

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
Wednesday, April 24, 2024
Zoom.us

- 1) **CALL TO ORDER.**
9:30 a.m. Begin

- 2) **Roll Call**

Present:

Lance Waring, Chair

Kris Holstrom, Vice Chair

Anne Brown, Commissioner

Staff Present:

Mike Bordogna, County Manager

Jarrold 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.**

Jolana Vanek, County resident

Terri Lamers, County resident

- 6) **CONSENT AGENDA**

- 6.a) Approval of the reappointment of Yvette Henson to the Open Space Commission.

(ATTACHMENT - Reappointment Open Space Commission Yvette Henson.pdf)

- 6.b) Approval of the Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on an Amended and Restated Deed Restriction & Covenant with Steven Thomas Steinberg, Lot 27, Lawson Hill Subdivision/PUD

(ATTACHMENT - Steinberg Deed Restriction.pdf)

- 6.c) Approval of Commissioner's signature on a letter of support for Recycle Colorado grant opportunity.

(ATTACHMENT - Letter of Support Recycle Colorado 4.24.24.docx)

- 6.d) Approval of member agencies of the West Region Emergency Trauma and Advisory Council (WRETAC) for additional funds available to the Uncompahgre Medical Center, Telluride Medical Center, Norwood Fire Department EMS, and Telluride Fire Department EMS.

(ATTACHMENT - Memo Updated Funding allocation 4.15.2024.pdf)

(ATTACHMENT - TRMC 2024 Application.pdf)

(ATTACHMENT - UMC WRETAC Application 2.20.24.pdf)

(ATTACHMENT - WRETAC Application 2024 NFPD.docx)

(ATTACHMENT - WRETAC Application 2024 NFPD.pdf)

- 6.e) Approval of a letter of support regarding an accreditation from the US Justice Dept to establish a low/pro bono Legal Services Dept. to provide local legal services to immigrants.

(ATTACHMENT - Letter of Support Tri County Health 4.24.24.docx)

- 6.f) 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 Adam de Alva and Megan Nee, Lot 150, Aldasoro Ranch Subdivision.

(ATTACHMENT - Deed Restriction Covenant.PDF)

- 6.g) Approval of Commissioner's signature on a letter of support on behalf of the Uncompahgre Medical Center receiving the HRSA Service Area Competition grant.

(ATTACHMENT - Letter of Support UMC 4.24.24.docx)

- 6.h) Ratification of Commissioner's signatures on scoping comments with the Bureau of Land Management for the draft Utility-Scale Solar Energy Development planning.

(ATTACHMENT - BLM Utility-Scale Solar Energy PEIS_SMC.pdf)

- 6.i) Ratification of Commissioner's signatures on a letter of support to the Southwestern Water Conservation District Emergency for the Farmers Water Emergency Grant application.

(ATTACHMENT - Southwestern Water Conservation District LOS - Farmer's Water.pdf)

- 6.j) Approval of Chair's signature on a San Miguel Authority for Regional Transportation Intergovernmental Agreement.

(ATTACHMENT - SMART_IGA_2024 amendment_final_032724 (1).pdf)

(ATTACHMENT - SMART IGA 2024 Redline Version.pdf)

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

7) **ADMINISTRATIVE MATTERS**

- 7.a) Recognition of Jill Hart for 5 years of service with the San Miguel County Sheriff's Office.

Presented by: Jennifer Dinsmore, Chief Administrative Officer; Jill Hart, San Miguel County Grant Coordinator

- 7.b) Consideration of the Chair's signature on a Special Events Permit for the Norwood Parks and Recreation District to serve regular Malt, Vinous & Spiritous Liquor on June 16th, 2024 and August 11, 2024 at 1165 Summit St. Norwood, CO based on the County Clerk's Written Findings/MOTION

(ATTACHMENT - SUP Liquor License Norwood P & R_Redacted.pdf)

Presented by: Carmen Warfield, Chief Deputy Clerk

MOTION by Anne Brown to approve the Chair's signature on a Special Events Permit for the Norwood Parks and Recreation District to serve regular Malt, Vinous & Spiritous Liquor on June 16th, 2024 and August 11, 2024 at 1165 Summit St. Norwood, CO. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT I - Written Findings)

- 7.c) Consideration of the purchase of a 2015 Freightliner M-2-106 water truck in the amount of \$86,999 for the Road and Bridge Department./MOTION

(ATTACHMENT - Purchase Request - Water Truck.pdf)

Presented by: Ryan Righetti, Road and Bridge Superintendent

MOTION by Anne Brown to approve the purchase of the 2015 water truck as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

- 7.d) Consideration by the Board to approve the purchase of a 2019 XL specialized 110HDG Lowboy Trailer in the amount of \$75,695.00 for the Road and Bridge Department./MOTION.

(ATTACHMENT - Purchase Request - Lowboy Trailer.pdf)

Presented by: Ryan Righetti, Road and Bridge Superintendent

MOTION by Anne Brown to approve the purchase of the 2019 XL specialized 110HDG Lowboy Trailer as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

- 7.e) Consideration of the Board's approval of Resolution 2024-09 adopting updates and additions to the San Miguel County Administrative Policy Manual in Section 2-1, 2-3 and Section 2-4./MOTION

(ATTACHMENT - Res. 2024-09.update Admin Policy 2-1 2-3 2-4.pdf)

Presented by: Amy Markwell, County Attorney

MOTION by Anne Brown to approve Resolution 2024-09 amending the Administrative Manual as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT II - Resolution 2024-09)

- 7.f) Consideration of the Board's approval of Resolution 2024-12 adopting updates to the San Miguel County Employee Handbook Parental leave./MOTION

(ATTACHMENT - Resolution 2024-12 Amending the Parental Leave policy 3.12.docx)

(ATTACHMENT - Revised Handbook Section 3.12 4 4 2024 Redlined.docx)

Presented by: Christina Lambert, Human Resources Director

MOTION by Anne Brown to approve Resolution 2024-12 amending the Parental leave policy in the Employee Handbook. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT III - Resolution 2024-12)

- 7.g) Consideration of the Board's approval of Resolution 2024-16 Rescinding Resolution 1980-28 Licensing and Regulating of the Commercial Transporting and Disposal of Refuse for the Unincorporated Area of San Miguel County/MOTION

(ATTACHMENT - Res 2024-16 .Rescinding Res 1980-28 Licensing Waste Disposal.pdf)

Presented by: Amy Markwell, County Attorney

MOTION by Anne Brown to approve Resolution 2024-16 as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT IV 2024-16)

- 7.h) Consideration of the Board's approval of Resolution 2024-17 Authorizing Taxpayers or Their Agents to Elect to be Notified by Electronic Mail During Property Tax Disputes/MOTION

(ATTACHMENT - Resolution 2024 -17 Email PropertyTax Appeal Decisions.docx)

Presented by: Amy Markwell, County Attorney

MOTION by Anne Brown to approve Resolution 2024-17 as presented.
SECONDED by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT V - Resolution 2024-17)

8) PLANNING MATTERS

- 8.a) Consideration of an Extension of a Logging Special Use Permit for ALC, Inc. (New Beginning Ranch) /MOTION

(ATTACHMENT - BOCC Packet Materials -New Beginnings Logging SUP Extension 042424.pdf)

Presented by: John Huebner, Senior Planner; Kaye Simonson, Planning Director; Ryan Righetti, Road and Bridge Superintendent; Garrett McLarty, Representing New Beginnings Ranch

MOTION by Anne Brown to approve an extension to a Logging Special Use Permit (SUP) for ALC, Inc. and its contractor, to continue to conduct a forest health improvement project on certain portions of their property, New Beginnings Ranch, based on the finding that the proposed use is consistent with the Land Use Policies in LUC Section 2-16, Gunnison Sage Grouse Habitat, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; and Section 5-17, Logging, and subject to the following specific terms and conditions:

1. The Special Use Permit is issued to the Applicant, ALC, Inc., and does not run with the Land.
2. All written representations of the applicant, in the original submittal and all supplements including emails, are deemed to be conditions of approval except to the extent modified by this approval.
3. ALC, Inc. shall comply with the terms and conditions of the Colorado State Forest Service Project Scope of Work for New Beginnings Ranch 2024, and associated Plan of Operations, except to the extent modified by this approval.
4. This approval is for an extension to the Special Use Permit with project activities starting May 16, 2024 to July 26, 2024. Hauling of logs will commence on July 9 and conclude on July 26, 2024.
5. Warning signs shall be placed on County Road 35N to warn motorists, bikers, and hikers of the logging and hauling activity. All logging trucks shall comply with the posted speed limits on county roads.
6. Follow all wildfire prevention best practices including but not limited to use of spark arrestors, having water and equipment on site to fight fires, limitations on smoking and observance of red flag warnings and all fire restrictions.
7. Obtain and comply with all conditions of County Road & Bridge Excess Hauling Permit for the proposed hauling.
8. Contact the Planning Department, Road and Bridge Department and County Sheriff's Office prior to mobilization of and start of logging activities.
9. Provide a list of onsite contacts for ALC, Inc., Colorado State Forest Service personnel and the logging contractor and logging hauler to Planning Department, Road and Bridge Department, Sheriff's Office within 15 days of approval.
10. Provide a final project report to County Planning Department.
11. This permit shall be valid for activities starting May 16, 2024 to July 26, 2024 unless it is extended following a BOCC review and approval of extension request submitted by the Applicant.

12. Operators of trucks hauling logs must maintain a hauling log book.
13. Hauling trucks will have signage according to specifications provided by Road and Bridge identifying the project for which they are hauling..
SECONDED by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT VI - Resolution 2024-14)

- 8.b) Consideration of the Board's approval of Resolution 2024-15 Extending an Emergency Temporary Moratorium prohibiting commercial solar and major utility projects located in and all zone districts within unincorporated San Miguel County, Colorado./MOTION

(ATTACHMENT - BOCC Packet Solar Moratorium 042424.pdf)

(ATTACHMENT - Public Comment Letter - Terri Lamers.pdf)

(ATTACHMENT - Public Comment Letter - Emily Masson 4.22.pdf)

Presented by: Kaye Simonson, Planning Director

Public Who Addressed the Board:

Candy Meehan, Mayor of Norwood, County resident

MOTION by Anne Brown to adopt Resolution No. 2024-15, extending an emergency temporary moratorium prohibiting commercial solar and major utility projects located in any and all zone districts within unincorporated San Miguel County, Colorado to November 15, 2024. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT VII - Resolution 2024-15)

10:54 a.m. Recessed.

11:04 a.m. Reconvened.

- 8.c) Public Hearing: Consideration for Rezoning Demian Brooks 39-acre parcel, PIN #429526200003, from Wright's Mesa (WM) to Wright's Mesa Rural Agricultural (WMRA) zone district, and of a Special Use Permit for a Recreational Vehicle (RV) Park / MOTIONS

(ATTACHMENT - BOCC Packet Materials Brooks RV Park Rezone 042424 revised.pdf)

Presented by: John Huebner, Senior Planner; Kaye Simonson, Planning Director; Demian Brooks, Applicant; Peter Lundeen, Representing the Applicant

Note: Kris Holstrom, Commissioner recused herself from this public hearing due to a conflict regarding renting the home located on the property.

11:58 a.m. The Chair Opened the Public Hearing.

12:16 p.m. The Chair Closed the Public Hearing.

Public Who Addressed the Board:

Elizabeth Foley, County resident

Karen Marolf, County resident
Cody Young, County resident
Carrie Andrew, County resident
Arlene Boyd, County resident
Ray Cossey, County resident

MOTION by Anne Brown to approve the rezoning the Demian Brook's property, Parcel Identification Number 429526200003, aka 40485 Highway 145 to Wrights Mesa Rural Agricultural - WMRA, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;
2. The proposed project is consistent with the Purpose of Land Use Code Section 5-319 D. I., Wright's Mesa Rural Agricultural, WMRA;
3. The Applicant has demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; traffic; mitigation of geohazards; and mitigation of impacts on the environment;
4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies;
5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;
6. The proposed rezoning is consistent with and implements the Wright's Mesa Master Plan, an element of the San Miguel County Comprehensive Development Plan. **SECONDED** by Lance Waring. **PASSED 2-0.**

MOTION by Anne Brown to approve the Recreation Vehicle/Travel Trailer Park (R.V. Park) Special Use Permit for Demian Brooks, based on the findings that the proposed use is consistent with the San Miguel County Comprehensive Development Plan, and the relevant Land Use Policies as set forth in Article 2, and complies with the Land Use Code review standards in Land Use Code Section 5-319 D. I. and IV. New Wright's Mesa Rural Agricultural District Purpose; Section 5-319 H. IV. f. Use Specific Standards for Recreational Vehicle Park, Travel Trailer Park or Campground; Section 5-407 Wildlife Habitat Areas; and Section 5-10 Special Uses with the following specific terms and conditions:

1. The applicant shall address all relevant Referral Agency comments in the application for Recreational Vehicle/Travel Trailer Park Special Use Permit.
2. The Applicant is required to meet all county and state regulations regarding the provision of maintenance, sanitation, occupancy, and use of R.V. Park at the property.
3. This SUP Approval for RV Park is for:
Phase 1 improvements:
(26) Pull-through spaces
(10) sites (C27-C36) with full hookups (water, power and septic)
(16) sites with water and power
(5) pull-in van sites (D46-D50) no hookups
(1) Bath house to include male/female restrooms that include (2) sinks, toilets and showers
(1) Bear proof, enclosed and covered trash and recycling area; and, Phase 2 improvements, if started, must be completed within five (5) years of SUP approval
(14) Pull-through spaces with water and power
(5) cabin sites (D41-D45) with water and power; toilet and bathing facilities to be determined

4. The RV Park shall only operate from March 15 through November 30. Applicant shall improve the habitat on the remainder of property, i.e. planting an alfalfa crop, treat weed infestation, revegetate remaining areas with native grasses and plantings to provide forage for wildlife rather than the County limiting opening of the RV Park to April 15th. There shall be no winter use of the site.
5. The use of the property shall be limited to the areas shown on the site plan. There shall be no further development and use without County Planning approval.
6. Prior to commencing the approved use of the R.V. Park, the Applicant must submit a Development Permit application with a complete set of plans and be issued a Development Permit by the Planning Department; and must submit a Building Permit application with a complete set of plans to the Building Department, and be issued a Building Permit and complete all proposed improvements; and must submit an Onsite Wastewater Treatment System (OWTS) Permit application, and be issued an OWTS Permit by the Public Health Department, and complete installation of the system.
7. The OWTS as designed is for phase 1 only. Prior to commencing phase 2, a new permit for OWTS must be submitted and approved.
8. Prior to commencing the approved use of the R.V. Park, the Applicant must submit a new Access Permit application with a level two traffic assessment to the Colorado Department of Transportation, and be issued a new Access Permit and complete all proposed driveway improvements.
9. Prior to commencing the approved use of the R.V. Park, the Applicant shall plant the trees for screening as indicated on the project landscaping plan, with the addition of trees planted on and adjacent to the existing earthen berm. Status of trees should be checked at three years after planting, and any trees that have not survived shall be replaced.
10. The use of bear-proof trash cans and dumpsters shall be utilized at the RV Park.
11. Duration of Stay: No R.V. Park space shall be used for long-term housing (i.e., stays of longer than thirty (30) consecutive days or a total of thirty (30) days within any one hundred twenty-day)(120-day period); except for five spaces that may be used for up to 90 consecutive days. These five extended stay spaces are limited to a maximum of four persons per site.
12. Use of the RV sewage dump station is limited to only those persons staying at the RV Park.
13. Driveway shall be maintained in a dust-free condition.
14. There shall be an annual review after the completion of the first operational season of RV Park. The BOCC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future. There shall be a review prior to the commencement of construction of phase 2. **SECONDED** by Lance Waring. **PASSED 2-0.**

(ATTACHMENT VIII - Resolution 2024-11 and 2024-13)

9) Lunch

12:30 p.m. Recessed.

1:01 p.m. Reconvened.

11) MANAGER MATTERS

11.a) Update on the position for the County Veterans Service Officer.

Presented by: Mike Bordgona, County Manager

Note: Mikael Madsen has accepted the position of Veteran Service Officer. His appointment will be presented at the May 1st meeting for final approval.

Update and other, as needed.

1. Discussion of the Centurylink request for new fiber build for 911 services.
2. The Human Services Director position has received 11 applications.
3. Update on the Hwy 50 bridge closure.
4. Upcoming meetings.

10) AFFORDABLE HOUSING UPDATES

Presented by Jarrod Biggs, Special Projects Director

Update.

1. Contract with Surveyors with CDOT concerning the Deep Creek Parcel.
2. Housing Needs Assessment - there will be 2 surveys one for residents and one for businesses.
3. Update on the Pathfinder Pit Housing

12) SPECIAL PROJECTS DIRECTOR - Jarrod Biggs

Update and other, as needed.

1. DOLA Grant- Suggestions on how to improve and integrate the Principles [Justice Equity and Inclusion Assessment].
2. Reboot "County Lines" on KOTO radio
3. The Compost Project is continuing with 2 students from Western Colorado University
4. Administrative Policy Writings.
5. Upcoming trainings.

13) COMMISSIONER UPDATES:

Lance Waring - Gondola Leadership meeting, Update on the 184 Senate Bill - multimodal transportation.

Lance will be out of town most of July as he was accepted Gates Scholarship program at the Harvard Kennedy School for Leadership.

Kris Holstrom - Compost meeting, Gondola meeting, attended Just Transitions working group, Colorado Coalition of Working Lland, Uncompahgre Medical Center Board, Region 10

Anne - Gondola Leadership meeting, Norwood Food pantry meeting, Solar Subcommittee, provided a highlight of 3 State Legislation bills

14) ATTORNEY MATTERS

Presented by: Amy Markwell, County Attorney

Amy will provide litigation updates at the next meeting.

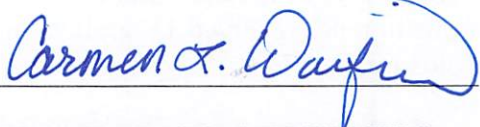
There will be a future meeting to review past Ordinances and recommended updates.

15) ADJOURNMENT

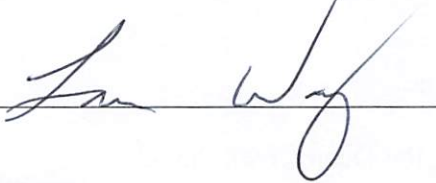
MOTION by Anne Brown to adjourn the meeting. **SECONDED** by Kris Holstrom.
PASSED 3-0.

1:52 p.m. Adjourned.

Respectfully submitted,

Approved  6/26/2024

BOARD OF COUNTY COMMISSIONERS



ATTEST:



WRITTEN FINDINGS

ATTACHMENT I

Date: 4/10/2024

To: San Miguel County Board of Commissioners

Re: Special Events Permit: Norwood Parks and Recreation District
PO Box 645
Norwood, CO 81435

1. Fees: \$150.00 paid on April 4th, 2024 to San Miguel County, to serve regular Malt, Vinous & Spirituous Liquor on June 16th, 2024 from 4:30pm to 9:30pm and on August 11th, 2024 from 4:30pm to 9:30pm at 1165 Summit St. Norwood, CO 81423
2. Notice for posting on the proposed site was given to applicant April 11th, 2024

Notice does not need to be published in the Daily Planet unless petitions of remonstrance's are filed with me.

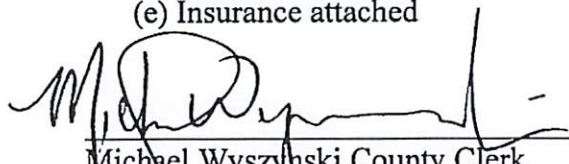
Meeting to be held at 9:30 o'clock A.M., April 24th, 2024 for approval of application.

The Sheriff's office will be notified of an opportunity to comment (on any possible perceived law enforcement) at the meeting.

3. Fingerprinting is not required for a Special Events Permit.

William Masters, Sheriff, gives his approval on this application with the understanding that they be allowed to sell Malt, Vinous and Spirituous Liquor.

4. Application is complete with the following documents:
 - (a) Diagram showing where liquor will be served and consumer.
 - (b) District Court Order Establishing the Special District
 - (c) Special Event application
 - (d) Written Permission from County to use the space
 - (e) Insurance attached


Michael Wyszynski County Clerk


William Masters, Sheriff

**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 #2024-09

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

APPROVED AND ADOPTED this 24th April, 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

2-1 PUBLIC MEETINGS AND NOTICE REQUIREMENTS

PURPOSE

To ensure the appropriate public notice and recording of Board of County Commissioners (BOCC) meetings as required under Colorado law.

POLICY

The BOCC shall conduct its official business at duly noticed meetings that are open to the public unless the topic of discussion falls within an exception and is held by executive session. This policy applies to the BOCC and, where applicable, may be used as a guideline for meetings of other county boards and commissions.

1. General

- a. The official designated posting place for all meeting notices shall be on the County's official website at <https://www.sanmiguelcountyco.gov/661/Agendas-and-Minutes>.
- b. Staff shall endeavor to post meeting agendas at the designated posting place at least two working days before the meeting but no less than twenty-four (24) hours before the meeting unless exempted. The posted agenda is subject to change before or during the meeting.
- c. Staff shall also post the BOCC Calendar listing events that may be attended by one or more of the County Commissioners on the County's official website at <https://www.sanmiguelcountyco.gov>. Changes to the BOCC Calendar may occur and shall be updated accordingly.

2. Types of Meetings, Minutes and Notice

- a. Regular Meetings. Regular Meetings are generally held on the first and third Wednesdays of the month. Matters considered by the BOCC during a Regular Meeting may include reports from department heads or elected officials, public hearings on specific issues, policy-making decisions, signing contracts or agreements, or approving expenditures or requests from county officials. A Regular Meeting shall only be held after at least twenty-four (24) hours' notice as posted at the designated posting place, shall be recorded and minutes shall be taken.
- b. Special Meetings. Special meetings may be called by the Chair when circumstances warrant or upon the request of a member of the BOCC or County Manager. A Special Meeting shall only be held after at least twenty-four (24) hours' notice as posted at the designated posting place, shall be recorded, and minutes shall be taken.
- c. Emergency Meetings. Emergency meetings may be held when necessary for the immediate preservation of public property, health, peace, and safety and shall be conducted according to procedures as adopted by Resolution. An Emergency Meeting may be held without twenty-four (24) hours' notice but shall be recorded and have minutes taken. Any formal decision made by the BOCC at an Emergency Meeting shall be ratified at the next scheduled Regular or Special Meeting.

- d. Work Sessions. Work Sessions are generally held on the second and fourth Wednesdays of each month. A Work Session is an informal, deliberative session between staff or community agencies and the BOCC to allow complete examination and exploration of possible issues and solutions. Matters considered during these meetings may include receiving reports from County staff, discussion of County business, or day-to-day oversight of property or employee supervision. No formal policy-making decision may be made during a work session. A work session shall only be held after at least twenty-four (24) hours' notice as posted at the designated posting place and shall be recorded. Minutes do not need to be taken.
- e. Public Hearings. A Public Hearing is held to make decisions, take public input, and fulfill certain quasi-judicial or statutory duties of the BOCC (e.g. land use applications, adoption of the annual budget, or appeals). A Public Hearing shall only be held after the statutory or regulatory notice has been completed, shall be recorded, and minutes shall be taken.
- f. Executive Sessions. By an affirmative vote of a majority of the members present at a Regular Meeting, Special Meeting, or Public Hearing, the Board may hold an Executive Session. An Executive Session may only be held for the sole purpose of considering any matter as outlined in C.R.S. § 24-6-402 or for consideration of any documents protected by the mandatory nondisclosure provisions of C.R.S. § 24-72-204, commonly known as the "Open Records Act". These include records and files of Sheriff's investigations; personnel files, except applications and performance ratings; letters of reference; and confidential commercial and financial data. Executive Sessions shall be recorded, except for attorney-client privileged communication, and the recording shall be kept for ninety (90) days. Minutes will not be taken.

Exhibit B

2-3 PUBLIC MEETING AND PUBLIC HEARING POLICY

PURPOSE

To establish rules and procedures to govern the transaction of business by the Board of County Commissioners (BOCC) and specifically to establish guidelines for the conduct of public meetings and public hearings. Definitions for meetings and hearings can be found in Section 2-1 of this Administrative Policy Manual.

POLICY

Under Colorado law, the BOCC and other county boards and commissions are required to conduct their official business in duly noticed regular and special meetings open to the public. They must also hold and conduct duly noticed public hearings following the requirements of Colorado law and duly enacted County rules and regulations.

Colorado Revised Statutes, Section 30-10-302, specifically provides that "the board of county commissioners shall meet in open session and all persons conducting themselves in an orderly manner may attend meetings. The board may establish rules to govern the transactions of its business." To ensure public meetings and hearings are conducted in an orderly manner and comply with State law, the BOCC has established guidelines to govern the transaction of its business.

This policy applies to the BOCC and, where applicable, may be used as a guideline for meetings of other county boards and commissions. Any matter that is not addressed specifically in this policy shall be governed by the most recent edition of Robert's Rules of Order Newly Revised wherever applicable and not in conflict with State or local law.

The Clerk to the BOCC is authorized and directed to make copies of this Public Meeting and Hearing Policy available for members of the public, county officials, and staff, and to publish such adopted copy on the County's official website.

2-3.1 Public Meetings

1. Public Meeting Guidelines

- a. The Board Chair (Chair) calls the meeting to order and notes the attendance of the other Board members. The Chair identifies the purpose or subject matter of the meeting as stated in the meeting notice and agenda.
- b. The Chair determines the most orderly and productive way to run the meeting and sets forth the rules and protocols to meet that objective. Rules and protocols include, but are not limited to, the following:
 - i. The Chair may set time limits on presentations, speakers, and the total time available for public comments. Any time limits should be announced in advance.

- ii. Members of the public who wish to make public comments during a meeting shall first sign in with their first and last names. If attending a meeting in person, they will provide such information on the sign-in sheet located in the meeting room. Any person attending the meeting virtually must sign in with their first and last name before being admitted to the meeting.
- iii. Members of the public must raise their hand to request to speak whether attending the meeting in person or virtually. Once recognized by the Chair, they shall identify themselves for the record, stating their full name and place of residence or agency affiliation before making their comments.
- iv. All comments shall be addressed to the Chair. The Chair may limit comments that it determines to be cumulative, repetitive, or not relevant to the agenda item being discussed.

3. Public Comment

- a. Once staff or speaker presentations have concluded, the Chair may open the agenda item to relevant public comments. The Chair should remind the audience of any applicable time limits or restrictions on comments and should consistently apply the same time limit and restriction to all commenters. Representatives of organized groups may be asked to speak first. Attorneys or other agents are requested to identify on whose behalf they are appearing.
- b. Members of the public may address the Board on the specific agenda item and are advised to refrain from cumulative, repetitive, or irrelevant comments.
- c. The Chair may allow members of the public to pose relevant questions to the Board, other agencies, or county staff, but those questions should be made through the Chair. The Board's members shall determine whether it is appropriate to seek answers to questions posed by the public. The Chair may hold responses to questions until the public comment section of the agenda item has concluded.
- d. Persons engaging in disruptive behavior during a public meeting, including, but not limited to, using profanity or sexualized language, engaging in sexualized conduct, commenting on issues not subject to the agenda item, engaging in or advocating illegal activity (i.e. threatening the health or safety of others), speaking when the Chair has not recognized them, or continuing to speak when the Chair has told them to stop, may be ruled out of order by the Chair, and, if they persist in such conduct, may be ordered by the Chair to leave the meeting. In this event, such persons may be forcibly removed should they fail or refuse to voluntarily leave the meeting. The Chair may suspend or recess the public meeting until the disruption ceases.
- e. In addition to verbal comments during the meeting, members of the public are encouraged to submit their written comments via the County's website at <https://www.sanmiguelcountyco.gov/347/Public-Comment> and as set forth in Section 2-5 of this Administrative Policy Manual.

4. Adjourning the Public Meeting

Upon conclusion of the noticed agenda items, the Chair shall call for a motion and vote of the Board members to adjourn the meeting.

2-3.2 Public Hearings

1. Public Hearing Guidelines

- a. The Board Chair (Chair) calls the hearing to order and notes the attendance of the other Board members. The Chair identifies the purpose or subject matter of the hearing as stated in the hearing notice and agenda.
- b. The Chair determines the most orderly and productive way to run the meeting and sets forth rules and protocols to meet that objective. Rules and protocols include, but are not limited to, the following:
 - i. The Chair may set time limits on presentations, speakers, and the total time available for public comments. Any time limits should be announced in advance.
 - ii. Members of the public who wish to make public comments during a meeting shall first sign in with their first and last names. If attending a meeting in person, they will provide such information on the sign-in sheet located in the meeting room. Any person attending the meeting virtually must sign in with their first and last name before being admitted to the meeting.
 - iii. Members of the public must raise their hand to request to speak whether attending the meeting in person or virtually. Once recognized by the Chair, they shall identify themselves for the record, stating their full name and place of residence before making their comments.
 - iv. All comments shall be addressed to the Chair. The Chair may limit comments that it determines to be cumulative, repetitive, or not relevant to the agenda item being discussed.

2. Staff Report Presentation

- a. Proposed exhibits, as described in any staff-prepared Exhibit List, shall be entered into the record.
- b. Staff summarizes the application, its report, and supporting documentation, to be submitted into the record.
- c. The Board may ask questions of staff regarding its report.
- d. Outside agency staff/officials introduced if applicable. Outside agency/staff officials are allowed to present any relevant comments/reports they may have on the application and may be subject to questioning from the Board.
- e. Staff introduces the applicant(s) and the applicant's representative(s) ("Applicant").

3. Applicant's Presentation

- a. The Chair should advise the Applicant not to repeat the staff presentation and any time limitations on their presentation. Although the burden is on the Applicant to show their application meets the County's criteria, the purpose of the presentation is to supplement the staff report, address relevant issues not covered by staff, or respond to issues and/or concerns raised by the staff report. The Applicant may enter additional, relevant exhibits not previously made part of the record.
- b. The Applicant may ask relevant questions of staff regarding its report and may respond to any relevant comments or reports from County staff or outside agency officials.
- c. The Board may ask questions of the Applicant regarding their application and presentation.

4. Opening the Hearing to Public Comment

- a. Once staff and Applicant presentations have concluded, the Chair will open the hearing to relevant public comments. The Chair should remind the audience of any applicable time limits or restrictions on comments and should consistently apply the same time limits or restrictions to all commenters. Representatives of organized groups may be asked to speak first. Attorneys or other agents are requested to identify on whose behalf they are appearing.
- b. Members of the public may address the Board on the specific hearing matter and should be advised to refrain from cumulative, repetitive, or irrelevant comments.
- c. The Chair may allow members of the public to pose relevant questions to the Board, Applicant, other agencies, or county staff, but those questions should be made through the Chair. The Board's members shall determine whether it is appropriate to seek answers to the questions. The Chair may hold responses to questions until the public comment section of the hearing is closed.
- d. Persons engaging in disruptive behavior during a public hearing, including, but not limited to, using profanity or sexualized language, making offensive statements, engaging in sexualized or offensive conduct, commenting on issues not subject to the agenda item, engaging in or advocating illegal activity (i.e. threatening the health or safety of others), continuing to speak when the Chair has not recognized them, or continuing to speak when the Chair has told them to stop, may be ruled out of order by the Chair, and, if they persist in such conduct, may be ordered by the Chair to leave the hearing. In this event, such persons may be forcibly removed should they fail or refuse to voluntarily leave the hearing. The Chair may suspend or recess the public hearing until the disruption ceases.
- e. In addition to verbal comments during the hearing, members of the public are encouraged to submit their written comments via the County's website at

<https://www.sanmiguelcountyco.gov/347/Public-Comment> and as set forth in Section 2-5 of this Administrative Policy Manual.

5. Closing the Hearing to Public Comment

Upon completion of comments by members of the public, the Chair announces that the public comment portion of the hearing is closed, except as otherwise specified, e.g., to receive further written evidence or legal argument from staff or the Applicant, or render a decision.

6. Board Decision

- a. If, upon the determination of the Board, the record is insufficient for them to make a decision, the Board shall continue the public hearing to receive further evidence and render its decision at a date, time, and place announced before adjourning the hearing.
- b. If, upon the determination of the Board, the record is sufficient for them to make a decision, the Board should proceed to deliberate and render its decision, or it may take the matter under advisement to an announced date, time, and place announced before adjourning the hearing, at which it will publicly deliberate and render its decision.
- c. If the Board's decision is to be reflected in a written resolution, the Board shall state within their final motion that the resolution is adopted. The Board may also render a decision at the conclusion of the hearing and announce their intent to adopt the final resolution at a future date. The Applicant and members of the public should be advised at the time an oral decision is rendered. If a written resolution is to serve as the final and binding Board decision, the Chair should state that at the time of the decision.

8. Adjourning the Public Hearing

Upon conclusion of the noticed agenda items, the Chair shall adjourn the hearing.

Exhibit C

2-4 COUNTY SOCIAL MEDIA POLICY**PURPOSE**

San Miguel County operates and maintains social media sites to provide citizens, businesses, and visitors with information about County and community programs, services, projects, issues, events, and activities. The Board of County Commissioners (BOCC) strives to represent the County appropriately, consistently, and positively on the Internet. This information is intended to offer quick, convenient, and easy access for those wishing to learn about San Miguel County. To aid in meeting the goals of the County, the purpose of this policy is to establish procedures for creating and maintaining a social media and online community presence that is in accord with policies and directives established by the BOCC.

POLICY

The BOCC does not condone the use of its social media sites for speech that threatens, attacks, or demeans a person or group - especially if those comments are based on race, creed, color, age, religion, gender, marital status, genetics, or status concerning public assistance, national origin, physical or intellectual disability, sexual orientation or any other status protected by federal, state, or local law.

The BOCC or its designee will determine, at its discretion, how its web-based social media and online community presence will be designed, implemented, and managed as part of its overall communications and information technology strategies and functions. County government social media and other web-based resources may be modified or removed by the County at any time and without notice as necessary to maintain the integrity of both communications and information technology functions.

This policy applies to any pre-existing or proposed social media websites and online community accounts created by County employees in the scope of their employment and includes all sites and accounts described in the remainder of this document. This policy does not govern personal use of social media websites during work hours. This policy does not govern personal use of social media by County employees when they are not acting on behalf of the County. Additional guidance on personal use of social media by County employees is outlined in Section 6-3 of this Administrative Policy Manual.

1. **Social Media Use.** Official County use of social media is intended to broaden the reach of communication and engagement with the community and stakeholders while utilizing new platforms that offer methods of communicating beyond traditional sources of information such as the County website. Official social media tools should be used to:
 - a. Deliver public information, customer service, and e-government to County residents.
 - b. Advance County-wide goals such as creating a culture of engagement.
 - c. Communicate directly to the public, especially during emergencies.
 - d. Increase government transparency and efficiency.

2. Posting Guidelines

- a. Only County staff will serve as publishers; publishers will attend mandatory training sessions. Volunteers, interns, contractors, and board/authority/commission members are not eligible to administer official accounts.
- b. Employees with authorization to publish to County social media should monitor County social media sites for any inappropriate postings according to the Comment Guidelines below. If any posting appears inappropriate, or the publisher is unsure, the County Manager, County Attorney, and Webmaster must be informed.
- c. Department heads and elected officials are responsible for all information posted by their employees and shall monitor content on all official social media sites to ensure a consistent County-wide message and adherence to this policy.

3. Best Practices. Official County social media sites need to be clear and precise and follow industry best practices for posting updates. There are three (3) tenets that County social media publishers must follow regarding the types of content to share:

- a. Relevant: Information that helps residents and pertains to their daily lives.
- b. Timely: Information about deadlines, upcoming events, news, or information related to current events.
- c. Actionable: Information about how to register, attend, go to, or participate in upcoming events.

4. Limitations/Prohibitions

- a. Information about items in litigation or information about claims that could be brought against the County.
- b. Nonpublic information of any kind; always check with your department head or elected official if unsure.
- c. Personal, personnel, sensitive, or confidential information of any kind.
- d. Medical or private information that violates a person's Health Insurance Portability and Accountability Act (HIPAA) protections.

5. Comment Guidelines. The County welcomes comments, recognizes the vital importance of participating in these conversations, and is committed to participating and listening in meaningful ways. The dialog on County social media platforms is a moderated online discussion which is similar to a public meeting of the Board of County Commissioners. Because we must abide by certain standards to serve all constituents civilly and respectfully, all comments must comply with the guidelines listed herein. Posts or communications may be subject to deletion based on any of the following:

- a. Contains links to other sites;
- b. Contains discussion which is not relevant to the County's post or topic;
- c. Advocates illegal activity or threatens the safety or security of others;
- d. Promotes services or products (e.g. solicitation of commerce);
- e. Contains personal information, including or not limited to identification

numbers, phone numbers, emails, personally identifiable medical information; or

- f. Contains information that may compromise the safety, security or proceedings of public systems or any criminal or civil investigations.

6. Disclaimers

- a. The information posted on County social media platforms are provided as a public service. San Miguel County assumes no liability for any inaccuracies the platform may contain nor does the County assume any liability for content, comments, or advertisements posted on a platform by external individuals, agencies, or companies.
- b. External content or comments included on County social media platforms do not imply endorsement by San Miguel County.
- c. San Miguel County reserves the right to remove any content that it determines violates this Policy or any applicable laws.
- d. The content on County social media platforms, including all public comment, is subject to public disclosure under the Colorado Open Records Act.

**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 - 12

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 3.12 of the San Miguel County Employee Handbook shall be updated according to the attached Exhibit A and incorporated herein by reference.
2. This Resolution shall take effect immediately upon its approval by the Board of County Commissioners.

APPROVED AND ADOPTED this 24th 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

3.12 Parental Leave

A full-time or part-time employee who becomes pregnant, whose partner becomes pregnant, or who adopts a child will be granted eight weeks of paid leave. The employee must be employed for at least one year to be eligible. Pay will be provided at the employee's current rate of base pay at the time of leave and will not include overtime or commissions. Part-time employees receive a pro-rated amount based on their weekly schedule.

For non-birthing parents, parental leave is to be taken immediately following the birth or adoption of the child and run concurrently with the Family and Medical Leave Act (if eligible). For birthing parents that are eligible for this leave it will run concurrently with FMLA (if eligible), and paid parental leave will begin at the end of any STD benefit and/or at the end of medical recovery from child birth as defined by their Physician.

Contact the Human Resources department to request leave.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO, RESCINDING
RESOLUTION 1980-28 LICENSING AND REGULATING OF THE
COMMERCIAL TRANSPORTING AND DISPOSAL OF REFUSE FOR THE
UNINCORPORATED AREA OF SAN MIGUEL COUNTY**

Resolution #2024-16

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado (BOCC) has the power to regulate the activities of persons in the business of transporting ashes, trash, waste, rubbish, garbage or industrial waste products or any other discarded materials within the unincorporated area by requiring each such person to secure a license from the county and charging a fee, C.R.S. 30-15-402(1)(a)(IV); and

WHEREAS, the BOCC previously adopted Resolution 1980-28 for licensing and regulating the commercial transport and disposal of refuse for the unincorporated area of San Miguel County herein attached as Exhibit A; and

WHEREAS, the BOCC has determined that Resolution 1980-28 is no longer necessary for the health and safety of county residents.

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

Effective immediately, Resolution 1980-28 is rescinded and repealed.

APPROVED AND ADOPTED this 24th 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

Disposal of
Refuse

RESOLUTION 1980-28

A RESOLUTION LICENSING AND REGULATING OF THE COMMERCIAL TRANSPORTING AND DISPOSAL OF REFUSE FOR THE UNINCORPORATED AREA OF SAN MIGUEL COUNTY

- A. WHEREAS, the Fifty-second General Assembly of the State of Colorado empowered boards of county commissioners to provide for and compel the removal of garbage and trash within the unincorporated area of each county; and,
- B. WHEREAS, the Fifty-second General Assembly of the State of Colorado empowered boards of county commissioners to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease; and,
- C. WHEREAS, the Fifty-second General Assembly of the State of Colorado provided procedures whereby boards of county commissioners may license and regulate persons engaged in the business of transporting and disposing of garbage and trash within the unincorporated area of the county;
- D. Section I. Definitions. For purposes of this ordinance:
 1. "Board" means the board of county commissioners of San Miguel County,
 2. "Garbage" means all putrescible wastes, except sewage and sludge, and includes all such substances from public and private establishments and from all residences,
 3. "Refuse" means all nonputrescible wastes, except fly-ash, and includes ashes, waste, rubbish, industrial waste products or any other discarded materials.

Section II. License Required.

No person shall transport for commercial purposes or dispose of garbage or trash within the unincorporated area of San Miguel County without having procured a license therefor from the County Sanitarian. The County Sanitation Office shall not issue a license without inspection of each vehicle, or being in receipt of verification of payment of insurance policy in required amounts and payment in full for each vehicle. Nothing in this section shall be deemed to preclude the owner or tenant of any lot or tract from removing discarded materials from his lot, so long as appropriate standards of safety and health, as determined by the board, are observed. No license issued pursuant to this ordinance shall grant an exclusive territory or regulate rates for the transportation or disposal of refuse.

Section III. License Prerequisites.

Before a license to transport or dispose of refuse may be issued, an applicant shall meet the following requirements:

RESOLUTION 1980-28

1. Equipment Required. Each vehicle to be used in such transportation or disposal shall be equipped with, at a minimum, the following:
 - (a) A permanent cover or canvas or equally suitable or superior material designed to cover the entire open area of the body of such vehicle.
 - (b) A body so constructed as to be permanently leak-proof as to such discarded materials, and as to prevent the loss of any of the contents therefrom.
 - (c) Extensions of sideboards and tailgate, if any, constructed of permanent materials.
2. Insurance. An applicant shall provide evidence of a motor vehicle liability, issued by an insurance carrier or insurer authorized to do business in the State of Colorado in the sum of not less than \$150,000 for damages for or on account of any bodily injury to or the death of each person as the result of any one accident, in the sum of not less than \$150,000 for damages to the property of others as the result of any one accident, and in the total sum of not less than \$400,000 for or on account of any bodily injury to or the death of all persons and damages to the property of others.

Section IV. License Application.

Application for a refuse hauler's license shall be made to the county sanitarian officer on the appropriate form. The sanitarian officer shall issue it upon the applicant's satisfying the requirements of section III herein, and upon payment of an annual license fee of twenty-five dollars (\$25)/vehicle. All license fees shall be paid in full and shall accompany the application for license. The fee shall be deposited in the General Fund.

Section V. Expiration, Suspension, Revocation, Transfer

1. Licenses shall expire on July 1st annually and shall not be apportioned or prorated for a fraction of a year.
2. The license shall be suspended or revoked when any transportation or disposal under the license fails to comply with or is being used contrary to or in violation of the rules and regulations adopted by the board, or when such transportation or disposal no longer satisfies the requirements of Section III of this ordinance.
3. The license shall be transferable only with the written consent of the board, which shall require that a transferee satisfy the requirements for an original application.

Section VI. Vehicle Identification.

Each vehicle used by a licensee shall be plainly marked on left and right-hand doors and on rear of vehicle in letters not less

RESOLUTION 1980-28

than two and one-half inches in height, with the following:

"Refuse Hauler License No. (starting from 100)
San Miguel County"

Section VII. Accumulation of Refuse.

No person shall allow refuse to accumulate in such a manner as to constitute or become a public nuisance. The board may provide for and complete the removal of such accumulation and assess the whole cost thereof, including 5% for inspection and other costs in connection therewith, upon the lots and tracts from which such accumulation has been removed. The assessment shall be a lien against such lot or tract of land until paid and shall have priority over all other liens except general taxes and prior special assessments.

Section VIII. Permits by County.

In no event shall the board grant such a permit on an exclusive territorial basis.

Section IX. Rules and Regulations.

The board may adopt and promulgate rules and regulations, in addition to those contained herein, relating to, but not limited to, the manner of preparing and accumulating refuse for collection; the location of pickup points; procedures for pickup, transportation and disposal; and such other rules and regulations as the board determines are necessary or expedient for the preservation or promotion of health or the suppression of disease. Such rules and regulations shall not grant an exclusive territory nor regulate rates for the transportation or disposal of refuse. Such rules and regulations, when promulgated, shall have the same force and effect as if incorporated in this ordinance.

Section X. Effective Date, Transition Period.

This resolution shall take effect on November 1, 1980. All refuse haulers presently engaged in the business of transporting or disposing of refuse in the unincorporated area of San Miguel County shall comply with the provisions of this resolution no later than November 1, 1980.

Section XI. Penalty.

Any violation of the provisions of this resolution by an individual shall be punishable by a fine of not more than three hundred dollars for each violation or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment, the fine to be deposited in the County General Fund.

Section XII. Enforcement.

The provisions of this resolution shall be enforced by the County Sheriff's Department.

RESOLUTION 1980-28

Section XIII. Disposition of fines.

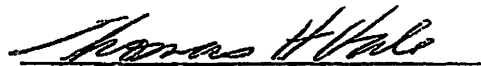
All fines imposed and collected for the violation of this resolution shall be paid into the General Fund of San Miguel County.

Section XIV. Severability Clause.

If any of the various provisions of this resolution are determined by a court of law to be invalid, such determination shall not affect the remaining provisions of this resolution.

SAN MIGUEL COUNTY
BOARD OF COMMISSIONERS


Dan Woodard, Chairman


Tom Hale, Commissioner


Holger H. Thompson, Commissioner

ATTEST:


Shauna Palmer, Deputy Clerk

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO AUTHORIZING TAXPAYERS OR THEIR AGENTS TO ELECT TO BE NOTIFIED BY ELECTRONIC MAIL, DURING PROPERTY TAX DISPUTES PURSUANT TO C.R.S. § 39-1-113(5)(b), C.R.S.39-8-106(2)(b), AND C.R.S. 39-8-107(2)(b)

Resolution 2024-17

RECITALS

WHEREAS, pursuant to C.R.S. § 39-1-113(1) and C.R.S. § 39-10-114 the Board of County Commissioners of San Miguel County, Colorado (the "Board"), is responsible for hearing appeals on petitions for refunds of abatement of property taxes ("Abatement Proceedings"); and

WHEREAS, pursuant to C.R.S. § 39-8-101 the Board sits as the Board of Equalization and pursuant to C.R.S. § 39-8-102, hears appeals from the determinations of the San Miguel County Assessor ("CBOE Appeals"); and

WHEREAS, the Board finds that it wishes to allow taxpayers or their agents to elect to receive notices of hearings and decisions by electronic mail; and

WHEREAS, a taxpayer or their agent may elect to be notified by electronic mail of hearings and decisions in writing to the San Miguel Assessor's Office; and

WHEREAS, pursuant to C.R.S. § 39-1-113(5)(b), C.R.S. § 39-8-106(2)(b), and C.R.S. § 39-8-107(2)(b) the Board may authorize by resolution taxpayers or their agents to elect to be notified by electronic mail of hearings and decisions of the Board in Abatement Proceedings and the Board of Equalization in CBOE Appeals. If no election is made, the Board shall mail the required notice and/or decision.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Board of County Commissioners of San Miguel County, Colorado hereby authorizes taxpayers or their agents to elect to receive notifications of hearings and decisions in Abatement Proceedings and CBOE Appeals by electronic mail pursuant to C.R.S. § 39-1-113(5)(b), C.R.S. § 39-8-106(2)(b), and C.R.S. § 39-8-107(2)(b).

DONE AND APPROVED by the San Miguel County Board of Commissioners on April 24, 2024, at a regular meeting held in Telluride, Colorado.

**BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO**

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

Previously recorded on 4/29/2024 Reception #484674

*Resolution re-recorded in order to revise conditions 4 and 11 and to add conditions 12 and 13

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING AN EXTENSION TO LOGGING SPECIAL USE PERMIT FOR ALC, INC
(NEW BEGINNINGS RANCH),
FORESTRY, AGRICULTURE, AND OPEN ZONE DISTRICT AND AMENDING
RESOLUTION #2022-23**

Resolution 2024-14

WHEREAS, DuWayne Carlson, New Beginnings Ranch Operations Manager on behalf of ALC, Inc., owner of 1,050-acre property, 1824 County Road 39N, Parcel Nos. 455707100083, 455707300001, and 455707100070, the ("Property"), more specifically described in Exhibit "A", Legal Description, submitted an application seeking an extension to a Logging Special Use Permit, which was approved in Resolution 2022-23, and extended in Resolution 2023-29 for a forestry health protection project on 96.7 acres to manage a pine beetle infestation of live and dead standing Ponderosa Pine trees in the project area by the felling, cutting, masticating, skidding, debarking, and finally removal of merchantable timber produced from the diseased trees, as shown on Exhibit "B", Project Map. The property is located on Wrights Mesa, 12 miles south of Norwood and 1 mile north of Miramonte Reservoir and the Dan C. Noble Wildlife Area off County Road 35N, and is zoned Forestry, Agriculture and Open (F); and

WHEREAS, a Logging Special Use Permit (SUP) in the Forestry, Agriculture, and Open Zone District requires One-step Board of County Commissioner Review, per Land Use Code (LUC) Section 5-307 E. II, Logging operations resulting in hauling of more than 300,000 board feet in any 12-month period beginning with commencement of hauling, pursuant to the standards contained in LUC Sections 5-10, Special Uses; 5-17, Logging; 5-407, Wildlife Habit Areas; and to the policies contained in LUC Sections 2-16, Wildlife Protection; and

WHEREAS, a list of the items included in the Public Meeting Record is attached to this resolution as Exhibit "A";

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public meeting held on-line and in person on Wednesday, April 24, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves an extension to a Logging Special Use Permit (SUP) for ALC, Inc. and its contractor, to continue to conduct a forest health improvement project on certain portions of their property, New Beginnings Ranch, based on the finding that the proposed use is consistent with the Land Use Policies in LUC Section 2-16, Gunnison Sage Grouse Habitat, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; and Section 5-17, Logging, and subject to the following specific terms and conditions:

1. The Special Use Permit is issued to the Applicant, ALC, Inc., and does not run with the Land.

2. All written representations of the applicant, in the original submittal and all supplements including emails, are deemed to be conditions of approval except to the extent modified by this approval.
3. ALC, Inc. shall comply with the terms and conditions of the Colorado State Forest Service Project Scope of Work for New Beginnings Ranch 2024, and associated Plan of Operations, except to the extent modified by this approval.
4. This approval is for an extension to the Special Use Permit with project activities starting May 16, 2024 to July 26, 2024. Hauling of logs will commence on July 9 and conclude on July 26, 2024.
5. Warning signs shall be placed on County Road 35N to warn motorists, bikers, and hikers of the logging and hauling activity. All logging trucks shall comply with the posted speed limits on county roads.
6. Follow all wildfire prevention best practices including but not limited to use of spark arrestors, having water and equipment on site to fight fires, limitations on smoking and observance of red flag warnings and all fire restrictions.
7. Obtain and comply with all conditions of County Road & Bridge Excess Hauling Permit for the proposed hauling.
8. Contact the Planning Department, Road and Bridge Department and County Sheriff's Office prior to mobilization of and start of logging activities.
9. Provide a list of onsite contacts for ALC, Inc., Colorado State Forest Service personnel and the logging contractor and logging hauler to Planning Department, Road and Bridge Department, Sheriff's Office within 15 days of approval.
10. Provide a final project report to County Planning Department.
11. This permit shall be valid for activities starting May 16, 2024 to July 26, 2024 unless it is extended following a BOCC review and approval of extension request submitted by the Applicant.
12. Operators of trucks hauling logs must maintain a hauling log book.
13. Hauling trucks will have signage according to specifications provided by Road and Bridge identifying the project for which they are hauling.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on April 24, 2024.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

By: Lance Waring
Lance Waring, Chair

Vote:	Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

EXHIBIT “A” Legal Description
EXHIBIT “B” Public Meeting Record
EXHIBIT “C” Project Map

Previously recorded on 4/29/2024 Reception #484674

*Resolution re-recorded in order to revise conditions 4 and 11 and to add conditions 12 and 13

EXHIBIT A

Legal Description

Parcel No. 455707100070: A PARCEL OF LAND SITUATED IN SEC 12 T43N R14W AND SEC'S 7 8 17 AND 18 T43N R13W NMPM AS REC IN DEED REC 04 19 2007 AT RECEPTION 392116 LESS AND EXCEPT LAND PLATTED AS LOT 28 TRUE WEST RANCH ACC TO QUIT CLAIM DEED REC 07 05 2011 AT 418759 AKA LOT 10 THROUGH 15 22 THROUGH 27 AND 29 OF TRUE WEST RANCH A MIRAMONTE INCLUDING THE COMMON AREA ACREAGE 583.4 AC MOL AMENDMENT OF SURVEY PLAT REC 06 13 2011 AT 418465 AND CONSERVATION EASEMENT IN GROSS AT 418468

Parcel No. 455707100083: A TRACT OF LAND IN SEC 8 T43N R13W ALSO KNOWN AS LOTS 5 6 7 8 9 16 17 18 19 20 AND 21 OF THE TRUE WEST RANCH REC 12 30 93 IN PLAT BK 1 PG 1620-1621 431.7 AC MOL AMENDMENT OF SURVEY PLAT REC 06 13 2011 AT 418465 AND CONSERVATION EASEMENT IN GROSS AT 418468

Parcel No. 455707300001: LOT 28 TRUE WEST RANCH AT MIRAMONTE ACC TO PLAT RECORDED 12 30 1993 PLAT BK 1 PG 1620-1621 35.2 AC MOL AMENDMENT OF SURVEY PLAT REC 06 13 2011 AT 418465 AND CONSERVATION EASEMENT IN GROSS AT 418468

EXHIBIT "B"

Public Meeting Record

Board of County Commissioners

Application: ALC Logging Special Use Permit

Date: April 24, 2024

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).
3. Memorandum to the Board of County Commissioners from John Huebner, Senior Planner dated April 24, 2024
4. Draft Board of County Commissioner Resolution #2024-14
5. Board of County Commissioner Resolution #2023-29.
6. Board of County Commissioners Resolution #2022-23.
7. Application and Supplements submitted by DuWayne Carlson, ALC, Inc. dated April 19, 2022, May 10, 2022, May 21, 2023, June 9, 2023, and March 19, 2024.

AGENCY COMMENTS

8. Email and Memo from John Huebner, Senior Planner, to Review Agencies dated April 11, 2024.
9. Email string received from Starr Jamison, County Natural Resources Director, to John Huebner, Senior Planner dated April 15, 2024.
10. Email string received from Ryan Righetti, County Road and Bridge Director to John Huebner, Senior Planner dated April 11, 2024.

PUBLIC COMMENT

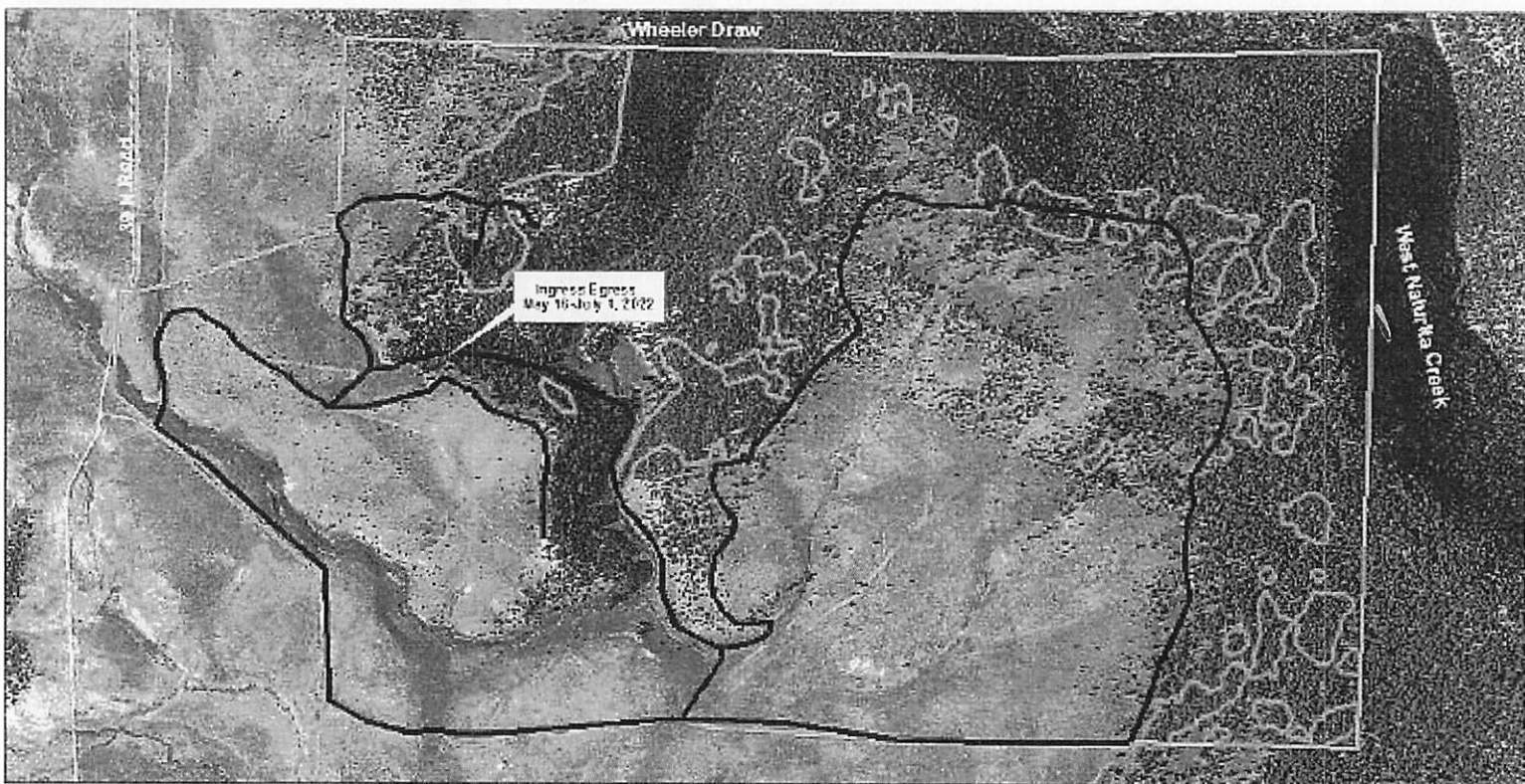
None

EXHIBIT "C"

Project Map



New Beginnings Sanitation Improvement Thinning 2022



Legend	
	Ranch Roads
	ITM Units (39.7 Acres)
	Property Boundary
	Patch Cut Units (57 Acres)



Image Source: 2019 NAIP
1 inch = 1,107.45 feet

Prepared By: Austin Shelby
Colorado State Forest Service
Montrose Field Office
Last Updated: 4/6/22

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF SAN MIGUEL
COUNTY, COLORADO EXTENDING AN
EMERGENCY TEMPORARY MORATORIUM
PROHIBITING COMMERCIAL SOLAR AND MAJOR
UTILITY PROJECTS LOCATED IN ANY AND ALL
ZONE DISTRICTS WITHIN UNINCORPORATED
SAN MIGUEL COUNTY, COLORADO**

Resolution #2024-15

RECITALS

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado, (“BOCC”) adopted Resolution #2023-27 at its meeting on May 24, 2023, placing an emergency temporary moratorium on commercial solar and major utility projects, within any and all zone districts of unincorporated San Miguel County, as listed in the San Miguel County Land Use Code (“LUC”) Section 5-2, and further described in Section 5-709; and

WHEREAS, the BOCC extended the emergency temporary moratorium on November 15, 2023 with Resolution No. 2023-42 until May 15, 2024; and

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

WHEREAS, in connection with its regulation of the use of land located within its unincorporated area, the County has the legal authority to enact an emergency temporary moratorium on land development as part of its inherent police and planning powers, including, but not limited to, its authority under the Local Government Land Use Control Enabling Act of 1974, Title 29, Article 20, Part 1, when necessary for the immediate preservation of public health, safety, and welfare; and

WHEREAS, pursuant to C.R.S. § 30-28-121, the BOCC may promulgate and extend a temporary moratorium not to exceed six months, by resolution and without a public hearing, prohibiting or regulating in any part of or all of the unincorporated territory of the county structures used or to be used for any business, residential, industrial or commercial purpose; and

WHEREAS, County Planning Staff has informed the BOCC that it has received inquiries regarding commercial solar projects and the current regulations in the LUC are not sufficient to address them; and

WHEREAS, the primary purpose for enacting an emergency temporary moratorium on the acceptance, processing, or approval of commercial solar projects and major utility projects is to

provide the County sufficient time to develop and promulgate amendments to LUC Article 5, Standards, and other sections of the Land Use Code, as necessary, pertaining to commercial solar and major utility projects, which requires a review and recommendation by the County Planning Commission and a duly noticed BOCC public hearing. The intent of the new LUC provisions prepared and implemented during the moratorium period is to establish an improved process and standards for consideration of requests for commercial solar and major utility projects; and

WHEREAS, County Planning Staff continues to work with consultants on the development and implementation of such revisions to the LUC pertaining to commercial solar and major utility projects and estimates the revisions should be completed within approximately four to six months; and

WHEREAS, the BOCC and County Planning Commission held joint work sessions on January 24, 2024 and March 27, 2024 to discuss the draft regulations and to gather public input, and are continuing to review the draft regulations; and

WHEREAS, the BOCC does hereby find and determine that the extension of the emergency temporary moratorium on commercial solar and major utility projects within any and all zone districts is necessary for the immediate preservation and protection of the public health, safety, and welfare of the citizens of San Miguel County.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Effective immediately upon the adoption of this Resolution, the San Miguel County Planning Department and all other County Departments, are prohibited from conducting pre-application conferences, accepting, processing, and/or approving land use development applications, special use permit applications, and/or development permits, building permit applications and/or permits, and/or any applications for commercial solar and major utility projects in any and all zone districts of unincorporated San Miguel County.
2. The temporary emergency moratorium enacted pursuant to this Resolution shall be extended to expire at 11:59 p.m. on November 15, 2024, unless confirmed and renewed by the BOCC following a duly noticed regular or special meeting for an additional time period of up to six months prior to its expiration; provided, however, that should the Board consider LUC amendments that are intended to provide adequate standards prior to the moratorium expiration date, the moratorium shall expire effective upon the Board's final action regarding such LUC amendments.
3. This emergency temporary moratorium does not amend the Land Use Code, which shall remain in full force and effect. In the event of any conflict(s) between this emergency temporary moratorium and the Land Use Code, the provisions of this moratorium shall control and supersede any conflicting provisions in the Land Use Code.

4. If any one or more sections or provisions of this Resolution shall be adjudged by a Court of competent jurisdiction to be legally unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the County's intention that the various provisions set forth herein are severable.

DONE AND APPROVED by the San Miguel County Board of Commissioners
on April 24, 2024, at a regular meeting held at Telluride, CO.

**BOARD OF COUNTY COMMISSIONERS SAN MIGUEL
COUNTY, COLORADO**

By: Lance Waring
Lance Waring, Chair

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

ATTEST:



Carmen Warfield

Chief Deputy Clerk to the Board

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING REZONE OF DEMIAN BROOKS PROPERTY
A 39-ACRE PARCEL, PIN 429526200003
FROM WRIGHT'S MESA (WM)
TO WRIGHT'S MESA RURAL AGRICULTURAL (WMRA)**

Resolution 2024-11

WHEREAS, Demian Brooks, hereafter "Applicant," is the owner of a certain tract of land, a 39-acre parcel, Property Identification Number (PIN) No. 429526200003, aka 40485 Highway 145, Norwood hereafter "Property," in the Wright's Mesa Zone District, more particularly described as shown on Exhibit A, Legal Description; and

WHEREAS, Peter Lundeen, on behalf of the Applicant has submitted an Application ("Application") for Recreational Vehicle (RV) Travel Trailer Park Special Use Permit for the Property, in accordance with San Miguel County Land Use Code Section 5-319 Wright's Mesa (WM) Zone Districts, and for the proposed rezone of the property to Wright's Mesa Rural Agricultural Zone District (WMRA), Land Use Code Section 5-319 WM Zone Districts; and

WHEREAS, concurrent with the Recreational Vehicle (RV) Travel Trailer Park Special Use Permit, Applicant is seeking approval to rezone the Property, as shown on Exhibit C, Site Plan; and

WHEREAS, the Application was referred to the County Attorney, County Manager, County Building Official, County Natural Resources Director, County Road and Bridge Director, County Sheriff, County Environmental Specialist, Colorado Parks and Wildlife (CPW), Colorado Division of Water Resources (CDWR), Colorado Department of Transportation (CDOT), Norwood Fire Protection District Marshal, Town of Norwood, Norwood Sanitation District, and the Norwood Water Commission for review and comment; and

WHEREAS, at its meeting held on Thursday, March 14, 2024, following its consideration of the proposed Rezoning, the County Planning Commission (CPC) unanimously recommended approval of the rezone of Demian Brooks Property; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made the finding that the application is consistent with the standards for Land Use Code Section 5-1803, Rezoning; and

WHEREAS, on or about April 3, 2024, the Applicant sent Notice of the application and the Board of County Commissioners (BOCC) Public Hearing to be held on Wednesday, April 24, 2024 to all property owners within 500 feet of the subject parcel, and a sign was posted on the property on or about April 3, 2024 noticing the proposed rezoning and the BOCC meeting to be held on April 24, 2024; and

WHEREAS, a Public Hearing Notice for the proposed Rezoning and the Board of County Commissioner meeting to be held on April 24, 2024 was published in the Norwood Post and the Telluride Daily Planet on March 29, 2024; and

WHEREAS, a notice for the proposed Rezoning of property and the Board of County Commissioners Public Hearing to be held on April 24, 2024 was published in the Norwood Post on April 12, 2024 and April 19, 2024; and

WHEREAS, a list of the items included in the Public Hearing Record is attached to this resolution as Exhibit B; and

WHEREAS, the Board of County Commissioners considered this application, along with relevant evidence and testimony, on Wednesday, April 24, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of San Miguel County, Colorado, approves rezoning the Demian Brook's property, Parcel Identification Number 429526200003, aka 40485 Highway 145 to Wrights Mesa Rural Agricultural - WMRA, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;
2. The proposed project is consistent with the Purpose of Land Use Code Section 5-319 D. I., Wright's Mesa Rural Agricultural, WMRA;
3. The Applicant has demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; traffic; mitigation of geohazards; and mitigation of impacts on the environment;
4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies;
5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;
6. The proposed rezoning is consistent with and implements the Wright's Mesa Master Plan, an element of the San Miguel County Comprehensive Development Plan.

BE IT FINALLY RESOLVED that all written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this review process.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on April 24, 2024.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

By: Lance Waring
Lance Waring, Chair

Vote:	Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:



By: *Carmen Warfield*
Carmen Warfield, Chief Deputy Clerk

EXHIBIT "A" Legal Description
EXHIBIT "B" Public Meeting Record list
EXHIBIT "C" Site Plan

EXHIBIT "A" LEGAL DESCRIPTION

NE4NW4 SECTION 26 TOWNSHIP 45 RANGE 13 LESS NE 1 ACRE OF NE4NW4 39A

EXHIBIT "B"

PUBLIC HEARING RECORD

San Miguel County Board of Commissioners

Application: Brooks Rezone and RV Park Special Use Permit

Date: April 24, 2024

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).
3. Memorandum to the San Miguel County Board of Commissioners from John Huebner, Senior Planner dated April 24, 2024.
4. Draft San Miguel County Board of Commissioners Resolution #2024-11.
5. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated March 14, 2024.
6. San Miguel County Planning Commission Resolution #2024-03.
7. Application and Supplements submitted by Peter Lundeen, on behalf of Demian Brooks for Parcel Identification Number 429526200003, aka 40485 Highway 145, dated December 28, 2023.
8. "Applicant's Certification of Compliance with the Public Noticing Requirements" of the San Miguel County LUC Section 3-9 and of C.R.S. § 24-65.5-103(1) dated April 3, 2024.
9. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on Wednesday, March 29, 2024.
10. Public Meeting Notice published in the Norwood Post on Friday April 12, 2024 and April 19, 2024.
11. Email from Demian Brooks, Applicant, to John Huebner, Senior Planner dated April 15, 2024

AGENCY COMMENTS

12. Email and Memo from John Huebner, Senior Planner, to Referral Agencies dated February 5, 2024.
13. Email from Randee Reider, Colorado Department of Transportation, to John Huebner, Senior Planner dated February 27, 2024.
14. Letter from Mark W. Caddy, Colorado Parks and Wildlife, to John Huebner, Senior Planner dated February 23, 2024.

15. Email from John Bockrath, Norwood Fire Protection District Chief, to John Huebner, Senior Planner dated February 5, 2024 and February 24, 2024.

16. Email from Ryan Righetti, San Miguel County Road Director, to John Huebner, Senior Planner dated February 27, 2024.

17. Email from Kevin Chaney, San Miguel County Environmental Health Specialist, to John Huebner, Senior Planner dated February 16, 2024.

18. Email from Jennifer Dinsmore, San Miguel County Sheriff's Office, to John Huebner, Senior Planner dated February 5, 2024.

PUBLIC COMMENT

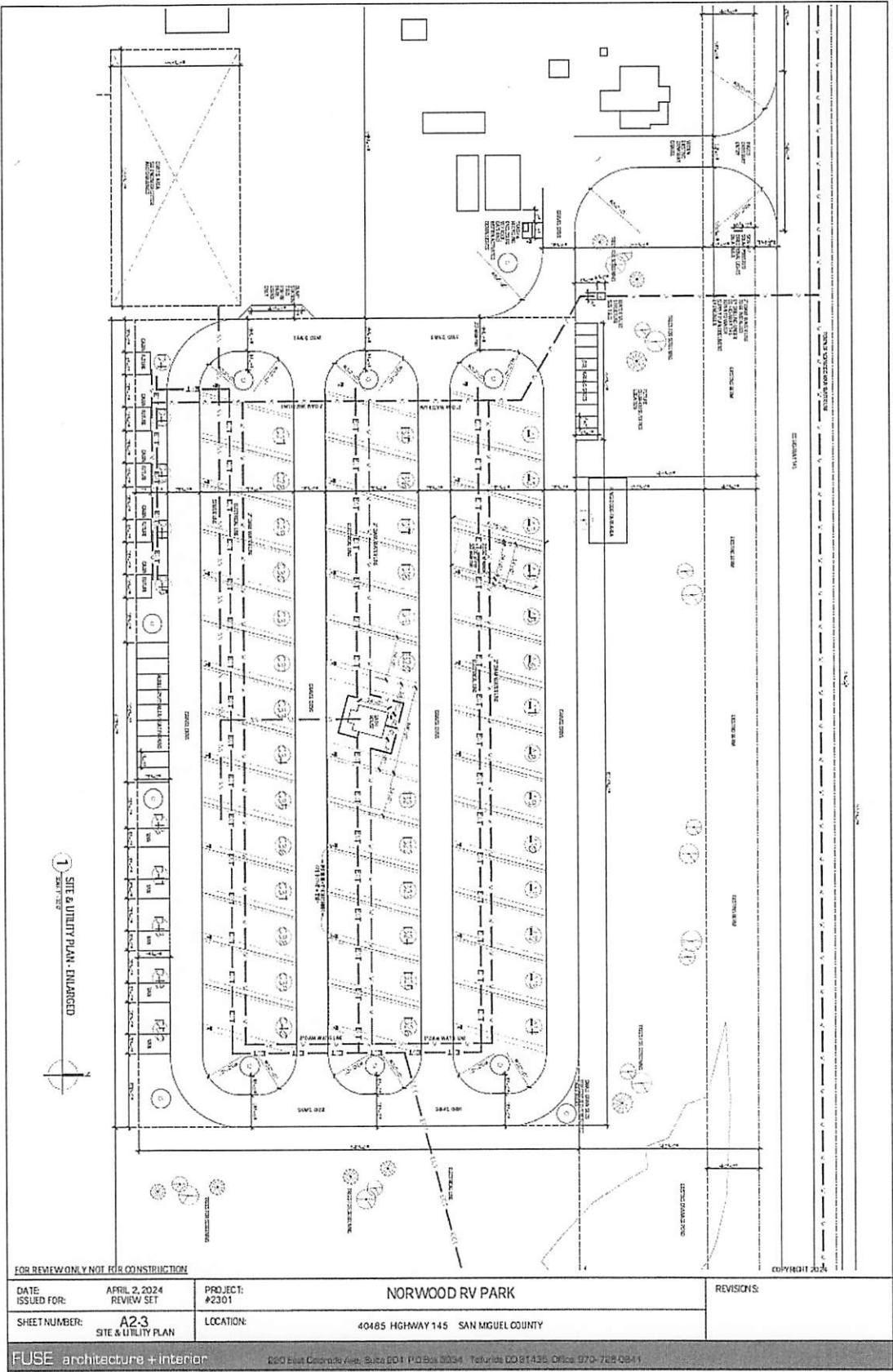
19. Email from Karyn Marolf, County resident and neighbor, to County Planning Commission dated March 19, 2024.

20. Letter from Leslie Sherlock, County resident, to San Miguel County Board of Commissioner Anne Brown date March 24, 2024.

OTHER

21. Colorado Department of Public Health and Environment, Campgrounds and Recreation Areas regulation, dated February 19, 1975.

Exhibit "C" - Site Plan



**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING A SPECIAL USE PERMIT FOR RECREATIONAL VEHICLE (RV) PARK
FOR DEMIAN BROOKS ON A 39-ACRE PARCEL, PIN 429526200003
IN THE WRIGHT'S MESA RURAL AGRICULTURAL (WMRA) ZONE DISTRICT**

Resolution 2024-13

WHEREAS, Demian Brooks, hereafter "Applicant," is the owner of a certain tract of land, a 39-acre parcel, Property Identification Number (PIN) No. 429526200003, aka 40485 Highway 145, Norwood hereafter "Property," in the Wright's Mesa Zone District, more particularly described as shown on Exhibit A, Legal Description; and

WHEREAS, Peter Lundeen, on behalf of the Applicant has submitted an Application ("Application") for Recreational Vehicle (RV) Travel Trailer Park Special Use Permit for the Property, in accordance with San Miguel County Land Use Code Section 5-319 Wright's Mesa (WM) Zone Districts, and for the proposed rezone of the property to Wright's Mesa Rural Agricultural Zone District (WMRA), Land Use Code Section 5-319 WM Zone Districts; and

WHEREAS, concurrent with the Recreational Vehicle (RV) Travel Trailer Park Special Use Permit as shown on Exhibit C, Site Plan, Applicant is seeking approval to rezone the Property; and

WHEREAS, the Application was referred to the County Attorney, County Manager, County Building Official, County Natural Resources Director, County Road and Bridge Director, County Sheriff, County Environmental Specialist, Colorado Parks and Wildlife (CPW), Colorado Division of Water Resources (CDWR), Colorado Department of Transportation (CDOT), Norwood Fire Protection District Marshal, Town of Norwood, Norwood Sanitation District, and the Norwood Water Commission for review and comment; and

WHEREAS, at its meeting held on Thursday, March 14, 2024, following its consideration of the proposed RV Park Special Use Permit, the County Planning Commission (CPC) unanimously recommended approval of the RV Park Special Use Permit; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made the finding that the application is consistent with the with the San Miguel County Comprehensive Development Plan, and the relevant Land Use Policies as set forth in Article 2, and complies with the Land Use Code review standards in Land Use Code Section 5-319 D. I. and IV. New Wright's Mesa Rural Agricultural District Purpose; Section 5-319 H. IV. f. Use Specific Standards for Recreational Vehicle Park, Travel Trailer Park or Campground; Section 5-407 Wildlife Habitat Areas; and Section 5-10 Special Uses standards; and

WHEREAS, on or about April 3, 2024, the Applicant sent Notice of the application and the Board of County Commissioners (BOCC) Public Hearing to be held on Wednesday, April 24, 2024 to all property owners within 500 feet of the subject parcel, and a sign was posted on the property on or about April 3, 2024 noticing the proposed RV Park Special Use Permit and the BOCC meeting to be held on April 24, 2024; and

WHEREAS, a notice for the proposed RV Park Special Use Permit and the Board of County Commissioners Public Hearing to be held on April 24, 2024 was published in the Norwood Post on April 12, 2024 and April 19, 2024; and

WHEREAS, a Public Hearing Notice for the proposed RV Park Special Use Permit and the Board of County Commissioners meeting to be held on April 24, 2024 was published in the Norwood Post and the Telluride Daily Planet on March 29, 2024; and

WHEREAS, a list of the items included in the Public Hearing Record is attached to this resolution as Exhibit B; and

WHEREAS, the Board of County Commissioners considered this application, along with relevant evidence and testimony, on Wednesday, April 24, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of San Miguel County, Colorado, approves the Recreation Vehicle/Travel Trailer Park (R.V. Park) Special Use Permit for Demian Brooks, based on the findings that the proposed use is consistent with the San Miguel County Comprehensive Development Plan, and the relevant Land Use Policies as set forth in Article 2, and complies with the Land Use Code review standards in Land Use Code Section 5-319 D. I. and IV. New Wright's Mesa Rural Agricultural District Purpose; Section 5-319 H. IV. f. Use Specific Standards for Recreational Vehicle Park, Travel Trailer Park or Campground; Section 5-407 Wildlife Habitat Areas; and Section 5-10 Special Uses with the following specific terms and conditions:

1. The applicant shall address all relevant Referral Agency comments in the application for Recreational Vehicle/Travel Trailer Park Special Use Permit.
2. The Applicant is required to meet all county and state regulations regarding the provision of maintenance, sanitation, occupancy, and use of R.V. Park at the property.
3. This SUP Approval for RV Park is for:

Phase 1 improvements:

- (26) Pull-through spaces
 - (10) sites (C27-C36) with full hookups (water, power and septic)
 - (16) sites with water and power
- (5) pull-in van sites (D46-D50) no hookups
- (1) Bath house to include male/female restrooms that include (2) sinks, toilets and showers
- (1) Bear proof, enclosed and covered trash and recycling area; and,

Phase 2 improvements, if started, must be completed within five (5) years of SUP approval

- (14) Pull-through spaces with water and power

- (5) cabin sites (D41-D45) with water and power; toilet and bathing facilities to be determined
4. The RV Park shall only operate from March 15 through November 30. Applicant shall improve the habitat on the remainder of property, i.e. planting an alfalfa crop, treat weed infestation, revegetate remaining areas with native grasses and plantings to provide forage for wildlife rather than the County limiting opening of the RV Park to April 15th. There shall be no winter use of the site.
5. The use of the property shall be limited to the areas shown on the site plan. There shall be no further development and use without County Planning approval.
6. Prior to commencing the approved use of the R.V. Park, the Applicant must submit a Development Permit application with a complete set of plans and be issued a Development Permit by the Planning Department; and must submit a Building Permit application with a complete set of plans to the Building Department, and be issued a Building Permit and complete all proposed improvements; and must submit an Onsite Wastewater Treatment System (OWTS) Permit application, and be issued an OWTS Permit by the Public Health Department, and complete installation of the system.
7. The OWTS as designed is for phase 1 only. Prior to commencing phase 2, a new permit for OWTS must be submitted and approved.
8. Prior to commencing the approved use of the R.V. Park, the Applicant must submit a new Access Permit application with a level two traffic assessment to the Colorado Department of Transportation, and be issued a new Access Permit and complete all proposed driveway improvements.
9. Prior to commencing the approved use of the R.V. Park, the Applicant shall plant the trees for screening as indicated on the project landscaping plan, with the addition of trees planted on and adjacent to the existing earthen berm. Status of trees should be checked at three years after planting, and any trees that have not survived shall be replaced.
10. The use of bear-proof trash cans and dumpsters shall be utilized at the RV Park.
11. Duration of Stay: No R.V. Park space shall be used for long-term housing (i.e., stays of longer than thirty (30) consecutive days or a total of thirty (30) days within any one hundred twenty-day (120-day period); except for five spaces that may be used for up to 90 consecutive days. These five extended stay spaces are limited to a maximum of four persons per site.

12. Use of the RV sewage dump station is limited to only those persons staying at the RV Park.
13. Driveway shall be maintained in a dust-free condition.
14. There shall be an annual review after the completion of the first operational season of RV Park. The BOCC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future. There shall be a review prior to the commencement of construction of phase 2.

BE IT FINALLY RESOLVED that all written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this review process.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on April 24, 2024.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

By: Lance Waring
Lance Waring, Chair

Vote:	Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:



By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

EXHIBIT "A" Legal Description
EXHIBIT "B" Public Meeting Record list
EXHIBIT "C" Site Plan

EXHIBIT "A" LEGAL DESCRIPTION

NE4NW4 SEC 26 45 13 LESS NE 1 ACRE OF NE4NW4 39A

EXHIBIT "B"

PUBLIC HEARING RECORD

San Miguel County Board of Commissioners

Application: Brooks Rezone and RV Park Special Use Permit

Date: April 24, 2024

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18. Email from Jennifer Dinsmore, San Miguel County Sheriff's Office, to John Huebner, Senior Planner dated February 5, 2024.

PUBLIC COMMENT

19. Email from Karyn Marolf, County resident and neighbor, to County Planning Commission dated March 19, 2024.
20. Letter from Leslie Sherlock, County resident, to San Miguel County Board of Commissioner Anne Brown date March 24, 2024.

OTHER

21. Colorado Department of Public Health and Environment, Campgrounds and Recreation Areas regulation, dated February 19, 1975.

Exhibit "C" - Site Plan

