

**SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES**

Wednesday, November 16, 2022

Zoom.us

1) Roll Call

Present:

Kris Holstrom, Chair

Hilary Cooper, Vice Chair

Lance Waring, Commissioner

Staff Present:

Mike Bordogna, County Manager

James Van Hooser, Assistant County Manager

Amy Markwell, County Attorney -attended part of the meeting remotely

Carmen Warfield, Chief Deputy Clerk - attended part of the meeting remotely

Absent:

Nancy Hrupcin, Legal Assistant

2) 9:31 a.m. CALL TO ORDER.

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

6) CONSENT AGENDA

- 6.a) Approval of the reappointment to the Board of Trustees of the San Miguel Public Library District #1 for a 5-year term beginning January 1, 2023.

(ATTACHMENT - ReappointKH2022.pdf)

- 6.b) Approval of Chair's signature on a permit application of a Change of Manager for the Blue Jay Telluride current established liquor license.

(ATTACHMENT - Blue Jay Cafe Liq License.pdf)

(ATTACHMENT I - Written Findings)

- 6.c) Ratification of Chair's signature on the October 2022 Veterans Service Officers report.

(ATTACHMENT - October 2022 VSO Report.pdf)

MOTION by Lance Waring to approve the consent agenda as presented. **SECONDED** by Hilary Cooper.
PASSED 3-0.

7) ADMINISTRATIVE MATTERS

- 7.a) 9:30 a.m. PUBLIC HEARING: Consideration of Chair's signature on a Special Events Permit for Rocky Mountain Arts event on December 3, 2022, at the end of K 69 Road, Telluride, CO, based on the County Clerk's Written Findings./MOTION

(ATTACHMENT - Rocky Mtn Arts Liq License_Redacted.pdf)

Presented by: Carmen Warfield, Chief Deputy Clerk; Chris Myers and Erin Ries, Representing Rocky Mtn Arts

9:33 a.m. The Public Hearing was opened.

9:37 a.m. The Public Hearing was closed.

MOTION by Lance Waring to approve the Special Events permit as presented. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT II - Written Findings)

- 7.b) 9:35 a.m. PUBLIC HEARING: Presentation of the 2023 budget.

(ATTACHMENT - 2023 Final Budget-Draft.pdf)

(ATTACHMENT - 5-Year Projection Worksheet 2022-2027 (v11.15.22) (1).pdf)

(ATTACHMENT - Proof of Public Notices (1).pdf)

Presented by: Ramona Rummel, Finance Director; Paige Starks, Deputy Finance Director; Mike Bordogna, County Manager

9:41 a.m. The Public Hearing was opened.

11:43 a.m. The Public Hearing was closed.

The Public Who Addressed the Board:
Pam Bennett, County Resident

11:45 a.m. Recessed.

11:53 a.m. Reconvened.

8) **PLANNING MATTERS**

- 8.a) 11:30 am PUBLIC HEARING: Consideration of an application submitted by Clint Ball and Karen Tremaine, owners of Lot 17 and 18, San Juan Vista Subdivision for a Subdivision exemption for a Lot Line Adjustment in an existing subdivision / MOTION

(ATTACHMENT - BOCC Packet Materials Lots 17 & 18 SJV Subdivision LLA 11.16.22.pdf)

Presented by: John Huebner, Senior Planner

11:54 a.m. The Public Hearing was opened.

12:00 p.m. The Public Hearing was closed.

MOTION by Lance Waring to approve the proposed Subdivision Exemption to adjust the property line between Lots 17 and Lot 18, San Juan Vista Subdivision as presented, to authorize the Chair's signature on the corresponding final plat, and to adopt the corresponding Resolution No. 2022-55, finding that the proposed Subdivision Exemption for Lot Line Adjustments application is in compliance with all applicable Land Use Code standards in Section 5-1203, Lot Line Adjustments, including the submission of a final plat that complies with the final plat submission contents required in Land Use Code. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT III - Resolution 2022-55)

9) **Lunch**
12:02 pm -12:46 pm

- 9.a) Recognition of Melony Hemphill, Corrections Sergeant for 10 years.

Presented by: Jennifer Dinsmore, Chief Administrative Officer; Melony Hemphill, Corrections Sergeant

10) PUBLIC HEALTH AND ENVIRONMENT

- 10.a) Consideration of Chair's signature on Resolution 2022-02 Board of Health, adopting onsite wastewater treatment system ("OWTS") permit fees./MOTION

(ATTACHMENT - OWTS fee schedule proposal 20221019.docx)

Presented by: Kevin Chaney, OWTS Coordinator; Grace Franklin, Public Health Director

Note: Item continued to a future meeting. The board requested that a hardship program would be added to provide a clear and concise way of providing assistance.

11) ADMINISTRATIVE MATTERS, Continued

- 11.a) Presentation of the E-20 (Uncompahgre Plateau) Herd Management Plan.

(ATTACHMENT - E20 HMP Short Template 20221014.pdf)

Presented by: Rachel Salla and Melissa Kercher; Colorado Parks and Wildlife

- 11.b) Consideration by the Board to reallocate the San Miguel County funding for Indigenous Programs to the annual Ute Youth Ski Day as the Telluride Institute is not able to host the UNMP Summit in Telluride as hoped./MOTION

Presented by: Mike Bordogna, County Manager

MOTION by Lance Waring to approve and allocate the 2022 budget line item funding of \$4,000 for Indigenous People's day Programs to the annual Ute Youth Ski Day, for a one time allocation. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

- 11.c) Consideration of a request by the Sheriff's Office to discuss wages.

Presented by: Dan Covault, Undersheriff; Bill Masters, Sheriff; Jennifer Dinsmore, Chief Administrative Officer; Christina Lambert, Human Resources Director; Lou Lazo, Employer's Council

- 11.d) Consideration of a request to increase the Coroner salary./MOTION

(ATTACHMENT - Coroner Duties et al.pdf)

(ATTACHMENT - Memo.Coroner Pay.11.16.22.pdf)

Presented by: Emil Sante, County Coroner; Mike Bordogna, County Manager

Staff Direction was given to raise the pay of the Coroner to 3/4 time with specific language presented at a future meeting for final approval.

12) SOCIAL SERVICES MATTERS

- 12.a) 1. Approval of Chair's signature on Social Services Department Balance Sheet August 2022, Earned Revenue and Expenditures August 2022, Expenditures through Electronic Benefit Transfers September 2022, Check Register for the Month of September 2022, County Allocation/MOE Report AUG-22, and 2022 Caseload Graph & Chart./MOTION

2. Consideration of approval and authorization of Chair's signature on a Purchase of Services Intergovernmental Agreement with Montrose County for Child Support Services./MOTION

(ATTACHMENT - SMC November Packet.pdf)

Presented by: Carol Friedrich, Director of Social Services

MOTION by Lance Waring to approve the Chair's signature on Social Services Department Balance Sheet August 2022, Earned Revenue and Expenditures August 2022, Expenditures through Electronic Benefit Transfers September 2022, Check Register for the Month of September 2022, County Allocation/MOE Report AUG-22, and 2022 Caseload Graph & Chart. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

MOTION by Lance Waring to approve the Chair's signature on a Purchase of Services Intergovernmental Agreement with Montrose County for Child Support Services. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

13) MANAGER AND ASSISTANT MANAGER MATTERS

Mike Bordogna, County Manager

1. All County Training on November 17, 2022, most offices will be closed.
2. No work session is scheduled next week.
3. The Town of Telluride approved the CSA agreement with Idarado concerning the extension of water to the Diamond Ridge Project.
4. Discussion on deeding the easement to the new owner of the "Placerville Post Office" - Feedback was given to Mike for researching the possibility of this transaction.
5. The County received notification that we received full funding on the supplemental request for the replacement of the Applebaugh Bridge

James Van Hooser - Assistant County Manager

1. Attendance to Regional Economic development on Affordable Housing Webinar

14) COUNTY HOUSING MATTERS

- 14.a) Consideration of a Request from Jake and Jesse McTigue for an Extension to cure the Notice of Violation dated February 14, 2022./**MOTION**

([ATTACHMENT - McTigue Extension Request Packet.pdf](#))

Presented by: Courtney McEleney, SMRHA; Jim Mahoney, Attorney representing the owners; Jake McTigue, Homeowner; Lois Major, Special Counsel to the County Housing Authority

MOTION by Lance Waring to approve the request for an Extension of time to cure the Notice of Violation dated February 14, 2022.

The new deadline to cure the Violation is: August 31, 2023, with the following conditions:
Owners make good faith efforts to market Primrose Property;
Owners submit a real estate sales effort report, provided every 2 months to the San Miguel Regional Housing Authority. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

- 14.b) Consideration of an approval of a Resolution of the Board of County Commissioners of San Miguel County, Colorado authorizing the acquisition of certain deed-restricted real property located Lawson Hill Lot 25A, and commonly referred to as 508 Society Drive, Telluride CO 81435./**MOTION**

([ATTACHMENT - RES 2022-56 .Acquire.508 Society Dr.11.14.2022.pdf](#))

Presented by: James Van Hooser, Assistant County Manager; Lois Major, Special Counsel to the County Housing Authority

MOTION by Lance Waring to approve the Resolution 2022-56 of the Board of County Commissioners of San Miguel County, Colorado authorizing the acquisition of certain deed-restricted real property located Lawson Hill Lot 25A, and commonly referred to as 508 Society Drive, Telluride CO 81435. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

([ATTACHMENT IV - Resolution 2022-56](#))

15) COMMISSIONER UPDATES:

Lance Waring - SMRHA Meeting, SMART Board Meeting, Attended Colorado Healthy Kids Survey at the School, Gondola Subcommittee meeting, East End Master Plan Meetings
Hilary Cooper - Southwest Opioid Regional Council Meeting, CCAT Meeting, Wildfire Mitigation Meeting, Legislative Updates, Colorado Forest Health Council, Presentation on the Lincoln Land Institute concerning Tax Reform, CCI Land Use Committee; Middle Income Housing Board
Kris Holstrom - SMART Board Meeting, East End Master Plan Meetings

16) ATTORNEY MATTERS

16.a) Executive Session under C.R.S. 24-6-402 4(a) for property purchase, acquisition, transfer or sale.

MOTION by Lance Waring to go into executive session, under C.R.S. 24-6-402 4(a) for property purchase, acquisition, transfer or sale. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

Presented by: James Van Hooser, Assistant County Manager; Lois Major, Special Counsel to the County Housing Authority

MOTION by Lance Waring to come out of executive session, only the one item was spoken of and additional staff direction was given. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

16.b) Executive Session: To discuss our strategy in the San Miguel Water Conservancy District water case under 24-6-402 C.R.S. 4(e)-negotiations, and 4(b) conferences with an attorney.

Presented by: Mark Hamilton, Special Attorney on Water Matters

MOTION by Lance Waring to go into executive session, to discuss our strategy in the San Miguel Water Conservancy District water case under 24-6-402 C.R.S. 4(e)-negotiations, and 4(b) conferences with an attorney. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

MOTION by Lance Waring to come out of executive session, only one item stated was spoke of. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT V - Executive Session Minutes)

Note: The County Attorney requested that the above item not have written minutes as it constitutes a privileged attorney - client communication and a statement signed by the attorney and chairs is attached.

17) ADJOURNMENT

MOTION by Lance Waring to adjourn the meeting. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

5:00 p.m. Adjourned.

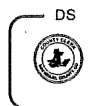
Respectfully submitted,

DocuSigned by:

Carmen Warfield

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Carmen Warfield, Chief Deputy Clerk



Approved February 1, 2023.

SAN MIGUEL COUNTY SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

DocuSigned by:

Kris Holstrom

DCE710637985480

Kris Holstrom, Chair

ATTEST:

DocuSigned by:

Mike Bordogna

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Mike Bordogna, County Manager

WRITTEN FINDINGS

Date: October 31, 2022

To: San Miguel County Board of Commissioners

Re: Change of Manager for Blue Jay Café
22332 Highway 145
Placerville, Co 91430-

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

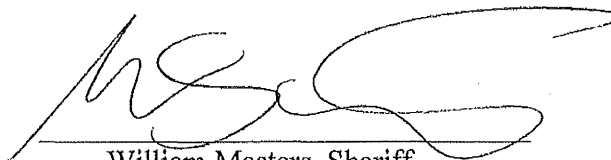
Meeting to be held at 9:30 o'clock A.M., November 16, 2022 for approval of application.

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

1. Fingerprinting for Mark Issak Eckard was done 10/29/2022.
2. Application is complete with the following documents:
 - (a) Individual History Record for Mark Eckard.
 - (b) Fingerprint Results.



Stephannie Van Damme, County Clerk



William Masters, Sheriff

WRITTEN FINDINGS

Date: October 13, 2022

To: San Miguel County Board of Commissioners

Re: Special Events Permit for Rocky Mountain Arts
PO Box 2525
Telluride, CO 81435

1. Fees: \$125.00 paid to San Miguel County, to serve regular Malt, Vinous & Spirituous Liquor December 3, 2022 to be held at K 69 Road - the Idarado Mill.
2. Notice for posting on the proposed site was given to applicant October 31, 2022. Notice does not need to be published in the Weekly Planet unless petitions of remonstrance's are filed with me.

Meeting to be held at 9:30 o'clock A.M., November 16, 2022 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.
4. Application is complete with the following documents:
 - (a) Diagram showing where liquor will be served and consumed.
 - (b) Certificate of Good Corporate Standing.
 - (c) Written permission from San Miguel County is ~~pending~~ on Permits issued from the Planning Department and the Road & Bridge Department. provided
 - (d) Insurance attached.



Stephanie Van Damme, County Clerk



William Masters, Sheriff

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
GRANTING A SUBDIVISION EXEMPTION FOR LOT LINES ADJUSTMENT
BETWEEN LOT 17 AND LOT 18, SAN JUAN VISTA SUBDIVISION**

Resolution 2022-55

WHEREAS, Clint Ball and Karen Tremaine (Applicant), owners of Lot 17 and Lot 18, San Juan Vista Subdivision, (Improved Parcels) located respectively at 99 Forest Lane and 66 Wildwood Lane, Placerville, CO 81430, the ("Property"), more specifically described in Exhibit A, Legal Description, submitted an application for a Subdivision Exemption for Lot Line Adjustments seeking to adjust the boundary line between the two parcels. Lot 17, 9.64 acres, and Lot 18, 7.96 acres, are zoned Forestry, Agriculture and Open (F). The lots are in San Juan Vista Subdivision, which is approximately 4.5 miles from State Highway 62 via County Roads 58 P and San Juan Vista Road;

WHEREAS, a Subdivision Exemption for Lot Line Adjustments is a One-Step Board of County Commissioner Review pursuant to Land Use Code Sections 3-501 B.I.b. and 5-1203 Lot Line Adjustments;

WHEREAS, the application was referred to the County Attorney, County Manager, and the County Surveyor for review and comment;

WHEREAS, the Applicant sent Notice of the application and the Board of County Commissioners (BOCC) public hearing to be held on November 16, 2022 to all property owners within 500 feet of the subject parcel, and a sign was posted on the property on or before October 24, 2022 noticing the proposed adjustment of lot lines and the BOCC meeting to be held;

WHEREAS, a Public Hearing Notice for the proposed Lot Line Adjustments application and the Board of County Commissioners meeting to be held on November 16, 2022 was published in the Norwood Post and the Telluride Daily Planet on October 26, 2022;

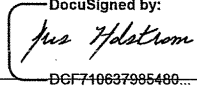
WHEREAS, a list of the items included in the Public Hearing Record is attached to this resolution as Exhibit "C";

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public hearing held in Telluride and on-line on Wednesday, November 16, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves the proposed Subdivision Exemption to adjust the property line between Lots 17 and Lot 18, San Juan Vista Subdivision as presented, finding that the proposed Subdivision Exemption for Lot Line Adjustments application is in compliance with all applicable Land Use Code standards in Section 5-1203, Lot Line Adjustments, for a Lot Line Adjustments including submission of a revised final plat that complies with final plat submission contents listed in Land Use Code Section 4-5.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on November 16, 2022.

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

DocuSigned by:
By: 
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Kris Holstrom, Chair

Vote:	Hilary Cooper	<u>Aye</u>	Nay	Abstain	Absent
	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:

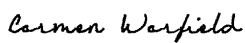
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By: 
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Carmen Warfield, Chief Deputy Clerk



EXHIBIT "A" Legal Description

EXHIBIT "B" Plat

EXHIBIT "C" Public Hearing Record

EXHIBIT "A"

Legal Description

LOTS 17 AND 18, SAN JUAN VISTA SUBDIVISION FILING 1, AMENDED, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 6, 1984 IN PLAT BOOK 1 AT PAGE 523, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

ALSO KNOWN BY STREET AND NUMBER AS: 99 FOREST LANE (LOT 17) AND 66 WILDWOOD LANE (LOT 18), PLACERVILLE, CO 81430.

EXHIBIT "C"

Public Hearing Record

San Miguel County Board of Commissioners

Application: Clint Ball and Karen Tremaine

Subdivision Exemption for Lot Line Adjustments: Lots 17 & 18, San Juan Vista Subdivision

Date: November 16, 2022

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 County Commissioners from John Huebner, Senior Planner dated Nov, 2022.
4. Draft Resolution 2022-55 of the County Board of Commissioners, San Miguel County, Colorado, Granting a Subdivision Exemption for a Lot Line Adjustments for Lots 17 & 18, San Juan Vista Subdivision.
5. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on Wednesday, October 26, 2022.
6. Application submitted by Clint Ball and Karen Tremaine, owners of Lots 17 & 18, San Juan Vista Subdivision, received August 11, 2022.
7. "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 August 27, 2022.

AGENCY COMMENTS

8. Email from John Huebner, Senior Planner, to Referral Agencies dated October 17, 2022.
9. Letter from J David Foley, County Surveyor, to John Huebner, Senior Planner dated October 26, 2022.

PUBLIC COMMENT

None received

**A RESOLUTION OF SAN MIGUEL COUNTY, COLORADO AUTHORIZING
THE ACQUISITION OF CERTAIN REAL PROPERTY**

Resolution 2022 -56

WHEREAS, pursuant to section 30-11-101 (1) (c), C.R.S., the Board of County Commissioners ("BOCC"), on behalf of San Miguel County, Colorado ("County"), has the legal authority to sell, convey, exchange or lease any real property owned by the County and make such order respecting the same as may be deemed to be in the best interests of the County and its inhabitants; and

WHEREAS, the County is interested in acquiring certain real property for use of the same for the purposes of providing affordable housing or employee housing, all located within the boundaries of the San Miguel County, State of Colorado and as legally described as follows:

LOT 25A LAWSON HILL PHASE 1 AMENDED PLAT BK 1 PG 1353 THRU 1358 9 11 92 AS AMENDED BY PLAT REC 7 5 95 BK 1 PG 1887 LAWSON HILL IS A COMMON INT COMMUNITY IN WHICH EVERY OWNER HAS AN EQUAL INT IN THE COMMON ELEMENTS

Referred to herein as the "Acquired Property"; and

WHEREAS, the BOCC finds it appropriate to designate the Chair or Vice-Chair as the individuals authorized to execute any documents required to effect the transfer of the Acquired Property.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of San Miguel County, Colorado hereby authorizes the Chair or the Vice-Chair to take such actions and sign such documents necessary and appropriate to effectuate the purposes of this resolution, which is to contract, close, and acquire the Acquired Property.

DONE AND APPROVED by the San Miguel County Board of County Commissioners at a duly noticed public meeting held in Telluride, Colorado on November 16, 2022.

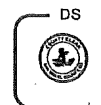
**BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO**

DocuSigned by:
By: Kris Holstrom
BCF740637985480
Kris Holstrom, Chair

Hilary Cooper	X Aye	Nay	Abstain	Absent
Kris Holstrom	X Aye	Nay	Abstain	Absent
Lance Waring	X Aye	Nay	Abstain	Absent

ATTEST:

DocuSigned by:
Carmen Warfield
Carmen Warfield, Chief Deputy Clerk to the Board



**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MEETING**

11/16/2022

Date of Meeting

Executive Session Minutes Attest

I, Mark E Hamilton, Esq. of Holland & Hart LLC, as special legal counsel to the BOCC

attest that the 11/16/2022

Date of Meeting

Executive Session discussions of attorney-client matters were confined to a permissible executive session topic; and constituted a privileged attorney-client communication that does not have written minutes.

DocuSigned by:

Mark Hamilton

UCAF4D819F194D5...
Mark E. Hamilton, Esq. of Holland & Hart LLC,
as special water legal counsel to the Board of County Commissioners

I, kris Holstrom, Chair of the San Miguel County Board of

Commissioners attest that the 11/16/2022

Date of Meeting

Executive Session discussions of attorney-client matters were confined to a permissible executive session topic; and constituted a privileged attorney-client communication that does not have written minutes.

DocuSigned by:

Kris Holstrom

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Chair