

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

Wednesday, November 2, 2022

Zoom.us

1) Roll Call - Meeting was held in Norwood at the Sheriff Annex 1110 Summit St, Norwood, CO

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

Nancy Hrupcin, Legal Assistant

Carmen Warfield, Chief Deputy Clerk

2) CALL TO ORDER.

Begin 9:38 a.m.

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

6) CONSENT AGENDA

- 6.a) Approval of Chair's signature on a letter to the Town of Sawpit - Termination of Road Maintenance Agreement (Resolution 1984-6).

(ATTACHMENT - Sawpit.RoadMaintAgmt.Term)

- 6.b) Approval of the Chair's Signature on a Letter to the Town of Sawpit Acknowledging Full Satisfaction of the Intergovernmental Agreement dated March 11, 2020 Regarding CDOT's Drainage Improvements Project at the Intersection of Highway 145 and Jackson Street.

(ATTACHMENT - BOCC.Ltr_Sawpit.SatisfactionIGA)

(ATTACHMENT - Res 2022-2 Accepting Road 58P.executed.pdf)

(ATTACHMENT - IGA Reso for Sawpit Improvements.3.11.20.pdf)

- 6.c) Approval of Minutes: September 21, 2022 and October 5, 2022.

(ATTACHMENT - 20220921-BOCC-Minutes-Draft.pdf)

(ATTACHMENT - 20221005-BOCC-Minutes-Draft.pdf)

- 6.d) Ratification of Commissioners signature on the Letter of Support concerning the RFP Tri-State Maverick Draw substation.

(ATTACHMENT - Letter of Support - Tri-State Maverick Draw substation)

- 6.e) Approval of Chair's signature on a Western Regional Emergency Medical and Trauma Advisory Council (WRETAC) - Regional Systems Development for \$3,400 for improvement and Full Wrap decal to fulfil the Integration of Health Services Legislation and Regulation Public Access Prevention.

(ATTACHMENT - WRETAC.pdf)

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

7) **ADMINISTRATIVE MATTERS**

- 7.a) Approval of Chair's signature on a Proclamation of the Board of Commissioners of San Miguel County, Colorado, on Veterans Day, November 11, 2022, to honor and recognize the Veterans of San Miguel County./MOTION

(ATTACHMENT - November 2022 Veterans Day)

Presented by: Jim Botenhagen, Veterans Service Officer

MOTION by Lance Waring to approve the Proclamation of the Board of Commissioners of San Miguel County, Colorado, on Veterans Day, November 11, 2022, to honor and recognize the Veterans of San Miguel County. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT I - Proclamation 2022-08)

- 7.b) Consideration of the appointment to the County Planning Commission -Alternate seat./MOTION

Applicants:
Galena Gleason
Morgan Smith

(ATTACHMENT - Galena Gleason - Planning Commission.pdf)

(ATTACHMENT - Morgan Smith - Planning Commission_Redacted.pdf)

Presented by: Kaye Simonson, Planning Director; Galena Gleason, Applicant; Morgan Smith, Applicant

MOTION by Hilary Cooper to approve the appointment of Galena Gleason to the County Planning Commission -Alternate seat. **SECONDED** by Lance Waring. **PASSED 3-0.**

- 7.c) Discussion of a request by the new owner of the parcel located at 310 Front Street, Parcel 4523334403002 (AKA Placerville Post office) to renew the current easement of the leach field located in the county right away./MOTION

Presented by: Mike Bordogna, County Manager

No motion was made.

Staff Direction was given to provide a draft agreement to the board, detailing the following:

1. To forgo the 3% interest, if the building is being used for a Public Benefit [such as a Post Office];
2. In addition the new easement agreement will run with the Public Benefit of the parcel. Any changes to the proposed lease will need to come back to the board for additional consideration.

- 7.d) Consideration of Chair's signature on Resolution 2022-53 Adopting a County Donation Policy.

(ATTACHMENT - Resolution 2022 53 Donation Policy)

Presented by: Amy Markwell, County Attorney

Note: Recommendations were made to change some of the wording in the document. The changes will be made and presented at a future meeting.

- 7.e) Consideration to defer an issue on the Road CR Z60 to the County Manager. Allowing him to work with the Road and Bridge department and the owners concerning the plowing permit/bond.

Presented by: Mike Bordogna, County Manager

Board consensus to direct Mike to work with the applicants and the Road and Bridge department to come to an agreeable solution.

- 7.f) Consideration to approve the purchase for the Sheriff's fleet, a 2022 Chevrolet Tahoe, in the amount of \$53,234 from the Town of Norwood. /MOTION

(ATTACHMENT - SMC Sheriff Office - 2022 Tahoe.pdf)

Presented by: Mike Bordogna, County Manager; Dan Covault, Undersheriff

MOTION by Lance Waring to approve the purchase of a 2022 Chevrolet Tahoe, in the amount of \$53,234 from the Town of Norwood for the benefit of the Sheriff's office. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

8) NATURAL RESOURCES AND SPECIAL PROJECTS

Presented by: Starr Jamison, NRSP Director

Update and Other, as needed.

1. Update on the Lawson Hill EPA testing.
2. Colorado Oil and Gas Conservation Commission notification
3. Starr attended a Big Game Meeting with the USFS

9) MANAGER and ASSISTANT MANAGER MATTERS

Presented by: Mike Bordogna, County Manager

1. The County employees enjoyed dressing up for Halloween and participating in a Lunch Potluck.
2. Attendance at a Region 10 Executive Board Meeting
3. Update on working with the South Western Water Conservation District
4. The Class and Compensation study has been distributed to the Department heads and Elected Officials

Presented by: James Van Hooser, Assistant County Manager

1. James provided that the "Placerville Post Office" has no additional shared easements or use by other parties concerning their Leach Field located in the County right-away
2. The RFP for Diamond Ridge has been finalized and will be going out to bid.
3. A draft of the unincorporated affordable housing map was shared with the Commissioners

10) ADMINISTRATIVE MATTERS - continued.

- 10.a) Discussion of the Multimodal Options fund (MMOF) for the proposed Lawson Hill connector sidewalk from the County owned Park and Ride to the Underpass beneath Hwy 145.

Presented by: Pam Hall, Lawson Hill HOA; David Averill, SMART; Kari Distefano, SMART; Mike Bordogna, County Manager

Note: This item will be continued to a future meeting. Staff will finalize the letter of support and present it at a future meeting.

11) COMMISSIONER UPDATES:

Hilary Cooper - Middle Income Housing Board meeting; High Alpine Loop road map will be creating a website where all uniform communication can occur; Requested attendance to participate in a review commission at the State; CCI - Weeds, Invasive Pests workshop; Creating a Opioid dashboard regionally similar to Adams County

Lance Waring-Gondola Subcommittee Meeting; Working with Ophir concerning the maintenance on the road and Ophir Pass
Kris Holstrom - Region 10 Executive Board Meeting; Attendance at the Lone Cone Library Art donation celebration

11:34 a.m. Recessed.

11:41 a.m. Reconvened.

14) ATTORNEY MATTERS

Update and Other, as needed.

Presented by: Amy Markwell

1. Amy will be taking part in an Amicus Brief Committee -Land Use Working Group
2. The Attorneys office staff will be attending a Conference and out of the office November 17, 18, 2022

- 14.b) Executive Session: Discussion of settlement negotiations in the 2017 & 2018 oil and gas lease litigation. (C.R.S. 24-6-402(4)(b) and (e).

MOTION by Hilary Cooper to go into executive session, to discuss the settlement negotiations in the 2017 & 2018 oil and gas lease litigation. (C.R.S. 24-6-402(4)(b) and (e). **SECONDED** by Lance Waring. **PASSED 3-0.**

Presented by: Amy Markwell, County Attorney

11:43 a.m. Recessed.

11:46 a.m. Reconvened.

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

Note: Staff direction was pursue the settlement negotiations recommended by our Attorney.

- 14.a) Executive Session: Discussion of general personnel matter for the County Attorney's Office. C.R.S. 24-6-402(4)(b) and (f)

MOTION by Hilary Cooper to go into executive session, to discuss a personnel matter for the County Attorney's Office C.R.S. 24-6-402(4)(b) and (f). **SECONDED** by Lance Waring. **PASSED 3-0.**

Presented by: Amy Markwell, County Attorney

11:47 a.m. Recessed.

12:09 p.m. Reconvened.

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

Attachment II - Executive Session Minutes

Note: The County Attorney requested that the above items 14.a. and 14.b. not have written minutes as it constitutes a privileged attorney-client communication and a statement signed by the attorney and chair is attached.

12) Lunch

12:09 p.m. Recessed.

12:47 p.m. Reconvened.

13) PUBLIC HEALTH AND ENVIRONMENT - Grace Franklin, Public Health Director

14) ATTORNEY MATTERS

- 14.c) Executive Session: Discussion on the Sunnyside funding, citation 4(e).

MOTION by Hilary Cooper to go into executive session, to discuss the Sunnyside funding, citation 4(e). **SECONDED** by Lance Waring. **PASSED 3-0.**

Presented by: Mike Bordogna, County Manager

1:04 p.m. Recessed.

1:16 p.m. Reconvened.

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

Note: Staff direction was give to use Local Assistance and Tribal Consistency funds (LATCF) to cover the additional funds for the Sunnyside Housing Development.

- 14.d) Executive Session: Conferences with an Attorney over a foreclosure in Lawson Hill, citation 4(b).

MOTION by Hilary Cooper to go into executive session, to have a conference with an Attorney over a foreclosure in Lawson Hill, citation 4(b). **SECONDED** by Lance Waring. **PASSED 3-0.**

Presented by: Amy Markwell, County Attorney; James Van Hooser, Assistant County Manager

1:18 p.m. Recessed.

2:04 p.m. Reconvened.

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

Note: Staff direction was given.

- 14.e) Executive Session: Discussion with an attorney and determine negotiations concerning the San Miguel Conservancy District Water Court case, citation (4)(b)(e).

MOTION by Hilary Cooper to go into executive session, to discuss with an attorney and determine negotiations concerning the San Miguel Conservancy District Water Court case, citation (4)(b)(e). **SECONDED** by Lance Waring. **PASSED 3-0.**

Presented by: Mike Bordogna, County Manager; Mark Hamilton, Attorney representing the County

2:05 p.m. Recessed.

2:23 p.m. Reconvened.

ATTACHMENT II - Executive Session Minutes

Note: The County Attorney requested that the above items 14.d. and 14.e. not have written minutes as it constitutes a privileged attorney-client communication and a statement signed by the attorney and chair is attached.

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

Note: Staff direction was given to find out the potential costs.

15) **ADJOURNMENT**

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

2:24 p.m. Adjourned.

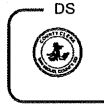
Respectfully submitted,

DocuSigned by:

Carmen Warfield

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Carmen Warfield, Chief Deputy Clerk



Approved February 1, 2023.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

DocuSigned by:

Kris Holstrom

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Kris Holstrom, Chair

ATTEST:

DocuSigned by:

Mike Bordogna

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Mike Bordogna, County Manager