Performance Contract between Energy Service Company, (McKinstry Essention, LLC) and Huerfano County with a maximum contract price of \$2,246,308.00.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- j. Approval to apply to the Best and Brightest Fellowship Program.

Department of Local Affairs (DOLA) matches the grant dollar for dollar.

Motion to approve submitting an application, to the Colorado Department of Local Affairs (DOLA) for Huerfano County to participate in the Best and Brightest Fellowship Program.

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- k. Designation of Official Representative to County Health Pool.

Motion to approve Chairman John Galusha as the Official Representative for the County Health Pool and Commissioner Karl Sporleder as backup Official Representative.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- l. Award of Huerfano County Cooperative Planning Projects and Agreement with SE Group.

Motion to approve the contract agreement between SE Group and Huerfano County for the Huerfano County Cooperative Planning Projects in the amount of \$248,305.00.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

m. January 2023 Vendor Run.

Motion to approve the 2023 January Vendor Run.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

n. La Veta Funding Request.

Motion to approve the La Veta Fire Protection District request for funds in the amount of \$31,625.00.

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

o. The Triad Employee Assistance Program (EAP) Contract.

Motion to approve the contract between the Triad Resource Group, LLC d/b/a Triad EAP and Huerfano County for the period of February 1, 2023 ending January 31, 2024.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**11:23 A.M. Staff Reports:**

1. County Administrator
2. County Attorney

**11:26 A.M. Correspondence:**

County Administrator Carl Young and the Board reviewed Correspondence.

**11:30 A.M. Executive Session**

Chairman Galusha called for a motion to go into Executive Session at 11:30 A.M.

- a. 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). **Expired Law Enforcement Services Contract with the City of Walsenburg** and
- b. 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). **E-911 Agreement**
- c. No decisions will be made in Executive Session.

**Motion: Chairman Galusha**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**

**12:35 P.M. Out of Executive Session:****12:36 P.M. Meeting adjourned.**

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Erica Vigil, County Clerk & Recorder  
Clerk to the Board of County Commissioners

**COMMISSIONERS:**

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**John Galusha, Chairman**

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**Arica Andreatta**

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**Karl Sporleder**

## SICK LEAVE DONATION AND AUTHORIZATION REQUEST FORM

At times, an employee may require extended leave due to his or her own personal needs or to care for a family member. When an employee is on FMLA, they must use their "Sick Leave" to cover any employment days missed.

Accrued and earned Sick Leave may be "donated" from one employee to another in certain circumstances when the Board of County Commissioners has approved the "transfer". If approved, the donation of sick leave will reduce the donating employee's sick leave hours and increase the sick leave balance of the recipient employee. Once the "donation" has been approved and processed the transaction, will be final and cannot be changed regardless of whether the time was utilized by the receiving employee. The maximum numbers of days an employee is able to donate is 30 days or (240 hours max).

<b>Name of employee to receive Sick Leave hours:</b> <u>Blanca Morales</u> (Print Name)	<b>Department:</b> <u>Treasurer</u>
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<b>Name of Employee donating Sick Leave hours:</b> <u>Rhonda Kelley</u> (Print Name)	<b>Department:</b> <u>Treasurer</u>
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I hereby request 120 hours of accrued and earned sick leave be deducted from my accrued balance and transferred to the employee listed above. I understand that once this transfer has been processed that I cannot revoke or change this request.

Signatures:

 Donating Employee Signature:	<u>2-2-2023</u> Date Signed
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 Signature of Supervisor:	<u>2/2/23</u> Date Signed
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Signature of BOCC Chairman:	Date Signed
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HUERFANO COUNTY

<b>GREEN SHEET/STATUS CHANGE</b>		EFFECTIVE DATE
		2/20/2023
NAME: <b>Cameron Gonzales</b>	PAYROLL :	3/3/2023

CHANGE OF ADDRESS/ PHONE	STREET
	CITY, STATE, ZIP
	TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE		Deputy Officer
DEPARTMENT		Sheriff
HOURS		
ANNUAL SALARY		\$40,000.00
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY		Non-Exempt

**REASON FOR CHANGE**

- |                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li><input checked="" type="radio"/> NEW HIRE</li> <li><input type="radio"/> REHIRED</li> <li><input type="radio"/> PROMOTION</li> <li><input type="radio"/> DEMOTION</li> <li><input type="radio"/> TRANSFER</li> </ul> | <ul style="list-style-type: none"> <li><input type="radio"/> RESIGNATION</li> <li><input type="radio"/> RETIREMENT</li> <li><input type="radio"/> LAYOFF</li> <li><input type="radio"/> ADMINISTRATIVE LEAVE PAID</li> <li><input type="radio"/> ADMINISTRATIVE LEAVE UN-PAID</li> </ul> | <ul style="list-style-type: none"> <li><input type="radio"/> LENGTH OF SERVICE INCREASE</li> <li><input type="radio"/> REEVALUATION OF CURRENT JOB</li> <li><input type="radio"/> INTRODUCTORY PERIOD COMPLETED</li> <li><input type="radio"/> OTHER</li> </ul> |
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COMMENTS, IF NECESSARY

**Motion to Hire Cameron Gonzales as Deputy Officer With A Starting Salary of \$40,000.00. Contingent Upon Passing CBI Background Investigation and Passing Pre-Employment Drug Test With Negative Result.**

*Bl*                      02-10-23  
 Elected Official / Department Head                      Date

\_\_\_\_\_  
 John Galusha, Chairman                      Date

Angela Wakeman                      2/10/2023  
 Human Resources Officer                      Date

\_\_\_\_\_  
 Budget Officer                      Date

\_\_\_\_\_  
 Date Inputed Into System



HUERFANO COUNTY

**PAYROLL STATUS CHANGE**

EFFECTIVE DATE

**1/15/2023**

NAME: **Douglas Martinez**

PAYROLL :

**2/3/2023**

CHANGE OF ADDRESS/PHONE

STREET

CITY, STATE, ZIP

TELEPHONE

CHANGE

**FROM**

(DOES NOT APPLY TO NEW EMPLOYEE)

**TO**

JOB TITLE

**Detention Officer**

DEPARTMENT

**Jail**

HOURS

ANNUAL SALARY

**\$36,500.00**

SEMI-MONTHLY SALARY

HOURLY SALARY

OTHER SALARY

**Non-Exempt**

**REASON FOR CHANGE**

NEW HIRE  
REQUIRED  
PROMOTION  
DEMOTION  
TRANSFER

RESIGNATION  
RETIREMENT  
LAYOFF  
ADMINISTRATIVE LEAVE PAID  
ADMINISTRATIVE LEAVE UN-PAID  
**TERMINATION**

LENGTH OF SERVICE INCREASE  
REEVALUATION OF CURRENT JOB  
INTRODUCTORY PERIOD COMPLETED  
OTHER

COMMENTS, IF NECESSARY

**Motion to Terminate Douglas Martinez for No Call No Show Effective January 15, 2023.**



Elected Official/Department Manager

Chairman

02-10-23

Date

Date

Date to Finance Office:

HUERFANO COUNTY

<b>GREEN SHEET/STATUS CHANGE</b>		EFFECTIVE DATE
		2/4/2023
NAME: <b>Emilee Weniger</b>	PAYROLL :	2/17/2023

<b>CHANGE OF ADDRESS/PHONE</b>	STREET
	CITY, STATE ZIP
	TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	Deputy Officer	Deputy Officer
DEPARTMENT	Sheriff	Sheriff
HOURS		
ANNUAL SALARY	\$40,000.22	\$43,127.76
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	Non-Exempt	Non-Exempt

**REASON FOR CHANGE**

NEW HIRE	RESIGNATION	LENGTH OF SERVICE INCREASE
REHIRED	RETIREMENT	REEVALUATION OF CURRENT JOB
PROMOTION	LAYOFF	INTRODUCTORY PERIOD COMPLETED
DEMOTION	ADMINISTRATIVE LEAVE PAID	OTHER
TRANSFER	ADMINISTRATIVE LEAVE UN-PAID	

COMMENTS, IF NECESSARY

**Motion to Increase the Wage of Emilee Weniger from \$40,000.22 to \$43,127.76 for Completion of FTO Training.**

 02.10.23  
 Elected Official / Department Head Date

John Galusha, Chairman Date

Angela Wakeman 2/8/2023  
 Human Resources Officer Date

Budget Officer Date

Date Inputed Into System

HUERFANO COUNTY

<b>GREEN SHEET/STATUS CHANGE</b>		EFFECTIVE DATE
		<b>2/3/2023</b>
NAME: <b>Frank Martin</b>	PAYROLL:	<b>2/17/2023</b>

<b>CHANGE OF ADDRESS/PHONE</b>	STREET
	CITY, STATE, ZIP
	TEL. PHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	<b>Deputy Officer</b>	<b>Corporal</b>
DEPARTMENT	<b>Sheriff</b>	<b>Sheriff</b>
HOURS		
ANNUAL SALARY	<b>\$43,157.40</b>	<b>\$46,157.38</b>
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	<b>Non-Exempt</b>	<b>Non-Exempt</b>

**REASON FOR CHANGE**

NEW HIRE

REHIRED

**PROMOTION**

DEMOTION

TRANSFER

RESIGNATION

RETIREMENT

LAYOFF

ADMINISTRATIVE LEAVE PAID

ADMINISTRATIVE LEAVE UN-PAID

LENGTH OF SERVICE INCREASE

REEVALUATION OF CURRENT JOB

INTRODUCTORY PERIOD COMPLETED

OTHER

COMMENTS, IF NECESSARY

**Motion to Increase the Wage of Frank Martin from \$43,157.40 to \$46,157.38 for His Promotion to Corporal.**



Elected Official / Department Head

02.10.23

Date

John Galusha, Chairman

Date

Angela Wakeman

Human Resources Officer


2/8/2023

Date

Budget Officer

Date

Date Inputed Into System

HUERFANO COUNTY		EFFECTIVE DATE
<b>PAYROLL STATUS CHANGE</b>		<b>2/15/2023</b>
NAME: <b>Jacob Jenkins</b>	PAYROLL :	<b>2/17/2023</b>
CHANGE OF ADDRESS/PHONE	<small>STREET</small>	
	<small>CITY, STATE, ZIP</small>	
	<small>TELEPHONE</small>	
<b>CHANGE</b>	<b>FROM</b> <small>(DOES NOT APPLY TO NEW EMPLOYEE)</small>	<b>TO</b>
JOB TITLE	<b>Deputy - Sergeant</b>	
DEPARTMENT	<b>Sheriff</b>	
HOURS		
ANNUAL SALARY	<b>\$54,130.18</b>	
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	<b>Non-Exempt</b>	
<b>REASON FOR CHANGE</b>		
NEW HIRE REHIRED PROMOTION DEMOTION TRANSFER	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">RESIGNATION</div> RETIREMENT LAYOFF ADMINISTRATIVE LEAVE PAID ADMINISTRATIVE LEAVE UN-PAID <b>TERMINATION</b>	LENGTH OF SERVICE INCREASE REEVALUATION OF CURRENT JOB INTRODUCTORY PERIOD COMPLETED OTHER
COMMENTS, IF NECESSARY		
<b>Motion to Accept the Resignation of Jacob Jenkins Effective 02-15-2023</b>		
		
Electd Official/Department Manager	Chairman	
<b>02-10-23</b>		
Date	Date	
Date to Finance Office: _____		

<b>GREEN SHEET/STATUS CHANGE</b>		EFFECTIVE DATE
		<b>2/20/2023</b>
NAME: <b>Jeffrey Schnedler</b>	PAYROLL :	<b>3/3/2023</b>

<b>CHANGE OF ADDRESS/PHONE</b>	STREET
	CITY, STATE, ZIP
	TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE		<b>Detention Officer</b>
DEPARTMENT		<b>Jail</b>
HOURS		
ANNUAL SALARY		<b>\$33,000.00</b>
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY		<b>Non-Exempt</b>

**REASON FOR CHANGE**

- |                                                                                                                                                  |                                                                                                                                                                            |                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li><b>NEW HIRE</b></li> <li><b>REHIRED</b></li> <li>PROMOTION</li> <li>DEMOTION</li> <li>TRANSFER</li> </ul> | <ul style="list-style-type: none"> <li>RESIGNATION</li> <li>RETIREMENT</li> <li>LAYOFF</li> <li>ADMINISTRATIVE LEAVE PAID</li> <li>ADMINISTRATIVE LEAVE UN-PAID</li> </ul> | <ul style="list-style-type: none"> <li>LENGTH OF SERVICE INCREASE</li> <li>REEVALUATION OF CURRENT JOB</li> <li>INTRODUCTORY PERIOD COMPLETED</li> <li>OTHER</li> </ul> |
|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

COMMENTS, IF NECESSARY

**Motion to Rehire Jeffrey Schnedler as Detention Officer With A Starting Salary of \$33,000.00. Contingent Upon Passing CBI Background Investigation and Passing Pre-Employment Drug Test With Negative Result.**

*AW* 02-10-23  
 Elected Official / Department Head Date

\_\_\_\_\_  
 John Galusha, Chairman Date

Angela Wakeman 2/10/2023  
 Human Resources Officer Date

\_\_\_\_\_  
 Budget Officer Date

\_\_\_\_\_  
 Date Inputed Into System

HUERFANO COUNTY

<b>GREEN SHEET/STATUS CHANGE</b>		EFFECTIVE DATE
		<b>2/20/2023</b>
NAME: <b>John Johnson</b>	PAYROLL :	<b>3/3/2023</b>

<b>CHANGE OF ADDRESS/ PHONE</b>	STREET
	CITY, STATE, ZIP
	TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE		<b>Deputy Officer</b>
DEPARTMENT		<b>Sheriff</b>
HOURS		
ANNUAL SALARY		<b>\$40,000.00</b>
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY		<b>Non-Exempt</b>

**REASON FOR CHANGE**

- NEW HIRE**
- REHIRED**
- PROMOTION
- DEMOTION
- TRANSFER

- RESIGNATION
- RETIREMENT
- LAYOFF
- ADMINISTRATIVE LEAVE PAID
- ADMINISTRATIVE LEAVE UN-PAID

- LENGTH OF SERVICE INCREASE
- REEVALUATION OF CURRENT JOB
- INTRODUCTORY PERIOD COMPLETED
- OTHER

COMMENTS, IF NECESSARY

**Motion to Hire John Johnson as Deputy Officer With A Starting Salary of \$40,000.00. Contingent Upon Passing CBI Background Investigation and Passing Pre-Employment Drug Test With Negative Result.**

      02-10-23  
 Elected Official / Department Head      Date

\_\_\_\_\_  
 John Galusha, Chairman      Date

Angela Wakeman      2/10/2023  
 Human Resources Officer      Date

\_\_\_\_\_  
 Budget Officer      Date

\_\_\_\_\_  
 Date Inputed Into System

# GREEN SHEET/STATUS CHANGE

EFFECTIVE DATE

2/6/2023

Item 3k.

NAME: **John Quintana**

PAYROLL :

2/17/2023

CHANGE OF ADDRESS/PHONE	STREET
	CITY, STATE, ZIP
	TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	Deputy Officer	Deputy Officer
DEPARTMENT	Sheriff	Sheriff
HOURS		
ANNUAL SALARY	\$44,658.18	\$43,127.76
EMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	Non-Exempt	Non-Exempt

## REASON FOR CHANGE

- |           |                              |                               |
|-----------|------------------------------|-------------------------------|
| NEW HIRE  | RESIGNATION                  | LENGTH OF SERVICE INCREASE    |
| REHIRED   | RETIREMENT                   | REEVALUATION OF CURRENT JOB   |
| PROMOTION | LAYOFF                       | INTRODUCTORY PERIOD COMPLETED |
| DEMOTION  | ADMINISTRATIVE LEAVE PAID    | <b>OTHER</b>                  |
| TRANSFER  | ADMINISTRATIVE LEAVE UN-PAID |                               |

COMMENTS, IF NECESSARY


**Correction of Previous Status Sheet to Revert the Salary to \$43,127.76 and Pay Out a Bonus of \$1,500.00 for Completion of FTO in May of 2022.**

 \_\_\_\_\_  
 Department Head Date 02.08.23

John Galusha, Chairman \_\_\_\_\_ Date

Angela Wakeman \_\_\_\_\_  
 Human Resources Officer Date 2/8/2023

Budget Officer \_\_\_\_\_ Date

HUERFANO COUNTY		
<b>PAYROLL STATUS CHANGE</b>		
EFFECTIVE DATE		
<b>2/10/2023</b>		
NAME: <b>John Quintana</b>	PAYROLL: <b>2/17/2023</b>	
<b>CHANGE OF ADDRESS/PHONE</b>	STREET	
	CITY, STATE, ZIP	
	TELEPHONE	
<b>CHANGE</b>	<b>FROM</b> <small>(DOES NOT APPLY TO NEW EMPLOYEE)</small>	<b>TO</b>
JOB TITLE	<b>Deputy Officer</b>	
DEPARTMENT	<b>Sheriff</b>	
HOURS		
ANNUAL SALARY	<b>\$41,627.56</b>	
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	<b>Non-Exempt</b>	
<b>REASON FOR CHANGE</b>		
NEW HIRE	RESIGNATION	LENGTH OF SERVICE INCREASE
REHIRED	RETIREMENT	REEVALUATION OF CURRENT JOB
PROMOTION	LAYOFF	INTRODUCTORY PERIOD COMPLETED
DEMOTION	ADMINISTRATIVE LEAVE PAID	OTHER
TRANSFER	ADMINISTRATIVE LEAVE UN-PAID	
<b>TERMINATION</b>		
COMMENTS, IF NECESSARY		
<b>Motion to Accept the Resignaton of John Quintana Effective February 10, 2023.</b>		
 _____ Elected Official/Department Manager	_____ Chairman	
_____ Date	_____ Date	
Date to Finance Office: _____		



# GREEN SHEET/STATUS CHANGE

EFFECTIVE DATE

2/6/2023

Item 3m.

AME: **Samuel Carreon**

PAYROLL :

2/17/2023

CHANGE OF ADDRESS/PHONE

SIR/LET

CITY, STATE, ZIP

TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	Deputy Officer	Deputy Officer
DEPARTMENT	Sheriff	Sheriff
HOURS		
ANNUAL SALARY	\$44,658.18	\$43,127.76
EMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	Non-Exempt	Non-Exempt

## REASON FOR CHANGE

- |           |                              |                               |
|-----------|------------------------------|-------------------------------|
| NEW HIRE  | RESIGNATION                  | LENGTH OF SERVICE INCREASE    |
| REHIRED   | RETIREMENT                   | REEVALUATION OF CURRENT JOB   |
| PROMOTION | LAYOFF                       | INTRODUCTORY PERIOD COMPLETED |
| DEMOTION  | ADMINISTRATIVE LEAVE PAID    | <b>OTHER</b>                  |
| TRANSFER  | ADMINISTRATIVE LEAVE UN-PAID |                               |

COMMENTS, IF NECESSARY

**Correction of Previous Status Sheet to Revert the Salary to \$43,127.76 and Pay Out a Bonus of \$1,500.00 for Completion of FTO in May of 2022.**

 02.08.23  
 Selected Official / Department Head Date

John Galusha, Chairman Date

Angela Wakeman 02/08/2023  
 Human Resources Officer Da

Budget Officer Date

HUERFANO COUNTY

<b>PAYROLL STATUS CHANGE</b>	EFFECTIVE DATE
	<b>2/1/2023</b>
NAME: <b>Scott Eckhardt</b>	PAYROLL: <b>2/17/2023</b>

CHANGE OF ADDRESS/PHONE	STREET
	CITY, STATE, ZIP
	TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	<b>Deputy Officer</b>	
DEPARTMENT	<b>Sheriff</b>	
HOURS		
ANNUAL SALARY	<b>\$34,928.80</b>	
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	<b>Non-Exempt</b>	

**REASON FOR CHANGE**

- |                                                          |                                                                                                                               |                                                                                                     |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| NEW HIRE<br>REHIRED<br>PROMOTION<br>DEMOTION<br>TRANSFER | RESIGNATION<br><u>RETIREMENT</u><br>LAYOFF<br>ADMINISTRATIVE LEAVE PAID<br>ADMINISTRATIVE LEAVE UN-PAID<br><b>TERMINATION</b> | LENGTH OF SERVICE INCREASE<br>REEVALUATION OF CURRENT JOB<br>INTRODUCTORY PERIOD COMPLETED<br>OTHER |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|

COMMENTS, IF NECESSARY

**Motion to Accept the Medical Retirement of Scott Eckhardt as of February 1, 2023**

02-10-23

Date
Date

Date to Finance Office: \_\_\_\_\_

HUERFANO COUNTY

<b>PAYROLL STATUS CHANGE</b>	<b>EFFECTIVE DATE</b>
	<b>2/5/2023</b>

NAME: <b>Tyler Martin</b>	PAYROLL: <b>2/17/2023</b>
---------------------------	---------------------------

<b>CHANGE OF ADDRESS/PHONE</b>	STREET
	CITY, STATE, ZIP
	PHONE

CHANGE	FROM <small>(DOES NOT APPLY TO NEW EMPLOYEE)</small>	TO
JOB TITLE	<b>Detention Officer</b>	
DEPARTMENT	<b>Jail</b>	
HOURS		
ANNUAL SALARY	<b>\$34,500.18</b>	
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY	<b>Non-Exempt</b>	

**REASON FOR CHANGE**

- |                                                          |                                                                                                                                                                                                                             |                                                                                                     |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| NEW HIRE<br>REHIRED<br>PROMOTION<br>DEMOTION<br>TRANSFER | <div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">RESIGNATION</div><br>RETIREMENT<br>LAYOFF<br>ADMINISTRATIVE LEAVE PAID<br>ADMINISTRATIVE LEAVE UN-PAID<br><b>TERMINATION</b> | LENGTH OF SERVICE INCREASE<br>REEVALUATION OF CURRENT JOB<br>INTRODUCTORY PERIOD COMPLETED<br>OTHER |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|

COMMENTS, IF NECESSARY

**Motion to Accept the Resignation of Tyler Martin Effective February 5, 2023**

	_____
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Elected Official/Department Manager	Chairman
<b>02-10-23</b>	

Date	Date
------	------

Date to Finance Office: \_\_\_\_\_

HUERFANO COUNTY

<b>GREEN SHEET/STATUS CHANGE</b>		EFFECTIVE DATE
		<b>2/20/2023</b>
NAME: <b>Lasado Martinez</b>	PAYROLL :	<b>3/3/2023</b>

CHANGE OF ADDRESS/ PHONE	STREET
	CITY, STATE, ZIP
	TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE		<b>Detention Officer</b>
DEPARTMENT		<b>Jail</b>
HOURS		
ANNUAL SALARY		<b>\$33,000.00</b>
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY		<b>Non-Exempt</b>

**REASON FOR CHANGE**

<p><b>NEW HIRE</b></p> <p><b>REHIRED</b></p> <p>PROMOTION</p> <p>DEMOTION</p> <p>TRANSFER</p>	<p>RESIGNATION</p> <p>RETIREMENT</p> <p>LAYOFF</p> <p>ADMINISTRATIVE LEAVE PAID</p> <p>ADMINISTRATIVE LEAVE UN-PAID</p>	<p>LENGTH OF SERVICE INCREASE</p> <p>REEVALUATION OF CURRENT JOB</p> <p>INTRODUCTORY PERIOD COMPLETED</p> <p>OTHER</p>
-----------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------

COMMENTS, IF NECESSARY

**Motion to Hire Lasado Martinez as Detention Officer With A Starting Salary of \$33,000.00. Contingent Upon Passing CBI Background Investigation and Passing Pre-Employment Drug Test With Negative Result.**

 02-10-23  
 Elected Official / Department Head Date

\_\_\_\_\_  
 John Galusha, Chairman Date

Angela Wakeman 2/10/2023  
 Human Resources Officer Date

\_\_\_\_\_  
 Budget Officer Date

\_\_\_\_\_  
 Date Inputed Into System

**SICK LEAVE DONATION AND AUTHORIZATION REQUEST FORM**

At times, an employee may require extended leave due to his or her own personal needs or to care for a family member. When an employee is on FMLA, they must use their "Sick Leave" to cover any employment days missed.

Accrued and earned Sick Leave may be "donated" from one employee to another in certain circumstances when the Board of County Commissioners has approved the "transfer". If approved, the donation of sick leave will reduce the donating employee's sick leave hours and increase the sick leave balance of the recipient employee. Once the "donation" has been approved and processed the transaction, will be final and cannot be changed regardless of whether the time was utilized by the receiving employee. The maximum numbers of days an employee is able to donate is 30 days or (240 hours max).

<b>Name of employee to receive Sick Leave hours:</b>	<b>Department:</b>
<u>Brimmy Carlo</u>	<u>EM</u>
(Print Name)	

<b>Name of Employee donating Sick Leave hours:</b>	<b>Department:</b>
<u>Ray Walter</u>	<u>EM</u>
(Print Name)	

I hereby request 80 hours of accrued and earned sick leave be deducted from my accrued balance and transferred to the employee listed above. I understand that once this transfer has been processed that I cannot revoke or change this request.

Signatures:

<u>[Signature]</u>	<u>2/10/23</u>
Donating Employee Signature:	Date Signed

<u>[Signature]</u>	<u>2/10/23</u>
Signature of Supervisor:	Date Signed

_____ Signature of BOCC Chairman:	_____ Date Signed
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## MEMORANDUM

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**MEETING TYPE:** Board of County Commissioners  
**MEETING DATE:** 2/14/2023  
**ITEM NAME:** 22-54 Plat Amendment and Vacation – Cuchara Mountain Park  
**SUBMITTED BY:** Sky Tallman

**SUMMARY:**

Following a Joint Public Hearing on January 31, The Huerfano County Planning Commission, at their meeting on February 9, 2023, made the following recommendations based upon the 8-parcel plat amendment proposal:

1. Motion to consider the 8-parcel layout a plat amendment.  
 (Motion by White, Seconded by Falk, unanimous - passed)
  
2. Motion to recommend approval of the Plat amendment as proposed.  
 (Motion by White, second by Brown, unanimous; motion passed)

**Note:** The Planning Commission did not have a legal opinion from our Attorney regarding whether the deed restrictions on L2 and L3 had been properly removed or were made moot by the dissolution of the Cuchara Mountain Park Master Homeowner Association and therefore relied on the opinion provided by the Applicant's legal counsel.

See legal questions section above as to whether court or further BOCC action is needed to remove deed restrictions.

**Vacation of Right of Way**

3. Motion to recommend approval of the request to vacate a portion of Teton Ridge Dr. and Yosemite Ln.

(Motion by White, second by Falk; unanimous – Motion passed)

**Note:** This includes a reconfiguration of the platting of Teton Ridge Dr as a private, gated road and the termination of Yosemite Ln just past the property line.

**Tax Exemption for Lots E, G and H**

- 4. Motion to recommend approval of Applicant’s request for property tax exemption on Parcels E, G and H, so long as they remain undeveloped and in exchange for the proposed 50’ perpetual easement on the east side of Parcel E and G and the 20’ public access easement on the west side of Parcel H as well as on the southern portions of Parcels E and G containing ski runs. Public access would be granted to the entirety of these parcels as long as they remain undeveloped.

(Motion by White, seconded by Edmundson. White, Edmundson, Brown in favor; Falk and Lyons opposed; motion passed.)

**Note:** Tax exempt status is granted by the State Property Tax Administrator. If the property were to be deed restricted as open space and development disallowed, the County would use a different formula to assess the property value than is used for vacant land.

**County Contribution to Surveying Costs**

- 5. Motion to recommend approval of Applicant’s request for the County to pay 25% of the total survey cost (\$6,000 – 12,000) in exchange for dedication of 50’ public access easement and use of lots E and G and H as public open space.

(Motion by White, second by Brown; White, Brown, and Falk in favor; Lyons, Edmundson opposed – motion passed)

**Note:** Requests for County contributions to survey costs are not typically part of plat amendment applications.

- 6. Motion to recommend approval of amended densities on each lot.

(Motion by White, second by Brown; unanimous – motion passed)

**Note:** Amended proposed densities between 9.3 and 9.5 units/acre are lower (a combined total of 260 units were originally allowed on Tracts B-1, B-2 and B-3 in the 1997 Master Plan; the new proposed total is 240).

Lot	Acearage	
A	1.69	16
B	2	19
C	2.75	26
D	2.23	21
E	2.35	22
F	8.61	81
G	3.72	35
H	2.25	21
TOTAL	25.6	240



Huerfano County  
Planning Commission and Board of County Commissioners  
Staff Report – Permit #22-54 Map Amendment and Vacation of Right-of  
Way in Cuchara Mountain Park, Filing 4  
Meeting Type – Action on Planning Commission Recommendation

February 14, 2023

**Requests**

With this Application BH2 Land Surveying, LLC (the Applicant) requests the following:

- 1. Plat Amendment rearranging lot configuration in Cuchara Mountain Park, Filing 4:** pursuant to LUR Section §2.14 to rearrange the lot lines of a part of Cuchara Mountain Park Estates, Filing #4 and to establish a private, gated road as well as a non-motorized access easement heading north/south on the east side of Parcels E and G – This pathway would provide access to the ski lift located just south of the property. The site is known as Tracts B1, B2, B3, L2 and L3 (Parcel Numbers 122419, 122420, 122421, 122424 and 122425).  
The threshold between a Plat Amendment and a Subdivision is not precisely defined in the code and the Planning Commission passed a motion to consider the 8-parcel layout a Plat Amendment.
- 2. Request for a property tax exemption for lots E, G and H** as long as they remain undeveloped in exchange for a proposed 50’ perpetual easement on the east side of Parcel E and G, a 20’ public access easement on the west side of Parcel H, as well as on the southern portions of Parcels E and G containing ski runs. Public access would be granted to the entirety of these parcels as long as they remain undeveloped.  
**Note:** Property tax exemptions must go through the State Property Tax Administrator. If the property were to be deed restricted as open space and development disallowed, the County would use a different formula to assess the property value than is used for vacant land.
- 3. Request that Huerfano County pay 25% of the total survey costs (\$6,000 – \$12,000)** in exchange for the dedication of a 50’ public access easement and use of parcels E and G and H as public open space while parcels remain undeveloped.
- 4. Vacation of a part of Yosemite Ln and Teton Ridge Dr:** Yosemite Ln. previously served to give access to the recreational easement on Tract L3 and to Tract B3. With the elimination of Tract L3 and the reconfiguration of the tracts into parcels, parcels E, G and H are accessible through the non-motorized access easement proposed. The 50’ wide segment of Parcel H that extends along the border with the National Forest is not marked as an easement, and it includes a gate. The purpose of this segment is to create a buffer between Forest Service land and Parcels D and F to



reduce insurance costs for improvements on those parcels. Public access would be allowed on Parcel H as long as it remains undeveloped.

**County Ownership:** The County came to own these roads as part of a tax sale; they were not deeded to the County as ROW with the original filing. On Map 425 – Panadero Development Filing No. 4 from 1999, Note 7 states: “Yosemite Lane, Teton Ridge Drive and Denali Ridge Road are private ownership access roads to be maintained by Cuchara Mountain Park Estates Homeowners Association. A 50-foot easement is granted for any underground utility in the private access road, for the purpose of installing and maintaining any and all underground utilities within the road right-of-way. A 50-foot easement is granted on all private access roads for emergency access.”

**Note:** The 50’ utility easement is not subject to this vacation request.

**Zoning**

The subject property is zoned Urbanizing Residential. Zoning standards for this district are set forth in LUR Section §1.03. The zone permits by right the building of a single family residence on each lot, which is in accordance with the applicant’s stated intent to build off-grid single family residences and garages on lots B, C and F. Lots B1, B2 and B3 are zoned Multi-Family, and combined were originally planned to support up to 268 units on 28.51 acres (an average of 9.4 units/acre, though intended densities varied by tract); the proposed maximum number of units would be 240, a 10.4% reduction. Developing to this level of intensity is not the applicant’s intent at this time.

**Amendment to Scope:**

In the Panadero Filing #4, Tract C1 allowed for 8 units on 7.96 acres (1 unit/acre); Tract B1 allowed 150 units on 10.23 acres (14.7 units/acre); Tract B2 allowed for 80 units on 7.86 acres (10.2 units/acre); and Tract B3 allowed for 30 units on 2.46 acres (12.2 units/acre). Tracts L2 and L3 were dedicated as open space.

The current proposal proposes the following maximum units per lot:

Lot	Acearage	Units
A	1.69	16
B	2	19
C	2.75	26
D	2.23	21
E	2.35	22
F	8.61	81
G	3.72	35
H	2.25	21
TOTAL: 25.6		240

**Process for Plat Amendment**

**(2.14.01):** PC meeting: recommendation → BOCC public meeting → Record amended plat with County Clerk and Recorder within 5 days at applicant’s expense.

**Noticing:** BOCC may require notification of review agencies or other interested parties.

**Eligibility: (2.14)** Minor changes that do not include modifications which significantly alter the intended land uses, density, number of lots, circulation system, drainage easements, dedicated land or encompass more than 25% of land included within a recorded subdivision. Scope can include adjustment of lot lines, replatting of lots, reconfiguration of dedicated streets and easements and reserved sites.

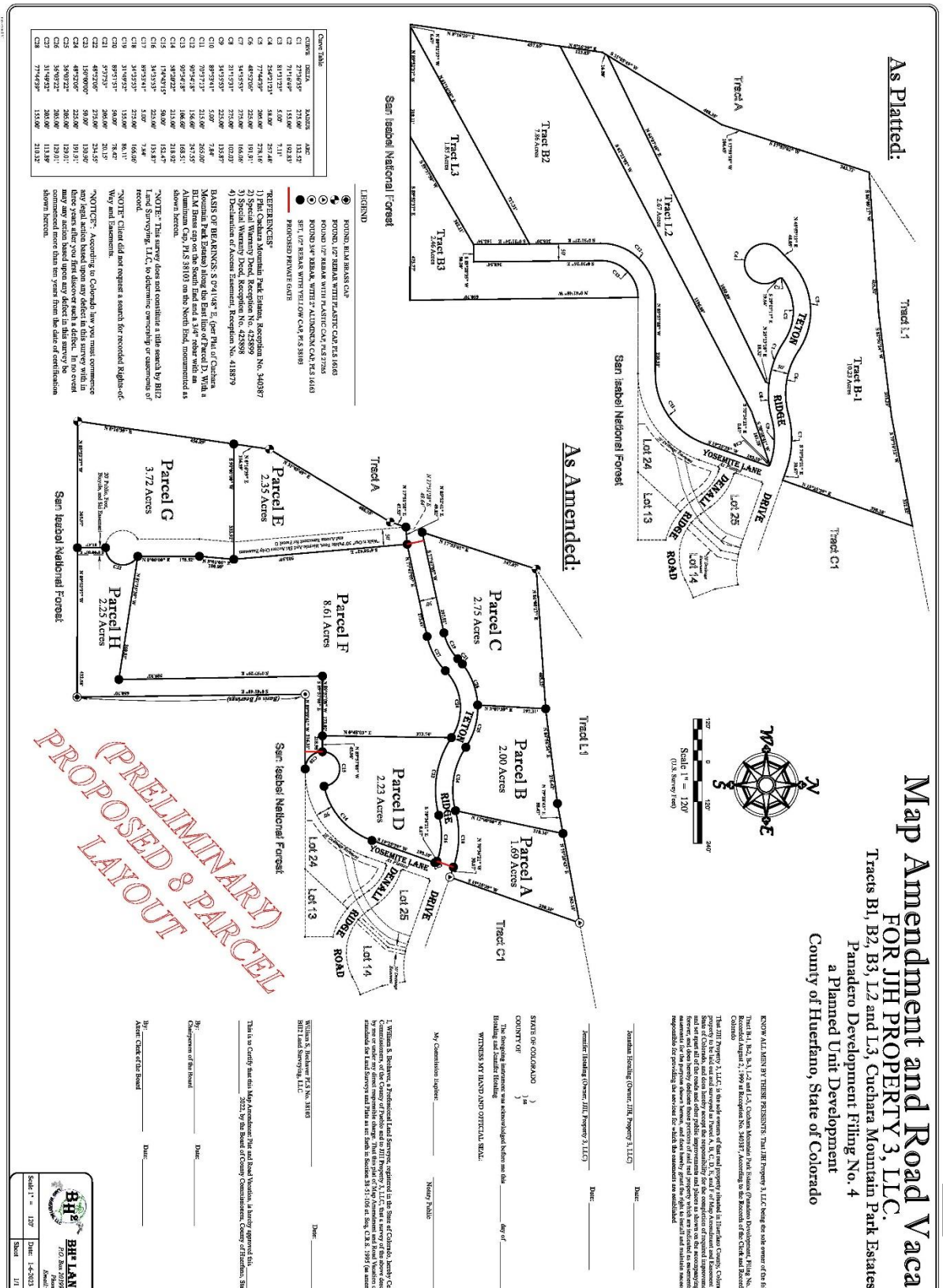
**Eligibility Note:** Cuchara Mountain Park Estates Filing 4 consists of approximately 61 acres. The parcels being reconfigured amount to approximately 27.4 acres, or about 45% of the land included within the recorded subdivision.

The Planning Commission had decided that this application can be treated as a plat amendment. A Plat Amendment must be under 25% of the total area of a subdivision. This application constitutes about 45% of the subdivision filing in which it is located, however, if the Cuchara Mountain Resort Panadero Subdivision, which includes Filing #4, is considered the subdivision, then this would satisfy that criterion.

**Process for Vacation**

(2.15.01) PC review → Notify school districts, utility companies and municipalities and other referral agencies identified by Planning Commission (21 day review) → Joint PC/BOCC public hearing → PC recommendation → BOCC decision

**Site Map:**



## Code References

The following Code Sections are applicable to this application and may be referenced by the Planning Commission in their evaluation of the request:

§ 2.14 – Plat Amendment

§ 2.15 Vacation

§ 2.02.11 Dedication of Land for Open Space

- The Board of County Commissioners may require the dedication, reservation or conveyance of areas or sites suitable for open space, flood control, scenic areas and related uses. The location of such sites shall be agreed upon by the applicant and the County, and in an amount of at least ten (10) percent of the total area of the subdivision. The proposed open space(s) shall be reasonably adopted for use for park land and recreational or other purposes, taking into consideration such factors as size, topography, geology, access and location of the proposed subdivision and the land earmarked for dedication.

**Staff Comment:** Filing 4 contains 59.26 acres; L1 contains 7 acres, L2 2.67 acres and L3 1.85 acres. L1, which is owned by the County, represents more than 10% of the area of Filing 4.

## Legal Questions

Application proposes the elimination of two tracts that were deed restricted as open space and which acted as a non-motorized connection between Teton Dr and County land on the Ski Resort (L2) and from Yosemite Ln and the County land on the Ski Resort (L3); the open space tracts serve to give a more direct path of access to the Ski Resort to Lots 1-25 and Tract C-1 within the same subdivision. Furthermore, there is a deed restriction on these tracts to preserve them as open space(see attachment). These deed restrictions were declared removed as part of the dissolution of the Cuchara Mountain Park Estates Master Homeowners Association in 2020.

- Do the deed restrictions on lots L2 and L3 still exist? They were declared removed in the documents terminating the Cuchara Mountain Park Master Homeowners Association.
- Did the Cuchara Mountain Park Master Homeowners Association have the authority to remove the deed restrictions? See Section 2.02.11(2) of the Huerfano County Land Use Code below.
- With the dissolution of the Cuchara Mountain Park Master Homeowners Association, did the easements created in the deed restrictions become moot? Did the deed restrictions apply only to members of the Cuchara Mountain Park Master Homeowners Association? The HOA was labeled as the “Grantor” in the deed restriction, and the deed restrictions were written to apply to the Grantor *and* Cuchara Mountain Resort.
- The Deed restrictions function like an easement – can the removal of the deed restrictions be treated like the removal of an easement?

**2.02.11(2):**The type of dedication, reservation or conveyance required in a given case shall be determined by the Board of County Commissioners in consultation with the Planning Commission, depending on the proposed size, use(s) and other characteristics of the subdivision. A reservation or dedication of areas for the use of owners or users of lots within the subdivision may be acceptable. Such areas shall be restricted to their intended use by plats, deed restrictions and/or recorded covenants which run with the land in favor of the future owners of property within the subdivision and **which cannot be defeated or eliminated without the consent of the Board of County Commissioners.** In the event of a reservation or dedication for the use of owners of lots within a subdivision, the applicant shall provide for the creation of a homeowners' association or similar organization with powers of assessment for maintenance, improvements and upkeep of such areas and the provisions contained within the homeowners' association bylaws or similar governing document shall receive approval from the Board of County Commissioners prior to acceptance of a final plat.

**Staff Comment:** The deed restrictions on L2 and L3 were declared eliminated by a notarized declaration from the HOA as part of their dissolution. The Board of County Commissioners has not taken action to eliminate the deed restrictions. The HOA's existence is required to create the deed restrictions, but its dissolution does not imply the elimination of such restrictions. This section of the code implies that BOCC action is required to eliminate deed restrictions.

**The deed restrictions on Tracts L2 and L3 read, in part:**

*"...the land described herein shall remain recreational open space in perpetuity, and left in its natural state 'as is' without alteration or modification by structures or buildings. That the Grantee and its successors shall maintain this property in such state forever. That the Grantee and its successors or assigns agrees not to transfer, sell or otherwise dispose of the property except to a successor or related homeowners association or to a master homeowners association which may incorporate Grantee or its successors and assigns within it."*

Further down, it reads: *"That only owners, tenants, and guests of **grantee or Cuchara Mountain Resort** may have access to the property for the use described herein and in accordance with the Declaration of Covenants on file for Cuchara Mountain Park Estates..."*

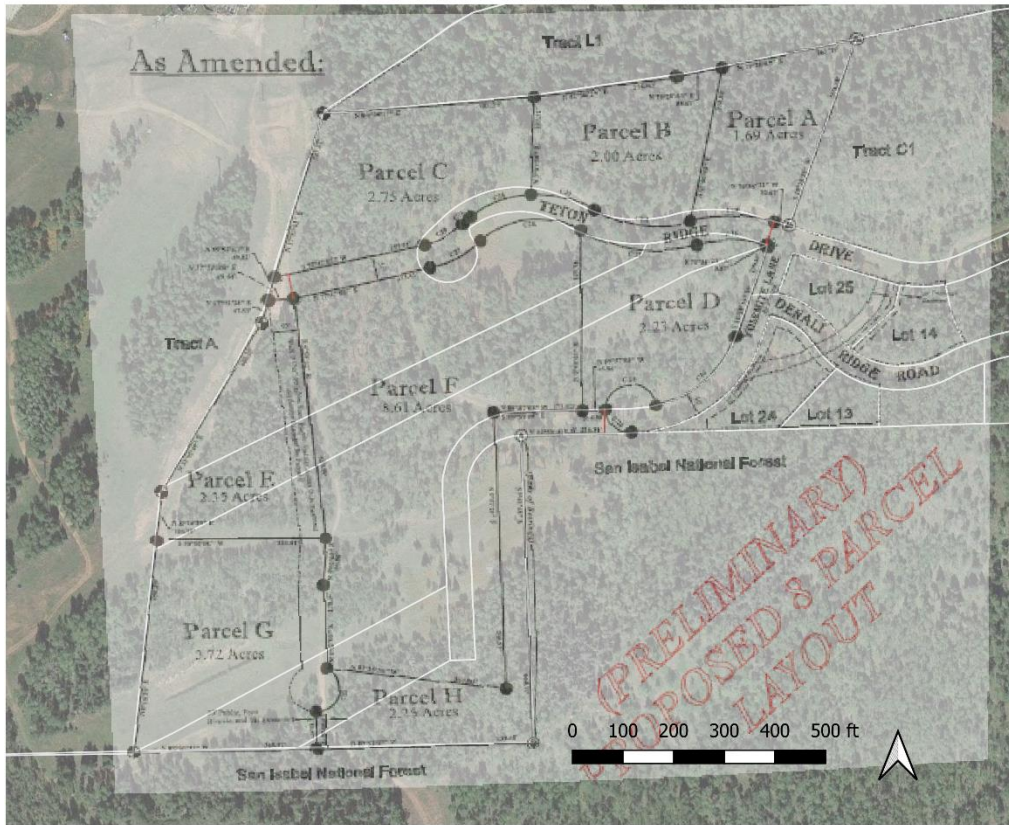
(See Attachment 13. 1999 Warranty Deed for L2 and L3 showing deed restrictions for copy of deed restrictions)

It is not clear how to treat the perpetuity described above. The term, Cuchara Mountain Resort likely refers to the whole Panadero subdivision, including the Cuchara Mountain Park filing 4 – this is the name on the 1997 master plan for the whole area (see Map 405). The former deed conveyed these tracts to Cuchara Mountain Park Estates Master Homeowner Association, which was dissolved in 2020. The covenants of Cuchara Mountain Park Estates Master Homeowner Association (“grantee” in the deed) are no longer valid or binding, however owners, tenants and guests of Cuchara Mountain Resort may still have a claim to access these easements. It is not clear that membership in the Master Homeowner Association was the sole criteria for access described in the deed restrictions on L2 and L3.

It may be necessary for the BOCC to consent to the elimination of the deed restrictions or to require a court action recognizing their removal.

Map showing overlay with satellite image. Ski runs on portions of parcels E and G are to be dedicated as public open space.

## 22-54 Plat Amendment



### Background

On November 8, 2022, an Application for a Plat Amendment, Application Fees, and attachments were received by the County.

At the Planning Commission on December 8, 2022, the Commissioners asked for more information on proposed densities on each lot, given that the original tracts each permitted a specific number of units. In changing the shape and arrangement of lots, new proposed densities or maximum number of units were described for each lot. These numbers represent a slight reduction in total allowable units.

The Planning Commission asked if the original declarations to the Master Homeowners Association could be produced, as this was a missing attachment in the articles of dissolution. Those have been found and area attached.

### Proposals:

#### Plat Amendment

The intent of the Applicant is to build single family homes on Parcels C, D and F with no immediate development plans for other Parcels. The Applicant has stated an intent to allow public use of parcels E, G and H until plans to develop those are made. This offer is made in conjunction with requests for the County to pay for 25% of the survey and for a property tax exemption for these lots so long as they remain undeveloped. It is not clear from the

application if the intent to grant public access to parcels E and D and to dedicate a non-motorized access easement is conditional on the County's agreement to these requests.

### **Vacation of a portion of Yosemite Ln. and Teton Ridge Dr.**

Yosemite Ln. has not been built; a track cut through lots 25 and 24 has been used and declared an access easement. The Applicant does not intend to cut Yosemite Rd in its platted location, and intends instead to use the access easement through lots 24 and 25. Establishing the road as platted, the Applicant claims, would be detrimental to the subdivision's appeal, operation, the forest, and drainage.

To this point, the owners of lots 24 and 25 have emailed objections. They would like to see the road cut as platted rather than perpetuating the use of the access easement through their parcels. The Applicant would prefer to vacate Yosemite Rd as platted and replat the road where the easement exists. The applicant states that owners of parcels in the subdivision, namely those down Denali Ridge Rd. have always used this easement, however none of those parcels have been developed to date.

The vacation of a portion of Teton Ridge Dr. includes an extension and realigning its placement as a private road. Instead of ending in a cul-de-sac, it would extend to the property boundary and connect to the non-motorized access easement proposed on the east side of Lot E, giving access to lots E and D, neither of which have near-term plans for development. The applicant does not have plans to construct the extension of Teton Ridge Dr at this time, but wishes to plat it on the map.

### **Application Materials**

**Requirements for a Plat Amendment:** Proof of ownership; approved and recorded final plat along with proposed amendments; narrative statement explaining why proposed changes should be approved by the Planning Commission and BOCC.

### **Requirements for a Vacation of R.O.W:**

Proof of ownership; copy of approved and recorded plat and vacated plat; narrative statement; legal description, area of land to be vacated.

**Staff Comment:** Acreage of proposed vacation of ROW is not included in letter.

### **Criteria/Findings**

#### **2.14 Amendments to Approved and Recorded Plats**

*Minor changes to an approved and recorded plat shall not be considered a subdivision of land within the intent and definitions of these regulations, so long as the minor changes are not undertaken for the purposes of circumventing these subdivision regulations and so long as the minor changes do not include modifications which significantly alter the intended land uses, density, number of lots, circulation system, dedicated land or encompass more than twenty-five (25) percent of the land included within an overall site within an approved and recorded subdivision. Specifically included within the scope of minor changes are the following actions: the adjustment and revision of lot lines, the re-platting of lots, the reconfiguration of dedicated streets and easements and reserved sites, along with similar minor changes to an approved and recorded plat, so long as the minor changes create no nonconforming lots, nor significantly alter street and road locations, drainage easements or violate the subdivision design standards contained herein.*

#### **2.14.03 Criteria for Action on a Plat Amendment Application**

*All actions by the Planning Commission in reviewing and making recommendations on an application to amend an approved and recorded plat and by the Board of County Commissioners in approving or disapproving such applications shall be based in general upon the provisions of these regulations and specifically on the following criteria:*

1. That the proposed amendment meets the qualifications stated herein for a minor change to the approved and recorded plat.
2. That the proposed amendment would be consistent with all other provisions of these regulations and would not cause significant hardship or inconvenience for adjacent or neighboring land owners or tenants.
3. That the proposed amendment would be beneficial to the public health, safety or welfare of County residents.

#### Planning Commission Position

- The Planning Commission took the position that the proposal to create eight lots would be considered a plat Amendment.

#### **2.15.03 Criteria for Action on a Vacating Application**

All actions by the Planning Commission in reviewing and making recommendations on an application to vacate an approved and recorded plat or easement and by the Board of County Commissioners in approving or disapproving such applications, shall be based in general upon the provisions of these regulations and specifically upon the following criteria:

1. That the proposed vacating would not interfere with development of nor deny access via a public thoroughfare to existing structures within the recorded plat, adjoining properties, utility services or other improvements, nor deny access to structures, facilities or sites located beyond the plat or easement to be vacated.
2. That the proposed vacating would not cause undue hardship or inconvenience for any utility company, special district, neighboring landowner or tenant.
3. That the proposed vacating would not be likely to prove detrimental to the public health, safety or welfare of County residents.
4. That the proposed vacating would be consistent with all other provisions in these regulations.
5. That the proposed vacating would not cause undue financial hardship to Huerfano County nor deprive it of needed tax base.

#### **2.15.04 Vacating of Roads, Streets and Highways**

Any conflicting provisions contained within these regulations, notwithstanding the procedures for vacating roads, streets and highways shall conform to the provisions contained in Section 43-2-301, et seq. Colorado Revised Statutes.

#### **Analysis**

The proposed vacation of a portion of Yosemite Ln as well as the vacation of Teton Ridge Dr. as a public road closed to public access in combination with the proposed elimination of the recreational easements on L2 and L3 reduces connectivity and changes how people can access the ski area. This could potentially be partially addressed by leaving the extension of Teton Ln open to public access. If it is determined that the HOA did not have the authority to eliminate the deed restrictions on L2 and L3 this may require action by a court and/or action by the BOCC.

The proposed use of this property, which includes 3 to 4 single-family homes is of lower intensity than what was described in Map 425 for the area in 1999, which planned 150 units for Tract B1, 80 units for Tract B2, and 30 units for Tract B3.

The shape of proposed Parcel D is unusual and has been designed as such to create a buffer between USFS land and property on which applicant intends to build to reduce insurance costs, which are higher when abutting Forest Service land. The 50'-wide strip heading north and east along the Forest Service border represents about 35% of the total area of the parcel and is unbuildable due to setbacks.

## Referral Comments

Prior to submittal, two adjacent property owners wrote to object to a plan to re-route Yosemite Ln from its platted position to the path that exists on the ground and which passes through Lots 24 and 25. When the application was submitted, this was not part of the proposal, however, using the existing access easement instead of building Yosemite Ln as platted is proposed.

## Potential Conditions or Recommendations Considered by the Planning Commission on 2/09/23

### Plat Amendment:

1. Motion to consider the 8-parcel layout a plat amendment.  
(Motion by White, Seconded by Falk, unanimous - passed)
2. Motion to recommend approval of the Plat amendment as proposed.  
(Motion by White, second by Brown, unanimous; motion passed)

**Note:** The Planning Commission did not have a legal opinion from our Attorney regarding whether the deed restrictions on L2 and L3 had been properly removed or were made moot by the dissolution of the Cuchara Mountain Park Master Homeowner Association and therefore relied on the opinion provided by the Applicant's legal counsel.

See legal questions section above as to whether court or further BOCC action is needed to remove deed restrictions.

### Vacation of Right of Way

3. Motion to recommend approval of the request to vacate a portion of Teton Ridge Dr. and Yosemite Ln.  
  
(Motion by White, second by Falk; unanimous – Motion passed)

**Note:** This includes a reconfiguration of the platting of Teton Ridge Dr as a private, gated road and the termination of Yosemite Ln just past the property line.

### Tax Exemption for Lots E, G and H

4. Motion to recommend approval of Applicant's request for property tax exemption on Parcels E, G and H, so long as they remain undeveloped and in exchange for the proposed 50' perpetual easement on the east side of Parcel E and G and the 20' public access easement on the west side of Parcel H as well as on the southern portions of Parcels E and G containing ski runs. Public access would be granted to the entirety of these parcels as long as they remain undeveloped.  
(Motion by White, seconded by Edmundson. White, Edmundson, Brown in favor; Falk and Lyons opposed; motion passed.)

**Note:** Tax exempt status is granted by the State Property Tax Administrator. If the property were to be deed restricted as open space and development disallowed, the County would use a different formula to assess the property value than is used for vacant land.

## County Contribution to Surveying Costs



5. Motion to recommend approval of Applicant's request for the County to pay 25% of the total survey cost (\$6,000 – 12,000) in exchange for dedication of 50' public access easement and use of lots E and G and H as public open space.

(Motion by White, second by Brown; White, Brown, and Falk in favor; Lyons, Edmundson opposed – motion passed)

**Note:** Requests for County contributions to survey costs are not typically part of plat amendment applications.

6. Motion to recommend approval of amended densities on each lot.

(Motion by White, second by Brown; unanimous – motion passed)

Note: Amended proposed densities between 9.3 and 9.5 units/acre are lower (a combined total of 260 units were originally allowed on Tracts B-1, B-2 and B-3 in the 1997 Master Plan; the new proposed total is 240).

**The BOCC may take the following actions on the Planning Commission's recommendations:**

1. **Approval** without any special conditions.
2. **Conditional Approval** with a description of the special conditions.
3. **Denial**, indicating for the record the reason(s) for such action.
4. **Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.

**Attachments**

Application Materials

1. Application: Plat Amendment
2. Application: Vacation
3. Letter of Request
4. Supporting Documentation Letter
5. Plat Amendment/Vacation Map
6. Termination of Cuchara Mountain Park Master Homeowner Association
7. Articles of Dissolution of HOA
8. Declaration of access easement (through lots 24 and 25)
9. Deeds to Property
10. Amendment to Scope
  11. Proposed Density for 8-lot map
12. Map of Cuchara Mountain Estates Filing 4
13. 1999 Warranty Deed for L2 and L3 showing deed restrictions
14. Email communications with lawyer representing applicant
15. Emails from neighbors



Huerfano County Land Use Department  
401 Main Street, Suite 340, Attn: Land Use  
Walsenburg, Colorado 81089  
719-738-1220 ext. 103

### GENERAL LAND USE APPLICATION

Application File No.: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Fees due: \_\_\_\_\_ Date Paid \_\_\_\_\_

#### 1. ACTION(S) REQUESTED:

- Conditional Use Permit
  - Conditional Use Permit / Marijuana
  - Conditional Use Permit/ Oil, Gas or Uranium Exploration and/or Development
  - Rezoning
  - Variance
  - Subdivision Exemption
  - Plat Amendment
  - Lot Consolidation
  - Plat Correction
  - Right-of-Way or Easement Vacation
  - Other Actions (specify): \_\_\_\_\_
- Sign Permit
  - Temporary Use Permit
  - H.B. 1041 Text Amendment
  - H.B. 1041 Development Permit
  - H.B. 1041 Flood Plain Exemption
- PUD and Subdivisions:
- Sketch Plan
  - Preliminary Plan
  - Final Plat / Subdivision Improvement Agreement
  - Appeal of Denied Application

#### 2. APPLICANT AND OWNER INFORMATION:

Applicant Name: BH<sup>2</sup> Land Surveying, LLC (William S. Bechaver)  
 Applicant's Mailing Address: PO Box 20399, Colorado City, CO 81019  
 Applicant's Telephone: 719-676-2072 Email: bh2@ghvalley.net  
 Name of Land Owner: JH Property 3, LLC (Jonathon & Jennifer Hotaling)  
 Land Owner's Mailing Address: \_\_\_\_\_  
 Land Owner's Telephone: 303-725-7550 Email: jon@libertyservice.group

#### 3. PERMIT DETAILS:

Detailed project description/Scope of Work: To rearrange lot lines to create more usable lots, possible dedication of easement and establish private gated road (walk-it-out).

Parcel Area: 25± Acres; Zoning District(s): UR  
 Parcel/Schedule Number(s): 122419, 122424, 122420, 122425, 122421  
 Parcel Address (optional): \_\_\_\_\_  
 Current/Proposed Land use (see §1.05 of the Land Use Code): Future Residence

### GENERAL LAND USE APPLICATION

If project is in an HOA, HOA name: N/A

If a Variance Request, please state the reason for the Variance(s): \_\_\_\_\_

Is all or a portion of the subject land located in a 100-year flood plain area (see FEMA floodplain map), or are there areas with slopes in excess of twenty percent (20%)?  YES  NO  NOT SURE

If YES, describe existing conditions: \_\_\_\_\_

Value of proposed project: \_\_\_\_\_

Will the proposed project require any State or Federal permits?  YES  NO

If YES, please list all permits or approvals required: \_\_\_\_\_

Additional pertinent information: \_\_\_\_\_

If a H.B. 1041 permit is required, for what matters of local concern and state interest? \_\_\_\_\_

**4. CERTIFICATION BY THE APPLICANT:**

I hereby certify that this Application is made with full knowledge of the design standards, all fees, procedures, public hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthermore, I understand that all conditional use permits are non-transferrable, unless specifically approved by the Huerfano County Board of County Commissioners. The Board of County Commissioners may impose permit transfer fees as it deems appropriate. All documents submitted may be subject to internet publishing.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

**5. ACTION (by the authorized permitting authority):**

- Final Approval       Conditional Approval       Denial

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

Huerfano County Land Use Department  
401 Main Street, Suite 340, Attn: Land Use  
Walsenburg, Colorado 81089  
719-738-1220 ext. 103



### GENERAL LAND USE APPLICATION

Application File No.: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Fees due: \_\_\_\_\_ Date Paid \_\_\_\_\_

#### 1. ACTION(S) REQUESTED:

- Conditional Use Permit
  - Conditional Use Permit / Marijuana
  - Conditional Use Permit/ Oil, Gas or Uranium Exploration and/or Development
  - Rezoning
  - Variance
  - Subdivision Exemption
  - Plat Amendment
  - Lot Consolidation
  - Plat Correction
  - Right-of-Way or Easement Vacation
  - Other Actions (specify): \_\_\_\_\_
- Sign Permit
  - Temporary Use Permit
  - H.B. 1041 Text Amendment
  - H.B. 1041 Development Permit
  - H.B. 1041 Flood Plain Exemption
- PUD and Subdivisions:
- Sketch Plan
  - Preliminary Plan
  - Final Plat / Subdivision Improvement Agreement
  - Appeal of Denied Application

#### 2. APPLICANT AND OWNER INFORMATION:

Applicant Name: BH<sup>2</sup> Land Surveying LLC (William S. Bechaver)

Applicant's Mailing Address: PO Box 20399, Colorado City, CO 81019

Applicant's Telephone: 719-676-2072 Email: bh2@ghvalley.net

Name of Land Owner: JH Property 3, LLC (Jonathan & Jennifer Hotaling)

Land Owner's Mailing Address: \_\_\_\_\_

Land Owner's Telephone: 303-725-7550 Email: jon@libertyservice.group

#### 3. PERMIT DETAILS:

Detailed project description/Scope of Work: To vacate a portion of Yosemite Lane and Teton Ridge.

Parcel Area: 25<sup>±</sup> Acres; Zoning District(s): UR

Parcel/Schedule Number(s): 122419, 122424, 122420, 122425, 122421

Parcel Address (optional): \_\_\_\_\_

Current/Proposed Land use (see §1.05 of the Land Use Code): private Road

# GENERAL LAND USE APPLICATION

If project is in an HOA, HOA name: NI/A

If a Variance Request, please state the reason for the Variance(s): \_\_\_\_\_  
\_\_\_\_\_

Is all or a portion of the subject land located in a 100-year flood plain area (see FEMA floodplain map), or are there areas with slopes in excess of twenty percent (20%)?  YES  NO  NOT SURE

If YES, describe existing conditions: \_\_\_\_\_  
\_\_\_\_\_

Value of proposed project: \_\_\_\_\_

Will the proposed project require any State or Federal permits?  YES  NO

If YES, please list all permits or approvals required: \_\_\_\_\_  
\_\_\_\_\_

Additional pertinent information: \_\_\_\_\_  
\_\_\_\_\_

If a H.B. 1041 permit is required, for what matters of local concern and state interest? \_\_\_\_\_  
\_\_\_\_\_

### 4. CERTIFICATION BY THE APPLICANT:

I hereby certify that this Application is made with full knowledge of the design standards, all fees, procedures, public hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthermore, I understand that all conditional use permits are non-transferrable, unless specifically approved by the Huerfano County Board of County Commissioners. The Board of County Commissioners may impose permit transfer fees as it deems appropriate. All documents submitted may be subject to internet publishing.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

### 5. ACTION (by the authorized permitting authority):

Final Approval       Conditional Approval       Denial

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_



## *BH<sup>2</sup> LAND SURVEYING, LLC*

P.O. Box 20399  
 Colorado City, CO 81019  
 Phone: 719-250-5028  
 Email: [bh2@ghvalley.net](mailto:bh2@ghvalley.net)

### Letter of Request for Map Amendment and Road Vacation and Dedication Tracts B1, L2, B2, L3, B3, Cuchara Mountain Park Estates Filing #4\*

**Date:** November 3, 2022

**Owners:** JJH Property 3, LLC, 3327 Springridge Cir, Colorado Springs, CO 80906, Jon & Jen Hotaling owners. 303-725-7550

**Owners Representative:** BH2 Land Surveyors, 4301 Valverde Way, #2, Colorado City, CO. 719-676-2072

**Request and reason for the Map Amendment, Road Vacation and Dedication:**

- Rearrangement of the common lines between Tracts B1, L2, B2, L3, and B3 to create more usable and buildable lots.
- Vacation and dedication of a portion of Teton Ridge Drive and Yosemite Lane for better use of the land.
- Dedication of a 50-foot, Public Access Easement (Walk it Out) for foot, bicycle, and ski access only (except for the use of landowners and maintenance vehicles) along east side of Lot E. Said Easement is for the benefit of Cuchara Mountain Park users to have access to San Isabel National Forest.
- A 20-foot Public Access easement along the west end of Lot D, from the South end (Walk it Out) to the North line of San Isabel National Forest for foot, bicycle, and ski access to the San Isabel National Forest, lying south of the above-described Tracts of land.
- Establishment of gates at the location shown on the attached plat to maintain landowner privacy.
- Dedication of Lot E and the easement portion of Lot D for public space/use for the benefit of Cuchara Mountain Park users.

**Current Zoning:** Urban residential

**Legal Description:** Tracts B1, L2, B2, L3, B3 Cuchara Mountain Park Estates Filing #4

**Parcel Numbers:** 122419, 122424, 122420, 122425, 122421

**Existing Utilities that serve the parcels:** None.

**Existing Structures:** None.

**Additional Requests and Supporting Documentation, per JJH Property 3, LLC**

- A Request for property tax exemption of Lots E and D, as long as they remain undeveloped. At which point said Lots are developed said tax exemption will become void. Also, in exchange for the perpetual easements, as long as E and D remain undeveloped and E and D's easement are accessible for Cuchara Mountain Park public space/use.

November 3, 2022  
 Page 1 of 2



## *BH<sup>2</sup> LAND SURVEYING, LLC*

P.O. Box 20399  
Colorado City, CO 81019  
Phone: 719-250-5028  
Email: [bh2@ghvalley.net](mailto:bh2@ghvalley.net)

- A request that Huerfano County pay up to 25% of total survey cost (\$6000 to \$12000) in exchange for the dedication of 50-foot Public Access Easement (Walk it Out) and the use of Lots E and D, as public space/use.
- Future construction of off-grid Single-Family residence and garage on Lots B, C and F, in the next (1 to 10 years).
- Proposed Rearrangement could reduce current multi-family residential density by up to 50%.
- \*Supporting documentation and explanation provided by JJH Property 3, LLC. (See Attached Exhibit 1)

Please feel free to contact us if you have any questions of concerns.

Sincerely,

William S. Bechaver  
BH2 Land Surveying, LLC

JJH Property 3, LLC,  
3327 Springridge Cir, Colorado Springs, CO 80906,  
Jon & Jen Hotaling  
303-725-7550

**Supporting Documentation to**  
**Letter of Request for**  
**Plat Map Amendment Application**  
**Tracts L2, L3, and west ends of Yosemite Lane and Teton Ridge Drive in Cuchara**  
**Mountain Park Estates Filing #4**

**Additional Supporting Documentation and reason for the Map Amendment:**

1. Regarding Tracts L2 and L3 labeled on Map 425 (see attached) as "HOA Controlled Open Space", please refer to the attached 3 documents:
  - A) Recorded Bargain and Sale Deed from the now terminated HOA to Grantees.
  - B) Recorded Termination of Declarations by the HOA. Note Recital B, and bullets 3 and 4 that remove any and all HOA restrictions and encumbrances on L2 and L3 including HOA/public access. Moreover, Tract L2 and L3 have never been used by nor utilized for HOA or public access or use.
  - C) Recorded Articles of Dissolution for the HOA.
  
2. Regarding vacation of western part of Yosemite Lane, please refer to the attached:
  - A) Recorded Declaration of Access Easement which details the terms and conditions of this "perpetual" public access easement across Lots 25 and 24 to "connect Yosemite Lane and Teton Ridge Drive". This easement is the existing road (Not the deeded and uncut Yosemite Lane) that is already cut in and is the only means of egress and ingress for all other landowners in Cuchara Mountain Park Estates Filing #4. JJH Property 3, LLC Does not want Huerfano County nor the owners of Lots 25 and 24 (so labeled on Map 425 as "Excessive Slope Lots") to cut in this remaining part Yosemite Lane or it's new circle at the new western end because the existence of the perpetual easement makes it unnecessary and doing so would be detrimental to the subdivision's appeal, operation, the forest, and drainage. Subdivision landowners and the public will still have National Forest Access off the southern end of the new Yosemite Lane traffic circle which is at the western end of the perpetual easement across Lots 24 and 25.

The Map Amendment is submitted this way because the new owners of Lots 24 and 25 have both indicated to Mr. Hotaling that they do not want to have their adjacent portions of Yosemite Lane vacated and instead intend to carve it in themselves in an attempt to do away with the existing road, now with a perpetual easement, that is being and always has been utilized by every landowner in the subdivision since the formation of the subdivision.



JJH Property 3, LLC would prefer to have all of Yosemite Lane vacated and the current road / easement made into the permanent road as outlined in section 5.9 of the recorded Declaration of Access Easement. However, the cooperation of the owners of Lots 24 and 25 will apparently be required to do so.

**Current Zoning:** Urban residential

**Legal Description:** Tracts L2 and L3 of Cuchara Mountain Park Estates Filing #4, and western ends of current Yosemite Lane and Teton Ridge Drive.

**Parcel Numbers:** 122424, 122425

**Existing Utilities that serve the parcels:** None.

**Existing Structures:** None.

Please feel free to contact us if you have any questions of concerns.

Sincerely,

JJH Property 3. LLC  
3327 Springridge Cir, Colorado Springs, CO 80906  
Jon & Jen Hotaling  
303-725-7550

After Recording, Return to:  
Jonathan Hotaling  
3327 Springridge Cir  
Colorado Springs, CO 80906

**TERMINATION  
OF  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
CUCHARA MOUNTAIN PARK ESTATES MASTER HOMEOWNERS ASSOCIATION,  
HUERFANO COUNTY, COLORADO**

THIS TERMINATION OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CUCHARA MOUNTAIN PARK ESTATES MASTER HOMEOWNERS ASSOCIATION, HUERFANO COUNTY, COLORADO (“Termination”) is made by the undersigned Owners of Lots within the Cuchara Mountain Park Estates Master Homeowners Association, a Colorado nonprofit corporation (“Association”).

**RECITALS**

A. The Declaration of Covenants, Conditions and Restrictions for Cuchara Mountain Park Estates Master Homeowners Association, Huerfano County, Colorado was recorded on August 2, 1999 at Reception No. 340388 in the real property records of Huerfano County, State of Colorado (“Declaration”). Capitalized terms used but not defined herein shall have the same meanings set forth in the Declaration.

B. The Declaration refers to Exhibits A through D which were to identify the real property subject to the Declaration, additional real property that could be annexed to the Declaration, the Association Properties and the Common Area. The Declaration was recorded without any of the Exhibits attached thereto and, except for general reference to Cuchara Mountain Park Estates, the Declaration did not otherwise identify or provide the legal description of the real property initially subject to the Declaration, the additional property that could be annexed to the Declaration or any Association Properties or Common Area. Therefore, there is uncertainty whether the Declaration encumbers any portion of Cuchara Mountain Park Estates or properly establishes a common interest community.

C. Pursuant to Article IX, Section 4 of the Declaration, the Class A Members may terminate and extinguish the Declaration by written instrument executed by at least three-fourths (3/4) of the Class A Members, and pursuant to C.R.S. 38-33.3-218 a common interest community may be terminated only by agreement of unit owners of units to which at least sixty-seven percent (67%) of the votes in the association are allocated or any larger percentage the declaration specifies.

D. The terms, conditions and restrictions of that certain Warranty Deed from Cuchara Partners, LTD. to Cuchara Mountain Park Estates Master Homeowners Association dated July 22, 1999 and recorded at Reception No. 340385, County of Huerfano, State of Colorado (the "Deed") was intended to supplement the Declaration and as such the parties hereto desire to relinquish any and all right under the Deed in conjunction with this Termination.

E. The undersigned owners desire to terminate and extinguish the Declaration and constitute the Owners of Lots to which at least three-fourths of votes in the Association are allocated. This Termination constitutes the agreement of such Owners to terminate the Declaration in its entirety.

**NOW, THEREFORE**, the undersigned Owners hereby declare as follows:

1. The foregoing Recitals are incorporated herein by this reference.
2. Pursuant to C.R.S. 38-33.3-218 and Article IX, Section 4 of the Declaration, the Declaration and the common interest community created thereunder is hereby terminated and extinguished in its entirety. This Termination shall be effective upon the recording of this Termination in the real property records of Huerfano County, Colorado, and thereafter neither the Declaration nor the common interest community created thereunder shall have any further force or effect. This Termination shall be void unless it is executed and recorded on or before June 1, 2021.
3. The undersigned parties each hereby relinquish any and all rights of such parties to enforce the terms of the Deed, including, without limitation, any and all rights to enforce any restrictions on ownership or use of the property described in such deed and acknowledge such use restrictions shall be of no further force and effect.
4. Notwithstanding the termination of the Declaration as provided herein, all easements granted pursuant to the Declaration for roads, utilities and drainage, shall remain in full force and effect; provided, however that all easements and restrictions over L2 and L3 are hereby terminated by this Termination.

[signature pages follow]







[signature page]

*[Handwritten Signature]*  
JONATHAN HOTALING

*[Handwritten Signature]*  
JENNIFER HOTALING

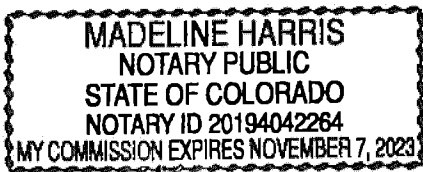
Date: July 7, 2020

STATE OF COLORADO )  
 ) ss.  
COUNTY OF El Paso )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of July, 2020, by Jonathan Hotaling.

Witness my hand and official seal.

My commission expires: Nov. 7, 2023



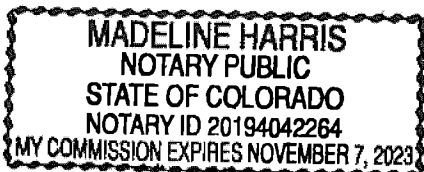
*[Handwritten Signature]*  
Notary Public

STATE OF COLORADO )  
 ) ss.  
COUNTY OF El Paso )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of July, 2020, by Jennifer Hotaling.

Witness my hand and official seal.

My commission expires: Nov. 7, 2023



*[Handwritten Signature]*  
Notary Public



Colorado Secretary of State  
 Date and Time: 07/21/2020 08:15 AM  
 ID Number: 19991138540  
 Document number: 20201618851  
 Amount Paid: \$10.00

Item 6a.

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Dissolution  
 Nonprofit Corporation**

Filed pursuant to §7-134-103 of the Colorado Revised Statutes (C.R.S)

ID number: 19991138540

1. Entity name: CUCHARA MOUNTAIN PARK ESTATES MASTER HOMEOWNERS ASSOCIATION, INC.

2. Principal office address:

Street address 11411 Highway 12  
*(Street number and name)*

La Veta CO 81055  
*(City) (State) (ZIP/Postal Code)*  
United States  
*(Province – if applicable) (Country)*

Mailing address c/o Kenton Management, Inc.  
*(Leave blank if same as above) (Street number and name or Post Office Box information)*

1900 Grant Street, Suite 1150  
Denver CO 80203  
*(City) (State) (ZIP/Postal Code)*  
United States  
*(Province – if applicable) (Country)*

3. The nonprofit corporation is dissolved.

4. (Optional) Delayed effective date: \_\_\_\_\_  
*(mm/dd/yyyy)*

5.  This document contains additional information as provided by law.

Notice:

Causing this document to be delivered to the secretary of state for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.





WHEN RECORDED MAIL TO:

Jonathan Hotaling  
3327 Springridge Cir  
Colorado Springs, CO 80906

**DECLARATION OF ACCESS EASEMENT**

**THIS DECLARATION OF ACCESS EASEMENT** (this "Declaration") is made and entered into as of the 2<sup>nd</sup> day of May, 2020 (the "Effective Date"), by PURGATOIRE PROPERTIES, L.L.C., a Colorado limited liability company, whose address is 1918 Foxfield Drive, Castle Rock, Colorado 80104 ("Grantor").

**RECITALS**

A. Grantor is the fee owner of certain real property known as Lots 24 and 25, Cuchara Mountain Park Estates, Huerfano County, Colorado, as legally described on **Exhibit A** attached hereto ("Lot 24 and Lot 25").

B. The Grantor intends to establish certain access easements over, upon and across a portion of Lot 24 and Lot 25 referred to as the Access Area (as defined below) for the benefit of Grantor, Lot 24 and Lot 25, Cuchara Mountain Park Estates and the general public on the terms and conditions set forth herein. The "Access Area" is an area 25 foot in width being (i) the easterly 25 feet of Lot 25 along the easterly boundary of Lot 25, and (ii) the northerly and westerly 25 feet of Lot 24 along the northerly and westerly boundaries of Lot 24, from Teton Ridge Drive to Yosemite Lane.

D. Grantor intends that development of the land within Cuchara Mountain Park Estates be served by the Access Area and desires to subject and place upon Lot 24 and Lot 25 certain covenants, easements, and obligations for access easement purposes to protect the value and desirability of the such land, ensuring access thereto, and for the purpose of furthering a plan for the improvement, sale and ownership of such land, to the end that harmonious and complementary development of such land may be accomplished and the health, comfort, safety, convenience and general welfare of owners of the Land, or any portion thereof, may be promoted and safe-guarded.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby covenant, declares and states as follows as of the Effective Date:

1. Easement. The Grantor does hereby declare, establish, create, reserve and grant a non-exclusive, easement solely for vehicular and pedestrian roadway access, ingress and egress, but not for parking purposes (the "Easement"), over, upon and across the Access Area in order to permit vehicular and pedestrian access between Yosemite Lane and Teton Ridge Drive. The Easement is granted for the use and benefit of the owners of Lot 24, Lot 25, other land within

C7178843

Cuchara Mountain Park Estates and the general public to provide for the passage of motor vehicles and pedestrians.

2. Character of Easement.

2.1 Right to Relocate Access Area. There is hereby established for the benefit of Grantor the right to relocate within Lot 24 and Lot 25 all or a portion of the Access Area from time to time, if necessary for the beneficial use of Grantor's Property. In the event the Access Area or portion thereof is relocated, the easement rights granted by this Declaration will be applicable to the relocated Access Area or portion thereof.

2.3 Obstructions within Access Area. No person shall be permitted to erect within the Access Area any barriers, fences, curbs, walls, ditches, barricades or other structures or obstacles so as to unreasonably burden or interfere with, impede, divert or prevent vehicular and pedestrian traffic over the Access Area.

2.4 No Parking Easement. Nothing contained in this Declaration shall be deemed to establish, grant, convey or reserve any easement, license or right for parking purposes.

2.5 Lateral or Subjacent Support. Grantor shall not take any action which would impair the lateral or subjacent support necessary or convenient for the full use and enjoyment of the easement rights hereunder and any access improvements located within the Access Area.

3. Maintenance Obligations.

3.1 Except as otherwise expressly set forth herein, Grantor and the owner(s) of the neighboring parcels, known as Tracts B-1, B-2, B-3, L-2 and L-3, Cuchara Mountain Park Estates, shall have the right, but not the obligation, to maintain any and all roadway improvements located on the Access Area as necessary to permit the passage of pedestrians and vehicles, including snowplowing as deemed necessary or desirable, at such party's own cost and expense.

3.2 Taxes. Grantor shall pay or cause to be paid, prior to any penalty attaching thereto, all real estate taxes, assessments and personal property taxes, if any, imposed upon the land and improvements and equipment located on Lot 24 and Lot 25, including the Access Area.

4. Miscellaneous.

4.1 No Merger of Interests.

(i) The rights and interests of the Grantor under this Declaration as the owner of any individual lot or tract are separate and distinct from its rights and interests under this Declaration as the owner of any other lot or tract. Any vesting of all interests in multiple lots or tracts in a single party will not cause a merger of those interests or any extinguishment of this Declaration or the rights and interests created by this Declaration. It is intended that no such merger occur and this Declaration remain in full force and effect from and after the Effective Date.

(ii) It is the intent of Grantor that the Easement granted and declared by this Declaration shall be perpetual in duration.

5.3 Limited to the Easement. Nothing contained herein shall be deemed or construed to grant any rights in or to any property other than the Access Area.

5.4 Appurtenant Easement. The benefits and burdens created by this Declaration are appurtenant to and shall run with Lots 24 and 25 and shall inure to the benefit of and be binding upon the Grantor, its successors and assigns, and any party using the Access Area.

5.5 No Implied Easement. Nothing contained in this Declaration shall be deemed to create any implied easements not otherwise expressly established herein.

5.6 Descriptive Headings. The descriptive headings of the sections hereof are inserted for convenience only and shall not control or affect the meanings or construction of any provisions hereof.

5.7 Modification. The terms and conditions of this Declaration may be abrogated, modified, rescinded or amended in whole or in part only by written instrument executed by the Grantor and the owners of Tracts B-1, B-2, B-3, L-2 and L-3, Cuchara Mountain Park Estates and recorded in the real property records of the County of Huerfano, Colorado (“Records”). No waiver shall be deemed a continuing waiver with respect to any breach or default, whether of similar or different nature, unless expressly stated in writing.

5.8 Partial Invalidity. In case any one or more of the provisions contained in this Declaration shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Declaration shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

5.9 Dedication. The Grantor shall have the right, at any time, to dedicate, transfer or convey the Access Area or other public right of way over and across Lot 24 and Lot 25 to the Huerfano County, Colorado for public use as a connector road for vehicular and pedestrian access between Yosemite Lane and Teton Ridge Drive, in which case this Easement shall terminate.

5.10 Mortgagee Protection. Neither the breach of any of the covenants and restrictions contained in this Declaration, nor the enforcement of any remedy provisions contained in this Declaration, shall render invalid the lien of any mortgage, deed of trust, or other lien against any Lot 24 and Land 25 made in good faith and for value. All of the covenants and restrictions herein contained shall be binding upon and effective against any successor whose title is derived through foreclosure, trustee sale, or deed in lieu thereof or otherwise.

5.11 Governing Law. This Declaration shall be governed by and construed in accordance with the laws of the State of Colorado.

5.12 Exhibits. All exhibits referred to in this Declaration and attached hereto, as listed below, are incorporated herein by this reference:

**Exhibit A:** Legal Description for Lot 24 and Lot 25

5.13 Notices. All notices and other communications hereunder shall be in writing and shall be deemed given on the same day if delivered personally, or on the date receipt is confirmed if mailed by registered or certified mail or by commercial overnight courier (e.g., FedEx, DHL, etc.), return receipt or confirmation of delivery requested, to Grantor at the address set forth above, and to each subsequent owner of Lot 24 and Lot 25 at the address for such owner or at such other address as shall be specified by like notice.

*[Signature pages follow.]*



**EXHIBIT A**

**LEGAL DESCRIPTION OF LOT 24 AND LOT 25**

LOT 24 AND LOT 25, CUCHARA MOUNTAIN PARK ESTATES (PANADERO DEVELOPMENT, FILING NO. 4), RECORDED MAP NO. 425, RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340387, ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.

425899  
Page 1 of 3  
Nancy C. Cruz, Clerk & Recorder  
Huerfano County, CO  
03-10-2022 01:55 PM Recording Fee \$23.00

After recording, please return to:

MASON LAW AND PLANNING GROUP, LLC  
16055 Old Forest Point, Suite #301  
Monument, Colorado 80132

Reserved for recording information

## Special Warranty Deed

THIS DEED is made this 24th day of February 2022 between **JONATHAN HOTALING AND JENNIFER HOTALING,**

Grantor,

whose address is 3327 Springridge Circle, Colorado Springs, Colorado 80906, and

**JJH PROPERTY 3, LLC,**

Grantee,

whose address is 3327 Springridge Circle, Colorado Springs, Colorado 80906,

for and in consideration of Ten and no/100 Dollars (\$10.00), in hand paid, the receipt and sufficiency of which is hereby acknowledged, granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey, and confirm, unto the grantee(s) heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Huerfano, State of Colorado, described as follows:

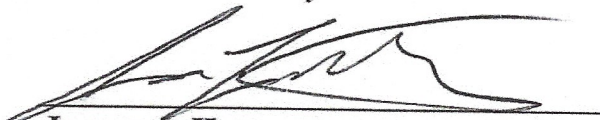
**TRACT B-1 AND B-2, CUCHARA MOUNTAIN PARK ESTATES (PANADERO DEVELOPMENT, FILING NO. 4), RECORDED MAP NO. 425, RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340387, ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.**

**SEE EXHIBIT A ATTACHED**

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversions and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

**TO HAVE AND TO HOLD** the said premises above bargained and described with the appurtenances, unto the grantee(s) heirs and assigns forever. And the grantor(s), for sell heirs and personal representatives, do covenant, grant, bargain, and agree to and with the grantee(s), heirs and assigns, that at the time of the ensealing and delivery of these presents, well seized of the premises above conveyed, good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature.



  
JONATHAN HOTALING

  
JENNIFER HOTALING

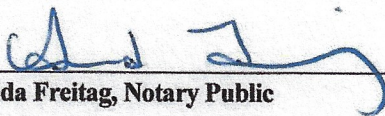
STATE OF COLORADO     )  
                                          ) ss.  
COUNTY OF EL PASO     )

The foregoing instrument was acknowledged before me this 24th day of February 2022, by Jonathan Hotaling and Jennifer Hotaling.

WITNESS my hand and official seal.

My commission expires: 04/16/2022

AMANDA FREITAG  
Notary Public  
State of Colorado  
Notary ID # 20184016578  
My Commission Expires 04-16-2022

  
Amanda Freitag, Notary Public

**EXHIBIT A / EXCEPTIONS****FILING NUMBER: CT 178843**

- 1. EASEMENTS, NOTES, TERMS, CONDITIONS, PROVISION, RESTRICTIONS, COVENANTS, AGREEMENTS AND OBLIGATIONS, IF ANY, AS CONTAINED ON THE PLAT OF SAID SUBDIVISION RECORDED AUGUST 22, 1999 AT RECEPTION NO. 340387.**
- 2. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, RESERVATIONS AND LIEN RIGHTS, IF ANY, WHICH DO NOT INCLUDE A FORFEITURE OR REVERTER CLAUSE, DELETING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS OR NATIONAL ORIGIN SET FORTH IN THE DECLARATION RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340388, AND ANY AND ALL AMENDMENTS, SUPPLEMENTS, AND ANNEXATIONS THERETO.**
- 3. TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS OF TREASURER'S DEED RECORDED AUGUST 16, 2017 AT RECEPTION NO. 409771.**

425898  
Page 1 of 4  
Nancy C. Cruz, Clerk & Recorder  
Huerfano County, CO  
03-10-2022 01:55 PM Recordings Fee \$28.00

After recording, please return to:

MASON LAW AND PLANNING GROUP, LLC  
16055 Old Forest Point, Suite #301  
Monument, Colorado 80132

Reserved for recording information

## Special Warranty Deed

THIS DEED is made this 24th day of February 2022 between **JONATHAN HOTALING AND JENNIFER HOTALING,**

Grantors,

whose address is 3327 Springridge Circle, Colorado Springs, Colorado 80906, and

**JJH PROPERTY 3, LLC,**

Grantee,

whose address is 3327 Springridge Circle, Colorado Springs, Colorado 80906,

for and in consideration of Ten and no/100 Dollars (\$10.00), in hand paid, the receipt and sufficiency of which is hereby acknowledged, granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey, and confirm, unto the grantee(s) heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Huerfano, State of Colorado, described as follows:

**TRACT B-3, L-2 AND L-3, CUCHARA MOUNTAIN PARK ESTATES (PANADERO DEVELOPMENT, FILING NO. 4), RECORDED MAP NO. 425, RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340387, ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.**

**SEE EXHIBIT A ATTACHED BELOW**

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversions and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

**TO HAVE AND TO HOLD** the said premises above bargained and described with the appurtenances, unto the grantee(s) heirs and assigns forever. And the grantor(s), for sell heirs and personal representatives, do covenant, grant, bargain, and agree to and with the grantee(s), heirs and assigns, that at the time of the ensealing and delivery of these presents, well seized of the premises above conveyed, good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature.



**EXHIBIT A  
EXCEPTIONS TO TITLE**

**DECLARATION OF COVENANTS FOR CUCHARA MOUNTAIN PARK ESTATES, RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340388**

**9. TREASURES DEED FOR THE ROADS AT CUCHARA MOUNTAIN PARK ESTATES PANADERO DEVELOPMENT FILING NO. 4, RECORDED AUGUST 16, 2017 AT RECEPTION NO. 409771.**

**10. RESOLUTION NO. 99-18 FOR CUCHARA MOUNTAIN PARK ESTATES – PANADERO DEVELOPMENT FILING NO. 4, RECORDED AUGUST 4, 1999 AT RECEPTION NO. 340418 AND RESOLUTION NO. 99-19A, RECORDED AUGUST 4, 1999 AT RECEPTION NO. 340420.**

**11. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING AND DRILLING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND OTHER IMMUNITIES RELATING THERETO.**

**12. ANY AND ALL EXISTING ROADS, HIGHWAYS, DITCHES, CANALS, RESERVOIRS, WELLS, RAILROAD TRACKS, PIPELINES, WATER LINES, POWER LINES, TELEPHONE LINES, AND ANY AND ALL RIGHT OF WAY EASEMENTS THEREFORE.**

**13. EASEMENTS GRANTED TO THE CUCHARAS SANITATION AND WATER DISTRICT BY DEEDS RECORDED FEBRUARY 15, 1985 IN BOOK 373 PAGE 319.**

**14. EASEMENT GRANTED TO CUCHARAS SANITATION AND EATER DISTRICT BY INSTRUMENT RECORDED FEBRUARY 14, 1985 IN BOOK 373 PAGE 318.**

**15. TERMS, CONDITIONS AND AGREEMENTS IN THE AGREEMENT REGARDING CUCHARA VALLEY RESORT WATER AND SEWER SYSTEMS RECORDED MARCH 22, 1990 IN BOOK 8M PAGE 568.**

**16. SPECIAL WARRANTY DEED REGARDING CUCHARA VALLEY RESORT WATER AND SEWER SYSTEMS RECORDED MARCH 22, 1990 IN BOOK 8M PAGES 565, 566 AND 567.**

**17. UNRECORDED LEASE TO THE LA VETA FIRE PROTECTION DISTRICT DATED JUNE 1, 1987 AFFECTING A PARCEL OF LAND 120 FEET BY 240 FEET IN THE NW1/4 OF SECTION 16, TOWNSHIP 31 SOUTH, RANGE 69 WEST OF THE 6TH P.M.**

**18. EXCEPTING AND RESERVING TO THE UNITED STATES A RIGHT OF WAY FOR DITCHES AND CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES ACT OF AUGUST 30, 1890 (26 STAT, 39; 43 U.S.C. 945) AS RESERVED IN PATENT RECORDED IN BOOK 379 PAGE 485.**

**19. EASEMENT TO U.S. WEST COMMUNICATIONS, INC. RECORDED JULY 26, 1994 IN BOOK 26M PAGE 16.**

**20. MASTER LAND USE ON MAP FILED DECEMBER 17, 1997 AS MAP NO. 405.**

**21. RESOLUTION 99-19-A, A RESOLUTION APPROVING THE PLAT OF CUCHARA MOUNTAIN PARK**

- ESTATES, PANADERO SUBDIVISION FILING NO. 4, FILED AUGUST 4, 1999 AT RECEPTION NO. 340420.**
- 22. NOTES, RESTRICTIONS AND EASEMENTS AS SHOWN ON PLAT OF CUCHARA MOUNTAIN PARK ESTATES (PANADERO DEVELOPMENT FILING NO. 4) AND PANADERO DEVELOPMENT FILING 4A AS FILED AUGUST 2, 1999 AT RECEPTION NO. 340387, MAP NO. 425.**
- 23. PERPETUAL EASEMENT FOR UTILITIES CUCHARA PARTNERS, LTD ETAL FILED JANUARY 9, 2002 AT RECEPTION NO. 352165 FOR PANADERO FILING NO. 3.**
- 24. EASEMENT TO THE CUCHARAS SANITATION AND WATER DISTRICT RECORDED SEPTEMBER 13, 2004 AT RECEPTION NO. 364883.**
- 25. TERMS AND CONDITIONS OF THE SETTLEMENT AGREEMENT WITH THE CUCHARAS SANITATION AND WATER DISTRICT RECORDED SEPTEMBER 14, 2004 AT RECEPTION NO. 364899.**
- 26. RECEPTION OF USE OF PROPERTY FOR RECREATIONAL PURPOSES ONLY AS SHOWN IN DEED RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340385 AS TO LOTS L-2 AND L-3.**
- 27. PERPETUAL EASEMENT RECORDED ON SPECIAL WARRANTY DEED FROM SKI CUCHARA, L.P., A TEXAS LIMITED PARTNERSHIP AND CUCHARA PARTNERS, LTD, RECORDED JULY 16, 1997 AT RECEPTION NO. 329792.**



**EXHIBIT A**

(to Bargain and Sale Deed)

**LEGAL DESCRIPTION OF PROPERTY**

TRACTS L-2 AND L-3, CUCHARA MOUNTAIN PARK ESTATES (PANADERO DEVELOPMENT, FILING NO. 4), RECORDED MAP NO. 425, RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340387, ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.





Sky Tallman <stallman@huerfano.us>

---

## JJH Property 3 LLC, new density spreadsheet attached

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Jon Hotaling <jon@libertyservice.group>  
To: Sky Tallman <stallman@huerfano.us>, BH2 Land Surveying <BH2@ghvalley.net>

Thu, Dec 15, 2022 at 4:36 PM

Hi Sky,

Thanks for talking to me today. FYI, I spoke to the assessor and she said she was not aware of the BOCC's new mill levy rate. Nevertheless, she answered all my questions about current and future property tax calculations. Thank you.

Per our previous Planning Commission meeting and in preparation of our next meeting on Dec 22, attached is the spreadsheet of our new requested densities which were derived based on acreage percent of the total and the new total density of 240 (down from current 260 multi family residential).

Our current proposed map has 6 proposed "Parcels" so as to satisfy the county's requirement for an amendment that does not "significantly" increase the total number of lots. If possible, we would prefer 8 total lots (derived from our 5 "Tracts" not lots, via MAP 425) and would ask that the 3 additional "Parcels" not be considered a significant increase.

To accomplish this we would split proposed parcels A and B into 3, 2.15 acre lots, and split proposed Parcel F roughly in half. Parcel E to be used as county park / ski area, would not change under any of the scenarios, fyi

Thank you for your help Sky and for letting us know if you need anything else before Dec 22.

Best,

Jon Hotaling

--  
*Liberty Service Group*  
C: (303) 725-7550  
W: (202) 630-3629

---

**Proposed new multi family residential densities for JJH Property 3, LLC map amendment.xlsx**  
19K

Current Proposed Option 1 - 6 Lots	New density 1	Option 2 - 7 Lots
A - 3.67 acres	35	A - 2.15 acres
B - 2.78 acres	26	B - 2.15 acres
C - 2.23 acres	21	C - 2.15 acres
D - 2.25 acres	21	D - 2.23 acres
E - 6.06 acres	57	E - 2.25 acres
F - 8.5 acres	80	F - 6.06 acres
		G - 8.5 acres
25.49	240	25.49

Reducing multi family residential density from current 260 (on 25.08 acres) to 240 (on 25.49 acres)

New density 2	Option 3 - 8 lots	New Density 3
20	A - 2.15 acres	20
20	B - 2.15 acres	20
20	C - 2.15 acres	20
22	D - 2.23 acres	22
21	E - 2.25 acres	21
57	F - 6.06 acres	57
80	G - 4 acres	38
	H - 4.5 acres	42
240	25.49	240

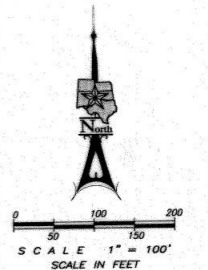
Lot	Acearage	Density in units
A	1.69	16
B	2	19
C	2.75	26
D	2.23	21
E	2.35	22
F	8.61	81
G	3.72	35
H	2.25	21
TOTAL	25.6	240

# CUCHARA MOUNTAIN PARK ESTATES

## PANADERO DEVELOPMENT FILING NO. 4

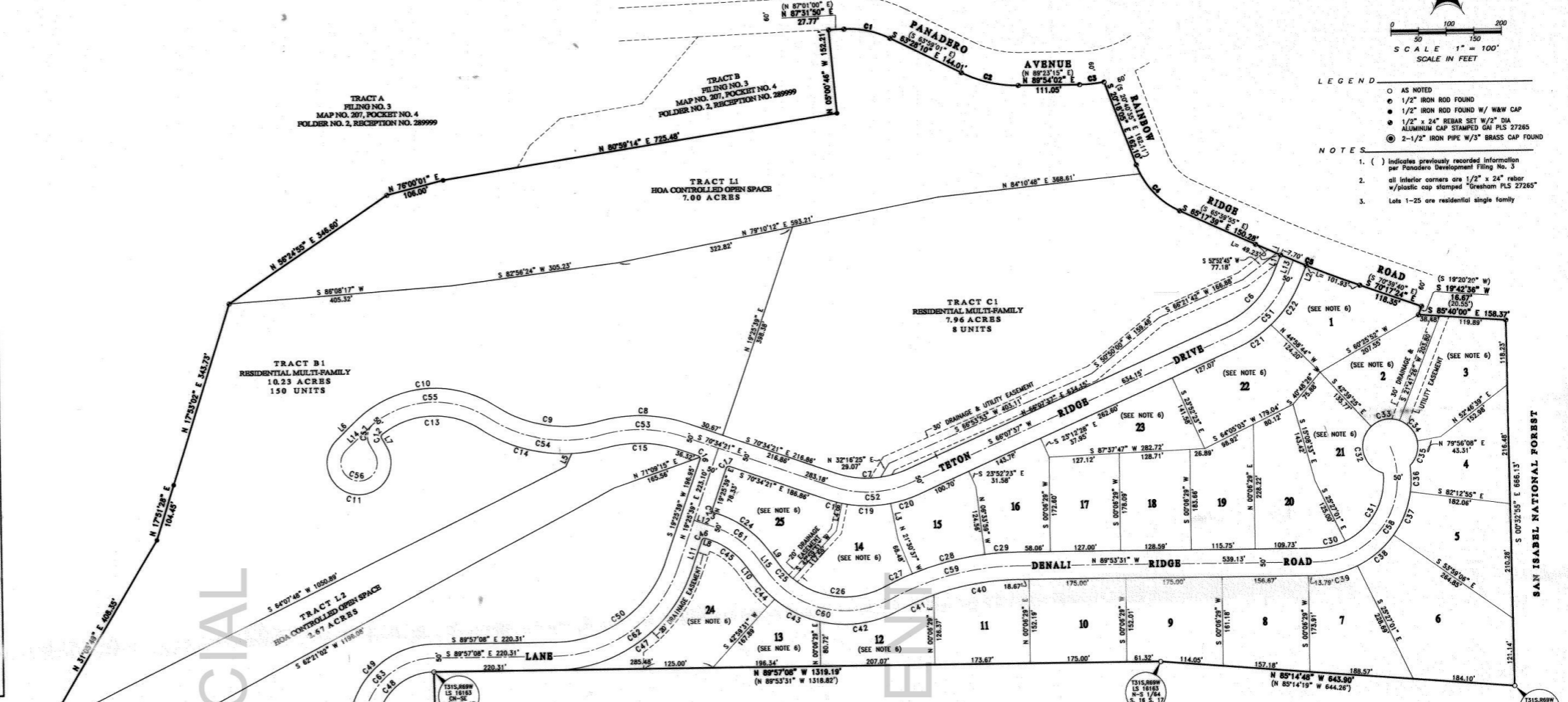
### A PLANNED UNIT DEVELOPMENT

BEING A REPLAT OF A PORTION OF PANADERO DEVELOPMENT FILING NO. 3 AND AN UNPLATTED PORTION OF THE N.W. 1/4 AND THE S.W. 1/4, SECTION 16, AND THE N.E. 1/4 AND THE S.E. 1/4 OF SECTION 17, HUERFANO COUNTY, COLORADO  
SHEET 2 OF 2



- LEGEND**
- AS NOTED
  - 1/2" IRON ROD FOUND
  - 1/2" IRON ROD FOUND W/ W&W CAP
  - 1/2" x 24" REBAR SET W/ 2" DIA ALUMINUM CAP STAMPED G&P L/S 27265
  - 2-1/2" IRON PIPE W/ 3" BRASS CAP FOUND
- NOTES**
- ( ) Indicates previously recorded information per Panadero Development Filing No. 3
  - All interior corners are 1/2" x 24" rebar w/ plastic cap stamped "Gresham PLS 27265"
  - Lots 1-25 are residential single family

NUMBER	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	29°07'00"	170.00	86.54	43.86	S 77°58'10" E	85.13
C2	28°37'48"	230.00	106.90	54.43	S 76°47'05" E	105.94
C3	11°07'02"	230.00	44.83	22.38	N 84°20'31" E	44.36
C4	44°59'21"	150.00	117.76	62.12	S 45°47'50" E	114.78
C5	04°58'45"	2350.00	283.15	151.65	S 87°47'31" E	205.10
C6	43°38'16"	175.00	133.18	70.00	N 44°19'30" E	128.99
C7	43°18'02"	175.00	132.25	69.46	N 87°48'38" E	128.13
C8	34°33'53"	275.00	166.06	85.65	N 87°52'17" W	163.55
C9	48°52'06"	225.00	151.51	102.33	S 80°44'11" E	166.14
C10	77°44'36"	205.00	278.16	165.25	S 84°48'33" W	257.31
C11	25°42'23"	58.00	257.48	76.47	S 81°13'29" E	92.42
C12	81°32'23"	5.00	7.12	4.31	S 11°38'54" W	6.53
C13	71°16'48"	155.00	192.83	111.15	S 80°03'29" W	180.63
C14	48°52'06"	275.00	234.55	124.94	S 80°44'11" E	227.51
C15	34°33'53"	225.00	135.87	70.08	N 87°52'17" W	133.81
C16	90°00'00"	5.00	7.85	5.00	N 29°34'21" W	7.07
C17	90°00'00"	5.00	7.85	5.00	S 64°25'39" W	7.07
C18	07°09'50"	225.00	28.13	14.08	S 74°09'16" E	28.11
C19	22°38'51"	225.00	88.84	45.06	S 89°03'56" E	88.36
C20	13°29'21"	225.00	52.97	26.61	N 72°52'18" E	52.85
C21	19°39'58"	225.00	77.23	39.00	N 86°17'40" E	76.80
C22	33°56'20"	225.00	84.01	47.70	N 84°29'32" E	83.33
C23	82°28'23"	5.00	8.07	5.22	S 20°48'33" E	7.32
C24	37°03'48"	185.00	119.67	62.01	N 54°30'51" W	117.60
C25	14°15'51"	150.00	37.26	18.72	S 43°05'53" E	37.16
C26	67°23'54"	150.00	178.54	108.10	S 83°59'46" E	168.52
C27	06°08'06"	525.00	56.21	28.13	S 69°25'20" W	56.19
C28	14°58'38"	525.00	136.93	68.86	S 75°57'42" W	136.54
C29	06°40'28"	525.00	81.16	30.61	S 88°46'15" W	81.12
C30	28°53'50"	125.00	55.76	28.35	N 71°14'4" E	55.30
C31	89°39'01"	125.00	151.95	86.96	N 29°43'28" E	142.77
C32	121°40'53"	50.00	106.19	89.61	S 13°29'51" E	87.33
C33	63°22'52"	50.00	55.31	30.87	S 79°02'01" W	52.35
C34	59°12'41"	50.00	51.87	28.41	N 89°41'18" W	48.40
C35	33°03'42"	50.00	48.00	26.06	N 17°27'58" E	46.22
C36	19°58'07"	175.00	47.76	24.03	N 00°01'58" W	47.61
C37	28°13'48"	175.00	86.22	44.01	N 21°54'00" E	85.35
C38	28°52'05"	175.00	87.15	44.50	N 80°15'50" E	86.26
C39	29°53'20"	175.00	78.86	39.89	N 77°19'44" E	77.42
C40	19°02'43"	475.00	157.89	79.68	S 80°53'07" W	157.17
C41	08°42'29"	475.00	72.19	36.17	S 88°42'32" W	72.12
C42	41°53'55"	200.00	145.09	75.90	N 83°08'15" E	141.83
C43	28°40'06"	200.00	53.09	47.40	S 62°41'42" E	92.25
C44	13°25'44"	200.00	46.88	23.55	S 42°41'50" E	46.77
C45	34°33'53"	155.00	81.50	42.03	N 53°18'39" W	80.27
C46	90°00'00"	5.00	7.85	5.00	S 64°25'39" W	7.07
C47	70°37'13"	285.00	336.63	187.70	N 54°41'18" E	309.34
C48	90°34'18"	156.60	247.55	158.17	N 44°45'44" E	222.97
C49	70°37'13"	215.00	285.00	152.29	N 54°41'18" E	248.54
C50	43°38'16"	200.00	152.21	80.00	N 44°19'30" E	146.56
C51	43°18'02"	200.00	151.15	79.39	N 87°48'38" E	147.58
C52	34°33'53"	250.00	150.96	77.86	N 87°52'17" W	148.88
C53	48°52'06"	250.00	213.23	113.58	S 80°44'11" E	206.82
C54	71°16'48"	180.00	223.63	128.83	S 80°03'29" W	209.52
C55	29°25'11"	33.00	148.42	39.73	S 78°41'55" E	50.77
C56	80°55'00"	30.00	42.37	25.58	S 12°03'20" W	38.93
C57	11°32'23"	150.00	298.81	228.24	N 33°29'14" E	250.71
C58	27°45'12"	500.00	242.19	123.53	S 78°19'51" W	239.85
C59	31°08'46"	175.00	749.42	161.22	S 78°48'50" E	228.84
C60	34°33'53"	160.00	96.59	49.62	N 53°18'39" W	95.13
C61	70°37'13"	240.00	295.81	169.89	N 54°41'18" E	277.44
C62	90°34'18"	131.60	208.03	132.92	S 44°45'44" W	187.04



NUMBER	DIRECTION	DISTANCE
L1	S 22°51'22" W	33.31'
L2	S 22°51'22" W	52.99'
L3	N 10°23'01" W	66.80'
L4	S 12°15'48" W	51.90'
L5	N 29°13'10" E	25.92'
L6	N 49°57'13" E	48.85'
L7	S 29°07'17" E	19.54'
L8	S 70°54'21" E	6.20'
L9	S 35°58'58" E	34.23'
L10	S 35°58'58" E	34.23'
L11	N 17°25'39" E	58.80'
L12	S 70°54'21" E	38.20'
L13	S 22°51'22" W	33.02'
L14	N 48°51'29" E	66.51'
L15	S 35°58'58" E	34.23'

**TRACT A**  
FILING NO. 3  
MAP NO. 207, POCKET NO. 4  
FOLDER NO. 2, RECEPTION NO. 289999

**TRACT B1**  
RESIDENTIAL MULTI-FAMILY  
18.25 ACRES  
150 UNITS

**TRACT B2**  
RESIDENTIAL MULTI-FAMILY  
7.86 ACRES  
80 UNITS

**TRACT B3**  
RESIDENTIAL MULTI-FAMILY  
2.46 ACRES  
30 UNITS

**TRACT L1**  
HOA CONTROLLED OPEN SPACE  
7.00 ACRES

**TRACT L2**  
HOA CONTROLLED OPEN SPACE  
2.67 ACRES

**TRACT L3**  
HOA CONTROLLED OPEN SPACE  
1.45 ACRES

**POINT OF BEGINNING**  
S.E. 1/4 CORNER  
OF SECTION 17

**SAN ISABEL NATIONAL FOREST**

**BASE OF BEARING ESTABLISHED BY GLOBAL POSITIONING SYSTEM**

U.S.D.  
1315.0899  
CS 1/16  
17  
B.L.M.

**GRESHAM & ASSOCIATES, INC.**  
SURVEYING & MAPPING  
Registered Professional Land Surveyors  
Colorado, Kansas, New Mexico, Oklahoma, Texas, UT

7342 S. Allen Way, Suite B www.greshaminc.com Denver, Colorado 801  
Phone: (303) 741-2283, 1-800-338-7744 Fax: (303) 741-2279

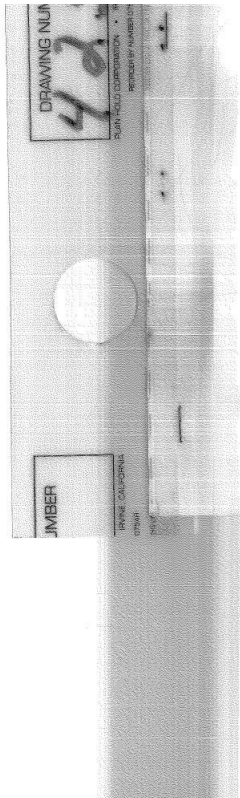
Project Description: Panadero Development Filing No. 4  
Project No. Client Huerfano County  
90-08-084P Cuchara Partnership LTD. Colorado

346387 08/02/1999 82:18P RHP Judy Benine  
2 of 3 R 30.00 D 0.00 Huerfano Co.

DRAWING NUMBER  
425

DRAWING NUMBER  
425

DRAWING NUMBER  
425



Item 6a.

WARRANTY DEED

CUCHARA PARTNERS, LTD., ("Grantor"), whose mailing address is 946 Panadero Avenue, Cuchara, Colorado 81055, for consideration of ten (\$10.00) Dollars and other good and valuable consideration, in hand paid, hereby sells and conveys to CUCHARA MOUNTAIN PARK ESTATES MASTER HOMEOWNERS ASSOCIATION, ("Grantee") whose address is 946 Panadero Ave., Cuchara, Colorado 81055. the following real property, to remain common area open space in perpetuity and this dedication shall run with the land, in the County of Huerfano, State of Colorado, to-wit:

Tracts L1, L2 and L3, Filing No. 4, Panadero Subdivision, Huerfano County, Colorado

with all its appurtenances, and warrants the title to the same, subject to any easements, restrictions, reservations, rights of way or covenants of record, if any, recorded in the records of the Huerfano County Clerk and Recorder.

The Grantor hereby stipulates the land described herein shall remain recreational open space in perpetuity, and left in its natural state "as is" without alteration or modification by structures or buildings. That the Grantee and its successors or assigns shall maintain this property in such state forever. That the Grantee and its successors or assigns agrees not to transfer, sell or otherwise dispose of the property except to a successor or related homeowners association or to a master homeowners association which may incorporate Grantee or its successors and assigns within it. That the property may be subject to easements for recreational use such as the building of trails for cross country skiing, hiking, biking or other park like uses of this property. The construction and operation of ski lift facilities shall be permitted. That no camping, motorized vehicles except for snow grooming and maintenance machinery be permitted on the property. That only owners, tenants, and guests of Grantee or Cuchara Mountain Resort may have access to the property for the use described herein and in accordance with the Declaration of Covenants on file for Cuchara Mountain Park Estates, Huerfano County, Colorado. These listed restrictions and conditions shall run with the land and be perpetual in nature. Further Huerfano County shall have the unilateral right to take by any lawful means actions to enforce these perpetual conditions which run with the land.

Signed this 22 day of July, 1999.

GRANTOR:  
CUCHARA PARTNERS, LTD.

By: Lawrence Smith

STATE OF New Mexico }  
COUNTY OF Bernalillo } ss.

The foregoing instrument was acknowledged before me this 22 day of July, 1999, by Lawrence Smith.

Witness my hand and official seal.

Notary Public





**Cuchara Mountain Park Estates - L2 and L3 deed restrictions termination**

Jon Hotaling <[redacted]>  
To: Sky Tallman <stallman@huerfano.us>, Lisa Powell-DeJong <lisa@huerfano.us>, BH2 Land Surveying [redacted] Mon, Nov 28, 2022 at 11:40 AM

Hi Sky and Lisa,

Below and attached, please see the title attorney's clarification. Please let me know if you need anything else.

Best,

Jon Hotaling  
[redacted]

----- Forwarded message -----  
From: **Perlstein, Janet E.** <[redacted].com>  
Date: Mon, Nov 28, 2022 at 10:38 AM  
Subject: FW: [EXT] HOA papers for Cuchara Mountain Park Estates?  
To: Jon Hotaling <[redacted]up>  
Cc: Bohara, Stephen F. <[redacted]m>

Jon,

The deed restrictions were granted to the Cuchara Mountain Park Estates Master Homeowners Association ("HOA"). The Declaration of Covenants Conditions and Restrictions for the HOA was terminated pursuant to the attached termination document, after such termination was voted on by the requisite percentage of owners at a duly called meeting of the owners association. At that same meeting, you were appointed as the president of the HOA and were delegated the authority to file all documents necessary to effect the resolutions adopted at the HOA meeting. As part of the termination, the owners agreed to relinquish any interest in the deed restrictions. In following the resolutions adopted by the owners at the meeting of the HOA, the HOA conveyed the deed restricted property to you and Jennifer pursuant to the attached Bargain and Sale Deed, relinquishing all rights title and interest of the HOA in and to the deed restrictions. Since the deed restrictions were relinquished by the HOA, which was the party holding the interest therein, the deed restrictions no longer exist and are of no further force or effect. Please let me know if you need any additional information.

**Janet Perlstein**  
Partner  
**Fox Rothschild LLP**  
1225 17th St.  
Suite 2200  
Denver, CO 80202  
[redacted] direct  
[redacted] - cell  
[redacted] - fax  
[redacted].com  
[www.foxrothschild.com](http://www.foxrothschild.com)

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

--  
*Liberty Service Group*  
[redacted]

**2 attachments**

- 112251363\_1\_TERMINATION OF CCRS FOR CUCHARA MOUNTAIN PARK ESTATES MASTER HOA RECORDED JULY 13, 2020, HUERFANO COUNTY, CO-C1-C.PDF**  
238K
- 112251440\_1\_BARGAIN AND SALE DEED - CUCHARA MOUNTAIN PARK ESTATES MASTER HOA TO JONATHAN AND JENNIFER HOTALING - RECORDED JULY 13, 2020, HUERFANO COUNTY, CO-C2-C-C.PDF**  
73K





### Cuchara Mountain Park Estates - L2 and L3 deed restrictions termination

Jon Hotaling <[redacted]>

Mon, Nov 28, 2022 at 12:01 PM

To: Sky Tallman <stallman@huerfano.us>, Lisa Powell-DeJong <lisa@huerfano.us>, BH2 Land Surveying <[redacted]>

Also, fyi, to your question about asking if the HOA had the right to relinquish the restrictions, Janet wrote:

No, the county does not have a point. All easements are granted in perpetuity, unless they specifically state that they are limited to a particular period of time. That does not prohibit the beneficiary of the easement from relinquishing its interest, and by doing so, extinguishing the easement, as occurred in this situation. The HOA is the beneficiary of the deed restriction. The HOA, as the beneficiary of the deed restriction, by vote of the requisite percentage of owners, resolved to relinquish any interest in the deed restriction (which relinquishment occurred both in the termination of Declaration of Covenants, Conditions and Restrictions and also in the Bargain and Sale deed, which conveyed any interest owned by the HOA in the deed restricted property to you and Jennifer) and to dissolve the HOA (which dissolution occurred on July 20, 2020). Let me know if you have any other questions.

**Janet Perlstein**  
Partner  
**Fox Rothschild LLP**  
1225 17th St.  
Suite 2200  
Denver, CO 80202

[redacted] direct

[redacted] cell

[redacted] fax

[redacted]schild.com

[www.foxrothschild.com](http://www.foxrothschild.com)

[Quoted text hidden]



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## Cuchara Mountain Park Estates - L2 and L3 deed restrictions termination

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Sky Tallman <stallman@huerfano.us>

Thu, Dec 1, 2022 at 1:30 PM

To: Jon Hotaling <j[REDACTED]@huerfano.us>

Cc: Lisa Powell-DeJong <lisa@huerfano.us>, BH2 Land Surveying <[REDACTED]>

Jon,  
I have discussed this with the County Attorney and have two outstanding concerns which do not appear to be addressed in the response above:

1. The deed restrictions grant use to owners, tenants, and guests of grantee or Cuchara Mountain Resort. Cuchara Mountain Resort refers to the Panadero subdivision, not just to the members of the Cuchara Mountain Park Master Homeowners Association, therefore the restrictions apply to more than just the grantee.
2. Section 2.02.11 of our Land Use Code requires BOCC action to remove deed restrictions. It reads: *The type of dedication, reservation or conveyance required in a given case shall be determined by the Board of County Commissioners in consultation with the Planning Commission, depending on the proposed size, use(s) and other characteristics of the subdivision. A reservation or dedication of areas for the use of owners or users of lots within the subdivision may be acceptable. Such areas shall be restricted to their intended use by plats, deed restrictions and/or recorded covenants which run with the land in favor of the future owners of property within the subdivision and which cannot be defeated or eliminated without the consent of the Board of County Commissioners. In the event of a reservation or dedication for the use of owners of lots within a subdivision, the applicant shall provide for the creation of a homeowners' association or similar organization with powers of assessment for maintenance, improvements and upkeep of such areas and the provisions contained within the homeowners' association bylaws or similar governing document shall receive approval from the Board of County Commissioners prior to acceptance of a final plat.*

Sincerely,  
[Quoted text hidden]  
[Quoted text hidden]



**Cuchara Mountain Park Estates - L2 and L3 deed restrictions termination**

Jon Hotaling <[redacted]>

Mon, Dec 5, 2022 at 12:15 PM

To: Sky Tallman <stallman@huerfano.us>

Cc: Lisa Powell-DeJong <lisa@huerfano.us>, BH2 Land Surveying <[redacted]>

Hi Sky and Lisa,

Below is our attorney's response to your previous inquiry. The language of the documents appear to be straightforward and clear. If you or the BOCC are still unsure, please let me know if you have any additional questions or concerns that I/we can address....

Via Scott Ross:

The deed restriction set forth in the July 22, 1999 Warranty Deed grants access to the property for use to only the owners, tenants and guests of Grantee or Cuchara Mountain Resort. However, the deed restriction further provides that these owners, tenants, and guests may have access in accordance with the Declaration of Covenants on file for Cuchara Mountain Park Estates. The Declaration of Covenants for Cuchara Mountain Park Estates was terminated on July 13, 2020 by a Termination recorded at Reception No. 419220. Therefore, access for use of the property cannot occur in accordance with the Declaration of Covenants. Since the basis for having access has terminated, access is no longer available to such owners, tenants and guests, and their rights have effectively terminated.

Additionally, there are no owners, tenants or guests of Grantee or Cuchara Mountain Resort because neither Grantee or Cuchara Mountain Resort are entities that remain in existence. The Grantee under the Deed, the Cuchara Mountain Park Estates Master Homeowners Association, was dissolved in 2020. Further, in connection with the termination of the Declaration of Covenants and dissolution of the Master Homeowners Association, the members/owners of the Cuchara Mountain Park Estates Master Homeowners Association relinquished their rights under the Deed and that relinquishment is binding on the owners, tenants and guests of the Master Homeowners Association. Accordingly, the owners, tenants or guests of Cuchara Mountain Park Estates Master Homeowners Association have no rights under the Deed.

As for the owners, tenants, and guests of Cuchara Mountain Resort, the County asserts that Cuchara Mountain Resort refers to the Panadero subdivision but offers no explanation for this assertion. Cuchara Mountain Resort more likely appears to be a reference to a business entity, which business entity is now defunct. In that case, there would not be any owners, tenants or guests of the defunct entity. However, regardless of the status of the owners, tenants or guests of Grantee or Cuchara Mountain Resort, their rights for access for use of the property have terminated because the Declaration of Covenants which provided the basis for having access has been terminated.

As a practical matter, the rights have either been relinquished or terminated and to the extent that Section 2.02.11 of the County's Land Use Code requires BOCC action to remove deed restrictions, the removal of the 1999 deed restrictions by consent of the BOCC should be included as part of the land use application, review and approval.

Best regards,

**Scott Ross**  
Partner  
**Fox Rothschild LLP**  
1225 17th St.  
Suite 2200  
Denver, CO 80202  
(303) 733-7007 direct  
[redacted] fax

[Quoted text hidden]



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## Cuchara Mountain Park Estates - L2 and L3 deed restrictions termination

---

Jon Hotaling <[REDACTED]>

Mon, Dec 5, 2022 at 12:25 PM

To: Sky Tallman <stallman@huerfano.us>

Cc: Lisa Powell-DeJong <lisa@huerfano.us>, BH2 Land Surveying <[REDACTED]>

From Janet, FYI....

"The county may be trying to argue that, based on its regulations, there is a public right of access that cannot be terminated without the board's consent. However, that is not what the documents say. Scott's explanation should be persuasive to cause the county board to agree to vacate the easements, but there is no guaranty that the board will agree. Please let us know if they raise any other arguments."

[Quoted text hidden]



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## Plat Amendment Deed Restrictions

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Sky Tallman <stallman@huerfano.us>

Tue, Nov 22, 2022 at 2:03 PM

To: BH2 Land Surveying <[redacted]> Jon Hotaling <[redacted]>  
Cc: Lisa Powell-DeJong <lisa@huerfano.us>

Bill and Jonathan,

I would like to let you know that your application for vacation and plat amendment are on the Planning Commission agenda for Dec. 8 at 1:30. In reviewing the application for the plat amendment, I have found that there are deed restrictions on lots L2 and L3 that have not been addressed. You may want to seek legal counsel on how to address these restrictions. Please see the deed attached.

Sincerely,

--  
Sky Tallman, AICP  
Huerfano County Land Use Director  
o: 719-738-1220 ext. 108  
c: 719-890-0047

---

**1999 Warranty Deed L1 L2 L3 open space.pdf**  
308K

**Subject:** Cuchara Mountain Park Estates  
**From:** Gary Place <gary@wstexas.com>  
**Date:** 9/26/2022, 3:39 PM  
**To:** stallman@huerfano.us

Sky -

I spoke with you last week in regards to my concerns about the plans of Jon Hoteling.

I own Lots 24 and 13.

I have attached a document with drawing to help explain the situation.

Please let me know if you have any questions or concerns.

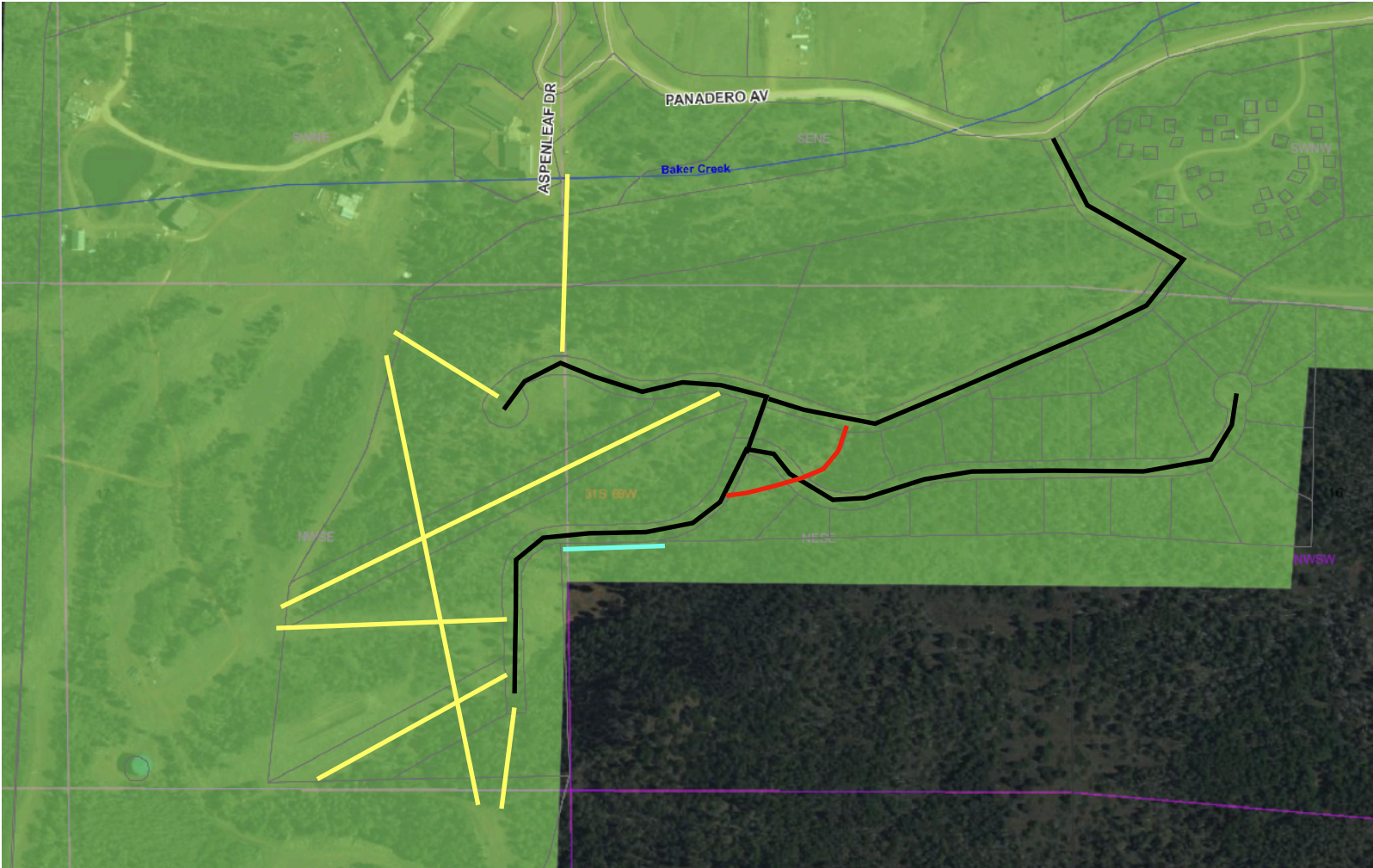
Thanks,  
Gary Place  
214-876-7572

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— Attachments: —

Cuchara MTN park.pdf

5.4 MB



Black Line - Roads as originally plated.

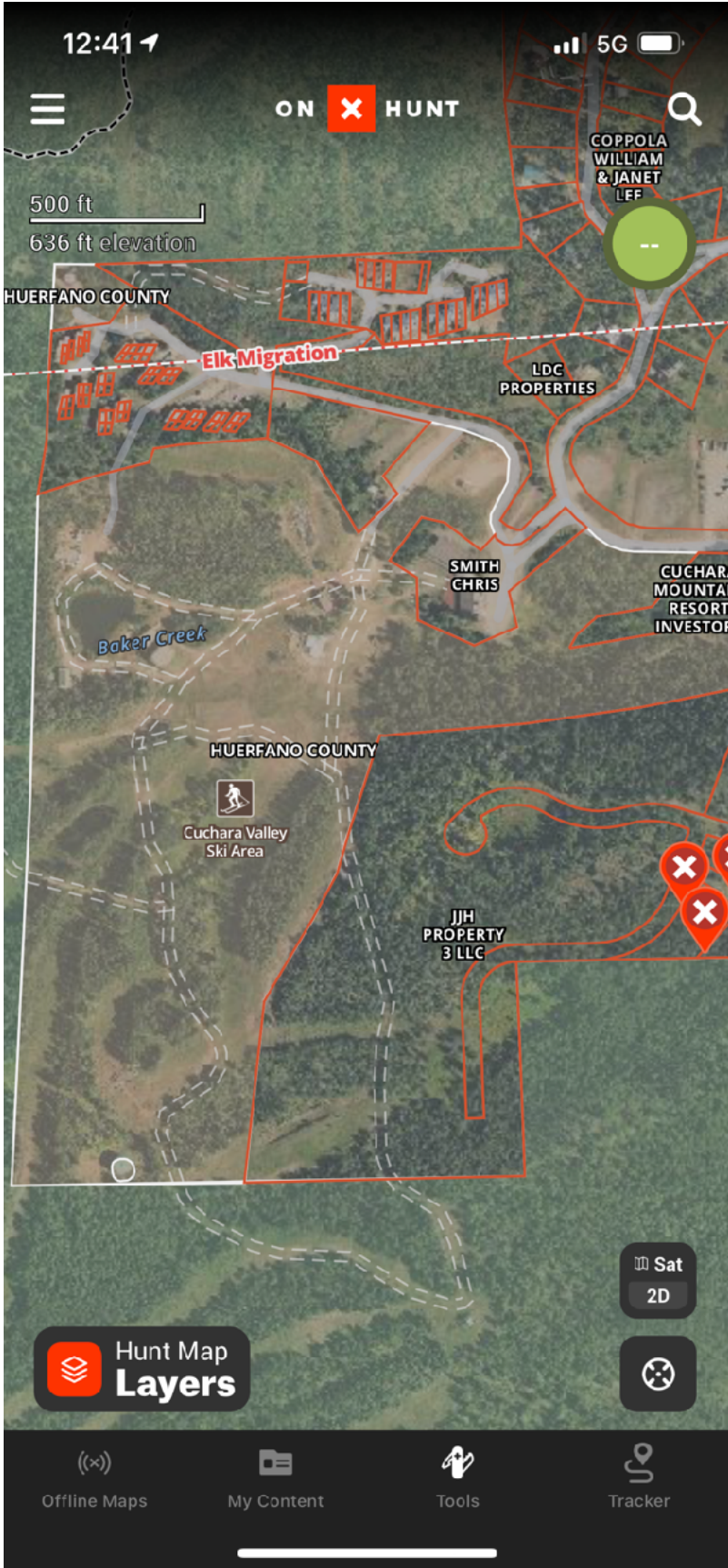
Red Line - Existing easement through lots 24 and 25 (the existing trail) We would like removed once the road are completed as plated.

Blue Line - The original plated public access to the national forest. We would like kept in place.

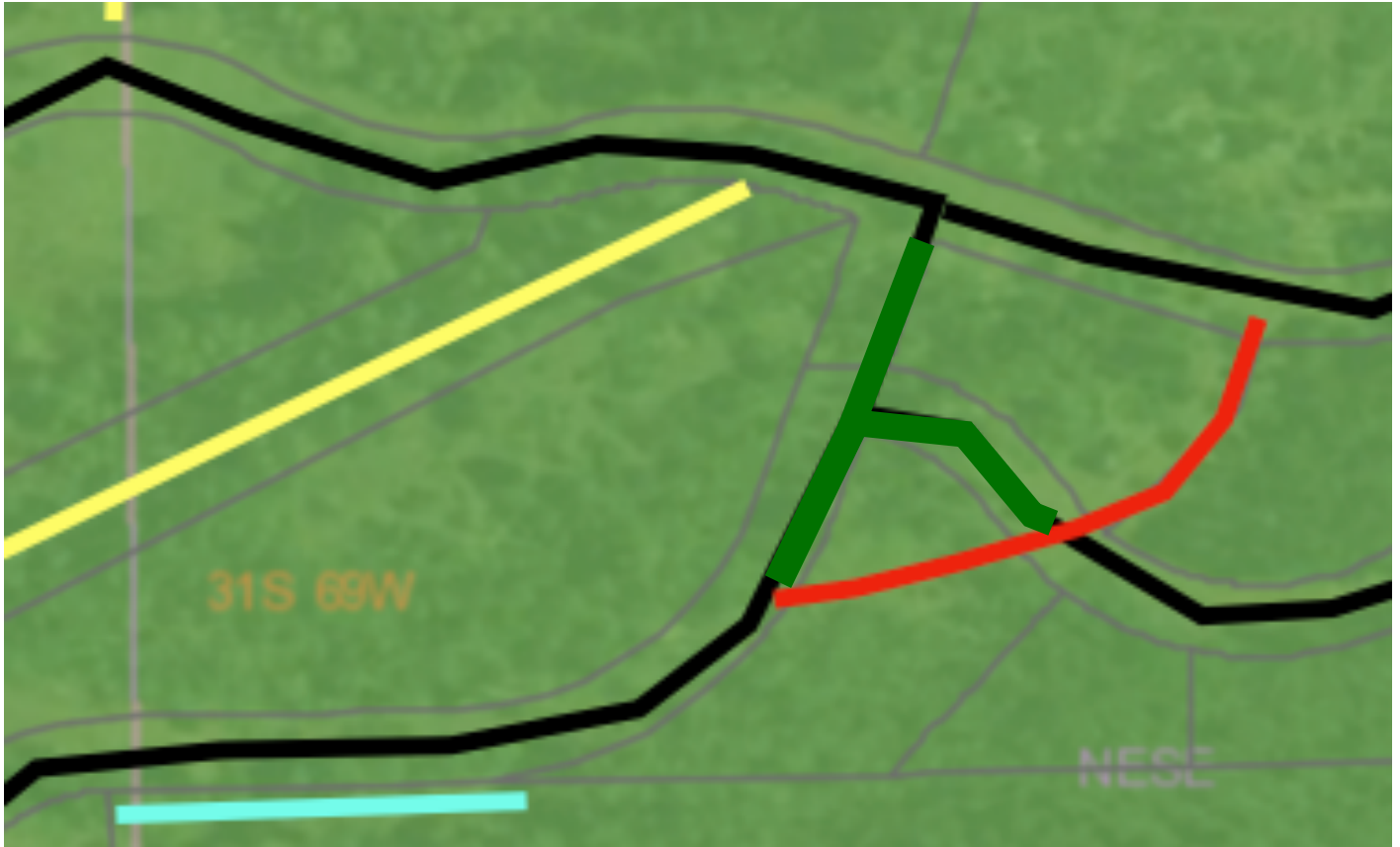
Yellow Lines - Proposed easement options for access to Cuchara Mountain Park. The original plat shows 'HOA controlled open space'. We were told there is not longer an HOA. Not sure if this plated 'open space' or any existing utility easements could be used (negotiated for) for access.

If possible, we would like to see at least one avenue of access to Cuchara Mountain Park remain.

We believe The County should negotiate access to Cuchara Mountain Park for Cuchara Mountain Park Estates, in exchange for Jon taking the existing plated county roads and/or allowing him to alter the subdivision as plated.



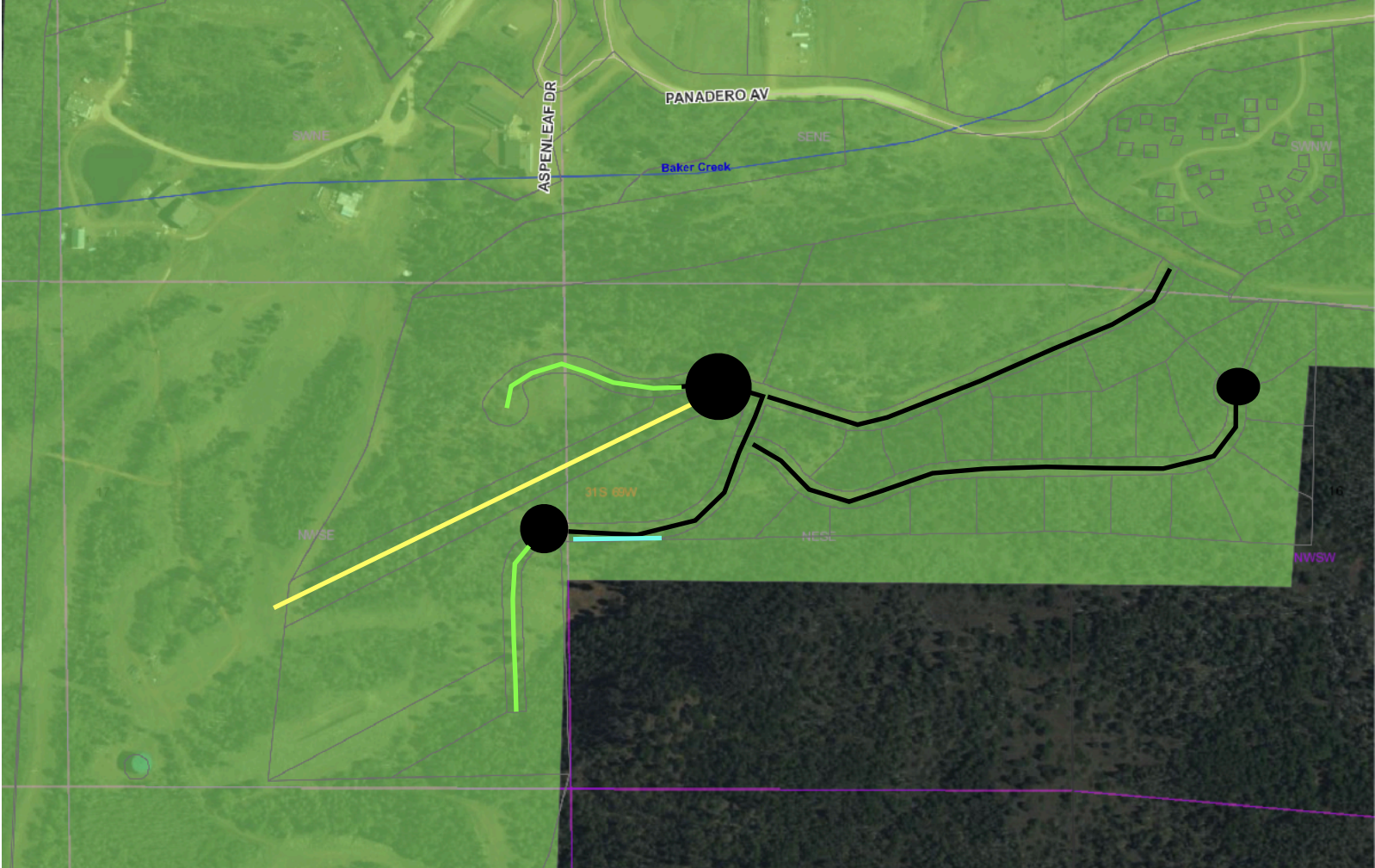




The portion of the plated road indicated in dark green is not completed. Thus the need for the access easement indicated in red.

Once the roads (dark green) are completed, we would like to have the easement through our properties removed, for it will not be necessary.

We suggest that if Jon wants to alter the original plat. At the very least, the county should negotiate for him to be responsible to complete the plated roads for his access as indicated by the dark green line.



We believe the county should negotiate access to Cuchara Mountain Park for Cuchara Mountain Park Estates, in exchange for the existing plated county roads (property) that Jon plans to take over ownership.

As indicated above: The county would give up the light green lines in exchange for the yellow line (or another agreed upon access for Cuchara Mountain Estates).

There are at least 25 other properties in this subdivision that would benefit from an easement through Jon's property to access Cuchara Mountain Park.

**Subject:** Re: Cuchara Mountain Park Estates -  
**From:** Seb Delson <dasein211@yahoo.com>  
**Date:** 9/30/2022, 5:51 AM  
**To:** Gary Place <gary@wstexas.com>, stallman@huerfano.us

I'm in agreement with bringing roads into original plat as well.  
-Severo DeLeon IV

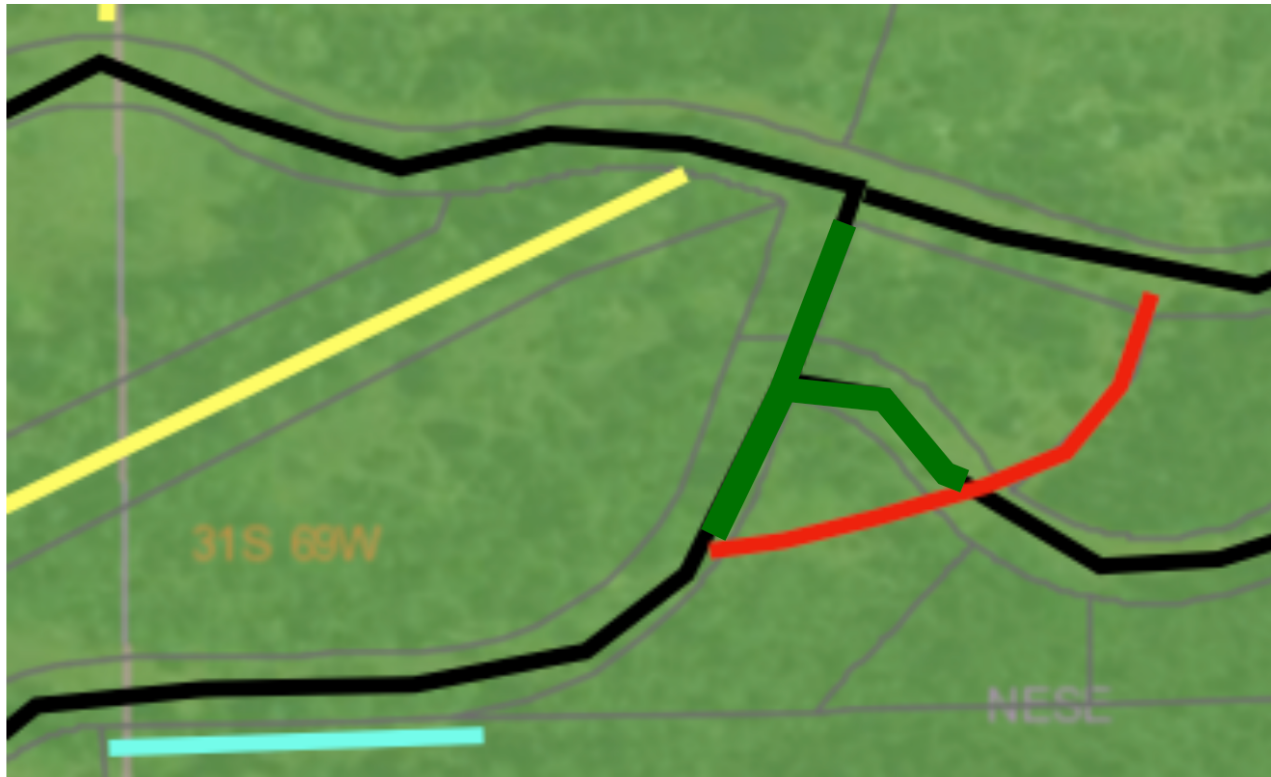
Sent from my iPhone

On Sep 27, 2022, at 1:56 PM, Gary Place <gary@wstexas.com> wrote:

— Screen Shot 2022-09-24 at 1.44.43 PM.png —



— Screen Shot 2022-09-27 at 2.46.24 PM.png —

Cuchara Mountain Park Estates

The portion of the plated road indicated in dark green is not completed. Thus the need for the access easement indicated in red.

Once the roads (dark green) are completed, we would like to have the easement through our properties removed, for it will not be necessary.

We suggest that if Jon wants to alter the original plat. At the very least, the county should negotiate for him to be responsible to complete the plated roads for his access as indicated by the dark green line.

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**Attachments:**

Screen Shot 2022-09-24 at 1.44.43 PM.png	137 KB
Screen Shot 2022-09-27 at 2.46.24 PM.png	1.2 MB



Meeting Date 2/14/2023

**Staff Report**  
**CUP 17-001 and Variance 20-011**

**History:**

On March 23, 2022 a Code Enforcement Letter was sent out to Owner of Monte Fiore Nicholas Perrino for being in violation of CUP 17-001 and Variance 20-011 for the following issues:

1. Failure to report excise taxes of any by the 20<sup>th</sup> of every month.
2. Two separate instances of Non-sufficient funds.
3. Filing an amendment to the existing CUP 17-001 of the change of ownership from a partnership to a sole proprietorship.

This went before the Planning Commission on March 24, 2022. At that meeting the Planning Commission made a recommendation to begin the process of revoking CUP 17-001 to the Huerfano County Board of County Commissioners. At the BOCC Meeting on April 12<sup>th</sup>, 2022, the County Commissioners unanimously voted that Monte Fiore had until June 1<sup>st</sup> to come into complete compliance with the following conditions:

1. Property Taxes are paid up to date as well as any interest due.
2. Excise taxes are paid up to date along with all penalties.
3. Land Use application be filed with the Land Use department to amend the CUP to reflect the change of ownership.

As of April 20, 2022 Monte Fiore had come into compliance as was recommended by the BOCC.

**History of compliance issues:**

1. Monthly reporting of any/all sales need to be done and into Huerfano County Treasurer's office or Finance office no later than the 20<sup>th</sup> of each month. Monte Fiore did not do any reporting or pay any excise taxes for the months of June, July, or September of 2022. The reporting that was done in November was filed on the incorrect paperwork and Kim Trujillo our Finance officer reached out to Monte Fiore requesting the correct paperwork be submitted. As of today there has been no response to her email.
2. There has been no further movement on amending the CUP 17-001 from a partnership to a sole proprietorship, as it was supposed to go back to a partnership with different partners. An application from the new owners from MED was received in June 2022. In September 2022, Mr. Perrino and stated he was waiting on the transaction from interested parties for a new partnership.
3. It was brought to the attention of the Land Use office that at the Huerfano County tax lien sale on November 17<sup>th</sup>, 2022 that property that Monte Fiore operates on had a tax lien of \$90,872.66, which was paid by some other individual.
4. It was also brought to the Land Use Office that there is also a Federal tax lien against the property is the amount of \$417,262.87.

The case was sent to the information to the Planning Commission for review and recommendation.

Planning Commission Recommendation:

1. On December 8 the Planning Commission unanimously voted to recommend that the Huerfano County Board of County Commissioners begin the revocation of CUP 17-001 and Variance 20-011.

Board of County Commissioners Action:

1. On December 20<sup>th</sup>, 2023 a motion was made by Commissioner Galusha to give Monte Fiore until February 1, 2023, to come into complete compliance with Huerfano County or CUP 17-0001 and Variance 20-011. Roll call vote with Commissioners Galusha and Andreatta with a "YES" vote and Chairman Cisneros "NO". (See Attachment 1 BOCC Minutes 12-20-2022.)

Further Findings – February, 2023:

1. The amount paid each month does not reflect what was reported for that corresponding month (see attached spreadsheet from January 2022-November 2022). The difference between what was reported as owed and what was paid was -\$41795.99. (Please refer to Attachment 2 Monte Fiore YTD).
2. Resolution 18-06 governing the administration and enforcement of marijuana excise tax. Commercial marijuana cultivation establishments are to pay an excise tax of 5% of sales and submit Excise Tax and Reporting Forms by the 20<sup>th</sup> of each month. See attachment 3 Resolution on HC Marijuana Excise Tax.

Staff Report Update – February 2023:

1. On December 30<sup>th</sup>, 2022, a letter was sent out by the Huerfano County Land Use Office, both by email and certified letter with return receipt, notifying Monte Fiore of the January 31 deadline to come into compliance and outlining what needed to be done to come into compliance. (Please refer to attachment 4 Certified Letter and Attachments)
2. On January 3<sup>rd</sup>, 2023 a payment was made to the Las Animas-Huerfano Counties Health Department for the annual inspection fee of \$385.00 as well as \$75.00 in late payment fees. This was confirmed by Robin Sykes of the Las Animas-Huerfano Counties health department. (Please refer to Attachment 5 confirmation email from Health Department)
3. In November of 2022 Monte Fiore reported \$6,543.56 in excise tax due and paid \$533.08. (Please refer to Attachment 2 Monte Fiore YTD).
4. In December of 2022 Monte Fiore reported \$3,226.05 in excise tax due and had not made payment as of 2/9/2023. (Please refer to Attachment 2 Monte Fiore YTD).
5. The total excise tax due to Huerfano County to date with the compounded interest and missed/declined payments is \$62,550.25. (Please refer to Attachment 2 Monte Fiore YTD).
6. The required paperwork for December was due January 20<sup>th</sup>, 2023 and was received February 2nd, 2023 (Please refer to Attachment 6 email excise paperwork turned in)
7. On January 11<sup>th</sup> an email was sent to all of the active Grows with the attachment of Resolution 18-06. The email alerted recipients of the need to file paperwork by the 20<sup>th</sup> of each month regardless of whether any sales were made. (Please refer to Attachment 7 email sent to active grows)
8. On January 31, 2023 Huerfano County Code Enforcement conducted an inspection (Please refer to Attachment 8 Site inspection) of the property as was presented in the letter to come in to compliance. The

following were the findings (answers to questions were provided by the staff on site at the time of inspection). (Please refer to Attachment 8 Site Inspection)

- a. No plants were being grown on site.
  - b. All plants that were being grown on site, in the last inspection that was conducted by Huerfano County Code Enforcement have been destroyed and the employees claim there are records of this process, though none were presented.
  - c. They are only buying trim from other grows (no names were provided). This trim is having the liquid extracted from it and through a very sophisticated process turned into an oil that will be used for edibles and vapes.
  - d. They are in compliance with the 10,000 gallons of water as listed in their CUP 17-001. (Please refer to Attachment 9 CUP 17-001 Conditions).
9. Monte Fiore keeps recordings from video surveillance of all areas are backed up to September of 2021. (Please refer to Attachment 8 Site Inspection)

#### Staff Comments - February 2023:

1. Monte Fiore did not meet the deadline of February 01, 2023 set by the Board of County Commissioners. We received the paperwork for the excise taxes for December on February 03, 2023, for which we have yet to receive payment. (Please refer to Attachment 6 email excise paperwork)
2. There was no communication from anyone from Monte Fiore until Code Enforcement contacted Ennis Perinno, the Office Manager, to schedule an inspection of Monte Fiore. (Please refer to Attachment 2 Monte Fiore YTD)
3. On Friday February 10<sup>th</sup>, 2023, Ennis Perinno, the Office Manager, sent a proposal for a payment plan they would like to start. (Please refer to Attachment 10 Monte Fiore Proposal). This is not outlined in this report, but it should be noted that any such proposed payment plan would need BOCC approval since the deadline had been missed. .
4. If The Board of County Commissioners does approve a payment plan, the plan should be updated to reflect the current amount of 62,550.25 currently owed to Huerfano County for 2022.
5. If the Board of County Commissioners decides to approve the payment plan. If MED were to revoke any of Monte Fiore's Colorado State Licenses numbers (404-00623, 404R-00394, and 403R-01062), they would need to keep to the agreement of the payment plan and any future missed excise taxes until all money owed to Huerfano County is paid in full.
6. Going forward, any missed/late payments will have the maximum penalty 50% added to what is owed to the Huerfano County, as defined in Resolution 18-06 Section 6, number 3 on page 3 of the Resolution. (Please refer to Attachment 3 Resolution on HC Marijuana Excise Tax (1))
7. Staff recommends that any violations going forward be reported to the Colorado Marijuana Enforcement Division upon annual compliance review and license renewal.
8. Staff hours put into working on this case will be billed to Monte Fiore in accordance with Section 18.1.3 of the Huerfano County Marijuana Regulations, which read:

***Operating Fee Deposit.** At the time of application acceptance, each applicant must deposit a refundable operating fee deposit with the County in the amount of \$10,000 per Conditional Use Permit. This deposit shall be deposited and maintained in a separate account and drawn upon and used by the County to recover the County's costs and expenses in administering the Conditional Use Permit. Such costs and expenses may include, but shall not be limited to, County staff time, the procurement and maintenance of compliance tools and devices,*

*outside review agencies and professional services. Upon request, the County shall provide an annual statement to the applicant for each deposit provided by the applicant, reflecting the current balance of the deposit and the amounts and identified purpose(s) of any withdrawals since the last statement. Following the complete discontinuation, abandonment, revocation or transfer of a Conditional Use Permit, the County shall refund any unused amount of the deposit to the applicant with an accounting of its balance over time. Each applicant to assume responsibility for an existing Conditional Use Permit as a transferee must deposit a new refundable operating fee deposit with the County in the amount of \$10,000 per Conditional Use Permit.*

Attachments:

1. Attachment 1 BOCC Minutes 12-20-2022
2. Attachment 2 Monte Fiore YTD
3. Attachment 3 Resolution on HC Marijuana Excise Tax (1)
4. Attachment 4 Certified Letter and Attachments
5. Attachment 5 confirmation email from Health Department
6. Attachment 6 email excise paperwork turned in
7. Please refer to Attachment 7 email sent to active grows
8. Please refer to Attachment 8 Site Inspection
9. Please refer to Attachment 7 CUP 17-001 Conditions
10. Please refer to Attachment 10 Monte Fiore Proposal





Motion to approve the (CUP) Conditional Use Permit with Corrections and Recommendations made by the Land Use Staff and Planning Commission.

**Motion: Galusha**

**Second: Andreatta**

**Discussion: Must clean up title and file proper maps with County Clerk and Recorder and comply with Land Use Regulations.**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Galusha: Yes**

**Chairman Cisneros: Yes**

2. Huerfano County Land Use/Building Department and Monte Fiori review (CUP) Conditional Use Permit #17-001 and Variance #20-011 with the Board of County Commissioners and possible revocation.

Motion to approve the (CUP) Conditional Use Permit #17-001 and Variance #20-011 if Monte Fiori is in compliance by February 1, 2023 there will not be revocation.

**Motion: Galusha**

**Second: Andreatta**

**Discussion: To review and make sure that all is in compliance with the County before moving forward to renew.**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Galusha: Yes**

**Chairman Cisneros: No**

3. Land Use Code Process Updates.

**No Action.**

**11:33 P.M. Action Items:**

County Administrator Carl Young and the Board reviewed action items.

1. Resolution #22-42 2022 Supplemental Budget.

Skipped 1<sup>st</sup> action item listed. **No Action**

**RESOLUTION**

**A RESOLUTION GOVERNING THE COLLECTION,  
ADMINISTRATION AND ENFORCEMENT OF HUERFANO COUNTY'S  
MARIJUANA EXCISE TAX**

**RESOLUTION # 18 -06**

WHEREAS, the Board of County Commissioners of Huerfano County submitted to the voters a ballot question regarding placing an excise tax on the first sale or transfer of commercial marijuana to the voters on November 4, 2014; and,

WHEREAS, at that election, the voters of Huerfano County approved the ballot question thereby authorizing the implementation of a 5% excise tax on the first sale or transfer of commercial marijuana beginning on January 1, 2015; and,

WHEREAS, the Board has determined that prescribed procedures are necessary to provide for the administration of the marijuana excise tax; and,

WHEREAS, the Board finds it in the best interest of the health, safety and welfare of the citizens to adopt a resolution governing the collection, administration and enforcement of a marijuana excise tax.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, AS FOLLOWS:**

**Section 1: Applicability**

This excise tax applies to all commercial retail marijuana cultivation facilities located anywhere in Huerfano County including within the boundaries of any municipality except those located within a municipality which levies an excise tax pursuant to C.R.S. §29-2-114(2).

**Section 2: Administration**

The Director of the Huerfano County Finance Department shall serve as the Designated Agent, charged with administering the collection of the Excise Tax on behalf of the County.

**Section 3: Conditional Use Permittee Responsible for Tax and Monthly Reports**

1. **Permit Holder Responsible.** The Excise Tax shall only be remitted and paid by the person or entity permitted under the Huerfano County Conditional Use Permit process.
2. **Payment Required.** All Commercial Marijuana Cultivation Establishments operating under a Conditional Use Permit in Huerfano County shall pay to the Designated Agent a five percent (5%) Excise Tax on the first sale or transfer of unprocessed retail marijuana, including bud, trim, wet whole plant, and the first sale of seeds and immature plants to a retail store or marijuana products manufacturing facility. The amount of the Excise Tax shall be calculated using the procedures

adopted by the Colorado Department of Revenue, as amended from time to time, for collection of the State Excise Tax.

3. **Report Required.** Even in the event that no sales or transfers have taken place during the preceding month, the Establishment shall submit a report to the Designated Agent on the approved form with all sales and transfer information from the preceding month.
4. **Due Date.** Payments of Excise Tax and Reporting Forms are due to the Designated Agent by the 20<sup>th</sup> of the month following the transaction of the first sale or transfer of retail marijuana by an establishment for the preceding month. All payments due must be paid in full at the time it is due.
5. **Reporting Form.** A copy of the Excise Tax return filed with the Colorado Department of Revenue must accompany, and is deemed part of, the Huerfano County Marijuana Excise Tax Reporting Form. A Reporting Form must be submitted each month by every Establishment, even if no sales or transfer occurred during the preceding month.

**Section 4: Establishment to Maintain records**

It shall be the duty of every permitted Commercial Marijuana Establishment to keep and preserve suitable records, including returns for excise tax and logs from the statewide tracking system of all sales and transfers made by the Establishment and such other books or accounts as may be required by the Designated Agent in order to determine the amount of the tax for collection or payment of which the Establishment is liable under this resolution.

**Section 5: Audits**

The County shall have the right to perform audits on all Establishments to ensure compliance with this Resolution. In the event of an audit, all books, invoices, accounts and returns for any state taxes on retail marijuana and other records shall be made available and be open at any time during regular business hours for examination by the Designated Agent. The County may conduct an audit at any time and for any reason; evidence or allegations or nonpayment or evasion of the Excise Tax is not required. If an Establishment has refused to allow an audit under this Section 5, for ten (10) days or more, the Designated Agent may issue a report of the same and seek revocation of the Conditional Use Permit or other sanctions related to the operation of the permitted Establishment.

**Section 6: Enforcement**

1. **Failure to Pay Tax.** An Establishment that fails to submit all or a portion of the monthly payment due to the County, as well all members, partners, shareholders, or other owners who comprise the Establishment, shall be personally liable for the amount of the Excise Tax and interest outstanding. Interest shall be determined pursuant to C.R.S. §39-21-110.5(2), as amended, and shall begin accruing the day after payment is due.

2. **Dispute resolution.** Dispute resolution procedures for the Excise Tax shall be governed as closely as possible by subsections (2) and (8) of C.R.S. §29-2-106.1 (2015) except to the extent those subsections provide for any involvement by Colorado Department of revenue. Any appeal from the Designated Agent's final decision shall be made to Huerfano County District Court. A Final Assessment shall be issued at the close of the proceedings under this section.
3. **Penalties.** If the Designated Agent determines that any deficiency is due to negligence or intentional disregard of authorized rules and regulations, there shall be a penalty of ten percent (10%) of the unpaid Excise Tax added to the County's Final Assessment. If the Designated Agent determines that any part of the deficiency is due to fraud with the intent to evade the Excise Tax, there shall be a penalty of fifty percent (50%) of the unpaid Excise Tax added to the County's Final Assessment. The Designated Agent will provide the Establishment with notice of the penalty in the Deficiency Notice or at such point when the Designated Agent determines that a penalty applies. The Establishment may attempt to show that the Designated Agent's findings or a penalty was improper through the submission of additional information as provided in this Resolution. Failure to comply with this section may also result in suspension or revocation of the permit holder's conditional use permit.
4. **Action on Debt.** If an Establishment refuses to pay the debt owed to the County as determined through Section 6.2, the County may file an action in the Huerfano County District Court seeking to recover at law the amount owed the County. The County may also seek to recover reasonable attorney fees and costs. Such actions may be actions in attachment, and writs of attachment may be issued by the Sheriff, and in any such proceedings no bond shall be required of the County, nor shall any sheriff require of the County an indemnifying bond for execution of the writ of attachment or writ of execution upon any judgement entered in such proceedings. The County may prosecute appeals in such cases without the necessity of providing a bond. It shall be the duty of the County Attorney, when requested by the Designated Agent, to commence action under this Section.

ADOPTED THIS \_\_\_\_\_ DAY OF JANUARY, 2018 by the Huerfano County Board of  
County Commissioners



Nancy C. Cruz  
ATTEST, County Clerk and Recorder  
and ex-officio clerk to said board

Edward R. Garcia  
Edward Ray Garcia, Chairman

Max Vezzani  
Max Vezzani, Commissioner

Gerald A. Cisneros  
Gerald A. Cisneros, Commissioner

**Huerfano County Land Use**  
**401 Main Street, Suite 304**  
**Walsenburg, CO 81089**  
**(719) 738-3000, Ext. 506**



December 30, 2022

Attn: Nicholas Perrino  
 3100 County Road 616 Unit A  
 Walsenburg, CO 81089

RE: Monte Fiore CUP 17-001 and Variance 20-011

Dear Mr. Perrino:

On December 20, 2022 the Huerfano County Board of County Commissioners voted 2-1 to give you until January 31, 2023 to get your CUP17-001 and Variance 20-011 into complete compliance.

This includes the following:

1. Pay \$40,978.37 in unpaid excise taxes that you reported to Huerfano County in 2022.
2. Pay \$4097.84 the ten percent penalty fee for being late with the amount owed in the numbers you provided on your reporting sheets to Huerfano County in 2022.
3. Pay the annual inspection fee for 2022 to the Las Animas-Huerfano Counties Health Department in the amount of \$385.00.
4. Pay the late fee in the amount of \$75.00 to the Las Animas-Huerfano Counties Health Department.
5. An inspection of the property will be conducted by the Huerfano County Land Use Office prior to January 31, 2023 to determine compliance.
6. Review Chapter 18 of the Huerfano County Marijuana Regulations ([www.huerfano.us](http://www.huerfano.us))

I am enclosing the spreadsheet from our investigation with the excise taxes you reported each month, the amount of excise taxes submitted, all of the receipts of the payments submitted, and all of the payments that were rejected. I have also enclosed Resolution 18-06 "A Resolution Governing the Collection, Administration, and Enforcement of Huerfano County's Marijuana Excise Tax", a copy of CUP 17-001, and Variance 22-011.

Thank you sincerely,

A handwritten signature in blue ink that reads "Cheri Chamberlain".

**Cheri Chamberlain**  
 Huerfano County  
 Building and Code Enforcement  
 401 Main Street Suite 304  
 Walsenburg, CO 81089  
 (719) 738-1220 ext. 117 (Office)  
 (719) 248-6715 (Cell)  
[cchamberlain@huerfano.us](mailto:cchamberlain@huerfano.us)

401 Main Street, Suite #201 Walsenburg, Co 81089  
 Office: 719-738-3000 Ext. 200 Fax: 719-738-3996





A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve and sign Contract for Custodial Services Agreement between Huerfano County and Pamela Garcia Archuleta at the Ray Aguirre Community Center in Gardner, starting December 30, 2016 through December 31, 2017 at \$650.00 per month. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve Liquor License Renewal on behalf of Cuchara Dog Bar and Grill. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve Retail Liquor License Renewal on behalf of Cuchara Spirits, LLC. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed correspondence.

10:50 A.M. Nick Perrino, with Spanish Peaks JV, LLC & Monte Fiore, LLC, Jeff Kochevar and Jeremiah Perrino with Spanish Peaks JV, LLC and Steven Janssen, Attorney (water law) regarding Conditional Use Permit #17-001, Colorado Retail Marijuana Cultivation Permit.

*CUP 17-001*

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve Conditional Use Permit #17-001, with the following conditions from Planning and Zoning and Board of County Commissioners:

01. Exterior lighting shall be aimed downward to comply with the County's Dark Sky Regulations.
02. MSDS sheets shall be kept on site and distributed to the Huerfano County Office of Emergency Management.
03. A sign shall be posted at the County Road entrance, as well as at the facility location, with company name and emergency contact number.
04. The Tamarisk on the entire property shall be treated/eradicated and approved by the Huerfano County Weed Controller.

**CUP 17-001 Cont.**

05. Annual Compliance Reviews shall be conducted by the BOCC (or by their designated agent), beginning one year from the date of CUP approval.
06. Periodic site visits may also be conducted during normal business hours at the discretion of the BOCC (or their designated agent), with a 12 hour notice given to the Applicant.
07. The CUP shall be terminated in the event that the water hauling contract is no longer in place, and no alternative water source has been approved.
08. County Road 616 shall be treated with Magnesium Chloride, from Highway 69 to the facility entrance, prior to commencement of construction, and as needed (determined by Road & Bridge) thereafter.
09. A trip generation study must be completed utilizing the ITE Trip Generation Manual, 9<sup>th</sup> Edition.
10. Evaluate Road & bridge regulations with Public Works Coordinator Melanie Bounds and remediate any damages as needed.
11. 10,000 gallons of water shall be kept available on site for the purpose of fire suppression.
12. Odors shall be unobtrusive at a distance of 1,000 feet from the security boundary of the facility. More than three (3) legitimate odor complaints received on non-sequential days within a 12 month period of time will require corrective action, to be prescribed by the BOCC.
13. This CUP will not be transferable.
14. A 1041 application for agricultural lands being dried up to ensure a long term water source shall be file within 30 days of approval of the CUP.
15. Applicant shall secure a long term water source or an update contract with a water provider.

**Motion passed by unanimous vote.**

11:34 A.M. Richard Goodwin met with the Board regarding the hiring of Foote Consulting Group, LLC.

# MONTE FIORE FARMS

Monte Fiore, LLC 4155 E. Jewell Avenue Suite 1018 Denver, CO

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July 16, 2020

Huerfano County Commissioners & Land Use Department

Huerfano County, Colorado

400 Main Street, Suite B

Walsenburg, Colorado 81089

O: 720.523.6800 | D: 720-523-6855

**RE: Request for variance for CUP 17-001**

Dear Huerfano County Commissioners,

Thank you for taking time to review the request in variance for CUP 17-001. In discussions with Steve Channel, he has recommended we reach out to the county commissioners office to obtain approval on our property in order to extend the setback requirement on our site to a level we can achieve, as well as approval to cultivate outdoor marijuana within 100' of our property line on our 54 acre parcel located at 3100 CR616 Walsenburg, CO 81089 under CUP 17-001.

The code in question is, section 18.3.3 Setback – Normal. All facilities in the Agricultural Zoning District shall be setback a minimum of one-thousand (1,000) feet from each of the facility's property lines. For facilities located in the Commercial or Industrial Zoning Districts, existing zoning district setbacks shall apply.

Due to the fact that several changes in land use rules have occurred between now and when CUP 17-001 received our CUP approval, we are requesting a variance for our property on section 18.3.3, as well as section 18.4.2. Below are the two closest neighbors, and both parties are stakeholders in the project. Additionally we have provided graphics of our existing site plan, as well as proposed outdoor cultivation areas.

We are requesting to be added to the upcoming agenda in order to obtain approval for our variance from 1000' setback to a 100' setback requirement. Additionally, we would like to address the compliance of section 18.4.2 Odor. Section 18.4.2 states that Odor from a cultivation facility must not be detected by an Olfactometer after the odorous air has been diluted with seven (7) or more volumes of odor-free air at the property line of the facility. Since the adjoining properties are all stakeholders in the project, we are requesting to amend and or remove the 18.4.2 compliance requirement for our location.

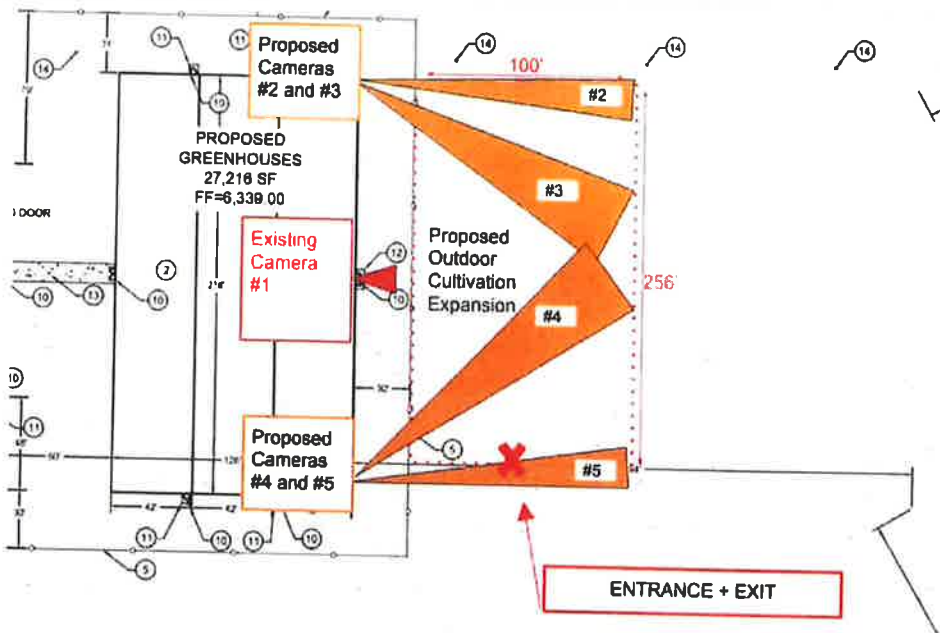
Adjacent Property #1 - 743'



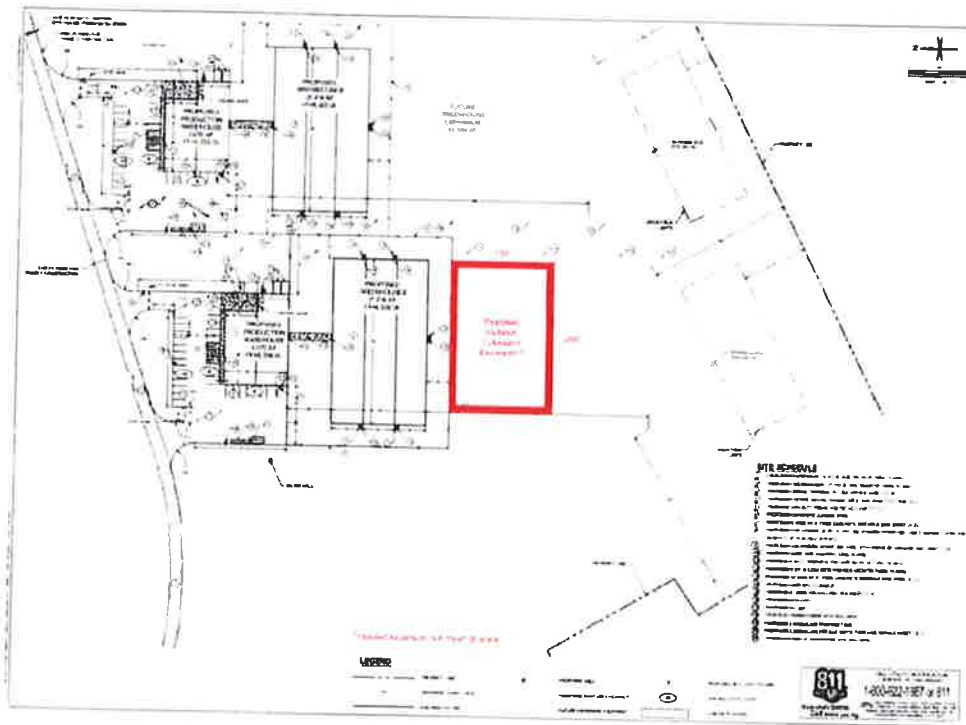
Adjacent Property #2 - 1602'



Proposed Outdoor Cultivation Expansion area (100'x256')



Proposed Outdoor Expansion Area and current setbacks to nearest property Line





Cheri Chamberlain &lt;cchamberlain@huerfano.us&gt;

## Marijuana Excise Taxes

1 message

Cheri Chamberlain &lt;cchamberlain@huerfano.us&gt;

Wed, Jan 11, 2023 at 3:19 PM

To: Eden Sayers <eden.sayers@schwazze.com>, Clare Wilson <clare@schwazze.com>, Keith Sprau <kgs126@yahoo.com>, delmar.janovec@gmail.com, Ennis Perrino <ennis@montefiorefarms.com>, Nicholas Perrino <nick@montefiorefarms.com>, Phil Cummings <pops.farm@aol.com>, sean@sindustries-cona.com

Cc: Kim Trujillo <ktrujillo@huerfano.us>, Ryan Sablich <Rsablich@huerfano.us>

Good Afternoon Everyone:

I just wanted to touch base with all of you to let you be aware of Resolution 18-06. In this Resolution it states that even if you don't have any sales you still need to fill out the paperwork and submit it to Huerfano County, by the 20th of each month. Also a copy of the excise tax that is filed with the State of Colorado needs to be submitted to Huerfano County as well.

Please feel free to reach out to me with any questions. If you need copies of the tax form please contact the Finance Officer Kim Trujillo at [ktrujillo@huerfano.us](mailto:ktrujillo@huerfano.us).

Thank you,

Cheri Chamberlain  
Huerfano County  
Building and Code Enforcement  
401 Main Street Suite 304  
Walsenburg, CO 81089  
(719) 738-1220 ext. 117 (Office)  
(719) 248-6715 (Cell)  
[cchamberlain@huerfano.us](mailto:cchamberlain@huerfano.us)

 **Resolution on HC Msarijuana Excise Tax (1).pdf**  
420K

**RESOLUTION**

**A RESOLUTION GOVERNING THE COLLECTION,  
ADMINISTRATION AND ENFORCEMENT OF HUERFANO COUNTY'S  
MARIJUANA EXCISE TAX**

**RESOLUTION # 18 -06**

WHEREAS, the Board of County Commissioners of Huerfano County submitted to the voters a ballot question regarding placing an excise tax on the first sale or transfer of commercial marijuana to the voters on November 4, 2014; and,

WHEREAS, at that election, the voters of Huerfano County approved the ballot question thereby authorizing the implementation of a 5% excise tax on the first sale or transfer of commercial marijuana beginning on January 1, 2015; and,

WHEREAS, the Board has determined that prescribed procedures are necessary to provide for the administration of the marijuana excise tax; and,

WHEREAS, the Board finds it in the best interest of the health, safety and welfare of the citizens to adopt a resolution governing the collection, administration and enforcement of a marijuana excise tax.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS, AS FOLLOWS:**

**Section 1:    **Applicability****

This excise tax applies to all commercial retail marijuana cultivation facilities located anywhere in Huerfano County including within the boundaries of any municipality except those located within a municipality which levies an excise tax pursuant to C.R.S. §29-2-114(2).

**Section 2:    **Administration****

The Director of the Huerfano County Finance Department shall serve as the Designated Agent, charged with administering the collection of the Excise Tax on behalf of the County.

**Section 3:    **Conditional Use Permittee Responsible for Tax and Monthly Reports****

1. **Permit Holder Responsible.** The Excise Tax shall only be remitted and paid by the person or entity permitted under the Huerfano County Conditional Use Permit process.
2. **Payment Required.** All Commercial Marijuana Cultivation Establishments operating under a Conditional Use Permit in Huerfano County shall pay to the Designated Agent a five percent (5%) Excise Tax on the first sale or transfer of unprocessed retail marijuana, including bud, trim, wet whole plant, and the first sale of seeds and immature plants to a retail store or marijuana products manufacturing facility. The amount of the Excise Tax shall be calculated using the procedures

adopted by the Colorado Department of Revenue, as amended from time to time, for collection of the State Excise Tax.

3. **Report Required.** Even in the event that no sales or transfers have taken place during the preceding month, the Establishment shall submit a report to the Designated Agent on the approved form with all sales and transfer information from the preceding month.
4. **Due Date.** Payments of Excise Tax and Reporting Forms are due to the Designated Agent by the 20<sup>th</sup> of the month following the transaction of the first sale or transfer of retail marijuana by an establishment for the preceding month. All payments due must be paid in full at the time it is due.
5. **Reporting Form.** A copy of the Excise Tax return filed with the Colorado Department of Revenue must accompany, and is deemed part of, the Huerfano County Marijuana Excise Tax Reporting Form. A Reporting Form must be submitted each month by every Establishment, even if no sales or transfer occurred during the preceding month.

**Section 4: Establishment to Maintain records**

It shall be the duty of every permitted Commercial Marijuana Establishment to keep and preserve suitable records, including returns for excise tax and logs from the statewide tracking system of all sales and transfers made by the Establishment and such other books or accounts as may be required by the Designated Agent in order to determine the amount of the tax for collection or payment of which the Establishment is liable under this resolution.

**Section 5: Audits**

The County shall have the right to perform audits on all Establishments to ensure compliance with this Resolution. In the event of an audit, all books, invoices, accounts and returns for any state taxes on retail marijuana and other records shall be made available and be open at any time during regular business hours for examination by the Designated Agent. The County may conduct an audit at any time and for any reason; evidence or allegations or nonpayment or evasion of the Excise Tax is not required. If an Establishment has refused to allow an audit under this Section 5, for ten (10) days or more, the Designated Agent may issue a report of the same and seek revocation of the Conditional Use Permit or other sanctions related to the operation of the permitted Establishment.

**Section 6: Enforcement**

1. **Failure to Pay Tax.** An Establishment that fails to submit all or a portion of the monthly payment due to the County, as well all members, partners, shareholders, or other owners who comprise the Establishment, shall be personally liable for the amount of the Excise Tax and interest outstanding. Interest shall be determined pursuant to C.R.S. §39-21-110.5(2), as amended, and shall begin accruing the day after payment is due.



- 2. Dispute resolution.** Dispute resolution procedures for the Excise Tax shall be governed as closely as possible by subsections (2) and (8) of C.R.S. §29-2-106.1 (2015) except to the extent those subsections provide for any involvement by Colorado Department of revenue. Any appeal from the Designated Agent's final decision shall be made to Huerfano County District Court. A Final Assessment shall be issued at the close of the proceedings under this section.
- 3. Penalties.** If the Designated Agent determines that any deficiency in due to negligence or intentional disregard of authorized rules and regulations, there shall be a penalty of ten percent (10%) of the unpaid Excise Tax added to the County's Final Assessment. If the Designated Agent determines that any part of the deficiency is due to fraud with the intent to evade the Excise Tax, there shall be a penalty of fifty percent (50%) of the unpaid Excise Tax added to the County's Final Assessment. The Designated Agent will provide the Establishment with notice of the penalty in the Deficiency Notice or at such point when the Designated Agent determines that a penalty applies. The Establishment may attempt to show that the Designated Agent's findings or a penalty was improper through the submission of additional information as provided in this Resolution. Failure to comply with this section may also result in suspension or revocation of the permit holder's conditional use permit.
- 4. Action on Debt.** If an Establishment refuses to pay the debt owed to the County as determined through Section 6.2, the County may file an action in the Huerfano County District Court seeking to recover at law the amount owed the County. The County may also seek to recover reasonable attorney fees and costs. Such actions may be actions in attachment, and writs of attachment may be issued by the Sheriff, and in any such proceedings no bond shall be required of the County, not shall any sheriff require of the County an indemnifying bond for execution of the writ of attachment or writ of execution upon any judgement entered in such proceedings. The County may prosecute appeals in such cases without the necessity of providing a bond. It shall be the duty of the County Attorney, when requested by the Designated Agent, to commence action under this Section.

ADOPTED THIS \_\_\_\_\_ DAY OF JANUARY, 2018 by the Huerfano County Board of  
County Commissioners



Edward R. Garcia  
Edward Ray Garcia, Chairman

Max Vezzani  
Max Vezzani, Commissioner

Gerald A. Cisneros  
Gerald A. Cisneros, Commissioner

Nancy C. Cruz  
ATTEST, County Clerk and Recorder  
and ex-officio clerk to said board



Cheri Chamberlain &lt;cchamberlain@huerfano.us&gt;

**Re: Excise Tax Forms December 2022**

1 message

**Kim Trujillo** <ktrujillo@huerfano.us>

Thu, Feb 2, 2023 at 10:49 AM

To: Ennis Perrino &lt;ennis@montefiorefarms.com&gt;, Cheri Chamberlain &lt;cchamberlain@huerfano.us&gt;

Cc: Nicholas Perrino &lt;nick@montefiorefarms.com&gt;

Good Morning

Thank you for sending the reports, however I don't see the payment.

Can you please tell me if you mailed a check, point and pay does not show a deposit made.

Thank you!

On Wed, Feb 1, 2023 at 9:44 AM Ennis Perrino &lt;ennis@montefiorefarms.com&gt; wrote:

Hello Kim,

Here are the tax forms for December 2022. Have a great day!

--

Thank you,

Ennis

**Ennis Perrino, Office Manager**

C: 719-989-4865

[www.montefiorefarms.com](http://www.montefiorefarms.com)

--

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--  
Kimberly S. Trujillo  
Finance Officer  
Huerfano County  
401 Main Street, Suite 310  
Walsenburg, Co 81089  
719-738-3000 Ext. 210



Cheri Chamberlain &lt;cchamberlain@huerfano.us&gt;

## Marijuana Excise Taxes

1 message

Cheri Chamberlain &lt;cchamberlain@huerfano.us&gt;

Wed, Jan 11, 2023 at 3:19 PM

To: Eden Sayers <eden.sayers@schwazze.com>, Clare Wilson <clare@schwazze.com>, Keith Sprau <kgs126@yahoo.com>, delmar.janovec@gmail.com, Ennis Perrino <ennis@montefiorefarms.com>, Nicholas Perrino <nick@montefiorefarms.com>, Phil Cummings <pops.farm@aol.com>, sean@sindustries-cona.com

Cc: Kim Trujillo <ktrujillo@huerfano.us>, Ryan Sablich <Rsablich@huerfano.us>

Good Afternoon Everyone:

I just wanted to touch base with all of you to let you be aware of Resolution 18-06. In this Resolution it states that even if you don't have any sales you still need to fill out the paperwork and submit it to Huerfano County, by the 20th of each month. Also a copy of the excise tax that is filed with the State of Colorado needs to be submitted to Huerfano County as well.

Please feel free to reach out to me with any questions. If you need copies of the tax form please contact the Finance Officer Kim Trujillo at [ktrujillo@huerfano.us](mailto:ktrujillo@huerfano.us).

Thank you,

Cheri Chamberlain  
Huerfano County  
Building and Code Enforcement  
401 Main Street Suite 304  
Walsenburg, CO 81089  
(719) 738-1220 ext. 117 (Office)  
(719) 248-6715 (Cell)  
[cchamberlain@huerfano.us](mailto:cchamberlain@huerfano.us)

 **Resolution on HC Msarijuana Excise Tax (1).pdf**  
420K

**RESOLUTION**

**A RESOLUTION GOVERNING THE COLLECTION,  
ADMINISTRATION AND ENFORCEMENT OF HUERFANO COUNTY'S  
MARIJUANA EXCISE TAX**

**RESOLUTION # 18 -06**

WHEREAS, the Board of County Commissioners of Huerfano County submitted to the voters a ballot question regarding placing an excise tax on the first sale or transfer of commercial marijuana to the voters on November 4, 2014; and,

WHEREAS, at that election, the voters of Huerfano County approved the ballot question thereby authorizing the implementation of a 5% excise tax on the first sale or transfer of commercial marijuana beginning on January 1, 2015; and,

WHEREAS, the Board has determined that prescribed procedures are necessary to provide for the administration of the marijuana excise tax; and,

WHEREAS, the Board finds it in the best interest of the health, safety and welfare of the citizens to adopt a resolution governing the collection, administration and enforcement of a marijuana excise tax.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS, AS FOLLOWS:**

**Section 1:     **Applicability****

This excise tax applies to all commercial retail marijuana cultivation facilities located anywhere in Huerfano County including within the boundaries of any municipality except those located within a municipality which levies an excise tax pursuant to C.R.S. §29-2-114(2).

**Section 2:     **Administration****

The Director of the Huerfano County Finance Department shall serve as the Designated Agent, charged with administering the collection of the Excise Tax on behalf of the County.

**Section 3:     **Conditional Use Permittee Responsible for Tax and Monthly Reports****

1. **Permit Holder Responsible.** The Excise Tax shall only be remitted and paid by the person or entity permitted under the Huerfano County Conditional Use Permit process.
2. **Payment Required.** All Commercial Marijuana Cultivation Establishments operating under a Conditional Use Permit in Huerfano County shall pay to the Designated Agent a five percent (5%) Excise Tax on the first sale or transfer of unprocessed retail marijuana, including bud, trim, wet whole plant, and the first sale of seeds and immature plants to a retail store or marijuana products manufacturing facility. The amount of the Excise Tax shall be calculated using the procedures

adopted by the Colorado Department of Revenue, as amended from time to time, for collection of the State Excise Tax.

3. **Report Required.** Even in the event that no sales or transfers have taken place during the preceding month, the Establishment shall submit a report to the Designated Agent on the approved form with all sales and transfer information from the preceding month.
4. **Due Date.** Payments of Excise Tax and Reporting Forms are due to the Designated Agent by the 20<sup>th</sup> of the month following the transaction of the first sale or transfer of retail marijuana by an establishment for the preceding month. All payments due must be paid in full at the time it is due.
5. **Reporting Form.** A copy of the Excise Tax return filed with the Colorado Department of Revenue must accompany, and is deemed part of, the Huerfano County Marijuana Excise Tax Reporting Form. A Reporting Form must be submitted each month by every Establishment, even if no sales or transfer occurred during the preceding month.

**Section 4: Establishment to Maintain records**

It shall be the duty of every permitted Commercial Marijuana Establishment to keep and preserve suitable records, including returns for excise tax and logs from the statewide tracking system of all sales and transfers made by the Establishment and such other books or accounts as may be required by the Designated Agent in order to determine the amount of the tax for collection or payment of which the Establishment is liable under this resolution.

**Section 5: Audits**

The County shall have the right to perform audits on all Establishments to ensure compliance with this Resolution. In the event of an audit, all books, invoices, accounts and returns for any state taxes on retail marijuana and other records shall be made available and be open at any time during regular business hours for examination by the Designated Agent. The County may conduct an audit at any time and for any reason; evidence or allegations or nonpayment or evasion of the Excise Tax is not required. If an Establishment has refused to allow an audit under this Section 5, for ten (10) days or more, the Designated Agent may issue a report of the same and seek revocation of the Conditional Use Permit or other sanctions related to the operation of the permitted Establishment.

**Section 6: Enforcement**

1. **Failure to Pay Tax.** An Establishment that fails to submit all or a portion of the monthly payment due to the County, as well all members, partners, shareholders, or other owners who comprise the Establishment, shall be personally liable for the amount of the Excise Tax and interest outstanding. Interest shall be determined pursuant to C.R.S. §39-21-110.5(2), as amended, and shall begin accruing the day after payment is due.

- 2. Dispute resolution.** Dispute resolution procedures for the Excise Tax shall be governed as closely as possible by subsections (2) and (8) of C.R.S. §29-2-106.1 (2015) except to the extent those subsections provide for any involvement by Colorado Department of revenue. Any appeal from the Designated Agent's final decision shall be made to Huerfano County District Court. A Final Assessment shall be issued at the close of the proceedings under this section.
- 3. Penalties.** If the Designated Agent determines that any deficiency in due to negligence or intentional disregard of authorized rules and regulations, there shall be a penalty of ten percent (10%) of the unpaid Excise Tax added to the County's Final Assessment. If the Designated Agent determines that any part of the deficiency is due to fraud with the intent to evade the Excise Tax, there shall be a penalty of fifty percent (50%) of the unpaid Excise Tax added to the County's Final Assessment. The Designated Agent will provide the Establishment with notice of the penalty in the Deficiency Notice or at such point when the Designated Agent determines that a penalty applies. The Establishment may attempt to show that the Designated Agent's findings or a penalty was improper through the submission of additional information as provided in this Resolution. Failure to comply with this section may also result in suspension or revocation of the permit holder's conditional use permit.
- 4. Action on Debt.** If an Establishment refuses to pay the debt owed to the County as determined through Section 6.2, the County may file an action in the Huerfano County District Court seeking to recover at law the amount owed the County. The County may also seek to recover reasonable attorney fees and costs. Such actions may be actions in attachment, and writs of attachment may be issued by the Sheriff, and in any such proceedings no bond shall be required of the County, not shall any sheriff require of the County an indemnifying bond for execution of the writ of attachment or writ of execution upon any judgement entered in such proceedings. The County may prosecute appeals in such cases without the necessity of providing a bond. It shall be the duty of the County Attorney, when requested by the Designated Agent, to commence action under this Section.

ADOPTED THIS \_\_\_\_\_ DAY OF JANUARY, 2018 by the Huerfano County Board of  
County Commissioners



Edward R. Garcia  
Edward Ray Garcia, Chairman

Max Vezzani  
Max Vezzani, Commissioner

Gerald A. Cisneros  
Gerald A. Cisneros, Commissioner

Nancy C. Cruz  
ATTEST, County Clerk and Recorder  
and ex-officio clerk to said board



Huerfano County Land Use/Regional  
Building Offices  
400 Main Street, Suite B  
Walsenburg, Colorado 81089  
719-738-1220, Ext 118 (Code Enforcement)



Item 6b.

**CHECK LIST FOR ANNUAL MARIJUANA (Medical and Recreational) RENEWAL INSPECTIONS**

**Business name** Monte Fiore \_\_\_\_\_

**Business Address** 3100 CR 616 Unit A \_\_\_\_\_

**Cameras:** Camera at every ingress and egress-full camera coverage in facility.

**Monitoring system for cameras:** Monitor shows every angle in every room. At least 40 days of recordings are stored and accessible upon request.

**Badges:** All employees and visitors are badged and badges are displayed.

**Visitor Logs:** Every visitor must log in, logs are kept in order and can be Reviewed upon request.

**Trim Plant count:** Inventory of product and plant are kept current and on premises. Every plant is tagged with a barcode and tags can be seen.

**Security overall-alarm system:** Functional, doors and windows kept locked and Secured, proper signage, employee access.

**Visual check:** for any other health and safety issues on the premises.

**Date of Inspection** \_\_ January 31, 2023 \_\_\_\_\_

**Inspector** \_\_ Cheri Chamberlain & Ryan Sablich Huerfano County Building and Code Enforcement

**NOTES (from the Field)**

**There is only trim being manufactured, They do keep the Metrc tag with each type pf trim. It is then manufactured into oil through a very sophisticated process. They are compliant with all cameras and recording system has stored recordings clear back to September 18, 2021. The Vault is basically empty from where they had manufactured and not sold yet. All plants were destroyed, not sure of the process in which this was done. Staff believes there is a recording of when the plants were destroyed.**

**A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve and sign Contract for Custodial Services Agreement between Huerfano County and Pamela Garcia Archuleta at the Ray Aguirre Community Center in Gardner, starting December 30, 2016 through December 31, 2017 at \$650.00 per month. Motion passed by unanimous vote.**

**A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve Liquor License Renewal on behalf of Cuchara Dog Bar and Grill. Motion passed by unanimous vote.**

**A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve Retail Liquor License Renewal on behalf of Cuchara Spirits, LLC. Motion passed by unanimous vote.**

County Administrator John Galusha and the Board reviewed correspondence.

10:50 A.M. Nick Perrino, with Spanish Peaks JV, LLC & Monte Fiore, LLC, Jeff Kochevar and Jeremiah Perrino with Spanish Peaks JV, LLC and Steven Janssen, Attorney (water law) regarding Conditional Use Permit #17-001, Colorado Retail Marijuana Cultivation Permit.

*CUP 17-001*

**A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve Conditional Use Permit #17-001, with the following conditions from Planning and Zoning and Board of County Commissioners:**

- 01. Exterior lighting shall be aimed downward to comply with the County's Dark Sky Regulations.**
- 02. MSDS sheets shall be kept on site and distributed to the Huerfano County Office of Emergency Management.**
- 03. A sign shall be posted at the County Road entrance, as well as at the facility location, with company name and emergency contact number.**
- 04. The Tamarisk on the entire property shall be treated/eradicated and approved by the Huerfano County Weed Controller.**

**CUP 17-001 Cont.**

05. Annual Compliance Reviews shall be conducted by the BOCC (or by their designated agent), beginning one year from the date of CUP approval.
06. Periodic site visits may also be conducted during normal business hours at the discretion of the BOCC (or their designated agent), with a 12 hour notice given to the Applicant.
07. The CUP shall be terminated in the event that the water hauling contract is no longer in place, and no alternative water source has been approved.
08. County Road 616 shall be treated with Magnesium Chloride, from Highway 69 to the facility entrance, prior to commencement of construction, and as needed (determined by Road & Bridge) thereafter.
09. A trip generation study must be completed utilizing the ITE Trip Generation Manual, 9<sup>th</sup> Edition.
10. Evaluate Road & bridge regulations with Public Works Coordinator Melanie Bounds and remediate any damages as needed.
11. 10,000 gallons of water shall be kept available on site for the purpose of fire suppression.
12. Odors shall be unobtrusive at a distance of 1,000 feet from the security boundary of the facility. More than three (3) legitimate odor complaints received on non-sequential days within a 12 month period of time will require corrective action, to be prescribed by the BOCC.
13. This CUP will not be transferable.
14. A 1041 application for agricultural lands being dried up to ensure a long term water source shall be file within 30 days of approval of the CUP.
15. Applicant shall secure a long term water source or an update contract with a water provider.

Motion passed by unanimous vote.

11:34 A.M. Richard Goodwin met with the Board regarding the hiring of Foote Consulting Group, LLC.



Cheri Chamberlain <cchamberlain@huerfano.us>

## Fwd: Paperwork for BOCC Meeting

1 message

**Kim Trujillo** <ktrujillo@huerfano.us>  
To: Cheri Chamberlain <cchamberlain@huerfano.us>

Fri, Feb 10, 2023 at 11:28 AM

----- Forwarded message -----

From: **Kim Trujillo** <ktrujillo@huerfano.us>  
Date: Fri, Feb 10, 2023 at 11:26 AM  
Subject: Re: Paperwork for BOCC Meeting  
To: Ennis Perrino <ennis@montefiorefarms.com>  
Cc: Nicholas Perrino <nick@montefiorefarms.com>

Thank you for sending this over!!  
Have a great weekend

On Fri, Feb 10, 2023 at 11:07 AM Ennis Perrino <ennis@montefiorefarms.com> wrote:  
Hi Kim,

Here is our proposal for the meeting on Tuesday long with an Accounts Receivable report.

Have a nice weekend!

--

Thank you,

Ennis

**Ennis Perrino, Office Manager**

C: 719-989-4865

[www.montefiorefarms.com](http://www.montefiorefarms.com)

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Monte Fiore Payment Plan Proposal

2022 Unpaid Taxes:	\$40,978.37
2022 Late Fees:	\$4,097.84
Total:	\$45,076.21

Payment Date	Payment Amount	Balance
02/14/2023	\$4,510.00	\$40,566.21
03/15/2023	\$4,510.00	\$36,056.21
04/15/2023	\$4,510.00	\$31,546.21
05/15/2023	\$4,510.00	\$27,036.21
06/15/2023	\$4,510.00	\$22,526.21
07/15/2023	\$4,510.00	\$18,016.21
08/15/2023	\$4,510.00	\$13,506.21
09/15/2023	\$4,510.00	\$8,996.21
10/05/2023	\$4,510.00	\$4,486.21
11/15/2023	\$4,486.21	\$0.00

# Monte Fiore Farm (2.0)

Item 6b.

## Customer Balance Summary

All Dates

	TOTAL
AO Extracts	2,000.00
HWMF/Rockin' Extracts	29,250.00
MFFP	34,082.82
Next1 Labs LLC	59,096.00
STARBUDS MIPS LLC	11,250.00
TamalPais Partners	6,750.00
Workhorse Global	38,000.00
<b>TOTAL</b>	<b>\$180,428.82</b>

**RESOLUTION NO. 23-08**

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

**A RESOLUTION APPOINTING KARL SPORLEDER TO THE FEDERAL  
MINERAL LEASE DISTRICT BOARD FOR A TERM EXPIRING ON  
DECEMBER 31, 2025**

WHEREAS, the Board of County Commissioners serve as the governing body of Huerfano County and are vested with administering the affairs of the County pursuant to state statutes; and,

WHEREAS, the Board of County Commissioners established the Huerfano County, Colorado Federal Mineral Lease District in Resolution 15-03 as an independent district under the Federal Mineral Lease District Act, § 30-20-1301, et seq, C.R.S.; and,

WHEREAS, by that same resolution the Board of County Commissioners established the membership structure of the Federal Mineral Lease District Board; and,

WHEREAS, Karl Sporleder has submitted a letter of interest and has demonstrated his qualifications to serve on the Federal Mineral Lease District Board for Huerfano County and agrees to serve as a member of the Board while adhering to the principles applicable to governmental units and other requirements of law; and,

WHEREAS, the Board of Huerfano County Commissioners desires to appoint Karl Sporleder to serve as a member of the Federal Mineral Lease District Board as a reflection of the values of the Huerfano County Board of County Commissioners.

NOW THEREFORE BE IT RESOLVED that the Huerfano County Board of County Commissioners hereby appoints Karl Sporleder to serve as a member of the Federal Mineral Lease District Board until December 31, 2025, and until their successor has been appointed.

INTRODUCED, READ, APPROVED AND ADOPTED THIS 14<sup>th</sup> day of FEBRUARY 2023.



ATTEST:

\_\_\_\_\_  
County Clerk and Recorder and  
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

BY \_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner

**RESOLUTION NO. 23 - 10**

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

**A RESOLUTION TO AUTHORIZE THE CREATION OF ENTERTAINMENT  
DISTRICTS PURSUANT TO C.R.S. § 44-3-301(11) AND ESTABLISH APPLICATION  
PROCEDURES FOR CERTIFICATION OF PROMOTIONAL ASSOCIATIONS TO  
OPERATE COMMON CONSUMPTION AREAS WITHIN ENTERTAINMENT  
DISTRICTS**

WHEREAS, pursuant to C.R.S. § 44-3-301(11) the governing body of a local licensing authority may create entertainment districts that allow consumption of alcoholic beverages in common consumption areas;

WHEREAS, the Board of County Commissioners of Huerfano County, Colorado (“the Board”) serve as the governing body of Huerfano County and are vested with administering the affairs of the County pursuant to state statutes; and,

WHEREAS, the Board desires to exercise its local option to allow creation of entertainment districts with associated common consumption areas; and,

WHEREAS, the Board desires to establish the process for creating entertainment districts and common consumption areas, including application procedures, fees, and hours of operation for common consumption areas in entertainment districts.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Huerfano County, Colorado that the following is hereby adopted:

**Section 1. Title.**

This resolution shall be known and referred to as the “Huerfano County Entertainment District and Common Consumption Area Regulations”

**Section 2. Purpose and Authority.**

1. The County is exercising its local option to allow common consumption areas in the County by establishing entertainment districts pursuant to 44-3-301(11).
2. The Board of County Commissioners, acting in its capacity as the local licensing authority, shall be authorized to certify and decertify promotional associations; designate the location, size, security, and hours of operation of common consumption areas, and allow attachment of licensed premises to common consumption areas.

**Section 3. Definitions.**

1. *Common Consumption Area* is defined as set forth in C.R.S. § 44-3-103(11), as amended.
2. *Entertainment District* is defined as set forth in C.R.S. § 44-3-103(15), as amended.
3. *Local Licensing Authority* means the Board of County Commissioners (“the Board”).
4. *Promotional Association* is defined as set forth in C.R.S. § 44-3-103(39), as amended.



#### **Section 4. Creation of Entertainment Districts.**

Individual entertainment districts shall be created by resolution of the Board of County Commissioners.

1. The resolution authorizing the Entertainment District shall describe and identify the boundaries of the Entertainment District and include a detailed map attached to the Resolution.
2. The resolution may impose stricter limits on size, security, or hours of operation of any Common Consumption Area created within the Entertainment District so long as the Board deems the stricter limits necessary for the health, safety, and welfare of the public.
3. An Entertainment District must meet the following minimum criteria:
  - a. The defined boundaries of the Entertainment District shall not exceed one hundred (100) contiguous acres; and
  - b. The defined boundaries of the Entertainment District shall contain at least twenty thousand (20,000) square feet of premises that at the time the district is created is licensed as an authorized Licensed Premises under Colorado Revised Statutes 44-3-103(15)(c), as amended.
4. The County Administrator may draft a resolution for consideration by the Board upon receipt of a written request from a sponsor or champion that includes the following:
  - a. Description of proposed Entertainment District
    - i. Proposed name
    - ii. General boundary description, including Aerial view map of proposed boundary of Entertainment District with all eligible liquor licensed premises identified
    - iii. Total size in acres of proposed Entertainment District (must be less than 100)
    - iv. Proposed hours of operation, applicable for every Promotional Association's Common Consumption Area to be subsequently formed within the proposed Entertainment District
    - v. Written description and statement describing the basis/rationale for the proposed Entertainment District boundary and Common Consumption Area hours of operation, including details of any City Council and community outreach efforts
  - b. Names and addresses of all eligible liquor licensed premises within the proposed Entertainment District boundary area, including type, square footage of each premises, and any interest in joining a future Promotional Association (combined square footage must be more than 20,000).
5. Within fifteen days of the creation or amendment of an Entertainment District, the County Clerk and Recorder shall, on behalf of the Local Liquor Licensing Authority, notify the State Licensing Authority of the creation or amendment of said Entertainment District and provide a map thereof.

#### **Section 5. Operational Requirements of a Promotional Association.**

1. The size of the common consumption area shall not exceed the area approved as the Entertainment District within which the common consumption area is located but may, with approval of the Local Licensing Authority, be a smaller area within the entertainment district, provided that the common consumption area is clearly delineated using physical barriers to close the area to motor vehicle traffic and to limit pedestrian access.

2. The Promotional Association shall provide an appropriate amount of security to insure compliance with the Colorado Liquor Code, Colorado Beer Code, and to prevent a safety risk to the neighborhood.
3. The Promotional Authority shall obtain and maintain a properly endorsed general liability and liquor liability insurance policy that is reasonably acceptable to the Local Licensing Authority of at least one million (\$1,000,000) dollars per incident and names Huerfano County as additionally insured.

**Section 6. Application for Certification of a Promotional Association.**

An application to certify a promotional association shall include the following minimum information:

1. A copy of the articles of incorporation and bylaws and a list of all Directors and Officers of the Promotional Association. A member of each licensed premises must serve as one of the directors on the board of the promotional association, which shall have at least two (2) licensed premises attached to the common consumption area;
2. A detailed map of the Common Consumption Area including, location of physical barriers, entrances and exits, location of attached licensed premises, identification of licenses premises that are adjacent, but not to be attached to the common consumption area;
3. A security plan, including evidence of training and approval of personnel, a detailed description of security arrangements and the approximate location of security personnel within the common consumption area during operating hours;
4. A list of dates and proposed hours of operation of the common consumption area;
5. Documentation showing possession of the common consumption area by the promotional association;
6. A list of the attached licensees of which there will be a minimum of two (2), listing the following information: liquor license number, a list of any past liquor violations, and a copy of any operational agreements;
7. An insurance certificate of general liability and liquor liability insurance naming the County as additionally insured in an amount not less than what is listed in Section 5.3 of these regulations;
8. Documentation of the reasonable requirements of the neighborhood and the desires of the adult inhabitants for a common consumption area, as evidenced by petitions, written testimony, or otherwise; and
9. The application fee as set forth in Section 11.1 of these regulations.

**Section 7. Application for Recertification of a Promotional Association.**

An application to recertify a Promotional Association shall be submitted by January 31st of each year and shall include:

1. A copy of any changes to the Articles of Incorporation, Bylaws, and/or Directors and Officers of the Promotional Association;
2. The items listed in Section 6.2 through 6.8 of these regulations; and
3. The application fee as set forth in Section 11.2 of these regulations.

**Section 8. Application for Attachment to a Common Consumption Area.**

An application by a liquor license to attach to an existing Common Consumption Area of a Certified Promotional Association must be filed with any addition to the licensees after the initial certification of the Promotional Association and shall include without limitation:

1. Authorization for attachment from the Certified Promotional Association;

2. The name of the licensee’s designee to sit on the Board of Directors of the Certified Promotional Association;
3. Detailed map of the common consumption area, as outlined in Section 6.2, showing the addition of the new licensee; and
4. The application fee as set forth in Section 11.3 of these regulations.

**Section 9. Review of Applications for Certification, Recertification, or Attachment.**

Upon receipt of an application for Certification or Recertification of Promotional Association, or Attachment of a Liquor Licensee to an existing Common Consumption Area, the Board shall consider such application within sixty (60) days of receipt. The County Commissioners shall review the application for compliance with these regulations and Colorado Liquor Law and may either approve the application, with or without conditions, or deny the application.

**Section 10. Decertification of a Promotional Association.**

The Board has the power to decertify a Promotional Association as authorized by C.R.S. § 44-3-301(11)(c)(III), as amended.

**Section 11. Fees.**

1. The fee for an Application for Certification of a Promotional Association shall be \$200.
2. The fee for an Application for Recertification of a Promotional Association shall be \$100.
3. The fee for an Application for Attachment to a Common Consumption Area shall be \$200.

**Section 12. Severability.**

If any provision of these Regulations is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue in full force and effect.

INTRODUCED, READ, APPROVED, AND ADOPTED ON THIS 14<sup>th</sup> day of FEBRUARY 2023.



ATTEST:

\_\_\_\_\_  
County Clerk and Recorder and  
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

BY \_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner

**RESOLUTION NO. 23 - 11**

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

**A RESOLUTION APPOINTING MARY JO TESITOR TO THE SOUTHERN  
COLORADO ECONOMIC DEVELOPMENT DISTRICT BOARD OF  
DIRECTORS FOR A TERM EXPIRING ON MARCH 1, 2025**

WHEREAS, the Board of County Commissioners serve as the governing body of Huerfano County and are vested with administering the affairs of the County pursuant to state statutes; and,

WHEREAS, the Board of County Commissioners has determined that it is in the best interest of Huerfano County to delegate the representation of the County on certain boards and commissions of public and other bodies to members of the public with particular experience and expertise; and,

WHEREAS, Mary Jo Tesitor has submitted a letter of interest and has demonstrated her qualifications to serve on the Southern Colorado Economic Development District Board of Directors for Huerfano County and agrees to serve as a member of the Board while adhering to the principles applicable to governmental units and other requirements of law; and,

WHEREAS, the Board of Huerfano County Commissioners desires to appoint Mary Jo Tesitor to serve as a member of the Southern Colorado Economic Development District Board of Directors as a reflection of the values of the Huerfano County Board of County Commissioners.

NOW THEREFORE BE IT RESOLVED that the Huerfano County Board of County Commissioners hereby appoints Mary Jo Tesitor to serve as a member of the Southern Colorado Economic Development District Board of Directors until March 1, 2025, and until their successor has been appointed.

INTRODUCED, READ, APPROVED AND ADOPTED THIS 14<sup>th</sup> day of FEBRUARY 2023.



ATTEST:

\_\_\_\_\_  
County Clerk and Recorder and  
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

BY \_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner

**RESOLUTION NO. 23 - 12**

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

**A RESOLUTION APPOINTING CARLTON CROFT TO THE SOUTHERN  
COLORADO ECONOMIC DEVELOPMENT DISTRICT BOARD OF  
DIRECTORS FOR A TERM EXPIRING ON MARCH 1, 2025**

WHEREAS, the Board of County Commissioners serve as the governing body of Huerfano County and are vested with administering the affairs of the County pursuant to state statutes; and,

WHEREAS, the Board of County Commissioners has determined that it is in the best interest of Huerfano County to delegate the representation of the County on certain boards and commissions of public and other bodies to members of the public with particular experience and expertise; and,

WHEREAS, Carlton Croft has submitted a letter of interest and has demonstrated his qualifications to serve on the Southern Colorado Economic Development District Board of Directors for Huerfano County and agrees to serve as a member of the Board while adhering to the principles applicable to governmental units and other requirements of law; and,

WHEREAS, the Board of Huerfano County Commissioners desires to appoint Carlton Croft to serve as a member of the Southern Colorado Economic Development District Board of Directors as a reflection of the values of the Huerfano County Board of County Commissioners.

NOW THEREFORE BE IT RESOLVED that the Huerfano County Board of County Commissioners hereby appoints Carlton Croft to serve as a member of the Southern Colorado Economic Development District Board of Directors until March 1, 2025, and until a successor has been appointed.

INTRODUCED, READ, APPROVED AND ADOPTED THIS 14<sup>th</sup> day of FEBRUARY 2023.



ATTEST:

\_\_\_\_\_  
County Clerk and Recorder and  
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

BY \_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner

SEMI ANNUAL REPORT OF HUERFANO COUNTY TREASURER  
JULY 01, 2022 THRU DECEMBER 31, 2022

Item 7e.

FUND	BEGINNING BALANCE	REVENUES REVENUES	DISBURSEMENTS-- DISBURSEMENTS	ENDING BALANCE
COUNTY GENERAL FUND	2,841,363.52	3,246,396.40	4,372,698.76-	1,715,061.16
PARKS AND RECREATION	41,748.78	115,820.00	114,365.09-	43,203.69
HOUSING AUTHORITY	0.00			0.00
UNCLAIMED	736.47	10.00		746.47
SPECIAL PROJECT FUND	467,287.89	2,333,422.42	1,319,894.78-	1,480,815.53
ROAD & BRIDGE	164,964.36	1,592,817.51	1,247,055.04-	510,726.83
LEASE PURCHASE FUND	0.00			0.00
EMERGENCY SERVICES FUNDS (DISPATCH)	571,422.06	804,951.20	458,442.92-	917,930.34
RETIREMENT	163,019.47	41,886.34	94,467.56-	110,438.25
LODGING TAX TOURISM FUND	108,719.28	58,914.69	53,391.06-	114,242.91
DISASTER RECOVERY FUND	1,251,160.14	23,752.00	113,145.00-	1,161,767.14
GARDNER PUBLIC IMPROVEMENT DISTRICT	25,623.93	42,971.62	52,321.40-	16,274.15
WALSENBURG GATEWAY METRO DIST	0.00			0.00
SPANISH PEAKS LIBRARY DIST	34,821.25	28,248.77	60,365.03-	2,704.99
SPANISH PEAKS LIBRARY DIST (BOND)	33,669.54	27,274.27	58,337.07-	2,606.74
HUERFANO CO. AMBULANCE ENTERPRISE	0.00			0.00
WASTE TRANSFER STATION ENTERPRISE	55,341.46	62,475.76	57,005.57-	60,811.65
MINERAL LEASING	0.00			0.00
CREDIT CARD ADJ FUND	0.00			0.00
PUBLIC TRUSTEE	0.00			0.00
SOCIAL SERVICES	848,807.03	1,099,721.85	1,084,799.70-	863,729.18
HOSPITAL DISTRICT (OPERATING)	149,603.20	125,480.64	260,578.33-	14,505.51
HOSPITAL ANTIC. WARRANTS (BOND)	1.38			1.38
CITY OF WALSENBURG	87,163.54	319,258.83	365,412.35-	41,010.02
WALSENBURG TIF	3,432.27	2,836.58	5,809.30-	459.55
WAL (DOWNTOWN REV COMM) GID 28018	0.00			0.00
TOWN OF LAVETA	19,442.62	107,271.74	112,623.31-	14,091.05
LA VETA FIRE PROT. DIST.	26,759.04	25,110.28	47,424.95-	4,444.37
LA VETA CEMETERY DIST	2,548.75	2,391.81	4,517.19-	423.37
HUERFANO WATER CONS. DIST.	45,395.48	38,116.68	79,103.85-	4,408.31
NAVAJO WATER DIST.	5,427.89	4,244.31	9,189.23-	482.97
CUCHARA SAN. WATER DIST.	12,049.74	12,651.76	22,442.91-	2,258.59
LA VETA LIB. DIST.	27,793.12	26,078.66	49,255.60-	4,616.18
RYE FIRE DIST.	1,792.12	1,129.18	2,838.19-	83.11
ECONNOMIC & REVOLVING LOAN	0.00			0.00
CUCHARA BOND	0.00			0.00
UPPER HUERFANO CONSERVATION DIST	6,108.85	5,528.98	11,092.84-	544.99
UPPER HUERFANO FIRE DIST.	8,733.02	28,449.70	35,908.60-	1,274.12
HUERFANO CO FIRE PROTECTION DIST	77,145.77	48,910.36	120,449.27-	5,606.86
COUNTY CLERK	170,676.27	1,093,666.33	1,128,825.35-	135,517.25
COUNTY CLERK SUR CHARGE	5,548.48	1,607.00	1,403.38-	5,752.10
SCHOOL DIST. RE-1 GENERAL	475,142.76	375,520.18	814,437.83-	36,225.11
SCHOOL DIST. RE-1 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-1 BOND	202,512.29	159,786.61	346,946.53-	15,352.37
SCHOOL DIST. RE-1 INSURANCE REV.	0.47			0.47
SCHOOL DIST. RE-2 GENERAL	130,294.45	119,148.27	227,967.86-	21,474.86
SCHOOL DIST. RE-2 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-2 BOND	64,896.31	59,203.17	113,409.85-	10,689.63
TAX SALE & REDEMPTIONS	10,112.64	195,095.15	195,001.71-	10,206.08
BACK TAX UNAPPORTIONED	0.00			0.00
FEDERAL FOREST PROJECT FUND	69,894.90	2,491.00	128.09-	72,257.81
C-PACE COLORADO NEW ENERGY IMP DIST	0.00			0.00
TREASURERS FEES	0.00	69,225.41	69,225.41-	0.00
SPECIFIC OWNERSHIP	0.00	581,945.58	581,945.58-	0.00
LAND USE FUND	0.00			0.00
CONSERVATION TRUST FUND	26,592.56	9,174.98	6,000.00-	29,767.54
MOTOR VEHICLE	0.00	20,516.87	20,516.87-	0.00
FEDERAL LAND & MATERIALS ACT	367.59			367.59

US FOREST RESERVE	4,620.00			4,620.00
NAVAJO BOND	0.00			0.00
WALSENBURG HOUSING AUTHORITY	0.00			0.00
ADVANCE TAX COLLECTIONS	9,101.64	7,594.15		16,695.79
COUNTY PROPERTY SALES	765.00			765.00
PILT	614,810.26	959.00	551,467.55-	64,301.71
REAL ESTATE INT.UNAPPORTIONED	0.00			0.00
BUSINESS RECRUITMENT FUND	0.00			0.00
COURT HOUSE RE-HAB	0.00			0.00
PURGATOIRE RIVER SOIL CONS. DIST.	0.11	.24		0.35
BUSINESS RECRUITMENT	0.00			0.00
EMERGENCY RESERVE FUND	0.00			0.00
GRAND TOTALS	<u>\$8,867,417.70</u>	<u>\$12,922,056.28</u>	<u>\$14,270,210.91-</u>	<u>\$7,519,263.07</u>

CUSTODY OF FUNDS



I, DEBRA J REYNOLDS, County Treasurer in and for the County of Huerfano, State of Colorado, do hereby certify that the above is a true statement of the condition of the various funds as they appear from the records in my office at the close of business on December 31, 2022

*Debra J Reynolds*  
County Treasurer

For six months - ending December 31, 2022  
Filed in my office this \_\_\_\_\_ day of January 2023

Received and examined by the Board of Huerfano County Commissioners this \_\_\_\_\_ day of January 2023

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman

Published in the Huerfano World Journal Paper January

SEMI ANNUAL REPORT OF HUERFANO COUNTY TREASURER  
 JULY 01, 2022 THRU DECEMBER 31, 2022

Item 7e.

FUND	BEGINNING BALANCE	REVENUES DEPOSITS	INTEREST EARNED	TRANSFERS (IN)	DISBURSEMENTS TRANSFERS (OUT)	ENDING BALANCE
COMMUNITY BANKS OF SO COLORADO	434,695.38	986,307.43		931,757.50-		489,245.31
TREASURERS CASH	700.00					700.00
COLO TRUST (INVESTMENT)	1,029,402.82	400,000.00	16,373.10		10,000.00-	1,435,775.92
BANK OF THE WEST OPERATING ACCT	2,684,509.81	1,400,023.47	38.13	6,015,615.35	9,415,431.25-	684,755.51
BANK OF THE WEST MM ACCT	1,027,414.89	1,300,000.00	74.10		1,100,000.00-	1,227,488.99
BANK OF THE WEST CD START 3/25/22	50,000.00					50,000.00
HCB CD START 4/18/13-CLOSED 4/25/19	0.00					0.00
HUERFANO CONSERVATION TRUST FUND	26,592.56	9,161.24	13.74		6,000.00-	29,767.54
CSAFE (INVESTMENT)	1,217,001.17		14,110.32		400,000.00-	831,111.49
PEAKS INVESTMENTS MANAGEMENT	508,694.21		41,562.00		27,194.51-	523,061.70
LPL FINANCIAL	1,566,800.29		238,983.25		84,890.97-	1,720,892.57
WELLS FARGO (TRANSFD TO PEAKS INV)	0.00					0.00
PFM FUNDS - CSIP (START 2/26/13)	321,606.57	200,000.00	4,857.47			526,464.04
<b>GRAND TOTALS</b>	<b>\$8,867,417.70</b>	<b>\$4,295,492.14</b>	<b>\$316,012.11</b>	<b>\$5,083,857.85</b>	<b>\$11,043,516.73-</b>	<b>\$7,519,263.07</b>



I Debra J Reynolds, County Treasurer in and for the county of Huerfano in the State of Colorado, do hereby certify that the above is a true statement of the condition of the various funds as they appear from the records in my office at the close of business on December 31, 2022

*Debra J Reynolds*  
 County Treasurer

Received and examined by the Board of Huerfano County Commissioners this \_\_\_\_\_ day of January 2023

For six months ending December 31, 2022  
 Filed in my office this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Chairman

\_\_\_\_\_  
 County Clerk

Published in the County Paper January, \_\_\_\_\_ 2023



ANNUAL REPORT OF HUERFANO COUNTY TREASURER  
 JANUARY 01, 2022 THRU DECEMBER 31, 2022

Item 7f.

FUND	BEGINNING BALANCE	REVENUES----- REVENUES	DISBURSEMENTS-- DISBURSEMENTS	ENDING BALANCE
COUNTY GENERAL FUND	2,285,717.36	8,020,392.64	8,591,048.84-	1,715,061.16
PARKS AND RECREATION	0.00	221,775.00	178,571.31-	43,203.69
HOUSING AUTHORITY	0.00			0.00
UNCLAIMED	705.33	41.14		746.47
SPECIAL PROJECT FUND	945,258.22	4,911,892.12	4,376,334.81-	1,480,815.53
ROAD & BRIDGE	496,909.57	2,482,330.49	2,468,513.23-	510,726.83
LEASE PURCHASE FUND	0.00			0.00
EMERGENCY SERVICES FUNDS (DISPATCH)	676,386.57	1,650,913.57	1,409,369.80-	917,930.34
RETIREMENT	111,128.47	187,016.26	187,706.48-	110,438.25
LODGING TAX TOURISM FUND	70,221.56	133,784.21	89,762.86-	114,242.91
DISASTER RECOVERY FUND	635,329.64	1,193,582.50	667,145.00-	1,161,767.14
GARDNER PUBLIC IMPROVEMENT DISTRICT	34,073.58	78,353.90	96,153.33-	16,274.15
WALSENBURG GATEWAY METRO DIST	0.00			0.00
SPANISH PEAKS LIBRARY DIST	1,992.11	252,549.26	251,836.38-	2,704.99
SPANISH PEAKS LIBRARY DIST (BOND)	1,763.26	243,434.32	242,590.84-	2,606.74
HUERFANO CO. AMBULANCE ENTERPRISE	0.00			0.00
WASTE TRANSFER STATION ENTERPRISE	46,595.39	115,108.32	100,892.06-	60,811.65
MINERAL LEASING	0.00			0.00
CREDIT CARD ADJ FUND	0.00			0.00
PUBLIC TRUSTEE	0.00			0.00
SOCIAL SERVICES	711,104.52	2,382,242.34	2,229,617.68-	863,729.18
HOSPITAL DISTRICT (OPERATING)	7,736.35	1,106,278.24	1,099,509.08-	14,505.51
HOSPITAL ANVIC. WARRANTS (BOND)	0.00	1.38		1.38
CITY OF WALSENBURG	31,545.45	760,342.75	750,878.18-	41,010.02
WALSENBURG TIF	11.20	36,332.72	35,884.37-	459.55
WAL (DOWNTOWN REV COMM) GID 28018	0.00			0.00
TOWN OF LAVETA	12,393.33	219,208.07	217,510.35-	14,091.05
LA VETA FIRE PROT. DIST.	1,382.31	212,536.69	209,474.63-	4,444.37
LA VETA CEMETERY DIST	126.26	20,239.63	19,942.52-	423.37
HUERFANO WATER CONS. DIST.	2,345.32	335,939.53	333,876.54-	4,408.31
NAVAJO WATER DIST.	292.67	38,784.50	38,594.20-	482.97
CUCHARA SAN. WATER DIST.	683.65	113,358.34	111,783.40-	2,258.59
LA VETA LIB. DIST.	1,378.12	220,688.57	217,450.51-	4,616.18
RYE FIRE DIST.	183.78	11,124.78	11,225.45-	83.11
ECONOMIC & REVOLVING LOAN	0.00			0.00
CUCHARA BOND	0.00			0.00
UPPER HUERFANO CONSERVATION DIST	344.83	52,903.38	52,703.22-	544.99
UPPER HUERFANO FIRE DIST.	1,111.37	135,414.97	135,252.22-	1,274.12
HUERFANO CO FIRE PROTECTION DIST	3,550.84	512,724.80	510,668.78-	5,606.86
COUNTY CLERK	144,499.00	2,112,421.95	2,121,403.70-	135,517.25
COUNTY CLERK SUR CHARGE	4,684.18	3,522.00	2,454.08-	5,752.10
SCHOOL DIST. RE-1 GENERAL	23,820.72	3,414,023.36	3,401,618.97-	36,225.11
SCHOOL DIST. RE-1 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-1 BOND	3,674.47	1,419,504.72	1,407,826.82-	15,352.37
SCHOOL DIST. RE-1 INSURANCE REV.	0.47			0.47
SCHOOL DIST. RE-2 GENERAL	6,144.16	1,030,148.58	1,014,817.88-	21,474.86
SCHOOL DIST. RE-2 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-2 BOND	3,306.80	497,542.81	490,159.98-	10,689.63
TAX SALE & REDEMPTIONS	9,004.80	346,028.97	344,827.69-	10,206.08
BACK TAX UNAPPORTIONED	0.00			0.00
FEDERAL FOREST PROJECT FUND	51,270.47	21,115.43	128.09-	72,257.81
C-PACE COLORADO NEW ENERGY IMP DIST	0.00			0.00
TREASURERS FEES	0.00	215,285.52	215,285.52-	0.00
SPECIFIC OWNERSHIP	0.00	1,185,557.65	1,185,557.65-	0.00
LAND USE FUND	0.00			0.00
CONSERVATION TRUST FUND	21,286.18	18,481.36	10,000.00-	29,767.54
MOTOR VEHICLE	0.00	39,202.52	39,202.52-	0.00
FEDERAL LAND & MATERIALS ACT	367.59			367.59

US FOREST RESERVE	4,620.00			4,620.00
NAVAJO BOND	0.00			0.00
WALSENBURG HOUSING AUTHORITY	0.00	27,867.50	27,867.50-	0.00
ADVANCE TAX COLLECTIONS	14,041.97	4,836.74	2,182.92-	16,695.79
COUNTY PROPERTY SALES	765.00			765.00
PILT	471,960.80	748,312.15	1,155,971.24-	64,301.71
REAL ESTATE INT.UNAPPORTIONED	0.00			0.00
BUSINESS RECRUITMENT FUND	0.00			0.00
COURT HOUSE RE-HAB	0.00			0.00
PURGATOIRE RIVER SOIL CONS. DIST.	0.62	5.63	5.90-	0.35
BUSINESS RECRUITMENT	0.00			0.00
EMERGENCY RESERVE FUND	0.00			0.00
GRAND TOTALS	<u>\$6,839,718.29</u>	<u>\$36,733,151.31</u>	<u>\$36,053,606.53-</u>	<u>\$7,519,263.07</u>

I, DEBRA J REYNOLDS Treasurer in and for the County of Huerfano, and the State of Colorado, hereby certify that the foregoing is a true and just copy of the fund balances, receipts and disbursements of records of my office to the best of my knowledge and belief as of DECEMBER 31, 2022.

Date: 1/31/23 Debra J Reynolds  
Huerfano County Treasurer



The above and foregoing statement of the annual condition of Huerfano County, Colorado is a true copy of the statement furnished the Board of County Commissioners by Debra J Reynolds County Treasurer, in and for the County of Huerfano, State of Colorado.

Date: \_\_\_\_\_ Chairman: \_\_\_\_\_

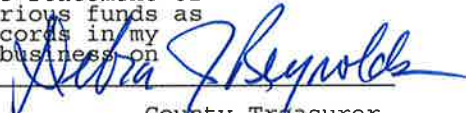
Attest: \_\_\_\_\_  
County Clerk & Recorder

ANNUAL REPORT OF HUERFANO COUNTY TREASURER  
 JANUARY 01, 2022 THRU DECEMBER 31, 2022

Item 7f.

FUND	BEGINNING BALANCE	REVENUES-- DEPOSITS	INTEREST EARNED	TRANSFERS (IN)	DISBURSEMENTS-- TRANSFERS (OUT)	ENDING BALANCE
COMMUNITY BANKS OF SO COLORADO	65,513.39	34,342.65-		458,074.57		489,245.31
TREASURERS CASH	700.00					700.00
COLO TRUST (INVESTMENT)	1,026,981.21	400,000.00	18,794.71		10,000.00-	1,435,775.92
BANK OF THE WEST OPERATING ACCT	760,374.48	17,384,943.30	1,258.34	11,195,341.32	28,657,161.93-	684,755.51
BANK OF THE WEST MM ACCT	1,052,380.01	2,075,000.00	108.98		1,900,000.00-	1,227,488.99
BANK OF THE WEST CD START 3/25/22	300,000.00				250,000.00-	50,000.00
HCB CD START 4/18/13-CLOSED 4/25/19	0.00					0.00
HUERFANO CONSERVATION TRUST FUND	21,286.18	18,455.42	25.94		10,000.00-	29,767.54
CSAFE (INVESTMENT)	1,216,123.05	1,000,000.00	14,988.44		1,400,000.00-	831,111.49
PEAKS INVESTMENTS MANAGEMENT	508,694.21		41,562.00		27,194.51-	523,061.70
LPL FINANCIAL	1,566,800.29		238,983.25		84,890.97-	1,720,892.57
WELLS FARGO (TRANSFD TO PEAKS INV)	0.00					0.00
PFM FUNDS - CSIP (START 2/26/13)	320,865.47	200,000.00	5,598.57			526,464.04
GRAND TOTALS	\$6,839,718.29	\$21,044,056.07	\$321,320.23	\$11,653,415.89	\$32,339,247.41-	\$7,519,263.07

I Debra J Reynolds, County Treasurer in and for the county of Huerfano in the State of Colorado, do hereby certify that the above is a true statement of the condition of the various funds as they appear from the records in my office at the close of business on December 31, 2021

  
 County Treasurer



Received and examined by the Board of Huerfano County Commissioners this \_\_\_\_\_ day of January 2022

\_\_\_\_\_  
 Chairman

For Twelve months ending December 31, 2021  
 Filed in my office this 10th day of January 2022.



**4336 N. Nevada Ave.  
Colorado Springs, CO 80907  
Phone: 719.538.9900**

Proposal Submitted to: <b>Huerfano County</b>		Phone	Date <b>12/16/2022</b>
Street:		Job Name <b>County Jail</b>	
City, State, and Zip Code:		Job Location <b>500 S Albert Ave. Westcliffe, Co.</b>	
Architect:	Date of Plan	Job Contact <b>Jeff Byland jbyland@huerfanocom</b>	
<p><b>Annual Maintenance Program:</b> Perform annual maintenance on 2 rolling door for the Huerfano County Jail. Service, adjust and lube all moving parts. Replace parts as needed not to exceed \$150.00 for parts without approval.</p>			
<p>We propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of :</p> <p style="text-align: right;">dollars <b>\$850.00</b></p>			
Payment to be made as follows:			
<p>All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon writted orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's mpenstaion Insurance. Final payment in full, is due upon completion of proposed work unless other arrangements have been made in writing. Finance charges of \$25.00 or 1.5% (whichever is greater,) will be assessed to all unpaid balances after 10 days and continuing monthly at the same rate (1.5% or \$25.00,) until paid in full. Unpaid balances older than 90 days are subject to additional collection actions and fees including but not limited to attorney fees &amp; court costs.</p>		<p>Job assessment submitted by:</p> <hr/> <p>Quote prepared by: <i>Eric Leaming</i></p> <p>Note: This proposal may be withdrawn by us if not accepted within <b>30</b> DAYS.</p>	
<p><b>Acceptance of Proposal</b> – The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. payment will be made as outlined above.</p> <p>Date of Acceptance:</p>		<p>Signature:</p>  <p>signature :</p>	

# PURCHASE ORDER

## Huerfano County

Purchase Order#: 53

Purchase OrderDate: 2/8/2023

Vendor: **PRECISION HYDRAULICS INC. / 1066  
611 W. 9TH ST.  
PUEBLO, CO 81003**

Ship To: **401 Main Street -  
Walsenburg CO, 81089**

### Order Description:

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL COST	LEDGER
Parts for D6 Dozer	1	\$4,149.04	\$4,149.04	002-43040-51506
TOTAL:			\$4,149.04	

### NOTES:

### APPROVALS:

Approving Authority:

Budget Officer:



Estimate # Item 7h.

Date	Estimate #
2/1/2023	Q58289

611 W. 9th Street  
 Pueblo, CO 81003  
 719-543-0307  
 precision611@comcast.net

Customer:  
 Dustin Hribar  
 Huerfano County  
 401 Main Street, Suite 306  
 Walsenburg, CO 81089

Item	Description	Qty	Rate	Total
MCU-2502-D	2 1/2" X 3 1/4" X 3/8" WIPER	2	29.45	58.90
OR-252	O-RING	2	2.00	4.00
OR-224	O-RING	2	0.83	1.66
MISC	CTC-1672201, DYP STYLE ROD BUFFER SEAL	2	8.23	16.46
MISC	CTC-6E0465, 2 PIECE STEP-CUT PISTON SEAL	2	77.64	155.28
MISC	U25-2.50-31B, 800 POLYURETHANE U-SEAL	2	17.80	35.60
MISC	8T-8315, WEAR RINGS	2	63.57	127.14
MISC	PIN,50MM X 6"	2	125.00	250.00
LABOR	HONE DENTED CYLINDER TUBE/REPLACE ROD EYES AND PISTON//RESEALD5 ANGLE CYLINDER		3,500.00	3,500.00
	<i>002. 43040. 51506</i>			

<b>Subtotal</b>	\$4,149.04
<b>Sales Tax (0.0%)</b>	\$0.00
<b>Total</b>	\$4,149.04

**PURCHASE ORDER**  
**Huerfano County**

Item 7i.

Purchase Order#: 54

Purchase OrderDate: 2/8/2023

Vendor: **WAGNER EQUIPMENT COMPANY / 1006**  
**PO BOX 919000**  
**DENVER, CO 80291-9000**

Ship To: **401 Main Street -**  
**Walsenburg CO, 81089**

**Order Description:**

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL COST	LEDGER
Annual Subscription	1	\$2,225.00	\$2,225.00	002-43040-51693
TOTAL:			\$2,225.00	

**NOTES:**

**APPROVALS:**

Approving Authority:

Budget Officer:



Aurora, CO. 18000 Smith Rd., 80011  
303-739-3000 \* 877-654-1237

Albuquerque, NM. 700 Wagon Wheel Dr. SE, 87105 \* 505-345-8411 \* 800-821-6082

Item 7i

www.wagnerequipment.com

Bloomfield, NM 505-634-4500  
Burlington, CO 719-346-7880  
Colo. Spgs., CO 719-635-1669  
Durango, CO 970-259-2001  
El Paso, TX 915-821-7651  
Grand Jct., CO 970-242-2834  
Hayden, CO 970-276-3781  
Hobbs, NM 575-393-2148  
Pueblo, CO 719-544-4433  
Windsor, CO 970-278-1750  
Yuma, CO 970-848-2911  
800-468-5081 877-742-1332 877-654-1237 877-654-1237 800-345-7878 877-654-1237 877-654-1237 800-821-6082 877-654-1237 877-654-1237 877-654-1237

SOLD TO:  
HUERFANO COUNTY  
401 MAIN ST STE 306  
WALSENBURG CO 81089

SHIP TO:  
HUERFANO COUNTY  
1038 RUSSELL AVE  
WALSENBURG CO 81089

INVOICE NUMBER	INVOICE DATE	CUSTOMER NUMBER	CUSTOMER ORDER NUMBER			STORE	DIV	SALESMAN	TERMS	PAGE
0L20439	01-26-23	44650				00	U		2	1
PSO/WO NO.	DOC. DATE	PC	LC	MC	SHIP VIA			INV. SEQ. NO.		
0L20439	01-26-23	10	10	10				1		
MAKE	MODEL	SERIAL NUMBER			EQUIPMENT NUMBER	METER READING		MACH. ID NO.		
ZZ	ANNUAL SETWR RENEWAL									
QUANTITY	ITEM	N/R	DESCRIPTION			UNIT PRICE		EXTENSION		

\* \* \* PROFORMA INVOICE \* \* \*

FURNISH CUSTOMER CAT ET SOFTWARE

ANNUAL ET SUBSCRIPTION  
ET901385

ENGINE DIAGNOSTICS-CT600 SUBSCRIPTION	1.00	CAT ET	975.00
	1.00	ENG DIAG-CT600	875.00
TOTAL MISC CHGS	SEG. 01		1850.00 *
SEGMENT 01 TOTAL			1850.00 T

FURNISH CUSTOMER SIS2.0 SERVICE

ANNUAL SIS WEB SUBSCRIPTION  
1.00

SIS2.00	375.00	
TOTAL MISC CHGS	SEG. 02	375.00 *
SEGMENT 02 TOTAL	375.00 T	

002. 43040, 51693

Pricing is subject to change based on manufacturer changes to cost and availability  
If you're not completely satisfied please call 1-833-954-3116 or email us at customerexperience@wagnerequipment.com

TERMS OF PAYMENT: CASH CUSTOMER - PAYMENT DUE ON DATE OF INVOICE. ALL PARTS AND SERVICES INVOICES ARE DUE THE 10TH DAY OF MONTH FOLLOWING THE DATE OF PURCHASE OR INVOICE DATE. FINANCE CHARGE OF 1.50% PER MONTH (ANNUAL PERCENTAGE RATE OF 18%) WILL BE CHARGED ON PAST DUE INVOICES. WHEN YOU PROVIDE A CHECK AS PAYMENT, YOU AUTHORIZE US EITHER TO USE INFORMATION FROM YOUR CHECK TO MAKE A ONE-TIME ELECTRONIC FUND TRANSFER FROM YOUR ACCOUNT OR TO PROCESS THE PAYMENT AS A CHECK TRANSACTION.  
FREIGHT TERMS: ALL PARTS PURCHASED ARE F.O.B. SOURCE AND INCOMING FREIGHT WILL BE CHARGED FROM SOURCE. PLEASE REFER TO YOUR PARTS SALES ORDER FOR THE PARTS RETURN POLICY DETAILS.

PLEASE PAY THIS AMOUNT	2225.00
AMOUNT CREDITED	

PLEASE REMIT TO

WAGNER EQUIPMENT CO.  
PO BOX 919000  
DENVER, CO 80291-9000

144

CUSTOMER ORIGINAL INVOICE

Wagner Equipment Co. hires EEO/AA/Minorities/Women/Disabled Veterans



## MASTER ENGAGEMENT AGREEMENT

**THIS MASTER ENGAGEMENT AGREEMENT** (“Agreement”), made and entered into as of February 8, 2023 (“Effective Date”) by and between **MGT of America Consulting, LLC**, with offices located at 4320 West Kennedy Boulevard, Tampa, FL 33609 (“MGT”) and **Huerfano County, Colorado**, with offices located at 401 Main Street, Walsenburg, CO 81089 (“Client”), sets forth the parties’ understanding pursuant to which MGT shall be engaged by Client.

### **I. SCOPE OF SERVICES**

The scope of MGT’s services to be provided to Client on a project shall be set out in individual annexes to this Agreement (“Annex” or “Annexes”). Each Annex, upon execution by both parties, shall by this reference be incorporated in and made part of this Agreement. Each Annex shall specify the scope of Services to be performed by MGT (“Services”), term or period of performance, key MGT staff members assigned to assist in the performance of such Services and the payment terms for such Services, as well as any other details specified by the parties. Should the Services as described in any Annex change in any material way, an adjustment to MGT’s fees and promised delivery dates for such Services may be required. MGT undertakes to advise Client promptly should any such adjustment be necessary and to negotiate with Client in good faith to arrive at a mutually acceptable revision to the applicable Annex.

### **II. STAFFING**

MGT shall assign staff members to perform all Services. Should any staff members be unable to perform Services, MGT may substitute another similarly-qualified staff member. MGT may, from time to time and in its discretion, augment the listed staff as needed to perform the Services. All tasks are to be completed virtually, unless Client and MGT mutually agree to add in-person work for an additional fee (to be determined). All requests for in-person work must be made in writing and must be approved by MGT and incorporated as an amendment and/or annex to this Agreement.

### **III. FEES AND DISBURSEMENTS**

All invoices submitted by MGT to Client shall be due and payable upon receipt. MGT reserves the right to impose an interest charge equal to one and one-half percent (1.5%) per month in respect of any invoice which is outstanding for more than thirty (30) days.

### **IV. TERM AND TERMINATION**

This Agreement shall be effective on the Effective Date and shall continue for a period of four (4) years unless otherwise terminated or extended as provided herein.

Each Annex shall set forth the period of performance in which MGT shall perform the project-specific Services and may provide for additional option periods. Client may elect to exercise such option periods by notifying MGT of their intention, at which time compensation and scope can be determined and agreed upon by both parties.

Either party shall have the right to terminate this Agreement and any Annex by giving thirty (30) days’ prior written notice to the other party. If this Agreement or any Annex is so terminated in advance of its scheduled completion, Client shall pay to MGT, upon receipt of an invoice, any and all proper charges earned and/or incurred by MGT in connection with the Services pursuant to this Agreement and the Annexes up to the time of its termination and shall indemnify MGT as provided

in Section V.3, General Indemnification, herein.

## **V. GENERAL PROVISIONS**

### **1. Modification, Cancellation or Suspension of Work**

Upon consultation with MGT, Client shall have the right to modify, cancel or suspend any and all plans, schedules or work in progress under any Annex, and, in such event, MGT shall immediately take proper steps to carry out such instructions. In the event Client elects to modify the scope, an adjustment to the Annex Compensation may be necessary, and MGT will advise Client of any changes to Compensation.

### **2. Delay**

If during the term, Client causes delay resulting from Client's (i) failure to provide requested information on a timely basis, (ii) providing of inaccurate, incorrect or false information, (iii) Client's failure to provide access to appropriate personnel if required by the Annex Scope, or (iv) delay due to Client rescheduling Annex Scope; and such delay causes MGT any or all of (i) duplicate work efforts, (ii) corrective work efforts, or (iii) more than 7 days of idle time, MGT reserves the right to charge additional fees on either or both of (i) hourly rate (ii) and material costs.

### **3. General Indemnification**

Client shall fully defend, indemnify and hold harmless MGT and its officers, directors, employees, agents, representatives or successors and assigns (collectively, "Indemnified Parties") from and against any and all claims, demands, actions or causes of actions and any and all liabilities, costs and expenses (including but not limited to attorney's fees and expenses, incurred in the defense of an Indemnified Party, including costs of appeal) damage or loss in connection therewith, what may be asserted by Client, its officers, employees, agents, representatives, successors or assigns or any other third party on account of, or sustained or alleged to have been sustained by, or arising out of or growing out of bodily injury, including death, or loss of use or damage to or destruction of property caused by, arising out of, sustained or alleged to have been sustained by, or in any way incidental to or in connection with Client's performance of the Services under this Agreement or Statement of Work, regardless of whether such claims, demands, actions, causes of action or liability are or alleged to have been caused by in part or contributed to by the negligence, fault, or strict liability of any Indemnified Party.

MGT's indemnity obligation under this Paragraph is contingent upon MGT ("Indemnitee") seeking indemnity by (i) promptly notifying the Client ("Indemnitor") of each claim; provided, however, that Indemnitee's failure to give prompt notice to Indemnitor of any such claim shall not relieve Indemnitor of any obligation under this paragraph except and to the extent that such failure materially prejudices Indemnitor's ability to defend against such claim; (ii) provide the Indemnitor with sole control over the defense and/or settlement thereof provided however, that Indemnitor shall not settle any claim that includes an admission of wrongdoing by Indemnitee or otherwise adversely affects Indemnitee's interests without its prior consent; and (iii) at Indemnitor's request and expense, provide full information and reasonable assistance to Indemnitor with respect to such claim.

### **4. Confidentiality**

MGT shall maintain in confidence all information and data relating to Client, its Services, products,

business affairs, marketing and promotion plans or other operations and its associated companies which are disclosed to MGT by or on behalf of Client (whether orally or in writing and whether before, on or after the date of this Agreement) or which are otherwise directly or indirectly acquired by MGT from Client, or any of its affiliated companies, or created in the course of this Agreement.

MGT shall ensure that it, its officers, employees and agents only use such confidential information in order to perform the Services, and shall not without Client's prior written consent, disclose such information to any third-party nor use it for any other purpose; provided, however, that MGT shall have the right to disclose Client's name and the general nature of MGT's work for Client in pitches and business proposals.

The above obligations of confidentiality shall not apply to the extent that MGT can show that the relevant information:

- (1) was at the time of receipt already in MGT's possession;
- (2) is, or becomes in the future, public knowledge through no fault or omission of MGT;
- (3) was received from a third-party having the right to disclose; or
- (4) is required to be disclosed by law.

## **5. Non-Solicitation**

During the term of this Agreement, and for a period of two (2) years after the termination thereof, neither party shall directly nor indirectly solicit for employment any person or persons currently employed, or who were employed in the last twelve months by the other unless (a) the other party has given its prior written consent, (b) the employer has terminated his or her position, or (c) the employer-party terminated his or her employment. Direct solicitation does not include advertisements published in the general media and, except to the extent that an individual was specifically encouraged to respond to such advertisements, nothing in this clause restricts an individual employee's right to seek employment with the other party to perform work unrelated to this Agreement.

## **6. Risk**

All MGT analysis, projections, forecasts, and conclusions rely upon the accuracy of information provided by Client as well as near-term and long-term assumptions influenced by factors outside of MGT's control and for which may adversely impact Client. Changes such as Client's financial health, as well as state, local, and global economic conditions, may impact Client, the accuracy of projections and or feasibility of Services. Additional risks to Client include but are not limited to changes to demand, competition, regulatory changes, as well as force majeure events.

## **7. Force Majeure**

Neither party will be in breach of its obligations under this Agreement (other than payment obligations) or incur any liability to the other party for any losses or damages of any nature whatsoever incurred or suffered by that other party if and to the extent that it is prevented from carrying out those obligations by, or such losses or damages are caused by, a force majeure event, except to the extent that the relevant breach of its obligations would have occurred, or the relevant losses or damages would have arisen, even if the Force Majeure had not occurred. Force Majeure is defined as acts of God, war, act(s) of terrorism, fires, explosions, natural disasters, to include without limitation, hurricanes, floods, and tornadoes, failure of transportation, labor strike, loss or

shortage of transportation facilities, lockout or commandeering of materials, products, plants or facilities by the government or other order (both federal and state), interruptions by government or court orders (both federal and state), present and future orders of any regulatory body having proper jurisdiction, civil disturbances to include without limitation, riots, rebellions, and insurrections, epidemics, pandemics, or other national, state, or regional emergencies, and any other cause not enumerated in this provision, but which is beyond the reasonable control of the party whose performance is affected and which by the exercise of all reasonable due diligence, such party is unable to overcome. Such excuse from performance will be effective only to the extent and duration of the Force Majeure event(s) causing the failure or delay in performance and provided that the affected party has not caused such Force Majeure event(s) to occur and continues to use diligent, good faith efforts to avoid the effects of such Force Majeure event(s) and to perform the obligation(s). Written notice of a party's failure or delay in performance due to Force Majeure must be given within a reasonable time after its occurrence and which notice must describe the Force Majeure event(s) and the actions taken to minimize the impact of such Force Majeure event(s). Notwithstanding the foregoing, a party's financial inability to perform its obligations shall in no event constitute a Force Majeure event.

#### **8. Exclusion of Liability caused by Political or Regulatory Decisions**

While Client has engaged MGT to assist it in dealing with certain regulatory or political decisions or actions that may adversely affect Client's business, and while MGT has agreed to provide such assistance, MGT shall not be responsible for nor liable to Client for any loss, damage, or other adverse consequence that may result from any regulatory or political decision or action being rendered against Client or Client's interests.

#### **9. Governing Law, Submission to Jurisdiction and Consent to Suit**

THIS AGREEMENT SHALL BE GOVERNED BY AND CONSTRUED AND INTERPRETED IN ACCORDANCE WITH THE LAWS OF THE STATE OF FLORIDA (IRRESPECTIVE OF THE CHOICE OF LAWS PRINCIPLES OF THE STATE OF FLORIDA) AS TO ALL MATTERS, INCLUDING MATTERS OF VALIDITY, CONSTRUCTION, EFFECT, ENFORCEABILITY, PERFORMANCE AND REMEDIES. CLIENT SUBMITS ITSELF AND ITS PROPERTY IN ANY LEGAL ACTION OR PROCEEDING RELATING TO THIS AGREEMENT TO THE EXCLUSIVE JURISDICTION OF ANY STATE OR FEDERAL COURT WITHIN HILLSBOROUGH COUNTY, FLORIDA AND CLIENT HEREBY ACCEPTS VENUE IN EACH SUCH COURT.

#### **10. Dispute Resolution Procedure**

In the event of a dispute, controversy or claim by and between Client and MGT arising out of or relating to this Agreement or matters related to this Agreement, the parties will first attempt in good faith to resolve through negotiation any such dispute, controversy or claim. Either party may initiate negotiations by providing written notice in letter form to the other party setting forth the subject of the dispute and the relief requested. The recipient of such notice will respond in writing within five (5) business days with a statement of its position on, and recommended solution to, the dispute. If the dispute is not resolved by this exchange of correspondence, then senior management representatives of each party with full settlement authority will meet at a mutually agreeable time and place within fifteen business days of the date of the initial notice in order to exchange relevant information and perspectives and to attempt to resolve the dispute. If the dispute is not resolved by these negotiations, the matter will be submitted to a mutually agreeable certified mediator. The mediation shall take place in Tampa, Florida.

Except as provided herein, no civil action with respect to any dispute, controversy or claim arising out of or relating to this Agreement may be commenced until the matter has been submitted for mediation. Either party may commence mediation by providing to the other party a written request for mediation, setting forth the subject of the dispute and the relief requested. The parties will cooperate in selecting a mediator and in scheduling the mediation proceedings. The parties will participate in the mediation in good faith and will share equally in its costs. All offers, promises, conduct and statements, whether oral or written, made in the course of the mediation by either of the parties, their agents, employees, experts or attorneys, or by the mediator, are confidential, privileged and inadmissible for any purpose, including impeachment, in any litigation or other proceeding involving the parties; provided, however, that evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation. Either party may seek equitable relief prior to the mediation to preserve the *status quo* pending the completion of that process. Except for such an action to obtain equitable relief, neither party may commence a civil action with respect to the matters submitted to mediation until after the completion of the initial mediation session. Mediation may continue after the commencement of a civil action, if the parties so desire. The provisions of this clause may be enforced by any court of competent jurisdiction, and the party seeking enforcement shall be entitled to an award of all reasonable costs, fees and expenses, including legal fees, to be paid by the party against whom enforcement is ordered. In addition, should the dispute under this Agreement involve the failure to pay fees and/or Disbursements under Section III hereof, and the matter is not resolved through negotiation or mediation, Client shall pay all costs of collection, including, but not limited to, MGT's legal fees and costs should MGT prevail.

#### **11. Assignment**

Neither party may assign any of its rights or delegate any of its duties or obligations under this Agreement without the express written consent of the other party. Notwithstanding the foregoing, MGT, or its permitted successive assignees or transferees, may assign or transfer this Agreement or delegate any rights or obligations hereunder without consent: (i) to any entity controlled by, or under common control with, MGT, or its permitted successive assignees or transferees; or (ii) in connection with a merger, reorganization, transfer, sale of assets or change of control or ownership of MGT, or its permitted successive assignees or transferees.

#### **12. Non-Discrimination/Equal Employment Practices**

Neither party shall unlawfully discriminate or permit discrimination against any person or group of persons in any matter prohibited by federal, state or local laws. During the performance of this Agreement, neither party or their employees, agents or subcontractors, if any, shall discriminate against any employee or applicant for employment because of age, marital status, religion, gender, sexual orientation, gender identity, race, creed, color, national or ethnic origin, medical conditions, or physical disability, or any other classifications protected by local, state or federal laws or regulations. The parties further agree to be bound by applicable state and federal rules governing equal employment opportunity and non-discrimination.

#### **13. Partial Invalidity**

In the event that any provision of this Agreement shall be declared illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining provisions hereof, but such illegal or invalid provision shall be fully severable and this Agreement shall be interpreted and enforced as if such illegal or invalid provision had never been included herein.

**14. Notices**

All notices required or permitted to be given pursuant to this Agreement shall be deemed given, if and when personally delivered, delivered by fax, with receipt confirmed, or courier or by overnight mail delivery, in writing to the party or its designated agent or representative at the address stated in the first paragraph of this Agreement or at another address designated by the party.

**15. Counterparts and Execution**

This Agreement and any Annexes may be executed in counterparts, each of which when so executed shall be deemed an original and all of which together shall constitute one and the same instrument. The counterparts of this Agreement may be executed by electronic signature and delivered by facsimile, scanned signature, or other electronic means by any of the parties to any other party and the receiving party may rely on the receipt of this Agreement so executed and delivered as if the original had been received.

**16. Survival**

Sections III, IV, and V of this Agreement and the payment obligations described in the Annex(es) shall continue notwithstanding the termination or expiration of the Agreement or any Annex(es).

**17. Entire Agreement**

This Agreement and attached Annex(es) constitute the entire and only Agreement between the parties respecting the subject matter hereof. Each party acknowledges that in entering into this Agreement it has not relied on any representation or undertaking, whether oral or in writing, save such as are expressly incorporated herein. Further, this Agreement may be modified only in a writing signed by the parties. Any purchase order provided by Client will be limited by, and subject to, the terms and conditions of this Agreement and any corresponding Annex. Additional or contrary terms, whether in the form of a purchase order, invoice, acknowledgement, confirmation or otherwise, will be inapplicable, and the terms of this Agreement will control in the event of any conflict between such terms and this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement.

**MGT OF AMERICA CONSULTING, LLC**

**HUERFANO COUNTY,  
COLORADO**



Name: Patrick J. Dyer

Name:

Title: Vice President

Title:

Date: 02/08/2023

Date:

FEIN: 81-0890071

**ANNEX NO. 1 TO MASTER ENGAGEMENT AGREEMENT**

This Annex No. 1 to Master Engagement Agreement (“Annex”) between MGT of America Consulting, LLC, (“MGT”), and Huerfano County, Colorado (“Client”), sets forth the parties’ understanding pursuant to which MGT shall provide the below-specified project-level Services to Client.

**SCOPE.** MGT shall provide services in accordance with the attached Scope of Services dated February 6, 2023 for a total fixed fee of \$5,300.

**TERM.** This Annex is for MGT’s provision of Client’s Fiscal Year 2022 Cost Allocation Plan. This Annex may be renewed by the Parties for two additional one-year periods by a signed amendment indicating agreed-upon pricing.

**MGT OF AMERICA CONSULTING, LLC**

**HUERFANO COUNTY,  
COLORADO**



\_\_\_\_\_  
Name: Patrick J. Dyer

\_\_\_\_\_  
Name:

Title: Vice President

Title:

Date: 02/08/2023

Date:

FEIN: 81-0890071

*[Scope of Services to follow]*

# SCOPE OF SERVICES

FEBRUARY 6, 2023



Submitted by:

R. MICHELLE GARRETT  
MANAGER

8200 S. QUEBEC, SUITE A3 #184  
CENTENNIAL, CO 80112  
303-807-6331  
mgarrett@mgtconsulting.com

# 2 CFR PART 200 COST ALLOCATION PLAN

HUERFANO COUNTY, COLORADO





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# COST ALLOCATION PLAN SCOPE OF SERVICES

## EXPERIENCE / QUALIFICATIONS

### MGT OF AMERICA CONSULTING, LLC

MGT of America Consulting, LLC (MGT) is a national research and management consulting firm specializing in providing management and financial services to government clients. Founded in 1974, MGT is a limited liability company owned by the current and retired partners, principals, and consultants of the firm. The advantage of this ownership structure to our clients is that every member of the firm has a vested interest in the successful completion of every project, for every client.

### MGT FINANCIAL SOLUTIONS GROUP

The MGT Financial Solutions Group provides cost allocation plan preparation, user fee study and indirect cost rate calculation services to government entities in over 30 states including Colorado.

In the past five years, our consultants have prepared more than 300 hundred cost allocation plans and studies for cities, and counties ranging in population from a few thousand to over three million. Additionally, MGT financial solutions consultants have successfully completed several thousand user fee studies, cost allocation plans, and related studies for cities and counties in the past 30 years as consultants with MGT or as consultants with other firms.

Our proposed Project Director, Ms. Meredith Miller, and our proposed Project Consultant, Ms. Michelle Garrett, successfully provide cost allocation services to nearly sixty other Colorado cities and counties as well as for cities and counties across the U.S.

## EXPERIENCE IN COLORADO

The following table is a list of Colorado clients currently, or recently, receiving cost allocation, indirect cost rate calculation or use fee study services from MGT Financial Services consultants.

Adams County	Cheyenne County	Delta County
Arapahoe County	City of Boulder	Dolores County
Archuleta County	City of Centennial	Douglas County
Baca County	City and County of Denver	Eagle County
Bent County	City of Colorado Springs	Elbert County
Boulder County	City of Durango	Fremont County
City and County of Broomfield	City of Rifle	Garfield County
Cañon City	City of Loveland	Gilpin County
Chaffee County	City of Westminster	Grand County
	Crowley County	Gunnison County

Huerfano County	Moffat County	Routt County
Jefferson County	Montezuma County	Saguache County
Kiowa County	Montrose County	Sedgwick County
Kit Carson County	Otero County	Summit County
LaPlata County	Ouray County	Teller County
Larimer County	Park County	Town of Castle Rock
Las Animas	Phillips County	Washington County
Lincoln County	Pitkin County	Yuma County
Logan County	Prowers County	
Mesa County	Rio Blanco County	

The current experience from annually serving nearly 60 Colorado cities and counties means the County will receive much more than capability from the proposed project consultants. The County will also receive the following beneficial information.

- ◆ Current events in other Colorado cities and counties.
- ◆ How other Colorado cities and counties are applying cost allocation.
- ◆ Current trends in budgeting in other Colorado cities and counties.
- ◆ Cost allocation best practices from other Colorado cities and counties.
- ◆ Fresh ideas gleaned from situations in other Colorado cities and counties.

## 2 CFR PART 200 COST ALLOCATION PLAN

States, and many state agencies, counties, and cities provide services that include administrative and support expenditures allowable for federal and/or state and/or interfund reimbursement. Under 2 CFR Part 200 guidelines, which are now codified in the Code of Federal Regulations (CFR) as 2 225 CFR, local governments may be reimbursed for these administrative and support expenditures if they are documented in a cost allocation plan and indirect cost rates that are compliant with the principles contained in the Circular. It can be generalized that a 2 CFR Part 200 compliant cost allocation plan is applicable to external purposes such as recovering indirect costs on federal and state grants and awards, and internal purposes such as charging administrative and support costs incurred to non-General Funds.

Colorado is one of the states that tasks counties with operating and administering Human Services programs. In general terms, the state funds 80% of the cost of these programs with the counties funding the remaining 20% of the cost.

The state recognizes that there are administrative, or support costs incurred by the counties in addition to the actual program costs. Examples of administrative or support costs include Accounting, Human Resources, and Procurement. The state reimburses counties approximately 29% of these administrative costs associated with operating Human Services programs.

Counties must file a 2 CFR Part 200 compliant cost allocation plan annually to receive this reimbursement. Annual cost allocation plans are submitted to the Colorado Department of Human Services (CDHS) on or before June 30 (or by negotiated extension). Subject to audit, the state reimburses the counties on a quarterly basis.

In addition to reimbursement from CDHS, Colorado counties may use a 2 CFR Part 200 cost allocation plan to document and support indirect cost reimbursement requests from agencies such as CDOT as well as for transfers for administrative and support services from non-General Funds to the General Fund.

## COST ALLOCATION PLAN PREPARATION

### METHODOLOGY

We utilize a cost allocation plan methodology that incorporates years of experience applying 2 CFR Part 200 principles into a systematic, yet flexible, multi-step approach to raise the accuracy and acceptance of cost allocation plan results. This methodology has been reviewed and accepted by state agencies, federal cognizant agencies, internal auditors, and external auditors in multiple states, including Colorado.

### SPECIFIC PHASES AND TASKS

The following four-phase work plan has been refined over many years to provide a methodology that produces compliant cost allocation plans with minimal disruption to our client's workload.

#### *Phase 1 – Meetings with County Personnel and Data Collection*

- ◆ Meet with key County personnel including Finance and Health and Human Services. This meeting will refine project objectives, establish the final project schedule, and identify potential pitfalls. We will review our project approach with meeting participants and make sure that all involved personnel fully understand how the cost allocation plan will be developed and adopted, as well as conform to the County's desired outcomes. We will also request from the County source financial and operational data at this time.
- ◆ We will then determine appropriate net allowable costs, including labor, for each central service (centralized administrative or support) department or division (such as accounting, human resources, and information technology) while also identifying the primary services (or functions) provided and the recipients of those services. We will also determine jointly with department personnel, optimal allocation bases or metrics to distribute the identified service costs.

#### *Phase 2 – Process Draft Cost Allocation Plan*

- ◆ Based on each central service department's identified services, corresponding net costs, service recipients, and allocation base or metric, we will process a draft cost allocation plan. This draft plan will be reviewed and refined based on several quality assurance activities. Our proprietary cost allocation software will be used to process the cost allocation plan.

*Phase 3 – Review Draft Results with County Personnel*

- ◆ After the draft cost allocation plan is prepared and reviewed internally, our consultants will review the results with County personnel from Finance and key central service and receiving departments such as Human Services, Health, Road and Bridge and other grant funds, and special revenue or enterprise funds. Inconsistencies will be reconciled, new data obtained as required, and the draft cost allocation plan and indirect cost rates (if applicable) will be revised as necessary.

*Phase 4 – Finalize Results and Provide On-going Assistance*

- ◆ After Finance and other key department personnel have approved the final cost allocation plan, we will prepare supplemental schedules, management reports, compliance verbiage, and certifications as necessary or requested.
- ◆ Deliver two printed and electronic cost allocation plans to the County, as well as electronic copies of all supporting documentation, including comparison and trend reports, as requested. We will also assist County staff integrate the cost allocation plan and indirect cost rates (if applicable) into the County's financial and operational systems.
- ◆ Assist in submitting the final cost allocation plan to the Colorado Department of Human Services.
- ◆ Provide negotiation, audit defense, and technical assistance on an on-going basis to County personnel. We will be available and responsive to County personnel throughout the year to answer questions or provide information.
- ◆ Should the cognizant agency not approve the plan or rates, we will modify the analysis until accepted.

**ESTIMATED SCHEDULE**

The estimated schedule for completing the cost allocation plan is approximately 90 days. Annually, the project would begin around the first part of March and conclude with submittal to the County and to CDHS on or before June 30. This time frame assumes necessary data is provided in a timely manner in a usable format. This timeframe is flexible and can be modified to meet external and internal deadlines.

**COUNTY SUPPLIED ASSISTANCE**

We are flexible in the level of involvement of County personnel. County personnel can work very closely with the project team and be actively involved in every step of the process or can be moderately involved in the project and defer the day-to-day project details and data collection to the consultants. Either approach, or an in-between hybrid approach, will lead to the same successful project results.

Ideally the County will designate a project manager to serve as a liaison between the County and the project team. The County's project manager will provide institutional knowledge to the project team, provide centralized data such as expenditure and salary reports, and schedule initial meetings with the various departments. The time requirement for this individual is minimal.

In addition to the County’s project manager, the project will request a department liaison from each allocating, or support, department. Ideally, these department liaisons will be familiar with the operations and personnel within the department they represent. The time requirement for these individuals is minimal.

We estimate that County personnel should spend no more than **2 to 4 hours** on the project, with the exception of the County’s project manager. This person’s time is totally dependent on the amount of involvement in the project he/she wishes to devote to it. That individual might want to participate in all aspects of the project. Most project managers participate in selected interviews and all review sessions, in which case their involvement could be **10 to 20 hours** over the course of the project.

Department personnel primary involvement in the project will provide our team with information based on three broad questions.

1. What services does your department provide?
2. How are these services provided?
3. Which departments receive these services?

Department personnel are also asked to review and validate inputs and/or draft results.

## PROJECT DELIVERABLES

The County will receive from MGT consultants the following services:

Project Deliverables
1. A Final 2 CFR Part 200 cost allocation plan based on actual costs. This cost plan will allow the County to recover indirect costs from federal and state programs such as Human Services programs administered through CDHS.
2. A Final 2 CFR Part 200 cost allocation plan Human Services Reimbursement Schedule. This schedule will be submitted to CDHS along with the 2 CFR Part 200 cost allocation plan for reimbursement of costs.
3. A Final 2 CFR Part 200 Indirect Cost Rate based on actual costs. This indirect cost rate will allow the County to recover indirect costs from federal and state programs and grants if allowed.
4. Final 2 CFR Part 200 cost allocation plan Management and Trend Report. These reports can be utilized to help analyze the cost allocation plan data in a more manageable format (after two years of data comparisons can be shown).
5. Negotiation of the 2 CFR Part 200 cost allocation plan with federal and/or state officials if those officials request such negotiation.
6. Continuous training, guidance and assistance on applying the cost allocation plan. Examples of applications include analyzing unit costs, reviewing operational data for trends and efficiencies and as a component of user fees.

7. Analysis of areas where the potential exists for the County to recover additional direct or indirect costs.

## COLORADO-BASED CONSULTANTS

### MS. MEREDITH MILLER, PROJECT DIRECTOR

Ms. Meredith Miller will serve as the project director for this engagement. In this role Ms. Miller will attend on-site interviews, training and coordination over the life of this engagement. She will assist with department interviews, scheduling, data collection, follow up phone calls and e-mails. Ms. Miller will also closely monitor the project timeline against milestones and deadlines.

Ms. Miller is a Director with MGT, and brings exceptional organizational and interpersonal skills to this study. She has more than 14 years of experience providing public-sector consulting services and manages our cost plan practice. She has a background in local government consulting focusing on cost allocation development, user fee rate calculations, and indirect cost rate proposals. She has worked in most of the states in the western United States with clients ranging from small cities, counties and special districts to major metropolitan cities such as Houston and Dallas

### MS. MICHELLE GARRETT, PROJECT MANAGER

Ms. Garrett will serve the County as Project Manager. In this role, she will have participation in day-to-day activities such as meeting with department personnel, collecting data, processing data, reviewing draft calculations with the Project Director and preparing final documents.

Ms. Garrett has over fifteen years of professional consulting experience working with local governmental agencies. She has worked with dozens of jurisdictions including many cities and counties in Colorado. Ms. Garrett has led and managed numerous consulting projects involving project initiation and planning, managing the claiming project, collecting and analyzing data as a result of interview and training sessions, performing quality assurance on deliverables, and project close out.

### MS. ELLIE HENNES, CONSULTANT

Ms. Hennes will serve the County as Consultant. In this role, she will have participation in day-to-day activities such as meeting with department personnel, collecting data, processing data, reviewing draft calculations with the Project Manager and preparing final documents.

Ms. Hennes is a Consultant with MGT and has 5 years of experience in public sector financial consulting. Her range of experience includes Full Cost and 2 CFR Part 200 cost allocation plans, indirect cost rate proposals, and jail rate studies.

Detailed consultant resumes will be provided upon request.

## PROJECT FEE

MGT will provide the proposed deliverables for the following fixed, all-inclusive guaranteed maximum fee. This fee contains all direct and indirect costs including meetings, document production, etc.

Project Description	Total Fees
FY22 2 CFR Part 200 Compliant & Full Cost Allocation Plans and Indirect Cost Rate Completed in 2023	<b>\$5,300</b>

MGT will render an invoice for 80% of the fixed fee upon delivery of the draft cost allocation plan. The remaining 20% will be invoiced upon submission of the final cost allocation plan to the Colorado Department of Human Services. Progressive payments based on achieved milestones can be requested.

## REFERENCES

Although three references are included in our proposal, any client could serve as a reference. Contact data for all Colorado clients can be provided upon request.

**These three references are for current MGT cost allocation clients receiving services from the MGT consultants proposed for the County.**

ADAMS COUNTY	JEFFERSON COUNTY	ELBERT COUNTY
Mr. Kevin Campbell Senior Accountant 720.523.6298 kcampbell@adcogov.org	Ms. Joyce Neal Sr. Financial Analyst 303.271.8528 <a href="mailto:JNeal@Jeffco.us">JNeal@Jeffco.us</a>	Ms. Michelle Schrote, CPA Finance Manager 303.621.3133 Michelle.schrote@elbertcounty-co.gov





January 12, 2023

Dear Huerfano County Commissioners:

The Adams State University Foundation and Trinidad State College Educational Foundation and excited to let you know that the Colorado Opportunity Scholarship Initiative (COSI) funding from the state has been renewed once again for the academic year 2023-2024!

This year's allocation for Huerfano County is \$3,418.00 and is determined by the Colorado Department of Education based on free and reduced lunch students in the counties school districts. The state is also renewing the reduced match for several counties and Huerfano County qualifies for the reduced match! The reduced match is 50% of the traditional allocation and illustrated below:

**\$13,672.00**- COSI Allocation (\$6,836.00) + Grantee Match (\$6,836.00)

\$10,254.00 COSI (COSI allocation + 50% of the grantee match)

\$ 3,418.00 Huerfano County

**\$13,672.00**

We are currently working on the applications and need to provide a letter of support from each county. Please return the attached letter by *February 1<sup>st</sup>*. Even if your county cannot provide any funding towards the allocation, we can still apply for the state allocation so your letter is crucial (we cannot apply without it).

Thank you so much and please let me know if you have any questions. We are extremely grateful for your past participation and we look forward to ongoing partnerships that further the lives of students from the San Luis Valley.

Sincerely,

Tammy L. Lopez  
Executive Director  
Adams State University Foundation

**THE FOUNDATION**

COSI Awards - 2022-2023  
Huerfano County

**Adams State University**

Miguel Sanchez  
Dale Van Matre

**Trinidad State**

Alexus Booth  
Matthew Bossert  
Amanda Daniels  
DeVon Vallejos

John Galusha, Chairman  
Arica Andreatta, Commissioner  
Karl Sporleder, Commissioner



## Board of County Commissioners

February 14, 2023

Shelley Banker  
Director, Colorado Department of Higher Education  
1600 Broadway Street, Suite 2200  
Denver, CO 80202

RE: Commitment of matching funds for COSI County scholarships

Dear Ms. Banker:

The Huerfano County Board of Commissioners has committed support to the Adams State University Foundation (ASU) and Trinidad State College (TSC) Educational Foundation for the Colorado Opportunity Scholarship Initiative – Matching Student Scholarship (COSI - MSS) grant in the amount of \$\_\_\_\_\_ for the 2023-2024 academic year.

These funds are secured and available for scholarship use by July 1, 2023, matched by the one-to-one COSI support. Administered by the two institutional foundations, these matching funds will increase the number of scholarships awarded to full-time students who are Colorado residents or ASSET students participating in a rigor-based student support services program as they work toward an undergraduate degree or certificate completion at either ASU or TSJC. The letter also confirms that this is the only application for CDHE COSI support in which Huerfano County is participating. The application covers the 2023-2024 school year, and is renewable yearly.

Furthermore, we understand that each scholarship recipient must be no more that 250% of Pell grant eligibility and have graduated from a high school located Huerfano County or be a County resident. Students must attend ASU or TSC, have a cumulative GPA of at least 2.25, and have unmet financial need.

Huerfano County is pleased to help endorse this endeavor and will propose an annual budget line item, to be approved in the county budget approval process. We will be pleased to help promote this scholarship opportunity among our residents and welcome collaboration and technical assistance from COSI staff to broaden fundraising efforts in partnership with ASU and TSC and their non-profit foundations.

Thank you sincerely,

BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

\_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner





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## Letter of Support

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**Marilyn Russell** <russellm9999@gmail.com>  
To: Carl Young <cyoung@huerfano.us>  
Cc: Laurie Erwin <laurierwin50@yahoo.com>

Wed, Feb 8, 2023 at 8:31 AM

As you know, La Veta Trails is applying to the Colorado Office of Economic Development and International Trade for a \$20,000 Tourism Management Grant to fund the 2024 Spanish Peaks Region Recreation and Trail Guide. We request a letter of support for our application due March 2nd. Please send your signed letter in PDF format to [russellm9999@gmail.com](mailto:russellm9999@gmail.com). We hope to receive all signed letters by February 24th.

Please address your letter to the following:

Andrew Grossman, Director of Destination Development  
Colorado Tourism Office  
600 Broadway, Suite 2500  
Denver, CO 80202

We will print 10,000 copies of the guide to promote the four communities in Huerfano County – La Veta, Walsenburg, Gardner, and Cuchara – as business and recreational hubs and outdoor recreation opportunities in the region. We will also feature essential recreation locations like Lathrop State Park and Cuchara Mountain Park. We are working with recreation users to compile these opportunities, including hiking, fishing, biking, backcountry horseback riding, and motorized jeep trails. We will distribute the guide through business sponsors and visitor centers, as well as in digital format on our website.

We are thrilled by the support from businesses and nonprofit organizations who tell us how much the guide fills a critical need in Huerfano County.

Thank you for all you do to support LVT.

*Item 7m.*

Marilyn

John Galusha, Chairman  
Arica Andreatta, Commissioner  
Karl Sporleder, Commissioner



## Board of County Commissioners

Andrew Grossman  
Director of Destination Development  
Colorado Tourism Office  
Office of Economic Development and International Trade  
1600 Broadway, Suite 2500  
Denver, CO 80202

February 14, 2023

RE: La Veta Trails 2023 Tourism Management Grant Application

Dear Mr. Gossman,

As the Huerfano County Board of County Commissioners, we wholeheartedly support La Veta Trails' application for the Colorado Tourism Office's Tourism Management Grant. The 2024 Spanish Peaks Region Recreation and Trail Guide will greatly benefit our communities and promote the region as a hub for businesses and recreation.

The comprehensive guide will showcase the diverse outdoor recreation opportunities available in our county including highlighting locations such as Lathrop State Park and Cuchara Mountain Park. La Veta Trails is working closely with recreation users to ensure the accuracy and comprehensiveness of the guide.

We appreciate La Veta Trails' commitment to sustainability and accessibility, as the guide will be available in digital format and accessible to all visitors. This project will serve as a valuable resource for tourists and outdoor enthusiasts, promoting our county as a destination for recreation and business.

We strongly encourage you to approve La Veta Trails' grant application and support the development of tourism and outdoor recreation in Huerfano County.

Sincerely,

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John Galusha, Chairman

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Arica Andreatta, Commissioner

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Karl Sporleder, Commissioner



Carl Young <cyoung@huerfano.us>

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## Rural Philanthropy Days 2023

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**dberg@otero.gov.org** <dberg@otero.gov.org>  
To: "Carl Young, Huerfano County" <administrator@huerfano.us>

Mon, Feb 6, 2023 at 9:57 AM

Hi, Carl –

My name is Danelle Berg and I serve on the 2023 Southeast Rural Philanthropy Days Planning Committee. I am reaching out to all of the counties (Baca, Bent, Crowley, Huerfano, Kiowa, Las Animas, Otero and Prowers) that will be represented at the conference to ask for a donation. The conference will be held on the Otero College campus September 12-14. Please check out the website to learn more <https://crcamerica.org/programs/rural-engagement> .

I would be delighted to visit with you about the conference (still in its planning stage) or answer any questions you might have. Should Huerfano County choose to provide a donation to the event, you can find the [sponsorship form here](#).

If I can answer any questions or concerns, please feel free to reach out!

Appreciate it,

**Danelle Berg**

Otero County Economic Development

719-241-4992

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**Sponsorship Levels & Benefits**

\$10,000 plus - Premier Level Sponsor

Premium recognition throughout the conference, Opportunity to personalize recognition in conference materials, Logo included on the additional conference sponsor signage, Feature on social media, Recognized from stage at conference, Logo with link to company page on RPD website, Recognition in conference materials, Recognized on screen at the conference

\$5,000 - \$9,999 - Platinum Level Sponsor

Opportunity to personalize recognition in conference materials, Logo included on the additional conference sponsor signage, Feature on social media, Recognized from stage at conference, Logo with link to company page on RPD website, Recognition in conference materials, Recognized on screen at the conference

\$2,500 - \$4,999 - Gold Level Sponsor

Feature on social media, Recognized from stage at conference, Logo with link to company page on RPD website, Recognition in conference materials, Recognized on screen at the conference

\$1,000 - \$2,499 - Silver Level Sponsor

Recognized from stage at conference, Logo with link to company page on RPD website, Recognition in conference materials, Recognized on screen at the conference

\$500 - \$999 - Bronze Level Sponsor

Recognition in conference materials, Recognized on screen at the conference

\$499 and below – Supporter

Recognized on screen at the conference



# GOULD LAND SURVEYING

ALTA · Boundary · Mapping

## ALTA/NSPS LAND TITLE SURVEY QUOTE

February 4, 2023

RE: Huerfano County Parcel Nos.: 38115, 61173, 61171, 61304,

TO Huerfano County:  
c/o Huerfano Board of County Commissioners  
401 Main Street, Suite 309, Walsenburg CO 81089

Thank you for considering Gould Land Surveying, LLC (GLS) for Surveying Services for the parcel indicated above.

At the request of Mr. Mark Harris of mark harris ARCHITECTS PC, GLS submits the following proposal:

GLS proposes to provide an ALTA/NSPS Land Title Survey (ALTA Survey) for the above referenced property. This ALTA Survey will meet or exceed the 2021 minimum detail standard requirements (attached for your review) for an ALTA survey set forth by the American Land Title Association and the National Society of Professional Surveyors. Table 'A' Items: 1, 2, 3, 4,5, 7(a), 8, 11(b), and 13 will be certified to. The certificate will be as required by Section 7 of the ALTA/NSPS Standards. Additional certifications may be provided on company letterhead and cross referenced to the survey for an additional fee; however, only if the wording is agreed upon with the surveyor. Furthermore, GLS agrees to provide additional survey beyond the standard ALTA requirements: large trees located, a 25 foot grid for the topo portion for design purposes. GLS agrees to adhere to the survey requirements sent by mark harris ARCHITECTS PC (attached hereon). A title commitment will be required at the time notice to proceed is given in order to complete the survey. Please note that given the unique nature of these parcels and the lack of deed & legal description available for them in the County Recorder's Office, an approximate price range for this survey is submitted.

**Lump Sum Fee..... \$12,000 - \$15,000**

We will require a 20% deposit of the lump sum fee, \$2,400 in order to begin the work. Any legal descriptions/exhibits needed for future (proposed) easements or right-of-way adjustments will be invoiced separately at \$650 each. Any additional requests beyond the ALTA survey not stated above will be charged at an hourly rate of \$140/hour for field work and \$95/hour for office work.



# GOULD LAND SURVEYING

ALTA · Boundary · Mapping

Please note, the fees incurred by a private utility locate company (required for Item 11(b) to be certified to) will be listed as a separate line item on the invoice and treated as a pass-through charge on the GLS invoice. The above Lump Sum Fee number does not include the cost incurred by the private utility locator in the number calculation.

An invoice will be generated at the completion of the ALTA survey and payment of the invoice will be required upon receipt. We anticipate beginning the field work necessary to complete the ALTA survey within two weeks of a signed Notice to Proceed (this proposal) and weather permitting. The signing of this proposal states that you agree to the terms and conditions as stated above. This proposal is valid for 60 days.

Sincerely,

I authorize Gould Land Surveying, LLC to complete the work as stated above.

Kenneth Gould, Jr., PLS

For and on behalf of Gould Land Surveying, LLC

\_\_\_\_\_

Date: \_\_\_\_\_

**MINIMUM STANDARD DETAIL REQUIREMENTS FOR  
ALTA/NSPS LAND TITLE SURVEYS**  
(Effective February 23, 2021)

1. **Purpose** - Members of the American Land Title Association® (ALTA®) have specific needs, unique to title insurance matters, when asked to insure title to land without exception as to the many matters which might be discoverable from survey and inspection, and which are not evidenced by the public records.

For a survey of real property, and the plat, map or record of such survey, to be acceptable to a title insurance company for the purpose of insuring title to said real property free and clear of survey matters (except those matters disclosed by the survey and indicated on the plat or map), certain specific and pertinent information must be presented for the distinct and clear understanding between the insured, the client (if different from the insured), the title insurance company (insurer), the lender, and the surveyor professionally responsible for the survey.

In order to meet such needs, clients, insurers, insureds, and lenders are entitled to rely on surveyors to conduct surveys and prepare associated plats or maps that are of a professional quality and appropriately uniform, complete, and accurate. To that end, and in the interests of the general public, the surveying profession, title insurers, and abstracters, the ALTA and the NSPS jointly promulgate the within details and criteria setting forth a minimum standard of performance for ALTA/NSPS Land Title Surveys. A complete 2021 ALTA/NSPS Land Title Survey includes:

- (i) the on-site fieldwork required pursuant to Section 5,
- (ii) the preparation of a plat or map pursuant to Section 6 showing the results of the fieldwork and its relationship to documents provided to or obtained by the surveyor pursuant to Section 4,
- (iii) any information from Table A items requested by the client, and
- (iv) the certification outlined in Section 7.

2. **Request for Survey** - The client shall request the survey, or arrange for the survey to be requested, and shall provide a written authorization to proceed from the person or entity responsible for paying for the survey. Unless specifically authorized in writing by the insurer, the insurer shall not be responsible for any costs associated with the preparation of the survey. The request must specify that an "**ALTA/NSPS LAND TITLE SURVEY**" is required and which of the optional items listed in Table A, if any, are to be incorporated. Certain properties or interests in real properties may present issues outside those normally encountered on an ALTA/NSPS Land Title Survey (e.g., marinas, campgrounds, mobile home parks; easements, leases, mineral interests, other non-fee simple interests). The scope of work related to surveys of such properties or interests in real properties should be discussed with the client, lender, and insurer, and agreed upon in writing prior to commencing work on the survey. When required, the client shall secure permission for the surveyor to enter upon the property to be surveyed, adjoining properties, or offsite easements.

3. **Surveying Standards and Standards of Care**

- A. **Effective Date** - The 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys are effective February 23, 2021. As of that date, all previous versions of the Minimum Standard Detail Requirements for ALTA/ACSM or ALTA/NSPS Land Title Surveys are superseded by these standards.
- B. **Other Requirements and Standards of Practice** - Many states and some local jurisdictions have adopted statutes, administrative rules, and/or ordinances that set out standards regulating the practice of surveying within their jurisdictions. In addition to the standards set forth herein, surveyors must also conduct their surveys in accordance with applicable jurisdictional survey requirements and standards of practice. Where conflicts between the standards set forth herein

and any such jurisdictional requirements and standards of practice occur, the more stringent must apply.

- C. **The Normal Standard of Care** - Surveyors should recognize that there may be unwritten local, state, and/or regional standards of care defined by the practice of the “prudent surveyor” in those locales.
- D. **Boundary** - The boundary lines and corners of any property or interest in real property being surveyed (hereafter, the “surveyed property” or “property to be surveyed”) as part of an ALTA/NSPS Land Title Survey must be established and/or retraced in accordance with appropriate boundary law principles governed by the set of facts and evidence found in the course of performing the research and fieldwork.
- E. **Measurement Standards** - The following measurement standards address Relative Positional Precision for the monuments or witnesses marking the corners of the surveyed property.
  - i. “Relative Positional Precision” means the length of the semi-major axis, expressed in meters or feet, of the error ellipse representing the uncertainty in the position of the monument or witness marking any boundary corner of the surveyed property relative to the position of the monument or witness marking an immediately adjacent boundary corner of the surveyed property resulting from random errors in the measurements made in determining those positions at the 95 percent confidence level. Relative Positional Precision can be estimated by the results of a correctly weighted least squares adjustment of the survey. Alternatively, Relative Positional Precision can be estimated by the standard deviation of the distance between the monument or witness marking any boundary corner of the surveyed property and the monument or witness marking an immediately adjacent boundary corner of the surveyed property (called local accuracy) that can be computed using the full covariance matrix of the coordinate inverse between any given pair of points, understanding that Relative Positional Precision is based on the 95 percent confidence level, or approximately 2 standard deviations.
  - ii. Any boundary lines and corners established or retraced may have uncertainties in location resulting from (1) the availability, condition, history and integrity of reference or controlling monuments, (2) ambiguities in the record descriptions or plats of the surveyed property or its adjoiners, (3) occupation or possession lines as they may differ from the written title lines, or (4) Relative Positional Precision. Of these four sources of uncertainty, only Relative Positional Precision is controllable, although, due to the inherent errors in any measurement, it cannot be eliminated. The magnitude of the first three uncertainties can be projected based on evidence; Relative Positional Precision is estimated using statistical means (see Section 3.E.i. above and Section 3.E.v. below).
  - iii. The first three of these sources of uncertainty must be weighed as part of the evidence in the determination of where, in the surveyor’s opinion, the boundary lines and corners of the surveyed property should be located (see Section 3.D. above). Relative Positional Precision is a measure of how precisely the surveyor is able to monument and report those positions; it is not a substitute for the application of proper boundary law principles. A boundary corner or line may have a small Relative Positional Precision because the survey measurements were precise, yet still be in the wrong position (i.e., inaccurate) if it was established or retraced using faulty or improper application of boundary law principles.
  - iv. For any measurement technology or procedure used on an ALTA/NSPS Land Title Survey, the surveyor must (1) use appropriately trained personnel, (2) compensate for systematic errors, including those associated with instrument calibration, and (3) use appropriate error propagation and measurement design theory (selecting the proper instruments, geometric layouts, and field and computational procedures) to control random errors such that the maximum allowable Relative Positional Precision outlined in Section 3.E.v. below is not exceeded.
  - v. The maximum allowable Relative Positional Precision for an ALTA/NSPS Land Title Survey is 2 cm (0.07 feet) plus 50 parts per million (based on the direct distance between the two

corners being tested). It is recognized that in certain circumstances, the size or configuration of the surveyed property, or the relief, vegetation, or improvements on the surveyed property, will result in survey measurements for which the maximum allowable Relative Positional Precision may be exceeded in which case the reason shall be noted pursuant to Section 6.B.x. below.

4. **Records Research** - It is recognized that for the performance of an ALTA/NSPS Land Title Survey, the surveyor will be provided with appropriate and, when possible, legible data that can be relied upon in the preparation of the survey. In order to complete an ALTA/NSPS Land Title Survey, the surveyor must be provided with the following:
- A. The current record description of the real property to be surveyed or, in the case of an original survey prepared for purposes of locating and describing real property that has not been previously separately described in documents conveying an interest in the real property, the current record description of the parent parcel that contains the property to be surveyed;
  - B. Complete copies of the most recent title commitment or, if a title commitment is not available, other title evidence satisfactory to the title insurer;
  - C. The following documents from records established under state statutes for the purpose of imparting constructive notice of matters relating to real property (public records):
    - i. The current record descriptions of any adjoining to the property to be surveyed, except where such adjoining are lots in platted, recorded subdivisions;
    - ii. Any recorded easements benefitting the property to be surveyed; and
    - iii. Any recorded easements, servitudes, or covenants burdening the property to be surveyed; and
  - D. If desired by the client, any unrecorded documents affecting the property to be surveyed and containing information to which the survey shall make reference.

Except, however, if the documents outlined in this section are not provided to the surveyor or if non-public or quasi-public documents are otherwise required to complete the survey, the surveyor must conduct that research which is required pursuant to the statutory or administrative requirements of the jurisdiction where the surveyed property is located and that research (if any) which is negotiated and outlined in the terms of the contract between the surveyor and the client.

5. **Fieldwork** - The survey must be performed on the ground (except as may be otherwise negotiated pursuant to Table A, Item 15 below). Except as related to the precision of the boundary, which is addressed in Section 3.E. above, features located during the fieldwork shall be located to what is, in the surveyor's professional opinion, the appropriate degree of precision based on (a) the planned use of the surveyed property, if reported in writing to the surveyor by the client, lender, or insurer, or (b) the existing use, if the planned use is not so reported. The fieldwork shall include the following:

**A. Monuments**

- i. The location, size, character, and type of any monuments found during the fieldwork.
- ii. The location, size, character, and type of any monuments set during the fieldwork, if item 1 of Table A was selected or if otherwise required by applicable jurisdictional requirements and/or standards of practice.
- iii. The location, description, and character of any lines that control the boundaries of the surveyed property.

**B. Rights of Way and Access**

- i. The distance from the appropriate corner or corners of the surveyed property to the nearest right of way line, if the surveyed property does not abut a right of way.
- ii. The name of any street, highway, or other public or private way abutting the surveyed property, together with the width of the travelled way and the location of each edge of the travelled way including on divided streets and highways. If the documents provided to or obtained by the surveyor pursuant to Section 4 indicate no access from the surveyed property to the abutting street or highway, the width and location of the travelled way need not

- be located.
- iii. Visible evidence of physical access (e.g., curb cuts, driveways) to any abutting streets, highways, or other public or private ways.
  - iv. The location and character of vehicular, pedestrian, or other forms of access by other than the apparent occupants of the surveyed property to or across the surveyed property observed in the process of conducting the fieldwork (e.g., driveways, alleys, private roads, railroads, railroad sidings and spurs, sidewalks, footpaths).
  - v. Without expressing a legal opinion as to ownership or nature, the location and extent of any potentially encroaching driveways, alleys, and other ways of access from adjoining properties onto the surveyed property observed in the process of conducting the fieldwork.
  - vi. Where documentation of the location of any street, road, or highway right of way abutting, on, or crossing the surveyed property was not disclosed in documents provided to or obtained by the surveyor, or was not otherwise available from the controlling jurisdiction (see Section 6.C.iv. below), the evidence and location of parcel corners on the same side of the street as the surveyed property recovered in the process of conducting the fieldwork which may indicate the location of such right of way lines (e.g., lines of occupation, survey monuments).
  - vii. Evidence of access to and from waters adjoining the surveyed property observed in the process of conducting the fieldwork (e.g., paths, boat slips, launches, piers, docks).
- C. Lines of Possession and Improvements along the Boundaries**
- i. The character and location of evidence of possession or occupation along the perimeter of the surveyed property, both by the occupants of the surveyed property and by adjoining, observed in the process of conducting the fieldwork.
  - ii. Unless physical access is restricted, the character and location of all walls, buildings, fences, and other improvements within five feet of each side of the boundary lines observed in the process of conducting the fieldwork (see Section 5.E.iv. regarding utility poles). Trees, bushes, shrubs, and other vegetation need not be located other than as specified in the contract, unless they are deemed by the surveyor to be evidence of possession or occupation pursuant to Section 5.C.i.
  - iii. Without expressing a legal opinion as to the ownership or nature of the potential encroachment, the evidence, location, and extent of potentially encroaching structural appurtenances and projections observed in the process of conducting the fieldwork (e.g., fire escapes, bay windows, windows and doors that open out, flue pipes, stoops, eaves, cornices, areaways, steps, trim) by or onto adjoining property, or onto rights of way, easements, or setback lines disclosed in documents provided to or obtained by the surveyor.
- D. Buildings**
- The location of buildings on the surveyed property observed in the process of conducting the fieldwork.
- E. Easements and Servitudes**
- i. Evidence of any easements or servitudes burdening the surveyed property as disclosed in the documents provided to or obtained by the surveyor pursuant to Section 4 and observed in the process of conducting the fieldwork.
  - ii. Evidence of easements, servitudes, or other uses by other than the apparent occupants of the surveyed property not disclosed in the documents provided to or obtained by the surveyor pursuant to Section 4, but observed in the process of conducting the fieldwork if they are on or across the surveyed property (e.g., roads, drives, sidewalks, paths and other ways of access, utility service lines, utility locate markings (including the source of the markings, with a note if unknown), water courses, ditches, drains, telephone lines, fiber optic lines, electric lines, water lines, sewer lines, oil pipelines, gas pipelines).
  - iii. Surface indications of underground easements or servitudes on or across the surveyed property observed in the process of conducting the fieldwork (e.g., utility cuts, vent pipes, filler pipes, utility locate markings (including the source of the markings, with a note if unknown)).

- iv. Evidence on or above the surface of the surveyed property observed in the process of conducting the fieldwork, which evidence may indicate utilities located on, over or beneath the surveyed property. Examples of such evidence include pipeline markers, utility locate markings (including the source of the markings, with a note if unknown), manholes, valves, meters, transformers, pedestals, clean-outs, overhead lines, guy wires, and utility poles on or within ten feet of the surveyed property. Without expressing a legal opinion as to the ownership or nature of the potential encroachment, the extent of all encroaching utility pole crossmembers or overhangs.

**F. Cemeteries**

As accurately as the evidence permits, the perimeter of cemeteries and burial grounds, and the location of isolated gravesites not within a cemetery or burial ground, (i) disclosed in the documents provided to or obtained by the surveyor, or (ii) observed in the process of conducting the fieldwork.

**G. Water Features**

- i. The location of springs, ponds, lakes, streams, rivers, canals, ditches, marshes, and swamps on, running through, or outside, but within five feet of, the perimeter boundary of the surveyed property and observed during the process of conducting the fieldwork.
- ii. The location of any water feature forming a boundary of the surveyed property. The attribute(s) of the water feature located (e.g., top of bank, edge of water, high water mark) should be congruent with the boundary as described in the record description or, in the case of an original survey, in the new description (see Section 6.B.vi. below).

**6. Plat or Map** - A plat or map of an ALTA/NSPS Land Title Survey shall show the following information. Where dimensioning is appropriate, dimensions shall be annotated to what is, in the surveyor's professional opinion, the appropriate degree of precision based on (a) the planned use of the surveyed property, if reported in writing to the surveyor by the client, lender, or insurer, or (b) existing use, if the planned use is not so reported.

- A. Field Locations.** The evidence and locations gathered, and the monuments and lines located during the fieldwork pursuant to Section 5 above, with accompanying notes if deemed necessary by the surveyor or as otherwise required as specified below.
- B. Boundary, Descriptions, Dimensions, and Closures**
  - i. (a) The current record description of the surveyed property, or  
(b) In the case of an original survey, the current record document number of the parent tract that contains the surveyed property.
  - ii. Any new description of the surveyed property that was prepared in conjunction with the survey, including a statement explaining why the new description was prepared. Except in the case of an original survey, preparation of a new description should be avoided unless deemed necessary or appropriate by the surveyor and insurer. Preparation of a new description should also generally be avoided when the record description is a lot or block in a platted, recorded subdivision. Except in the case of an original survey, if a new description is prepared, a note must be provided stating (a) that the new description describes the same real estate as the record description or, (b) if it does not, how the new description differs from the record description.
  - iii. The point of beginning, the remote point of beginning or point of commencement (if applicable) and all distances and directions identified in the record description of the surveyed property (and in the new description, if one was prepared). Where a measured or calculated dimension differs from the record by an amount deemed significant by the surveyor, such dimension must be shown in addition to, and differentiated from, the corresponding record dimension. All dimensions shown on the survey and contained in any new description must be horizontal ground dimensions unless otherwise noted.
  - iv. The direction, distance and curve data necessary to compute a mathematical closure of the surveyed boundary. A note if the record description does not mathematically close. The basis



- of bearings and, where it differs from the record basis, the difference.
- v. The remainder of any recorded lot or existing parcel, when the surveyed property is composed of only a portion of such lot or parcel, shall be graphically depicted. Such remainder need not be included as part of the actual survey, except to the extent necessary to locate the lines and corners of the surveyed property, and it need not be fully dimensioned or drawn at the same scale as the surveyed property.
  - vi. When the surveyed property includes a title line defined by a water boundary, a note on the face of the plat or map noting the date the boundary was measured, which attribute(s) of the water feature was/were located, and the caveat that the boundary is subject to change due to natural causes and that it may or may not represent the actual location of the limit of title. When the surveyor is aware of natural or artificial realignments or changes in such boundaries, the extent of those changes and facts shall be shown or explained.
  - vii. The relationship of the boundaries of the surveyed property to its adjoiners (e.g., contiguity, gaps, overlaps) where ascertainable from documents provided to or obtained by the surveyor pursuant to Section 4 and/or from field evidence gathered during the process of conducting the fieldwork. If the surveyed property is composed of multiple parcels, the extent of any gaps or overlaps between those parcels must be identified. Where gaps or overlaps are identified, the surveyor must, prior to or upon delivery of the final plat or map, disclose this to the insurer and client.
  - viii. When, in the opinion of the surveyor, the results of the survey differ significantly from the record, or if a fundamental decision related to the boundary resolution is not clearly reflected on the plat or map, the surveyor must explain this information with notes on the face of the plat or map.
  - ix. The location of buildings on the surveyed property dimensioned perpendicular to those perimeter boundary lines that the surveyor deems appropriate (i.e., where potentially impacted by a setback line) and/or as requested by the client, lender or insurer.
  - x. A note on the face of the plat or map explaining the site conditions that resulted in a Relative Positional Precision that exceeds the maximum allowed pursuant to Section 3.E.v.
  - xi. A note on the face of the plat or map identifying areas, if any, on the boundaries of the surveyed property, to which physical access within five feet was restricted (see Section 5.C.ii.).
  - xii. A note on the face of the plat or map identifying the source of the title commitment or other title evidence provided pursuant to Section 4, and the effective date and the name of the insurer of same.
- C. Easements, Servitudes, Rights of Way, Access, and Documents**
- i. The location, width, and recording information of all plottable rights of way, easements, and servitudes burdening and benefitting the surveyed property, as evidenced by documents provided to or obtained by the surveyor pursuant to Section 4.
  - ii. A summary of all rights of way, easements, and other survey-related matters burdening the surveyed property and identified in the title evidence provided to or obtained by the surveyor pursuant to Section 4. Such summary must include the record information of each such right of way, easement or other survey-related matter, a statement indicating whether it lies within or crosses the surveyed property, and a related note if:
    - (a) its location is shown;
    - (b) its location cannot be determined from the record document;
    - (c) there was no observed evidence at the time of the fieldwork;
    - (d) it is a blanket easement;
    - (e) it is not on, does not touch, and/or - based on the description contained in the record document – does not affect, the surveyed property;
    - (f) it limits access to an otherwise abutting right of way;
    - (g) the documents are illegible; or
    - (h) the surveyor has information indicating that it may have been released or otherwise

terminated.

In cases where the surveyed property is composed of multiple parcels, indicate which of such parcels the various rights of way, easements, and other survey-related matters cross or touch.

- iii. A note if no physical access to an abutting street, highway, or other public or private way was observed in the process of conducting the fieldwork.
- iv. The locations and widths of rights of way abutting or crossing the surveyed property and the source of such information, (a) where available from the controlling jurisdiction, or (b) where disclosed in documents provided to or obtained by the surveyor pursuant to Section 4.
- v. The identifying titles of all recorded plats, filed maps, right of way maps, or similar documents that the survey represents, wholly or in part, with their recording or filing data.
- vi. For non-platted adjoining land, recording data and, where available, tax parcel number, identifying adjoining tracts according to current public records. For platted adjoining land, the recording data of the subdivision plat.
- vii. Platted setback or building restriction lines that appear on recorded subdivision plats or that were disclosed in documents provided to, or obtained by, the surveyor.
- viii. If in the process of preparing the survey the surveyor becomes aware of a recorded easement not otherwise listed in the title evidence provided, the surveyor must advise the insurer prior to delivery of the plat or map and, unless the insurer provides evidence of a release of that easement, show or otherwise explain it on the face of the plat or map, with a note that the insurer has been advised.

**D. Presentation**

- i. The plat or map must be drawn on a sheet of not less than 8 ½ by 11 inches in size at a legible, standard engineering scale, with that scale clearly indicated in words or numbers and with a graphic scale.
- ii. The plat or map must include:
  - (a) The boundary of the surveyed property drawn in a manner that distinguishes it from other lines on the plat or map.
  - (b) If no buildings were observed on the surveyed property in the process of conducting the fieldwork, a note stating “No buildings observed.”
  - (c) A north arrow (with north to the top of the drawing when practicable).
  - (d) A legend of symbols and abbreviations.
  - (e) A vicinity map showing the surveyed property in reference to nearby highway(s) or major street intersection(s).
  - (f) Supplementary or detail diagrams when necessary.
  - (g) Notes explaining any modifications to Table A items and the nature of any additional Table A items (e.g., 20(a), 20(b), 20(c)) that were negotiated between the surveyor and client.
  - (h) The surveyor’s project number (if any), and the name, registration or license number, signature, seal, street address, telephone number, company website, and email address (if any) of the surveyor who performed the survey.
  - (i) The date(s) of any revisions made by the surveyor who performed the survey.
  - (j) Sheet numbers where the plat or map is composed of more than one sheet.
  - (k) The caption “ALTA/NSPS Land Title Survey.”
- iii. When recordation or filing of a plat or map is required by state statutes or local ordinances, such plat or map shall be produced in the required form.

7. **Certification** - The plat or map of an ALTA/NSPS Land Title Survey must bear only the following unaltered certification except as may be required pursuant to Section 3.B. above:

To (name of insured, if known), (name of lender, if known), (name of insurer, if known), (names of others as negotiated with the client):

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items \_\_\_\_\_ of Table A thereof. The fieldwork was completed on \_\_\_\_\_ [date].

*Date of Plat or Map: \_\_\_\_\_ (Surveyor's signature, printed name and seal with Registration/License Number)*

8. **Deliverables** - The surveyor shall furnish copies of the plat or map of survey to the insurer and client and as otherwise negotiated with the client. Hard copies shall be on durable and dimensionally stable material of a quality standard acceptable to the insurer. A digital image of the plat or map may be provided in addition to, or in lieu of, hard copies pursuant to the terms of the contract. If the surveyor is required to record or file a plat or map pursuant to state statute or local ordinance it shall be so recorded or filed.

**TABLE A**

**OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS**

*NOTE: Whether any of the nineteen (19) items of Table A are to be selected, and the exact wording of and fee for any selected item, may be negotiated between the surveyor and client. Any additional items negotiated between the surveyor and client must be identified as 20(a), 20(b), etc. Any additional items negotiated between the surveyor and client, and any negotiated changes to the wording of a Table A item, must be explained pursuant to Section 6.D.ii.(g). Notwithstanding Table A Items 5 and 11, if an engineering design survey is desired as part of an ALTA/NSPS Land Title Survey, such services should be negotiated under Table A, Item 20.*

*If checked, the following optional items are to be included in the ALTA/NSPS LAND TITLE SURVEY, except as otherwise qualified (see note above):*

1. \_\_\_\_\_ Monuments placed (or a reference monument or witness to the corner) at all major corners of the boundary of the surveyed property, unless already marked or referenced by existing monuments or witnesses in close proximity to the corner.
2. \_\_\_\_\_ Address(es) of the surveyed property if disclosed in documents provided to or obtained by the surveyor, or observed while conducting the fieldwork.
3. \_\_\_\_\_ Flood zone classification (with proper annotation based on federal Flood Insurance Rate Maps or the state or local equivalent) depicted by scaled map location and graphic plotting only.
4. \_\_\_\_\_ Gross land area (and other areas if specified by the client).
5. \_\_\_\_\_ Vertical relief with the source of information (e.g., ground survey, aerial map), contour interval, datum, with originating benchmark, when appropriate.
6. \_\_\_\_\_ (a) If the current zoning classification, setback requirements, the height and floor space area restrictions, and parking requirements specific to the surveyed property are set forth in a zoning report or letter provided to the surveyor by the client or the client's designated representative, list the above items on the plat or map and identify the date and source of the report or letter.  
\_\_\_\_\_ (b) If the zoning setback requirements specific to the surveyed property are set forth in a zoning report or letter provided to the surveyor by the client or the client's designated representative, and if those requirements do not require an interpretation by the surveyor, graphically depict those requirements on the plat or map and identify the date and source of the report or letter.
7. \_\_\_\_\_ (a) Exterior dimensions of all buildings at ground level.  
\_\_\_\_\_ (b) Square footage of:  
\_\_\_\_\_ (1) exterior footprint of all buildings at ground level.  
\_\_\_\_\_ (2) other areas as specified by the client.  
\_\_\_\_\_ (c) Measured height of all buildings above grade at a location specified by the client. If no location is specified, the point of measurement shall be identified.
8. \_\_\_\_\_ Substantial features observed in the process of conducting the fieldwork (in addition to the improvements and features required pursuant to Section 5 above) (e.g., parking lots, billboards, signs, swimming pools, landscaped areas, substantial areas of refuse).
9. \_\_\_\_\_ Number and type (e.g., disabled, motorcycle, regular and other marked specialized types) of clearly identifiable parking spaces on surface parking areas, lots and in parking structures.

*Striping of clearly identifiable parking spaces on surface parking areas and lots.*

10. \_\_\_\_\_ As designated by the client, a determination of the relationship and location of certain division or party walls with respect to adjoining properties.
11. Evidence of underground utilities existing on or serving the surveyed property (in addition to the observed evidence of utilities required pursuant to Section 5.E.iv.) as determined by:
  - \_\_\_\_\_ (a) plans and/or reports provided by client (with reference as to the sources of information)
  - \_\_\_\_\_ (b) markings coordinated by the surveyor pursuant to a private utility locate request

*Note to the client, insurer, and lender - With regard to Table A, item 11, information from the sources checked above will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation may be necessary.*

12. \_\_\_\_\_ As specified by the client, Governmental Agency survey-related requirements (e.g., HUD surveys, surveys for leases on Bureau of Land Management managed lands). The relevant survey requirements are to be provided by the client or client's designated representative.
13. \_\_\_\_\_ Names of adjoining owners according to current tax records. If more than one owner, identify the first owner's name listed in the tax records followed by "et al."
14. \_\_\_\_\_ As specified by the client, distance to the nearest intersecting street.
15. \_\_\_\_\_ Rectified orthophotography, photogrammetric mapping, remote sensing, airborne/mobile laser scanning and other similar products, tools or technologies as the basis for showing the location of certain features (excluding boundaries) where ground measurements are not otherwise necessary to locate those features to an appropriate and acceptable accuracy relative to a nearby boundary. The surveyor must (a) discuss the ramifications of such methodologies (e.g., the potential precision and completeness of the data gathered thereby) with the insurer, lender, and client prior to the performance of the survey, and (b) place a note on the face of the survey explaining the source, date, precision, and other relevant qualifications of any such data.
16. \_\_\_\_\_ Evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.
17. \_\_\_\_\_ Proposed changes in street right of way lines, if such information is made available to the surveyor by the controlling jurisdiction. Evidence of recent street or sidewalk construction or repairs observed in the process of conducting the fieldwork.
18. \_\_\_\_\_ Pursuant to Sections 5 and 6 (and applicable selected Table A items, excluding Table A item 1), include as part of the survey any plottable offsite (i.e., appurtenant) easements disclosed in documents provided to or obtained by the surveyor.
19. \_\_\_\_\_ Professional liability insurance policy obtained by the surveyor in the minimum amount of \$\_\_\_\_\_ to be in effect throughout the contract term. Certificate of insurance to be furnished upon request, but this item shall not be addressed on the face of the plat or map.
20. \_\_\_\_\_

*Adopted by the Board of Governors, American Land Title Association, on October 1, 2020.*

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*American Land Title Association, 1800 M St., N.W., Suite 300S, Washington, D.C. 20036-5828.  
[www.alta.org](http://www.alta.org)*

*Adopted by the Board of Directors, National Society of Professional Surveyors, on October 30, 2020.*

*National Society of Professional Surveyors, Inc., 5119 Pegasus Court, Suite Q, Frederick, MD 21704.  
<http://www.nsp.us.com/>*

## REQUEST FOR FEE PROPOSAL FOR LAND SURVEYING SERVICES:

A boundary and existing features/topography survey is needed for the subject project. Additionally, the survey must meet the current standards and requirements of the American Land Title Association (ALTA), the American Congress on Surveying and Mapping (ACSM), and the National Society of Professional Surveyors, Inc. (NSPS). We would like your firm to provide us with a fixed fee for performing the following work scope.

### Land (Boundary) Survey Requirements:

- Perform an ALTA/SCSM Land Title Survey, meeting the current accuracy standards jointly adopted by ALTA, ACSM, and NSPS.
- Perform a boundary survey and set all property corners. Show boundary lines, giving length and bearing (including reference or basis) on each straight line; interior angles, radius, point of tangency, and length of curve lines. State on the drawing(s) whether corners were found or set, and describe each.
- Furnish a legal description that conforms to the record title boundaries, and reconcile any discrepancies between the survey and the recorded legal description.
- Provide area of parcel in acres (to .001 acres).
- Note identity, jurisdiction, and width of adjoining streets, width and type of pavement.
- Show all encroachments, either way across property lines.
- Describe fences and walls, and locate them with respect to property lines.
- Show recorded or otherwise known easements and rights-of-way, and identify owners (holders).
- Show individual lot lines and lot block numbers; show street numbers of buildings if available.
- Provide names of owners of adjacent property.
- Plot location of structures on the property, dimension to property lines, and other buildings. Note vacant parcels as VACANT. Describe building material.
- Include structures on adjacent properties within 50 feet.

### Topographical Survey Requirements:

- Reference permanent benchmark and provide elevation.
- Show topographic contours at one-foot intervals and include contours 100 feet beyond property lines, where possible.
- Provide spot elevations at 25-foot centers along adjacent rights-of-way at the flow-line of existing gutter, back of sidewalk, and edge of paving, including far side of paving. If elevations vary from established grades, also state established grades.
- Provide finished floor elevations and elevations at each entrance of buildings on the property.
- Determine horizontal and vertical location of all existing surface features, and features within the public right-of-way to the far side of adjoining streets.
- Provide location of trees and a description of natural features.

- Utility information:
  - Research and include the location and size of existing onsite and offsite utilities adjacent to the parcel based upon available mapping, evident surface identifiers and markings provided by utility locating and mapping service.
    - Contract the services of a qualified utility locating and mapping service.
    - Obtain available “as built” utility maps from utility companies, local agencies, and special districts.
    - Schedule the State of Colorado required “one call” (blue stake) service for field designation of utilities within the project limits.
    - Identify and contact all non-members to the state “one-call” system for their utility designation.
    - Utilize radio detection, electro-magnetic detection, or other detection methods to locate all utilities not horizontally marked by the utility owner.
    - Coordinate field locates with utility owners on their subcontractors to ensure that all gas, telephone, electric, sewer, water, and CATV (within work plan boundaries) are “surface marked.”
      - Note utility pipe materials where such pipes are accessible (i.e. at surface or at connections to inlets and manholes).
      - Provide location of fire hydrants available to the property and the size of the water main serving each.
      - Provide location, elevation, and characteristics of above-grade power, cable television, street lighting, traffic control facilities, and communication systems.
      - Provide location, size, depth, and direction of flow of sanitary sewers, storm drains, and culverts serving, or on the property; location of catch basins and manholes, and invert elevations of pipe at each.
      - Provide the name and operating authority for each utility indicated above.

#### Easement Documentation Requirements:

- Conduct tasks associated with the preparation of legal instruments required to record any proposed easements resulting from site improvements.

#### Deliverables:

- Furnish one reproducible transparency and three prints of each drawing signed and sealed by the Surveyor.
- Provide a DWG digital file on disk of all survey information - said file to retain all 3D parametrics.

#### Address of Parcel for Services:

- Property to be surveyed is: parcel 61171, Huerfano County, CO, 81089, map number [28-5159-103-08-010](#) AND parcel 61173, Huerfano County, CO, 81089, [28-5159-103-08-001](#)

#### Address Proposals to:

- **Las Animas Huerfano Counties District Health Department (LAHCDHD)** % Kim Gonzales, Executive Director, 412 Benedicta Avenue, Trinidad, Colorado 81082, USA
- address to client as above, but **send proposal** %: markharris ARCHITECTS, PC and email to architect at [mharris@mharrisarchitects.com](mailto:mharris@mharrisarchitects.com)



# Huerfano County, Colorado

Item 7p.

401 Main Street  
Walsenburg, Colorado 81089  
Phone: 719-738-2370  
Population: 6,820 Size: III - Medium



**February 9, 2023**

Description	Qty	Price
<b>Hardware/Supplies</b>		
(1) TimeClock Plus - RD Touch 400 HID Proximity	(5)	\$14,450.00
(2) Installation - (Hours)	(5)	1,125.00
<b>PEOPLEWARE</b>		
(1) Miscellaneous Expenses, i.e. travel, mileage, lodging, meals, etc., at cost, will be paid by Customer upon receipt of a separate CIC invoice.	(1)	
<b>Total Hardware/Software/PEOPLEWARE</b>		<hr/> \$15,575.00

This proposal represents our latest available information; however, rapidly evolving technology requires the execution of price protection documents to finalize costs.

Further, the information contained in this proposal and in all attachments is confidential, privileged and/or proprietary and intended for the exclusive use of the addressee(s). Any unauthorized review, use, disclosure, replication or distribution is strictly prohibited.

# Huerfano County, Colorado

401 Main Street  
Walsenburg, Colorado 81089  
Phone: 719-738-2370  
Population: 6,820 Size: III - Medium



**February 9, 2023**

Description	Qty	First Year	Subs. Years
<b>On-going Cost Analysis:</b>			
<b>Purchase Option</b>			
CIC Initial Hardware / Software / PEOPLEWARE Agreement		\$15,575.00	\$0.00
CIC Annual PEOPLEWARE Enhancement / Support Agreement		Included	0.00
<b>Total Hardware/Software/PEOPLEWARE</b>		<hr/> \$15,575.00	\$0.00

This proposal represents our latest available information; however, rapidly evolving technology requires the execution of price protection documents to finalize costs.

Further, the information contained in this proposal and in all attachments is confidential, privileged and/or proprietary and intended for the exclusive use of the addressee(s). Any unauthorized review, use, disclosure, replication or distribution is strictly prohibited.



# Time Clock Selection Guide

## Choose What's Right for Your Company

### The Basics

Whether you're looking to ditch paper processes or upgrade to a more sophisticated system to better meet your needs, purchasing a time clock is an investment. Thankfully, with a good understanding of the unique needs for your organization and the right software, it's one that will most certainly pay off.

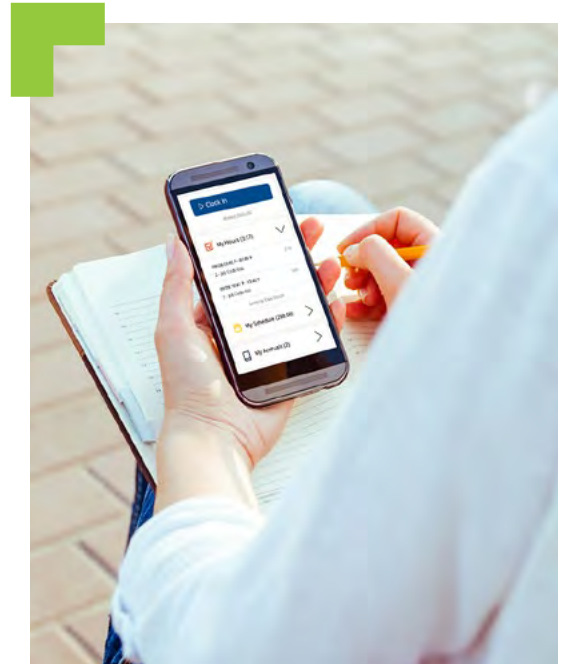
Time clock devices let you accurately collect and report on clock in/clock out times of employees. They are available in multiple configurations, so it's important to research the options available to understand the best setup for your organization.

Where do you start? Begin by developing a list of requirements for your organization so you can narrow down your options before getting into the evaluation process. Here are a few questions you should ask as you outline the requirements for your organization:

- Do we have mobile or remote employees who need to clock in from wherever they work?
- Do we need a physical time clock or is a web-based option preferred?
- Is buddy punching or time theft a concern in our organization?
- Do we regularly have lines that form at the clock during clock in/out times?
- Are we looking to offer a touchless clock in/out experience to facilitate faster, safer clock operations?
- Do we need to scan temperatures prior to clock in?

TCP offers a variety of attachments for the core time clock that provide flexibility and customization to the time collection process that suits your organization best. Mix and match biometrics, badge-readers, thermal sensors and more to create the ideal experience for your workforce. Deploy a mobile solution to employee phones or use a workplace tablet as a functional time clock. At the end of the day, having options to ensure your time collection works for you is a subtle necessity.

Our industry-leading time clocks not only perform basic time-tracking operations but also offer fully functional self-service capabilities. Employees can approve hours, submit PTO requests, view their schedule and more, all from any of the devices. Organizations can also customize the employee experience to give them more or less access within the system, providing a streamlined workflow.



### When are Mobile Applications Necessary?

Today, people EXPECT to be able to do just about [everything from their phone](#), and workforce management, including clocking in and out, viewing and changing schedules, tracking labor and employee PTO and leave, is no different. While many vendors offer mobile options, they are not all created equal.

Geolocation plays a key role in offering mobile time collection to your workforce. Many organizations still want to ensure employees are where they are supposed to be and geolocation services can help accurately record the location of the employee when they clock in/clock out. Taking this capability a step further, TCP’s MobileClock app offers geofencing functions, configurable for individual employees, that only allow clock operations within a set area. Using this function, employers can eliminate fraudulent punches by denying clock operations if employees are not in the appropriate range.

Our MobileClock app removes the bounds of fixed-location time collection devices and allows employees to perform time clock operations from wherever they may be. In short, it works where they work. Used in conjunction with our advanced workforce management software, employees can access self-service functions directly from their iOS or Android device.

## Choosing the Right Clock for Your Company

Finding the right clock can be trickier than it may initially seem - with PINs, biometrics, digital outputs and more, wading through a stream of information and buzzwords can be a daunting task for anyone. At TCP, we strive to provide concise, clear information to our customers so they can rest assured that they chose the right technology for the job. From simple barcode swiping to fingerprint and hand scanning, there's a solution for the level of security your company needs.

### Start with a Core Time Clock

TCP's time clock options are designed around the concept of configurability. That is why we provide a [core time clock](#), from which you can build your own device. This clock carries full self-service functionality and each device can be configured individually to have different capabilities if needed. Don't feel the need to stop at any single attachment; mix and match to create an experience suited to your workforce.



## Customize with Our Attachments



**Biometric Scanner:** These attachments allow you to incorporate biometric security in a streamlined interface. Enroll your employees once and they will be able to use as many clocks with the [fingerprint scanner](#) attachment as your organization needs. The process is quick and painless, with operations that are equally efficient. No time is wasted and crucial security measures are gained with this attachment

- SOC-2 compliant, ensuring your workforce's biometric data is secure
- Protects against time discrepancies such as buddy-punching
- Ideal for clean environments with fast-paced operations



**Badge Readers:** TCP offers three badge reading attachments that read [barcodes](#), [magnetic swipe](#) or RFID [proximity](#) badges. Each of these attachments can facilitate fast, entirely touchless operations for your workforce. Setup and configuration is easy, especially with TCP Support helping, and implementing badge readers allows you to optimize the clock experience for employees. Badge readers can also be configured to unlock doors and grant facility access using digital output.

- Fully touchless capable
- Boosts facility security
- Ideal for fast-paced operations



**Thermal Sensor:** The year 2020 brought new awareness of the need for a safe, healthy workplace. With TCP’s new thermal sensor, your workforce can mitigate health risks at the door without endangering other employees or wasting time. This non-invasive infrared sensor takes only 3 seconds to assess the temperature of an employee. Purchasing a thermal sensor also comes with the capability to add screening questions to the clock operation workflow if your organization wants it.

- Assists in contact tracing
- Boosts workplace health and safety without sacrificing efficiency
- Ideal for on-site workforces

## Go mobile



**TCP MobileClock:** Our mobile application allows you to deploy efficient and fully functioning self-service capabilities directly to your workforce’s pockets. The app carries all the functionality of the physical time clocks packaged in a sleek, modern design. Utilize Geolocation and Geofencing to ensure your employees are clocking in and out from the appropriate locations and deploy notifications and messages to their phones instantly.

- Easy and effective deployment of the solution
- Ease of access for employees
- Ideal for mobile or remote employees



**TCP MobileKiosk:** Similar to our TCP MobileClock app, the TCP MobileKiosk application provides a sleek, modern and mobile take on the clock operation experience. However, this app allows you to deploy to a workplace tablet where multiple employees can use it at once. Boost workplace efficiency by utilizing the resources your workforce has on hand such as an organizational tablet or similar mobile device.

- Easy and effective deployment of the solution
- Fast, modern and dynamic interface
- Ideal for workplaces that use tablets in their current operations

### Opt for a Browser-Based Solution



**TCP WebClock:** Whether your workforce is remote or on-site, computer access is a common denominator for most employees. TCP WebClock is a browser-based solution that allows you to take advantage of the resources your employees already have available. Perform all the same functionality as the mobile applications or the physical clocks from a quick, elegant browser option.

- Easy and effective deployment of the solution
- Ease of access for employees
- Ideal for remote workers or office



The [variety of time clock options](#) TCP offers is unlike anything you'll see from our competition. With industry-leading solutions, you can't go wrong, but it's all about choosing what's right for your organization. Still not sure which time clock is right for you? [Schedule a Consultation](#) to learn more about our devices and software.



**Want to learn more? Let's talk.**

800.749.8463 | [www.tcpsoftware.com](http://www.tcpsoftware.com) | **Your Workforce Ally**

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John Galusha, Chairman  
Arica Andreatta, Commissioner  
Karl Sporleder, Commissioner



## HUERFANO COUNTY GOVERNMENT GRANT APPROVAL MEMORANDUM

**Date:** February 14, 2023  
**To:** Huerfano County Board of County Commissioners  
**From:** Carl Young, County Administrator  
**Re:** EPA Solid Waste Infrastructure for Recycling Grant  
**Attachments:** Project Budget

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**Summary:** This is a request to authorize the application for the US Environmental Protection Agency’s (“EPA”) Solid Waste Infrastructure for Recycling (SWIFR) Grant Program for Political Subdivisions of States and Territories. The approximate budget is \$1,078,034 and would expand Waste Transfer Services in Gardner and La Veta as well as examine the current waste management ecosystem in Huerfano County and propose efficiencies. No match is required or being proposed. County Staff have been working with the Southern Colorado Economic Development District to complete and submit the application.

### **Requested Motion/Action:**

Motion to authorize the application for the EPA Solid Waste Infrastructure for Recycling (SWIFR) Grant Program for Political Subdivisions of States and Territories in the approximate amount of \$1,078,034.

**Grant Program:** This is a federal grant from the Environmental Protection Agency. The program has the following goals:

- Fund a range of projects that will help local governments and communities advance from “where they are” to significantly transform their post-consumer materials management infrastructure.
- Fund projects that will result in a significant decrease in the generation of MSW and/or an increase in the diversion of MSW from landfills and incineration.
- Fund innovative solutions and programs that provide or increase access to prevention, reuse, mechanical recycling, anaerobic digestion, and composting.

This program aims to deliver 40 percent of the overall benefits of climate, clean energy, affordable and sustainable housing, clean water, and other investments to disadvantaged communities.

**Our Project:** For this grant our project is to expand its current waste collection and management infrastructure by: (1) creating community convenience sites in Gardner and La Veta; and (2) creating a waste diversion project with a focus on architectural salvage. The community convenience sites will allow the County to better serve outlying communities and expand recycling services. The County further proposes to optimize and improve its capacity for waste management by conducting a Waste Management Study that will: (1) examine the County’s current waste management ecosystem and propose immediate and long term actionable steps to optimize the existing system; (2) explore the feasibility of new recycling programs such as anaerobic digestion for organic waste, tire recycling, or glass recycling; (3) provide the data required for EPA Reporting.



**Alignment with County Objectives:**

This project aligns with County goals around infrastructure improvement and community health.

**Financial Considerations:**

We are requesting \$1,078,033.95 from EPA. No match is required or proposed, however this is a reimbursement grant and the County will have to make expenditures and then be reimbursed.

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Signature of the Chair

Approved

Denied

Line Item	Quantity	Per Unit	Amount
Bear Proof Dumpster	15	\$4,000.00	\$60,000.00
Front Load Trash Truck	1	\$325,500.00	\$325,500.00
Rolloff Recycling Bins	4	\$7,500.00	\$30,000.00
Attendant Station	2	\$87,000.00	\$174,000.00
Storage Shed	1	\$100,000.00	\$100,000.00
Retail Partner Start Up Funding	1	\$50,000.00	\$50,000.00
MSW and Recycling Study	1	\$150,000.00	\$150,000.00
Personnel	3	\$62,844.65	\$188,533.95
<b>Total</b>			<b>\$1,078,033.95</b>

Position Title	Hourly Rate	Estimated Annual Hours	Annual Salary	Benefits	% of Time on Project	Budgeted Amount	Social Security	Medicare	Insurances	Retirement	Insurance	Monthly Premium
<i>Attendant</i>	\$15.00	1300	\$19,500.00	\$1,491.75	100%	\$20,991.75	\$1,209.00	\$282.75	\$0.00	\$0.00	<i>Health</i>	1,536.80
<i>Attendant</i>	\$15.00	1300	\$19,500.00	\$1,491.75	100%	\$20,991.75	\$1,209.00	\$282.75	\$0.00	\$0.00	<i>Dental</i>	69.74
<i>Foreman</i>	\$21.63	2080	\$45,000.00	\$24,711.30	75%	\$52,283.48	\$2,790.00	\$652.50	\$19,468.80	\$1,800.00	<i>Vision</i>	12.54
						\$94,266.98					<i>Life</i>	3.32

# Request for Applications

## 2023 Community Development Funding

Application Guidelines  
February 16, 2023

### **Summary of Request**

The Huerfano County Board of County Commissioners (“the County”) is accepting applications from local community organizations, non-profits, and charitable organizations to receive funds from the County in 2023.

### **Submission Information**

Applications will be available on the County Website, [www.huerfano.us](http://www.huerfano.us), on Thursday, February 16, 2023 and must be received by Huerfano County by **4:00PM on Monday, March 21, 2023**. Any application received after that time will not be considered. Applications **MUST** be submitted through the form provided.

Procedural and technical questions are to be submitted in writing to Carl Young at [cyoung@huerfano.us](mailto:cyoung@huerfano.us)

### **Scope of Funding**

The County will consider requests to provide project support or general operating support.

#### **Project Support:**

The County will only consider project requests that impact or benefit Huerfano County residents or a community within the County.

Projects should be able to be completed within 12 months of award. The County may commit funding for a project with conditions to be met before the County actually provides the funding to the recipient. For instance, if applying for a construction project the County will likely not provide funding until the building permit is pulled and an agreement with a contractor to perform the work is signed.

The County will not fund more than 50% of the current or ensuing phase of a project.

#### **General Operating Support:**

The County will only consider general operating requests from organizations based in Huerfano County and operating programs to the benefit of County residents.

Operating support will be granted based on the organization’s 2023 budget or the 12-month period beginning after funds are awarded.

The County will not fund more than 50% of the organization’s budget for one of the periods above.

### **Funds Available**

The County has obligated \$100,000 for this program. These funds are obligated from the American Rescue Plan Act State and Local Recovery Fund for non-profit support. The County may choose to allocate additional funds or source awarded amounts from other funds.

### **Submittal Requirements**

Applications MUST be submitted through the form provided below which is located on the County Website. [Insert Link]

Each application must include the following documents:

1. Certificate of Good Standing from the Colorado Secretary of State, dated within the last 6 months.
2. Completed W-9
3. Screenshot of the organizations SAM.gov account showing active or under review status.
4. Tax Exemption Determination Letter from the IRS

Applicants may only submit one application, but may include multiple requests within that application. For each request the applicant should provide a written narrative of no longer than 4 pages that includes (1) a description of the funding request; (2) an itemized budget; and (3) answers to the following questions:

1. What specifically will the funds be used for? For projects only, what is the proposed timeline for completion?
2. What is the expected impact on Huerfano County?
3. What will be the consequences if you do not receive the funding requested from Huerfano County?
4. Have you applied to other agencies, foundations, or governments for these funds? If so, who and what is the status of that request?
5. What is the organization's plan for future sustainability? If requesting project support, how will the project be maintained going forward? If requesting general operating support, how will the organization fill this funding gap in future years?
6. How much funding are you requesting from Huerfano County?
7. What percent of the total budget (either project or operating) is this request?

### **Eligibility**

Applications are accepted from Community Organizations and Non-Profits. Individuals are not eligible.

Community organizations are not required to be incorporated and may use a fiscal sponsor to receive the funds on their behalf. Non-profit status is not required, but funds must be used for a community purpose and benefit.

### **Selection Process**

Applications will be reviewed by a committee of County officials and employees. The review committee will determine eligibility and award amount. Award amounts will depend upon the number of applicants, availability of funds, demonstrated need, and long and short term impact on Huerfano County. Additional information or a presentation may be requested before or after funding is awarded.

Once funding decisions are made and approved by the Board of County Commissioners, applicants will receive a funding award notification, which will outline terms and conditions of receiving funding. Huerfano County reserves the right to offer awards at an amount different from requested. Funds will be distributed by check after all terms and conditions are met. All funding decisions are final.

John Galusha, Chairman  
Arica Andreatta, Commissioner  
Karl Sporleder, Commissioner



**Board of County Commissioners**

Ashley Mount  
Program Manger  
Office of Economic Development and International Trade  
1600 Broadway, Suite 2500  
Denver, CO 80202

February 14, 2023

RE: Huerfano County Economic Development Inc. EDO Action Grant Application

Dear Ms. Mount,

The Huerfano County Board of County Commissioners is pleased to support this application from Huerfano County Economic Development Inc. for the Economic Development Organization Action Grant.

We believe that innovation and entrepreneurship are critical to the economic future of Huerfano County and are dedicated to supporting local businesses and entrepreneurs in their growth efforts. To that end, the County is working with Huerfano County Economic Development Inc. to establish a retail incubator and makerspace program, which will provide valuable resources for local businesses and entrepreneurs.

The proposed project will cover the costs of rent and utilities for the buildings that will host the retail incubator and makerspace, which is crucial for the success of the program. This project will have a significant impact on our local economy and create new jobs, making it a model for other rural communities in the State and beyond.

We believe that this project is vital for our local businesses and entrepreneurs, and we are confident that it will spur economic growth in the region. We encourage your support in making this program a reality and creating a thriving entrepreneurial community in Huerfano County.

Sincerely,

\_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner



Carl Young <cyoung@huerfano.us>

## golf course support

3 messages

**Gary** <vzzn@aol.com>  
Reply-To: Gary <vzzn@aol.com>  
To: cyoung@huerfano.us

Mon, Nov 7, 2022 at 10:43 AM

Hi Carl

I would like to be put on your 11/08/2022 agenda to give you and the commissioners an update on where the golf course is currently at. You and the commissioners have helped the golf course immensely over the years and it is greatly appreciated.

I hope the Home Depot buying option is still available. The last we talked, you and your staff were assessing the ski course issue. Below is a brief list of what it would take to finish our 2 projects and be ready for the spring season.

Camp site electrical pedestal installation	\$17,000.00
Maintenance Building Electrical	\$20,000.00
Maintenance Building Septic/Plumbing	\$12,000.00
Maintenance Building Insulation	\$11,000.00
Incidentals and unknowns	<u>\$10,000.00</u>
 Total	 \$70,000.00

Due to the rising costs of Food,supplies,building materials,fuel,etc we spent all we had and did not get as far as we hoped. Not receiving any revenue from the camp sites this year put us in a bind as well.

We spent \$90,000.00 plus of our funds on these projects this year.

We are down to less than \$10,000.00 in cash on hand, which we are trying to limp through to the spring. We would use next years members fees to hopefully complete the camp sites. The revenue from the sites would then gradually finish the building. This process could take us a few years to complete and be quite painful.

We would greatly appreciate any help we could get to complete these 2 projects.  
Thank you in advance!!

Gary Vezzani  
President  
Walsenburg Course.  
P.O. Box 90  
Walsenburg, Colorado, 81089  
719-738-1883  
719-859-5306 Cell

**Carl Young** <cyoung@huerfano.us>  
To: Gary <vzzn@aol.com>

Mon, Nov 7, 2022 at 10:48 AM

Hi Gary,

The Agenda is already set for tomorrow but you should feel free to come in and speak during public comment.

Thanks,

Carl Young

On Nov 7, 2022, at 10:44 AM, Gary <vzzn@aol.com> wrote:

[Quoted text hidden]

Item 7t.

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**Gary** <vzzn@aol.com>  
Reply-To: Gary <vzzn@aol.com>  
To: cyoung@huerfano.us

Mon, Nov 7, 2022 at 12:15 PM

OK  
Thanks

Gary Vezzani  
VP  
Walsenburg Sand & Gravel Co. Inc.  
P.O. Drawer 352  
Walsenburg, Colorado, 81089  
719-738-1883  
719-859-5306 Cell

[Quoted text hidden]





Carl Young <cyoung@huerfano.us>

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## Extension for LaClinica

1 message

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**Vashti Thomas-Wachterman** <vashti.t.wachterman@gmail.com>

Mon, Nov 28, 2022 at 3:44 PM

To: Carl Young <cyoung@huerfano.us>

Hey Carl,

We've had a hard time getting someone to even come out to LaClinica to give us estimates. Is it possible to have an extension? Thank you!

Vashti

**Vashti Thomas-Wachterman (she/her/we)**

**Transformation Coach | Social Justice Advocate**

Huerfano Community Corporation | Botanical Creations

[vashti.t.wachterman@gmail.com](mailto:vashti.t.wachterman@gmail.com) | T: 720.933.8847

*"Love and compassion are necessities, not luxuries. Without them, humanity cannot survive."*

Dalai Lama

*I acknowledge with respect and gratitude that as a settler, I work, live and play on the unceded traditional territories of the Ndé Kónitsaqíí Gokiyaa (Lipan Apache), Jicarilla Apache, Tsésthó'e (Cheyenne), and Núu-agma-tuvu-pų (Ute) First Nations.*



A Museum of  
Contemporary Art

109 East 6<sup>th</sup> Street Walsenburg, CO. 81089

[www.museumoffriends.org](http://www.museumoffriends.org)

November 4, 2022

Dear Huerfano County Commissioners:

RE: The Museum of Friends Proposal:

The Museum of Friends is requesting funds to help make the ADA elevator functional so that we can accommodate visitors, members and participants in museum programs. The elevator was installed in October 2019. At that time, it seemed to be working with some glitches. When, we asked our then architect and contractor why there were these issues, we were told that it needed to settle in as the shaft had been built to all 3 floors. Since then, we have experienced issues regarding its functionality. Currently, we have accrued a bill of over \$5,000. through October. However, we have not received the invoice for November's repair bill. Also we are waiting for the estimate to repair the elevator so that we do not continually have repair bills. Please see attached estimate for repair \$17,779. The total of both is \$22,779. It has become apparent that to make the elevator operable, we will need significantly more work. \*please see both attached invoices.

In a recent email the project manager Gradie Kerr (720-788-1550) stated: "I will forward your request for a current invoice to our finance people and I will get more details from James and get Billy to send to you a Proposal for any further work that we may be able to do to increase performance and reliability.

At this point, I don't believe it is possible to adjust the Guide Rails. That would have had to have been completed before other components were installed.

I will talk it over with my guys and see if we can come up with a good fix for you, and I will let you know."

It is our intention to have the elevator repaired to adequately serve our public. As soon as we know the estimate, we will contact you with a more accurate amount needed.

All my best, *Maria Cocchiarelli-Berger*  
Maria Cocchiarelli-Berger, Museum of Friends  
Executive Director  
Work: 719-738-2858  
Cell: 917-969-6028



Museum of friends  
 Brendt Berger  
 600 Main Street  
 Walsenburg, CO 81089  
 719-738-2858  
[BrendtBerger@earthlink.net](mailto:BrendtBerger@earthlink.net)

**RE: Repair guide rails and roller guides –Savaria – CA09120201**

Dear Brendt,

PEAK is pleased to provide you with our proposal for the above-mentioned project. Our proposal meets all applicable codes and includes all labor and material required for a complete repair. Our price includes tax and is valid for a period of thirty (30) days.

1. Our proposal is based upon the following:

**Scope of Work:**

- **PEAK to try and straiten the guide rails**
- **PEAK to test and adjust all necessary components; return unit to normal operation**

**TOTAL SUM: \$17,779.00(Seventeen Thousand, Seven Hundred, Seventy-Nine Dollars and 00/100s)**

**Time on-site: Approximately 32 hours**

**Upon approval, please sign and return a copy via email and we will put you on our schedule, ASAP.**

2. Our proposal is submitted with the understanding that all referenced documents will be signed without alteration in order to provide you the best possible value solution for this project.

3. Our proposal is submitted with the understanding that PEAK will need to have uninterrupted access to the elevators which will be unavailable to the building patrons for this time. Unless specifically stated to the contrary in this Agreement, PEAK's services shall be performed between the hours of 7:30 a.m. and 4:00 p.m. Monday through Friday, local property time.

4. Our proposal is submitted with the understanding that PEAK will mobilize to the project site one (1) time for the process. If PEAK shall be required to incur additional mobilizations due to circumstances beyond PEAK's control additional mobilization fees shall be owed PEAK.

5. Payments Schedule:

**50% of the contract value is due upon execution.**

**50% of the contract value is due upon completion of the above listed scope of work**

The payment schedule remains in force even in the event of non-payment by a third party. PEAK reserves the right to postpone material delivery and suspend work or services for non-payment. If payment in full is not received by PEAK within sixty (60) calendar days of invoice date, invoices will bear interest at 1.5% of the unpaid amount per month, which will be calculated from the invoice date. Payment thereafter will first be applied to accrued interest and then to the unpaid principal. If collection procedures are necessary to obtain balances due from Purchaser, Purchaser shall be required to pay any and all balances then due, interest thereon, and all reasonable attorney fees



and/or collection fees, and litigation costs necessary to recover such amounts. Purchaser agrees and acknowledges collection expenses, including without limitation attorney fees, shall be due upon engaging an attorney. In states requiring notice prior to filing a lien, this notice requirement is hereby complied with.

6. PEAK warrants the materials and workmanship of the equipment for Twelve (12) months after acceptance. Please note that our warranty begins once the elevator has been final inspected and accepted which may be prior to the substantial completion of the building. Purchaser's remedy is limited to repair or replacement of a defective part; remedy shall be mutually agreeable between purchaser and PEAK. In no event shall PEAK be responsible for damage due to normal wear and tear, vandalism, abuse, misuse, neglect, work or repairs or modifications by others, or any other cause beyond the control of PEAK. PEAK disclaims any other warranty of any kind; either expressed or implied, including without limitation the implied warranties of merchantability or fitness for a particular purpose, or non-infringement.

7. PEAK shall not be responsible for any indirect, incidental or consequential damages. PEAK's liability and liquidated damages under any circumstances shall be no more than 5% of the Proposal value of the Equipment concerned.

8. PEAK shall not be liable for any loss, damage, claim or delay due to any cause beyond PEAK's control including, but not limited to, acts of government, strikes, lockouts, fire, explosion, theft, floods, riot, civil commotion, war, malicious mischief, or acts of God.

9. The Purchaser agrees to indemnify, defend and hold harmless PEAK from any loss, damage or claim for damages or injuries, including death, connected with the use or operation of the Equipment. Should damage occur to PEAK's material or work on the premises, where work is to be or is being performed, by fire, theft or otherwise, the Purchaser is to compensate PEAK therefore. PEAK's obligation to defend, indemnify and hold Purchaser harmless shall be limited to the extent a claim for damages or injuries results from PEAK's negligence acts or omission or willful misconduct, but not the negligent acts or omissions or willful misconduct of others.

Sincerely,  
**PEAK Elevator, LLC**

*Billy Carroll*

Billy Carroll  
Account Executive  
Ph.: 719-924-3728  
Email: [billy.carroll@peakelevator.com](mailto:billy.carroll@peakelevator.com)

Accepted by: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Date: \_\_\_\_\_

This offer, when accepted by purchaser and countersigned by an officer of PEAK, will be the entire agreement between parties. This offer, if accepted on any other form or document or if the terms are amended, shall not be binding on PEAK unless countersigned in writing by an officer of PEAK.

Approved by – PEAK Elevator Corporate Officer \_\_\_\_\_

Statement

Date: 10/10/2022



Please remit to:  
 PEAK Elevator, LLC  
 5405 W. 56th Avenue  
 Suite E  
 Arvada, CO 80002  
 (303) 466-6231

Bill to:  
 Museum of Friends  
 600 Main Street  
 Walsenburg, CO 81089 USA

**PAST DUE - PLEASE REMIT**

Invoice #	Type	Customer PO	Project Invoice #	Invoiced On	Technicians	Location	Due Date	Total	Payments	Balance	Subtotal
39556				3/22/22	Joseph Houser	600 Main Street	4/1/22	\$843.75	\$0.00	\$843.75	\$843.75
39700			106342692	3/25/22	Parker Ballard	600 Main Street	4/4/22	\$1,300.00	\$0.00	\$1,300.00	\$2,143.75
107615200				5/1/22		600 Main Street	5/1/22	\$70.00	\$0.00	\$70.00	\$2,213.75
108949278				6/1/22		600 Main Street	6/1/22	\$70.00	\$0.00	\$70.00	\$2,283.75
110460151				7/1/22		600 Main Street	7/1/22	\$70.00	\$0.00	\$70.00	\$2,353.75
111615635				8/1/22		600 Main Street	8/1/22	\$70.00	\$0.00	\$70.00	\$2,423.75
112887403				9/1/22		600 Main Street	9/1/22	\$70.00	\$0.00	\$70.00	\$2,493.75
46554				9/2/22	Joseph Houser	600 Main Street	9/12/22	\$2,463.75	\$0.00	\$2,463.75	\$4,957.50
113716376				10/1/22		600 Main Street	10/1/22	\$70.00	\$0.00	\$70.00	\$5,027.50

\$2,533.75 ≤ 30	\$70.00 30 - 60	\$70.00 60 - 90	\$70.00 90 - 120	\$2,283.75 > 120
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\$5,027.50 Total Invoices	\$0.00 Total Payments	\$5,027.50 Balance
------------------------------	--------------------------	-----------------------

Date: 11/8/2022

Approved: GAC

Denied: -----

Amount: 2500

Fund: PILT 51858

Prepaid: x Vendor Run: --



Carl Young  
 County Administrator &  
 County Commissioners  
 Huerfano County Government  
 401 Main Street, Ste 302  
 Walsenburg, CO 81089

November 3, 2022

Dear Mr. Young and the seated County Commissioners,

On behalf of the members of the Board of Directors of the La Veta Creative District, please accept our sincerest thanks for your continued support for our first foundational year as a certified creative district.

The initial \$10,000 funding provided by Huerfano County in 2020 allowed us to apply for designation as a certified Colorado Creative District in 2021, as well as receive matched funding from the Colorado Creative Industries (CCI) in our first year as a new Creative District. We are now asking to be considered for an annual place in the county's budget. We need to show Colorado Creative Industries, our statewide government entity that supports the arts in our state, that our county is behind our La Veta Creative District. What they look for are our sources of sustainable funding and interest. A show of sustainable intention from the county means everything for CCI to keep marketing and funding our efforts. Please consider the LVCD in this year's budget and possible continued funding in the future. A \$10,000.00 a year contribution would go a long way to keep our operational fund going. i.e. paying employees marketing expenses, and creating creative projects. In our next years we will also need to hire at least two more employees if we are to succeed in our goals and our mission. Thank you for your consideration in this seeking of funding.

Again, attracting year-round visitors to boost the rural economic vitality of La Veta is still critical for recovery from the 2018 Spring Fire and Covid-19 pandemic, your continued support will allow us to advance our mission as a new Creative District. Thank you for your continued support of LVCD.

Sincerely

*Susan Hanneman*

Susan Hanneman, President  
 La Veta Creative District



*The mission of the La Veta Creative District is to inspire and cultivate our diverse rural community through the development of the arts and creative industries.*





December 31, 2022

Huerfano County  
401 Main St #201  
Walsenburg, CO 81089

Dear Friends:

Thank you, on behalf of all of us at Adams State University, for your generous gift of \$3,000.00 to the COSI-County (Huerfano) Fund. Thanks to you and others like you, Adams State continues to deliver on its promise of providing equitable access to radically affordable, quality education while also serving as a cultural and economic development resource for the San Luis Valley and beyond.

Great Stories Begin Here at Adams State University and gifts like yours ensure that those great stories will continue to begin here for countless generations to come. Thank you for investing in and partnering with Adams State University to benefit the students of today who will, in turn, transform the society of tomorrow.

Sincerely,

Tammy L. Lopez  
Executive Director of the Foundation

*No goods or services have been provided in return for your gift of \$3,000.00. The Adams State University Foundation is a non-profit charitable foundation organized under section 501 (c)(3) of the Internal Revenue Code.*

P.S. If you are interested in learning how to make your gifts go further, please contact Karen Wibrew in our office of gift planning at 719-587-7165.

**THE FOUNDATION**

208 Edgemont Blvd., Suite 3080 • Alamosa, CO 81101 • Fax: (719) 587-7522 • Phone: (719) 587-7609  
Toll-free: 800-824-6494 x8 • www.adams.edu



## IRS Increases PCORI Rate

The Internal Revenue Service (IRS) has announced a new indexed dollar amount for the Patient-Centered Outcomes Research Institute (PCORI) fee.

### THE DETAILS

State and local governments sponsoring self-insured plans are subject to a yearly PCORI fee per covered life. During the previous enrollment period for 2023 it was announced at \$2.63 per covered life. However, the IRS has increased the rate to \$3.00 per covered life.

This new fee specifically applies to plans that end on or after October 1, 2022 and before October 1, 2023. Issuers of self-insured plans are required to pay the PCORI fee. To learn more about the Affordable Care Act and Resulting PCORI fee [click here](#).

### MORE ABOUT PCORI

PCORI is an independent, non-profit research organization created to help patients and those who care for them make better informed health decisions. It does so through funding research, producing and promoting evidence-based information, working to improve healthcare delivery and outcomes, and helping people make informed healthcare decisions.

As a nonprofit, it depends on outside funding. Back in 2019, the United States Congress reauthorized PCORI for an additional 10 years. The IRS announces updated PCORI fees annually. It was part of the Patient Protection and Affordable Care Act of 2010 and was reauthorized through the Further Consolidated Appropriations Act, 2020.

### WHAT THIS MEANS FOR COUNTIES

Sponsors of self-insured plans must make annual PCORI payments by July 31 of the calendar year immediately following the last day of the applicable plan year. **However, for members of the county pool, CHP handles the PCORI fee.** With news that the IRS has adjusted the fee, CHP will also adjust for the fee accordingly.

For any questions, please reach out to CHP staff at (303) 861-0507.



## The Power of Pooling

County Technical Services, Inc. (CTSI) has served Colorado counties for 39 years. County commissioners first envisioned CTSI as a way to empower counties by creating a collective purchasing pool. The County Health Pool (CHP) was founded in 1984 with the goal of lowering and stabilizing health insurance premiums.

The success of this pool led to the creation of the County Workers' Compensation Pool (CWCP) and the Colorado Counties Casualty and Property Pool (CAPP) to address challenging market conditions in those areas, as well.

### OUR SERVICES

There are five components to CTSI:

- 1) **County Health Pool (CHP)** which helps meet employee health benefits needs.
- 2) **County Workers' Compensation Pool (CWCP)** which meets workers' compensation insurance coverage needs.
- 3) **Colorado Counties Casualty and Property Pool (CAPP)** which meets property, vehicle, and liability coverage needs.
- 4) **800 Grant Street Office Condominium Owners Association** which owns and manages the common elements at the CTSI headquarters in downtown Denver.
- 5) **CTSI** which manages and employs personnel to administer the four other entities as well as provide consulting and training services.

### POOLING AND COST CONTROL

Pooling gives CTSI members the ability to use their collective buying power to negotiate from a position of strength in often uncertain insurance markets, while member involvement in the management and operation of CTSI and the pools produces a responsive and adaptive organization that excels at controlling costs. We regularly provide our members with renewal rates below the national average, consult with members about increased limits when needed, and provide coverage for new functions as required by members. Our commitment to continuous improvement

means that we are constantly investigating ways to reduce the cost of insurance coverage and ancillary services for members. Our centralized purchasing power at a much larger volume has helped significantly control member costs over acquiring services and functions independently.

### ABOUT CHP

County Health Pool (CHP) provides employee health benefits. CHP is committed to cost control, well-designed benefit programs, and efficient claims administration. It is the only county-owned health plan provider in Colorado with benefits, contribution rates, and coverages determined by representatives from Member counties. [Learn More.](#)

### ABOUT CWCP

County Workers' Compensation Pool (CWCP) provides counties with statutory workers' compensation coverage, a no-fault system that means the employee doesn't have to prove that the employer is at fault to receive benefits. CWCP Member counties employ thousands of people with a payroll of approximately \$500 million per year. Members earn equity in funds and equity is retained as a safety net to offset the swings in the insurance market. [Learn More.](#)

### ABOUT CAPP

Colorado Counties Casualty and Property Pool (CAPP) protects the assets of counties throughout Colorado through broad coverage, risk management, and sound fiscal management. CAPP excels in loss control and claims management. Members earn equity in funds that are not used to pay losses. That pool equity is retained as a safety net to offset the swings in the insurance market. [Learn More.](#)

### WHAT THIS MEANS FOR COUNTIES

Counties continue to seek protection for their organizations from rising claims costs brought on by natural disasters, pandemics, social inflation, and more. Membership in CTSI gives Colorado counties leverage to negotiate favorable premiums and coverage in this challenging market. For more information, contact CTSI at (303) 861-0507.

## Huerfano County Federal Mineral Lease District Budget Message 2023

The Huerfano County Federal Mineral Lease District (HCFMLD) Budget is submitted in accordance with the "Local Government Budget Law" of the State of Colorado. This budget sets HCFMLD expenditures and revenues for the period January 1, 2023 through December 31, 2023.

The HCFMLD Budget establishes expenditure limits for operations and projects in the fiscal year 2023. It is more than a compilation of revenue and expenditure projections in that it reflects the goals, priorities and policies established by the HCFMLD Board of Directors in 2023. The expenses incurred are for the purposes of distributing funds to political subdivisions of the State in conformity with the Federal Mineral Lease District Act, C.R.S. § 30-20-1307, and 30 U.S.C. § 191 to mitigate the social or economic impacts of the development, processing, or conversion of fuels and minerals by the energy industry.

### Financial Highlights:

In 2022 HCFMLD had two separate payouts for grants, the reason being that the deadline for 2021 grant applications was extended into 2022 due to the COVID epidemic. A grant payout of \$4,277.60 went to The Spanish Peaks Library District for landscaping and for concrete foundations for two large steel sculptures. A grant payout of \$3,500.00 went to the La Veta Cemetery District towards the purchase of a Kubota Zero-Turn Mower. And a grant payout of \$4,878.76 went to the Western Navajo Water District for a backup generator, the second such grant in a project for generator backup for all their wells.

These three grants along with the five grants listed below account for the total grant expenditures in 2022 of \$39,656.36. See Exhibit A below.

The HCFMLD's 2022 check from the Department of Local Affairs was for \$17,342.78. With a balance of \$30,110.74 in November, 2022 the amount \$27,000.00 was offered to HCFMLD's political subdivisions of the State of Colorado in a competitive grant application process. Applications were due on November 30, 2022. With five grant applications submitted, the \$27,000 was split evenly between the applicants:

La Veta Fire Protection District has been awarded \$5,400 towards the purchase of a LUCAS battery powered device carried on the ambulance to perform compressions during CPR when there is a shortage of personnel or for prolonged CPR.

Navajo Western Water District has been awarded \$5,400 towards the purchase of an Emergency Backup Generator for NWWD Resorts, Well #7.

Huerfano County Parks and Recreation District has been awarded \$5,400 towards the purchase of necessary first aid equipment to have on site at the county owned Cuchara Mountain Park, so that it will be available to ski patrol and also to members of the public should first aid need to be immediately provided. This equipment is also necessary to be onsite as required by the Colorado Passenger Tramway Safety Board Rule 3.1.2 and 3.2.1.5.

Huerfano County Water Conservancy District has been awarded \$5,400 to help fund planning of water storage reservoirs in the Cucharas River basin, specifically the 90% engineering design of Bruce Canyon Reservoir in the Cucharas River Basin.

La Veta Regional Library District has been awarded \$5,400 towards the Library's match for an EIAF/DOLA grant for the replacement of the Library's HVAC system.

By statute, the District may make grants only to political subdivisions of the State of Colorado, i.e. local governments. Locally, preference is given to grants specified as requiring matching funds for other grants from outside the County.

Basis of Budgetary Accounting

The HCFMLD General Fund is accounted for using the modified accrual basis of accounting. Revenues are recognized and accounted for when they become available and measurable. Expenditures are generally recognized when liability is incurred. For those local grants awarded as matching funds for outside grants, the liability is incurred only when the outside grant is made and a request is made by the grantee for the distribution of the matching funds. For local grants which are not matching in nature, the liability is incurred when the grant is made.

Summary

The Board of Directors continues to address the ongoing economic climate in a prudent and fiscally responsible manner, but acknowledges that the direction of future natural resource exploration and development cannot be predicted.

Respectfully,

Gerald Cisneros



David Rogers



Joseph Edes



Dated:

01/26 / 2023

Directors HCFMLD

Exhibit A  
Four Year Budget Figures

1	Year	2019	2020	2021	2022	Proj 2023
2	Balance Forward	\$21,467.45	\$3,439.21	\$13,102.63	\$25,479.94	\$3,112.83
3	Federal Mineral Lease Payments	\$12,476.56	\$9,647.59	\$12,360.57	\$17,342.78	\$17,000.00
4	Interest	\$20.03	\$15.83	\$16.74	\$21.47	20
5	Refunded Grants	\$8,450.00		0		
6	Grants Paid Out	-\$38,829.15	0	0	-\$39,656.36	-\$17,000.00
7	Administrative Expense	-\$145.68	0	0	-\$75.00	-\$100.00
8	Fund Balance December 21	\$3,439.21	\$13,102.63	\$25,479.94	\$3,112.83	\$3,032.83

RESOLUTION NO. 23-01  
BOARD OF DIRECTORS  
HUERFANO COUNTY FEDERAL MINERAL LEASE DISTRICT  
HUERFANO COUNTY, COLORADO

RESOLUTION REGARDING ADOPTION OF THE BUDGET FOR THE HUERFANO COUNTY  
FEDERAL MINERAL LEASE DISTRICT AND APPROPRIATION OF FUNDS FOR THE FISCAL  
YEAR 2023

WHEREAS, the Huerfano County Federal Mineral Lease District (hereinafter "the District") is a federal mineral lease district duly created pursuant to the Federal Mineral Lease District Act, C.R.S. § 30-20-1301, etseq, C.R.S. ("Act") and conducts its affairs through its board of directors ("District Board"), C.R.S. § 30-20-1307; and

WHEREAS, the District Board has prepared a proposed budget; and

WHEREAS, the Notice of Availability of the 2023 Proposed Budget and Public Hearing to Adopt the 2023 Budget was published in accordance with law, and the proposed budget has been continuously available for inspection at the Huerfano County Federal Mineral Lease District web page: <http://hcfmld.colorado.gov/>

WHEREAS, pursuant to C.R.S. § 29-1-106, a public hearing was held on January 25, 2023, where interested taxpayers were given the opportunity to file or register any objections to the proposed budget; and

WHEREAS, the District Board conducted a thorough review of the proposed budget and has ensured that the amounts appropriated do not exceed the specified expenditures as required by C.R.S. § 29-1-108(2), and has thereby ensured the District will operate under a balanced budget for Fiscal Year 2023.

NOW, THEREFORE, BE IT RESOLVED THAT

Section 1. The budget as submitted, summarized, and attached hereto as Exhibit A is hereby approved and adopted as the budget of the Huerfano County Federal Mineral Lease District for Fiscal Year 2023, January 1, 2023 through December 31, 2023.

Section 2. The District Board hereby appropriates funds consistent with the budget to allow the District to carry out its statutory purposes.

Section 3. A copy of this Resolution shall be delivered to the State of Colorado, Division of Local Government, Department of Local Affairs, as required by law.

DONE THIS 25th day of January, 2023, in Huerfano County, Colorado.

Voting:

Director Cisneros: aye

Director Edes: aye

Director Rogers: aye

BOARD OF DIRECTORS, HUERFANO COUNTY  
FEDERAL MINERAL LEASE DISTRICT

By: *David LaForscia*  
President

ATTEST: *Joseph R. Elk*  
Secretary

**Mission Statement**

To alleviate social, economic, and public finance impacts from development of natural resources on federal lands within this county, the Huerfano County Federal Mineral Lease District will distribute monies it receives from federal mineral leasing activities to subdivisions of the State of Colorado which represent communities impacted by the development of natural resources for use in (1) planning, (2) construction and maintenance of public facilities, and (3) provision of public services.



1 American Road, MD 7500  
Dearborn, Michigan 48126  
1-800-241-4199, press 1

# Title Release for Schedule #9501100

1/27/2023

Huerfano County  
401 Main Street Ste 310  
Walsonburg, CO 81089

Attn: Vicki Gleason

RECEIVED

FEB 03 2023

BY: JEB  
done

Our records indicate that Lease-Purchase Agreement Account #9501100 is paid in full. Enclosed is the lien release for the following:

2019 FORD F-250 REG CAB TRUCK	1FTBF2B66KEE24907
2019 FORD F-250 REG CAB TRUCK	1FTBF2B68KEE24908
2019 FORD F-250 REG CAB TRUCK	1FTBF2B6XKEE24909
2019 FORD F-250 REG CAB TRUCK	1FTBF2B66KEE24910
2019 FORD F-150 TRUCK	1FTEW1EP9KCC91024
2019 FORD F-250 CC	1FT7W2B60KEE24911

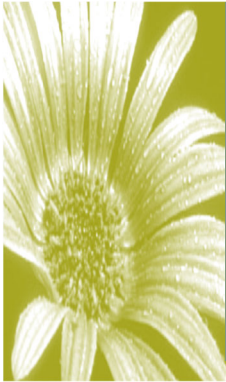
We appreciate your business and thank you for using Ford Credit's Municipal Finance Program. We look forward to assisting you with your next financed vehicle. For questions regarding this letter, or for future financing inquiries, please call 800-241-4199 or email [fcmuni@ford.com](mailto:fcmuni@ford.com).

Sincerely,

Ford Credit Representative



# HUERFANO COUNTY



## HC TREASURER 2022 MONTHLY REPORTS

**401 Main Street, Suite 206**

**Walsenburg, CO 81089**

**Phone: 719-738-3000 Ext 505**

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0010 COUNTY GENERAL FUND	2285717.36					
0010 FUND TOTALS	2653307.35	291827.33-	2361480.02	2470422.20	102430.06	95.85
0012 PARKS AND RECREATION	.00					
0012 FUND TOTALS	2036.40	82160.55	84196.95			
0013 HOUSING AUTHORITY	.00					
0013 FUND TOTALS	.00	.00	.00			
0014 UNCLAIMED	705.33					
0014 FUND TOTALS	746.47	.00	746.47			
0015 SPECIAL PROJECT FUND	945258.22					
0015 FUND TOTALS	1002986.80	134802.89-	868183.91			
0020 ROAD & BRIDGE	496909.57					
0020 FUND TOTALS	182082.98	143127.94-	38955.04	14370.62	595.85	95.85
0025 LEASE PURCHASE FUND	.00					
0025 FUND TOTALS	.00	.00	.00			
0028 EMERGENCY SERVICES FUNDS (DISPATCH)	676386.57					
0028 FUND TOTALS	668008.84	30822.22	698831.06			
0030 RETIREMENT	111128.47					
0030 FUND TOTALS	143517.09	10672.98-	132844.11	129335.75	5362.68	95.85
0035 LODGING TAX TOURISM FUND	70221.56					
0035 FUND TOTALS	92200.79	376.90	92577.69			
0040 DISASTER RECOVERY FUND	635329.64					
0040 FUND TOTALS	1251160.14	.00	1251160.14			
0045 GARDNER PUBLIC IMPROVEMENT DISTRICT	34073.58					
0045 FUND TOTALS	34528.33	3060.88	37589.21			
0051 WALSENBURG GATEWAY METRO DIST	.00					
0051 FUND TOTALS	.00	.00	.00			
0080 SPANISH PEAKS LIBRARY DIST	1992.11					
0080 FUND TOTALS	4209.54	559.62-	3649.92	228831.64	9346.50	95.91
0081 SPANISH PEAKS LIBRARY DIST (BOND)	1763.26					
0081 FUND TOTALS	4062.20	546.53-	3515.67	221381.33	9042.28	95.91
0090 HUERFANO CO. AMBULANCE ENTERPRISE	.00					
0090 FUND TOTALS	.00	.00	.00			
0095 WASTE TRANSFER STATION ENTERPRISE	46595.39					
0095 FUND TOTALS	59428.69	6204.80	65633.49			
0100 MINERAL LEASING	.00					
0100 FUND TOTALS	.00	.00	.00			
0105 CREDIT CARD ADJ FUND	.00					
0105 FUND TOTALS	.00	.00	.00			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0110 PUBLIC TRUSTEE	.00					
0110 FUND TOTALS	.00	.00	.00			
0120 SOCIAL SERVICES	711104.52					
0120 FUND TOTALS	931025.01	109440.18-	821584.83	359258.16	14895.74	95.85
0130 HOSPITAL DISTRICT (OPERATING)	7736.35					
0130 FUND TOTALS	18800.33	1812.25-	16988.08	1005915.52	41691.51	95.85
0140 HOSPITAL ANTIC. WARRANTS (BOND)	.00					
0140 FUND TOTALS	1.38	.00	1.38			
0160 CITY OF WALSENBURG	31545.45					
0160 FUND TOTALS	46511.90	2919.22-	43592.68	287853.50	13465.28	95.32
0165 WALSENBURG TIF	11.20					
0165 FUND TOTALS	608.37	457.07-	151.30	28152.72	1694.66	93.98
0170 WAL (DOWNTOWN REV COMM) GID 28018	.00					
0170 FUND TOTALS	.00	.00	.00			
0180 TOWN OF LAVETA	12393.33					
0180 FUND TOTALS	17537.66	4202.88-	13334.78	46317.27	2363.11	94.89
0190 LA VETA FIRE PROT. DIST.	1382.31					
0190 FUND TOTALS	3826.31	71.80	3898.11	194072.50	8414.46	95.66
0200 LA VETA CEMETERY DIST	126.26					
0200 FUND TOTALS	364.45	6.88	371.33	18486.78	802.13	95.66
0210 HUERFANO WATER CONS. DIST.	2345.32					
0210 FUND TOTALS	5695.32	530.74-	5164.58	305406.98	12672.28	95.85
0220 NAVAJO WATER DIST.	292.67					
0220 FUND TOTALS	991.21	266.88-	724.33	35220.40	669.58	98.09
0230 CUCHARA SAN. WATER DIST.	683.65					
0230 FUND TOTALS	1896.39	603.19	2499.58	102518.19	2931.18	97.14
0240 LA VETA LIB. DIST.	1378.12					
0240 FUND TOTALS	3973.99	72.72	4046.71	201576.64	8740.40	95.66
0250 RYE FIRE DIST.	183.78					
0250 FUND TOTALS	76.84	27.35	104.19	10093.38	106.13	98.94
0260 ECONNOMIC & REVOLVING LOAN	.00					
0260 FUND TOTALS	.00	.00	.00			
0270 CUCHARA BOND	.00					
0270 FUND TOTALS	.00	.00	.00			
0280 UPPER HUERFANO CONSERVATION DIST	344.83					
0280 FUND TOTALS	744.44	10.85-	733.59	48341.24	1904.98	96.05
0290 UPPER HUERFANO FIRE DIST.	1111.37					
0290 FUND TOTALS	2568.79	534.50-	2034.29	122880.52	11690.30	90.48

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0300 HUERFANO CO FIRE PROTECTION DIST	3550.84					
0300 FUND TOTALS	8385.28	1018.86-	7366.42	465534.11	14854.41	96.80
0310 COUNTY CLERK	144499.00					
0310 FUND TOTALS	232108.43	17633.19-	214475.24			
0311 COUNTY CLERK SUR CHARGE	4684.18					
0311 FUND TOTALS	5645.48	137.88	5783.36			
0320 SCHOOL DIST. RE-1 GENERAL	23820.72					
0320 FUND TOTALS	56860.78	7914.62-	48946.16	3042966.37	124278.24	95.91
0330 SCHOOL DIST. RE-1 CAP. RES.	.00					
0330 FUND TOTALS	.00	.00	.00			
0340 SCHOOL DIST. RE-1 BOND	3674.47					
0340 FUND TOTALS	24156.42	3449.09-	20707.33	1295175.26	52896.47	95.91
0350 SCHOOL DIST. RE-1 INSURANCE REV.	.47					
0350 FUND TOTALS	.47	.00	.47			
0360 SCHOOL DIST. RE-2 GENERAL	6144.16					
0360 FUND TOTALS	18473.10	280.36	18753.46	920907.50	39929.07	95.66
0370 SCHOOL DIST. RE-2 CAP. RES.	.00					
0370 FUND TOTALS	.00	.00	.00			
0380 SCHOOL DIST. RE-2 BOND	3306.80					
0380 FUND TOTALS	9195.86	125.44	9321.30	457656.93	19843.26	95.66
0390 TAX SALE & REDEMPTIONS	9004.80					
0390 FUND TOTALS	10139.95	66.31	10206.26			
0410 BACK TAX UNAPPORTIONED	.00					
0410 FUND TOTALS	.00	.00	.00			
0420 FEDERAL FOREST PROJECT FUND	51270.47					
0420 FUND TOTALS	69894.90	27.41-	69867.49			
0430 XXXX	.00					
0430 FUND TOTALS	.00	.00	.00			
0440 TREASURERS FEES	.00					
0440 FUND TOTALS	.00	.00	.00			
0450 SPECIFIC OWNERSHIP	.00					
0450 FUND TOTALS	.00	.00	.00			
0460 LAND USE FUND	.00					
0460 FUND TOTALS	.00	.00	.00			
0470 CONSERVATION TRUST FUND	21286.18					
0470 FUND TOTALS	22597.17	2231.46	24828.63			
0480 MOTOR VEHICLE	.00					
0480 FUND TOTALS	.00	.00	.00			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0490 FEDERAL LAND & MATERIALS ACT	367.59					
0490 FUND TOTALS	367.59	.00	367.59			
0500 US FOREST RESERVE	4620.00					
0500 FUND TOTALS	4620.00	.00	4620.00			
0510 NAVAJO BOND	.00					
0510 FUND TOTALS	.00	.00	.00			
0520 WALSENBURG HOUSING AUTHORITY	.00					
0520 FUND TOTALS	.00	.00	.00			
0540 ADVANCE TAX COLLECTIONS	14041.97					
0540 FUND TOTALS	10705.37	504.96	11210.33			
0550 COUNTY PROPERTY SALES	765.00					
0550 FUND TOTALS	765.00	.00	765.00			
0560 PILT	471960.80					
0560 FUND TOTALS	316987.71	250000.00-	66987.71			
0570 REAL ESTATE INT.UNAPPORTIONED	.00					
0570 FUND TOTALS	.00	.00	.00			
0590 BUSINESS RECRUITMENT FUND	.00					
0590 FUND TOTALS	.00	.00	.00			
0600 COURT HOUSE RE-HAB	.00					
0600 FUND TOTALS	.00	.00	.00			
0610 PURGATOIRE RIVER SOIL CONS. DIST.	.62					
0610 FUND TOTALS	.18	.05	.23	5.13	.00	100.00
0660 BUSINESS RECRUITMENT	.00					
0660 FUND TOTALS	.00	.00	.00			
0690 EMERGENCY RESERVE FUND	.00					
0690 FUND TOTALS	.00	.00	.00			
***** FUND TOTALS *****	7923801.70	855001.28-	7068800.42	12012680.64	500620.56	95.83

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 09/01/2022 TO 09/30/2022 SEPTEMBER REPRINT 12/28/2022 09:43 PAG

Item 9i.

BALANCE FORWRD                      CURRENT                      TOTAL YTD                      PROJ REV                      BALANCE                      PCT

TIME FINISHED-09:43

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000 FUND TOTALS	375246.53	106936.80-	268309.73			
9100 TREASURERS CASH	700.00					
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200 FUND TOTALS	1032821.14	2226.74	1035047.88			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300 FUND TOTALS	795663.88	55546.17-	740117.71			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350 FUND TOTALS	1827443.52	299985.39-	1527458.13			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500 FUND TOTALS	22597.17	2231.46	24828.63			
9600 CSAFE (INVESTMENT)	1216123.05					
9600 FUND TOTALS	1221143.40	397684.94-	823458.46			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650 FUND TOTALS	508694.21	.00	508694.21			
9700 LPL FINANCIAL	1566800.29					
9700 FUND TOTALS	1566800.29	.00	1566800.29			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900 FUND TOTALS	522691.56	693.82	523385.38			
***** FUND TOTALS *****	7923801.70	855001.28-	7068800.42			

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 09/01/2022 TO 09/30/2022 SEPTEMBER REPRINT 12/28/2022 09:43 PAC

Item 9i.

BALANCE FORWRD          CURRENT          TOTAL YTD          PROJ REV          BALANCE          PCT

TIME FINISHED-09:43



ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000.0100 DEPOSITS (CBC)	1958422.56-	393323.40	1565099.16-			
9000.0200 INTEREST EARNED	.00	.00	.00			
9000.0300 CREDIT CARD DEPOSIT	28326.78	8576.27	36903.05			
9000.0400 ACH/EFT DEPOSITS	2239828.92	508836.47-	1730992.45			
SUB TOTAL *	375246.53 *	106936.80-*	268309.73 *			
9000.9100 TRANSFER OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9000 FUND TOTALS	375246.53	106936.80-	268309.73			
9100 TREASURERS CASH	700.00					
9100.0100 CASH ON HAND	.00	.00	.00			
SUB TOTAL *	700.00 *	.00 *	700.00 *			
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200.0100 TRANSFERS IN	.00	.00	.00			
9200.0200 INTEREST EARNED	5839.93	2226.74	8066.67			
SUB TOTAL *	1032821.14 *	2226.74 *	1035047.88 *			
9200.9100 TRANSFER OUT (COLOTRUST)	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9200 FUND TOTALS	1032821.14	2226.74	1035047.88			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300.0100 DEPOSITS (BOW)	16843129.56	976253.45	17819383.01			
9300.0200 INTEREST EARNED	1232.92	6.46	1239.38			
9300.0300 CREDIT CARD DEPOSIT	972241.55	51510.64	1023752.19			
9300.0400 ACH/EFT DEPOSITS	5477941.72	396099.69	5874041.41			
SUB TOTAL *	24054920.23 *	1423870.24 *	25478790.47 *			
9300.9100 TRANSFER OUT	23259256.35-	1479416.41-	24738672.76-			
SUB TOTAL *	23259256.35-*	1479416.41-*	24738672.76-*			
9300 FUND TOTALS	795663.88	55546.17-	740117.71			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350.0100 TRANSFERS IN (BOW MM)	1575000.00	.00	1575000.00			
9350.0200 INTEREST EARNED (BOW MM)	63.51	14.61	78.12			
SUB TOTAL *	2627443.52 *	14.61 *	2627458.13 *			
9350.9100 TRANSFER OUT (BOW MM)	800000.00-	300000.00-	1100000.00-			
SUB TOTAL *	800000.00-*	300000.00-*	1100000.00-*			
9350 FUND TOTALS	1827443.52	299985.39-	1527458.13			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375.0100 TRANSFERS IN	.00	.00	.00			
9375.0200 INTEREST EARNED	.00	.00	.00			
SUB TOTAL *	300000.00 *	.00 *	300000.00 *			
9375.9100 TRANSFERS OUT	250000.00-	.00	250000.00-			
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400.0100 TRANSFERS IN	.00	.00	.00			
9400.0200 INTEREST EARNED	.00	.00	.00			
9400.0300 XXXX	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9400.9100 TRANSFER OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500.0100 TRANSFERS IN	9294.18	4229.23	13523.41			
9500.0200 INTEREST EARNED	16.81	2.23	19.04			
	SUB TOTAL *	30597.17 *	4231.46 *	34828.63 *		
9500.9100 TRANSFER OUT	8000.00-	2000.00-	10000.00-			
9500.9130 BANK SERVICE CHARGE	.00	.00	.00			
	SUB TOTAL *	8000.00-*	2000.00-*	10000.00-*		
9500 FUND TOTALS	22597.17	2231.46	24828.63			
9600 CSAFE (INVESTMENT)	1216123.05					
9600.0100 TRANSFERS IN	1000000.00	.00	1000000.00			
9600.0200 INTEREST EARNED	5020.35	2315.06	7335.41			
	SUB TOTAL *	2221143.40 *	2315.06 *	2223458.46 *		
9600.9100 TRANSFER OUT	1000000.00-	400000.00-	1400000.00-			
	SUB TOTAL *	1000000.00-*	400000.00-*	1400000.00-*		
9600 FUND TOTALS	1221143.40	397684.94-	823458.46			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650.0100 TRANSFERS IN	.00	.00	.00			
9650.0200 INTEREST EARNED	.00	.00	.00			
	SUB TOTAL *	508694.21 *	.00 *	508694.21 *		
9650.9100 TRANSFERS OUT	.00	.00	.00			
	SUB TOTAL *	.00 *	.00 *	.00 *		
9650 FUND TOTALS	508694.21	.00	508694.21			
9700 LPL FINANCIAL	1566800.29					
9700.0100 TRANSFERS IN	.00	.00	.00			
9700.0200 INTEREST EARNED	.00	.00	.00			
	SUB TOTAL *	1566800.29 *	.00 *	1566800.29 *		
9700.0300 TRANSFER OUT	.00	.00	.00			
9700.9100 TRANSFER OUT	.00	.00	.00			
	SUB TOTAL *	.00 *	.00 *	.00 *		
9700 FUND TOTALS	1566800.29	.00	1566800.29			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800.0100 TRANSFERS IN	.00	.00	.00			
9800.0200 INTEREST EARNED	.00	.00	.00			
	SUB TOTAL *	.00 *	.00 *	.00 *		
9800.9100 TRANSFER OUT	.00	.00	.00			
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900.0100 TRANSFERS IN (CSIP)	200000.00	.00	200000.00			
9900.0200 INTEREST EARNED	1826.09	693.82	2519.91			
	SUB TOTAL *	522691.56 *	693.82 *	523385.38 *		
9900.9100 TRANSFER OUT	.00	.00	.00			
9900 FUND TOTALS	522691.56	693.82	523385.38			
***** FUND TOTALS *****	7923801.70	855001.28-	7068800.42			

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 09/01/2022 TO 09/30/2022 SEPTEMBER REPRINT 12/28/2022 09:47 PAC

Item 9i.

BALANCE FORWRD          CURRENT          TOTAL YTD          PROJ REV          BALANCE          PCT

TIME FINISHED-09:47

MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 SEPTEMBER 01, 2022 THRU SEPTEMBER 30, 2022

Item 9i.

FUND	BEGINNING BALANCE	REVENUES REVENUES	DISBURSEMENTS DISBURSEMENTS	ENDING BALANCE
COUNTY GENERAL FUND	2,653,307.35	772,403.94	1,064,231.27-	2,361,480.02
PARKS AND RECREATION	2,036.40	104,790.00	22,629.45-	84,196.95
HOUSING AUTHORITY	0.00			0.00
UNCLAIMED	746.47			746.47
SPECIAL PROJECT FUND	1,002,986.80		134,802.89-	868,183.91
ROAD & BRIDGE	182,082.98	171,554.44	314,682.38-	38,955.04
LEASE PURCHASE FUND	0.00			0.00
EMERGENCY SERVICES FUNDS (DISPATCH)	668,008.84	98,797.89	67,975.67-	698,831.06
RETIREMENT	143,517.09	5,563.88	16,236.86-	132,844.11
LODGING TAX TOURISM FUND	92,200.79	10,072.05	9,695.15-	92,577.69
DISASTER RECOVERY FUND	1,251,160.14			1,251,160.14
GARDNER PUBLIC IMPROVEMENT DISTRICT	34,528.33	6,503.20	3,442.32-	37,589.21
WALSENBURG GATEWAY METRO DIST	0.00			0.00
SPANISH PEAKS LIBRARY DIST	4,209.54	3,690.18	4,249.80-	3,649.92
SPANISH PEAKS LIBRARY DIST (BOND)	4,062.20	3,554.54	4,101.07-	3,515.67
HUERFANO CO. AMBULANCE ENTERPRISE	0.00			0.00
WASTE TRANSFER STATION ENTERPRISE	59,428.69	11,188.89	4,984.09-	65,633.49
MINERAL LEASING	0.00			0.00
CREDIT CARD ADJ FUND	0.00			0.00
PUBLIC TRUSTEE	0.00			0.00
SOCIAL SERVICES	931,025.01	126,561.85	236,002.03-	821,584.83
HOSPITAL DISTRICT (OPERATING)	18,800.33	17,195.44	19,007.69-	16,988.08
HOSPITAL ANTIC. WARRANTS (BOND)	1.38			1.38
CITY OF WALSENBURG	46,511.90	44,776.74	47,695.96-	43,592.68
WALSENBURG TIF	608.37	151.30	608.37-	151.30
WAL (DOWNTOWN REV COMM) GID 28018	0.00			0.00
TOWN OF LAVETA	17,537.66	13,714.48	17,917.36-	13,334.78
LA VETA FIRE PROT. DIST.	3,826.31	3,957.50	3,885.70-	3,898.11
LA VETA CEMETERY DIST	364.45	376.99	370.11-	371.33
HUERFANO WATER CONS. DIST.	5,695.32	5,227.75	5,758.49-	5,164.58
NAVAJO WATER DIST.	991.21	735.66	1,002.54-	724.33
CUCHARA SAN. WATER DIST.	1,896.39	2,544.60	1,941.41-	2,499.58
LA VETA LIB. DIST.	3,973.99	4,108.33	4,035.61-	4,046.71
RYE FIRE DIST.	76.84	104.19	76.84-	104.19
ECONNOMIC & REVOLVING LOAN	0.00			0.00
CUCHARA BOND	0.00			0.00
UPPER HUERFANO CONSERVATION DIST	744.44	741.01	751.86-	733.59
UPPER HUERFANO FIRE DIST.	2,568.79	2,058.12	2,592.62-	2,034.29
HUERFANO CO FIRE PROTECTION DIST	8,385.28	7,447.06	8,465.92-	7,366.42
COUNTY CLERK	232,108.43	214,475.24	232,108.43-	214,475.24
COUNTY CLERK SUR CHARGE	5,645.48	324.00	186.12-	5,783.36
SCHOOL DIST. RE-1 GENERAL	56,860.78	48,990.68	56,905.30-	48,946.16
SCHOOL DIST. RE-1 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-1 BOND	24,156.42	20,707.33	24,156.42-	20,707.33
SCHOOL DIST. RE-1 INSURANCE REV.	0.47			0.47
SCHOOL DIST. RE-2 GENERAL	18,473.10	18,776.93	18,496.57-	18,753.46
SCHOOL DIST. RE-2 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-2 BOND	9,195.86	9,321.30	9,195.86-	9,321.30
TAX SALE & REDEMPTIONS	10,139.95	12,397.41	12,331.10-	10,206.26
BACK TAX UNAPPORTIONED	0.00			0.00
FEDERAL FOREST PROJECT FUND	69,894.90		27.41-	69,867.49
XXXX	0.00			0.00
TREASURERS FEES	0.00	7,444.41	7,444.41-	0.00
SPECIFIC OWNERSHIP	0.00	122,536.63	122,536.63-	0.00
LAND USE FUND	0.00			0.00
CONSERVATION TRUST FUND	22,597.17	4,231.46	2,000.00-	24,828.63
MOTOR VEHICLE	0.00	4,976.32	4,976.32-	0.00
FEDERAL LAND & MATERIALS ACT	367.59			367.59

US FOREST RESERVE	4,620.00			4,620.00
NAVAJO BOND	0.00			0.00
WALSENBURG HOUSING AUTHORITY	0.00			0.00
ADVANCE TAX COLLECTIONS	10,705.37	504.96		11,210.33
COUNTY PROPERTY SALES	765.00			765.00
PILT	316,987.71		250,000.00-	66,987.71
REAL ESTATE INT.UNAPPORTIONED	0.00			0.00
BUSINESS RECRUITMENT FUND	0.00			0.00
COURT HOUSE RE-HAB	0.00			0.00
PURGATOIRE RIVER SOIL CONS. DIST.	0.18	.05		0.23
BUSINESS RECRUITMENT	0.00			0.00
EMERGENCY RESERVE FUND	0.00			0.00
GRAND TOTALS	<u>\$7,923,801.70</u>	<u>\$1,882,506.75</u>	<u>\$2,737,508.03-</u>	<u>\$7,068,800.42</u>

I DEBRA J REYNOLDS, TREASURER IN AND FOR THE COUNTY OF HUERFANO, AND THE STATE OF COLORADO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND JUST COPY OF THE FUND BALANCES, RECEIPTS AND DISBURSEMENTS OF RECORDS OF MY OFFICE FOR CURRENT MONTH, AND TRUE TO THE BEST OF MY KNOWLEDGE

12-28-2022  
DATE:

Debra J Reynolds  
HUERFANO COUNTY TREASURER:

MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 SEPTEMBER 01, 2022 THRU SEPTEMBER 30, 2022

Item 9i.

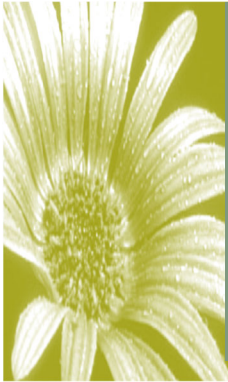
FUND	BEGINNING BALANCE	REVENUES DEPOSITS	INTEREST EARNED	TRANSFERS (IN)	DISBURSEMENTS-- TRANSFERS (OUT)	ENDING BALANCE
COMMUNITY BANKS OF SO COLORADO	375,246.53	393,323.40		500,260.20-		268,309.73
TREASURERS CASH	700.00					700.00
COLO TRUST (INVESTMENT)	1,032,821.14		2,226.74			1,035,047.88
BANK OF THE WEST OPERATING ACCT	795,663.88	976,253.45	6.46	447,610.33	1,479,416.41-	740,117.71
BANK OF THE WEST MM ACCT	1,827,443.52		14.61		300,000.00-	1,527,458.13
BANK OF THE WEST CD START 3/25/22	50,000.00					50,000.00
HCB CD START 4/18/13-CLOSED 4/25/19	0.00					0.00
HUERFANO CONSERVATION TRUST FUND	22,597.17	4,229.23	2.23		2,000.00-	24,828.63
CSAFE (INVESTMENT)	1,221,143.40		2,315.06		400,000.00-	823,458.46
PEAKS INVESTMENTS MANAGEMENT	508,694.21					508,694.21
LPL FINANCIAL	1,566,800.29					1,566,800.29
WELLS FARGO (TRANSFD TO PEAKS INV)	0.00					0.00
PFM FUNDS - CSIP (START 2/26/13)	522,691.56		693.82			523,385.38
<b>GRAND TOTALS</b>	<b>\$7,923,801.70</b>	<b>\$1,373,806.08</b>	<b>\$5,258.92</b>	<b>\$52,649.87-</b>	<b>\$2,181,416.41-</b>	<b>\$7,068,800.42</b>

I, DEBRA J REYNOLDS, County Treasurer in and for the county of HUERFANO in the State of Colorado, do hereby certify that the above is a true statement of the condition of the various funds as they appear from the records in my office for the current month.

12-18-2022  
 DATE

*Debra J. Reynolds*  
 HUERFANO COUNTY TREASURER

# HUERFANO COUNTY



## HC TREASURER 2022 MONTHLY REPORTS

**401 Main Street, Suite 206**

**Walsenburg, CO 81089**

**Phone: 719-738-3000 Ext 505**

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0010 COUNTY GENERAL FUND	2285717.36					
0010 FUND TOTALS	2361480.02	542868.96-	1818611.06	2470422.20	88560.72	96.41
0012 PARKS AND RECREATION	.00					
0012 FUND TOTALS	84196.95	13574.22-	70622.73			
0013 HOUSING AUTHORITY	.00					
0013 FUND TOTALS	.00	.00	.00			
0014 UNCLAIMED	705.33					
0014 FUND TOTALS	746.47	.00	746.47			
0015 SPECIAL PROJECT FUND	945258.22					
0015 FUND TOTALS	868183.91	69714.08-	798469.83			
0020 ROAD & BRIDGE	496909.57					
0020 FUND TOTALS	38955.04	563202.06	602157.10	14370.62	515.15	96.41
0025 LEASE PURCHASE FUND	.00					
0025 FUND TOTALS	.00	.00	.00			
0028 EMERGENCY SERVICES FUNDS (DISPATCH)	676386.57					
0028 FUND TOTALS	698831.06	7342.82-	691488.24			
0030 RETIREMENT	111128.47					
0030 FUND TOTALS	132844.11	10788.07-	122056.04	129335.75	4636.57	96.41
0035 LODGING TAX TOURISM FUND	70221.56					
0035 FUND TOTALS	92577.69	2886.00-	89691.69			
0040 DISASTER RECOVERY FUND	635329.64					
0040 FUND TOTALS	1251160.14	11110.00-	1240050.14			
0045 GARDNER PUBLIC IMPROVEMENT DISTRICT	34073.58					
0045 FUND TOTALS	37589.21	3601.17-	33988.04			
0051 WALSENBURG GATEWAY METRO DIST	.00					
0051 FUND TOTALS	.00	.00	.00			
0080 SPANISH PEAKS LIBRARY DIST	1992.11					
0080 FUND TOTALS	3649.92	272.65-	3377.27	228831.64	8054.86	96.48
0081 SPANISH PEAKS LIBRARY DIST (BOND)	1763.26					
0081 FUND TOTALS	3515.67	261.61-	3254.06	221381.33	7792.67	96.47
0090 HUERFANO CO. AMBULANCE ENTERPRISE	.00					
0090 FUND TOTALS	.00	.00	.00			
0095 WASTE TRANSFER STATION ENTERPRISE	46595.39					
0095 FUND TOTALS	65633.49	5813.16	71446.65			
0100 MINERAL LEASING	.00					
0100 FUND TOTALS	.00	.00	.00			
0105 CREDIT CARD ADJ FUND	.00					
0105 FUND TOTALS	.00	.00	.00			



ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0110 PUBLIC TRUSTEE	.00					
0110 FUND TOTALS	.00	.00	.00			
0120 SOCIAL SERVICES	711104.52					
0120 FUND TOTALS	821584.83	114189.64	935774.47	359258.16	12878.83	96.41
0130 HOSPITAL DISTRICT (OPERATING)	7736.35					
0130 FUND TOTALS	16988.08	2246.77-	14741.31	1005915.52	36044.17	96.41
0140 HOSPITAL ANTIC. WARRANTS (BOND)	.00					
0140 FUND TOTALS	1.38	.00	1.38			
0160 CITY OF WALSENBURG	31545.45					
0160 FUND TOTALS	43592.68	3788.43	47381.11	287853.50	11247.41	96.09
0165 WALSENBURG TIF	11.20					
0165 FUND TOTALS	151.30	182.43	333.73	28152.72	1383.60	95.08
0170 WAL (DOWNTOWN REV COMM) GID 28018	.00					
0170 FUND TOTALS	.00	.00	.00			
0180 TOWN OF LAVETA	12393.33					
0180 FUND TOTALS	13334.78	1320.42	14655.20	46317.27	2249.78	95.14
0190 LA VETA FIRE PROT. DIST.	1382.31					
0190 FUND TOTALS	3898.11	1097.06-	2801.05	194072.50	7343.78	96.21
0200 LA VETA CEMETERY DIST	126.26					
0200 FUND TOTALS	371.33	104.46-	266.87	18486.78	700.11	96.21
0210 HUERFANO WATER CONS. DIST.	2345.32					
0210 FUND TOTALS	5164.58	686.67-	4477.91	305406.98	10955.52	96.41
0220 NAVAJO WATER DIST.	292.67					
0220 FUND TOTALS	724.33	249.31-	475.02	35220.40	507.43	98.55
0230 CUCHARA SAN. WATER DIST.	683.65					
0230 FUND TOTALS	2499.58	925.91-	1573.67	102518.19	2271.84	97.78
0240 LA VETA LIB. DIST.	1378.12					
0240 FUND TOTALS	4046.71	1137.49-	2909.22	201576.64	7628.39	96.21
0250 RYE FIRE DIST.	183.78					
0250 FUND TOTALS	104.19	14.47-	89.72	10093.38	106.13	98.94
0260 ECONNOMIC & REVOLVING LOAN	.00					
0260 FUND TOTALS	.00	.00	.00			
0270 CUCHARA BOND	.00					
0270 FUND TOTALS	.00	.00	.00			
0280 UPPER HUERFANO CONSERVATION DIST	344.83					
0280 FUND TOTALS	733.59	58.60-	674.99	48341.24	1664.71	96.55
0290 UPPER HUERFANO FIRE DIST.	1111.37					
0290 FUND TOTALS	2034.29	41.55-	1992.74	122880.52	10803.40	91.20

HUERFANO COUNTY                      TREASURERS FUND LEDGER FOR RANGE 10/01/2022 TO 10/31/2022                      OCTOBER REPRINT 01/30/2023 14:36 PAC

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0300 HUERFANO CO FIRE PROTECTION DIST	3550.84					
0300 FUND TOTALS	7366.42	611.60-	6754.82	465534.11	12333.15	97.35
0310 COUNTY CLERK	144499.00					
0310 FUND TOTALS	214475.24	36980.03-	177495.21			
0311 COUNTY CLERK SUR CHARGE	4684.18					
0311 FUND TOTALS	5783.36	50.61	5833.97			
0320 SCHOOL DIST. RE-1 GENERAL	23820.72					
0320 FUND TOTALS	48946.16	3609.45-	45336.71	3042966.37	107101.93	96.48
0330 SCHOOL DIST. RE-1 CAP. RES.	.00					
0330 FUND TOTALS	.00	.00	.00			
0340 SCHOOL DIST. RE-1 BOND	3674.47					
0340 FUND TOTALS	20707.33	1539.91-	19167.42	1295175.26	45585.72	96.48
0350 SCHOOL DIST. RE-1 INSURANCE REV.	.47					
0350 FUND TOTALS	.47	.00	.47			
0360 SCHOOL DIST. RE-2 GENERAL	6144.16					
0360 FUND TOTALS	18753.46	5314.58-	13438.88	920907.50	34848.70	96.21
0370 SCHOOL DIST. RE-2 CAP. RES.	.00					
0370 FUND TOTALS	.00	.00	.00			
0380 SCHOOL DIST. RE-2 BOND	3306.80					
0380 FUND TOTALS	9321.30	2636.01-	6685.29	457656.93	17318.50	96.21
0390 TAX SALE & REDEMPTIONS	9004.80					
0390 FUND TOTALS	10206.26	.00	10206.26			
0410 BACK TAX UNAPPORTIONED	.00					
0410 FUND TOTALS	.00	.00	.00			
0420 FEDERAL FOREST PROJECT FUND	51270.47					
0420 FUND TOTALS	69867.49	30.84-	69836.65			
0430 C-PACE COLORADO NEW ENERGY IMP DIST	.00					
0430 FUND TOTALS	.00	.00	.00			
0440 TREASURERS FEES	.00					
0440 FUND TOTALS	.00	.00	.00			
0450 SPECIFIC OWNERSHIP	.00					
0450 FUND TOTALS	.00	.00	.00			
0460 LAND USE FUND	.00					
0460 FUND TOTALS	.00	.00	.00			
0470 CONSERVATION TRUST FUND	21286.18					
0470 FUND TOTALS	24828.63	2.30	24830.93			
0480 MOTOR VEHICLE	.00					
0480 FUND TOTALS	.00	.00	.00			

HUERFANO COUNTY                      TREASURERS FUND LEDGER FOR RANGE 10/01/2022 TO 10/31/2022      OCTOBER REPRINT 01/30/2023 14:36 PAC

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0490 FEDERAL LAND & MATERIALS ACT	367.59					
0490 FUND TOTALS	367.59	.00	367.59			
0500 US FOREST RESERVE	4620.00					
0500 FUND TOTALS	4620.00	.00	4620.00			
0510 NAVAJO BOND	.00					
0510 FUND TOTALS	.00	.00	.00			
0520 WALSENBURG HOUSING AUTHORITY	.00					
0520 FUND TOTALS	.00	.00	.00			
0540 ADVANCE TAX COLLECTIONS	14041.97					
0540 FUND TOTALS	11210.33	576.26	11786.59			
0550 COUNTY PROPERTY SALES	765.00					
0550 FUND TOTALS	765.00	.00	765.00			
0560 PILT	471960.80					
0560 FUND TOTALS	66987.71	2745.00-	64242.71			
0570 REAL ESTATE INT.UNAPPORTIONED	.00					
0570 FUND TOTALS	.00	.00	.00			
0590 BUSINESS RECRUITMENT FUND	.00					
0590 FUND TOTALS	.00	.00	.00			
0600 COURT HOUSE RE-HAB	.00					
0600 FUND TOTALS	.00	.00	.00			
0610 PURGATOIRE RIVER SOIL CONS. DIST.	.62					
0610 FUND TOTALS	.23	.04	.27	5.13	.00	100.00
0660 BUSINESS RECRUITMENT	.00					
0660 FUND TOTALS	.00	.00	.00			
0690 EMERGENCY RESERVE FUND	.00					
0690 FUND TOTALS	.00	.00	.00			
***** FUND TOTALS *****	7068800.42	33323.94-	7035476.48	12012680.64	432533.07	96.39

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 10/01/2022 TO 10/31/2022 OCTOBER REPRINT 01/30/2023 14:36 PAG

Item 9i.

BALANCE FORWRD          CURRENT          TOTAL YTD          PROJ REV          BALANCE          PCT

TIME FINISHED-14:36

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000 FUND TOTALS	268309.73	7428.59-	260881.14			
9100 TREASURERS CASH	700.00					
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200 FUND TOTALS	1035047.88	2821.34	1037869.22			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300 FUND TOTALS	740117.71	68193.04	808310.75			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350 FUND TOTALS	1527458.13	99989.77-	1427468.36			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500 FUND TOTALS	24828.63	2.30	24830.93			
9600 CSAFE (INVESTMENT)	1216123.05					
9600 FUND TOTALS	823458.46	2208.90	825667.36			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650 FUND TOTALS	508694.21	.00	508694.21			
9700 LPL FINANCIAL	1566800.29					
9700 FUND TOTALS	1566800.29	.00	1566800.29			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900 FUND TOTALS	523385.38	868.84	524254.22			
***** FUND TOTALS *****	7068800.42	33323.94-	7035476.48			

HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 10/01/2022 TO 10/31/2022 OCTOBER REPRINT 01/30/2023 14:36 PAC

Item 9i.

ACCT DESCRIPTION

BALANCE FORWRD

CURRENT

TOTAL YTD

PROJ REV

BALANCE

PCT

TIME FINISHED-14:36

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000.0100 DEPOSITS (CBC)	1565099.16-	469086.04	1096013.12-			
9000.0200 INTEREST EARNED	.00	.00	.00			
9000.0300 CREDIT CARD DEPOSIT	36903.05	6974.02	43877.07			
9000.0400 ACH/EFT DEPOSITS	1730992.45	483488.65-	1247503.80			
SUB TOTAL *	268309.73 *	7428.59-*	260881.14 *			
9000.9100 TRANSFER OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9000 FUND TOTALS	268309.73	7428.59-	260881.14			
9100 TREASURERS CASH	700.00					
9100.0100 CASH ON HAND	.00	.00	.00			
SUB TOTAL *	700.00 *	.00 *	700.00 *			
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200.0100 TRANSFERS IN	.00	.00	.00			
9200.0200 INTEREST EARNED	8066.67	2821.34	10888.01			
SUB TOTAL *	1035047.88 *	2821.34 *	1037869.22 *			
9200.9100 TRANSFER OUT (COLOTRUST)	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9200 FUND TOTALS	1035047.88	2821.34	1037869.22			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300.0100 DEPOSITS (BOW)	17819383.01	100000.02-	17719382.99			
9300.0200 INTEREST EARNED	1239.38	6.25	1245.63			
9300.0300 CREDIT CARD DEPOSIT	1023752.19	56312.04	1080064.23			
9300.0400 ACH/EFT DEPOSITS	5874041.41	1384681.29	7258722.70			
SUB TOTAL *	25478790.47 *	1340999.56 *	26819790.03 *			
9300.9100 TRANSFER OUT	24738672.76-	1272806.52-	26011479.28-			
SUB TOTAL *	24738672.76-*	1272806.52-*	26011479.28-*			
9300 FUND TOTALS	740117.71	68193.04	808310.75			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350.0100 TRANSFERS IN (BOW MM)	1575000.00	500000.00	2075000.00			
9350.0200 INTEREST EARNED (BOW MM)	78.12	10.23	88.35			
SUB TOTAL *	2627458.13 *	500010.23 *	3127468.36 *			
9350.9100 TRANSFER OUT (BOW MM)	1100000.00-	600000.00-	1700000.00-			
SUB TOTAL *	1100000.00-*	600000.00-*	1700000.00-*			
9350 FUND TOTALS	1527458.13	99989.77-	1427468.36			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375.0100 TRANSFERS IN	.00	.00	.00			
9375.0200 INTEREST EARNED	.00	.00	.00			
SUB TOTAL *	300000.00 *	.00 *	300000.00 *			
9375.9100 TRANSFERS OUT	250000.00-	.00	250000.00-			
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400.0100 TRANSFERS IN	.00	.00	.00			
9400.0200 INTEREST EARNED	.00	.00	.00			
9400.0300 XXXX	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9400.9100 TRANSFER OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500.0100 TRANSFERS IN	13523.41	.00	13523.41			
9500.0200 INTEREST EARNED	19.04	2.30	21.34			
	34828.63 *	2.30 *	34830.93 *			
9500.9100 TRANSFER OUT	10000.00-	.00	10000.00-			
9500.9130 BANK SERVICE CHARGE	.00	.00	.00			
	10000.00-*	.00 *	10000.00-*			
9500 FUND TOTALS	24828.63	2.30	24830.93			
9600 CSAFE (INVESTMENT)	1216123.05					
9600.0100 TRANSFERS IN	1000000.00	.00	1000000.00			
9600.0200 INTEREST EARNED	7335.41	2208.90	9544.31			
	2223458.46 *	2208.90 *	2225667.36 *			
9600.9100 TRANSFER OUT	1400000.00-	.00	1400000.00-			
	1400000.00-*	.00 *	1400000.00-*			
9600 FUND TOTALS	823458.46	2208.90	825667.36			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650.0100 TRANSFERS IN	.00	.00	.00			
9650.0200 INTEREST EARNED	.00	.00	.00			
	508694.21 *	.00 *	508694.21 *			
9650.0400 MARKET FLUCTUATION (LPL)	.00	.00	.00			
9650.9100 TRANSFERS OUT	.00	.00	.00			
	.00 *	.00 *	.00 *			
9650 FUND TOTALS	508694.21	.00	508694.21			
9700 LPL FINANCIAL	1566800.29					
9700.0100 TRANSFERS IN	.00	.00	.00			
9700.0200 INTEREST EARNED	.00	.00	.00			
	1566800.29 *	.00 *	1566800.29 *			
9700.0300 TRANSFER OUT	.00	.00	.00			
9700.0400 MARKET FLUCTUATIONS (LPL)	.00	.00	.00			
9700.9100 TRANSFER OUT	.00	.00	.00			
	.00 *	.00 *	.00 *			
9700 FUND TOTALS	1566800.29	.00	1566800.29			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800.0100 TRANSFERS IN	.00	.00	.00			
9800.0200 INTEREST EARNED	.00	.00	.00			
	.00 *	.00 *	.00 *			
9800.9100 TRANSFER OUT	.00	.00	.00			
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900.0100 TRANSFERS IN (CSIP)	200000.00	.00	200000.00			
9900.0200 INTEREST EARNED	2519.91	868.84	3388.75			
	523385.38 *	868.84 *	524254.22 *			
9900.9100 TRANSFER OUT	.00	.00	.00			
9900 FUND TOTALS	523385.38	868.84	524254.22			



HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 10/01/2022 TO 10/31/2022 OCTOBER REPRINT 01/30/2023 14:37 PAG

Item 9i.

	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
***** FUND TOTALS *****	7068800.42	33323.94-	7035476.48			

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 10/01/2022 TO 10/31/2022 OCTOBER REPRINT 01/30/2023 14:37 PAC

Item 9i.

BALANCE FORWRD                      CURRENT                      TOTAL YTD                      PROJ REV                      BALANCE                      PCT

TIME FINISHED-14:37

MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 SEPTEMBER 31, 2022 THRU OCTOBER 31, 2022

Item 9i.

FUND	BEGINNING BALANCE	REVENUES----- REVENUES	DISBURSEMENTS-- DISBURSEMENTS	ENDING BALANCE
COUNTY GENERAL FUND	2,361,480.02	397,358.92	940,227.88-	1,818,611.06
PARKS AND RECREATION	84,196.95	1,250.00	14,824.22-	70,622.73
HOUSING AUTHORITY	0.00			0.00
UNCLAIMED	746.47			746.47
SPECIAL PROJECT FUND	868,183.91	21,913.75	91,627.83-	798,469.83
ROAD & BRIDGE	38,955.04	738,115.88	174,913.82-	602,157.10
LEASE PURCHASE FUND	0.00			0.00
EMERGENCY SERVICES FUNDS (DISPATCH)	698,831.06	127,846.78	135,189.60-	691,488.24
RETIREMENT	132,844.11	5,499.87	16,287.94-	122,056.04
LODGING TAX TOURISM FUND	92,577.69		2,886.00-	89,691.69
DISASTER RECOVERY FUND	1,251,160.14		11,110.00-	1,240,050.14
GARDNER PUBLIC IMPROVEMENT DISTRICT	37,589.21	5,348.56	8,949.73-	33,988.04
WALSENBURG GATEWAY METRO DIST	0.00			0.00
SPANISH PEAKS LIBRARY DIST	3,649.92	3,419.18	3,691.83-	3,377.27
SPANISH PEAKS LIBRARY DIST (BOND)	3,515.67	3,294.54	3,556.15-	3,254.06
HUERFANO CO. AMBULANCE ENTERPRISE	0.00			0.00
WASTE TRANSFER STATION ENTERPRISE	65,633.49	9,499.49	3,686.33-	71,446.65
MINERAL LEASING	0.00			0.00
CREDIT CARD ADJ FUND	0.00			0.00
PUBLIC TRUSTEE	0.00			0.00
SOCIAL SERVICES	821,584.83	281,671.63	167,481.99-	935,774.47
HOSPITAL DISTRICT (OPERATING)	16,988.08	14,923.34	17,170.11-	14,741.31
HOSPITAL ANTIC. WARRANTS (BOND)	1.38			1.38
CITY OF WALSENBURG	43,592.68	48,717.76	44,929.33-	47,381.11
WALSENBURG TIF	151.30	333.73	151.30-	333.73
WAL (DOWNTOWN REV COMM) GID 28018	0.00			0.00
TOWN OF LAVETA	13,334.78	15,084.57	13,764.15-	14,655.20
LA VETA FIRE PROT. DIST.	3,898.11	2,835.01	3,932.07-	2,801.05
LA VETA CEMETERY DIST	371.33	270.11	374.57-	266.87
HUERFANO WATER CONS. DIST.	5,164.58	4,533.24	5,219.91-	4,477.91
NAVAJO WATER DIST.	724.33	480.17	729.48-	475.02
CUCHARA SAN. WATER DIST.	2,499.58	1,594.53	2,520.44-	1,573.67
LA VETA LIB. DIST.	4,046.71	2,944.48	4,081.97-	2,909.22
RYE FIRE DIST.	104.19	89.72	104.19-	89.72
ECONOMIC & REVOLVING LOAN	0.00			0.00
CUCHARA BOND	0.00			0.00
UPPER HUERFANO CONSERVATION DIST	733.59	682.73	741.33-	674.99
UPPER HUERFANO FIRE DIST.	2,034.29	2,020.72	2,062.27-	1,992.74
HUERFANO CO FIRE PROTECTION DIST	7,366.42	6,836.97	7,448.57-	6,754.82
COUNTY CLERK	214,475.24	177,495.21	214,475.24-	177,495.21
COUNTY CLERK SUR CHARGE	5,783.36	245.00	194.39-	5,833.97
SCHOOL DIST. RE-1 GENERAL	48,946.16	45,383.05	48,992.50-	45,336.71
SCHOOL DIST. RE-1 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-1 BOND	20,707.33	19,167.42	20,707.33-	19,167.42
SCHOOL DIST. RE-1 INSURANCE REV.	0.47			0.47
SCHOOL DIST. RE-2 GENERAL	18,753.46	13,452.30	18,766.88-	13,438.88
SCHOOL DIST. RE-2 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-2 BOND	9,321.30	6,685.29	9,321.30-	6,685.29
TAX SALE & REDEMPTIONS	10,206.26	11,181.96	11,181.96-	10,206.26
BACK TAX UNAPPORTIONED	0.00			0.00
FEDERAL FOREST PROJECT FUND	69,867.49		30.84-	69,836.65
C-PACE COLORADO NEW ENERGY IMP DIST	0.00			0.00
TREASURERS FEES	0.00	14,842.94	14,842.94-	0.00
SPECIFIC OWNERSHIP	0.00	105,522.13	105,522.13-	0.00
LAND USE FUND	0.00			0.00
CONSERVATION TRUST FUND	24,828.63	2.30		24,830.93
MOTOR VEHICLE	0.00	3,833.78	3,833.78-	0.00
FEDERAL LAND & MATERIALS ACT	367.59			367.59

US FOREST RESERVE	4,620.00			4,620.00
NAVAJO BOND	0.00			0.00
WALSENBURG HOUSING AUTHORITY	0.00			0.00
ADVANCE TAX COLLECTIONS	11,210.33	576.26		11,786.59
COUNTY PROPERTY SALES	765.00			765.00
PILT	66,987.71		2,745.00-	64,242.71
REAL ESTATE INT.UNAPPORTIONED	0.00			0.00
BUSINESS RECRUITMENT FUND	0.00			0.00
COURT HOUSE RE-HAB	0.00			0.00
PURGATOIRE RIVER SOIL CONS. DIST.	0.23	.04		0.27
BUSINESS RECRUITMENT	0.00			0.00
EMERGENCY RESERVE FUND	0.00			0.00
GRAND TOTALS	<u>\$7,068,800.42</u>	<u>\$2,094,953.36</u>	<u>\$2,128,277.30-</u>	<u>\$7,035,476.48</u>

I DEBRA J REYNOLDS, TREASURER IN AND FOR THE COUNTY OF HUERFANO, AND THE STATE OF COLORADO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND JUST COPY OF THE FUND BALANCES, RECEIPTS AND DISBURSEMENTS OF RECORDS OF MY OFFICE FOR CURRENT MONTH, AND TRUE TO THE BEST OF MY KNOWLEDGE

1-31-2023  
DATE:

Debra J. Reynolds  
HUERFANO COUNTY TREASURER:

MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 SEPTEMBER 31, 2022 THRU OCTOBER 31, 2022

Item 9i.

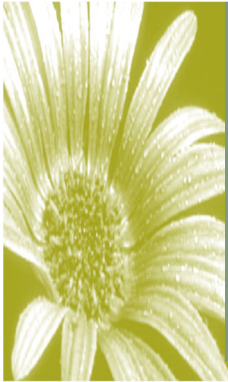
FUND	BEGINNING BALANCE	REVENUES DEPOSITS	INTEREST EARNED	TRANSFERS (IN)	DISBURSEMENTS-- TRANSFERS (OUT)	ENDING BALANCE
COMMUNITY BANKS OF SO COLORADO	268,309.73	469,086.04		476,514.63-		260,881.14
TREASURERS CASH	700.00					700.00
COLO TRUST (INVESTMENT)	1,035,047.88		2,821.34			1,037,869.22
BANK OF THE WEST OPERATING ACCT	740,117.71	100,000.02-	6.25	1,440,993.33	1,272,806.52-	808,310.75
BANK OF THE WEST MM ACCT	1,527,458.13	500,000.00	10.23		600,000.00-	1,427,468.36
BANK OF THE WEST CD START 3/25/22	50,000.00					50,000.00
HCB CD START 4/18/13-CLOSED 4/25/19	0.00					0.00
HUERFANO CONSERVATION TRUST FUND	24,828.63		2.30			24,830.93
CSAFE (INVESTMENT)	823,458.46		2,208.90			825,667.36
PEAKS INVESTMENTS MANAGEMENT	508,694.21					508,694.21
LPL FINANCIAL	1,566,800.29					1,566,800.29
WELLS FARGO (TRANSFD TO PEAKS INV)	0.00					0.00
PFM FUNDS - CSIP (START 2/26/13)	523,385.38		868.84			524,254.22
<b>GRAND TOTALS</b>	<b>\$7,068,800.42</b>	<b>\$869,086.02</b>	<b>\$5,917.86</b>	<b>\$964,478.70</b>	<b>\$1,872,806.52-</b>	<b>\$7,035,476.48</b>

I, DEBRA J REYNOLDS, County Treasurer in and for the county of HUERFANO in the State of Colorado, do hereby certify that the above is a true statement of the condition of the various funds as they appear from the records in my office for the current month.

1-31-2022  
DATE

*Debra J Reynolds*  
HUERFANO COUNTY TREASURER

# HUERFANO COUNTY



## HC TREASURER 2022 MONTHLY REPORTS

**401 Main Street, Suite 206**

**Walsenburg, CO 81089**

**Phone: 719-738-3000 Ext 505**

HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022 NOVEMBER REPRINT 01/30/2023 14:50 PAC

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0010 COUNTY GENERAL FUND	2285717.36					
0010 FUND TOTALS	1818611.06	64253.26	1882864.32	2470422.20	38239.90	98.45
0012 PARKS AND RECREATION	.00					
0012 FUND TOTALS	70622.73	15305.18-	55317.55			
0013 HOUSING AUTHORITY	.00					
0013 FUND TOTALS	.00	.00	.00			
0014 UNCLAIMED	705.33					
0014 FUND TOTALS	746.47	.00	746.47			
0015 SPECIAL PROJECT FUND	945258.22					
0015 FUND TOTALS	798469.83	666125.92	1464595.75			
0020 ROAD & BRIDGE	496909.57					
0020 FUND TOTALS	602157.10	5266.99-	596890.11	14370.62	222.41	98.45
0025 LEASE PURCHASE FUND	.00					
0025 FUND TOTALS	.00	.00	.00			
0028 EMERGENCY SERVICES FUNDS (DISPATCH)	676386.57					
0028 FUND TOTALS	691488.24	181331.71	872819.95			
0030 RETIREMENT	111128.47					
0030 FUND TOTALS	122056.04	3753.08-	118302.96	129335.75	2002.07	98.45
0035 LODGING TAX TOURISM FUND	70221.56					
0035 FUND TOTALS	89691.69	27056.68	116748.37			
0040 DISASTER RECOVERY FUND	635329.64					
0040 FUND TOTALS	1240050.14	102035.00-	1138015.14			
0045 GARDNER PUBLIC IMPROVEMENT DISTRICT	34073.58					
0045 FUND TOTALS	33988.04	3251.08	37239.12			
0051 WALSENBURG GATEWAY METRO DIST	.00					
0051 FUND TOTALS	.00	.00	.00			
0080 SPANISH PEAKS LIBRARY DIST	1992.11					
0080 FUND TOTALS	3377.27	4142.87	7520.14	228831.64	2424.73	98.94
0081 SPANISH PEAKS LIBRARY DIST (BOND)	1763.26					
0081 FUND TOTALS	3254.06	4011.30	7265.36	221381.33	2345.84	98.94
0090 HUERFANO CO. AMBULANCE ENTERPRISE	.00					
0090 FUND TOTALS	.00	.00	.00			
0095 WASTE TRANSFER STATION ENTERPRISE	46595.39					
0095 FUND TOTALS	71446.65	16636.52-	54810.13			
0100 MINERAL LEASING	.00					
0100 FUND TOTALS	.00	.00	.00			
0105 CREDIT CARD ADJ FUND	.00					
0105 FUND TOTALS	.00	.00	.00			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0110 PUBLIC TRUSTEE	.00					
0110 FUND TOTALS	.00	.00	.00			
0120 SOCIAL SERVICES	711104.52					
0120 FUND TOTALS	935774.47	27451.57-	908322.90	359258.16	5560.99	98.45
0130 HOSPITAL DISTRICT (OPERATING)	7736.35					
0130 FUND TOTALS	14741.31	13846.07	28587.38	1005915.52	15554.14	98.45
0140 HOSPITAL ANTIC. WARRANTS (BOND)	.00					
0140 FUND TOTALS	1.38	.00	1.38			
0160 CITY OF WALSENBURG	31545.45					
0160 FUND TOTALS	47381.11	45188.85	92569.96	287853.50	5397.74	98.12
0165 WALSENBURG TIF	11.20					
0165 FUND TOTALS	333.73	446.37	780.10	28152.72	638.48	97.73
0170 WAL (DOWNTOWN REV COMM) GID 28018	.00					
0170 FUND TOTALS	.00	.00	.00			
0180 TOWN OF LAVETA	12393.33					
0180 FUND TOTALS	14655.20	14127.73	28782.93	46317.27	1716.92	96.29
0190 LA VETA FIRE PROT. DIST.	1382.31					
0190 FUND TOTALS	2801.05	38.08-	2762.97	194072.50	6030.84	96.89
0200 LA VETA CEMETERY DIST	126.26					
0200 FUND TOTALS	266.87	3.67-	263.20	18486.78	575.03	96.88
0210 HUERFANO WATER CONS. DIST.	2345.32					
0210 FUND TOTALS	4477.91	4211.30	8689.21	305406.98	4726.63	98.45
0220 NAVAJO WATER DIST.	292.67					
0220 FUND TOTALS	475.02	28.47	503.49	35220.40	266.82	99.24
0230 CUCHARA SAN. WATER DIST.	683.65					
0230 FUND TOTALS	1573.67	12.20-	1561.47	102518.19	1478.00	98.55
0240 LA VETA LIB. DIST.	1378.12					
0240 FUND TOTALS	2909.22	39.38-	2869.84	201576.64	6264.66	96.89
0250 RYE FIRE DIST.	183.78					
0250 FUND TOTALS	89.72	94.13	183.85	10093.38	.22	99.99
0260 ECONOMIC & REVOLVING LOAN	.00					
0260 FUND TOTALS	.00	.00	.00			
0270 CUCHARA BOND	.00					
0270 FUND TOTALS	.00	.00	.00			
0280 UPPER HUERFANO CONSERVATION DIST	344.83					
0280 FUND TOTALS	674.99	731.53	1406.52	48341.24	647.26	98.66
0290 UPPER HUERFANO FIRE DIST.	1111.37					
0290 FUND TOTALS	1992.74	8384.13	10376.87	122880.52	1679.09	98.63



HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022 NOVEMBER REPRINT 01/30/2023 14:50 PAG

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0300 HUERFANO CO FIRE PROTECTION DIST	3550.84					
0300 FUND TOTALS	6754.82	4524.43	11279.25	465534.11	4735.02	98.98
0310 COUNTY CLERK	144499.00					
0310 FUND TOTALS	177495.21	23689.92-	153805.29			
0311 COUNTY CLERK SUR CHARGE	4684.18					
0311 FUND TOTALS	5833.97	89.37-	5744.60			
0320 SCHOOL DIST. RE-1 GENERAL	23820.72					
0320 FUND TOTALS	45336.71	56825.23	102161.94	3042966.37	32233.23	98.94
0330 SCHOOL DIST. RE-1 CAP. RES.	.00					
0330 FUND TOTALS	.00	.00	.00			
0340 SCHOOL DIST. RE-1 BOND	3674.47					
0340 FUND TOTALS	19167.42	24324.02	43491.44	1295175.26	13719.41	98.94
0350 SCHOOL DIST. RE-1 INSURANCE REV.	.47					
0350 FUND TOTALS	.47	.00	.47			
0360 SCHOOL DIST. RE-2 GENERAL	6144.16					
0360 FUND TOTALS	13438.88	145.23-	13293.65	920907.50	28618.57	96.89
0370 SCHOOL DIST. RE-2 CAP. RES.	.00					
0370 FUND TOTALS	.00	.00	.00			
0380 SCHOOL DIST. RE-2 BOND	3306.80					
0380 FUND TOTALS	6685.29	70.58-	6614.71	457656.93	14222.36	96.89
0390 TAX SALE & REDEMPTIONS	9004.80					
0390 FUND TOTALS	10206.26	.00	10206.26			
0410 BACK TAX UNAPPORTIONED	.00					
0410 FUND TOTALS	.00	.00	.00			
0420 FEDERAL FOREST PROJECT FUND	51270.47					
0420 FUND TOTALS	69836.65	69.84-	69766.81			
0430 C-PACE COLORADO NEW ENERGY IMP DIST	.00					
0430 FUND TOTALS	.00	.00	.00			
0440 TREASURERS FEES	.00					
0440 FUND TOTALS	.00	.00	.00			
0450 SPECIFIC OWNERSHIP	.00					
0450 FUND TOTALS	.00	.00	.00			
0460 LAND USE FUND	.00					
0460 FUND TOTALS	.00	.00	.00			
0470 CONSERVATION TRUST FUND	21286.18					
0470 FUND TOTALS	24830.93	2.21	24833.14			
0480 MOTOR VEHICLE	.00					
0480 FUND TOTALS	.00	.00	.00			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0490 FEDERAL LAND & MATERIALS ACT	367.59					
0490 FUND TOTALS	367.59	.00	367.59			
0500 US FOREST RESERVE	4620.00					
0500 FUND TOTALS	4620.00	.00	4620.00			
0510 NAVAJO BOND	.00					
0510 FUND TOTALS	.00	.00	.00			
0520 WALSENBURG HOUSING AUTHORITY	.00					
0520 FUND TOTALS	.00	.00	.00			
0540 ADVANCE TAX COLLECTIONS	14041.97					
0540 FUND TOTALS	11786.59	1723.90	13510.49			
0550 COUNTY PROPERTY SALES	765.00					
0550 FUND TOTALS	765.00	.00	765.00			
0560 PILT	471960.80					
0560 FUND TOTALS	64242.71	.00	64242.71			
0570 REAL ESTATE INT.UNAPPORTIONED	.00					
0570 FUND TOTALS	.00	.00	.00			
0590 BUSINESS RECRUITMENT FUND	.00					
0590 FUND TOTALS	.00	.00	.00			
0600 COURT HOUSE RE-HAB	.00					
0600 FUND TOTALS	.00	.00	.00			
0610 PURGATOIRE RIVER SOIL CONS. DIST.	.62					
0610 FUND TOTALS	.27	.04	.31	5.13	.00	100.00
0660 BUSINESS RECRUITMENT	.00					
0660 FUND TOTALS	.00	.00	.00			
0690 EMERGENCY RESERVE FUND	.00					
0690 FUND TOTALS	.00	.00	.00			
***** FUND TOTALS *****	7035476.48	930024.62	7965501.10	12012680.64	189300.36	98.42

HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022 NOVEMBER REPRINT 01/30/2023 14:50 PAG

Item 9i.

ACCT DESCRIPTION

BALANCE FORWRD

CURRENT

TOTAL YTD

PROJ REV

BALANCE

PCT

TIME FINISHED-14:50

HUERFANO COUNTY                      TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022    NOVEMBER REPRINT 01/30/2023 14:50 PAG

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000 FUND TOTALS	260881.14	193758.51	454639.65			
9100 TREASURERS CASH	700.00					
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200 FUND TOTALS	1037869.22	6746.43-	1031122.79			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300 FUND TOTALS	808310.75	939450.49	1747761.24			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350 FUND TOTALS	1427468.36	199989.80-	1227478.56			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500 FUND TOTALS	24830.93	2.21	24833.14			
9600 CSAFE (INVESTMENT)	1216123.05					
9600 FUND TOTALS	825667.36	2522.88	828190.24			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650 FUND TOTALS	508694.21	.00	508694.21			
9700 LPL FINANCIAL	1566800.29					
9700 FUND TOTALS	1566800.29	.00	1566800.29			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900 FUND TOTALS	524254.22	1026.76	525280.98			
***** FUND TOTALS *****	7035476.48	930024.62	7965501.10			

HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022 NOVEMBER REPRINT 01/30/2023 14:50 PAG

Item 9i.

ACCT DESCRIPTION

BALANCE FORWRD

CURRENT

TOTAL YTD

PROJ REV

BALANCE

PCT

TIME FINISHED-14:50

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000.0100 DEPOSITS (CBC)	1096013.12-	696656.50	399356.62-			
9000.0200 INTEREST EARNED	.00	.00	.00			
9000.0300 CREDIT CARD DEPOSIT	43877.07	4470.07	48347.14			
9000.0400 ACH/EFT DEPOSITS	1247503.80	507368.06-	740135.74			
	SUB TOTAL *	260881.14 *	193758.51 *	454639.65 *		
9000.9100 TRANSFER OUT	.00	.00	.00			
	SUB TOTAL *	.00 *	.00 *	.00 *		
9000 FUND TOTALS	260881.14	193758.51	454639.65			
9100 TREASURERS CASH	700.00					
9100.0100 CASH ON HAND	.00	.00	.00			
	SUB TOTAL *	700.00 *	.00 *	700.00 *		
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200.0100 TRANSFERS IN	.00	.00	.00			
9200.0200 INTEREST EARNED	10888.01	3253.57	14141.58			
	SUB TOTAL *	1037869.22 *	3253.57 *	1041122.79 *		
9200.9100 TRANSFER OUT (COLOTRUST)	.00	10000.00-	10000.00-			
	SUB TOTAL *	.00 *	10000.00-*	10000.00-*		
9200 FUND TOTALS	1037869.22	6746.43-	1031122.79			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300.0100 DEPOSITS (BOW)	17719382.99	60060.31	17779443.30			
9300.0200 INTEREST EARNED	1245.63	6.46	1252.09			
9300.0300 CREDIT CARD DEPOSIT	1080064.23	129155.54	1209219.77			
9300.0400 ACH/EFT DEPOSITS	7258722.70	2005837.35	9264560.05			
	SUB TOTAL *	26819790.03 *	2195059.66 *	29014849.69 *		
9300.9100 TRANSFER OUT	26011479.28-	1255609.17-	27267088.45-			
	SUB TOTAL *	26011479.28-*	1255609.17-*	27267088.45-*		
9300 FUND TOTALS	808310.75	939450.49	1747761.24			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350.0100 TRANSFERS IN (BOW MM)	2075000.00	.00	2075000.00			
9350.0200 INTEREST EARNED (BOW MM)	88.35	10.20	98.55			
	SUB TOTAL *	3127468.36 *	10.20 *	3127478.56 *		
9350.9100 TRANSFER OUT (BOW MM)	1700000.00-	200000.00-	1900000.00-			
	SUB TOTAL *	1700000.00-*	200000.00-*	1900000.00-*		
9350 FUND TOTALS	1427468.36	199989.80-	1227478.56			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375.0100 TRANSFERS IN	.00	.00	.00			
9375.0200 INTEREST EARNED	.00	.00	.00			
	SUB TOTAL *	300000.00 *	.00 *	300000.00 *		
9375.9100 TRANSFERS OUT	250000.00-	.00	250000.00-			
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400.0100 TRANSFERS IN	.00	.00	.00			
9400.0200 INTEREST EARNED	.00	.00	.00			
9400.0300 XXXX	.00	.00	.00			
	SUB TOTAL *	.00 *	.00 *	.00 *		
9400.9100 TRANSFER OUT	.00	.00	.00			
	SUB TOTAL *	.00 *	.00 *	.00 *		

HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022 NOVEMBER REPRINT 01/30/2023 14:51 PAG

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500.0100 TRANSFERS IN	13523.41	.00	13523.41			
9500.0200 INTEREST EARNED	21.34	2.21	23.55			
SUB TOTAL *	34830.93 *	2.21 *	34833.14 *			
9500.9100 TRANSFER OUT	10000.00-	.00	10000.00-			
9500.9130 BANK SERVICE CHARGE	.00	.00	.00			
SUB TOTAL *	10000.00-*	.00 *	10000.00-*			
9500 FUND TOTALS	24830.93	2.21	24833.14			
9600 CSAFE (INVESTMENT)	1216123.05					
9600.0100 TRANSFERS IN	1000000.00	.00	1000000.00			
9600.0200 INTEREST EARNED	9544.31	2522.88	12067.19			
SUB TOTAL *	2225667.36 *	2522.88 *	2228190.24 *			
9600.9100 TRANSFER OUT	1400000.00-	.00	1400000.00-			
SUB TOTAL *	1400000.00-*	.00 *	1400000.00-*			
9600 FUND TOTALS	825667.36	2522.88	828190.24			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650.0100 TRANSFERS IN	.00	.00	.00			
9650.0200 INTEREST EARNED	.00	.00	.00			
SUB TOTAL *	508694.21 *	.00 *	508694.21 *			
9650.0400 MARKET FLUCTUATION (LPL)	.00	.00	.00			
9650.9100 TRANSFERS OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9650 FUND TOTALS	508694.21	.00	508694.21			
9700 LPL FINANCIAL	1566800.29					
9700.0100 TRANSFERS IN	.00	.00	.00			
9700.0200 INTEREST EARNED	.00	.00	.00			
SUB TOTAL *	1566800.29 *	.00 *	1566800.29 *			
9700.0300 TRANSFER OUT	.00	.00	.00			
9700.0400 MARKET FLUCTUATIONS (LPL)	.00	.00	.00			
9700.9100 TRANSFER OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9700 FUND TOTALS	1566800.29	.00	1566800.29			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800.0100 TRANSFERS IN	.00	.00	.00			
9800.0200 INTEREST EARNED	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9800.9100 TRANSFER OUT	.00	.00	.00			
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900.0100 TRANSFERS IN (CSIP)	200000.00	.00	200000.00			
9900.0200 INTEREST EARNED	3388.75	1026.76	4415.51			
SUB TOTAL *	524254.22 *	1026.76 *	525280.98 *			
9900.9100 TRANSFER OUT	.00	.00	.00			
9900 FUND TOTALS	524254.22	1026.76	525280.98			

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022 NOVEMBER REPRINT 01/30/2023 14:51 PAG

Item 9i.

	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
***** FUND TOTALS *****	7035476.48	930024.62	7965501.10			



HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 11/01/2022 TO 11/30/2022 NOVEMBER REPRINT 01/30/2023 14:51 PAG

Item 9i.

ACCT DESCRIPTION

BALANCE FORWRD

CURRENT

TOTAL YTD

PROJ REV

BALANCE

PCT

TIME FINISHED-14:51

MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 NOVEMBER 01, 2022 THRU NOVEMBER 30, 2022

Item 9i.

FUND	BEGINNING BALANCE	REVENUES REVENUES	DISBURSEMENTS DISBURSEMENTS	ENDING BALANCE
COUNTY GENERAL FUND	1,818,611.06	663,982.78	599,729.52-	1,882,864.32
PARKS AND RECREATION	70,622.73	2,490.00	17,795.18-	55,317.55
HOUSING AUTHORITY	0.00			0.00
UNCLAIMED	746.47			746.47
SPECIAL PROJECT FUND	798,469.83	1,243,983.21	577,857.29-	1,464,595.75
ROAD & BRIDGE	602,157.10	191,149.50	196,416.49-	596,890.11
LEASE PURCHASE FUND	0.00			0.00
EMERGENCY SERVICES FUNDS (DISPATCH)	691,488.24	231,676.38	50,344.67-	872,819.95
RETIREMENT	122,056.04	7,353.36	11,106.44-	118,302.96
LODGING TAX TOURISM FUND	89,691.69	30,743.41	3,686.73-	116,748.37
DISASTER RECOVERY FUND	1,240,050.14		102,035.00-	1,138,015.14
GARDNER PUBLIC IMPROVEMENT DISTRICT	33,988.04	6,163.87	2,912.79-	37,239.12
WALSENBERG GATEWAY METRO DIST	0.00			0.00
SPANISH PEAKS LIBRARY DIST	3,377.27	7,701.19	3,558.32-	7,520.14
SPANISH PEAKS LIBRARY DIST (BOND)	3,254.06	7,440.49	3,429.19-	7,265.36
HUERFANO CO. AMBULANCE ENTERPRISE	0.00			0.00
WASTE TRANSFER STATION ENTERPRISE	71,446.65	6,195.15	22,831.67-	54,810.13
MINERAL LEASING	0.00			0.00
CREDIT CARD ADJ FUND	0.00			0.00
PUBLIC TRUSTEE	0.00			0.00
SOCIAL SERVICES	935,774.47	132,758.47	160,210.04-	908,322.90
HOSPITAL DISTRICT (OPERATING)	14,741.31	29,245.85	15,399.78-	28,587.38
HOSPITAL ANTIC. WARRANTS (BOND)	1.38			1.38
CITY OF WALSENBERG	47,381.11	95,279.57	50,090.72-	92,569.96
WALSENBERG TIF	333.73	780.10	333.73-	780.10
WAL (DOWNTOWN REV COMM) GID 28018	0.00			0.00
TOWN OF LAVETA	14,655.20	29,648.79	15,521.06-	28,782.93
LA VETA FIRE PROT. DIST.	2,801.05	2,805.02	2,843.10-	2,762.97
LA VETA CEMETERY DIST	266.87	267.20	270.87-	263.20
HUERFANO WATER CONS. DIST.	4,477.91	8,889.44	4,678.14-	8,689.21
NAVAJO WATER DIST.	475.02	511.21	482.74-	503.49
CUCHARA SAN. WATER DIST.	1,573.67	1,586.86	1,599.06-	1,561.47
LA VETA LIB. DIST.	2,909.22	2,913.51	2,952.89-	2,869.84
RYE FIRE DIST.	89.72	187.25	93.12-	183.85
ECONNOMIC & REVOLVING LOAN	0.00			0.00
CUCHARA BOND	0.00			0.00
UPPER HUERFANO CONSERVATION DIST	674.99	1,439.19	707.66-	1,406.52
UPPER HUERFANO FIRE DIST.	1,992.74	10,670.08	2,285.95-	10,376.87
HUERFANO CO FIRE PROTECTION DIST	6,754.82	11,523.65	6,999.22-	11,279.25
COUNTY CLERK	177,495.21	154,223.27	177,913.19-	153,805.29
COUNTY CLERK SUR CHARGE	5,833.97	263.00	352.37-	5,744.60
SCHOOL DIST. RE-1 GENERAL	45,336.71	102,362.54	45,537.31-	102,161.94
SCHOOL DIST. RE-1 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-1 BOND	19,167.42	43,491.44	19,167.42-	43,491.44
SCHOOL DIST. RE-1 INSURANCE REV.	0.47			0.47
SCHOOL DIST. RE-2 GENERAL	13,438.88	13,310.28	13,455.51-	13,293.65
SCHOOL DIST. RE-2 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-2 BOND	6,685.29	6,614.71	6,685.29-	6,614.71
TAX SALE & REDEMPTIONS	10,206.26	18,570.98	18,570.98-	10,206.26
BACK TAX UNAPPORTIONED	0.00			0.00
FEDERAL FOREST PROJECT FUND	69,836.65		69.84-	69,766.81
C-PACE COLORADO NEW ENERGY IMP DIST	0.00			0.00
TREASURERS FEES	0.00	19,201.05	19,201.05-	0.00
SPECIFIC OWNERSHIP	0.00	86,944.77	86,944.77-	0.00
LAND USE FUND	0.00			0.00
CONSERVATION TRUST FUND	24,830.93	2.21		24,833.14
MOTOR VEHICLE	0.00	3,345.83	3,345.83-	0.00
FEDERAL LAND & MATERIALS ACT	367.59			367.59

US FOREST RESERVE	4,620.00			4,620.00
NAVAJO BOND	0.00			0.00
WALSENBURG HOUSING AUTHORITY	0.00			0.00
ADVANCE TAX COLLECTIONS	11,786.59	1,723.90		13,510.49
COUNTY PROPERTY SALES	765.00			765.00
PILT	64,242.71			64,242.71
REAL ESTATE INT.UNAPPORTIONED	0.00			0.00
BUSINESS RECRUITMENT FUND	0.00			0.00
COURT HOUSE RE-HAB	0.00			0.00
PURGATOIRE RIVER SOIL CONS. DIST.	0.27	.04		0.31
BUSINESS RECRUITMENT	0.00			0.00
EMERGENCY RESERVE FUND	0.00			0.00
GRAND TOTALS	<u>\$7,035,476.48</u>	<u>\$3,177,439.55</u>	<u>\$2,247,414.93-</u>	<u>\$7,965,501.10</u>

I DEBRA J REYNOLDS, TREASURER IN AND FOR THE COUNTY OF HUERFANO, AND THE STATE OF COLORADO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND JUST COPY OF THE FUND BALANCES, RECEIPTS AND DISBURSEMENTS OF RECORDS OF MY OFFICE FOR CURRENT MONTH, AND TRUE TO THE BEST OF MY KNOWLEDGE

1-31-2023  
DATE:

Debra J Reynolds  
HUERFANO COUNTY TREASURER:

MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 NOVEMBER 01, 2022 THRU NOVEMBER 30, 2022

Item 9i.

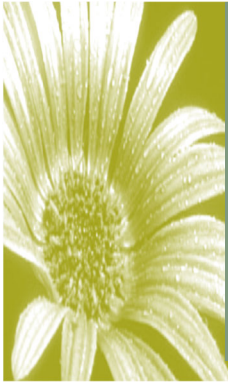
FUND	BEGINNING BALANCE	REVENUES DEPOSITS	INTEREST EARNED	TRANSFERS (IN)	DISBURSEMENTS-- TRANSFERS (OUT)	ENDING BALANCE
COMMUNITY BANKS OF SO COLORADO	260,881.14	696,656.50		502,897.99-		454,639.65
TREASURERS CASH	700.00					700.00
COLO TRUST (INVESTMENT)	1,037,869.22		3,253.57		10,000.00-	1,031,122.79
BANK OF THE WEST OPERATING ACCT	808,310.75	60,060.31	6.46	2,134,992.89	1,255,609.17-	1,747,761.24
BANK OF THE WEST MM ACCT	1,427,468.36		10.20		200,000.00-	1,227,478.56
BANK OF THE WEST CD START 3/25/22	50,000.00					50,000.00
HCB CD START 4/18/13-CLOSED 4/25/19	0.00					0.00
HUERFANO CONSERVATION TRUST FUND	24,830.93		2.21			24,833.14
CSAFE (INVESTMENT)	825,667.36		2,522.88			828,190.24
PEAKS INVESTMENTS MANAGEMENT	508,694.21					508,694.21
LPL FINANCIAL	1,566,800.29					1,566,800.29
WELLS FARGO (TRANSFD TO PEAKS INV)	0.00					0.00
PFM FUNDS - CSIP (START 2/26/13)	524,254.22		1,026.76			525,280.98
GRAND TOTALS	\$7,035,476.48	\$756,716.81	\$6,822.08	\$1,632,094.90	\$1,465,609.17-	\$7,965,501.10

I, DEBRA J REYNOLDS, County Treasurer in and for the county of HUERFANO in the State of Colorado, do hereby certify that the above is a true statement of the condition of the various funds as they appear from the records in my office for the current month.

1-31-2023  
 DATE

*Debra J Reynolds*  
 HUERFANO COUNTY TREASURER

# HUERFANO COUNTY



## HC TREASURER 2022 MONTHLY REPORTS

**401 Main Street, Suite 206**

**Walsenburg, CO 81089**

**Phone: 719-738-3000 Ext 505**

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0010 COUNTY GENERAL FUND	2285717.36					
0010 FUND TOTALS	1882864.32	167803.16-	1715061.16	2470422.20	23397.85	99.05
0012 PARKS AND RECREATION	.00					
0012 FUND TOTALS	55317.55	12113.86-	43203.69			
0013 HOUSING AUTHORITY	.00					
0013 FUND TOTALS	.00	.00	.00			
0014 UNCLAIMED	705.33					
0014 FUND TOTALS	746.47	.00	746.47			
0015 SPECIAL PROJECT FUND	945258.22					
0015 FUND TOTALS	1464595.75	16219.78	1480815.53			
0020 ROAD & BRIDGE	496909.57					
0020 FUND TOTALS	596890.11	86163.28-	510726.83	14370.62	136.05	99.05
0025 LEASE PURCHASE FUND	.00					
0025 FUND TOTALS	.00	.00	.00			
0028 EMERGENCY SERVICES FUNDS (DISPATCH)	676386.57					
0028 FUND TOTALS	872819.95	45110.39	917930.34			
0030 RETIREMENT	111128.47					
0030 FUND TOTALS	118302.96	7864.71-	110438.25	129335.75	1225.02	99.05
0035 LODGING TAX TOURISM FUND	70221.56					
0035 FUND TOTALS	116748.37	2505.46-	114242.91			
0040 DISASTER RECOVERY FUND	635329.64					
0040 FUND TOTALS	1138015.14	23752.00	1161767.14			
0045 GARDNER PUBLIC IMPROVEMENT DISTRICT	34073.58					
0045 FUND TOTALS	37239.12	20964.97-	16274.15			
0051 WALSENBURG GATEWAY METRO DIST	.00					
0051 FUND TOTALS	.00	.00	.00			
0080 SPANISH PEAKS LIBRARY DIST	1992.11					
0080 FUND TOTALS	7520.14	4815.15-	2704.99	228831.64	1635.54	99.28
0081 SPANISH PEAKS LIBRARY DIST (BOND)	1763.26					
0081 FUND TOTALS	7265.36	4658.62-	2606.74	221381.33	1582.33	99.28
0090 HUERFANO CO. AMBULANCE ENTERPRISE	.00					
0090 FUND TOTALS	.00	.00	.00			
0095 WASTE TRANSFER STATION ENTERPRISE	46595.39					
0095 FUND TOTALS	54810.13	6001.52	60811.65			
0100 MINERAL LEASING	.00					
0100 FUND TOTALS	.00	.00	.00			
0105 CREDIT CARD ADJ FUND	.00					
0105 FUND TOTALS	.00	.00	.00			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0110 PUBLIC TRUSTEE	.00					
0110 FUND TOTALS	.00	.00	.00			
0120 SOCIAL SERVICES	711104.52					
0120 FUND TOTALS	908322.90	44593.72-	863729.18	359258.16	3402.63	99.05
0130 HOSPITAL DISTRICT (OPERATING)	7736.35					
0130 FUND TOTALS	28587.38	14081.87-	14505.51	1005915.52	9510.59	99.05
0140 HOSPITAL ANTIC. WARRANTS (BOND)	.00					
0140 FUND TOTALS	1.38	.00	1.38			
0160 CITY OF WALSENBURG	31545.45					
0160 FUND TOTALS	92569.96	51559.94-	41010.02	287853.50	3577.59	98.75
0165 WALSENBURG TIF	11.20					
0165 FUND TOTALS	780.10	320.55-	459.55	28152.72	200.23	99.28
0170 WAL (DOWNTOWN REV COMM) GID 28018	.00					
0170 FUND TOTALS	.00	.00	.00			
0180 TOWN OF LAVETA	12393.33					
0180 FUND TOTALS	28782.93	14691.88-	14091.05	46317.27	142.48	99.69
0190 LA VETA FIRE PROT. DIST.	1382.31					
0190 FUND TOTALS	2762.97	1681.40	4444.37	194072.50	3268.89	98.31
0200 LA VETA CEMETERY DIST	126.26					
0200 FUND TOTALS	263.20	160.17	423.37	18486.78	311.94	98.31
0210 HUERFANO WATER CONS. DIST.	2345.32					
0210 FUND TOTALS	8689.21	4280.90-	4408.31	305406.98	2889.46	99.05
0220 NAVAJO WATER DIST.	292.67					
0220 FUND TOTALS	503.49	20.52-	482.97	35220.40	76.54	99.78
0230 CUCHARA SAN. WATER DIST.	683.65					
0230 FUND TOTALS	1561.47	697.12	2258.59	102518.19	104.24	99.89
0240 LA VETA LIB. DIST.	1378.12					
0240 FUND TOTALS	2869.84	1746.34	4616.18	201576.64	3395.92	98.31
0250 RYE FIRE DIST.	183.78					
0250 FUND TOTALS	183.85	100.74-	83.11	10093.38	.22	99.99
0260 ECONNOMIC & REVOLVING LOAN	.00					
0260 FUND TOTALS	.00	.00	.00			
0270 CUCHARA BOND	.00					
0270 FUND TOTALS	.00	.00	.00			
0280 UPPER HUERFANO CONSERVATION DIST	344.83					
0280 FUND TOTALS	1406.52	861.53-	544.99	48341.24	503.07	98.95
0290 UPPER HUERFANO FIRE DIST.	1111.37					
0290 FUND TOTALS	10376.87	9102.75-	1274.12	122880.52	1424.51	98.84

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0300 HUERFANO CO FIRE PROTECTION DIST	3550.84					
0300 FUND TOTALS	11279.25	5672.39-	5606.86	465534.11	3009.25	99.35
0310 COUNTY CLERK	144499.00					
0310 FUND TOTALS	153805.29	18288.04-	135517.25			
0311 COUNTY CLERK SUR CHARGE	4684.18					
0311 FUND TOTALS	5744.60	7.50	5752.10			
0320 SCHOOL DIST. RE-1 GENERAL	23820.72					
0320 FUND TOTALS	102161.94	65936.83-	36225.11	3042966.37	21738.87	99.28
0330 SCHOOL DIST. RE-1 CAP. RES.	.00					
0330 FUND TOTALS	.00	.00	.00			
0340 SCHOOL DIST. RE-1 BOND	3674.47					
0340 FUND TOTALS	43491.44	28139.07-	15352.37	1295175.26	9252.68	99.28
0350 SCHOOL DIST. RE-1 INSURANCE REV.	.47					
0350 FUND TOTALS	.47	.00	.47			
0360 SCHOOL DIST. RE-2 GENERAL	6144.16					
0360 FUND TOTALS	13293.65	8181.21	21474.86	920907.50	15512.67	98.31
0370 SCHOOL DIST. RE-2 CAP. RES.	.00					
0370 FUND TOTALS	.00	.00	.00			
0380 SCHOOL DIST. RE-2 BOND	3306.80					
0380 FUND TOTALS	6614.71	4074.92	10689.63	457656.93	7709.22	98.31
0390 TAX SALE & REDEMPTIONS	9004.80					
0390 FUND TOTALS	10206.26	.18-	10206.08			
0410 BACK TAX UNAPPORTIONED	.00					
0410 FUND TOTALS	.00	.00	.00			
0420 FEDERAL FOREST PROJECT FUND	51270.47					
0420 FUND TOTALS	69766.81	2491.00	72257.81			
0430 C-PACE COLORADO NEW ENERGY IMP DIST	.00					
0430 FUND TOTALS	.00	.00	.00			
0440 TREASURERS FEES	.00					
0440 FUND TOTALS	.00	.00	.00			
0450 SPECIFIC OWNERSHIP	.00					
0450 FUND TOTALS	.00	.00	.00			
0460 LAND USE FUND	.00					
0460 FUND TOTALS	.00	.00	.00			
0470 CONSERVATION TRUST FUND	21286.18					
0470 FUND TOTALS	24833.14	4934.40	29767.54			
0480 MOTOR VEHICLE	.00					
0480 FUND TOTALS	.00	.00	.00			



ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
0490 FEDERAL LAND & MATERIALS ACT	367.59					
0490 FUND TOTALS	367.59	.00	367.59			
0500 US FOREST RESERVE	4620.00					
0500 FUND TOTALS	4620.00	.00	4620.00			
0510 NAVAJO BOND	.00					
0510 FUND TOTALS	.00	.00	.00			
0520 WALSENBURG HOUSING AUTHORITY	.00					
0520 FUND TOTALS	.00	.00	.00			
0540 ADVANCE TAX COLLECTIONS	14041.97					
0540 FUND TOTALS	13510.49	3185.30	16695.79			
0550 COUNTY PROPERTY SALES	765.00					
0550 FUND TOTALS	765.00	.00	765.00			
0560 PILT	471960.80					
0560 FUND TOTALS	64242.71	59.00	64301.71			
0570 REAL ESTATE INT.UNAPPORTIONED	.00					
0570 FUND TOTALS	.00	.00	.00			
0590 BUSINESS RECRUITMENT FUND	.00					
0590 FUND TOTALS	.00	.00	.00			
0600 COURT HOUSE RE-HAB	.00					
0600 FUND TOTALS	.00	.00	.00			
0610 PURGATOIRE RIVER SOIL CONS. DIST.	.62					
0610 FUND TOTALS	.31	.04	.35	5.13	.00	100.00
0660 BUSINESS RECRUITMENT	.00					
0660 FUND TOTALS	.00	.00	.00			
0690 EMERGENCY RESERVE FUND	.00					
0690 FUND TOTALS	.00	.00	.00			
***** FUND TOTALS *****	7965501.10	446238.03-	7519263.07	12012680.64	114007.79	99.05

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 12/01/2022 TO 12/31/2022 DECEMBER REPRINT 01/30/2023 15:00 PAC

Item 9i.

BALANCE FORWRD          CURRENT          TOTAL YTD          PROJ REV          BALANCE          PCT

TIME FINISHED-15:00

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000 FUND TOTALS	454639.65	34605.66	489245.31			
9100 TREASURERS CASH	700.00					
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200 FUND TOTALS	1031122.79	404653.13	1435775.92			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300 FUND TOTALS	1747761.24	1063005.73-	684755.51			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350 FUND TOTALS	1227478.56	10.43	1227488.99			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500 FUND TOTALS	24833.14	4934.40	29767.54			
9600 CSAFE (INVESTMENT)	1216123.05					
9600 FUND TOTALS	828190.24	2921.25	831111.49			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650 FUND TOTALS	508694.21	14367.49	523061.70			
9700 LPL FINANCIAL	1566800.29					
9700 FUND TOTALS	1566800.29	154092.28	1720892.57			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900 FUND TOTALS	525280.98	1183.06	526464.04			
***** FUND TOTALS *****	7965501.10	446238.03-	7519263.07			

HVERFAHO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 12/01/2022 TO 12/31/2022 DECEMBER REPRINT 01/30/2023 15:00 PAC

Item 9i.

BALANCE FORWRD                      CURRENT                      TOTAL YTD                      PROJ REV                      BALANCE                      PCT

TIME FINISHED-15:00

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9000 COMMUNITY BANKS OF SO COLORADO	65513.39					
9000.0100 DEPOSITS (CBC)	399356.62-	365013.97	34342.65-			
9000.0200 INTEREST EARNED	.00	.00	.00			
9000.0300 CREDIT CARD DEPOSIT	48347.14	5802.20	54149.34			
9000.0400 ACH/EFT DEPOSITS	740135.74	336210.51-	403925.23			
SUB TOTAL *	454639.65 *	34605.66 *	489245.31 *			
9000.9100 TRANSFER OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9000 FUND TOTALS	454639.65	34605.66	489245.31			
9100 TREASURERS CASH	700.00					
9100.0100 CASH ON HAND	.00	.00	.00			
SUB TOTAL *	700.00 *	.00 *	700.00 *			
9100 FUND TOTALS	700.00	.00	700.00			
9200 COLO TRUST (INVESTMENT)	1026981.21					
9200.0100 TRANSFERS IN	.00	400000.00	400000.00			
9200.0200 INTEREST EARNED	14141.58	4653.13	18794.71			
SUB TOTAL *	1041122.79 *	404653.13 *	1445775.92 *			
9200.9100 TRANSFER OUT (COLOTRUST)	10000.00-	.00	10000.00-			
SUB TOTAL *	10000.00-*	.00 *	10000.00-*			
9200 FUND TOTALS	1031122.79	404653.13	1435775.92			
9300 BANK OF THE WEST OPERATING ACCT	760374.48					
9300.0100 DEPOSITS (BOW)	17779443.30	394500.00-	17384943.30			
9300.0200 INTEREST EARNED	1252.09	6.25	1258.34			
9300.0300 CREDIT CARD DEPOSIT	1209219.77	28271.58	1237491.35			
9300.0400 ACH/EFT DEPOSITS	9264560.05	693289.92	9957849.97			
SUB TOTAL *	29014849.69 *	327067.75 *	29341917.44 *			
9300.9100 TRANSFER OUT	27267088.45-	1390073.48-	28657161.93-			
SUB TOTAL *	27267088.45-*	1390073.48-*	28657161.93-*			
9300 FUND TOTALS	1747761.24	1063005.73-	684755.51			
9350 BANK OF THE WEST MM ACCT	1052380.01					
9350.0100 TRANSFERS IN (BOW MM)	2075000.00	.00	2075000.00			
9350.0200 INTEREST EARNED (BOW MM)	98.55	10.43	108.98			
SUB TOTAL *	3127478.56 *	10.43 *	3127488.99 *			
9350.9100 TRANSFER OUT (BOW MM)	1900000.00-	.00	1900000.00-			
SUB TOTAL *	1900000.00-*	.00 *	1900000.00-*			
9350 FUND TOTALS	1227478.56	10.43	1227488.99			
9375 BANK OF THE WEST CD START 3/25/22	300000.00					
9375.0100 TRANSFERS IN	.00	.00	.00			
9375.0200 INTEREST EARNED	.00	.00	.00			
SUB TOTAL *	300000.00 *	.00 *	300000.00 *			
9375.9100 TRANSFERS OUT	250000.00-	.00	250000.00-			
9375 FUND TOTALS	50000.00	.00	50000.00			
9400 HCB CD START 4/18/13-CLOSED 4/25/19	.00					
9400.0100 TRANSFERS IN	.00	.00	.00			
9400.0200 INTEREST EARNED	.00	.00	.00			
9400.0300 XXXX	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			
9400.9100 TRANSFER OUT	.00	.00	.00			
SUB TOTAL *	.00 *	.00 *	.00 *			

ACCT DESCRIPTION	BALANCE FORWRD	CURRENT	TOTAL YTD	PROJ REV	BALANCE	PCT
9400 FUND TOTALS	.00	.00	.00			
9500 HUERFANO CONSERVATION TRUST FUND	21286.18					
9500.0100 TRANSFERS IN	13523.41	4932.01	18455.42			
9500.0200 INTEREST EARNED	23.55	2.39	25.94			
	SUB TOTAL *	34833.14 *	4934.40 *	39767.54 *		
9500.9100 TRANSFER OUT	10000.00-	.00	10000.00-			
9500.9130 BANK SERVICE CHARGE	.00	.00	.00			
	SUB TOTAL *	10000.00-*	.00 *	10000.00-*		
9500 FUND TOTALS	24833.14	4934.40	29767.54			
9600 CSAFE (INVESTMENT)	1216123.05					
9600.0100 TRANSFERS IN	1000000.00	.00	1000000.00			
9600.0200 INTEREST EARNED	12067.19	2921.25	14988.44			
	SUB TOTAL *	2228190.24 *	2921.25 *	2231111.49 *		
9600.9100 TRANSFER OUT	1400000.00-	.00	1400000.00-			
	SUB TOTAL *	1400000.00-*	.00 *	1400000.00-*		
9600 FUND TOTALS	828190.24	2921.25	831111.49			
9650 PEAKS INVESTMENTS MANAGEMENT	508694.21					
9650.0100 TRANSFERS IN	.00	.00	.00			
9650.0200 INTEREST EARNED	.00	41562.00	41562.00			
	SUB TOTAL *	508694.21 *	41562.00 *	550256.21 *		
9650.0400 MARKET FLUCTUATION (LPL)	.00	27194.51-	27194.51-			
9650.9100 TRANSFERS OUT	.00	.00	.00			
	SUB TOTAL *	.00 *	27194.51-*	27194.51-*		
9650 FUND TOTALS	508694.21	14367.49	523061.70			
9700 LPL FINANCIAL	1566800.29					
9700.0100 TRANSFERS IN	.00	.00	.00			
9700.0200 INTEREST EARNED	.00	238983.25	238983.25			
	SUB TOTAL *	1566800.29 *	238983.25 *	1805783.54 *		
9700.0300 TRANSFER OUT	.00	.00	.00			
9700.0400 MARKET FLUCTUATIONS (LPL)	.00	84890.97-	84890.97-			
9700.9100 TRANSFER OUT	.00	.00	.00			
	SUB TOTAL *	.00 *	84890.97-*	84890.97-*		
9700 FUND TOTALS	1566800.29	154092.28	1720892.57			
9800 WELLS FARGO (TRANSFD TO PEAKS INV)	.00					
9800.0100 TRANSFERS IN	.00	.00	.00			
9800.0200 INTEREST EARNED	.00	.00	.00			
	SUB TOTAL *	.00 *	.00 *	.00 *		
9800.9100 TRANSFER OUT	.00	.00	.00			
9800 FUND TOTALS	.00	.00	.00			
9900 PFM FUNDS - CSIP (START 2/26/13)	320865.47					
9900.0100 TRANSFERS IN (CSIP)	200000.00	.00	200000.00			
9900.0200 INTEREST EARNED	4415.51	1183.06	5598.57			
	SUB TOTAL *	525280.98 *	1183.06 *	526464.04 *		
9900.9100 TRANSFER OUT	.00	.00	.00			
9900 FUND TOTALS	525280.98	1183.06	526464.04			

HUERFANO COUNTY  
ACCT DESCRIPTION

TREASURERS FUND LEDGER FOR RANGE 12/01/2022 TO 12/31/2022 DECEMBER REPRINT 01/30/2023 15:00 PAG

Item 9i.

BALANCE FORWRD                      CURRENT                      TOTAL YTD                      PROJ REV                      BALANCE                      PCT

\*\*\*\*\* FUND TOTALS \*\*\*\*\*

-----  
7965501.10                      446238.03-                      7519263.07

HUERFANO COUNTY

TREASURERS FUND LEDGER FOR RANGE 12/01/2022 TO 12/31/2022 DECEMBER REPRINT 01/30/2023 15:00 PAC

Item 9i.

ACCT DESCRIPTION

BALANCE FORWRD

CURRENT

TOTAL YTD

PROJ REV

BALANCE

PCT

TIME FINISHED-15:00



MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 NOVEMBER 31, 2022 THRU DECEMBER 31, 2022

Item 9i.

FUND	BEGINNING BALANCE	REVENUES	DISBURSEMENTS	ENDING BALANCE
COUNTY GENERAL FUND	1,882,864.32	516,243.39	684,046.55-	1,715,061.16
PARKS AND RECREATION	55,317.55	1,300.00	13,413.86-	43,203.69
HOUSING AUTHORITY	0.00			0.00
UNCLAIMED	746.47			746.47
SPECIAL PROJECT FUND	1,464,595.75	363,758.84	347,539.06-	1,480,815.53
ROAD & BRIDGE	596,890.11	111,674.91	197,838.19-	510,726.83
LEASE PURCHASE FUND	0.00			0.00
EMERGENCY SERVICES FUNDS (DISPATCH)	872,819.95	142,030.08	96,919.69-	917,930.34
RETIREMENT	118,302.96	10,320.17	18,184.88-	110,438.25
LODGING TAX TOURISM FUND	116,748.37	4,096.32	6,601.78-	114,242.91
DISASTER RECOVERY FUND	1,138,015.14	23,752.00		1,161,767.14
GARDNER PUBLIC IMPROVEMENT DISTRICT	37,239.12	9,040.08	30,005.05-	16,274.15
WALSENBERG GATEWAY METRO DIST	0.00			0.00
SPANISH PEAKS LIBRARY DIST	7,520.14	2,730.72	7,545.87-	2,704.99
SPANISH PEAKS LIBRARY DIST (BOND)	7,265.36	2,631.63	7,290.25-	2,606.74
HUERFANO CO. AMBULANCE ENTERPRISE	0.00			0.00
WASTE TRANSFER STATION ENTERPRISE	54,810.13	10,907.20	4,965.68-	60,811.65
MINERAL LEASING	0.00			0.00
CREDIT CARD ADJ FUND	0.00			0.00
PUBLIC TRUSTEE	0.00			0.00
SOCIAL SERVICES	908,322.90	139,030.27	183,623.99-	863,729.18
HOSPITAL DISTRICT (OPERATING)	28,587.38	14,700.43	28,782.30-	14,505.51
HOSPITAL ANTIC. WARRANTS (BOND)	1.38			1.38
CITY OF WALSENBERG	92,569.96	42,159.35	93,719.29-	41,010.02
WALSENBERG TIF	780.10	459.55	780.10-	459.55
WAL (DOWNTOWN REV COMM) GID 28018	0.00			0.00
TOWN OF LAVETA	28,782.93	14,491.02	29,182.90-	14,091.05
LA VETA FIRE PROT. DIST.	2,762.97	4,533.03	2,851.63-	4,444.37
LA VETA CEMETERY DIST	263.20	431.81	271.64-	423.37
HUERFANO WATER CONS. DIST.	8,689.21	4,467.63	8,748.53-	4,408.31
NAVAJO WATER DIST.	503.49	489.08	509.60-	482.97
CUCHARA SAN. WATER DIST.	1,561.47	2,302.69	1,605.57-	2,258.59
LA VETA LIB. DIST.	2,869.84	4,708.27	2,961.93-	4,616.18
RYE FIRE DIST.	183.85	83.11	183.85-	83.11
ECONNOMIC & REVOLVING LOAN	0.00			0.00
CUCHARA BOND	0.00			0.00
UPPER HUERFANO CONSERVATION DIST	1,406.52	549.68	1,411.21-	544.99
UPPER HUERFANO FIRE DIST.	10,376.87	1,282.35	10,385.10-	1,274.12
HUERFANO CO FIRE PROTECTION DIST	11,279.25	5,662.85	11,335.24-	5,606.86
COUNTY CLERK	153,805.29	135,517.25	153,805.29-	135,517.25
COUNTY CLERK SUR CHARGE	5,744.60	201.00	193.50-	5,752.10
SCHOOL DIST. RE-1 GENERAL	102,161.94	36,253.56	102,190.39-	36,225.11
SCHOOL DIST. RE-1 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-1 BOND	43,491.44	15,352.37	43,491.44-	15,352.37
SCHOOL DIST. RE-1 INSURANCE REV.	0.47			0.47
SCHOOL DIST. RE-2 GENERAL	13,293.65	21,509.91	13,328.70-	21,474.86
SCHOOL DIST. RE-2 CAP. RES.	0.00			0.00
SCHOOL DIST. RE-2 BOND	6,614.71	10,689.63	6,614.71-	10,689.63
TAX SALE & REDEMPTIONS	10,206.26	121,689.62	121,689.80-	10,206.08
BACK TAX UNAPPORTIONED	0.00			0.00
FEDERAL FOREST PROJECT FUND	69,766.81	2,491.00		72,257.81
C-PACE COLORADO NEW ENERGY IMP DIST	0.00			0.00
TREASURERS FEES	0.00	8,750.22	8,750.22-	0.00
SPECIFIC OWNERSHIP	0.00	97,744.64	97,744.64-	0.00
LAND USE FUND	0.00			0.00
CONSERVATION TRUST FUND	24,833.14	4,934.40		29,767.54
MOTOR VEHICLE	0.00	2,841.11	2,841.11-	0.00
FEDERAL LAND & MATERIALS ACT	367.59			367.59

US FOREST RESERVE	4,620.00			4,620.00
NAVAJO BOND	0.00			0.00
WALSENBURG HOUSING AUTHORITY	0.00			0.00
ADVANCE TAX COLLECTIONS	13,510.49	3,185.30		16,695.79
COUNTY PROPERTY SALES	765.00			765.00
PILT	64,242.71	959.00	900.00-	64,301.71
REAL ESTATE INT.UNAPPORTIONED	0.00			0.00
BUSINESS RECRUITMENT FUND	0.00			0.00
COURT HOUSE RE-HAB	0.00			0.00
PURGATOIRE RIVER SOIL CONS. DIST.	0.31	.04		0.35
BUSINESS RECRUITMENT	0.00			0.00
EMERGENCY RESERVE FUND	0.00			0.00
GRAND TOTALS	<u>\$7,965,501.10</u>	<u>\$1,896,015.51</u>	<u>\$2,342,253.54-</u>	<u>\$7,519,263.07</u>

I DEBRA J REYNOLDS, TREASURER IN AND FOR THE COUNTY OF HUERFANO, AND THE STATE OF COLORADO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND JUST COPY OF THE FUND BALANCES, RECEIPTS AND DISBURSEMENTS OF RECORDS OF MY OFFICE FOR CURRENT MONTH, AND TRUE TO THE BEST OF MY KNOWLEDGE

1-31-2023

DATE:



HUERFANO COUNTY TREASURER:

MONTHLY REPORT OF HUERFANO COUNTY TREASURER  
 NOVEMBER 31, 2022 THRU DECEMBER 31, 2022

Item 9i.

FUND	BEGINNING BALANCE	REVENUES DEPOSITS	INTEREST EARNED	TRANSFERS (IN)	DISBURSEMENTS-- TRANSFERS (OUT)	ENDING BALANCE
COMMUNITY BANKS OF SO COLORADO	454,639.65	365,013.97		330,408.31-		489,245.31
TREASURERS CASH	700.00					700.00
COLO TRUST (INVESTMENT)	1,031,122.79	400,000.00	4,653.13			1,435,775.92
BANK OF THE WEST OPERATING ACCT	1,747,761.24	394,500.00-	6.25	721,561.50	1,390,073.48-	684,755.51
BANK OF THE WEST MM ACCT	1,227,478.56		10.43			1,227,488.99
BANK OF THE WEST CD START 3/25/22	50,000.00					50,000.00
HCB CD START 4/18/13-CLOSED 4/25/19	0.00					0.00
HUERFANO CONSERVATION TRUST FUND	24,833.14	4,932.01	2.39			29,767.54
CSAFE (INVESTMENT)	828,190.24		2,921.25			831,111.49
PEAKS INVESTMENTS MANAGEMENT	508,694.21		41,562.00		27,194.51-	523,061.70
LPL FINANCIAL	1,566,800.29		238,983.25		84,890.97-	1,720,892.57
WELLS FARGO (TRANSFD TO PEAKS INV)	0.00					0.00
PFM FUNDS - CSIP (START 2/26/13)	525,280.98		1,183.06			526,464.04
<b>GRAND TOTALS</b>	<b>\$7,965,501.10</b>	<b>\$375,445.98</b>	<b>\$289,321.76</b>	<b>\$391,153.19</b>	<b>\$1,502,158.96-</b>	<b>\$7,519,263.07</b>

I, DEBRA J REYNOLDS, County Treasurer in and for the county of HUERFANO in the State of Colorado, do hereby certify that the above is a true statement of the condition of the various funds as they appear from the records in my office for the current month.

*Debra J Reynolds*

1-21-2023  
DATE

HUERFANO COUNTY TREASURER

NOTICE OF FILING APPLICATION  
 FOR COLORADO MINED LAND RECLAMATION PERMIT  
 FOR REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Huerfano COUNTY

HCR High Country Repair (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Huerfano County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Rangeland use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

**NOTE TO APPLICANT/OPERATOR:** You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

**DIVISION OF RECLAMATION, MINING AND SAFETY**  
Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
FAX: (303) 832-8106



## CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

CHECK ONE:  There is a File Number Already Assigned to this Operation

Permit #   M   -    -    -    (Please reference the file number currently assigned to this operation)

- New Application (Rule 1.4.5)       Amendment Application (Rule 1.10)
- Conversion Application (Rule 1.11)

Permit #   M   -   2003     002   (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should **NOT** be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

### GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information requested below.

1. **Applicant/operator or company name (name to be used on permit):** HCR High Country Repair
  - 1.1 Type of organization (corporation, partnership, etc.): \_\_\_\_\_
  
2. **Operation name (pit, mine or site name):** Ghost River Gravel Pit
  
3. **Permitted acreage (new or existing site):**

	<u>9.9</u>	permitted acres
3.1 Change in acreage (+)	<u>3.6</u>	acres
3.2 Total acreage in Permit area	<u>13.5</u>	acres
  
4. **Fees:**

4.1 New Application	<u>\$2,696.00</u>	application fee
4.2 New Quarry Application	<u>\$3,342.00</u>	quarry application
4.4 Amendment Fee	<u>\$2,229.00</u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u>	conversion fee
  
5. **Primary commodity(ies) to be mined:** Gravel      Aggregate
  - 5.1 Incidental commodity(ies) to be mined:

1. <u>  </u>	- lbs/Tons/yr	2. <u>  </u> /	lbs/Tons/yr
3. <u>  </u> /	lbs/Tons/yr	4. <u>  </u> /	lbs/Tons/yr
5. <u>  </u> /	lbs/Tons/yr		
  - 5.2 Anticipated end use of primary commodity(ies) to be mined: Construction Aggregate
  - 5.3 Anticipated end use of incidental commodity(ies) to be mined: \_\_\_\_\_

6. **Name of owner of subsurface rights of affected land:** Natasha Goldberg  
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** Natasha Goldberg

8. **Type of mining operation:**  Surface  Underground

9. **Location Information:** The center of the area where the majority of mining will occur:

COUNTY: Huerfano

PRINCIPAL MERIDIAN (check one):  6th (Colorado)  10th (New Mexico)  Ute

SECTION (write number): S 35

TOWNSHIP (write number and check direction): T 25  North  South

RANGE (write number and check direction): R 66  East  West

QUARTER SECTION (check one):  NE  NW  SE  SW

QUARTER/QUARTER SECTION (check one):  NE  NW  SE  SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation): \_\_\_\_\_

This mine is located approximately 4 miles west of I-25 on County Road 110. It is approximately 5674 feet in elevation.

10. **Primary Mine Entrance Location** (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"  
(W) 104° 59' 3.87"

Latitude (N): deg \_\_\_\_\_ min \_\_\_\_\_ sec \_\_\_\_\_ (2 decimal places)

Longitude (W): deg \_\_\_\_\_ min \_\_\_\_\_ sec \_\_\_\_\_ (2 decimal places)

OR

Example: (N) 39.73691°  
(W) -104.98449°

Latitude (N) 37 825628 (5 decimal places)

Longitude(W) -104 749247 (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting \_\_\_\_\_

Northing \_\_\_\_\_

11. **Correspondence Information:**

**APPLICANT/OPERATOR** (name, address, and phone of name to be used on permit)

Contact's Name: Natasha Goldberg Title: Owner  
 Company Name: HCR High Country Repair  
 Street/P.O. Box: \_\_\_\_\_ P.O. Box: 61  
 City: Rye  
 State: CO Zip Code: 81069  
 Telephone Number: (\_\_\_\_\_) - \_\_\_\_\_  
 Fax Number: (\_\_\_\_\_) - \_\_\_\_\_

**PERMITTING CONTACT** (if different from applicant/operator above)

Contact's Name: Jodi Schreiber Title: \_\_\_\_\_  
 Company Name: PFM Consulting LLC  
 Street/P.O. Box: 1774 N. Cougar Dr. P.O. Box: \_\_\_\_\_  
 City: Pueblo West  
 State: Colorado Zip Code: 81007  
 Telephone Number: (719) - 529-0916  
 Fax Number: (\_\_\_\_\_) - \_\_\_\_\_

**INSPECTION CONTACT**

Contact's Name: Natasha Goldberg Title: Owner  
 Company Name: HCR High Country Repair  
 Street/P.O. Box: \_\_\_\_\_ P.O. Box: 61  
 City: Rye  
 State: CO Zip Code: 81069  
 Telephone Number: (\_\_\_\_\_) - \_\_\_\_\_  
 Fax Number: (\_\_\_\_\_) - \_\_\_\_\_

**CC: STATE OR FEDERAL LANDOWNER (if any)**

Agency: \_\_\_\_\_  
 Street: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone Number: (\_\_\_\_\_) - \_\_\_\_\_

**CC: STATE OR FEDERAL LANDOWNER (if any)**

Agency: \_\_\_\_\_  
 Street: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone Number: (\_\_\_\_\_) - \_\_\_\_\_

12. **Primary future (Post-mining) land use (check one):**

- |                                     |                               |                          |                 |                          |                           |
|-------------------------------------|-------------------------------|--------------------------|-----------------|--------------------------|---------------------------|
| <input type="checkbox"/>            | Cropland(CR)                  | <input type="checkbox"/> | Pastureland(PL) | <input type="checkbox"/> | General Agriculture(GA)   |
| <input checked="" type="checkbox"/> | Rangeland(RL)                 | <input type="checkbox"/> | Forestry(FR)    | <input type="checkbox"/> | Wildlife Habitat(WL)      |
| <input type="checkbox"/>            | Residential(RS)               | <input type="checkbox"/> | Recreation(RC)  | <input type="checkbox"/> | Industrial/Commercial(IC) |
| <input type="checkbox"/>            | Developed Water Resources(WR) |                          |                 | <input type="checkbox"/> | Solid Waste Disposal(WD)  |

13. **Primary present land use (check one):**

- |                                     |                               |                          |                 |                          |                           |
|-------------------------------------|-------------------------------|--------------------------|-----------------|--------------------------|---------------------------|
| <input type="checkbox"/>            | Cropland(CR)                  | <input type="checkbox"/> | Pastureland(PL) | <input type="checkbox"/> | General Agriculture(GA)   |
| <input checked="" type="checkbox"/> | Rangeland(RL)                 | <input type="checkbox"/> | Forestry(FR)    | <input type="checkbox"/> | Wildlife Habitat(WL)      |
| <input type="checkbox"/>            | Residential(RS)               | <input type="checkbox"/> | Recreation(RC)  | <input type="checkbox"/> | Industrial/Commercial(IC) |
| <input type="checkbox"/>            | Developed Water Resources(WR) |                          |                 |                          |                           |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_  
**Material will be extracted using front end loaders.**

15. **On Site Processing:**  Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_  
Excavation will be performed by front end loaders which will remove and haul the raw resource to a processing plant and will deposit the material in a surge pile. A front end loader will deposit the material from the surge pile into the crushing and screening plant.

List any designated chemicals or acid-producing materials to be used or stored within permit area: \_\_\_\_\_  
**No designated chemicals or acid-producing materials will be used or stored within the permit area**

16. **Description of Amendment or Conversion:**

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).

**This conversion application is requesting to take the original permit M2003-002 (9.9 acres) and add in the additional disturbed acreage outside the original permit boundary. This would create one permit boundary with 13.5 acres in total.**



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**Maps and Exhibits:**

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

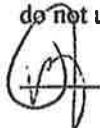
With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

**Responsibilities as a Permittee:**

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

- 
1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

- 6 -

2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

5. It is your responsibility to notify the Office of any changes in your address or phone number;

6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

a. the name of the operator;

b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,

c. the permit number.

7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

**LA VETA CEMETERY DISTRICT  
P.O. BOX 971 - 300 EAST GRAND  
LA VETA, COLORADO 81055  
January 11, 2023**

**Transparency Notice - District Information**

Board Directors and contact information are:

Ron Ortivez, President                      Ph. 719 742-3258                      Term Exp. Dec. 2023  
P.O. Box 734                                      Cell: 719-989-0792  
La Veta, CO 81055

William Duzenack, Jr., Secretary      Cell: 719-989-0427                      Term Exp. Dec. 2027  
P.O. Box 42  
La Veta, CO 81055

Wayne E. Smith, Treasurer                Ph. 719-742-3486                      Term Exp. Dec. 2025  
P.O. Box 356                                      Cell: 719-989-8003  
La Veta, CO 81055

Chairman of the Board of Directors for the La Veta Cemetery District: Ron Ortivez

Directors are appointed by the Huerfano County Board of Commissioners for six-year terms.

Current District Mill Levy: 0.542

Property tax – ad valorem revenue: \$17,791.00

The Board’s contact person is: Sue Pezze, Adm. Secretary  
P.O. Box 971  
La Veta, Colorado 81055  
Office Ph. 719 742-3181  
E-mail: lavetacemetery@gmail.com

The regular Board of Director meetings for the District are held the fourth Wednesday of the month following the end of each calendar quarter at 7:00 PM at the La Veta Cemetery District office at 300 East Grand, La Veta, Colorado (unless otherwise posted). Notices for meetings other than regular meetings will be posted at the La Veta Cemetery District, the La Veta Public Library, the La Veta Town Hall, and the County Clerk and Recorder’s Office. Mailing address for the District is P.O. Box 971, La Veta, Colorado 81055. Phone number for the District is 719 742-3181.

February 7, 2023

Sarah Jardis

President

Huerfano County Tourism Board

Dear Sarah,

This letter is to notify you of my resignation from the county tourism board, effective immediately.

While I have enjoyed my time serving, and appreciate the Commissioner's faith in me, at this time, I can no longer commit to serving due to other commitments.

Thank you again.



Lynette Jensen

817-253-1866

Lynettejensen56@gmail.com

**NOTICE OF FILING APPLICATION  
FOR COLORADO MINED LAND RECLAMATION PERMIT  
FOR SPECIAL OPERATIONS (111) MINING OPERATION**

**NOTICE TO THE BOARD OF COUNTY COMMISSIONERS  
HUERFANO COUNTY**

Siete Inc. has applied for a Special Operations (111) Reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials in Huerfano County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk or recorder.

The applicant/operator proposes to reclaim the affected land to rangeland. Pursuant to Section 34-32-116(7)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days after the date of the applicant's newspaper publication.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.



# LA VETA TRAILS

## 2022 ANNUAL REPORT

# MISSION

La Veta Trails is a 501(c)3 nonprofit founded in 2015 to develop and maintain parks and trails systems in Huerfano County that connect people of all ages and abilities to the outdoors, inspire volunteerism, and contribute to the health and economic vitality of the region.

# CORE VALUES



**Accountability.** We hold ourselves to the highest standard of excellence, safety, ethics, and transparency in our interactions with each other, our partners, and the community.



**Inclusion.** We seek participation of all stakeholders to improve the well-being of the community, access the outdoors, and stewardship.



**Volunteerism.** We create opportunities for people of all ages and abilities to connect to the outdoors, develop leadership, and commit to an ethic of environmental stewardship.



**Outdoor Lifestyle.** We encourage active, healthy living by providing opportunities that connect all people to natural and built resources.



**Stewardship.** We provide opportunities for people to learn, explore and respect the natural environment and serve as a model for best practices that restore, protect and preserve natural resources.



**Philanthropy.** We seek to inspire investment in our mission and recognize that we could not achieve success without the generosity, commitment and philanthropic support of businesses, our volunteers, and donors.

# 2022 HIGHLIGHTS



### REGIONAL IMPACT

11 project sites and 32 miles of trails in La Veta, Gardner, Walsenburg, and Spanish Peaks Wilderness Area.



### VOLUNTEER STEWARDS

325 Volunteer Stewards invested 1,582 hours to restore and preserve public spaces in Huerfano County.



### YOUTH STEWARDS

251 Youth Stewards invested 251 hours in the La Veta and Walsenburg Earth Day Clean-up.



### SKILLS/LEADERSHIP

9 stewards earned their First Aid/CPR Certificate from the La Veta/Cuchara Fire Protection District.



### HUERFANO STATE WILDLIFE AREA RESTORATION

Partnered with CO Parks and Wildlife to clear trees following a wind storm.



### SPANISH PEAKS WILDERNESS STEWARDS

5 certified crosscut sawyers cleared 286 trees on 20 miles of Wilderness trails.



### EVENTS

Hosted 32 events with 1,029 adults, youth, and dogs attending.



### MASTER PLAN INFRASTRUCTURE

Hosted playground design events in partnership with the Town of La Veta and La Veta Library.



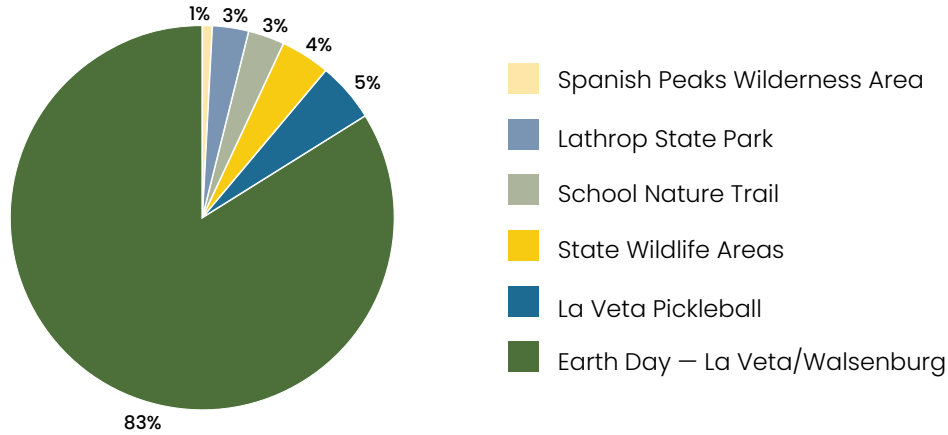
### MASTER PLAN INFRASTRUCTURE

Joint project with the Town of La Veta to repurpose the old skate park into a pickleball court.

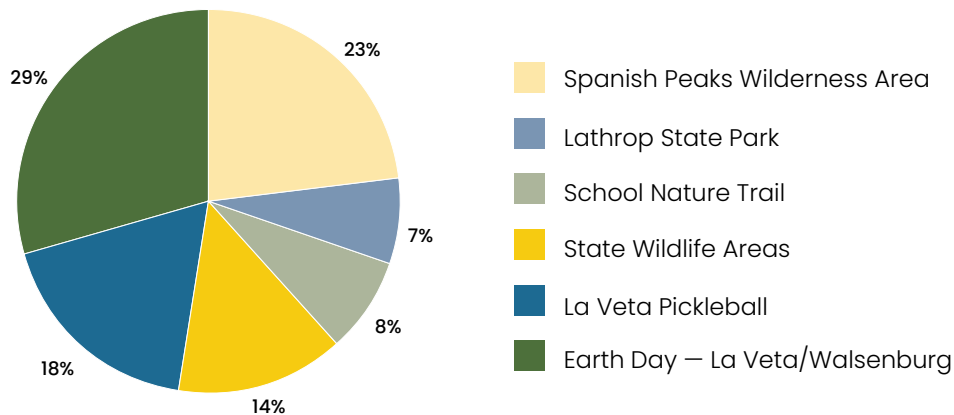


# VOLUNTEER IMPACT

**Percent of Volunteers by Project Site**



**Percent of Volunteer Hours by Project Site**



# PARTNERS

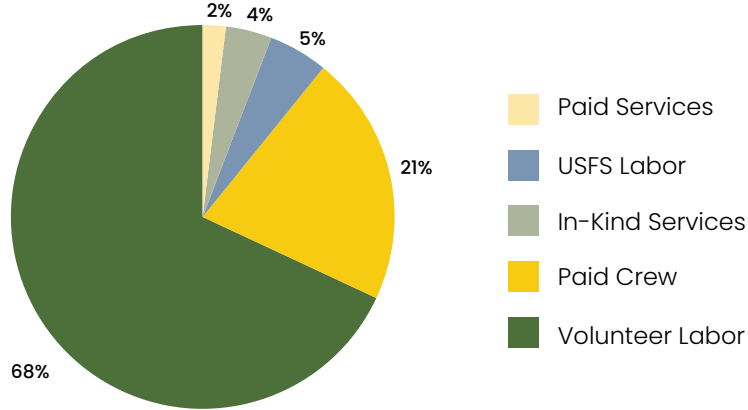
We are grateful to the following partners and funders for supporting our mission.

Basin Electric Power Cooperative  
 City of Walsenburg  
 Colorado Department of Public Health & Environment  
 Colorado Parks and Wildlife  
 Huerfano County Government  
 Huerfano RE-1 School

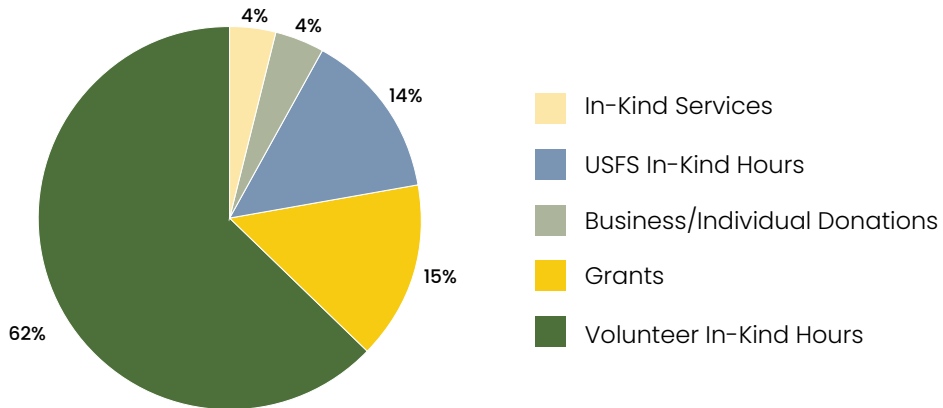
La Veta RE-2 School  
 National Wilderness Stewardship Alliance  
 San Isabel Electric Association  
 Southern Colorado Community Foundation  
 Tercio Foundation  
 Town of La Veta  
 USFS/San Carlos Ranger District

# FINANCIAL REPORTS

## 2022 Maintenance Costs



## 2022 Revenue Sources



La Veta Trails has earned a **2023 Platinum Seal of Transparency** with Candid!

You can support our work with trust and confidence by viewing our Nonprofit Profile: [La Veta Trails - GuideStar Profile](#) @CandidDotOrg.



Item 9n.

# 2022 BUSINESS SPONSORS

**Thank you to our business sponsor and prize donors!**

- Alys' Restaurant
- Bachman and Associates Real Estate
- Capella Mortgage
- Code of the West Real Estate
- Cucharas Valley Recreation Program
- Cup, High Altitude Coffee
- Danny's
- Deerprint Wine
- First National Bank in Trinidad
- Grandote Peaks Golf
- H's Place Gallery & More
- Judith Designs
- La Veta Mercantile
- La Veta Pines RV Park
- Mountain Merman Brewing
- Nancy J. Carroll PhotographER
- R.A.I. Enterprises
- Rebecca Leigh Designs
- Sammie's Campground
- Scot Mangold, Private Chef
- Shalawalla Gallery & Gift Shop
- South Central Council of Governments
- Spanish Peaks Art
- Spanish Peaks Regional Health Center
- The Lofts Downtown
- Watercourse Foods
- World Journal





# WHAT TO LOOK FOR IN 2023

## ***Restore & Preserve Public Spaces.***

- Maintain 41 miles of trails and 20 acres of open space/parks in Huerfano County.
- Organize 100 Volunteer Stewards for 17 project sites in La Veta, Walsenburg, Gardner, and the Spanish Peaks Wilderness Area.
- Remove invasive plants in the four open space areas linked to the planned Cucharas River Trail.

## ***Add New or Improve Existing Recreational Amenities.***

- Construct a new section with trees and benches of the School Nature Trail to reduce the grade so more people feel welcome to use the trail.
- Add RE-1's Path to the Walsenburg trail map and the La Veta Trails website.
- Facilitate the Town of La Veta's application to Colorado Parks and Wildlife and GOCO to design and construct the Cucharas River Trail and adjacent recreation amenities,
- Construct a new playground and other amenities with interpretative signs and recreation connectivity in partnership with the Town of La Veta and the La Veta Public Library.

## ***Promote Outdoor Recreation.***

- Publish a new user guide to the School Nature Trail that provides photos and descriptive details about the trail that will improve accessibility.
- Publish the 2023 Spanish Peaks Region Recreation and Trail Guide that will showcase La Veta, Cuchara, Gardner and Walsenburg as business and recreational hubs.
- Publish a Walsenburg trail map brochure for residents and visitors that features walking routes identified by Walsenburg residents and property owners.

## ***Increase the number of people certified to work on Wilderness trails.***

- Certify 8 people in First Aid/CPR through the La Veta Fire Protection District and crosscut saw operations through the U.S. Forest Service.

## ***Host events.***

- Follow us on Facebook for events [www.facebook.com/lavetatrails.org](http://www.facebook.com/lavetatrails.org).

## ***Increase business partnerships to improve and expand outdoor recreation in the Spanish Peaks region.***

- Launch a Business Sponsor Program to expand parks and trails in Huerfano County and publish a Spanish Peaks Region Recreation and Trail Guide.
- Forge partnerships to grow the outdoor recreation industry in Huerfano County.

**HELP US ACHIEVE OUR  
2023 PLANS BY MAKING A DONATION.**

Scan the QR code with your phone or visit [www.LaVetaTrails.org](http://www.LaVetaTrails.org)



**Markup Copy of Changes to Processes by application type**

**1.03.02 District Characteristics and Requirements**

The districts enumerated in Section 1.03.01 shall have the following characteristics and specifications:

**A Agricultural District**

This district is created for the purpose of protecting the productive agricultural lands of Huerfano County and preserving the visual and cultural values, historical and archeological features and critical wildlife habitat associated with the scenic vistas, natural topography and agricultural lifestyles in rural, unincorporated areas of Huerfano County.

- Minimum district size: 40 acres
- Minimum lot area: 35 acres
- Minimum lot width: 200 feet ~~per dwelling unit~~
- Front yard setback: 60 feet
- Side yard setback: 25 feet
- Rear yard setback: 30 feet
- Maximum structure height: Refer to Comprehensive plan, page 4, “Residential Use”
- Minimum dwelling size: 600 square feet
- Maximum lot coverage: 15 percent

For uses allowed by right, conditional uses and prohibited uses see Section 1.05.

**RR Rural Residential District**

This district is created for the purpose of allowing the establishment of moderate density rural residential development in predominantly agricultural and rural areas of unincorporated Huerfano County without compromising or otherwise significantly changing the visual, scenic and other natural characteristics of the surrounding area and providing as necessary for the protection of critical wildlife habitat.

- Minimum district size: 20 acres
- Minimum lot area: 2 acres
- Minimum lot width: 100 feet ~~per dwelling unit~~
- Front yard setback: 20 feet
- Side yard setback: 10 feet
- Rear yard setback: 20 feet
- Maximum structure height: 40 feet (refer to Comprehensive plan, page 4, “Residential Use”)

**1.04.01 Variances**

Variances from various provisions of this zoning regulation are heard by and decided by the Board of Adjustment. See Section 9.02-02.

**Process Summary**

1. Staff reviews application for completeness, notifies relevant referral agencies and prepares staff report
2. Public noticing
3. → BOA Public Hearing and decision

9.02.02 (4)

4. Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property existing at the time of enactment of these regulations, or by reason of exceptional topographic conditions or other extraordinary or exceptional physical characteristics or conditions of such piece of property not created by the applicant, or due to unique characteristics of the proposed project, subsequent to the adoption of these regulations or previously adopted County zoning regulations, the strict application of any zoning regulation or provision therein would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, then the Board of Adjustment shall have the authority, upon an appeal relating to said property, to authorize a variance from such strict and literal application so as to relieve such difficulties or hardship. Such relief shall be granted, however, without substantial detriment to the public good or neighborhood character, and without altering or impairing the intent and purpose of the zoning regulations and other provisions contained within State or County regulations. The Board shall not, however, have the power to grant variances from the uses prohibited or allowed conditionally by special review for the zoning district involved.

9.02.03 Submittal Requirements for Appeals and Variances

1. Applicants appearing before the Board of Adjustment shall submit the following submittal materials and all other materials as the County Planner or the Board of Adjustment may deem necessary. These submittal requirements are in addition to those specified in Section 9.02.04, Application and Appeals Procedures, of these regulations.

01. A full and accurate legal description of the land involved in the appeal action.

02. A plot plan showing the existing and proposed location of all structures, uses, zoning district boundaries and setbacks on the land involved in the appeal action.

03. Proof of ownership of the property or written evidence of authority to act on behalf of the lawfully demonstrated owner of the property.

04. ~~Proof of publication of the advertised legal notice of public hearing before the Board of Adjustment. A list of~~ Names of owners of record and physical addresses of all property adjacent to the property in question and all adjacent mineral rights owners and lessees and easement holders, as shown on the records of the Huerfano County Assessor. ~~(10) days prior to the Board of Adjustment public hearing date,~~ See Section 9.02.04, Appeals Procedures, below.

05. ~~Proof of p~~ayment of the cost of publication of the ~~advertised~~ mailed and published public hearing notices.

06. Letter of Intent describing regulation from which a variance is being requested, why requested variance is necessary, and how such variance request meets criteria for a variance described in 9.02.02 (4).

07. A letter of intent addressing criteria described in 9.02.02 and 9.02.04 (4)

2. Items in Section 9.02.03 numbers .04, .05, and .06, above, need to be submitted ~~not~~ at the time of application ~~but by or before the conduct of the public hearing.~~

9.02.04 Appeal and Application Procedures

1. Appeals to the Board of Adjustment may be made by any person(s) aggrieved by an inability to obtain a building permit or by the decision or interpretation of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of these zoning regulations. Appeals to the Board shall be made within thirty (30) days of the order, requirement, decision, interpretation or refusal alleged

to have occurred or to be in error. Applications to the Board of Adjustment may also be made by persons, organizations or corporations ~~to provide applicants with an opportunity to apply~~ for variances from zoning setback requirements and other circumstances for which a variance may be obtained.

2. The Board shall hold a public hearing on all applications for variances and appeals. Prior to such public hearing scheduled before the Board of Adjustment a notice of public hearing shall be published in a legal publication in Huerfano County at least ten (10) days before the scheduled date of the public hearing. Publication of such notice shall follow a form prescribed by the County and publication of the notice, which shall specify the time and place of the hearing and location of the land subject to the hearing. ~~Such publication of the notice is the responsibility of the applicant. Applicants shall be billed directly by the County for costs associated with noticing, newspaper and shall submit proof of publication of the notice and proof of payment of publication costs with the Board of Adjustment as a condition for action by the Board of Adjustment.~~

3. All listed owners of record of adjacent properties shall be notified by certified mail and all registered addresses of adjacent properties shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. A written notice of such hearing shall be mailed by certified or registered mail, return receipt requested, at least ten (10) days prior to the Board of Adjustment public hearing date to owners of record of all property adjacent to the property in question. This mailed notice shall also be sent to all adjacent mineral rights owners and lessees and easement holders, as shown on the records of the Huerfano County Assessor and identified in the application by the applicant, and the notice shall include a vicinity map, a short narrative describing the relief sought and an announcement of the date, time and location of the scheduled hearing.

~~Acceptable proof of mailing such notice shall be submitted to the Board of Adjustment as a condition for action by the Board of Adjustment.~~

4. All applications and appeals to the Board of Adjustment shall be in writing and on such forms as shall be prescribed by the Board and the appropriate filing fee shall accompany the application. Every application or appeal shall state what provision(s) of the zoning regulation is/are involved, what relief from the provision(s) is being sought, and the grounds on which the relief should be granted to the applicant. The chairman of the Board, or his appointed designee, shall call a meeting of the Board scheduled to take place within fifteen (15) days of the submission of the required submittal materials. ~~The Board of Adjustment may, at its discretion and by majority vote, transmit a copy of the application or appeal to the Planning Commission or other appropriate public organizations or private parties for review and comment.~~

5. Upon reaching a decision in the manner described above, the Board of Adjustment or its authorized agent shall notify applicant(s) in writing ten (10) working days after the Board of Adjustment takes action on an appeal brought before it.

### 1.05        USES ALLOWED BY RIGHT, CONDITIONAL USES AND PROHIBITED USES IN ZONING DISTRICTS

Table 1 on the following pages indicates which land uses are allowed by right, which are conditional uses and which are prohibited uses in the zoning districts listed in Section 1.03.01 and described in Section 1.03.02. Uses not listed are considered to be conditional uses. See Section 1.06 on conditional use provisions and Section 1.07 on uses not itemized.

**Table 1**  
**Uses allowed by Right. Conditional Uses and Prohibited Uses by Zoning District**

R = Use Allowed by Right      C = Conditional Use      P = Use Prohibited

<i>Zoning District</i>	<i>AA</i>	<i>RR</i>	<i>UR</i>	<i>C I</i>	<i>Regulatory Reference</i>
<del>.01 Single family dwelling on a single undivided parcel of land</del>	<del>R</del>	<del>R</del>	<del>R</del>	<del>R C</del>	<del>1.06</del>
<del>.02 Additional dwellings; e.g., for rent, lease or sale, on any undivided parcel of land or lot</del>	<del>C</del>	<del>P</del>	<del>P</del>	<del>P C</del>	<del>1.06</del>
<del>.02 Addition dwellings on tracts of land that meet a 35:1 land/dwelling ratio</del>	<del>R</del>	<del>C</del>	<del>C</del>	<del>C C</del>	<del>1.06</del>
<del>.03 Two family dwelling</del>	<del>C</del>	<del>C</del>	<del>R</del>	<del>C P</del>	<del>1.06</del>
<del>.04 Multiple family dwelling, co-housing facilities and single and multi family condominiums</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C P</del>	<del>1.06</del>
.01 Up to two dwelling units on a single parcel of land	R	R	R	R C	1.06
.02 Three to six dwelling units on a single, parcel of land.	C	C	R	R C	1.06
.03 Over six dwelling units on a single parcel, including: Multiple family dwelling, co-housing facilities, condominiums or employee housing.	C	C	C	R C	1.06
.04 (Reserved)					
.05 Individual mobile homes and mobile home parks	P	P	P	<del>P</del> P <u>C</u>	N/A
.55 Manufacture, fabrication or processing of all materials not otherwise listed and which will not cause excessive noise, heat, dust, fumes or other adverse consequences	C	P	P	C R	1.06
.61 Medical Marijuana dispensaries	P	P	P	P P	Section 18
<del>.62 Commercial Medical Marijuana cultivation operations</del>	<del>C</del>	<del>P</del>	<del>P</del>	<del>C C</del>	<del>Section 18</del>
.62 Commercial Marijuana retail stores	P	P	P	P P	Section 18
<del>.64 Commercial Marijuana testing facilities</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P P</del>	<del>Section 18</del>
<del>.65 Commercial Marijuana product manufacturing facilities</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P P</del>	<del>Section 18</del>
.63 Commercial/ <u>medical</u> Marijuana cultivation facility	C	P	P	C C	Section 18
66 Any use not listed in this table	C	C	C	C C	

1.06 CONDITIONAL USE APPROVAL AND APPROVAL AMENDMENT PROVISIONS

...

1.06.01 Submittal Requirements



Application for a conditional use approval for a conditional use shall require submission a) of an application on a form provided by Huerfano County, b) submission of a Letter of Intent and c), submission of a Site Plan. These submissions shall be made to the Planning ~~Commission~~Department and ~~it shall be by majority vote of the Planning Commission to staff shall~~ determine ~~as necessary~~ that ~~the submittal materials applications~~ are ~~complete, accurate and~~ ready for formal review and processing.

1.06.01 (2)

...

The appropriate filing fees shall accompany the submission of these above materials. The ~~Planning Commission~~Director, ~~by majority vote~~, may waive any but not all of the above submission requirements in cases where provision of the specified items would prove unnecessarily burdensome or inappropriate. ~~In special cases additional submittal items may be required in the Letter of Intent or on the Site Plan, as specified by majority vote of the~~The Planning Commission may vote to continue a public hearing in order to permit applicant time to prepare and submit additional information deemed necessary to make a recommendation. The Planning Commission may require additional documentation, including any requirements listed above that were waived by the Director before making a decision.

1.06.02 Procedures for Referral, Review and Action on an Application for a Conditional Use Approval

Process Summary:

1. Staff determines completeness, routes to relevant referral agencies and schedules public meeting with PC and prepares staff report
2. Planning Commission public meeting and recommendation
- ~~2-3.~~ Public noticing
4. Board of County Commissioners public hearing and decision.

1. Upon proper and adequate submission of the appropriate application form, fees and other submittal materials as specified in Section 1.06.01, the Planning Commission shall consider at a regular or special public meeting the conditional use application. ~~When, as specified in Section 1.06 the Planning Commission determines by majority vote that a public hearing is required, the Board of County Commissioners and the Planning Commission shall conduct a joint public hearing on the application, with notice of such hearing published by the applicant in a newspaper of general circulation in Huerfano County at least ten (10) days prior to the scheduled hearing date. The applicant shall also mail notification of the hearing date and subject of the hearing to a~~ All listed owners of record of properties within 1,320 feet in the Agricultural Zone District, or of adjacent properties in other zones shall be notified by certified mail and all registered addresses in the same radius shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and provide at the public hearing proof of publication, proof of payment of publication and proof of notification of adjacent property owners and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. The Planning Commission may expand notification requirements to include identified properties that have the potential to be impacted by the proposal, by majority vote. In addition, the applicant shall cause to have posted on the property in question, in a conspicuous location, a sign supplied by Huerfano County, stating the time, date, location and subject of the hearing. Such sign(s) shall be posted at least ten (10) days before the scheduled date of the hearing.

These public due process notification and proof of notification procedures shall apply to all ~~joint~~ public hearings conducted by Huerfano County for actions included within these regulations.

2. ~~Following the conduct~~Upon the closing of the public meeting or the public hearing, meeting, the Planning Commission shall make a recommendation on the application for a conditional use ~~approval~~ to the Board of County Commissioners, recommending approval, denial or conditional approval. The Planning Commission shall forward its recommendation and any records of the hearing to the Board within ten (10) working days of its action.

Within thirty (30) days of receiving such materials the Board of County Commissioners shall consider the recommendation at a regular or special session of the Board and shall act to approve, deny or conditionally approve the application, including notice whether there shall be a time period for review of compliance with any approval conditions. ~~The Board of County Commissioners shall also provide the Planning Commission with notification of the action taken.~~

3. When ~~Planning Commission, as decided upon by majority vote, in the judgment of the~~ a conditional use application ~~has a potential impact on any of the referral agencies listed in 8.04.01 (4), requires referral review and comment by any agency, organization, governmental entity or person or persons, the Planning Commission may so cause the application materials or any portion thereof to be submitted~~ staff will route the application for referral review and comment. The referral review and comment period shall be for a period of time of up to thirty (30) days from the date ~~materials are received for review, that the Planning Commission so decides upon the need for such referral before the date of the conduct of the public meeting or public hearing.~~

## 1.18 Rezoning

### 1.18.01 General Information

Applications to rezone or change the zoning classification of a parcel or parcels of land shall be treated as proposed amendments to this zoning regulation and such applications also shall comply with the common procedures described in these regulations. Applications for rezoning shall be accompanied by an application form provided by Huerfano County, by the appropriate submittal materials and by the necessary filing fees.

#### Process:

1. Staff determines completeness, routes to relevant referral agencies and schedules public meeting with PC and prepares staff report→
2. PC public hearing meeting and recommendation
3. Noticing for public hearing
- ~~2-4. BOCC public hearing and decision. Changes to the text of the zoning regulations are addressed in, The Amendment Process.~~

### 1.18.02 Special Rezoning Requirements and Provisions

All listed owners of record of adjacent properties shall be notified by certified mail and all registered addresses in the same radius shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and provide at the public hearing proof of publication, proof of payment of publication and proof of notification of adjacent property owners and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. The Planning Commission may expand notification requirements to include identified properties that have the potential to be impacted by the proposal, by majority vote. ~~Publication of said notice(s) shall follow a form prescribed by the County and publication of the notice is the responsibility of the applicant. In compliance with Huerfano County Resolution 78-33, applicants shall be billed directly by the newspaper publisher and shall submit proof of publication of the notice and proof of payment to the Planning Commission before said hearing may take place. Applicants will be billed by the county for costs associated with public noticing.~~

In addition, the applicant shall also post notice on the property for which the rezoning is requested at least ~~thirty (30)~~ ten (10) days prior to a public hearing scheduled before the Planning Commission ~~or~~ and indicating information on the public hearings scheduled with both the Planning Commission and the Board of County Commissioners. ~~S~~ Applicant shall post notice on the property; such notice shall follow a form prescribed by the County and shall consist of at least one sign facing each adjacent public right-of-way. Such signs shall measure at least three (3) feet by four (4) feet, the size of all letters shall be at least two (2) inches high and the signs shall be erected on posts no less than four (4) feet nor more than six (6) feet above ground level.

~~The applicant shall also mail a~~ Written notice of said hearing(s) shall be sent by registered mail, return receipt requested, at least ~~fifteen (15)~~ten (10) days prior to a Planning Commission or Board of County Commissioners hearing date to owners of record of all property adjacent to the property proposed for rezoning. The notice shall include a vicinity map, a short narrative describing the current zoning, the proposed rezoning and the nature of the proposed land use change along with announcement of the date, time and location of the scheduled hearing.

Rezoning applications may be initiated by any citizen or group of citizens, association, partnership or corporation owning or leasing property or residing in Huerfano County or by a representative or agent with written power of attorney from one of the above parties to initiate the application.  
The Board of County Commissioners and the Huerfano County Planning Commission may also initiate a rezoning.

### 1.18.03 Submittal Requirements

Applications for rezoning shall include a Letter of Intent and a Site Plan providing the information required in Section 1.06.01 for a conditional use review. Additionally, the following items shall be submitted with an application: ~~In addition, applicants shall supply the following supplemental information and such additional information and documentary material as the Planning Commission shall reasonably stipulate by majority vote:~~

Required attachments:

1. The source and quantity of water required for the proposed use(s) within the area to be rezoned.
2. The method of wastewater treatment and anticipated quantity of wastewater generated.
3. When water or wastewater service would be provided by a municipality or a water or sanitation or water and sanitation district or other public entity, written confirmation that the public entity in question is willing and able to provide the service in question.
4. A description of any natural or man-made hazard within or in the vicinity of the land proposed for rezoning and a statement describing how the anticipated impact of such hazards will be mitigated.
5. A legal description of the property to be rezoned.
6. A vicinity map showing to scale the proposed area to be rezoned in relationship to the surrounding area within a distance of two (2) miles from the boundaries of the proposed rezoning.
7. A graphic description of all natural and manmade water courses, retention areas, streams, lakes and known one hundred (100) year flood plains on or adjacent to the property along with all areas in the proposed rezoning with a slope of twenty (20) percent or greater.
8. A description of any critical wildlife habitat and migration corridors and unique natural features, such as historical sites, unique land forms or scenic vistas contained within the land proposed for rezoning.
9. Explanation of how proposal is consistent with the Comprehensive Plan.
10. Any additional information requested by staff or Planning Commission.

1.18.05 Criteria for Action on a Rezoning Application

All actions by the Planning Commission in reviewing and making recommendations on a rezoning application and by the Board of County Commissioners in approving or disapproving such application shall be based in general upon the provisions of these regulations and specifically ~~on the criteria contained in Section 1.06.03, Criteria for Action on a Conditional Use Application, and also~~ on the following additional criteria:

1. That the existing zoning district is consistent with the goals, objectives and policies of Huerfano County, as contained in the County Comprehensive Plan and other adopted planning documents.
2. That the land proposed for rezoning or adjacent land has changed or is changing to a degree such that it is in the public interest to encourage different densities or uses within the land in question.
3. That the proposed rezoning is needed to provide land for a demonstrated community need or service.

In any petition for rezoning, the petitioner shall carry the burden of demonstrating that the land in question should be rezoned and that the advantages resulting from rezoning would outweigh any disadvantages that would result. Nothing contained herein shall, however, be construed as limiting in any way the authority of the Board of County Commissioners to rezone any land within unincorporated Huerfano County or otherwise amend this zoning regulation for any reason consistent with the health, welfare or safety of the residents of Huerfano County.

2.09 SUBMITTAL REQUIREMENTS FOR PROPOSED SUBDIVISIONS

Applications for approval of a subdivision shall include, in addition to a completed application on a form provided by Huerfano County and the appropriate filing fees, the following items. The Planning Commission may, at its discretion and upon written application by an applicant, waive any of these items not required by the laws of the State of Colorado, and the Planning Commission may also, at its discretion, add such submission items as it deems necessary and appropriate to evaluate an application for a subdivision.

**Process Summary:**

OneTwo public hearing for each phase – Sketch Plan, Preliminary Plan, and Final Plat:

1. Staff determines completeness, routes to relevant referral agencies and schedules & posts notices for public meeting with PC and prepares staff report
2. PC public meetinghearing and recommendation
3. Public Noticing
- 3.4. BOCC public hearing and decision

Public Notice: Public noticing requirements shall apply for each public hearing involved in the subdivision process. At least ten (10) days prior to public hearings for the Sketch Plan, Preliminary Plan and Final Plat, the County shall send notice to property owners by certified mail and to listed physical addresses by regular mail to properties within 1320 feet of the boundaries of the proposed subdivision for properties zoned Agricultural, or 500 feet for properties in all other zones; This distance provision may be expanded up to twenty-five hundred (2,500) feet, or to include identified properties that have the potential to be impacted by the proposal by majority vote of the Planning Commission in the case of large subdivisions and when other special circumstances so warrant.

2.09.02 Preliminary Plan/General Submission

The preliminary plan shall incorporate all modifications of and changes to the sketch plan agreed to by the applicant, the Planning Commission and the Board of County Commissioners. The purpose of a preliminary plan is to review the proposed subdivision in the context of the technical requirements, design standards and improvement requirements of Huerfano County and the various other terms and provisions of these regulations to ensure the compatibility of the proposed subdivision with these considerations and with the current and anticipated or desired future land use patterns within and in the vicinity of the proposed subdivision. Detailed review of a preliminary plan at the general submission stage provides further evidence of compliance or lack of compliance of the proposed subdivision with the comprehensive plan and other provisions of State & Local Regulations, along with the policies and plans of other public and quasi-public agencies in Huerfano County.

Preliminary plans shall be prepared by appropriately qualified persons in a clear and legible manner on reproducible stock in a manner acceptable to the Planning Commission and at a scale of one (1) inch to one hundred (100) or two hundred (200) feet or another scale approved by the County Planner. In the case of large proposed subdivisions requiring more than one sheet at such scale, a reproducible composite measuring not more than twenty-four (24) inches by thirty-six (36) inches and showing the total area at an appropriate scale shall also be submitted.

Preliminary plans approved by the Board of County Commissioners shall remain valid for one (1) year following the date of their approval, unless an extension of up to one (1) additional year is granted by the Board of County Commissioners, upon submission of a written request for such extension by the applicant, prior to the expiration of the initial preliminary plan. Any preliminary plan submitted for a proposed subdivision for which the previous preliminary plan approval has expired shall be considered a new preliminary plan and shall require a new application and filing fee.

A preliminary plan shall require the following information:

1. The name(s) and address(es) of the property owner(s) and of the applicant(s), if other than the owner(s), and the person(s) preparing the preliminary plan submittal materials.
2. In the case of a corporate property owner or corporate applicant, evidence of registration or incorporation in the State of Colorado.
3. A copy of a current certificate from a title insurance company or an attorney licensed to practice law in the state of Colorado setting forth the names of all owners of property included within the proposed subdivision and a list of all mortgages, judgments, liens, easements, contracts and agreements of record which shall affect the property within the proposed subdivision.
4. The name or identifying title of the proposed subdivision.
5. The date of preparation of the preliminary plan, a north arrow and a written and graphic scale.
6. An accurate legal description of the property included within the proposed subdivision and the total acreage of the proposed subdivision.
7. The location of the proposed subdivision as a part of a larger subdivision, if any, and with reference to permanent survey monuments with a tie to a section or a quarter-section corner.
8. A location map showing the relationship of the proposed subdivision to the characteristics of the surrounding area along with the names of adjacent subdivisions and the current land uses and zoning districts within one (1) mile of the boundaries of the proposed subdivision.
9. A list from the County Assessor's office of current property owners of record and their complete mailing address as well as physical addresses for properties within five hundred (500) feet of the boundaries of the proposed subdivision. At the Planning Commission's discretion, this can be expanded to 1,320 feet and to include other properties likely to be impacted. ~~This distance provision may be expanded up to twenty five hundred (2,500) feet, or to identified properties that have the potential to be impacted by the proposal, by majority vote of the Planning Commission in the case of large subdivisions and other special circumstances that so warrant. The County shall send notices by certified mail with return receipt, to listed property owners, and letters by regular mail to physical addresses on listed properties at least ten (10) days prior to a public hearing.~~
10. A list of the owners of subsurface mineral interests and their lessees, if any, on the proposed site and their complete mailing addresses.

11. Site data in chart form presenting the total number of proposed residential lots, the net size of the average (mean) lot, minimum lot size, maximum lot size, the types of land use proposed and the area of land proposed for each such land use.
12. The proposed sites, if any, for multi-family residential use, business use, commercial and industrial areas and other public and non-public uses exclusive of single family residential areas within the proposed subdivision.
13. The total number of projected square feet of non-residential floor space to be included within the proposed subdivision.
14. The current zoning districts on the site and any zoning changes to be requested.
15. The location and principal dimensions of all existing and proposed streets, alleys, roads, easements, off-street parking areas, watercourses, streams, ponds and other significant features of the natural and manmade landscape within and adjacent to the proposed subdivision. Such features should be labeled by their proper names, when such names exist or are known, and the use of all should be clearly shown. All streets and access easements must have proposed names for addressing according to the County's emergency systems. All roads & access names must be approved in writing by the Huerfano County Land Use Department before the final plat is submitted.
16. The location and current and proposed future uses of all buildings and other structures in and within one hundred (100) feet of the boundaries of the proposed subdivision.
17. A lot and street layout with lots and blocks numbered consecutively with the dimensions of all lots to the nearest foot and the acreage in each lot displayed.
18. The location of and preliminary engineering from any existing or proposed sewers, water mains, culverts, storm drains, sidewalks, gutters, fire hydrants and the sizes and types thereof, along with the width and depth of pavement or sub-grading to be provided, the depth of burial of all under-ground lines, pipes and tubing and typical cross sections of the proposed grading of roadways and sidewalks.
19. The preliminary engineering design and construction features for any bridges, culverts or other drainage structures to be constructed.
20. The topography of the proposed subdivision at two (2) foot contour intervals for predominant ground slopes up to five (5) percent grade and five (5) foot contours for predominant ground slopes within the site that are over five (5) percent grade. Upon request of and at the discretion of the County Planner, alternate contour intervals can be used for all or part of a site where special slope or other conditions prevail. Elevations shall be based on National Geodetic Survey sea level data.
21. The delineation of any known identified or designated areas where a flood statistically has a one (1) percent chance of occurring in any given year and localized areas subject to periodic flooding. Mitigation measures, if any, proposed to overcome the consequences of periodic inundation shall also be included in the submission. The distance between the mean identifiable high water mark of any creeks, streams or rivers and the nearest proposed development within the site shall also be shown.
22. The delineation of the geological characteristics of the area with evidence regarding the extent and intensity of any geological, radiological, seismic or other related hazards within or in close proximity to the proposed site. Mitigation measures, if any, proposed to overcome such geological, radiological, seismic or other hazards shall also be included in the submission.
23. Soil suitability and interpretation information developed from National Cooperative Soil Survey data and accompanied by a table of interpretation for the soil types shown on the soils map or equivalent qualified private research sources, along with a narrative description of the mitigating measures, if any, proposed to overcome soils limitations present on the site of the proposed subdivision.
24. Preliminary drainage, erosion and sedimentation control plans, as required.
25. Delineation of the type and extent of vegetative cover on the site.
26. All areas to be reserved for community or public uses and all areas to be dedicated to Huerfano County along with any other areas to be used for open space and a statement describing how such reserved, dedicated and open space lands shall be maintained.
27. Preliminary copies of the protective covenants to be filed with the final plat.
28. Evidence that the proposed system for the disposal of sewage will comply with State of Colorado and regional health department statutes, regulations and design requirements and that the proposed method is

both technically feasible and environmentally sound. The peak capacity of the sewage treatment system shall be provided if a centralized collection and treatment system is proposed.

29. Evidence from the Colorado Division of Water Resources that the proposed system for the supply of potable water would be sufficient in terms of quantity, quality, dependability and pressure to provide adequate water supply to the proposed subdivision. The peak capacity of the proposed water supply system shall be provided if a centralized distribution system is proposed.

30. Where water supply or sewage collection and treatment is to be provided by an already existing centralized system, a letter of preliminary commitment from the owner(s) of that system or their duly authorized agent(s), stating that there now exists or will exist sufficient system capacity to supply the needs of the proposed subdivision and that the owners of the system are willing and able to provide the proposed water supply or sewage collection and treatment services.

31. Information regarding the relationship of the proposed location of the subdivision to any critical wildlife habitat and wildlife migration corridors and proposed mitigation measures to preserve such habitat and corridors and measures to be employed to reduce the impact of future human settlement on such wildlife habitat and migration corridors.

32. Information regarding the relationship of the proposed location of the subdivision to any historical or archeological resources and proposed mitigation measures to preserve such resources and measures to be employed to reduce the impact of future human settlement on these historical and archeological resources.

33. A preliminary development schedule for required and proposed improvements, including the estimated construction cost and the proposed method(s) of financing.

34. A discussion of any special districts that would be created wholly or partly within the proposed subdivision, listing the proposed boundaries of the service district and what services it would provide.

35. A preliminary phasing plan when the proposed subdivision would be developed in more than one phase.

36. ~~Other such information and submittal items as the Planning Commission or the Board of County Commissioners may reasonably request. Other such information and submittal items as the Planning Commission or the Board of County Commissioners may reasonably request to review and act upon the preliminary plan.~~

~~2.09.02 (36) & 2.09.03 (25) preliminary and final plat submittals. Other such information and submittal items as the Planning Commission or the Board of County Commissioners may reasonably request. t. review and act upon the preliminary plan to.~~

2.09.02 Preliminary Plan/General Submission

...

Preliminary plans approved by the Board of County Commissioners shall remain valid for ~~one (1) year~~ eighteen (18) months following the date of their approval, unless an extension of up to one (1) additional year is granted by the Board of County Commissioners, upon submission of a written request for such extension by the applicant, prior to the expiration of the initial preliminary plan. Any preliminary plan submitted for a proposed subdivision for which the previous preliminary plan approval has expired shall be considered a new preliminary plan and shall require a new application and filing fee.

...

2.09.03 Final Plat/Final Submission

...

Final plats shall be submitted to the Planning Commission for action within eighteen (18) months after the date that a preliminary plan for the same proposed development was granted approval by the Board of County Commissioners, except that one extension of up to an additional eighteen (18) months may be

granted by the Board of County Commissioners upon the submission of a written request for such extension by the applicant prior to the expiration of the initial eighteen (18) month period. Failure to submit an acceptable final plat within this allowable time period or extension period, if granted, shall require that an applicant resubmit a preliminary plan with the appropriate filing fees and associated materials.

...

2.14 AMENDMENTS TO APPROVED AND RECORDED PLATS

The re-subdivision of land or substantial changes to a recorded plat shall be considered a subdivision or the subdivision of land and shall be subject to the subdivision and other applicable provisions of these regulations. Minor changes to an approved and recorded plat shall not be considered a subdivision of land within the intent and definitions of these regulations, so long as the minor changes are not undertaken for the purposes of circumventing these subdivision regulations and so long as the minor changes do not include modifications which significantly alter the intended land uses, density, number of lots, circulation system, dedicated land or encompass more than twenty-five (25) percent of the land included ~~within an overall site~~ within an approved and recorded subdivision. Specifically included within the scope of minor changes are the following actions: the adjustment and revision of lot lines, the re-platting of lots, the reconfiguration of dedicated streets and easements and reserved sites, along with similar minor changes to an approved and recorded plat, so long as the minor changes create no nonconforming lots, nor significantly alter street and road locations, drainage easements or violate the subdivision design standards contained herein. If more than three new lots are created, Staff analysis of impact and recommendation on whether it should be an amendment or subdivision to PC for determination on how to treat the application.

Referral agencies: HOA/POAs, Utilities, Fire Dept. and other agencies reasonably expected to be impacted as determined by staff, Planning Commission or County Commissioners.

2.14.01 Procedures for Amendment

Process Summary:

1. If more than three new lots are created, PC recommendation on whether to treat application as subdivision or plat amendment.
2. Full application submitted; Staff determines completeness, routes to relevant referral agencies and schedules public meeting/public hearing with PC and prepares staff report
3. PC public hearing meeting and recommendation
4. BOCC public meeting hearing and decision

Applicants wishing to amend an approved and recorded plat shall submit to the Planning ~~Commission~~ Department an application on a form supplied by the County, the appropriate submittal materials and the required filing fees. Applications to amend an approved and recorded plat shall be reviewed by the Planning Commission following the submission of the required materials. Upon closing the public meeting, the Planning Commission shall make a recommendation on the application for the amendment of an approved and recorded plat and transmit the application to the Board of County Commissioners for a decision. The Board of County Commissioners shall consider the application at a regularly scheduled meeting following, ~~at their discretion, the submission of the application to any appropriate review agencies and interested parties,~~ and the decision of the Board shall be recorded in the minutes of the meeting and



transmitted in writing to the applicant. Applications that are denied by the Board of County Commissioners shall result in a statement to the applicant giving the reason for the denial.

2.14.02           Submission Requirements

Submission requirements for an application to amend an approved and recorded plat include a completed application, the appropriate filing fees and the following items:

1. Proof of ownership of the lot(s), parcel(s) or subdivision plat to be amended and evidence that the applicant, if not the owner, has full legal authority to act on behalf of the owner.
2. A copy of the approved and recorded final plat along with drawings done to the same scale as the recorded final plat indicating the amendment(s) proposed to be made to the approved and recorded plat. The drawings submitted with the recorded final plat shall meet all requirements for the preparation of a final plat and be suitable for recording in the office of the County Clerk and Recorder. The drawings shall also show the location of all structures, streets, rights-of-way and easements within the area of the proposed plat
3. A narrative statement describing the proposed changes to the approved and recorded final plat and providing an explanation of why the proposed changes should be approved by the Planning Commission and the Board of County Commissioners. Included with the narrative statement shall be the acreage or square footage of all lots before and after adjustment, a legal description of each lot ~~before and after adjustment~~ and a statement of the current zoning of all portions of the plat to be amended.
4. Applications for amendment of an approved and recorded plat submitted to correct minor surveying or drafting errors shall be accompanied by an affidavit by a Colorado licensed land surveyor attesting to the changes that have been made in the previously approved and recorded final plat.
5. The Planning Commission may, at its discretion and upon written request by an applicant, waive any but not all of these submission items listed above, and the Planning Commission may also, at its discretion, add such submission items as it deems necessary and appropriate to evaluate and recommend upon any application for a plat amendment submitted to it. The Planning Commission may also submit the application for review to such referral agencies and interested parties as it reasonably sees fit.

2.15 VACATION

2.15 VACATING OF APPROVED AND RECORDED PLATS, ROADS OR EASEMENTS

Applicants may apply for the vacating of any plat, road, easement or portion thereof so long as the plat, road, easement or portion thereof has been filed and recorded in the office of the Huerfano County Clerk and Recorder.

Process Summary:

Staff determines completeness, routes to relevant referral agencies and schedules & posts notices for public meeting /public hearing with PC and prepares staff report

1. PC public meetinghearing and recommendation
2. Public Notices go out (If public hearing requested for lot consolidation)

3. BOCC public hearing and decision (public hearing optional for lot consolidations).

2.15.01 \_\_\_\_\_ Procedures for Vacating Plats, Roads and Easements

1. Applications to vacate approved and recorded plats, roads, easements or portions thereof shall be accompanied by an application form provided by Huerfano County, by the appropriate submittal materials listed in 2.15.02. and by the necessary filing fees. Copies of the vacating submittal materials shall be submitted to the school district and any other special purpose districts in which the proposed vacating is located along with all utility companies and municipalities potentially affected by the proposed vacating. Additional referral agencies may be contacted by the Planning Commission, at its discretion. All referral agencies shall be allowed a review period, or the extension period shall be deemed an approval by referral agencies, twenty-one (21) days from the receipt of the referral materials to report their findings and/or recommendations to the County, and an additional twenty-one (21) day extension period with the approval by a majority vote of the Planning Commission. Failure to respond within the original review period or the extension period shall be deemed a de facto approval by referral agencies.

2. At least ten (10) days prior to a joint public hearing scheduled before the Planning Commission and the Board of County Commissioners to consider a vacating application, a notice of the joint public hearing shall be published in a legal publication in Huerfano County. Publication of said notice(s) shall follow a form prescribed by the County and publication of the notice is the responsibility of the applicant. In compliance with Huerfano County Resolution 78-33, applicants shall be billed directly by the newspaper publisher and shall submit proof of publication of the notice and proof of payment for publication with the Planning Commission before said hearing can take place.

3. Notice: All listed owners of record of properties within 1,320 feet in the Agricultural Zone District, or of adjacent properties in other zones, as well as all identified mineral estate owners identified, shall be notified by certified mail and all registered addresses in the same radius shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. The Planning Commission may expand notification requirements to include identified properties that have the potential to be impacted by the proposal, by majority vote.~~At least ten (10) days prior to a joint public hearing scheduled before the Planning Commission and the Board of County Commissioners to consider a vacating application, a notice of the joint public hearing shall be published in a legal publication in Huerfano County. Publication of said notice(s) shall follow a form prescribed by the County and publication of the notice is the responsibility of the applicant. In compliance with Huerfano County Resolution 78-33, applicants shall be billed directly by the newspaper publisher and shall submit proof of publication of the notice and proof of payment for publication with the Planning Commission before said hearing can take place. Applicants will be billed by the county for costs associated with public noticing.~~

~~In addition, the applicant County shall also mail a written notice of said hearing(s) or meeting(s) by certified or registered mail, return receipt requested, at least ten (10) days prior to the Planning Commission hearing date to owners of record of all property adjacent to or within the property where the proposed vacating is located and to owners of record of all property located within five hundred (500) feet of the boundaries of the property in question. Pursuant to C.R.S. § 24-65.5-103 (2) (a) The applicant shall identify the mineral estate owners entitled to notice pursuant to this section by examining the records in the office of the County Tax Assessor and Clerk and Recorder. The notice shall include a vicinity map, a~~

short narrative describing the proposed action and an announcement of the date, time and location of the scheduled hearing.

4. Applications for vacating shall be processed as a final submission except as otherwise provided for in this Section 2.15.

Applications for vacating may be initiated by:-

~~03. The~~ owner of record or duly authorized agent of any owner of record of any approved and recorded plat or easement. ~~01. The~~ Board of County Commissioners and

~~02. The~~ Huerfano County Planning Commission may also initiate a vacation of land.

### 3.07 SUBMITTAL REQUIREMENTS FOR PROPOSED PUDS

Applications for a PUD approval shall include, in addition to a completed application on a form provided by Huerfano County and the appropriate filing fees, the following items. ~~Staff The Planning Commission~~ may, at its discretion and upon written application by an applicant, waive any but not all of these items. The Planning Commission may ~~also~~, by majority vote, add such submission items as it deems necessary and appropriate to evaluate and recommend upon any application for the issuance of a PUD approval.

### 3.08 PROCESSING PROCEDURES FOR SUBDIVISION AND NON-SUBDIVISION PUDS

#### Process Summary:

1. Staff determines completeness, routes to relevant referral agencies, schedules public meeting with PC and prepares staff report→
2. PC public hearing meeting and recommendation
3. Schedule and post notices for BOCC public hearing
4. BOCC public hearing and decision

The review and processing procedures for non-subdivision PUD development plans shall be as specified in the County’s Common Land-use Procedures and Requirements for Preliminary Submission, of these regulations. In the event that a conflict or inconsistency exists between the procedures and requirements contained the County’s Common Land-use Procedures and in these regulations, the procedures contained herein in these PUD regulations shall prevail.

## Section 12 Submittal Copies

Repeal Section

### 14.04 SIGN PERMIT PROCEDURES

Applications for sign permit shall be made to the County Building Inspector who shall, except as specified otherwise herein, administer this sign code. Upon payment of the required application fee and the submission of the required application materials, the County Building Inspector shall decide, on the basis of the provisions contained herein, whether to issue a sign permit, whether to deny the permit.

#### 14.04.01 Submittal Requirements

Applications for a sign permit shall include, in addition to the application fee and an application on a form supplied by Huerfano County, a legibly done rendering, in ink, fully dimensioned, showing the sign message and a site plan showing the location, setbacks, height, construction materials and sign are of all proposed signs and sign alterations. ~~For signs not expressly included within the scope of this code, The Planning Commission will review the application at a public meeting and may, at its discretion, and by majority vote, require additional information for sign applications submitted to it for review.~~

14.04.02 Permit Issuance by the County Building Inspector

Sign permit applications meeting the requirements contained herein shall be approved by the County Building Inspector so long as such applications do not expressly require Planning Commission approval as described in 14.04.03.

Sign permit applications failing to meet the requirements contained herein shall be denied by the County Building Inspector.

14.04.03 Permit Review, Denial and Issuance by the Board of Adjustment ~~and the Planning Commission~~

Any person denied a sign permit by the County Building Inspector may ~~seek a variance by~~ appealing that decision to the Board of Adjustment within sixty (60) days of the denial. ~~The Planning Commission shall review all sign applications for signs not otherwise expressly included within the scope of this code.~~ For sign code appeals and the applications brought before them, the board of Adjustment ~~and the Planning Commission~~ shall base their actions on the following criteria:

1. ~~That there exists a clear and reasonable need for the sign at the proposed location~~ That the location, character and other features of the proposed sign are consistent with the applicable provision of these regulations, or that the proposed sign poses no significant nuisance.  
-
2. ~~That the type, style, size and other characteristics of the proposed sign are consistent with the character of the proposed location.~~ That the sign doesn't contain any profanity, vulgarity or hate speech or other non-protected speech.
3. ~~That the benefits that the sign would provide to residents of Huerfano County and the motoring public outweigh any esthetic or other negative impacts of the proposed sign.~~
4. ~~That the location, character and other features of the proposed sign are consistent with the applicable provision of these regulations~~ 3. That the proposed sign poses no significant nuisance.  
~~—That the sign doesn't contain any profanity, vulgarity or hate speech or other non-protected speech.~~

**Marijuana Conditional Use Permits 18.**

**Process Summary:**

1. Staff determines completeness, routes to relevant referral agencies and schedules public meeting with PC and prepares staff report
2. PC public meeting and recommendation
3. Public Noticing
- 2.4. BOCC public hearing and decision

18.04.01 Time of application and operation.

18.04.01.01 Annual Compliance Reviews shall be performed by the Building Department Board of County Commissioners, or its designees, and no later than 30 days following the anniversary date of the issuance of a Commercial Building Permit.

18.04.02.03 When determined necessary by the Building Inspector, Commercial Marijuana Facilities shall be equipped with an automatic fire sprinkler system, meeting the commercial building standards adopted by Huerfano County at the time of construction.

~~Consider adding a county licensing process in addition to CUP process in order to improve ongoing oversight with annual renewal requirements.~~

#### 18.06 FEES

18.06.01 Initial Review Fee: \$400, non-refundable.

Fee shall be paid when the application is submitted to the Land-Use Department.

18.06.02 Application Fee: \$1,300, non-refundable. Operating Fee: \$10,000 Fees shall be paid prior to the Planning Commission's completeness review. This operating fee shall be utilized by Huerfano County to cover any costs to the County associated with the review and enforcement of said Conditional Use Application or Permit. This fee may include, but shall not be limited to, outside review agencies, staff inspections & enforcement, and professional services. Staff expenses related to CUP and inspections not limited to those related to any actual or perceived violation. Subject to forfeiture in the event that the terms of the CUP isare violated. Can be used to cover the cost of any fines assessed to CUP holder. Following the first or any subsequent annual compliance reviews, the Applicant may request a reimbursement of any unused operating fees.

## Clean Copy of Changes to Processes by application type

### 1.03.02 District Characteristics and Requirements

The districts enumerated in Section 1.03.01 shall have the following characteristics and specifications:

#### A Agricultural District

This district is created for the purpose of protecting the productive agricultural lands of Huerfano County and preserving the visual and cultural values, historical and archeological features and critical wildlife habitat associated with the scenic vistas, natural topography and agricultural lifestyles in rural, unincorporated areas of Huerfano County.

- Minimum district size: 40 acres
- Minimum lot area: 35 acres
- Minimum lot width: 200 feet
- Front yard setback: 60 feet
- Side yard setback: 25 feet
- Rear yard setback: 30 feet
- Maximum structure height: Refer to Comprehensive plan, page 4, “Residential Use”
- Minimum dwelling size: 600 square feet
- Maximum lot coverage: 15 percent

For uses allowed by right, conditional uses and prohibited uses see Section 1.05.

#### RR Rural Residential District

This district is created for the purpose of allowing the establishment of moderate density rural residential development in predominantly agricultural and rural areas of unincorporated Huerfano County without compromising or otherwise significantly changing the visual, scenic and other natural characteristics of the surrounding area and providing as necessary for the protection of critical wildlife habitat.

- Minimum district size: 20 acres
- Minimum lot area: 2 acres
- Minimum lot width: 100 feet
- Front yard setback: 20 feet
- Side yard setback: 10 feet
- Rear yard setback: 20 feet
- Maximum structure height: 40 feet (refer to Comprehensive plan, page 4, “Residential Use”)

#### 1.04.01 Variances

Variances from various provisions of this zoning regulation are heard by and decided by the Board of Adjustment. See Section 9.02

#### Process Summary

1. Staff reviews application for completeness, notifies relevant referral agencies and prepares staff report
2. Public noticing
3. → BOA Public Hearing and decision

9.02.02 (4)

4. Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property existing at the time of enactment of these regulations, or by reason of exceptional topographic conditions or other extraordinary or exceptional physical characteristics or conditions of such piece of property not created by the applicant, or due to unique characteristics of the proposed project, subsequent to the adoption of these regulations or previously adopted County zoning regulations, the strict application of any zoning regulation or provision therein would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, then the Board of Adjustment shall have the authority, upon an appeal relating to said property, to authorize a variance from such strict and literal application so as to relieve such difficulties or hardship. Such relief shall be granted, however, without substantial detriment to the public good or neighborhood character, and without altering or impairing the intent and purpose of the zoning regulations and other provisions contained within State or County regulations. The Board shall not, however, have the power to grant variances from the uses prohibited or allowed conditionally by special review for the zoning district involved.

9.02.03 Submittal Requirements for Appeals and Variances

1. Applicants appearing before the Board of Adjustment shall submit the following submittal materials and all other materials as the County Planner or the Board of Adjustment may deem necessary. These submittal requirements are in addition to those specified in Section 9.02.04, Application and Appeals Procedures, of these regulations.

01. A full and accurate legal description of the land involved in the appeal action.

02. A plot plan showing the existing and proposed location of all structures, uses, zoning district boundaries and setbacks on the land involved in the appeal action.

03. Proof of ownership of the property or written evidence of authority to act on behalf of the lawfully demonstrated owner of the property.

04. A list of Names of owners of record and physical addresses of all property adjacent to the property in question and all adjacent mineral rights owners and lessees and easement holders, as shown on the records of the Huerfano County Assessor. See Section 9.02.04, Appeals Procedures, below.

05. Payment of the cost of publication of the mailed and published public hearing notices.

06. Letter of Intent describing regulation from which a variance is being requested, why requested variance is necessary, and how such variance request meets criteria for a variance described in 9.02.02 (4).

07. A letter of intent addressing criteria described in 9.02.02 and 9.02.04 (4)

2. Items in Section 9.02.03 numbers .04, .05, and .06, above, need to be submitted at the time of application .

9.02.04 Appeal and Application Procedures

1. Appeals to the Board of Adjustment may be made by any person(s) aggrieved by an inability to obtain a building permit or by the decision or interpretation of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of these zoning regulations. Appeals to the Board shall be made within thirty (30) days of the order, requirement, decision, interpretation or refusal alleged to have occurred or to be in error. Applications to the Board of Adjustment may also be made by persons, organizations or corporations for variances from zoning setback requirements and other circumstances for which a variance may be obtained.

2. The Board shall hold a public hearing on all applications for variances and appeals. Prior to such public hearing scheduled before the Board of Adjustment a notice of public hearing shall be published in a legal publication in Huerfano County at least ten (10) days before the scheduled date of the public hearing. Publication of such notice shall follow a form prescribed by the County and publication of the notice, which shall specify the time and place of the hearing and location of the land subject to the hearing. Applicants shall be billed by the County for costs associated with noticing.
3. All listed owners of record of adjacent properties shall be notified by certified mail and all registered addresses of adjacent properties shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. This mailed notice shall also be sent to all adjacent mineral rights owners and lessees and easement holders, as shown on the records of the Huerfano County Assessor and identified in the application by the applicant, and the notice shall include a vicinity map, a short narrative describing the relief sought and an announcement of the date, time and location of the scheduled hearing.
4. All applications and appeals to the Board of Adjustment shall be in writing and on such forms as shall be prescribed by the Board and the appropriate filing fee shall accompany the application. Every application or appeal shall state what provision(s) of the zoning regulation is/are involved, what relief from the provision(s) is being sought, and the grounds on which the relief should be granted to the applicant. The chairman of the Board, or his appointed designee, shall call a meeting of the Board scheduled to take place within fifteen (15) days of the submission of the required submittal materials.
5. Upon reaching a decision in the manner described above, the Board of Adjustment or its authorized agent shall notify applicant(s) in writing ten (10) working days after the Board of Adjustment takes action on an appeal brought before it.

1.05 USES ALLOWED BY RIGHT, CONDITIONAL USES AND PROHIBITED USES IN ZONING DISTRICTS

Table 1 on the following pages indicates which land uses are allowed by right, which are conditional uses and which are prohibited uses in the zoning districts listed in Section 1.03.01 and described in Section 1.03.02. Uses not listed are considered to be conditional uses. See Section 1.06 on conditional use provisions and Section 1.07 on uses not itemized.

**Table 1**  
**Uses allowed by Right. Conditional Uses and Prohibited Uses by Zoning District**

R = Use Allowed by Right      C = Conditional Use      P = Use Prohibited

<i>Zoning District</i>	<i>AA</i>	<i>RR</i>	<i>UR</i>	<i>C I</i>	<i>Regulatory Reference</i>
.01 Up to two dwelling units on a single parcel of land	R	R	R	R C	1.06



.02	Three to six dwelling units on a single, parcel of land.	C	C	R	R C	1.06
.03	Over six dwelling units on a single parcel, including: Multiple family dwelling, co-housing facilities, condominiums or employee housing.	C	C	C	R C	1.06
.04	(Reserved)					
.05	Individual mobile homes and mobile home parks	P	P	P	C P	N/A
.55	Manufacture, fabrication or processing of all materials not otherwise listed and which will not cause excessive noise, heat, dust, fumes or other adverse consequences	C	P	P	C R	1.06
.63	Commercial/medical Marijuana cultivation facility	C	P	P	C C	Section 18
66	Any use not listed in this table	C	C	C	C C	

1.06 CONDITIONAL USE APPROVAL AND APPROVAL AMENDMENT PROVISIONS

...

1.06.01 Submittal Requirements

Application for a conditional use approval for a conditional use shall require submission a) of an application on a form provided by Huerfano County, b) submission of a Letter of Intent and c), submission of a Site Plan. These submissions shall be made to the Planning Department and staff shall determine that applications are ready for formal review and processing.

1.06.01 (2)

...

The appropriate filing fees shall accompany the submission of these above materials. The Director may waive any but not all of the above submission requirements in cases where provision of the specified items would prove unnecessarily burdensome or inappropriate. The Planning Commission may vote to continue a public hearing in order to permit applicant time to prepare and submit additional information deemed necessary to make a recommendation. The Planning Commission may require additional documentation, including any requirements listed above that were waived by the Director before making a decision.

1.06.02 Procedures for Referral, Review and Action on an Application for a Conditional Use Approval

**Process Summary:**

1. Staff determines completeness, routes to relevant referral agencies and schedules public meeting with PC and prepares staff report
2. Planning Commission public meeting and recommendation
3. Public noticing
4. Board of County Commissioners public hearing and decision.

1. Upon proper and adequate submission of the appropriate application form, fees and other submittal materials as specified in Section 1.06.01, the Planning Commission shall consider at a regular or special public meeting the conditional use application. All listed owners of record of properties within 1,320 feet in the Agricultural Zone District, or of adjacent properties in other zones shall be notified by certified mail and all registered addresses in the same radius shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. The Planning Commission may expand notification requirements to include identified properties that have the potential to be impacted by the proposal, by majority vote.

In addition, the applicant shall cause to have posted on the property in question, in a conspicuous location, a sign supplied by Huerfano County, stating the time, date, location and subject of the hearing. Such sign(s) shall be posted at least ten (10) days before the scheduled date of the hearing.

These public due process notification and proof of notification procedures shall apply to all public hearings conducted by Huerfano County for actions included within these regulations.

2. Upon the closing of the public meeting, the Planning Commission shall make a recommendation on the application for a conditional use to the Board of County Commissioners, recommending approval, denial or conditional approval. The Planning Commission shall forward its recommendation and any records of the hearing to the Board within ten (10) working days of its action.

Within thirty (30) days of receiving such materials the Board of County Commissioners shall consider the recommendation at a regular or special session of the Board and shall act to approve, deny or conditionally approve the application, including notice whether there shall be a time period for review of compliance with any approval conditions.

3. When a conditional use application has a potential impact on any of the referral agencies listed in 8.04.01 (4), staff will route the application for referral review and comment. The referral review and comment period shall be for a period of time of up to thirty (30) days from the date materials are received for review..

## 1.18 Rezoning

### 1.18.01 General Information

Applications to rezone or change the zoning classification of a parcel or parcels of land shall be treated as proposed amendments to this zoning regulation and such applications also shall comply with the common procedures described in these regulations. Applications for rezoning shall be accompanied by an application form provided by Huerfano County, by the appropriate submittal materials and by the necessary filing fees.

#### **Process:**

1. Staff determines completeness, routes to relevant referral agencies and schedules public meeting with PC and prepares staff report→
2. PC public meeting and recommendation
3. Noticing for public hearing
4. BOCC public hearing and decision..

### 1.18.02 Special Rezoning Requirements and Provisions

All listed owners of record of adjacent properties shall be notified by certified mail and all registered addresses in the same radius shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. The Planning Commission may expand notification requirements to include identified properties that have the potential to be impacted by the proposal, by majority vote.

Applicants will be billed by the county for costs associated with public noticing.

In addition, the applicant shall also post notice on the property for which the rezoning is requested at least ten (10) days prior to a public hearing scheduled before the Planning Commission and indicating information on the public hearings scheduled with both the Planning Commission and the Board of County Commissioners.

Applicant shall post notice on the property; such notice shall follow a form prescribed by the County and shall consist of at least one sign facing each adjacent public right-of-way. Such signs shall measure at least three (3) feet by four (4) feet, the size of all letters shall be at least two (2) inches high and the signs shall be erected on posts no less than four (4) feet nor more than six (6) feet above ground level.

Written notice of said hearing(s) shall be sent by registered mail, return receipt requested, at least ten (10) days prior to a Planning Commission or Board of County Commissioners hearing date to owners of record of all property adjacent to the property proposed for rezoning. The notice shall include a vicinity map, a short

narrative describing the current zoning, the proposed rezoning and the nature of the proposed land use change along with announcement of the date, time and location of the scheduled hearing.

Rezoning applications may be initiated by any citizen or group of citizens, association, partnership or corporation owning or leasing property or residing in Huerfano County or by a representative or agent with written power of attorney from one of the above parties to initiate the application.

The Board of County Commissioners and the Huerfano County Planning Commission may also initiate a rezoning.

#### 1.18.03 Submittal Requirements

Applications for rezoning shall include a Letter of Intent and a Site Plan providing the information required in Section 1.06.01 for a conditional use review. Additionally, the following items shall be submitted with an application::

Required attachments:

1. The source and quantity of water required for the proposed use(s) within the area to be rezoned.
2. The method of wastewater treatment and anticipated quantity of wastewater generated.
3. When water or wastewater service would be provided by a municipality or a water or sanitation or water and sanitation district or other public entity, written confirmation that the public entity in question is willing and able to provide the service in question.
4. A description of any natural or man-made hazard within or in the vicinity of the land proposed for rezoning and a statement describing how the anticipated impact of such hazards will be mitigated.
5. A legal description of the property to be rezoned.
6. A vicinity map showing to scale the proposed area to be rezoned in relationship to the surrounding area within a distance of two (2) miles from the boundaries of the proposed rezoning.
7. A graphic description of all natural and manmade water courses, retention areas, streams, lakes and known one hundred (100) year flood plains on or adjacent to the property along with all areas in the proposed rezoning with a slope of twenty (20) percent or greater.
8. A description of any critical wildlife habitat and migration corridors and unique natural features, such as historical sites, unique land forms or scenic vistas contained within the land proposed for rezoning.
9. Explanation of how proposal is consistent with the Comprehensive Plan.
10. Any additional information requested by staff or Planning Commission.

#### 1.18.05 Criteria for Action on a Rezoning Application

All actions by the Planning Commission in reviewing and making recommendations on a rezoning application and by the Board of County Commissioners in approving or disapproving such application shall be based in general upon the provisions of these regulations and specifically on the following additional criteria:

1. That the existing zoning district is consistent with the goals, objectives and policies of Huerfano County, as contained in the County Comprehensive Plan and other adopted planning documents.
2. That the land proposed for rezoning or adjacent land has changed or is changing to a degree such that it is in the public interest to encourage different densities or uses within the land in question.
3. That the proposed rezoning is needed to provide land for a demonstrated community need or service.

In any petition for rezoning, the petitioner shall carry the burden of demonstrating that the land in question should be rezoned and that the advantages resulting from rezoning would outweigh any disadvantages that would result. Nothing contained herein shall, however, be construed as limiting in any way the authority of the Board of County Commissioners to rezone any land within unincorporated Huerfano County or otherwise amend this zoning regulation for any reason consistent with the health, welfare or safety of the residents of Huerfano County.

## 2.09 SUBMITTAL REQUIREMENTS FOR PROPOSED SUBDIVISIONS

Applications for approval of a subdivision shall include, in addition to a completed application on a form provided by Huerfano County and the appropriate filing fees, the following items. The Planning Commission may, at its discretion and upon written application by an applicant, waive any of these items not required by the laws of the State of Colorado, and the Planning Commission may also, at its discretion, add such submission items as it deems necessary and appropriate to evaluate an application for a subdivision.

### Process Summary:

OneTwo public hearing for each phase – Sketch Plan, Preliminary Plan, and Final Plat:

1. Staff determines completeness, routes to relevant referral agencies and schedules & posts notices for public meeting with PC and prepares staff report
2. PC public meetinghearing and recommendation
3. Public Noticing
4. BOCC public hearing and decision

Public Notice: Public noticing requirements shall apply for each public hearing involved in the subdivision process. At least ten (10) days prior to public hearings for the Sketch Plan, Preliminary Plan and Final Plat, the County shall send notice to property owners by certified mail and to listed physical addresses by regular mail to properties within 1320 feet of the boundaries of the proposed subdivision for properties zoned Agricultural, or 500 feet for properties in all other zones; This distance provision may be expanded up to twenty-five hundred (2,500) feet, or to include identified properties that have the potential to be impacted by the proposal by majority vote of the Planning Commission in the case of large subdivisions and when other special circumstances so warrant.

### 2.09.02 Preliminary Plan/General Submission

The preliminary plan shall incorporate all modifications of and changes to the sketch plan agreed to by the applicant, the Planning Commission and the Board of County Commissioners. The purpose of a preliminary plan is to review the proposed subdivision in the context of the technical requirements, design standards and improvement requirements of Huerfano County and the various other terms and provisions of these regulations to ensure the compatibility of the proposed subdivision with these considerations and with the current and anticipated or desired future land use patterns within and in the vicinity of the proposed subdivision. Detailed review of a preliminary plan at the general submission stage provides

further evidence of compliance or lack of compliance of the proposed subdivision with the comprehensive plan and other provisions of State & Local Regulations, along with the policies and plans of other public and quasi-public agencies in Huerfano County.

Preliminary plans shall be prepared by appropriately qualified persons in a clear and legible manner on reproducible stock in a manner acceptable to the Planning Commission and at a scale of one (1) inch to one hundred (100) or two hundred (200) feet or another scale approved by the County Planner. In the case of large proposed subdivisions requiring more than one sheet at such scale, a reproducible composite measuring not more than twenty-four (24) inches by thirty-six (36) inches and showing the total area at an appropriate scale shall also be submitted.

Preliminary plans approved by the Board of County Commissioners shall remain valid for one (1) year following the date of their approval, unless an extension of up to one (1) additional year is granted by the Board of County Commissioners, upon submission of a written request for such extension by the applicant, prior to the expiration of the initial preliminary plan. Any preliminary plan submitted for a proposed subdivision for which the previous preliminary plan approval has expired shall be considered a new preliminary plan and shall require a new application and filing fee.

A preliminary plan shall require the following information:

1. The name(s) and address(es) of the property owner(s) and of the applicant(s), if other than the owner(s), and the person(s) preparing the preliminary plan submittal materials.
2. In the case of a corporate property owner or corporate applicant, evidence of registration or incorporation in the State of Colorado.
3. A copy of a current certificate from a title insurance company or an attorney licensed to practice law in the state of Colorado setting forth the names of all owners of property included within the proposed subdivision and a list of all mortgages, judgments, liens, easements, contracts and agreements of record which shall affect the property within the proposed subdivision.
4. The name or identifying title of the proposed subdivision.
5. The date of preparation of the preliminary plan, a north arrow and a written and graphic scale.
6. An accurate legal description of the property included within the proposed subdivision and the total acreage of the proposed subdivision.
7. The location of the proposed subdivision as a part of a larger subdivision, if any, and with reference to permanent survey monuments with a tie to a section or a quarter-section corner.
8. A location map showing the relationship of the proposed subdivision to the characteristics of the surrounding area along with the names of adjacent subdivisions and the current land uses and zoning districts within one (1) mile of the boundaries of the proposed subdivision.
9. A list from the County Assessor's office of current property owners of record and their complete mailing address as well as physical addresses for properties within five hundred (500) feet of the boundaries of the proposed subdivision. At the Planning Commission's discretion, this can be expanded to 1,320 feet and to include other properties likely to be impacted.
10. A list of the owners of subsurface mineral interests and their lessees, if any, on the proposed site and their complete mailing addresses.
11. Site data in chart form presenting the total number of proposed residential lots, the net size of the average (mean) lot, minimum lot size, maximum lot size, the types of land use proposed and the area of land proposed for each such land use.
12. The proposed sites, if any, for multi-family residential use, business use, commercial and industrial areas and other public and non-public uses exclusive of single family residential areas within the proposed subdivision.
13. The total number of projected square feet of non-residential floor space to be included within the proposed subdivision.
14. The current zoning districts on the site and any zoning changes to be requested.
15. The location and principal dimensions of all existing and proposed streets, alleys, roads, easements, off-street parking areas, watercourses, streams, ponds and other significant features of the natural and manmade landscape within and adjacent to the proposed subdivision. Such features should be labeled by

their proper names, when such names exist or are known, and the use of all should be clearly shown. All streets and access easements must have proposed names for addressing according to the County's emergency systems. All roads & access names must be approved in writing by the Huerfano County Land Use Department before the final plat is submitted.

16. The location and current and proposed future uses of all buildings and other structures in and within one hundred (100) feet of the boundaries of the proposed subdivision.
17. A lot and street layout with lots and blocks numbered consecutively with the dimensions of all lots to the nearest foot and the acreage in each lot displayed.
18. The location of and preliminary engineering from any existing or proposed sewers, water mains, culverts, storm drains, sidewalks, gutters, fire hydrants and the sizes and types thereof, along with the width and depth of pavement or sub-grading to be provided, the depth of burial of all under-ground lines, pipes and tubing and typical cross sections of the proposed grading of roadways and sidewalks.
19. The preliminary engineering design and construction features for any bridges, culverts or other drainage structures to be constructed.
20. The topography of the proposed subdivision at two (2) foot contour intervals for predominant ground slopes up to five (5) percent grade and five (5) foot contours for predominant ground slopes within the site that are over five (5) percent grade. Upon request of and at the discretion of the County Planner, alternate contour intervals can be used for all or part of a site where special slope or other conditions prevail. Elevations shall be based on National Geodetic Survey sea level data.
21. The delineation of any known identified or designated areas where a flood statistically has a one (1) percent chance of occurring in any given year and localized areas subject to periodic flooding. Mitigation measures, if any, proposed to overcome the consequences of periodic inundation shall also be included in the submission. The distance between the mean identifiable high water mark of any creeks, streams or rivers and the nearest proposed development within the site shall also be shown.
22. The delineation of the geological characteristics of the area with evidence regarding the extent and intensity of any geological, radiological, seismic or other related hazards within or in close proximity to the proposed site. Mitigation measures, if any, proposed to overcome such geological, radiological, seismic or other hazards shall also be included in the submission.
23. Soil suitability and interpretation information developed from National Cooperative Soil Survey data and accompanied by a table of interpretation for the soil types shown on the soils map or equivalent qualified private research sources, along with a narrative description of the mitigating measures, if any, proposed to overcome soils limitations present on the site of the proposed subdivision.
24. Preliminary drainage, erosion and sedimentation control plans, as required.
25. Delineation of the type and extent of vegetative cover on the site.
26. All areas to be reserved for community or public uses and all areas to be dedicated to Huerfano County along with any other areas to be used for open space and a statement describing how such reserved, dedicated and open space lands shall be maintained.
27. Preliminary copies of the protective covenants to be filed with the final plat.
28. Evidence that the proposed system for the disposal of sewage will comply with State of Colorado and regional health department statutes, regulations and design requirements and that the proposed method is both technically feasible and environmentally sound. The peak capacity of the sewage treatment system shall be provided if a centralized collection and treatment system is proposed.
29. Evidence from the Colorado Division of Water Resources that the proposed system for the supply of potable water would be sufficient in terms of quantity, quality, dependability and pressure to provide adequate water supply to the proposed subdivision. The peak capacity of the proposed water supply system shall be provided if a centralized distribution system is proposed.
30. Where water supply or sewage collection and treatment is to be provided by an already existing centralized system, a letter of preliminary commitment from the owner(s) of that system or their duly authorized agent(s), stating that there now exists or will exist sufficient system capacity to supply the needs of the proposed subdivision and that the owners of the system are willing and able to provide the proposed water supply or sewage collection and treatment services.
31. Information regarding the relationship of the proposed location of the subdivision to any critical wildlife habitat and wildlife migration corridors and proposed mitigation measures to preserve such habitat

and corridors and measures to be employed to reduce the impact of future human settlement on such wildlife habitat and migration corridors.

32. Information regarding the relationship of the proposed location of the subdivision to any historical or archeological resources and proposed mitigation measures to preserve such resources and measures to be employed to reduce the impact of future human settlement on these historical and archeological resources.

33. A preliminary development schedule for required and proposed improvements, including the estimated construction cost and the proposed method(s) of financing.

34. A discussion of any special districts that would be created wholly or partly within the proposed subdivision, listing the proposed boundaries of the service district and what services it would provide.

35. A preliminary phasing plan when the proposed subdivision would be developed in more than one phase.

36. Other such information and submittal items as the Planning Commission or the Board of County Commissioners may reasonably request.

2.09.02 Preliminary Plan/General Submission

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Preliminary plans approved by the Board of County Commissioners shall remain valid for eighteen (18) months following the date of their approval, unless an extension of up to one (1) additional year is granted by the Board of County Commissioners, upon submission of a written request for such extension by the applicant, prior to the expiration of the initial preliminary plan. Any preliminary plan submitted for a proposed subdivision for which the previous preliminary plan approval has expired shall be considered a new preliminary plan and shall require a new application and filing fee.

...

2.09.03 Final Plat/Final Submission

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Final plats shall be submitted to the Planning Commission for action within eighteen (18) months after the date that a preliminary plan for the same proposed development was granted approval by the Board of County Commissioners, except that one extension of up to an additional eighteen (18) months may be granted by the Board of County Commissioners upon the submission of a written request for such extension by the applicant prior to the expiration of the initial eighteen (18) month period. Failure to submit an acceptable final plat within this allowable time period or extension period, if granted, shall require that an applicant resubmit a preliminary plan with the appropriate filing fees and associated materials. ...

2.14 AMENDMENTS TO APPROVED AND RECORDED PLATS

The re-subdivision of land or substantial changes to a recorded plat shall be considered a subdivision or the subdivision of land and shall be subject to the subdivision and other applicable provisions of these regulations. Minor changes to an approved and recorded plat shall not be considered a subdivision of land within the intent and definitions of these regulations, so long as the minor changes are not undertaken for the purposes of circumventing these subdivision regulations and so long as the minor changes do not include modifications which significantly alter the intended land uses, density, number of lots, circulation system, dedicated land or encompass more than twenty-five (25) percent of the land included within an approved and recorded subdivision. Specifically included within the scope of minor changes are the following actions: the adjustment and revision of lot lines, the re-platting of lots, the reconfiguration of dedicated streets and easements and reserved sites, along with similar minor changes to an approved and recorded plat, so long as the minor changes

create no nonconforming lots, nor significantly alter street and road locations, drainage easements or violate the subdivision design standards contained herein. If more than three new lots are created, Staff analysis of impact and recommendation on whether it should be an amendment or subdivision to PC for determination on how to treat the application.

Referral agencies: HOA/POAs, Utilities, Fire Dept, and other agencies reasonably expected to be impacted as determined by staff, Planning Commission or County Commissioners.

2.14.01 Procedures for Amendment

Process Summary:

1. If more than three new lots are created, PC recommendation on whether to treat application as subdivision or plat amendment.
2. Full application submitted; Staff determines completeness, routes to relevant referral agencies and schedules public meeting with PC and prepares staff report
3. PC public meeting and recommendation
4. BOCC public hearing and decision

Applicants wishing to amend an approved and recorded plat shall submit to the Planning Department an application on a form supplied by the County, the appropriate submittal materials and the required filing fees. Applications to amend an approved and recorded plat shall be reviewed by the Planning Commission following the submission of the required materials. Upon closing the public meeting, the Planning Commission shall make a recommendation on the application for the amendment of an approved and recorded plat and transmit the application to the Board of County Commissioners for a decision. The Board of County Commissioners shall consider the application at a regularly scheduled meeting following, and the decision of the Board shall be recorded in the minutes of the meeting and transmitted in writing to the applicant. Applications that are denied by the Board of County Commissioners shall result in a statement to the applicant giving the reason for the denial.

2.14.02 Submission Requirements

Submission requirements for an application to amend an approved and recorded plat include a completed application, the appropriate filing fees and the following items:

1. Proof of ownership of the lot(s), parcel(s) or subdivision plat to be amended and evidence that the applicant, if not the owner, has full legal authority to act on behalf of the owner.
2. A copy of the approved and recorded final plat along with drawings done to the same scale as the recorded final plat indicating the amendment(s) proposed to be made to the approved and recorded plat. The drawings submitted with the recorded final plat shall meet all requirements for the preparation of a final plat and be suitable for recording in the office of the County Clerk and Recorder. The drawings shall also show the location of all structures, streets, rights-of-way and easements within the area of the proposed plat
3. A narrative statement describing the proposed changes to the approved and recorded final plat and providing an explanation of why the proposed changes should be approved by the Planning Commission and the Board of County Commissioners. Included with the narrative statement shall be the acreage or square footage of all lots before and after adjustment, a legal description of each lot and a statement of the current zoning of all portions of the plat to be amended.



4. Applications for amendment of an approved and recorded plat submitted to correct minor surveying or drafting errors shall be accompanied by an affidavit by a Colorado licensed land surveyor attesting to the changes that have been made in the previously approved and recorded final plat.

5. The Planning Commission may, at its discretion and upon written request by an applicant, waive any but not all of these submission items listed above, and the Planning Commission may also, at its discretion, add such submission items as it deems necessary and appropriate to evaluate and recommend upon any application for a plat amendment submitted to it. The Planning Commission may also submit the application for review to such referral agencies and interested parties as it reasonably sees fit.

**2.15 VACATION**

**2.15 VACATING OF APPROVED AND RECORDED PLATS, ROADS OR EASEMENTS**

Applicants may apply for the vacating of any plat, road, easement or portion thereof so long as the plat, road, easement or portion thereof has been filed and recorded in the office of the Huerfano County Clerk and Recorder.

**Process Summary:**

Staff determines completeness, routes to relevant referral agencies and schedules & posts notices for public meeting /public hearing with PC and prepares staff report

1. PC public meetinghearing and recommendation
2. Public Notices go out (If public hearing requested for lot consolidation)
3. BOCC public hearing and decision (public hearing optional for lot consolidations).

**2.15.01 Procedures for Vacating Plats, Roads and Easements**

1. Applications to vacate approved and recorded plats, roads, easements or portions thereof shall be accompanied by an application form provided by Huerfano County, by the appropriate submittal materials listed in 2.15.02. and by the necessary filing fees. Copies of the vacating submittal materials shall be submitted to the school district and any other special purpose districts in which the proposed vacating is located along with all utility companies and municipalities potentially affected by the proposed vacating. Additional referral agencies may be contacted by the Planning Commission, at its discretion. All referral agencies shall be allowed a review period, or the extension period shall be deemed an approval by referral agencies, twenty-one (21) days from the receipt of the referral materials to report their findings and/or recommendations to the County, and an additional twenty-one (21) day extension period with the approval by a majority vote of the Planning Commission. Failure to respond within the original review period or the extension period shall be deemed a de facto approval by referral agencies.

2. At least ten (10) days prior to a joint public hearing scheduled before the Planning Commission and the Board of County Commissioners to consider a vacating application, a notice of the joint public hearing shall be published in a legal publication in Huerfano County. Publication of said notice(s) shall follow a form prescribed by the County and publication of the notice is the responsibility of the applicant. In compliance with Huerfano County Resolution 78-33, applicants shall be billed directly by the newspaper publisher and shall submit proof of publication of the notice and proof of payment for publication with the Planning Commission before said hearing can take place.

3. Notice: All listed owners of record of properties within 1,320 feet in the Agricultural Zone District, or of adjacent properties in other zones, as well as all identified mineral estate owners identified, shall be notified by certified mail and all registered addresses in the same radius shall be notified by regular mail at least ten (10) days prior to the scheduled hearing date and notice shall be posted in a newspaper of record at least ten (10) days prior to any public hearing. The Planning Commission may expand notification requirements to include identified properties that have the potential to be impacted by the proposal, by majority vote.

Pursuant to C.R.S. § 24-65.5-103 (2) (a) The applicant shall identify the mineral estate owners entitled to notice pursuant to this section by examining the records in the office of the County Tax Assessor and Clerk and Recorder. The notice shall include a vicinity map, a short narrative describing the proposed action and an announcement of the date, time and location of the scheduled hearing.

4. Applications for vacating shall be processed as a final submission except as otherwise provided for in this Section 2.15.

Applications for vacating may be initiated by

the owner of record or duly authorized agent of any owner of record of any approved and recorded plat or easement. The Board of County Commissioners and the Huerfano County Planning Commission may also initiate a vacation of land.

### 3.07 SUBMITTAL REQUIREMENTS FOR PROPOSED PUDS

Applications for a PUD approval shall include, in addition to a completed application on a form provided by Huerfano County and the appropriate filing fees, the following items. Staff may, at its discretion and upon written application by an applicant, waive any but not all of these items. The Planning Commission may, by majority vote, add such submission items as it deems necessary and appropriate to evaluate and recommend upon any application for the issuance of a PUD approval.

### 3.08 PROCESSING PROCEDURES FOR SUBDIVISION AND NON-SUBDIVISION PUDS

#### Process Summary:

1. Staff determines completeness, routes to relevant referral agencies, schedules public meeting with PC and prepares staff report→
2. PC public hearing meeting and recommendation
3. Schedule and post notices for BOCC public hearing
4. BOCC public hearing and decision

The review and processing procedures for non-subdivision PUD development plans shall be as specified in the County’s Common Land-use Procedures and Requirements for Preliminary Submission, of these regulations. In the event that a conflict or inconsistency exists between the procedures and requirements contained the County’s

Common Land-use Procedures and in these regulations, the procedures contained herein in these PUD regulations shall prevail.

**Section 12 Submittal Copies**

Repeal Section

14.04 SIGN PERMIT PROCEDURES

Applications for sign permit shall be made to the County Building Inspector who shall, except as specified otherwise herein, administer this sign code. Upon payment of the required application fee and the submission of the required application materials, the County Building Inspector shall decide, on the basis of the provisions contained herein, whether to issue a sign permit, whether to deny the permit.

14.04.01 Submittal Requirements

Applications for a sign permit shall include, in addition to the application fee and an application on a form supplied by Huerfano County, a legibly done rendering, in ink, fully dimensioned, showing the sign message and a site plan showing the location, setbacks, height, construction materials and sign are of all proposed signs and sign alterations.

14.04.02 Permit Issuance by the County Building Inspector

Sign permit applications meeting the requirements contained herein shall be approved by the County Building Inspector so long as such applications do not expressly require Planning Commission approval as described in 14.04.03.

Sign permit applications failing to meet the requirements contained herein shall be denied by the County Building Inspector.

14.04.03 Permit Review, Denial and Issuance by the Board of Adjustment

Any person denied a sign permit by the County Building Inspector may appeal that decision to the Board of Adjustment within sixty (60) days of the denial. For sign code appeals and the applications brought before them, the board of Adjustment shall base their actions on the following criteria:

1. That the location, character and other features of the proposed sign are consistent with the applicable provision of these regulations, or that the proposed sign poses no significant nuisance.
2. That the sign doesn't contain any profanity, vulgarity or hate speech or other non-protected speech.
3. That the proposed sign poses no significant nuisance

**Marijuana Conditional Use Permits 18.**

**Process Summary:**

1. Staff determines completeness, routes to relevant referral agencies and schedules public meeting with PC and prepares staff report
2. PC public meeting and recommendation

- 3. Public Noticing
- 4. BOCC public hearing and decision

18.04.01 Time of application and operation.

18.04.01.01 Annual Compliance Reviews shall be performed by the Building Department, , and no later than 30 days following the anniversary date of the issuance of a Commercial Building Permit .

18.04.02.03 When determined necessary by the Building Inspector, Commercial Marijuana Facilities shall be equipped with an automatic fire sprinkler system, meeting the commercial building standards adopted by Huerfano County at the time of construction.

18.06 FEES

18.06.01 Initial Review Fee: \$400, non-refundable.

Fee shall be paid when the application is submitted to the Land-Use Department.

18.06.02 Application Fee: \$1,300, non-refundable. Operating Fee: \$10,000 Fees shall be paid prior to the Planning Commission’s completeness review. This operating fee shall be utilized by Huerfano County to cover any costs to the County associated with the review and enforcement of said Conditional Use Application or Permit. This fee may include, but shall not be limited to, outside review agencies, staff inspections & enforcement, and professional services. Staff expenses related to CUP and inspections not limited to those related to any actual or perceived violation. Subject to forfeiture in the event that the terms of the CUP are violated. Can be used to cover the cost of any fines assessed to CUP holder. Following the first or any subsequent annual compliance reviews, the Applicant may request a reimbursement of any unused operating fees.



## MEMORANDUM

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**MEETING TYPE:** Planning Commission  
**MEETING DATE:** January 12, 2023  
**ITEM NAME:** Roadway Design and Construction Standards  
**SUBMITTED BY:** Sky Tallman

**SUMMARY:**

Proposal to incorporate the County's Roadway Design and Construction Standards, adopted as Resolution 15-07 into the County Land Use Code. The resolution can be found on the Huerfano County website by clicking on the Huerfano County Roadway Standards here:

<https://huerfano.us/departments/road-bridge/>

This change will assist the County in improving oversight and compliance with the standards. The Land Use Department will be able to process applications such as access permits and conduct inspections of work on roads.

County Staff would like to suggest two modifications to the existing standards:

1. To improve clarity on responsibility for repairs when a gravel road is cut for utilities or another purpose.
  - a. Section 10.11(B) add:  
 After a disturbance in the surface of the road, the road must be restored to have 4"-6" inches of gravel across the whole width of the road and to be inspected by Road and Bridge Department.  
 Repair to roads in poor condition or roads lacking road base at the time of disturbance is to be negotiated with Road and Bridge prior to any disturbance. See 10.11.1.
2. Add a section 10.16 to address nuisances such as blocking or damaging roads.
  - a. Intentionally or unintentionally causing a County Road to become blocked, partially blocked, or damaged shall be considered a nuisance and the responsible party may be fined.
    - i. Causing a road to be blocked or partially blocked without a permit shall make responsible party subject to a fine of up to \$500/day for each 24-hour period in which a road was blocked for any amount of time over 30 minutes, to be determined by the Board of County Commissioners.
    - ii. Causing a County road to be damaged or flooded will make responsible party subject to a fine of \$500 plus the costs associated with repair.

- iii. Creating obstructions or hazards in the right-of-way may be subject to prosecution under CRS 43-5-301.
3. Staff suggests calling this Section 16.00 Roadway Design and Construction Standards, which was formerly known as “Manufactured Home Park & Campground Regulations”, rescinded in August of 2013. Alternatively, this could be adopted as Section 19.00 Roadway Design and Construction Standards.
4. Markup and Clean Copies include only pages 54, 55 and 59 of the Roadway Design and Construction Standards as these are the only pages on which changes are made or referenced. The complete Roadway Design and Construction Standards can be found on the Road and Bridge page on the County website: <https://huerfano.us/departments/road-bridge/>

### 10.10 Compaction tests.

- A Compaction tests shall be taken on longitudinal or crosscuts at the request of the Huerfano County Road and Bridge Department. These tests shall be taken at the depth and location specified by the county and shall meet the requirements specified in Section 10.09.
- B. The excavator shall have the compaction tests conducted by an approved testing laboratory. A copy of the results shall be furnished to the Huerfano County Road and Bridge Department no later than five days after the test is conducted. (Res. 06-24 As Amended)
- C. Compaction tests do not relieve the contractor of his or her obligation to maintain said repairs as guaranteed under Section 10.04(C). (Res. 06-24 As Amended)

### 10.11 Resurfacing.

- A After proper backfill procedures are completed in accordance with the preceding requirements, the vacant depth shall be surfaced to a condition equal to or better than the existing surface. Temporary and/or permanent repairs shall begin within twenty-four (24) hours after backfilling is completed on roads or highways designated by the Road and Bridge Department and continue until all repairs are made. (See subsection F of this section.) On all other roads or highways permanent repairs shall be completed within a period of fifteen (15) calendar days. At the discretion of the Huerfano County Road and Bridge Department, a delay of up to seven days in the time designated for initiation or completion of repairs may be granted. The twenty-four (24) hour designation will be noted on the permit at the time of issuance. The following minimum standards shall apply to all resurfacing done in the county.
- B. Gravel Surfaced Roads. Backfill shall be placed to within twelve (12) inches of the surface, and the twelve (12) inch vacant depth shall be filled with thoroughly tamped granular material meeting the requirements specified under the aggregate for Bases Item, Class 6 of the Standard Specifications for Road and Bridge Construction, Department of Highways, State of Colorado (current issue), or materials extracted at the same precise location, or other suitable granular materials approved by the County Administrator with the approval of the Board of County Commissioners. After a disturbance in the surface of the road, the road must be restored to have 4"-6" inches of gravel across the whole width of the road and to be inspected by Road and Bridge Department.  
Repair to roads in poor condition or roads lacking road base at the time of disturbance is to be negotiated with Road and Bridge prior to any disturbance. See 10.11.1.
- C. Soil Cement Surfaced Roads. Backfill shall be placed within eighteen (18) inches of the surface, and granular material meeting the requirements specified under the Aggregate for Bases Item, Class 6 of the Standard Specifications for Road and Bridge Construction, Department of Highways, State of Colorado (current issue) shall be placed and thoroughly compacted to within eight inches of the surface. The eight-inch vacant depth shall be filled with five and one-half sacks per cubic yard portland cement concrete, which shall be struck and floated to match adjacent undisturbed surface. Ninety-five (95) percent of patched surface shall match the plane of the adjacent surface, when measured by means of a six-foot straight edge or beam, within one-eighth inch.

- D. Portland Cement Surfaced Roads. Backfill shall be placed within eighteen (18) inches of the surface or ten (10) inches below the bottom of the existing slab, whichever is the deepest, and

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the next ten (10) inches shall be filled with thoroughly compacted granular material as described in subsection C of this section. The eight-inch minimum vacant depth shall be filled with six and one-half sacks per cubic yard portland cement concrete which shall be struck and floated to match the adjacent undisturbed surface. Ninety-five (95) percent of this patched surface shall match the plane of the adjacent undisturbed surface, when measured by means of a six-foot straight edge or beam, within one-eighth inch.

- E. Asphaltic Concrete Surfaced Roads. Backfill material shall be placed within twelve (12) inches of the surface. Granular material described in subsection C of this section shall be placed and thoroughly wetted and compacted to within four inches of the surface. Prior to placing of Asphaltic concrete, the edges of the cut shall be coated with a tack oil of CSS-1 at not less than 0.10 gallons per square yard. The four-inch vacant depth shall be filled with asphaltic concrete in two-inch lifts and thoroughly compacted. Asphaltic Concrete for this purpose shall be mixed with asphaltic cement of the AC-10 type or equal. Ninety-five (95) percent of this patched surface shall match the plane of the adjacent undisturbed surface, when measured by means of a six-foot straight edge or beam, within one-eighth inch.

A prime coat of MC-70 oil applied at a rate of 0.30 gallons per square yard may be required on the surface area of granular material at the time of the issuance of a permit or as directed by the Huerfano County Administrator and/or Planner.

1. Required Overlay: Overlay of the entire road width and ten (10) feet beyond each end of damaged area may be required, at the discretion of the Road and Bridge Department, when utility installation is made longitudinally within five feet of, or on the centerline of the paved road for a length of seventy-five (75) linear feet or more. For lengths less than the above-stated, the repairs and/or overlays must be made as agreed to by the excavator and the County Inspector, prior to obtaining a permit. If the excavation within five feet of the centerline does not extend into the adjacent traffic lane, overlay of only one-half of the entire road width may be required.

Overlay of one-half of the entire road width and ten (10) feet beyond each end of damaged area shall be required when utility installation is made longitudinally within the area five feet from centerline and edge of paved road for a length of seventy-five (75) linear feet or more. Again for lengths less than the above-stated, the repairs and/or overlays must be made as shall be agreed to by the excavator and the County Inspector, prior to obtaining a permit.

Overlay of the entire road width and ten (10) feet beyond each end of incorporated damaged area shall be required when two or more lateral utility installations are made by the same utility excavator within seventy-five (75) linear feet of road length. Three or more lateral utility installations within one hundred fifty (150) linear feet of road length and or more lateral utility installations within three hundred (300) linear feet of road length will also require full road width of overlay.

The minimum compacted depth of the Asphaltic Concrete overlay shall be five-eighths inch with edges feathered as much as possible eliminating the fracturing of the mix aggregate. The areas of overlay shall require a tack coat of CSS-1 at the rate of 0.10 gallons per square yard.

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F. In addition to fees listed in the fee schedule, the permittee will be charged for any inspection made necessary due to noncompliance with regulations or the failure of any work.

G. Penalty Permit. This permit shall be issued to any excavator commencing work prior to obtaining a basic right-of-way cutting permit. Failure by the excavator to notify the County Inspector as stated in section 10.12(A) may result in revocation of the original pennit and issuance of a penalty permit. The fee for this permit shall cover the foregoing plus a penalty of five hundred dollars (\$500.00). (Res. 06-24 As Amended)

10.16 Nuisances.

a. Intentionally or unintentionally causing a County Road to become blocked, partially blocked, or damaged shall be considered a nuisance and the responsible party may be fined.

i. Causing a road to be blocked or partially blocked without a permit shall make responsible party subject to a fine of up to \$500/day for each 24-hour period in which a road was blocked for any amount of time over 30 minutes, to be determined by the Board of County Commissioners.

ii. Causing a County road to be damaged or flooded will make responsible party subject to a fine of \$500 plus the costs associated with repair.

iii. Creating obstructions or hazards in the right-of-way may be subject to prosecution under CRS 43-5-301.

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