



Town Hall 551 Hot Springs Blvd
Pagosa Springs, CO 81147

AGENDA

Town Council Special Meeting
Thursday, November 6, 2025 @ 5:00 PM

1. REMOTE PARTICIPATION

A Zoom link is made available, however, the Town does not and cannot guarantee internet service or online broadcasting. Remote attendance is at the risk of the attendee as the public meeting will continue in person regardless of the Town's broadcast capability.

Join Zoom Meeting By Computer - <https://zoom.us/j/85418480724>
Dial by Phone - 1-669-900-6833 US - Meeting ID: 854 1848 0724

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. DISCLOSURES AND/OR CONFLICT OF INTEREST

V. PUBLIC COMMENT

VI. CONSENT AGENDA

1. Approval of the October 21, 2025 Meeting Minutes
[Town Council Meeting - 21 Oct 2025 - Minutes - Pdf](#)

VII. UNFINISHED BUSINESS

1. Public Hearing FY 2026 Budget
2. Resolution 2025-19, Adopting the 2026 Budget and Five-Year Capital Plan
[Agenda Brief - Resolution 2025-19 Adopting the 2026 Budget and Five-year Capital Plan - Pdf](#)

VIII. NEW BUSINESS

1. A Briefing regarding Willingham Properties Nuisance Abatement Case
[Agenda Brief - A Briefing regarding Willingham Properties Nuisance Abatement Case - Pdf](#)

IX. PUBLIC COMMENT

X. EXECUTIVE SESSION

1. Executive Session Pursuant to C.R.S. 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, regarding the geothermal water tap and economic development agreement, as amended.

XI. MAYOR, COUNCIL, TOWN MANAGER COMMENTS/UPCOMING AGENDA ITEMS

XII. UPCOMING COUNCIL MEETINGS

- November 18, 2025 at 5:00 pm: Regular Council Meeting
- December 2, 2025 at 5:00 pm: Regular Council Meeting
- December 16, 2025 at 5:00 pm: Regular Council Meeting
- January 6, 2026 at 5:00 pm: Regular Council Meeting

XIII. ADJOURNMENT

Shari Pierce
Mayor



Town Hall 551 Hot Springs Blvd
Pagosa Springs, CO 81147

MINUTES

Town Council Meeting
October 21, 2025 @ 5:00 PM

A regular meeting of the Pagosa Town Council was called to order on October 21, 2025, at 5:00 PM in the Town Hall 551 Hot Springs Blvd.

COUNCIL PRESENT:

Mayor Pierce, Council Member Bergon, Council Member deGraaf, Council Member DeGuise, Council Member Lindner, Council Member Martinez, and Council Member Williams

COUNCIL ABSENT:

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. DISCLOSURES AND/OR CONFLICT OF INTEREST – None

V. PUBLIC COMMENT – Mr. Bill Hudson said he has been invited to serve on the PPOS impact group for a possible bond measure through the school district. He said the middle and elementary schools will be rebuilt in another area with the BEST grant.

VI. CONSENT AGENDA

- 1. Approval of the October 7, 2025 and October 14, 2025 Meeting Minutes**
- 2. September Financial Statement and Payments**

Council Member deGraaf moved to approve the consent agenda, Council Member DeGuise seconded.

Carried.

VII. REPORTS TO COUNCIL

- 1. Sales Tax Brief**
 - a. Sales Tax Report - August 2025**

Sales tax for August is up 1.41% over August 2024. Marijuana tax is down every month this year.

VIII. UNFINISHED BUSINESS

- 1. Public Hearing of FY 2026 Proposed Budget**

Town Manager Harris reviewed the most recently updated proposed budget for 2026. He said there will be an increase to the monthly sewer rates if the sales tax issue does not pass. Mayor Pierce opened this item for public comment. Closed with no comments.

IX. NEW BUSINESS

- 1. Ordinance 1020, An Emergency Ordinance of the Town of Pagosa Springs Continuing the Mayor and Town Manager Order No. 2025-3 Local Disaster Emergency Declaration**

Town Council
October 21, 2025

Ordinance 1020 continues the emergency order 2025-3, declaring a local disaster emergency declaration by the Mayor and Town Manager initially on October 11, 2025 (Emergency Order 2025-2) and renewed again on October 17, 2025 (Emergency Order 2025-3). This will allow the process of recovery, restoration, and assessment, in the process to qualify at a Federal level for financial assistance. The southwest region can apply together for FEMA assistance if the dollar value is reached for the whole region.

Council Member deGraaf moved to approve Ordinance 1020, an emergency ordinance of the Town of Pagosa Springs continuing the Mayor and Town Manager Order No. 2025-3 Local Disaster Emergency Declaration, Council Member Martinez seconded.

Carried.

2. October 2025 Flood Response & Recovery Update

Town Manager Harris provided an update on the cleanup after the flood on October 11th and 13th. Debris removal, landscaping, riverbank improvements and stabilization, sewer line replacement on 1st Street Bridge, dredging of the river center park, trail repairs and replacement, sewer I&I, 10th Street Culvert, irrigation pump at town park, overlook and museum riverbank, pit toilet repairs at river center. The Town's insurance company CIRSA inspected the Town's foot bridges and debris; CDOT will assess the vehicular bridges. Council Member Martinez said there will be risks of advanced aging on the sewer system due to this flood event. He said the Town is understating the effects on the river, fish habitats, and river clean up. Council Member DeGuisse said he is glad the Town is looking at the wetlands and the silt that filled those bird habitats. Council Member Williams said he would like to add pressure to the State government to get attention due to this flooding. Manager Harris said Patrick Rondanelli with DOLA is assisting with contacts and options for funding.

3. Officially naming the new public park at 1040 E. Hwy 160

This item is for consideration to name the property at 1040 E. Hwy 160 to Gateway River Park. The public was given an opportunity via public meetings and mypagosa.org to suggest names for the new River Park. The suggestions were reviewed by the Parks and Recreation Board, and their recommendation is Gateway River Park. Town Council discussed the names and suggested Maiku River Park. Staff will review the word Maiku meaning "welcome" and request approval from the Southern Ute Tribe.

X. PUBLIC COMMENT – None

XI. MAYOR, COUNCIL, TOWN MANAGER COMMENTS/UPCOMING AGENDA ITEMS – Staff said the Timberline apartments near Walmart will be conducting interviews of potential tenants in November with a certificate of occupancy in December. Staff said the two temporary parking areas have not been used much. The Library is using the lot near them due to their reconstruction project. The one near the Bank of San Juans has minimal usage.

XII. UPCOMING COUNCIL MEETINGS – November 6, 2025, at 5:00 pm: Special Council Meeting
November 17, 2025, at 5:00 pm: Joint Town-County Work Session
November 18, 2025, at 5:00 pm: Regular Council Meeting
December 2, 2025, at 5:00 pm: Regular Council Meeting
December 15, 2025, at 5:00 pm: Joint Town-County Work Session
December 16, 2025, 5:00 pm: Regular Council Meeting

XIII. ADJOURNMENT – Mayor Pierce adjourned the meeting at 5:52 pm.

CONSENT AGENDA VI.1.

Town Council
October 21, 2025

Shari Pierce
Mayor

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AGENDA BRIEF

MEETING: Town Council Special - 06 Nov 2025

FROM: David Harris, Town Manager

PROJECT: Resolution 2025-19, Adopting the 2026 Budget and Five-Year Capital Plan

ACTION: Public information and Council Action

PURPOSE/BACKGROUND:

The Town Manager presented to the proposed budget September 22, 2025, according to state statute and Town Charter. The Town Council held two work sessions and directed expenditures so staff could prepare a revised budget for consideration. The proposed budget for 2026 and 5-Year capital improvement plan can be found on the Town website. <https://town-pagosa-springs-co-clear.doc.cleargov.com/19854/751079/d>

Should ballot issue 2A pass, an alternative budget is proposed. Those sheets can be found on the Town website. <https://www.pagosasprings.co.gov/media/1696>

Ballot Issue 2A was passed by voters on November 4, 2025. The attached resolution has been updated with the alternative budget option for the new SIFF fund.

The current budget and resolution refer to the preliminary assessed value for mill levy calculations. Once the final certified assessed values are received from the County Assessor's Office, the Town Clerk will certify them to the County.

The proposed fee schedule includes estimates for geothermal rates that may change and can be adopted in mid-November.

Minimal changes were made to the Town's comprehensive financial management policy that should be reviewed and approved by the council.

Council should review the final budget and capital plan and open this item to receive public comments.

ATTACHMENTS:

[Res 2025-19 Budget FY 2026 11.5.25](#)

RECOMMENDATIONS:

1. Move to approve Resolution 2025-19, Adopting the 2026 budget, the five-year capital plan, and changes to the financial policy
2. Direct staff



TOWN OF PAGOSA SPRINGS

RESOLUTION NO. 2025-19

RESOLUTION TO ADOPT 2026 BUDGET

WHEREAS, the Town Council of Town of Pagosa Springs, Colorado ("Town") has directed the Town Manager and staff to prepare and submit a proposed 2026 budget to the Town Council at the proper time; and

WHEREAS, the Town Manager has submitted the proposed budget to the Town Council on or before October 15, 2025 for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with law, the budget was open for inspection by the public at a designated place, and a public hearing was held on October 21, 2025 and November 6, 2025 and interested electors were given the opportunity to file or register any objections to the budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, enterprise, reserve transfer and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the Town; and

WHEREAS, whatever decreases may have been made in the revenues, like decreases were made to the expenditures so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pagosa Springs:

1. The estimated expenditures for each fund are as follows:

General Fund:	\$6,754,556
Capital Improvement Fund:	\$8,416,644
Trust/Impact Fee Fund:	\$122,107
Lodgers Tax Fund:	\$1,724,970
Geothermal Enterprise Fund:	\$66,673
Conservation Trust Fund:	\$135,000
Sewer Infrastructure-Facility Fund:	\$2,399,150
Total	\$19,619,100

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2. That estimated revenues are as follows:

General Fund:

From prior capital / operating reserves	\$2,440,366
From fund transfers	\$4,750
From sources other than general property tax	\$6,105,834
From general property tax	\$176,338
Total	\$8,727,288

Capital Improvement Fund:

From prior capital/operating reserves	\$3,032,322
From fund transfers	\$390,000
From sources other than general property tax	\$6,720,176
Total	\$10,142,498

Trust/Impact Fee Fund:

From prior balance	\$1,171,782
From sources other than general property tax	\$145,500
Total	\$1,317,282

Lodgers Tax Fund:

From prior capital/operating reserves	\$1,645,779
From sources other than general property tax	\$1,660,500
Total	\$3,306,279

Geothermal Enterprise Fund:

From prior capital/operating reserves	\$214,799
From sources other than general property tax	\$161,423
Total	\$376,222

Conservation Trust Fund

From prior operating reserves	\$21,547
From sources other than general property tax	\$120,500
Total	\$142,047

Sewer Infrastructure-Facility Fund

From prior operating reserves	\$0
From sources other than general property tax	\$3,725,692
Total	\$3,725,692

3. That the budget, as submitted, amended and herein summarized by fund, be, and the same hereby is, approved and adopted as the budget of the Town for the 2026 fiscal year.

4. That the budget, as hereby approved and adopted, shall be certified by the Town Clerk to all appropriate agencies and is made a part of the public records of the Town.

5.

TO SET PRELIMINARY MILL LEVIES

WHEREAS, the amount of money from property taxes necessary to balance the budget for general operating expenses is \$176,338; and

WHEREAS, the 2025 preliminary valuation for the assessment of the Town, as presented by the County Assessor, is \$112,748,355.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pagosa Springs:

1. That for the purpose of meeting all general operating expenses of the Town during the 2026 budget year, there is hereby levied a preliminary property tax of 1.564 mills for a total of 1.564 mills upon each dollar of the total valuation for assessment of all taxable property within the Town to raise \$176,338.

2. That as of the approval of the 2026 budget on November 6, 2025, the final assessed value is not received from the County Assessor, and the Town Clerk is hereby authorized and directed to submit the final certification to the County Commissioners before December 15, 2025. The amount of the final mills and revenues generated may differ slightly from this Resolution.

TO APPROPRIATE SUMS OF MONEY

WHEREAS, the Town Council of the Town of Pagosa Springs has made provision in the budget for revenues in an amount equal to the total proposed expenditures as set forth therein; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pagosa Springs that the following sums are hereby appropriated from the revenues of each fund, to each fund, for the purposes stated in the budget:

General Fund:	\$6,754,556
Capital Improvement Fund:	\$8,416,644
Trust/Impact Fee Fund:	\$122,107
Lodgers Tax Fund:	\$1,724,970
Geothermal Enterprise Fund:	\$66,673
Conservation Trust Fund:	\$135,000
Sewer Infrastructure-Facility Fund:	\$2,399,150
Total	\$19,619,100

Adopted this 6th day of November 2025

TOWN OF PAGOSA SPRINGS, COLORADO

By: _____
Mayor, Shari Pierce

ATTEST:

By: _____
April Hessman, Town Clerk



AGENDA BRIEF

MEETING: Town Council Special - 06 Nov 2025

FROM: David Harris, Town Manager

PROJECT: A Briefing regarding Willingham Properties Nuisance Abatement Case

ACTION: Council Information

PURPOSE/BACKGROUND:

An original complaint was filed on October 3, 2022 through the Town's nuisance complaint procedure complaining about "junk." Following staff investigation, many attempts were made during 2023 and 2024 to allow Mr. Willingham and his daughter, Desiree Pruitt, time to self-abate the property prior to the case being filed with the Municipal Court on April 1, 2024.

An agreement was made between the Prosecutor and Mr. Willingham on May 14, 2024 to abate the nuisances (see attached) on the two parcels he owns. Nuisances include the accumulation of junk, rubbish, and litter on the property including cars, trucks, trailers, machinery, assorted metals, tires, trash and other abandoned personal property. Multiple extensions were provided for the defendant to abate the nuisances due to family medical issues and a death in the family. The last extension ended at the close of business June 26, 2025 with no action being taken.

A couple months ago, staff issued a Request for Proposal to find a firm to abate the nuisances and to place a lien on the property. One firm, Pratum Construction of Castle Rock, responded October 15, 2025 asking for \$175,000 for their services. A few days later, Mr. Willingham and his daughter, Desiree Pruitt, visited this Manager asking again for the opportunity to take care of the clean-up themselves. The Town Manager provided instructions that he would consider this provided they provide a cleanup plan including a deadline, provide proof they have engaged a contractor, and provide the Town with a performance bond in the amount of \$175,000 in the event their efforts prove unsuccessful. On Monday, November 3, 2025, Ms. Pruitt provided a cleanup and remediation proposal which is currently under review by legal.

Being that the \$175,000 cost of abatement is unbudgeted and beyond the approval authority of the Town Manager, it will require action by Council to authorize such an expenditure.

Should staff and Mr. Willingham fail to come to an agreement, this item will be placed on a future meeting agenda for an update and possible action.

ATTACHMENTS:

[Stipulation Agreement for Abatement](#)

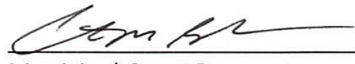
Municipal Court, Pagosa Springs, Colorado 551 Hot Springs Blvd. (PO Box 1859) Pagosa Springs, CO 81147 (970) 264-4151 ext. 250	 ☐ COURT USE ONLY ☐
TOWN OF PAGOSA SPRINGS v. JAMES WILLINGHAM Defendant	
Clayton M. Buchner Municipal Prosecutor PO Box 1859 Pagosa Springs, CO 81147 (970) 264-4151 x257	Case No: 24MC022
STIPULATION AGREEMENT FOR ABATEMENT	

COMES NOW the Town Prosecutor, Clayton M. Buchner, and Defendant, James Willingham, and hereby enter into this Joint Stipulation Agreement for Abatement in the above-captioned case under the following terms and conditions:

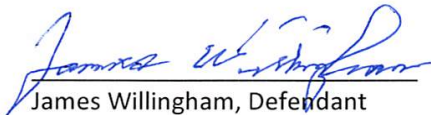
1. On ~~November 14, 2023~~ ^{April 1, 2024}, the Defendant was charged with violating MC Section 11.1.3(1) - Accumulation of Weeds, Litter, Junk, etc... of the Municipal Code of the Town of Pagosa Springs, Colorado.
2. The Defendant agrees to personally and voluntarily cure at his own expense, all items causing the nuisance at Parcel No.s 569915400163 and 569915423001, as represented in Exhibit A ("Properties"), by November 14, 2024, by completing the following removal:
 - a. All junk motor vehicles, including all cars, trucks, trailers, and machinery whether or not such vehicles are registered on parcel no. 569915400163.
 - b. All other junk, rubbish, and litter, including appliances, assorted metals, tires, trash, and all other abandoned personal property of any kind on parcel no. 569915400163.
 - c. All junk motor vehicles, including all cars, trucks, trailers, and machinery whether or not such vehicles are registered on parcel no. 569915423001.

- d. All other junk, rubbish, and litter, including appliances, assorted metals, tires, trash, and all other abandoned personal property of any kind on parcel no. 569915423001.
3. The Town hereby agrees to dismiss the criminal nuisance charge if the subject properties are clear of all vehicles, junk, rubbish, and litter as described in paragraphs 2.a. through 2.d above.
4. The Defendant hereby understands and agrees that if the nuisance has not been cured by November 14, 2024, the Town has the right to Summary Abatement under Municipal Code 11.2.3. in order to enter the Defendant's property unmolested to abate the nuisance by removal of all junk and litter as described in paragraphs 2.a. through 2.d above. The Defendant further understands that the Town may pursue the criminal nuisance violation in conjunction with any administrative or civil action taken.
5. The Defendant hereby understands and agrees that if the Town exercises its right to Summary Abatement under this Stipulation Agreement, the Defendant is responsible for all expenses of the abatement and that such expenses if unpaid by Defendant may be assessed as a lien against the properties on which the abatement was performed pursuant to Municipal Code Section 11.2.6. – Assessment of Costs.
6. The Town agrees that there shall be no entry into Defendant's home or buildings, if any, on the Properties. The Town agrees that if summary abatement is invoked, the Defendant is only subject to the costs and expenses of abatement and shall not be subject further fines and/or jail.

I have read this Stipulation Agreement for Abatement and understand the terms and conditions, and they have been explained to me. I agree to abide by the terms and conditions, and I have received a copy of them.

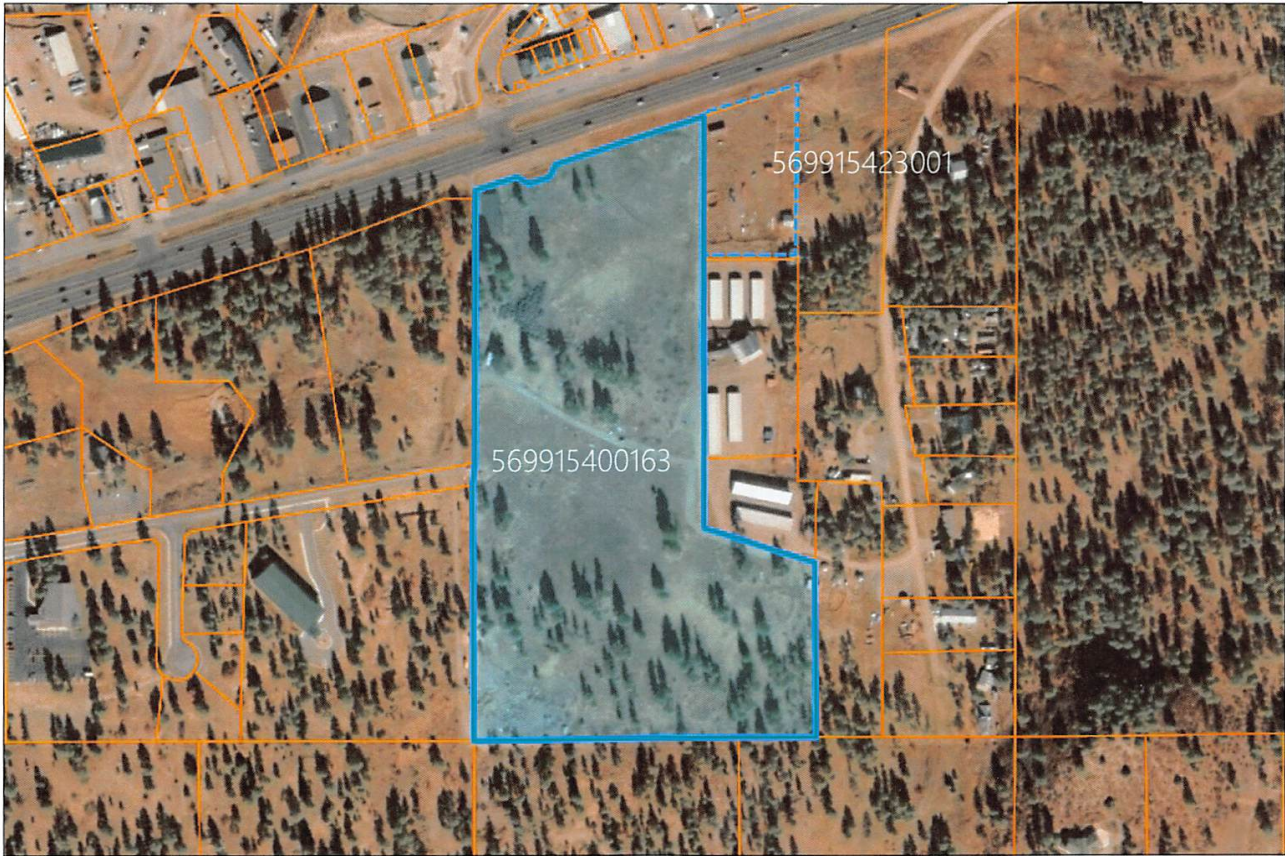

Municipal Court Prosecutor
Clayton M. Buchner, # 50996

Date: May 24, 2024


James Willingham, Defendant

Date: May 14, 2024

EXHIBIT A



Enter Map Title...

Web Print: 05/14/2024

0 376 752 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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