SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
Wednesday, April 3, 2024
Zoom.us

1) **CALL TO ORDER.**

9:31 a.m. Begin.

2) **Roll Call**

Present:
Lance Waring, Chair
Kris Holstrom, Vice Chair
Anne Brown, Commissioner

Staff Present:
Mike Bordogna, County Manager
Jarrod Biggs, Special Projects Director
Amy Markwell, County Attorney
Rachel Allen, Assistant County Attorney
Nancy Willis, Paralegal
Carmen Warfield, Chief Deputy Clerk

3) **MOMENT OF SILENCE**

4) **REVIEW OF AGENDA**

5) **PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.**

6) **CONSENT AGENDA**

6.a) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Erin Dann, Lot 19, Lone Cone Library Subdivision of Lot 2.

(ATTACHMENT - Deed Restriction Erin Dann.pdf)

6.b) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Jesse Serrano, Lot 24, Lone Cone Library Subdivision of Lot 2.

(ATTACHMENT - Jesse Serrano Deed Restriction.pdf)

6.c) Approval of Chair's signature on an agreement with Asphalt Systems Inc. and San Miguel County Road & Bridge Department for the supply and application of emulsified asphalt for chip seal projects within San Miguel County.

(ATTACHMENT - ASI 2024 Agreement.pdf)

6.d) Notice to the Board of BAA Order of Dismissal in BAA appeal case 2024BAA178 Pfeil Abatement for Tax Year 2022

(ATTACHMENT - ORDER DISMISSAL 3.19.2024.pdf)

6.e) Ratification of Chair's signature on an agreement with Ralph L. Wadsworth Construction Company and San Miguel County Road & Bridge for construction of the Applebaugh Bridge.

(ATTACHMENT - Ralph_L._Wadsworth_Agreement.pdf)

6.f) Approval of the Chair's signature on contract documents with Motorola Solutions for the purchase of communication system updated hardware for the Sheriff's Office.

(ATTACHMENT - PL011024-San Miquel, CO_Motorola Solutions CallStation HW Refresh Firm Proposal Updated032224.pdf)

(ATTACHMENT - Sole Source CallWorks (1)Feb 2024.pdf)

(ATTACHMENT - Motorola Solutions, Inc. W9.pdf)

6.g) Approval of Chair's signature on a Letter of Support for EcoAction Partners and Regional Energy Code Cohort Grant Application.

(ATTACHMENT - EAP Building Code Cohort grant application LOS template.docx A.pdf)

(ATTACHMENT - LOS CEO Grant Agenda Doc -A.pdf)

MOTION by Kris Holstrom to approve the consent agenda as presented. **SECONDED** by Anne Brown. **PASSED 3-0.**

7) ADMINISTRATIVE MATTERS

7.a) Consideration of Chair's signature on Proclamation 2024-03 of the Board of County Commissioners proclaiming April 2024 as National Child Abuse Prevention Month./MOTION

(ATTACHMENT - PROCLAMATION OF THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY.pdf)

Presented by: Linnea Edwards, Deputy Director of the Department of Human Services

MOTION by Kris Holstrom to approve the Chair's signature on Proclamation 2024-03 proclaiming April 2024 as National Child Abuse Prevention Month. **SECONDED** by Anne Brown. **PASSED 3-0.**

(ATTACHMENT I - Proclamation 2024-03)

7.b) Consideration of an application for a Special Events Permit (Malt, Vinous and Spirituous Liquor) for the Placerville Volunteer Fire Department on August 3, 2024 from 9 am to 9 pm. Location of the permit Placerville Park, 400 Front Street, Placerville, CO 81430.

(ATTACHMENT - Placerville_fire_dept_paperwork.pdf)

Presented by: Carmen Warfield, Chief Deputy Clerk

MOTION by Anne Brown to approve the Special events Permit for the Placerville Volunteer Fire Department on August 3, 2024 from 9 a.m. to 9 p.m. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

7.c) Consideration of a request by the Assessor to approve Petition #2024-16 for Abatement or Refund of Taxes, for the year 2023, Berman Buckskin Ranch LLC, 101 Buckskin Road, Placerville CO, Schedule Number R1040010206./MOTION

(ATTACHMENT - Berman Buckskin Ranch LL Abatement.pdf)

Presented by: Sarah Enders, Assessor; Ray Bowers, Representive for the Applicant

MOTION by Anne Brown to approve petition #2024-16 for Abatement or Refund of Taxes, for the year 2023, Berman Buckskin Ranch LLC. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT II)

7.d) Consideration of the Chair's signature on two ICA for dust control with the Road and Bridge department with Desert Mountain and GMCO/ MOTION

(ATTACHMENT - 2024 Dust Control Memorandum.pdf)

(ATTACHMENT - GMCO Agreement)

(ATTACHMENT - 2024 Desert Mountain Agreement.pdf)

Presented by: Ryan Righetti, Road and Bridge Superintendent

MOTION by Kris Holstrom to approve the Chair's signature on the two agreements as presented. **SECONDED** by Anne Brown. **PASSED 3-0.**

7.e) Consideration of a comment letter to the BLM's Draft Programmatic Enviormental Impact statement concerning further research due to known conflicts concerning the BLM Utility-Scale Solar Energy Development.

Presented by: Starr Jamison, NRCR Director

Note: Staff direction was given with the final document to be ratified at the April 24, 2024, meeting.

7.h) Consideration of Chair's signature on Resolution 2024-08 adopting updates and additions to the San Miguel County Administrative Policy Manual in Section 5-

1.1 and Section 5-4./MOTION

(ATTACHMENT - 2024-08 Amending the Admin Manual 5.1.1 and 5-4.pdf)

(ATTACHMENT - San Miguel County Budgeting and Financial Management Policy.pdf)

(ATTACHMENT - San Miguel County Asset Disposal Policy 5-4 (1).pdf)

Presented by: Jarrod Biggs, Special Projects Director

MOTION by Kris Holstrom to approve the Chair's signature on Resolution 2024-08 adopting the updates to the San Miguel County Admininstrative Policy manual, as presented. **SECONDED** by Anne Brown. **PASSED 3-0.**

(ATTACHMENT III - Resolution 2024-08)

7.g) Consideration of Chair's signature on Resolution 2024-07 amending the San Miguel County Employee Handbook sections 1.01 and 3.02 for San Miguel County./MOTION

(ATTACHMENT - Memorandum - SMC Employee Handbook 1.01 Employment -4 3 2024.docx)

(ATTACHMENT - Memorandum_-_SMC_Employee_Handbook_-_3_13_2024.pdf)

(ATTACHMENT - 2024-07 Amending Employee Handbook)

Presented by: Christina Lambert, HR Director; Sara Owens, HR Coordinator

MOTION by Anne Brown to approve the Chair's signature on Resolution 2024-07 amending the Employee Handbook as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT IV - Resolution 2024-07)

7.f) Consideration of a letter of support regarding an accreditation from the US Justice Dept. to establish a low income, pro bono Legal Services Dept. to provide local legal services to immigrants.

Presented by: Tabassum Siddiqui, Tri-County Health

Staff direction to work on the final letter of support and present it at the April 24th meeting for final approval.

7.i) Consideration of Chair's signature on Resolution 2024-09 adopting updates and additions to the San Miguel County Administrative Policy Manual in Section 2-3 and Section 2-4./MOTION

(ATTACHMENT - Res. 2024-09.update Admin Policy 2-4 and 2-5.docx)

(ATTACHMENT - 2-4 social media policy updates DRAFT 2024 no comments.pdf)

(ATTACHMENT - 2-3 PUBLIC meeting and public hearing policy.pdf)

Presented by: Amy Markwell, County Attorney

After a lengthy discussion the board directed staff to make some clarifying changes in the Social Media Policy. This will be reworked and presented at the April 24th board meeting.

11.a) Consideration of a position of Renewable Energy Legislation update./MOTION

(ATTACHMENT - Scaled-down Connecting Renewable Energy in Colorado 3_26_2024 Comments.docx)

Presented by: Kelly Flenniken, Colorado Counties; Anne Brown, County Commissioner

Public Who Addressed the Board:
Candy Meehan, Mayor of Norwood

Note: Anne Brown agreed to outline concerns of this legislation and submit it to the editing process for the other members of the board to review. Once this is completed the comments will be sent to Colorado Counties to be sent with other County comments to Senator Hansen and the Energy Office.

11:02 a.m. Recessed.
11:13 a.m. Reconvened.

8) AFFORDABLE HOUSING UPDATES

Presented by: Jarrod Biggs, Special Projects Director

1. CDOT and County are currently looking at the current architecture plans for housing at the Deep Creek parcel
2. There is a scheduled kickoff meeting on the Housing Needs Assessment later this week.

9) MANAGER MATTERS

Presented by: Mike Bordogna, County Manager

1. The County's next scheduled meeting will be April 24, 2024. This is a regular meeting due to the Spring break schedule.
2. Paul Wisor, Town of Mt Village has requested that the Meadowlark and VCA expansion have the Use Tax waved on the construction of these units. Since the use tax was approved by the voters it is not something the board can waived. Consideration of waiving the fees and funding it from the general fund could be used to reimburse the Town of Mt Village. The Board has requested a list of the pros and cons with an estimate of cost. This will be presented at a future meeting.
3. There is a April 15th gondola subcommittee meeting - discussion of potential ballot measure.
4. Saguache County Commissioners have requested a meet and greet to see the current solar panels placed on the county buildings and to see the Regenerative Ag Programs within our county. This will be a two-day visit with Commissioners, Staff, and key

stakeholders.

10) **<u>SPECIAL PROJECTS DIRECTOR - Jarrod Biggs</u>**
<u>Update and other, as needed.</u>

1. Bruin Waste is piloting a program for composting.
2. EcoAction Partners hosted a Happy Hour Composting event
3. The HVAC Design for the Miramonte Building is nearing completion to determine the best design for replacement.

11) **<u>COMMISSIONER UPDATES:</u>**

Lance Waring - CC4CA Annual Meeting; Interview in Denver for the Harvard Kennedy School
Kris Holstrom - UMC Board Meeting; Region 10; Airport Authority Board
Anne Brown - Gondola Leadership Committee; Collaborative Action for Immigrants meeting, Attended a Community Emergency Response Meeting for Immigrants; Counties Citizen Weed Advisory Board; SWRL meeting; NIMS Training

12) **<u>ATTORNEY MATTERS</u>**

Presented by: Amy Markwell, County Attorney

The Attorney's office has been working on updating the County Ordinances to align with current laws that have changed. These will be presented at a future meeting.

13) **EXECUTIVE SESSION C.R.S 24-6-402**

13.a) <u>Potential Executive Session: Continued discussion of the Lawson Hill-Ilium Parcel property acquisition, citation C.R.S. 24-6-402 (4)(a) the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest.</u>

Presented by: Jarrod Biggs, Special Projects Director

MOTION by Lance Waring to go into executive session, under citation C.R.S. 24-6-402 (4)(a) for a continued discussion of the Lawson Hill-Ilium Parcel property acquisition. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

11:43 a.m. Recessed.
11:56 a.m. Reconvened

MOTION by Kris Holstrom to come out of executive session, the only item discussed was the Lawson Hill-Ilium Parcel property acquisition. **SECONDED** by Anne Brown. **PASSED 3-0.**

Staff direction was given to focus on our currently owned property in Illium.

14) **Lunch**

11:58 a.m. Recessed.
1:00 p.m. Reconvened.

15) PUBLIC HEALTH AND ENVIRONMENT

15.a) Update on the Family Wellness Program - CSA Box funding.

(ATTACHMENT - 2024 April BOCC PH Updates.pdf)

Presented by: Grace Franklin, Public Health Director; Chris Smith, Department of Enviromental Health

Update and other, as needed.
Update on the Household Hazardous Waste (HHW) details for the Spring Clean-up in Telluride. The board is in support of switching the HHW event to Friday with extended hours.

Family Wellness Program - will be providing monthly food boxes or vouchers for $75.00 to be used at the local Farmer's Market

There are currently 17 COVID testing kits left - Public Health will be looking into additional COVID money to purchase more tests as needed.

This week is Public Health Week.

15.b) Continued discussion of a change of policy for paid parental leave benefits.

(ATTACHMENT - 4_3 Memo_ Consideration for Revision of Paid Parental Leave Benefits (1).pdf)

Presented by: Grace Franklin, Public Health Director; Christina Lambert, HR Director

Staff direction to approve eight weeks paid leave for parental leave and - no donated time allowed from co-workers. This item will be approved at a future board meeting.

16) COUNTY HOUSING MATTERS

The Board of Commissioners are sitting as the San Miguel County Housing Authority while hearing County Housing Matters.

16.a) Consideration and approval of an amendment to appendices A and B of the Rural Homes: For Sale, For Locals Affordable Housing Regulation and guidelines Pinion Park and amending Policy Statement 2022-02 AMI tiers./MOTION

(ATTACHMENT - BOCCMemo2024-AMI amendment A.pdf)

(ATTACHMENT - PP_Appendix A-Draft 3.20.2024 A.pdf)

(ATTACHMENT - PP_Appendix_B_Draft 3.20.2024.pdf)

(ATTACHMENT - Appendix B- PP Original 2022 A.pdf)

(ATTACHMENT - PP Homes-AMI and Tier designation compare old and new.pdf)

(ATTACHMENT - Policy Stmt AMI Tiers FINAL 2024 A.pdf)

Presented by Lois Major, Special Counsel to the San Miguel County Housing Authority

MOTION by Anne Brown to approve amending Appendix A of the Affordable Housing Guidelines with respect to changing the AMI Tiers by including a new Tier 3 at 160% AMI and a new Tier 4 at 180% AMI as seen in the draft Appendix A. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

MOTION by Anne Brown to approve the amendment of Appendix B of the Affordable Housing Guidelines with respect to increasing the maximum AMI limit on 6 of the unsold Pinion Park housing units as they appear on the draft Appendix B. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

MOTION by Anne Brown to approve the Chair's signature on Resolution 2024-10 approving an amendment to appendices A and B of the Rural Homes: For Sale, For Locals Affordable Housing Regulations and Guidelines Pinion Park and amending policy statement [Resolution] 2022-02 AMI Tiers. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT V - Resolution 2024-10)

16.b) Consideration and adoption of a policy statement for solar system costs Resolution 2024-06 to use in the adminstration of rural homes: For Sale, For Locals Affordable Housing Regulations and Guidelines Pinion Park./MOTION

(ATTACHMENT - BOCCMemo2024-Solar Policy A.docx)

(ATTACHMENT - BOCC Resolution 2024-06 to adopt Policy Statement 2022-02 Solar System Accounting A.pdf)

Presented by: Lois Major, Special Counsel to the San Miguel County Housing Authority

MOTION by Anne Brown to approve the adoption of the Solar System Policy for use in applying the Covenant and find that it provides consistency and clarity and furthers the County Affordable Housing Program goals. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

MOTION by Anne Brown to approve the addition of the Resolution 2024-06 approving adoption of a policy statement for solar systems costs [2024-01 to use in the adminstration of Rural Homes: for sale, for locals affordable housing regulations and guidelines Pinion Park]. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT VI - Resolution 2024-06)

16.c) Consideration of an Exception Request from Matthew Lagoe and Lia Cristadoro for an Exception to the Amended Deed Restriction and Covenant

Section 5.2.2.a.2 Continuing Employment Standard and 2.1. Limitation on Purchase./MOTION

(ATTACHMENT - Lagoe Cristadoro Exemption Memo Final.pdf)

(ATTACHMENT - Lagoe-Cristadoro Exception Application.pdf)

(ATTACHMENT - Lagoe-Cristadoro DR.pdf)

Presented by: Lois Major, Special Counsel to the San Miguel County Housing Authority; Matthew Lagoe, Applicant

Kris Holstrom recused herself as she knows the applicant.

MOTION by Lance Waring to approve the recommendation of denial of an Exception Request from Matthew Lagoe and Lia Cristadoro for an Exception to the Amended Deed Restriction and Covenant Section 5.2.2.a.2 Continuing Employment Standard because it does not meet one or more of the Standards for Granting an Exception outlined in § 8.3. **SECONDED** by Anne Brown. **PASSED 2-0.**

Note: The applicant requested his rental income he receives from renters in his home to be counted as qualified income. The Commissioners agreed with Lois that this does not qualify as income.

MOTION by Anne Brown to approve denial of an Exception Request from Matthew Lagoe and Lia Cristadoro for an Exception to the Amended Deed Restriction and Covenant Section 2.1 Limitation on Purchase because it does not meet one or more of the Standards for Granting an Exception outlined in Section 8.3. **SECONDED** by Lance Waring. **PASSED 2-0.**

Note: 1:51 p.m. The Board called the meeting to order as the San Miguel County Housing Authority.
2:44 p.m. The Board adjourned the meeting as the San Miguel County Housing Authority.

17) ADJOURNMENT

MOTION by Anne Brown to adjourn the meeting. **SECONDED** by Lance Waring. **PASSED 2-0.**

2:44 p.m. Adjourned.

Respectfully submitted,

Approved June 5, 2024 Carmen A. Warfield

BOARD OF COUNTY COMMISSIONERS

Lance Waring

ATTEST:

7.A. ATTACHMENT I

PROCLAMATION OF THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO, PROCLAIMING APRIL 2024 AS NATIONAL CHILD ABUSE PREVENTION MONTH

PROCLAMATION 2024-03

This Proclamation recognizes bullying as a national and statewide problem and bully prevention as a national and statewide responsibility, and designates April as National Child Abuse Prevention Month in San Miguel County.

WHEREAS, in Federal fiscal year 2023, nearly 3.1 million children received either an investigation response or alternative response; and

WHEREAS, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resources and will shape the future of San Miguel County; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

NOW THEREFORE, BE IT RESOLVED that the San Miguel County Board of County Commissioners do hereby proclaim April 2024 as NATIONAL CHILD ABUSE PREVENTION MONTH in San Miguel County and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado, at a duly noticed public meeting held in Telluride, Colorado, on April 3, 2024.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

Lance Waring

Lance Waring, Chair

ATTEST:

Carmen Warfield

Carmen L. Warfield, Chief Deputy Clerk to the Board

VOTE:

Anne Brown	x	Aye	Nay	Abstain	Absent
Kris Holstrom	x	Aye	Nay	Abstain	Absent
Lance Waring	x	Aye	Nay	Abstain	Absent

ABMT2024-16
7.6. ATTACHMENT II

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: San Miguel

Date Received RECEIVED MAR 12 2024
(Use Assessor's or Commissioners' Date Stamp)

BY: ....

Section I: Petitioner, please complete Section I only.

Date: March 11, 2024
Month Day Year

Petitioner's Name: Matthew Schofield for Berman Buckskin Ranch LLC

Petitioner's Mailing Address: 8031 Shady View Lane

North Maple Grove | MN | 55311
City or Town | State | Zip Code

SCHEDULE OR PARCEL NUMBER(S)
R1040010206

PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
101 Buckskin Rd., Placerville, CO

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for property tax year(s) 2023 and ________ are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error or overvaluation. Attach additional sheets if necessary.)

The assessor's valuation of the resident home and guest house at $11,822,048 or $840/SqFt is inaccurately high due to rating the main house as "Excellent" when in reality it is very outdated (built in 1992) with a very dis-functional floor plan and systems. Furthermore, any comp sales of homes on the mesas (far from Telluride) during the statutory period of 1/1/2021 to 6/30/2022 and earlier have not sold for this kind of value for the main house, especially if you adjust their sales prices downward for the lower quality that the subject main house exhibits. Further documentation to follow.

Petitioner's estimate of value: $4,777,224 (2023) and $________ (______)
Value Year Value Year

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information and belief, is true, correct, and complete.

[signature] Daytime Phone Number (651) 500-8301
Petitioner's Signature

By [signature] Raymond V. Bowen Daytime Phone Number (970) 729-2278
Agent's Signature*

*Letter of agency must be attached when petition is submitted by an agent.

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114.5(1), C.R.S.

Section II: **Assessor's Recommendation**
(For Assessor's Use Only)

	Tax Year 2023			Tax Year:		
	Actual	Assessed	Tax	Actual	Assessed	Tax
Original	11,822,048	802,880	$35,201.47			
Corrected	5,370,331	370,940	$16,263.49			
Abate/Refund	6,451,717	431,940	$18,937.98			

☑ Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(I)(D), C.R.S.

Tax year: 2023 Protest? ☑ No ☐ Yes (If a protest was filed, please attach a copy of the NOD.)

Tax year: ______ Protest? ☐ No ☐ Yes (If a protest was filed, please attach a copy of the NOD.)

☐ Assessor recommends denial for the following reason(s):

[signature]
Assessor's or Deputy Assessor's Signature

15-DPT-AR No. 920-66/11

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY
(Section III or Section IV must be completed)

Every petition for abatement or refund filed pursuant to § 39-10-114, C.R.S. shall be acted upon pursuant to the provisions of this section by the Board of County Commissioners or the Assessor, as appropriate, within six months of the date of filing such petition, § 39-1-113(1.7), C.R.S.

Section III: Written Mutual Agreement of Assessor and Petitioner
(Only for abatements up to $10,000)

The Commissioners of San Miguel County authorize the Assessor by Resolution No. 2010-25 to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of $10,000 or less per tract, parcel, or lot of land or per schedule of personal property, in accordance with § 39-1-113(1.5), C.R.S.

The Assessor and Petitioner mutually agree to the values and tax abatement/refund of:

Tax Year ________

	Actual	Assessed	Tax
Original			
Corrected			
Abate/Refund			

Note: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

Petitioner's Signature ________ Date ________

Assessor's or Deputy Assessor's Signature ________ Date ________

Section IV: Decision of the County Commissioners
(Must be completed if Section III does not apply)

WHEREAS, the County Commissioners of San Miguel County, State of Colorado, at a duly and lawfully called regular meeting held on 04 / 03 / 2024 (Month Day Year) at which meeting there were present the following members:

Lance Waring, Kris Holstrom, Anne Brown

with notice of such meeting and an opportunity to be present having been given to the Petitioner and the Assessor of said County and Assessor Sarah Enders (Name) *(being present--not present)* and Petitioner Berman Buckskin (Name) *(being present--not present)*, ~~and WHEREAS~~, the said County Commissioners have carefully considered the ~~within~~ petition, and are fully advised in relation thereto, NOW BE IT RESOLVED ~~that the~~ Board *(agrees--does not agree)* with the recommendation of the Assessor, and that the petition be *(approved--approved in part--denied)* with an abatement/refund as follows:

Year	Assessed Value	Taxes Abate/Refund
2023	431,940	18937.98

Chairperson of the Board of County Commissioners' Signature

I, Carmen Warfield, County Clerk and Ex-Officio Clerk of the Board of County Commissioners in and for the aforementioned county, ~~do hereby~~ certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

COUNTY CLERK SAN MIGUEL COUNTY, CO

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County this 3rd day of April (Month), 2024 (Year).

County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than $10,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section V: Action of the Property Tax Administrator
(For all abatements greater than $10,000)

The action of the Board of County Commissioners, relative to this petition, is hereby

☐ Approved ☐ Approved in part $________ ☐ Denied for the following reason(s):

Secretary's Signature ________ Property Tax Administrator's Signature ________ Date ________

15-DPT-AR No. 920-66/17

7.h. ATTACHMENT III

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO, ADOPTING UPDATES OR ADDITIONS TO THE SAN MIGUEL COUNTY ADMINISTRATIVE POLICY MANUAL

Resolution #2024 - 08

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado, (BOCC) has adopted an Administrative Policy Manual; and

WHEREAS, the BOCC wishes to improve its administrative policy practices through updates and additions to the Manual based on staff recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO:

1. Section 5-1.1 of the San Miguel County Administrative Policy Manual shall be added according to the attached Exhibit A and incorporated herein by reference.
2. Section 5-4 of the San Miguel County Administrative Policy Manual shall be updated according to the attached Exhibit B and incorporated herein by reference.
3. Sections 5-1.1 and 5-4 shall apply to all departments of the County, including all Elected Official offices.
4. This Resolution shall take effect immediately upon its approval by the Board of County Commissioners.

APPROVED AND ADOPTED this 3rd day of April, 2024, at Telluride, Colorado.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By: Lance Waring
Lance Waring, Chair

Vote:					
	Kris Holstrom	x Aye	Nay	Abstain	Absent
	Anne Brown	x Aye	Nay	Abstain	Absent
	Lance Waring	x Aye	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

EXHIBIT A

5-1.1 BUDGETING AND FINANCIAL MANAGEMENT POLICY

PURPOSE

The annual budget is fundamental as both a planning and accountability tool for the administration of public resources. Budgets manage the multiple demands that exist within our county government based on the limited resources available to meet those demands. As one of the most important documents developed by the County annually, the understanding and management of financial resources is critical to maintaining financial health and stability.

In order to manage the County's financial activities appropriately, the County Finance Department is responsible to manage all revenues and expenses of the organization. As part of this responsibility, a chart of accounts has been developed to assign resources across the organization. These budgetary assignments are established to comply with various purposes, including statutory and other legal requirements. Accordingly, all departments, their directors, and/or elected officials of the county must adhere to the budgetary and other financial policies as developed.

The County budget is broken down first by funds, then by cost center (also known as Department or Office), then division (where applicable), and finally by object. An example is below:

101.0110.10.4010

Fund | Cost Center | Division | Object

Using this structure any account code can be reviewed for its purpose, if it is a revenue or an expense, and what kind of expense it has been designated for.

A few important examples of expenses are as follow:

4000 level - Personnel Services Expenses (Salary, Benefits, Insurance, etc.)
5000 level - Contract Expenses (Purchased Professional or Technical Services)
6000 level - Purchased Property Services (Building and Maintenance)
7000 level - Other Purchased Services (Office and other Expenses)
8000 level - Supplies Expense
9000 level - Property Expenses
9500 level - Other (which includes Transfers - consult with Finance for use)

This policy identifies requirements for individual and department spending for various purposes to maintain the systems of budgeting and to ensure appropriate expenses in accordance with the law.

POLICY

Budget Responsibility

As previously stated, budget responsibility lies with the County Manager and Finance Department, however, each department has delegated responsibility at the department head or elected official level for their annual budget allocation. Accordingly, those department heads are responsible to conduct the business of their department and divisions thereunder in accordance with those budgetary values and county policies.

When in question, it is the responsibility of the department to confer with the Finance Department and/or County Manager to make amendments or adjustments to the adopted budget where deemed necessary or appropriate.

Personnel Expense

Personnel expenses (4000 level objects) make up the greatest portion of County expenditures on an annual basis; as our organization is service-oriented and thereby needs staffing to provide for public services.

As part, it is imperative for the County to manage those personnel expenses expediently, so department directors shall work directly with Human Resources, Finance and County Management in the development of, and proposal of any changes to personnel items. Any of these proposed changes need to be developed using a Personnel Action Form (PAF) as a guide to determine the appropriate role, step, grade, and pay rates. No department has the authority to act unilaterally when making personnel changes at any magnitude; these include any items such as hiring, termination, promotions, demotions, temporary pay differentials, overtime pay practices, leave accounting, and other such efforts. Working with HR, Finance and the County Manager is required to both manage risk and maintain appropriate financial management.

Salary or other personnel savings that may exist can not be re-appropriated to other purposes without written approval of the County Manager or Finance Director. Similarly, operational or other cost savings can not be re-appropriated to salary or personnel expenditures without the written approval of the same.

Operational Expense

Operational expenses (5000-9500 level objects) are critical to provide resources to enact various departmental programs throughout the organization. These expenditures range from engaging contractors, contributions to private organizations, procurement of goods and services for the County, provision of supplies, and more.

Each department, through their director or elected official, is responsible to work with Finance staff and the County Manager to develop an annual budget for these purposes. Once budgeted, it is the director or elected official's responsibility to operate within that adopted budget value and using the County's purchasing policies to obtain those necessary goods and services. Per the policy, all procurement should be coordinated with the Finance office, and any expense over $20,000 must be approved by the County Manager prior to purchase.

EXHIBIT B

5-4 DISPOSAL OF COUNTY PROPERTY

PURPOSE

To establish procedures for the disposition of County Assets.

POLICY

Capital assets and/or inventory items no longer being used by the acquiring department may be disposed of by the following methods:

Inventory items (items costing less than $1,000 and typically not tagged by a SMC ID tag)

The department head may designate that the item is surplus, obsolete, not repairable, inoperable, or no longer being used. Other county departments have first priority in receiving any item being disposed of.

Department head should fill out the Asset Disposal Google Form so that the Finance Office (Finance) can update inventory/asset tracking list.

Finance will maintain a list that includes any items that departments want to dispose of and that the county sees as having a remaining useful life and value. Items can be transferred internally by emailing finance at inventory@sanmiguelcountyco.gov

Quarterly, the Finance Office will send and All-County email describing the available items and the deadline to respond.

After items have been made available to county departments for a minimum of one week and have not been claimed, Finance shall coordinate the disposal of item(s).

Disposal can be in the form of taking to the electronic recycling program, trash, sale, or given away.

Inventory items (items costing more than $1,000 and less than $5,000 and typically tagged by a SMC ID tag)

The Department head needs to contact Finance to discuss which disposition method will be used. Other county departments have first priority in receiving any item that is being disposed of.

The Department head should fill out the Asset Disposal Google Form so that Finance can update the inventory/asset tracking list.

Finance will maintain a list that includes any items that departments want to dispose of and that the county sees as having a remaining useful life and value. Departments are encouraged to review this list prior to purchasing new items. Items can be transferred internally by emailing Finance at inventory@sanmiguelcountyco.gov

Quarterly, the Finance Office will send and All-County email describing the available items and the deadline to respond.

After items have been made available to county departments for a minimum of one week and have not been claimed, Finance shall coordinate disposal of item(s).

Disposal can be in the form of taking to the electronic recycling program, trash, sale, or given away.

Capital assets (items typically costing more than $5,000 and assigned a SMC ID tag)

The department head needs to contact the Finance Office to discuss which disposition method will be used. Other county departments have first priority in receiving any item being disposed of.

The department head should fill out the Asset Disposal Google Form so that Finance updates the inventory/asset tracking list.

Finance will maintain a list that includes any items that departments want to dispose of and that the county sees as having a remaining useful life and value. Departments are encouraged to review this list prior to purchasing new items. Items can be transferred internally by emailing Finance at inventory@sanmiguelcountyco.gov

After items have been made available to county departments for a minimum of one week and have not been claimed, finance will determine the best method of disposition. For larger items and vehicles, the online auction is the preferred method.

Large capital assets and vehicles must be declared surplus by the Board of County Commissioners before they can be made available to the public.

Assets less than $10,000 in value can be disposed of at the discretion of the Finance Director and County manager.

The BOCC shall consider assets $10,000 or greater in value in a regular meeting for their decision on disposal.

Any item disposed of shall not be purchased or acquired by the same department head (or his/her immediate family) that designated the item as surplus, obsolete, not repairable, inoperable, or no longer being used.

Governmental accounting principles require that proceeds for the sale of these items be recorded in a revenue account, "sale of assets." Individual departments' budget accounts will not be directly credited for such sale proceeds.

This Resolution is being re-recorded to correct Exhibit B.

7.g. ATTACHMENT IV

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO, ADOPTING UPDATES OR ADDITIONS TO THE SAN MIGUEL COUNTY EMPLOYEE HANDBOOK

Resolution #2024-07

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado (BOCC) has adopted an Employee Handbook; and

WHEREAS, the BOCC wishes to improve its recruitment and retention of staff based on staff recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO:

1. Section 1.01 of the San Miguel County Employee Handbook shall be updated according to the attached Exhibit A and incorporated herein by reference.

2. Section 3.02 of the San Miguel County Employee Handbook shall be updated according to the attached Exhibit B and incorporated herein by reference.

3. Sections 1.01 and 3.02 shall apply to all departments of the County, including all Elected Official offices.

4. This Resolution shall take effect immediately upon its approval by the Board of County Commissioners.

APPROVED AND ADOPTED this 3rd day of April 2024, at Telluride, Colorado.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By: Lance Waring
Lance Waring, Chair

Vote:					
	Kris Holstrom	x Aye	Nay	Abstain	Absent
	Anne Brown	x Aye	Nay	Abstain	Absent
	Lance Waring	x Aye	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

EXHIBIT A

1.01 EMPLOYMENT

Equal Employment Opportunity (EEO) and Unlawful Harassment
The County is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees based on age 40 and over, race (including traits historically associated with race, such as hair texture and length, protective hairstyles), sex, sexual orientation, gender identity, gender expression, color, religion, creed, national origin, ancestry, disability, military status, genetic information, marital status, or any other applicable status protected by federal, state or local law.

Americans with Disabilities Act (ADA) and Religious Accommodation
The County will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the County or cause a direct threat to health or safety. The County will make reasonable accommodations for employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the County. Employees needing such accommodation are instructed to contact their department head or the Human Resources Department immediately.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

Pregnancy Accommodation
Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. If an employee requests an accommodation, the County will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her their position. A reasonable accommodation will be provided unless it imposes an undue hardship on the County's business operations.

The County may require that an employee provide a note from her their health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their Human Resources representative.

The County will not deny employment opportunities or retaliate against an employee because an employee requested a reasonable accommodation related to pregnancy; a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

Nursing Mothers Accommodation
A private space will be provided, and reasonable time will be permitted, for nursing mothers to express milk during the workday for up to two years following the birth of a child. The time

permitted typically will run concurrently with the time already provided for meal and rest breaks. If the breaks cannot run concurrently and/or additional time is needed, human resources and the employee will agree upon a schedule which might include the employee using unpaid leave (if non-exempt), annual leave/vacation time, arriving at work earlier, or leaving later. In the event unpaid leave is used, the employee will be relieved of all work-related duties during any unpaid break.

Employees will be provided with the use of a room, office, or other private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from co-workers and the public. The County will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

Nursing mothers are responsible for using anti-microbial wipes to clean milk expression areas, and for keeping the general lactation space clean for the next user. This responsibility extends to other areas where expressing milk is permitted, equipment is cleaned, and milk storage areas. The County reserves the right to not provide additional break time or a private location for expressing breast milk if doing so would substantially disrupt the County's operations. The County will not demote, terminate or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

EEO Harassment

The County strives to maintain a work environment free of unlawful harassment. Unlawful harassment includes any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual (or group) because of that individual's (or group's) membership in, or perceived membership in, a protected class, that is subjectively offensive to the individual alleging harassment, and is objectively offensive to a reasonable individual who is a member of the same protected class. Harassment does not need to be in-person and can occur over electronic media such as Zoom or other electronic platforms. Prohibited behavior may include but is not limited to the following:

- Written forms such as cartoons, e-mail, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

This policy applies to all employees including department heads, supervisors, co-workers, and non-employees.

Sexual Harassment

Because sexual harassment raises issues that are to some extent unique in comparison to other harassment, the County believes it warrants separate emphasis.

The County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct or communication is made explicitly or implicitly a term or condition of employment.

- Submission to, objection to, or rejection of such conduct or communication is used as the basis for decisions affecting an individual's employment.
- Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct that may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written forms, such as cartoons, posters, calendars, notes, letters, and e-mail.
- Verbal form, such as comments, jokes, the foul or obscene language of a sexual nature, gossiping, questions about another's sex life or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. The County has established a program designed to prevent harassment, deter future harassers, and protect employees from harassment. The County takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices. The County also takes prompt remedial actions, when warranted, in response to complaints of discriminatory or unfair employment practices. The County therefore expects employees to make a timely complaint to enable the County to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the proper elected official, department head, the Human Resources Department, or the County Manager who will investigate the matter and ensure appropriate corrective action is taken. Your complaint will be kept as confidential as practicable. If you prefer not to go to any of these individuals with your complaint, you should report the incident to the County Attorney.

The County prohibits retaliation against an employee for filing a complaint under this policy, for exercising rights given to you under federal, state, or local laws, or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the County determines that an employee's behavior violates this policy, appropriate disciplinary action will be taken, up to and including termination of employment.

Please see the updated version attached exhibit b rerecorded to reflect the changes

EXHIBIT B

3.02 Vacation Time

The County currently offers vacation time off with pay to eligible employees. Full-time and part-time employees working 20+ hours per week are eligible for paid vacation time. The accrual rate varies based on an employee's FTE status. Vacation time will be available to a new employee after the completion of three (3) months, with supervisor approval, of continuous employment. Vacation time will begin to accrue for an employee from their hire date at the rate which corresponds to their length of employment per pay period. The current rates of accrual and maximum accruals are as follows and are prorated if an employee works less than 40 hours per pay period:

*Days are based on 8-hour days

40 Hours EE	Hours per Pay Period/ Days per Year	Maximum Vacation Accrual Hours/Days
0 - 2 years	3.7 hours / 12 days	192 hours / 24 days
2.1 – 5 years	4.62 hours / 15 days	240 hours / 30 days
5.1 – 8 years	5.55 hours / 18 days	288 hours / 36 days
8.1 – 11 years	6.47 hours / 21 days	336 hours / 42 days
11.1+ years	7.4 hours / 24 days	384 hours / 48 days

35 Hours EE	Hours per Pay Period/ Days per Year	Maximum Vacation Accrual Hours/Days
0 - 2 years	3.24 hours / 10.5 days	168 hours / 21 days
2.1 – 5 years	4.05 hours / 13.125 days	210 hours / 26.25 days
5.1 – 8 years	4.86 hours / 15.75 days	252 hours / 31.5 days
8.1 – 11 years	5.67 hours / 18.375 days	294 hours / 36.75 days
11.1+ years	6.48 hours / 21 days	336 hours / 42 days

30 Hours EE	Hours per Pay Period/ Days per Year	Maximum Vacation Accrual Hours/Days
0 - 2 years	2.77 hours / 9 days	144 hours / 18 days
2.1 – 5 years	3.47 hours / 11.25 days	180 hours / 22.5 days
5.1 – 8 years	4.16 hours / 13.5 days	216 hours / 27 days
8.1 – 11 years	4.86 hours / 15.75 days	252 hours / 31.5 days
11.1+ years	5.54 hours / 18 days	288 hours / 36 days

Please see the updated version attached exhibit b rerecorded to reflect the changes

Law Enforcement EE	Hours per Pay Period/ Days per Year	Maximum Vacation Accrual Hours/Days
0 - 2 years	14.15 hours / 22.99 days	367.90 hours / 45.99 days
2.1 – 5 years	15.99 hours / 25.98 days	415.74 hours / 51.96 days
5.1 – 8 years	17.84 hours / 28.99 days	463.84 hours / 57.98 days
8.1 – 11 years	19.68 hours / 31.98 days	511.68 hours / 63.96 days
11.1+ years	21.54 hours / 35 days	560.04 hours / 70.00 days

Exhibit B

3.02 Vacation Time

The County currently offers vacation time off with pay to eligible employees. Full-time and part-time employees working 20+ hours per week are eligible for paid vacation time. The accrual rate varies based on an employee's FTE status. Vacation time will be available to a new employee after the completion of (3) months, with supervisor approval, of continuous employment. Vacation time will begin to accrue for an employee from their hire date at the rate which corresponds to their length of employment per pay period. The current rates of accrual and maximum accruals are as follows and are prorated if an employee works less than 40 hours per pay period:

*Days are based on 8-hour days

40 Hours EE	Hours Per Pay Period/Days Per Year	Maximum Vacation Accrual Hours/Days
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8.1 – 10 Years	6.47 Hours / 21 Days	336 Hours / 42 Days
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0 – 2 Years	14.15 Hours / 22.99 Days	367.9 Hours / 45.99 Days
2.1 – 5 Years	15.99 Hours / 25.98 Days	415.74 Hours / 51.96 Days
5.1 – 8 Years	17.84 Hours / 28.99 Days	463.84 Hours / 57.98 Days
8.1 – 10 Years	19.68 Hours / 31.98 Days	511.68 Hours / 63.96 Days
10.1+ Years	21.54 Hours / 35 Days	560.04 Hours / 70.00 Days

16A ATTACHMENT V

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, SAN MIGUEL COUNTY, COLORADO, APPROVING AN AMENDMENT TO APPENDICES A AND B OF THE RURAL HOMES: FOR SALE, FOR LOCALS AFFORDABLE HOUSING REGULATIONS AND GUIDELINES PINION PARK AND AMENDING POLICY STATEMENT 2022-02 AMI TIERS

Resolution 2024-10

RECITALS

WHEREAS, San Miguel County, Colorado (the "County") has the authority to regulate the use and development of land located within the County according to the Colorado Constitution and the Colorado Revised Statutes ("C.R.S."); and

WHEREAS, The Pinion Park affordable housing development in Norwood was intended to provide high quality homes that would remain affordable for working residents and their families who make a living primarily from employment and who choose to be part of the local community; and

WHEREAS, the San Miguel Board of County Commissioners (BOCC) on February 16, 2022, approved the RURAL HOMES: FOR SALE, FOR LOCALS RURAL HOMES: FOR SALE, FOR LOCALS DEED RESTRICTION and COVENANT, PINION PARK, San Miguel County Affordable Housing Ownership, Occupancy and Resale("Covenant") and amended them on December 21, 2022; and

WHEREAS, the San Miguel Board of County Commissioners (BOCC) on February 16, 2022, approved the RURAL HOMES: FOR SALE, FOR LOCALS AFFORDABLE HOUSING REGULATIONS AND GUIDELINES PINION PARK ("Guidelines") and amended them on December 21, 2022; and

WHEREAS, on March 21, 2022, the BOCC adopted Policy Statement 2022-02, AMI Tiers to help the San Miguel County Housing Authority Administrator ("Administrator") further the County's policy goals; and

WHEREAS, the Pinion Park affordable housing development was successfully completed and all housing units were available for sale by April 2023; and

WHEREAS, seven homes remain unsold due to a mix of economic factors including high mortgage interest rates and maximum Area Median Income ("AMI") limits that squeeze out interested purchasers;

WHEREAS, the State of Colorado agreed to release certain AMI restrictions on six of the housing units in exchange for direct repayment of the state subsidy to which the builder, Rural Homes, has agreed; and

WHEREAS, the County has restricted the housing units for persons and households working in San Miguel County, Colorado but with no restriction to build for "low-income" or to institute a minimum AMI; and

WHEREAS, the BOCC finds that the proposed changes to the maximum AMI, the amendments to the Appendices A and B and the corollary amendment to Policy Statement 2022-02 all meet the goals of the affordable housing program, its regulations and standards.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves and adopts the amendments to the RURAL HOMES: FOR SALE, FOR LOCALS AFFORDABLE HOUSING REGULATIONS AND GUIDELINES PINION PARK ("Guidelines") Appendix A and Appendix B and the Policy Statement: 2022-02 AMI Tiers as follows:

(Additions are shown with underline. Deletions are shown with ~~strike-through~~. Except for Appendix B which is a new table)

1. **Appendix A:** RURAL HOMES: FOR SALE, FOR LOCALS AFFORDABLE HOUSING REGULATIONS AND GUIDELINES PINION PARK ("Guidelines") Appendix A:

2. **Appendix B:** attached are the original and the updated versions.

3. **Policy Statement 2022-02**

THE SAN MIGUEL BOARD OF COUNTY COMMISSIONERS ADOPTED THE AMI TIERS POLICY STATEMENT 2022-02, ON MARCH 21, 2022. THIS POLICY STATEMENT AMENDS THE POLICY STATEMENT TO READ AS FOLLOWS:

In order to allow some flexibility without breaking down the system, SMRHA staff is directed to investigate, evaluate and weigh factors in order to approve applicants across AMI tier limits. It is vital to the integrity of the affordable housing program that applicants are treated fairly and consistently. In making a determination, SMRHA staff shall consider the following factors, including but not limited to:

- Whether Applicant and members of the Household are currently under-employed
- Whether Applicant and members of the Household are currently over-employed, working multiple jobs to meet the costs of living
- Whether Applicant and members of the Household are expanding or contracting in terms of size
- Whether Applicant's AMI tier limit and purchasing power combine to create a good fit with available Housing Units
- How close is the Applicant above the AMI tier limit?
- How many AMI tier appropriate Applicants are competing for the same Housing Unit?

SMRHA shall make findings of fact upon which any AMI tier determination is made outside the AMI tier limits and may give administrative approval for variations of up to 5% swings in AMI tier limits. SMRHA shall use all such determinations as precedent to keep the flexibility consistent and predictable. For all situations that exceed a 5% swing, Applicant must submit an Exception request.

If Applicant desires an Exception to the AMI tier determination, it may be pursued through the procedure outlined in Guidelines, Section 11.1 Exceptions, THIS INCLUDES HOUSING UNITS DESIGNATED AS 160% AMI AND 180%, Note: Applicants whose AMI exceeds 120% are not eligible to request an Exception (Guidelines, Section 11.1.4.5) FOR HOMES DESIGNATED 120% AND UNDER.

If Applicant desires to appeal the AMI tier determination, it may be pursued through the procedure outlined in Guidelines Section 11.2 Appeals.

In both cases, SMRHA staff shall present findings and make a recommendation to the SMRHA Board.

Determination of AMI tier shall be made by SMRHA staff, while exceptions and appeals shall be resolved by the SMCHA Board AND NOT THE SMRHA BOARD.

BE IT FURTHER RESOLVED, this resolution is adopted based on the finding that the proposed amendments comply with the standards of Land Use Code Section 5-1802, Land Use Code Amendments; are consistent with Land Use Code Section 1-4, Purposes of the Land Use Code; and meet the intent of the Guidelines, Rules and Regulations Governing Affordable Housing in the Telluride R-1 School District and the intent of the various Covenant Templates and further the County Affordable Housing Program goals and prevent future uncertainty.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on April 3, 2024.

SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

By: Lance Waring
Lance Waring, Chair

Vote:	Anne Brown	Aye	Nay	Abstain	Absent
	Kris Holstrom	Aye	Nay	Abstain	Absent
	Lance Waring	Aye	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

Appendix A: Income Eligibility Tiers & Area Median Income and Income Limits

Area Median Income is currently determined by using the figures published by US Department of Housing and Urban Development ("HUD") for each county in Colorado and adopted by Colorado Housing and Finance Authority ("CHFA"). They are published at: www.chfainfo.com/arh/asset/rent-income-limits

HA shall update the schedule below on an annual basis after CHFA adopts the most recent HUD figures.

Based on this procedure, the Area Median Incomes for County as of 2023 are:
Table 1. County Area Median Income (AMI*) Eligibility

	Household Size					
	1 person	2 persons	3 persons	4 persons	5 persons	6 persons
100% Area Median Income	$ 69,800	$ 79,800	$89,800	$99,700	$107,700	$115,700

*This is the AMI calculation pursuant to the Housing Guidelines.

Qualification is based on Household size, NOT unit size. The following table provides a guide for determining Household Income Eligibility. Higher AMIs adopted by BOCC and SMCHA on 03/20/2024 are reflected in the chart below. See Section 3.2.2 for Minimum Household Size requirements.

Household Size	1 Person	2 Persons	3 Persons	4 Persons
80% AMI	$55,840	$63,840	$ 71,840	$ 79,760
120% AMI	$83,700	$95,760	$107,760	$119,640
160% AMI	$111,680	$127,680	$143,680	$159,520
180% AMI	$125,640	$143,640	$161,640	$179,460
200%AMI	$139,600	$159,600	$179,600	$199,400

Income Eligibility Tiers

- Tier 1 Income – Household Income shall not exceed eighty percent (80%) of AMI for County.
- Tier 2 Income – Household Income shall not exceed one hundred and twenty percent (120%) of AMI for County.
- Tier 3 Income – Household income shall not exceed one hundred and hundred and sixty percent (160%) of AMI for County.
- Tier 4 Income- Household income shall not exceed one hundred and eighty percent (180%) of AMI for County.
- Sale prices for units are based on Tier affordability targets for County, as adjusted for the number of bedrooms per unit, and can be found in Appendix B.

Appendix B: Initial Sale Prices and Maximum Rental Prices

Initial Sales Prices:

Norwood Pinion Park Home Prices*						
Lot	Street Number	Street	Unite Type	# Bed/Bathrooms	Attached or Detached	Home Prices
lot 2	1500	Juniper	shavano + shed	3/3	attached	$ 309,800.00
lot 3	1510	Juniper	antero + shed	2/2	attached	$ 225,000.00
lot 4	1505	Juniper	shavano + garage	3/3	detached	$ 385,400.00
lot 5	1510	Pinion	shavano + garage	3/3	detached	$ 395,400.00
lot 6	1520	Pinion	shavano + shed	3/3	attached	$ 324,800.00
lot 7	1515	Juniper	shavano + garage	3/3	attached	$ 374,400.00
lot 8	1520	Juniper	shavano + shed	3/3	attached	$ 289,800.00
lot 9	1530	Juniper	antero + shed	2/2	attached	$ 225,000.00
lot 10	1525	Juniper	shavano + garage	3/3	attached	$ 374,400.00
lot 11	1530	Pinion	antero + shed	2/2	attached	$ 262,500.00
lot 12	1540	Pinion	shavano + shed	3/3	attached	$ 324,800.00
lot 13	1550	Juniper	shavano + garage	3/3	attached	$ 374,400.00
lot 14	1540	Juniper	shavano + shed	3/3	attached	$ 284,800.00
lot 15	1550	Juniper	antero + shed	2/2	attached	$ 240,000.00
lot 16	1545	Juniper	shavano + garage	3/3	attached	$ 366,400.00
lot 17	1550	Pinion	antero + shed	2/2	attached	$ 262,500.00
lot 18	1560	Pinion	shavano + garage	3/3	detached	$ 395,400.00
lot 19	1555	Juniper	shavano + garage	3/3	detached	$ 385,400.00
lot 20	1560	Pinion	shavano + garage	3/3	detached	$ 385,400.00
lot 21	1425	Paradox	shavano + garage	3/3	detached	$ 426,400.00
lot 22	1435	Paradox	shavano + shed	3/3	detached	$ 352,500.00
lot 23	1445	Paradox	shavano + shed	3/3	detached	$ 334,500.00
lot 24	1455	Paradox	shavano + shed	3/3	detached	$ 329,500.00
lot 25	1465	Paradox	shavano + shed	3/3	detached	$ 352,500.00
Lots highlighted in blue are restricted to households at 80% AMI and below						

Maximum Rental Prices: This Chart shall be updated annually according to the figures published by HUD.

Fair Market Rental Rates for 100% AMI

Year	1 Bedroom	2 Bedrooms	3 Bedrooms
2022	$1,159	$1,491	$2,061

16.b. ATTACHMENT VI

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, SAN MIGUEL COUNTY, COLORADO, APPROVING ADOPTION OF A POLICY STATEMENT SOLAR SYSTEM COSTS 2024-01 TO USE IN THE ADMINISTRATION OF RURAL HOMES: FOR SALE, FOR LOCALS AFFORDABLE HOUSING REGULATIONS AND GUIDELINES PINION PARK

Resolution 2024-06

RECITALS

WHEREAS, San Miguel County, Colorado (the "County") has the authority to regulate the use and development of land located within the County according to the Colorado Constitution and the Colorado Revised Statutes ("C.R.S."); and

WHEREAS, The Pinion Park affordable housing development in Norwood was intended to provide high quality homes that would remain affordable for working residents and their families who make a living primarily from employment and who choose to be part of the local community; and

WHEREAS, the San Miguel Board of County Commissioners (BOCC) on February 16, 2022, approved the RURAL HOMES: FOR SALE, FOR LOCALS RURAL HOMES: FOR SALE, FOR LOCALS DEED RESTRICTION and COVENANT, PINION PARK, San Miguel County Affordable Housing Ownership, Occupancy and Resale("Covenant") and amended them on December 21, 2022; and

WHEREAS, the San Miguel Board of County Commissioners (BOCC) on February 16, 2022, approved the RURAL HOMES: FOR SALE, FOR LOCALS AFFORDABLE HOUSING REGULATIONS AND GUIDELINES PINION PARK ("Guidelines") and amended them on December 21, 2022; and

WHEREAS, the Pinion Park affordable housing development was successfully completed in March of 2023 and each housing unit included a photovoltaic rooftop solar system (Solar System); and

WHEREAS, the Solar System cost about $13,000 and should last 20 years; and

WHEREAS, the Solar System cost was /will be either paid by the buyer at the time of the purchase or financed through Tariff On-Bill Financing (TOBF) provided by Colorado Clean Energy Fund, through a surcharge on the home utility bill. In both cases the homeowner owns the system. The system provides electricity to the home, reducing the utility costs to the homeowner; and

WHEREAS, the homeowners need clarification on how the cost of the Solar System will be treated at the time of resale; and

WHEREAS, in order to provide consistency and clarity, it is in the best interest of the County and the Administrator to provide direction on this matter;

WHEREAS, the BOCC finds that the proposed Policy Statement 2024-01 meets the goals of the affordable housing program, its regulations and standards.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves and adopts the Policy Statement 2024-01 for use in administrating the RURAL HOMES: FOR SALE, FOR LOCALS AFFORDABLE HOUSING REGULATIONS AND GUIDELINES PINION PARK as follows:

1. **Policy Statement 2024-01**-attached in full as exhibit A

BE IT FURTHER RESOLVED, this resolution is adopted based on the finding that the proposed Policy Statement 2024-01 meet the intent of the Guidelines, Rules and Regulations Governing Affordable Housing in the Telluride R-1 School District and the intent of the RURAL HOMES: FOR SALE, FOR LOCALS, DEED RESTRICTION and COVENANT, PINION PARK, San Miguel County, Affordable Housing Ownership, Occupancy and Resale and further the County Affordable Housing Program goals and prevent future uncertainty.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on [DATE].

SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

By: Lance Waring
Lance Waring, Chair

Vote:	Anne Brown	x	Aye	Nay	Abstain	Absent
	Kris Holstrom	x	Aye	Nay	Abstain	Absent
	Lance Waring	x	Aye	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

EXHIBIT A

POLICY STATEMENT
2024-01 Solar System
Costs

Title: Solar System Costs

Date: March 20, 2024

Authority: C.R.S. § 29-4-201, San Miguel County Housing Authority, and the Rural Homes: For Sale, For Locals Affordable Housing Covenant DEED RESTRICTION and COVENANT, PINION PARK, San Miguel County Affordable Housing, Ownership, Occupancy and Resale ("Covenant") and the associated Regulations and Guidelines adopted February 16, 2022, as amended.

The following Policy Statement shall remain in full force and effect as of the date of adoption noted below until replaced, repealed, or amended.

As stated in the "General Policy Goals" of the Rural Homes: For Sale, For Locals Affordable Housing Regulations and Guidelines adopted February 16, 2022, ("Guidelines") as amended, the general goal "is to provide high quality homes *that will remain affordable* for working residents and their families who make a living primarily from employment in the Norwood R-2j School District boundaries and who choose to be part of the local community." (emphasis added).

The Policy Statement provides a fair and consistent approach for the original purchaser and future purchasers of Pinion Park housing units with respect to how the Solar Systems costs will be treated regarding (1) Capital Improvements under the Covenant and (2) how it should be included in the Maximum Sales Price (MSP).

Therefore, the following shall apply in all situations where a Solar System was pre-installed at the time of construction:

1. The cost of the Solar System shall be classified as a permitted and approved Capital Improvement under Covenant §7.3.3, however it shall be exempt from the homeowner 10% Capital Improvement cap.

2. The value of the Solar System shall be calculated and tracked separately from the MSP and shall not appreciate over tie.
3. The Cost of the Solar System shall be subject to straight-line depreciation over the 20-year lifetime.
4. The cost of the Solar System shall be added to the MSP as follows:
   a) When the initial home owner pays for the cost of the System at the time of purchase (at closing), the MSP is calculated as follows: MSP = (OPP + 3% annual appreciation) + (Solar System cost – annual depreciation).
   b) When the Solar System is financed through Tariff On-Bill Financing (TOBF) provided by Colorado Clean Energy Fund, the MSP is calculated as follows: MSP = (OPP + 3% annual appreciation) + (Solar System principle paid - depreciation).
   c) When the homeownership is less than 20 years and/or the Solar System is not fully paid off at the time of resale, the Net Value of the Solar System (Solar System principle paid
   less depreciation) will be tracked as a separate line item included and in the MSP but will not subject to the 3% annual appreciation.

Please note that the MSP is the maximum sales price and that there is no guarantee that a Pinion Park housing unit sells at that amount.

Determination of Solar System costs and MSP shall be made by SMRHA staff, while exceptions and appeals shall be resolved by the SMCHA Board.

Adopted this_____day of March 2024. April 3 2024

Lance Waring

Lance Waring, Chair
San Miguel County Housing Authority