

**SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
WEDNESDAY, MARCH 19, 2025
333 WEST COLORADO AVE 2ND FLOOR, TELLURIDE, CO 81435**

1. Call to Order

(Any of the stated items in this agenda may involve an Executive Session C.R.S. 24-6-402(4))

9:46 a.m. Begin

2. Roll Call

Present:

Anne Brown, Chair

Lance Waring, Vice Chair

Galena Gleason, Commissioner

Staff Present:

Mike Bordogna, County Manager

Jarrold Biggs, Deputy County Manager

Maura Fahey, Attorney

Suzanne Cheavens, Communications Coordinator

Carmen Warfield, Chief Deputy Clerk

3. Moment of Silence

4. Review of Agenda

5. Public Comment for Items Not on the Agenda

Please limit comments to 3 minutes. If comments are not related to an item on the agenda, there will be no Board response or action taken since the topic was not posted with proper notice and any comment could potentially violate the Colorado Open Meetings Law.

6. Consent Agenda

- a. Approval of the Chair's signature on an Acknowledgment of Deed Restriction and Agreement for Persons Interested in Purchasing Affordable Housing 168 Alexander Overlook, Erika Czajka
- b. Approval of the Chair's signature on an amended Professional Services Agreement and Scope of Work that amends the existing proposal with Sullivan Green Seavy Jarvis LLC for Natural Resource LUC Regulations
- c. Approval of the Chair's signature on an IGA with Ouray County for a Veteran's Service Officer
- d. Approval of vendor payments from February 2025

- e. Approval of reappointment of Ian Bald to the San Miguel County Planning Commission
- f. Approval of a Memorandum of Understanding with San Miguel County and SMART San Miguel Authority for Regional Transportation for disaster response with the San Miguel Sheriff's Office.
- g. Ratification of BOCC Sunset Concert Series Letter of Support 3.12.2025

Motion by Lance Waring to approve the consent agenda as presented. **Seconded** by Galena Gleason. **PASSED 3-0.**

7. Administrative Matters

- a. Consideration by the Board of the appointment of Josh Comte and David Wadley to the San Miguel Behavioral Health Solutions Panel/MOTION - 9:35 AM

Present: Josh Wadley, Applicant and Josh Comte, Applicant

Motion by Lance Waring to approve Josh Wadley and Josh Comte's appointment to the San Miguel Behavioral Health Solutions Panel. **Seconded** by Galena Gleason. **PASSED 3-0.**

- b. Consideration by the Board for a request for \$5,000 for the Lone Cone Ditch Company for ditch engineering /MOTION

Presented by: Mike Bordogna, County Manager; Charlene Starks, Lone Cone Ditch Company

Motion by Lance Waring to approve the request for the \$5,000 from the Lone Cone Ditch Company to be distributed to the non-profit West End Economic Development Corporation as the remaining matching funds are collected. **Seconded** by Galena Gleason. **PASSED 3-0.**

- c. Consideration a request for \$1,000,000 County Contribution and a letter of recommendation for the Norwood School District to help reduce the bond burden on the Norwood Community for the Best Grant

Presented by: Todd Bissell, Norwood School District; Candy Meehan, Mayor of Town of Norwood

Note: At this time, the Commissioners declined to provide financial support to the Norwood School District. The board will continue to consider other ways to support the School District.

8. Planning Matters

- a. **PUBLIC HEARING:** Consideration of a Dolores County Road and Bridge Mining Special Use Permit for the expansion of the existing Disappointment Gravel Pit located on Bureau of Land Management (BLM) public lands / **MOTION**
Presented by: John Huebner, Senior Planner; Kaye Simonson, Planning Director; Amber Fisher, Dolores County Road and Bridge

10:59 a.m. The Chair opened the Public Hearing.

11:05 a.m. The Chair closed the Public Hearing.

Public Who Addressed the Board:

Douglas Tooley, County resident

Motion by Galena Gleason to approve **Resolution 2025-05** Mining Special Use Permit (SUP) for Dolores County Road and Bridge or its contractor, for the proposed 4.6-acre expansion of the existing 7.0-acre gravel pit located on Bureau of Land Management (BLM) public lands in the S/2 of the SW/4 of the NW/4 of Section 20, Township 43N, Range 17W, San Miguel County, based on the finding that the proposed use is consistent with the County Master Plan, and with the Land Use Policies in LUC Section 2-8, Natural and Man-Made Hazard and Resource Area; LUC Section 2-11, Erosion; LUC Section 2-34, Revegetation with Native Species; LUC Section 2-35, Mining and Mineral Processing Operations, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; Section 5-11, Conditional Uses on Federal Lands; and Section 5-16, Mining; and Section 5-320 K, Review Standards for WE Zone District Special Uses, subject to the following specific terms and conditions:

1. The Special Use Permit is issued to the Applicant, Dolores County Road and Bridge, and does not run with the Land.
2. No future expansion of operations at the 11.60-acre gravel pit by Dolores County Road and Bridge is authorized by this approval.
3. Contact the Planning Department, Road and Bridge Department and County Sheriff's Office prior to mobilization of and the start of mining activities.
4. Provide a list of onsite contacts for Dolores County Road and Bridge, prior to commencement of mining and crushing activities.
5. This Special Use Permit conditional approval is subject to the Bureau of Land Management (BLM) and Colorado Division of Reclamation and Mining and Safety (CDRMS) approvals of this gravel pit expansion and issuing the requisite permits.
6. The gravel mining operation and reclamation plan shall be consistent with and comply with the applicable provisions as approved by the County, unless specifically modified in the BLM and CDRMS approval action.
7. Provide annual progress reports to County Planning.
8. Mining and crushing activities shall be limited to May 1 to November 30.
9. The County shall be informed of any cultural resources discovered in the course of work. All appropriate mitigation measures shall be taken to protect cultural resources.

10. The revegetation plan shall include soil restoration and best practices to maximize available water.
11. All written representations of the applicant, in the original submittal and all supplements are deemed to be conditions of approval except to the extent modified by this approval. Seconded by Lance Waring. **PASSED 3-0.**

Motion by Lance Waring to waive the application fee for the Mining Special Use Permit for Dolores County Road and Bridge. **Seconded** by Galena Gleason. **PASSED 3-0.**

9. Natural Resources and Climate Resilience

Update and other, as needed.
Star Jamison, Director

11:07 a.m. Recessed.

11:15 a.m. Reconvened..

- a. Discussion of the Productive Public Lands Act Introduced by Congressional Representative Jeff Hurd.

Presented by Starr Jamison, Natural Resources and Climate Resilience Director

The board consensus is that San Miguel County should provide a comment letter to Congressional Representative Jeff Hurd stating our Grand Mesa, Uncompahgre, and Gunnison (GMUG) and wildlife protection goals, time, and financial contribution to the Resources Management Plans as a cooperating agency, and Gunnison Sage Grouse protection in general.

10. Parks and Open Space Matters

- a. Consideration of the Chair's signature on a Construction Agreement with Kota Construction to complete the 2025 Event Center Indoor Arena Footing Replacement Project at the fairgrounds./MOTION

Presented by Janet Kask, Parks and Open Space Director

Motion by Lance Waring to approve the Kota Construction agreement as presented. **Seconded** by Galena Gleason. **PASSED 3-0.**

- b. Presentation of 2025 Open Space Commission Work Plan

Presented by: Greg Poilio, Operations Manager; Janet Kask, Parks and Open Space Director; Susie St. Onge, Open Space Commission

- c. Presentation of the 2025 Historical Commission Work Plan

Presented by: Janet Kask, Parks and Open Space Director; Greg Polio, Operations Manager; Ted Wilson, Historical Commission Board

11. Lunch

12:16 p.m. Recessed.

12:45 p.m. Reconvened.

- a. Recognition of Gina Sharpe for five years of service to the San Miguel County Human Services Division

Presented by: Linnea Edwards, Director of Human Services; Gina Sharpe, Human Services

Thank you, Gina Sharpe.

12. Administrative Matters , Continued

- a. Update with Rachel Sralla CPW Area Wildlife Manager

Presented by: Rachel Sralla, Colorado Parks and Wildlife, Area Wildlife Manager

- b. Consideration of Resolution 2025-6 Regarding Administrative Policy Manual Updates to CORA Policy and Addition of County Owned Housing Policy/MOTION

Presented by: Maura Fahey, County Attorney; Jarrod Biggs, Deputy County Manager

Public Who Addressed the Board:
Dirk DePagter, County resident

Motion by Lance Waring to approve **Resolution 2025-06**, Colorado Opens Records Act (CORA) policy as presented. **Seconded** by Galena Gleason. **PASSED 3-0.**

Note: The County Owned Housing Policy will be updated and presented at a future meeting.

- c. Consideration of Resolution 2025-07 Employee Handbook Updates - Personnel Committee, Holiday and Overtime-Compensatory Time Policies /MOTION

Presented by: Jarrod Biggs, Deputy County Manager; Christina Lambert, Dept of Human Resources

Motion by Lance Waring to approve **Resolution 2025-07** Employee Handbook updates as presented. **Seconded** by Galena Gleason. **PASSED 3-0.**

13. Affordable Housing Updates

- a. Consideration by the Board to approve the next phase of the Ilium Project adjacent to the County Jail and Sheriff's Office /MOTION

Presented by: Mike Bordogna, County Manager

Public Who Addressed the Board:

Dirk DePagter, County resident

Douglas Tooley, County resident

Sherri Reeder, County resident

Motion by Lance Waring to authorize the allocation of the already approved 2025 housing budget on a sketch plan application of \$98,222 for the Ilium Project - Contract amendment #7. **Seconded** by Galena Gleason. **PASSED 3-0.**

14. Manager Matters

Update and other, as needed

Mike Bordogna, County Manager

- a. Presentation by Mountain Village of the 2024 Waste Water Treatment Plant (WWTP) feasibility study and discussion of current and alternative regional wastewater site work

Presented by: Michelle Bulson and Branden Bael, Town of Mountain Village; Dave Bulson, Bulson Surveying; Paul Wisor, Manager of Mountain Village; Zoe Dohnal, Town of Telluride Manager

Public Who Addressed the Board:

Shellie Duplan, Aldasoro Ranch Homeowner Association

Dan Collins and Lori Lunquist, County residents

Douglas Tooley, County resident

Hallie Simpson, commenting as a County resident

Dirk Depaghter, County resident

3:12 p.m. Recessed.

3:35 p.m. Reconvened.

- b. Potential appointment on the behalf of San Miguel County to SWCORC Southwest Colorado Opioid Regional Council

Presented by: Mike Bordogna, County Manager

Motion by Lance Waring to approve the appointment of Linnea Edwards to the Southwest Colorado Opioid Regional Council. **Seconded** by Galena Gleason. **PASSED 3-0.**

Note: Anne Brown will be stepping down from this group. Linnea Edwards will represent San Miguel County instead of Ouray County. Ouray County will work on a replacement. Grace Franklin, Public Health Director, and Linnea Edwards, Director of Human Services, will be the current representatives of the SWCORC.

c. Consideration of letters of support for CDS applications and prioritization

- Town of Norwood
- Norwood Fire Protection District
- Uncompagre Medical Center
- Imogene Pass

Presented by: Mike Bordogna, County Manager

Motion by Anne Brown to support the letters presented or submitted. **Seconded** by Lance Waring. Anne Brown and Lance Waring agreed to rescind the motion and make it more direct.

Motion by Anne Brown to approve the Board of County Commissioners' signatures on letters of support for congressionally directed spending applications from the Town of Norwood, the Norwood Fire Protection District, and the Uncompahgre Medical Center for this round of applications. **Seconded** by Lance Waring. **Passed 3-0.**

Manager Matters:

1. Meeting with the Telluride Foundation and local non-profits on the status of the new Federal Executive orders.
2. Meeting with Dawn Katz, Tri-County Health discussed potential philanthropic funding for operations at the Hangout Center.
3. Montezuma County Manager - Regional discussion with the Southwest Counties about ongoing regional issues during public discussion May 29th from 5 - 7 pm
4. Clarification of use by the Norwood Fire Dept. lease for the Road and Bridge shop in the basin
5. The Steadman Group Behavioral Health Gap Analysis is here this week, completing public surveys.
6. Update on the class and comp study.
7. There was a survey for the sheriff's office requesting responses on their hopes for the next sheriff.
8. A request for proposals will be publicized for the land use code analysis for affordable housing.
9. Update on the request to the Town of Telluride to waive the tap fee for the Mill for the park
10. Update San Bernardo HOA draft Memorandum of Understanding response

11. Update on fundraising for repairs to Imogene Pass

Jarrold Biggs, Deputy County Manager

1. Town of Telluride Council Meeting - Fruen building update

15. Commissioner Updates

Anne Brown - Update on Outside Meetings.

Galena Gleason - Update on Outside Meetings.

Lance Waring - Update on Outside Meetings.

Anne Brown - Lunch with Judge Corey Jackson at the District 7 Courthouse, Wildfire Workshop, Telluride Foundation Meeting, CCAT monthly meeting, County Planning Commission and Board of County Commissioner joint meeting, SMART Board meeting, Todd Bissell Norwood School, Telluride Airport meeting with staff before Anne's first Telluride Airport Board meeting

Galena Gleason - Met with Representative Hurd's assistant on concerns with the Colorado Dept. of Human Services prioritization, Colorado Dept. of Public Health and Environment - Board of Health training, ECAP Advisory Panel, Shavano Conservation Award ceremony, San Miguel Water Conservation meeting, Compost check-in meeting, CCI Steering Committee

Lance Waring - SMART meeting, CC4CA Testifying, Mountain Village Council Meeting

16. Attorney Matters

(Any of these items may involve an Executive Session C.R.S. 24-6-402(4))

- a. Updates as needed

17. Adjournment

Motion by Galena Gleason to adjourn the meeting. **Seconded** by Lance Waring. **PASSED 3-0.**

4:37 p.m. Adjourned.

Respectfully submitted,

Approved: April 22, 2025

BOARD OF COUNTY COMMISSIONERS

Anne Brown

ATTEST:

Caerum Wafer





**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING A MINING SPECIAL USE PERMIT FOR DOLORES COUNTY ROAD
AND BRIDGE DISAPPOINTMENT VALLEY PIT, WEST END (WE) ZONE DISTRICT**

Resolution 2025-5

WHEREAS, Dolores County Road and Bridge (“Applicant”), has submitted an application seeking a Mining Special Use Permit for the expansion of the Disappointment Valley Gravel Pit, from 7.0 acres to 11.6 acres, located on Bureau of Land Management (BLM) federal public lands in the S/2 of the SW/4 of the NW/4 of Section 20, Township 43N, Range 17W in the West End (WE) zone district, San Miguel County off of County Road 16R. The gravel pit area comprises BLM lands only and also requires federal and state mine permit applications; and

WHEREAS, a West End zone district Mining Special Use Permit (SUP) requires Two-step Planning Commission and Board of County Commissioner Review, per Land Use Code (LUC) Section 5-320 F XVI and 5-320 F XVII, pursuant to the standards contained in LUC Sections 5-320 West End Zone District, 5-320 K, Review Standards for all WE Zone District Special Uses, 5-407 Wildlife Habit Areas, 5-1002, Special Uses, 5-11 Conditional Uses on Federal Lands, and 5-16 Mining; and to the policies contained in LUC Sections 2-8, Natural and Man-made Hazard and Resource Areas, 2-11 Erosion, 2-34 Revegetation with Native Species, 2-35 Mining and Mineral Processing Operations; and

WHEREAS, the application was referred to the County Manager, County Attorney, County Road and Bridge Director, County Natural Resources Director, County Sheriff, County Open Space and Parks Director, Colorado Department of Public Health & Environment, Colorado Division of Reclamation-Mining and Safety, Colorado Parks and Wildlife, US Bureau of Land Management (BLM), Information Network for Responsible Mining (INFORM), and Sheep Mountain Alliance for review and comment; and

WHEREAS, at its regular meeting held on Thursday, February 13, 2025 the County Planning Commission reviewed the application and recommended approval to the Board of County Commissioners of a Special Use Permit (SUP) for Dolores County Road and Bridge or its contractor, for the proposed 4.6-acre expansion of the existing 7.0-acre gravel pit on Bureau of Land Management (BLM) public lands off County Road 16R, the (“Property”), zoned West End (WE) as presented, based on the finding that the proposed use is consistent with the County Master Plan, and with the Land Use Policies in LUC Section 2-8, Natural and Man-Made Hazard and Resource Area; LUC Section 2-11, Erosion; LUC Section 2-34, Revegetation with Native Species; LUC Section 2-35, Mining and Mineral Processing Operations, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; Section 5-11, Conditional Uses on Federal Lands; and Section 5-16, Mining; and Section 5-320 K, Review Standards for WE Zone District Special Uses, subject to certain conditions, by a vote of 5-0; and

WHEREAS, the County Planning Commission's actions and recommendations are contained in the minutes from the February 13, 2025 CPC meeting; and

WHEREAS, on or about February 27, 2025, a Public Notice sign was posted at the property by the Applicant for the Board of County Commissioner public hearing on March 19, 2025. No property owners other than the BLM are within 1,500 feet of the subject parcel, nor any municipalities within 3 miles; and

WHEREAS, A Notice of Public Hearing was published in the Telluride Daily Planet and in the Norwood Post on Friday, February 28, 2025 for the Board of County Commissioner public hearing to be held on-line and in person on Wednesday, March 19, 2025; and

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

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public hearing held on-line and in person on Wednesday, March 19, 2025.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves a Mining Special Use Permit (SUP) for Dolores County Road and Bridge or its contractor, for the proposed 4.6-acre expansion of the existing 7.0-acre gravel pit located on Bureau of Land Management (BLM) public lands in the in the S/2 of the SW/4 of the NW/4 of Section 20, Township 43N, Range 17W, San Miguel County, based on the finding that the proposed use is consistent with the County Master Plan, and with the Land Use Policies in LUC Section 2-8, Natural and Man-Made Hazard and Resource Area; LUC Section 2-11, Erosion; LUC Section 2-34, Revegetation with Native Species; LUC Section 2-35, Mining and Mineral Processing Operations, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; Section 5-11, Conditional Uses on Federal Lands; and Section 5-16, Mining; and Section 5-320 K, Review Standards for WE Zone District Special Uses, subject to the following specific terms and conditions:

1. The Special Use Permit is issued to the Applicant, Dolores County Road and Bridge, and does not run with the Land.
2. No future expansion of operations at the 11.60-acre gravel pit by Dolores County Road and Bridge is authorized by this approval.
3. Contact the Planning Department, Road and Bridge Department and County Sheriff's Office prior to mobilization of and the start of mining activities.
4. Provide a list of onsite contacts for Dolores County Road and Bridge, prior to

commencement of mining and crushing activities.

5. This Special Use Permit conditional approval is subject to the Bureau of Land Management (BLM) and Colorado Division of Reclamation and Mining and Safety (CDRMS) approvals of this gravel pit expansion and issuing the requisite permits.
6. The gravel mining operation and reclamation plan shall be consistent with and comply with the applicable provisions as approved by the County, unless specifically modified in the BLM and CDRMS approval action.
7. Provide annual progress reports to County Planning.
8. Mining and crushing activities shall be limited to May 1 to November 30.
9. The County shall be informed of any cultural resources discovered in the course of work. All appropriate mitigation measures shall be taken to protect cultural resources.
10. The revegetation plan shall include soil restoration and best practices to maximize available water.
11. All written representations of the applicant, in the original submittal and all supplements, are deemed to be conditions of approval except to the extent modified by this approval.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on March 19, 2025.

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

By: Anne Brown
Anne Brown, Chair

Vote:	Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
	Galena Gleason	<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" Public Hearing Record
EXHIBIT "B" Site Plan

EXHIBIT "A"

PUBLIC HEARING RECORD

Board of County Commissioners

Application: Dolores County Road and Bridge
Disappointment Gravel Pit Conditional Uses on Federal Lands, Mining Special
Use Permit, West End (WE) Zone District

Date: March 19, 2025

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 March 19, 2025.
4. Draft County Planning Commission February 13, 2025 meeting minutes.
5. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated February 13, 2025.
6. Application and Supplements submitted by Dolores County Road and Bridge received January 7, 2025 and January 8, 2025.
7. Applicant's Certification of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated February 27, 2025.
8. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on February 28, 2025.

AGENCY COMMENTS

9. Email and Memo from John Huebner, Senior Planner, to Review Agencies dated January 8, 2025.
10. Email from Mike Bordogna, SMC County Manager to John Huebner, Senior Planner dated January 9, 2025.
11. Email from Ryan Righetti, SMC Road and Bridge Director, to John Huebner, Senior Planner, dated January 30, 2025.
12. Email from Peter Foote, Colorado Parks and Wildlife Coordinator, to John Huebner, Senior Planner, dated January 30, 2025.

PUBLIC COMMENTS

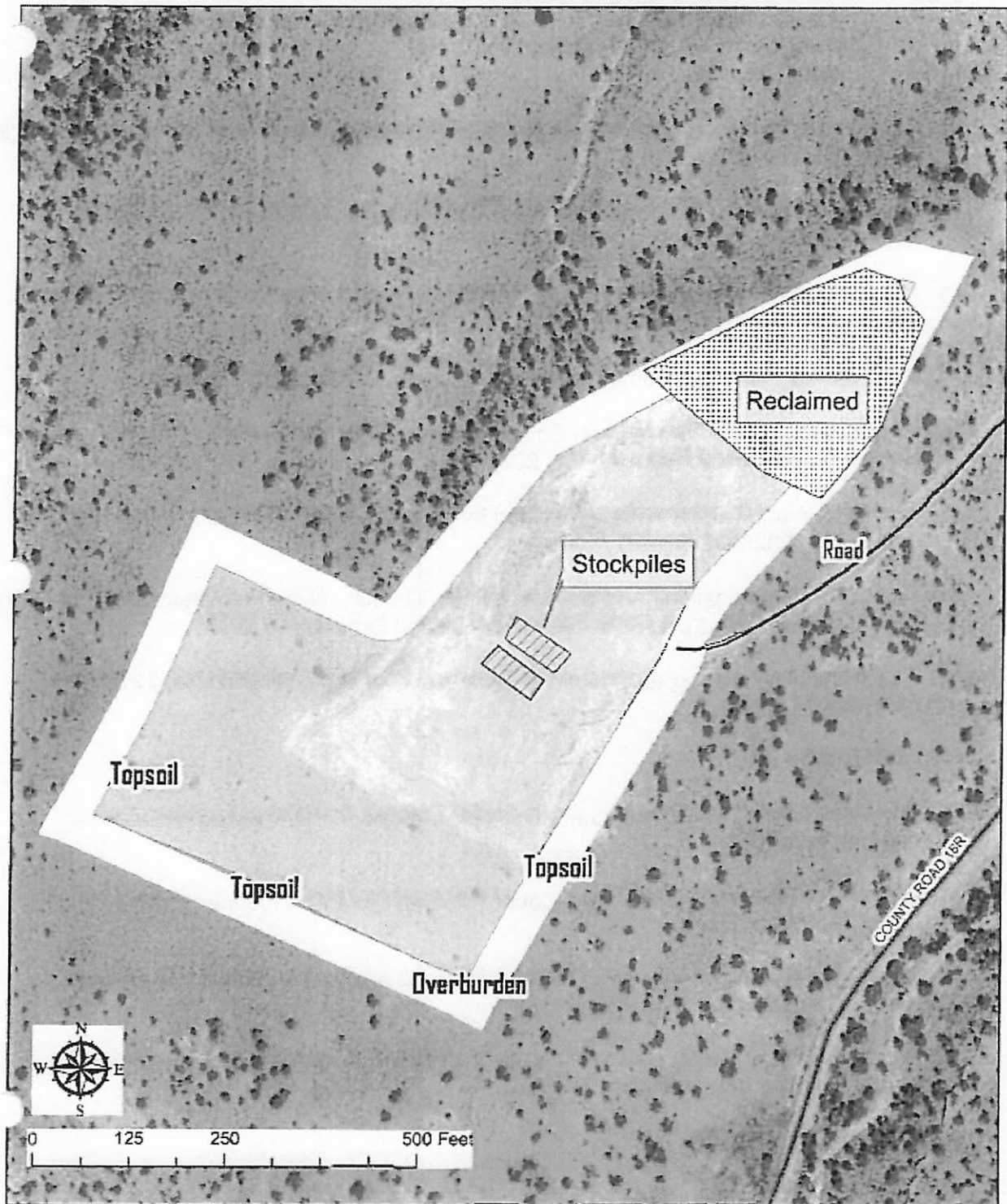
None received at time of report

OTHER - *None*

EXHIBIT "B"

Site Plan

Exhibit D.2 Mining Plan



Map created by the Dolores County Address/Mapping Dept.

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

Resolution #2025-06

WHEREAS, it is in the best interest of San Miguel County, Colorado (“County”) to establish and maintain policies and procedures governing the management of the County’s resources; and

WHEREAS, policies and procedures adopted by the Board of County Commissioners (“Board”) under §30-11-107, C.R.S., Powers of the board, direct the use of the County’s resources by County officials, employees, and the public; and

WHEREAS, the Board has adopted an Administrative Policy Manual (“Manual”) with the passing of Resolution #2014-26, which directed that the Manual be updated regularly; and

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

WHEREAS, effective July 1, 2024, the Director of Research of the Legislative Council Staff for the State of Colorado adjusted the maximum hourly fee for the research and retrieval of public documents pursuant to the Colorado Open Records Act (“CORA”), C.R.S. § 24-72-205, from \$33.58 to \$41.37; and

WHEREAS, in order to charge the maximum hourly fee under CORA, a custodian of records must have either posted on the custodian’s website or otherwise published a written policy that specifies the applicable conditions concerning the research and retrieval of public records, including the amount of any current fee; and

WHEREAS, it is deemed desirable and necessary to revise current policies and procedures for CORA requests for public records from San Miguel County to provide greater clarity to the public and custodians of County records; and

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

1. Section 1.4 of the San Miguel County Administrative Policy Manual shall be amended according to the attached Exhibit A and incorporated herein by reference.
2. Section 1.4 shall apply to all departments of the County including all Elected Official offices that have not adopted a similar policy.
3. This Resolution shall take effect immediately upon its approval by the Board of County Commissioners.

APPROVED AND ADOPTED this 19th day of March 2025, at Telluride, Colorado.

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

By: Anne Brown
Anne Brown, Chair

Vote:	Anne Brown	x	Aye	Nay	Abstain	Absent
	Galena Gleason	x	Aye	Nay	Abstain	Absent
	Lance Waring	x	Aye	Nay	Abstain	Absent

ATTEST:



By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

1-4 Open Records and Information Requests Policy

Purpose

To ensure prompt and equitable service to citizens requesting access to public records covered under the Colorado Open Records Act ("CORA") and that reasonable fees will be assessed, when applicable, by San Miguel County ("the County") pursuant to C.R.S. §24-72-205.

Policy

San Miguel County is committed to ensuring public records are open for inspection by any person at reasonable times, except as otherwise provided by law. As a public entity, its business documents and records are generally public in nature and are available to the public for inspection. However, in order to maintain the integrity of public records and the effective functioning of a county office or department, and for security reasons, certain conditions for reviewing or obtaining copies of records may apply.

This policy is subject to modifications of CORA or other federal or state statutes, which may supersede any conflicting provisions of this policy and to the interpretation by the County Attorney's Office. Exceptions to this policy may be made in individual circumstances at the discretion of the County Attorney.

This policy applies to all department heads and elected officials who adopt this policy. In addition to this policy, elected officials may have their own policies and procedures regarding public records in their custody, if required to do so by statute. Each elected official and department head is responsible for ensuring compliance with this policy.

1-4.1 Definitions

"Custodian" means and includes the official custodian or any authorized person having personal custody and control of the public records in question. C.R.S. § 24-72-202(1.1). This is generally the department head or their designee.

"Public Records" means and includes "all writings made, maintained, or kept by...a political subdivision...for use in exercise of functions required or authorized by law...or involving the receipt or expenditure of public funds." C.R.S. § 24-72-202(6)

"Writings" means and includes "all books, papers, maps, photographs, cards, tapes, recordings or other documentary materials, regardless of physical form or characteristics. 'Writings' includes digitally stored data, including without limitation email messages, but does not include computer software." C.R.S. § 24-72-202(7).

“Work Product” means and includes all intra- or inter-agency advisory or deliberative materials assembled for the benefit of elected officials, which materials express an opinion or are deliberative in nature and are communicated for the purpose of assisting such elected officials in reaching a decision within the scope of their authority C.R.S. § 24-72-202(6.5).

- A. Work Product may include notes and memoranda that relate to or serve as background information in such decisions. Work Product may be preliminary drafts and discussion copies of documents that express a decision by an elected official.
- B. Work Product **does not** include any final version of a document that expresses a final decision by an elected official.

1-4.2 Procedure

Records Available on the County Website.

A substantial number of the County’s public records are available free of charge on the County’s website (www.sanmiguelcountyco.gov). Those records include, but are not limited to, the County’s budget, agendas and minutes of meetings of the Board of County Commissioners and Planning Commission, property records, recorded documents, press releases, tax payments, current building permits, and other information. Instead of completing a CORA request for information available on the County’s website, County staff may direct persons to the online location of responsive documents without assessing a fee.

Requesting Records Subject to the Colorado Criminal Justice Records Act.

The inspection of some public records, such as police reports, traffic tickets, criminal reports, and the sex offender registry, may be governed by the Colorado Criminal Justice Records Act (“CCJRA”) rather than by CORA. Production of criminal justice records pursuant to CCJRA is governed by a separate policy issued by the Sheriff’s Office. Information regarding requests for records from the Sheriff’s Office can be found on their webpage (<https://www.sanmiguelcountyco.gov/FormCenter/Sheriff-16/Criminal-Justice-Records-Request-Form-97>).

Requesting Public Records Not Found on the County Website.

If the record(s) cannot be found on the county website, then requests can be made as follows:

- a. Completing a form found on the County Website.
(<https://www.sanmiguelcountyco.gov/565/Colorado-Open-Records-Act>)
or
- b. In writing and mailed to:

County Attorney Attn: CORA Request,
PO Box 1170, Telluride, CO 81435.

The written request must contain the following information, or it will not be processed:

- i. The requestor's first and last name;
- ii. Name of organization, if any;
- iii. Email address and phone number;
- iv. Mailing address (if wanting the records sent via mail); and
- v. Documents requested – being as specific as possible to include pertinent names and date ranges;
- vi. Whether the requestor wants to schedule an inspection of available records, or whether they want copies of available records in lieu of inspection.

The Board of County Commissioners has determined that the use of an official request form will ensure more efficient handling of public records requests. An individual who makes a request shall be informed of the San Miguel County policy and shall be provided the official form by directing the requestor to the official request form. It is preferred that all requests be made via the online form to ensure all information is received.

Timing for Inspection/Production of Public Records.

The expected time for the production of documents for inspection or release shall be three working days, beginning on the first business day after the request is received, unless extenuating circumstances exist. An extension shall not normally exceed an additional seven working days, and the requestor shall be notified of the extension within the initial three-day period.

Extenuating circumstances exist as provided in C.R.S. § 24-72-203(3)(b) and include:

- a. Where a broadly stated request encompasses a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the three-day period;
- b. Where the custodian must devote all or substantially all of its resources to meet an impending deadline or period of peak demand that is either unique or not predicted to recur more frequently than once a month;
- c. Where a request involves such a large volume of records that the custodian cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the custodian's obligations to perform their other public service responsibilities;
- d. When there are documents that need to be reviewed or redacted by staff in the County Attorney's Office; or
- e. When the requestor has failed to pay the appropriate fees in advance.

Inspection of Records.

If the requestor wishes to inspect available records in advance of or in lieu of receiving copies of such records, such inspection shall be by appointment only during the normal business hours at the office of the custodian of records unless the County Attorney's Office deems it appropriate for the inspection to take place in another County department. The original records shall not be removed from the custodian's office.

Manipulation of Data.

San Miguel County is not obligated to manipulate data in response to a request in order to generate a record in a form not used by the County. However, if the County elects to do so in response to a specific request, the custodian may charge the requestor a reasonable hourly fee associated with the request. The fee shall not exceed the actual cost of manipulating the data and generating the record in accordance with the request. Persons making subsequent requests for the same or similar records may be charged a fee not in excess of the original fee.

Format for Electronic Records.

CORA requires the County to produce electronic records in their native format (e.g., doc, .xls, or .tif) unless producing the record in native format would violate the terms of any copyright or licensing agreement between the County and a third party or result in a release of a third party's proprietary information, or where the native format renders it technologically or practicably infeasible to redact information the County is required or allowed to withhold. If such redaction is infeasible, then the requesting party may direct the County to either withhold the entire record or to produce it in a format that allows redaction.

Fees.

San Miguel County seeks to meet public information requests in the most economical method possible. The County charges a \$41.37 per hour fee for the time the custodian and/or staff spends responding to a CORA request, including staff time gathering, preparing, reviewing, and redacting to excise confidential or privileged material and copying available documents. C.R.S. § 24-72-205(6)(a) and (b). There is no charge for the first hour of custodian/staff time.

If a requesting party's research and retrieval of records must be supervised by another employee, or the request is large and requires multiple staff to respond, the supervisor's and other staff's time will also be charged at \$41.37 per hour.

There is no additional charge for delivering public records by electronic mail. Costs for standard black and white photocopies will not exceed the limit set by state statute of \$.25 per page. C.R.S. § 24-72-205(5)(a). For color or other non-standard format copies (e.g., media on CD, DVD, or flash drive), the County charges a fee not to exceed its actual cost for producing those copies. The per-page cost for producing the hard copies, and/or the actual cost of producing non-standard format copies, is in addition to the \$41.37/hour rate for staff time devoted to gathering, preparing, reviewing, redacting to excise confidential or privileged material and copying available documents.

In the case of a request for a computer printout (other than a document that can be printed via word processing), the fee may be based on the recovery of the actual incremental costs of providing the electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system.

Whenever the cost of staff time and/or the production of documents is anticipated to exceed \$60, the County may require a deposit of 50% of the anticipated total cost to fulfill the request. Whenever the cost of staff time and/or the production of documents is anticipated to exceed \$500, the County may require a deposit of 100% of the anticipated total cost to fulfill the request. Deposit payment shall be required before staff time is devoted to the request.

Payment of the total cost of staff time and/or production of documents is required before the requestor may inspect or receive copies of the requested records. Only actual costs will be charged, and if a required deposit **exceeds** the actual expense of fulfilling the request, the excess will be refunded to the requestor.

Denial of Records.

In accordance with CORA, certain public records are either prohibited from disclosure or may be withheld from public inspection. Reasons for denial may include that disclosure is contrary to statute, court order or the public interest. Any denial of inspection or copies of records will be specific, and the justification for such denial, as authorized under CORA, will be provided in writing upon request. Where practicable, the County will redact portions of responsive documents rather than withholding the entire document.

Inspection and copies of the following records shall be denied or have limited release unless otherwise provided by law or unless requested by the person in interest:

- a. Medical, mental health, sociological, or scholastic achievement data on individuals. § 24-72-204(3)(a)(I), C.R.S.;
- b. Personnel files, except that such files are available to the person of interest and to the elected and appointed officials who supervise that person's work.

§ 24-72-204(3)(a)(II), C.R.S.;

- c. Letters of reference (not available to the person of interest if they concern employment, licensing, or the issuance of permits). § 24-72-204(3)(a)(III), C.R.S.;
- d. Trade secrets, privileged information, and confidential commercial, financial, geological, or geophysical data, including a social security number, furnished by or obtained from any person. § 24-72-204(3)(a)(IV), C.R.S.;
- e. Records concerning sexual harassment complaints and investigations;
- f. Records of applicants for an executive position at San Miguel County; and
- g. Records protected by common law privileges such as the governmental or "deliberative privilege", the deliberative process privilege, work product privilege, or attorney-client privilege. If a record is withheld pursuant to the deliberative process privilege, the custodian shall provide the requestor with a sworn statement specifically describing each document withheld, explaining why each document is privileged and why disclosure would cause substantial injury to the public interest. See § 24-72-204(3)(a)(X), (XI) and (XIII), C.R.S.

Retention and Archiving of Public Records.

The custodian of records is responsible to retain, archive, and/or purge records in accordance with the retention schedule established by the State Archivist or County Retention Policy.

Closed Requests.

An open records request will be considered closed, and a new request must be submitted under any of the following circumstances:

- a. The records have been made available for inspection, the records have been inspected, and no copies of the records were requested;
- b. After the records have been made available for inspection, have been inspected by the requestor, and copies of the records have been provided consistent with this Policy;
- c. If the requestor fails to appear for the scheduled review of the records; or
- d. If the requestor fails within ten business days to a) make arrangements for review of the records after request; b) pre-pay a deposit required; or c) does not pay the total of actual costs.

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

Resolution #2025-07

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

WHEREAS, on December 18, 2024, the Board directed staff to prepare an amendment to the Handbook to adjust holiday pay hours from eight (8) to ten (10) hours per approved holiday with instructions to allow unused hours for designated days to be used on a floating basis within the calendar year; and

WHEREAS, the vacation accrual rate for law enforcement employees requires adjustment to be commensurate with recent changes in administrative employee holiday benefits; and

WHEREAS, the County Manager and Human Resources Director have recommended that the Board reinstate the County Personnel Committee; and

WHEREAS, the Board wishes to improve San Miguel County’s employee policies and benefits through updates and additions to the Handbook based on staff recommendations.

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

1. Section 1.05 of the San Miguel County Employee Handbook shall be added to create a section on “Employee Committees” according to the attached Exhibit A and incorporated herein by reference.
2. Section 3.02 of the San Miguel County Employee Handbook shall be updated to include the revised table for accrual of law enforcement employee vacation hours according to the attached Exhibit B and incorporated herein by reference.
3. Section 3.04 of the San Miguel County Employee Handbook shall be updated according to the attached Exhibit C and incorporated herein by reference.
4. Section 3.10 of the San Miguel County Employee Handbook shall be removed and the Wellness Committee policy shall be moved to Section 1.05 according to Exhibit A.
5. Section 5.03 of the San Miguel County Employee Handbook shall be updated according to the attached Exhibit D and incorporated herein by reference.

6. Sections 1.05, 3.02, 3.04, and 5.03 shall apply to all departments of the County, including all Elected Official offices, except as otherwise specified in the Handbook.
7. This Resolution shall take effect immediately upon its approval by the Board of County Commissioners.

APPROVED AND ADOPTED this 19th day of March 2025, at Telluride, Colorado.

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

By: Anne Brown
Anne Brown, Chair

Vote:	Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
	Galena Gleason	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:



By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

1.05 Employee Committees

Personnel Committee

The intent and purpose of the San Miguel County Personnel Committee is to provide the following:

- As the need arises, recommend changes or additions to the Employee Handbook and Administrative Policy Manual.
- Consider and recommend training ideas and opportunities to improve employee welfare and benefits.
- At the request of an employee, the BOCC, an elected official or department head, make recommendations with respect to policy matters related to or arising out of the procedures and rights set forth in the Employee Handbook.
- Perform such other duties as may be directed by the BOCC or County Manager.
- Promote and improve quality of work life, retention, culture, and morale for all employees.

It is not a forum for discussing personalities, grievances, wages, terms and conditions of employment or matters affecting individual employees.

The Committee shall meet quarterly. The Committee shall consist of no more than five members, each of which shall be appointed by the County Manager in consultation with the Human Resources Director and reflect the following membership:

- Any interested employee will be considered at the discretion of their supervisor.
- The County Manager and the Human Resources Director or their assignees may interview employees prior to appointing members.
- Membership participation will be subject to term limits to ensure diversity of membership and feedback.
- The County Manager and the Human Resources Director are ex-officio, non-voting, advisory members.
- The County Manager and the Human Resources Director may request a qualified designee to participate on their behalf during a meeting(s).

Committee members shall serve two-year staggered terms beginning in January of each calendar year as outlined below:

- Two-year term (even years): (1) Road and Bridge Employee, (1) Sheriff's Office Employee.
*Prorated term for the first appointment of Road and Bridge and Sheriff's Office committee members in 2025.
- Two-year term (odd years): (1) Elected Official, (1) Miramonte Employee, (1) Glocksion Employee.

- Members may not serve more than one consecutive term unless approved by the County Manager.

Wellness Committee

The intent and purpose of the San Miguel County Wellness Committee is to provide activities and resources that encourage a culture of health and wellness in the workplace, improving the quality of life and reducing health care expenses for all employees. The County does offer various wellness options to eligible employees and their immediate family. Full-time and part-time employees can participate and have access to wellness program options on the first day of the month following one full month of employment. For more information about the County's wellness options, contact the Human Resources Department. The Committee will promote the health and wellness of staff through education and initiatives that:

1. Encourage habits of wellness
2. Increase awareness of factors and resources contributing to the well-being
3. Inspire and empower individuals to take responsibility for their own health
4. Support a sense of community

The Committee shall meet as often as reasonably required as determined by the Committee or upon request by the County Manager. The Committee shall consist of no more than seven members, each of which shall be appointed by the County Manager and reflect the following membership:

1. Any interested employee will be considered at the discretion of their supervisor
2. The County Manager may interview employees before appointing members
3. The term of the committee members shall be one to two years, to provide continuity.

3.02 Vacation Time

Law Enforcement EE	Hours Per Pay Period/Days Per Year	Maximum Vacation Accrual Hours/Days
0 – 2 Years	17.38 Hours / 28.24 Days	451.88 Hours / 56.49 Days
2.1 – 5 Years	19.23 Hours / 31.25 Days	499.98 Hours / 62.50 Days
5.1 – 8 Years	21.07 Hours / 34.24 Days	547.82 Hours / 68.48 Days
8.1 – 10 Years	22.92 Hours / 37.25 Days	595.92 Hours / 74.49 Days
10.1+ Years	24.77 Hours / 40.25 Days	644.02 Hours / 80.50 Days

3.04 Holidays

The San Miguel County BOCC designates eleven (11) or more observed holidays each year. If specific job requirements or other work needs require work on the designated holiday, another day may be taken within the week with the approval of a supervisor.

Full-time and part-time employees are immediately eligible for holiday time off with pay. Eligible employees will be paid for holiday hours proportional to an employee's regularly scheduled hours in a work day based on and not to exceed ten (10) hours for standard 40 hour per week employees. Holiday pay will be calculated at your base pay rate as of that holiday. Employees who as a standard work less than ten hours per work day are encouraged to use those additional hours up to 10 within the pay period, but otherwise will receive compensatory time with prior approval from your supervisor or department head.

Holidays are granted on an annual basis and are calculated on a calendar year starting on January 1st and ending on December 31st. Paid holiday time will not be used in the calculation of overtime.

5.03 Overtime - Compensatory Time

The elected official or department head (designee) in each office or department will be responsible for accurate records concerning overtime and compensatory time earned and taken, by non-exempt employees. All hours worked more than a non-exempt employee's normally assigned workweek must be authorized in advance by the appropriate designee.

Overtime pay will be paid at the rate of one and one-half times (1-1/2) the non-exempt employees' current regular rate of pay for hours worked more than 40 hours in a workweek. The standard workweek for all employees will start on a Sunday, at 12:00 am, and end on the following Saturday, at 11:59 pm, unless otherwise established by your designee.

Compensatory time will be granted at the rate of one and one-half (1-1/2) hours off for each hour worked more than 40 hours in a workweek, and may be accumulated up to a maximum of 90 hours (60 hours of actual overtime work). Compensatory time granted for unused holiday hours is granted on a one-to-one basis.

Employees are encouraged to use compensatory time as early as possible, and the County will pay out any unused compensatory time on an annual basis at the end of the calendar year.

Non-exempt employees who have accrued compensatory time and requested the use of that time must be permitted to use the time off within a reasonable period after requesting if it does not unduly disrupt county operations, as determined by the employee's supervisor.