

**SAN MIGUEL COUNTY SPECIAL BOARD OF COUNTY
COMMISSIONER MEETING**

MINUTES

Wednesday, August 28, 2024

Zoom.us

ZOOM PROTOCOL

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, Assistant County Manager

Amy Markwell, County Attorney

Carmen Warfield, Chief Deputy Clerk

Suzanne Cheavens, Communications Coordinator

Nancy Willis, Paralegal (attendance for the attorney interviews)

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

5-year anniversary for Mike Bordogna

6) ADMINISTRATIVE MATTERS

- 6.a) Interviews for board openings.
Robyn Van Gelder - Planning Commission
Brian Ahern - Planning Commission

(ATTACHMENT - Planning Commission Vacancies Detailed.pdf)

(ATTACHMENT - Robyn Van Gelder Planning Commission.pdf)

(ATTACHMENT - Brian Ahern Planning Commission.pdf)

Presented by: Robyn Van Gelder, Applicant
Brian Ahern - Applicant

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

- 7.a) Executive Session: Interviews of four candidates for the County Attorney position, citation 4(e) 4(f).
10:15 am Candidate 1
10:30 am Candidate 2
10:45 am Candidate 3
11:00 am Candidate 4
11:15 am Discussion

Presented by: Andrew Gorgey, Columbia Ltd., Christina Lambert, Human Resource Director

MOTION by Kris Holstrom to go into executive session, to interview four candidates for the County Attorney position, citation 4(e) and 4(f). **SECONDED** by Anne Brown. **PASSED 3-0.**

9:59 a.m. Recessed.
12:10 p.m. Reconvened.

MOTION by Kris Holstrom to come out of executive session, and the one item stated was discussed. **SECONDED** by Anne Brown. **PASSED 3-0.**

8) **Lunch**

12:12 p.m. Recessed.
12:46 p.m. Reconvened.

9) **ADMINISTRATIVE MATTERS - continued**

- 9.a) Interview for Board openings.
Hallie Simpson - Planning Commission
Scott Bennett - Planning Commission

(ATTACHMENT - Hallie Simpson Planning Commission.pdf)

(ATTACHMENT - Scott Bennett - Planning Commission.pdf)

Presented by: Hallie Simpson, Applicant; Scott Bennett, Applicant

- 9.b) The Board of County Commissioners, sitting as the San Miguel County Housing Authority (SMCHA), will discuss and decide on adopting hearing protocols and hiring a hearing officer for the SMCHA. /MOTION

(ATTACHMENT - Hearing Protocol Primer_SMRHA_1.pdf)

(ATTACHMENT - Hearing officer policy.docx.pdf)

Presented by: Mike Bordogna, County Manager; Jarrod Biggs, Assistant County Manager; Amy Markwell, County Attorney; Lois Major, Attorney

representing the County

To be continued to September 4, 2024. Staff direction was given.

9.c) Discussion of the new massage licensing mandate from the State of Colorado.

(ATTACHMENT - OCA Memo.Aug 28 2024.pdf)

(ATTACHMENT - 2024a_1371_signed (background checks).pdf)

(ATTACHMENT - FAQ- HB22-1300.Prevention of Human Trafficking -
Massage business licensing.pdf)

(ATTACHMENT - Summary - HB22-1300.Prevention of Human Trafficking -
Massage business licensing.pdf)

(ATTACHMENT - Summary- HB24-1371.Massage business.Periodic
Background Checks.pdf)

Presented by: Amy Markwell, County Attorney

10) **MANAGER MATTERS**

10.a) Consideration of a ballot measure and Chair's signature on Resolution 2024-37
to reallocate a portion of the Parks and Open Space mill levy for Affordable
Housing Purposes./MOTION

(ATTACHMENT - BOCC Agenda Doc - Levy Reallocation for Housing
Purposes(08282024).pdf)

(ATTACHMENT - Res2024-37ReallocatePOSTBallotQuestion.pdf)

Presented by: Mike Bordogna, County Manager

MOTION by Anne Brown to approve a ballot measure and Chair's signature on Resolution 2024-37 to reallocate a portion of the Parks and Open Space mill levy for Affordable Housing Purposes. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT I - Resolution 2024-37)

10.b) Consideration to authorize an award for the Trout Lake culvert repair
project./MOTION

(ATTACHMENT - Cooperative Forest Road Agreement #22-RO-11020400-
031.pdf)

Presented by: Mike Bordogna, County Manager

MOTION by Anne Brown to approve the authorization of the county manager to engage in a professional service contract with Earthworks and authorize an unbudgeted additional expenditure out of the road and bridge fund in the amount of \$238,052 to repair the culvert that has failed. **SECONDED** by Kris

Holstrom. **PASSED 3-0.**

Presented by: Mike Bordogna, County Manager
Update and other as needed.

1. There was a kickoff for the Equity project the contractor will be working with the county over the next year to develop our justice, equity, diversity, and inclusion. Policy recommendations will be brought back to the board.
2. The grant we have applied for with Mountain Village and the Town of Telluride for greenhouse gas reduction for technical assistance funds to hire a contractor to assist in our prioritization and cost-benefit analysis was not received. Mike is now looking at a new pot of money for specific climate action items for the same purpose.
3. The county will be closed on September 2, 2024, for Labor Day.

MOTION by Kris Holstrom to approve the chair's signature on the cooperative Forest Road agreement. **SECONDED** by Anne Brown. **PASSED 3-0.**

Presented by: Mike Bordogna, County Manager; Jarrod Biggs, Assistant County Manager

2:40 p.m. Recessed.

2:43 p.m. Reconvened.

11) **ATTORNEY MATTERS**

- 11.a) Executive Session: Discussion of code enforcement issue(s), citation 4(b), conference with an attorney.

Presented by: Amy Markwell, County Attorney; Matt Gonzales, Building Official

No executive session was needed.

12) **3:00 pm ADJOURNMENT**

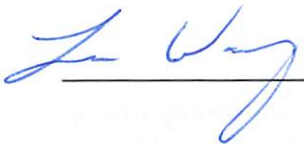
MOTION by Kris Holstrom to adjourn the meeting. **SECONDED** by Anne Brown. **PASSED 3-0.**

2:54 p.m. Adjourn.

Respectfully submitted,

Approved October 16, 2024

SPECIAL BOARD OF COUNTY COMMISSIONER MEETING



ATTEST:



CERTIFIED RECORD

OF

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL
COUNTY, COLORADO, CONCERNING THE SUBMISSION TO THE REGISTERED
ELECTORS OF SAN MIGUEL COUNTY OF A REFERRED BALLOT QUESTION AT
THE NOVEMBER 5, 2024 ELECTION REGARDING REALLOCATION OF A
PORTION OF THE PARKS AND OPEN SPACE MILL LEVY FOR AFFORDABLE
HOUSING PURPOSES

STATE OF COLORADO)
) ss.
County of San Miguel)

The Board of County Commissioner of San Miguel County, Colorado, met in regular session in full conformity with applicable Colorado law and the rules of the County, in Telluride, Colorado, on the 28th day of August, 2024.

Upon roll call the following commissioners were present, constituting a quorum:

Chair: Lance Waring

Commissioners: Kris Holstrom
Anne Brown

Also present:

Chief Deputy Clerk: Carmen Warfield
County Manager: Mike Bordogna
County Attorney: Amy Markwell

Thereupon Commissioner Brown introduced a Resolution as follows:

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO, CONCERNING THE SUBMISSION TO THE
REGISTERED ELECTORS OF SAN MIGUEL COUNTY OF A REFERRED BALLOT
QUESTION AT THE NOVEMBER 5, 2024 ELECTION REGARDING
REALLOCATION OF A PORTION OF THE PARKS AND OPEN SPACE MILL LEVY
FOR AFFORDABLE HOUSING PURPOSES**

Resolution No. 2024 - 37

WHEREAS, In the November 6th, 2001 election, San Miguel County voters approved a mill levy of 1.500 mills for purposes of acquisition, development, maintenance and operations of open space, parks, trails historic preservation, fairgrounds and other related purposes (POST); and

WHEREAS, since the approval of that levy, San Miguel County has employed those resources to develop a world class parks, open space and trails programs and systems throughout our County which will continue to be community assets into perpetuity with care and maintenance; and

WHEREAS, the growth in assessed value, and the value of revenue from that mill levy have increased and outpaced inflationary factors and allowed for significant capital investment in POST projects; and

WHEREAS, the need for affordable housing opportunities within our County have always been a significant issue, and have only become more acute and difficult with continued price appreciation and demand; and

WHEREAS, the Board of County Commissioners has identified housing opportunities as a primary goal of the board and desire to take steps to support enhancement and advancement of that cause for the County; and

WHEREAS, the ability to reallocate a portion of the revenue being collected for POST to affordable housing opportunities provides resources for both programs without placing additional burdens on the taxpayers of San Miguel County; and

WHEREAS, the Board of County Commissioners has reviewed the proposed ballot question, as set forth herein below, to be considered at the November 5, 2024 election, and has determined it would be in the interest of San Miguel County and its citizens to be served by the reallocation of a portion of these property tax resources for the purposes set forth in the proposed language until or unless repealed or amended at an election by a majority of the registered electors of San Miguel County voting thereon; and

WHEREAS, any such ballot question must be approved by a majority of the legally eligible San Miguel County registered electors voting on such ballot measure before becoming effective.

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

1. The following ballot question and title are hereby referred and submitted to the registered electors of San Miguel County, Colorado, at the November 5, 2024 election:

San Miguel County Referred Measure ____ - authorizing a property tax levy reallocation for the purchase and construction of affordable or workforce housing from the 2001 voter authorized one and a half (1.5) Mill Levy for Parks and Open Space.

Without raising taxes or tax rates, shall the current one and a half (1.5) mills of San Miguel County property taxes dedicated for Parks and Open Space be reallocated such that one (1.0) mill shall continue to be allocated for Parks and Open Space; and the other one half (0.5) mill shall be reallocated to a dedicated fund to be used for affordable housing purposes including administration, financing, purchasing, developing, constructing and otherwise providing affordable housing programs for the purchase and development of affordable or workforce housing beginning January 1, 2025, and shall the revenues be collected and spent as a voter-approved revenue change. Without limitation or condition under Article X, Section 20 of the Colorado Constitution or any other law?

_____ YES _____ NO

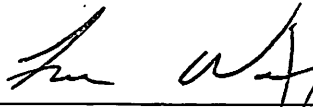
2. Said ballot question shall be voted upon only by San Miguel County, Colorado, registered electors legally eligible to vote at the November 5, 2024 election.
3. Should the San Miguel County Clerk and Recorder, acting in their statutory capacity as the designated election official for the San Miguel County, Colorado, November 5, 2024, general election find and certify in accordance with the applicable provisions of the Colorado Uniform Election Code of 1992, as amended, that the majority of the San Miguel County registered electors voting on the ballot question set forth hereinabove have voted YES it shall declare the ballot question to be passed and adopted, however, should it find and certify that the majority of the San Miguel County registered electors voting on the ballot question set forth hereinabove have voted NO it shall declare the ballot question to not be passed and not be adopted.
4. Upon the San Miguel County Board of County Commissioners certifying the ballot question and title to the San Miguel County Clerk and Recorder in substantially the form set forth hereinabove, all acts required or permitted by the Uniform Election Code of

1992, as amended, relevant to providing of notice, the mailing to electors of any required information, or about the conduct of the election on such ballot question at the November 5, 2024, general election, including, but not limited to, voting by early voter's ballots, absentee ballots, and emergency absentee ballots, which are to be performed by the designated election official, shall be performed by the San Miguel County Clerk and Recorder.

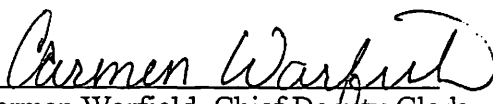
ADOPTED AND APPROVED this 28th day of August, 2024 in Telluride, Colorado.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By:


Lance Waring, Chair

ATTEST:


Carmen Warfield, Chief Deputy Clerk

Commissioner Anne Brown moved that the Resolution be passed and adopted.

Commissioner Kris Holstrom seconded the motion.

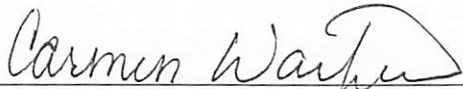
The question being upon the passage and adoption of the Resolution, the roll was called with the following result:

Those voting YES:	Lance Waring
	Kris Holstrom
	Anne Brown

Those voting NO:	None
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The Chair thereupon declared that a majority of all of the Commissioners elected having voted in favor thereof, the motion was carried, and the Resolution duly passed and adopted.

Thereupon, after consideration of other business to come before the Board of County Commissioners, the meeting was adjourned.


Carmen Warfield, Chief Deputy Clerk

(S E A L)

