



COMMISSION STAFF REPORT

MEETING DATE: October 1, 2024

ITEM TITLE, PRESENTER: Consideration and Approval of the Amendment No. 1 to the Agreement for ALJ Services Contract with Judge Cheryl Luke as an Administrative Law Judge for San Juan County. Mack McDonald, Chief Administrative Officer

RECOMMENDATION: Make a Motion Approving the Agreement

SUMMARY

Back in March of 2023, the Board of Commissioners approved the agreement with Judge Cheryl Luke to preform Administrative Law Judge services when our contracted Administrative Law Judge was determined biased in the Land Use Appeal for a subdivision approval for property located in Spanish Valley known as County's approval of the Sky Ranch Phase II residential subdivision. Judge Cheryl Luke made her Administrative Law Judge ruling which was then petitioned to District Court for judicial review. The District Court has now remanded the case back to Judge Luke to reconsider items in her or about her ruling. To do this, the County needs to amend the original agreement which increases the fee by \$20 as well as extending the termination date.

The Sky Ranch subdivision was approved in June of 2000 as a 6-lot residential subdivision adjacent to a private airstrip. Since then, in 2021, the County had approved Sky Ranch Estates Phase II which proposed to add 75 additional lots which was appealed.