

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

**Wednesday, May 19, 2021**

Via zoom.us

Present: Lance Waring, Chair  
Kris Holstrom, Vice Chair  
Hilary Cooper, Commissioner

Staff Present: Mike Bordogna, County Manager  
Amy Markwell, County Attorney  
Nancy Hrupcin, Legal Assistant  
Carmen Warfield, Chief Deputy Clerk

**1. CALL TO ORDER.**

9:32 a.m.

**2. CALENDAR REVIEW**

**3. REVIEW OF AGENDA**

**4. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.**

**5. CONSENT AGENDA**

- 5.a Ratification of Commissioner's signature on a letter of support for the High Alpine Roadmap to Recovery grant application from Region 10.
- 5.b Item continued to a future meeting. Consideration of a Letter of Support on behalf of the Telluride Foundation for a grant "Colorado Parks and Wildlife Outdoor Regional Partnerships"
- 5.c Authorization of April 2021 Payroll and Vendor Payments. (Note: There was an error within the column numbers. This will be corrected and placed on the consent agenda at the next meeting). (ATTACHMENT I)
- 5.d Approval of the disposition of vehicles no longer being used by the county.

**MOTION** by Kris Holstrom to approve the consent agenda with item 5.b. continued to next meeting. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

**6. ADMINISTRATIVE MATTERS**

- 6.a Public Hearing: Approval of a Special Events Permit to serve Vinous and Spirituous and Malt Liquors June 23, 24, 25, 26, 2021, from 7 p.m. to 11 p.m. for Telluride Aids Benefit, Telluride Regional Airport, 1500 Last Dollar Road, Telluride CO.

Presenter: Becky Goldsworthy, Deputy Clerk, Jessica Galbo, Applicant

9:37 a.m. Open Public Hearing

9:41 a.m. Closed Public Hearing

**MOTION** by Hilary Cooper to approve as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.** (ATTACHMENT II – Written Findings)

- 6.b Consideration of Chair's signature on a Resolution against Initiative #16.

Presenter: Kris Holstrom, Vice Chair

Note: Item continued to a future meeting.

**7. SOCIAL SERVICES MATTERS**

*(Board of Commissioners sitting as the San Miguel County Board of Social Services.)*

- 7.a Approval of Chair's signature on Social Services Department Balance Sheet ~~April~~ March 2021 Earned Revenue and Expenditures ~~April~~ March 2021, Check Register for the Month of March 2021, County Allocation/MOE Report April 2021, and 2021 Caseload Report.

**MOTION** by Hilary Cooper to approve the documents with the correction within the title. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Other, as needed.

1. Funding available for Adult Protective Services
2. A local campaign by the State of Colorado and the Early Childhood task force is to get as many unlicensed child care homes registered and licensed to provide the safest care for children. This is a result of a child's death in an unlicensed home within the State.

Presenter: Carol Friedrich, Dept of Social Services

**8. PARKS AND OPEN SPACE MATTERS**

**8.a Update with Parks and Open Space.**

Presenter: Janet Kask, Parks, and Open Space Director

8.b Consideration of Chair's signature on a "Consent for Right of Access to Reclamation Site of the Matterhorn Mill Tailings Repository".

Presenter: Janet Kask, Parks, and Open Space Director

Board direction to have Ryan Righetti sign for the consent for access on behalf of San Miguel County.

**9. MANAGER MATTERS-Mike Bordgona**

*Updates and other, as needed.*

1. Upcoming – Site Visit with the Tres Rios Field Office to the Dry Creek Basin
2. CCI Lunch and Learn tomorrow – Focusing on Energy Performance
3. Contracting and Solar Economic Recovery Meeting May 21, 2021
4. All Staff training for the County on Monday, May 24, 2021
5. The board meeting scheduled for May 26, 2021, will focus on Fire Mitigation and Safety

**10. COMMISSIONER UPDATES:**

*Hilary Cooper - Update on Outside Meetings and Legislative Updates – GMUG Forest Plan*  
*Kris Holstrom - Update on Outside Meetings - Economic Recovery Committee Meeting, Norwood Chamber; West End; West End Chamber Meeting concerning Tourism - Marketing, Planning - Commission meeting, SMART Board Meeting; GMUG Meeting*  
*Lance Waring - Update on Outside Meetings – SMART Board Meeting*

**11. ATTORNEY MATTERS:**

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

11.a Executive Session regarding the Water Opposition Case to obtain legal advice (4b) and negotiate strategies (4e)

Presenter: Amy Markwell, County Attorney; Mark Hamilton, Council for San Miguel County

**MOTION** by Hilary Cooper to go into Executive Session to discuss the Water Opposition Case to obtain legal advice citation, (4)(b) and (4)(e). **SECONDED** by Kris Holstrom. **PASSED 3-0.**

10:59 a.m. Recessed.

12:12 p.m. Reconvened.

**MOTION** by Hilary Cooper to come out of Executive Session. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

The Commissioners only spoke of the one item it stated.

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 chair is attached.  
(ATTACHMENT III)

**11:35 a.m. - 12:45 p.m. Lunch Break**

12:14 p.m. Recessed.

12:47 p.m. Reconvened.

12. PUBLIC HEALTH AND ENVIRONMENT

*(Board of Commissioners sitting as the San Miguel County Board of Public Health.)*  
*Potential Executive Session: Concerning Public Health, Meeting with an Attorney, citation 24-6-402(4)(b).*

12.a Discussion and update with the San Miguel County Stakeholders concerning the COVID 19 outbreak.

Presenter: Grace Franklin, Public Health Director

Public that addressed the Board:  
Jeffrey Kocher, County resident  
Douglas Tooley, County resident  
Greg Craig, County resident  
J Meehan Fee, County resident  
Ginny Gordon, County resident and Business owner  
Jill Wilson, County resident  
DeLanie Young, Town of Telluride  
Kevin Geiger, Town of Telluride, Attorney

Jurisdictional Updates:  
Hilary Cooper - Governmental Council update on Vaccination clinics  
Kris Holstrom - 5 Star Program to continue through the end of June  
Amanda Pierce - Town of Norwood  
Kim Montgomery, Town of Mountain Village

12.b Revisit the current and future changes of the Public Health Orders.

(ATTACHMENT IV - Adopting of new Public Health Orders beginning Thursday, May 20, 2021, at 1:00 a.m. MST - Public Health Agency Order #2021-05)

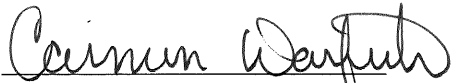
Presenter: Grace Franklin, Public Health Director

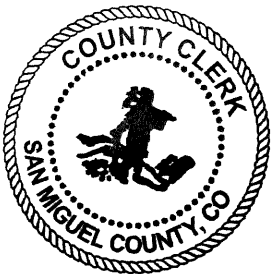
13. ADJOURNMENT

**MOTION** by Hilary Cooper to adjourn the meeting. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

2:03 p.m. Adjourned.

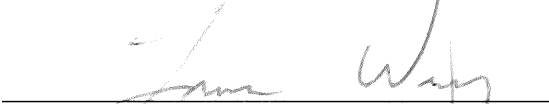
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Respectfully submitted,

  
Carmen Warfield, Chief Deputy Clerk



Approved: *June 23, 2021.*

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

  
Lance Waring, Chair

ATTEST:

  
Mike Bordogna, County Manager



FINANCE OFFICE

RAMONA RUMMEL, FINANCE DIRECTOR

May 14, 2021

To: Board of County Commissioners  
Mike Bordogna, County Manager

Below please find a summary of payments issued during the month of April 2021. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on May 19, 2021.

Any questions, please let me know. Thank you.

*Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.*

| April 2021 Payments                    |              |                 |
|----------------------------------------|--------------|-----------------|
|                                        | PAYROLL      | VENDOR PAYMENTS |
| 101 - General Fund                     | \$505,725.03 | \$382,075.78    |
| 102 - Road & Bridge Fund               | \$74,685.76  | \$149,677.01    |
| 103 - Social Services Fund             | \$30,442.83  | \$280,073.49    |
| 104 - Sales Tax Capital Fund           |              | \$315,142.73    |
| 106 - Transit Fund                     |              | \$151,229.64    |
| 107 - Retirement Fund                  | \$33,951.01  |                 |
| 108- Parks and Open Space Fund         | \$26,640.76  | \$29,476.04     |
| 109 - Conservation Trust Fund          |              |                 |
| 110 - Lodging Tax Fund                 |              |                 |
| 111 - Vegetation Management Fund       |              | \$21,479.21     |
| 112 - Early Childhood Education Fund   |              | \$80,727.50     |
| 113 – Mental Health Fund               |              | \$100,761.75    |
| 115 - Public Health & Environment Fund | \$20,309.31  | \$10,231.15     |
| 116 - Energy Fund                      |              |                 |
| 117 – COVID19 Fund                     | \$41,923.35  | \$112,792.97    |
| 224 - Housing Authority                |              | \$46,625.00     |
| 226 - Solid Waste Disposal District    |              | \$3,604.38      |
| 301 – Grant Fund                       |              | \$73,379.00     |
| TOTALS                                 | \$733,678.05 | \$1,757,275.65  |

P.O. BOX 486 • Norwood, Colorado 81423 • (970) 327-4885 •  
[ramonar@sanmiguelcountyco.gov](mailto:ramonar@sanmiguelcountyco.gov)

WRITTEN FINDINGS

Date: April 15, 2021

To: San Miguel County Board of Commissioners

Re: Special Events Permit for Telluride Aids Benefit  
Telluride Regional Airport  
135 W. Colorado Ave., Ste.2B  
P.O. Box 33819  
Norwood, Co 81423

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1. Fees: \$100.00 paid April 15, 2021 to San Miguel County, to serve Vinous and Spirituous and Malt Liquors June 23-24-25-26, 2021 from 7 PM to 11 PM.
2. Notice for posting on the proposed site was given to applicant May 5, 2021.

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

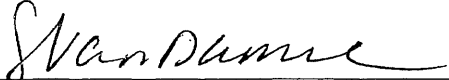
Meeting to be held at 9:40 o'clock A.M., May 19, 2021 for approval of application.

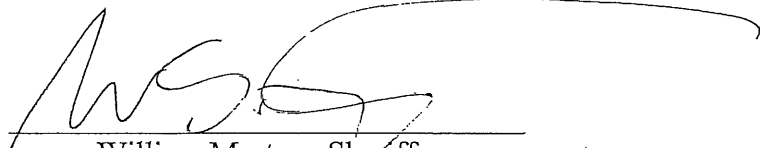
The Sheriff's office will be notified of an opportunity to comment (on any possible perceived law enforcement) at the meeting.

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

William Masters, Sheriff, gives his approval on this application with the understanding that they be allowed to sell fermented malt, vinous, and spirituous liquors

4. Application is complete with the following documents:
  - (a) Diagram showing where liquor will be served and consumer.
  - (b) Certificate of Good Corporate Standing.
  - (c) Letter of permission from the Telluride Regional Airport Authority.
  - (d) Insurance attached.

  
Stephannie Van Damme County Clerk

  
William Masters, Sheriff

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
MEETING**

May 19, 2021

\_\_\_\_\_  
Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the \_\_\_\_\_  
May 19, 2021  
\_\_\_\_\_  
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:  
Amy Markwell  
13D889A155004B0...  
\_\_\_\_\_  
Amy Markwell, County Attorney

I, Lance Waring, \_\_\_\_\_, Chair of the San Miguel County Board of  
Commissioners attest that the \_\_\_\_\_  
May 19, 2021  
\_\_\_\_\_  
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:  
Lance Waring  
F8DF64194B30438...  
\_\_\_\_\_  
Chair



ATTACHMENT **TV**

Department of Public Health and Environment  
GRACE FRANKLIN, DIRECTOR

PUBLIC HEALTH AGENCY ORDER # 2021 – 05

**ADOPTION OF THE STATE OF COLORADO COVID-19 ORDERS AND ADDITIONAL  
SAFETY REQUIREMENTS TO CURTAIL THE SPREAD OF COVID-19**

**EFFECTIVE: THURSDAY, , MAY 20, 2021 at 1:00 AM MST**

**RECITALS AND FINDINGS**

**WHEREAS**, local public health orders are adopted pursuant to the legal authority set forth in sections 25-1-506, 25-1-508 and 25-1-509 of the Colorado Revised Statutes. Under these laws, the San Miguel County Board of Health and San Miguel County Public Health Director (Public Health Director) have the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health and to establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, and for this purpose only, to exercise physical control over property and over the persons or the people within the jurisdiction of the agency as the agency may find necessary for the protection of the public health; and

**WHEREAS**, additional or different restrictions may need to be imposed and future orders issued by the Public Health Director to effectively address the ongoing pandemic. Accordingly, **the Public Health Director reserves the right to tighten restrictions in future orders and amendments should the protection of public health necessitate such measures** and no person should presume that future orders will automatically or necessarily further relax the restrictions contained in this Order.

**NECESSITY OF THIS ORDER**

This Order is issued based on evidence of the occurrence and transmission of and vaccination against COVID-19 within San Miguel County. This Order is further based on scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population within San Miguel County places the population at risk for serious health complications, including death, from COVID-19.

**INTENT**

The intent of this Order is to ensure that the community as a whole has the opportunity to live, work, and play in environments that do not put them at undue risk for infection of COVID-19. Additionally, maintaining low COVID-19 transmission keeps hospital capacity manageable and allows for other medical care to continue. Preventing further spread or a resurgence of disease will require that all individuals and businesses be responsible for adhering to the requirements of this Order. Should a surge of illness continue, additional restrictions on activities may be implemented. All provisions of this Order

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should be interpreted to effectuate this intent.

## ORDER

### I. GENERAL

- A. This Order rescinds and replaces in full all prior public health orders issued by the San Miguel County Public Health Director. *Changes from the prior order are highlighted in Bold and Italics.*
- B. This Order shall apply to all unincorporated areas of San Miguel County, Colorado, and all incorporated (municipal) areas that do not have a public health agency, to wit: Town of Telluride, Town of Mountain Village, Town of Norwood, Town of Ophir, and the Town of Sawpit, Colorado.
- C. **Incorporation and Compliance of State Orders.** Executive Orders issued by the Governor, all CDPHE Public Health Orders and other CDPHE guidance documents, are hereby adopted and deemed incorporated herein as may be amended or restated from time to time are incorporated in this Order as if fully set forth herein. *As of May 20, 2021, CDPHE Public Health Orders includes the following:*
1. *Disease mitigation practices and best practice are still encouraged and work must make reasonable accommodations for those who cannot get the COVID-19 vaccine.*
  2. *Face coverings are not required for those 11 years of age or older except in certain settings: schools, DMV, congregate care facilities, correctional facilities, and healthcare centers.*
  3. *Mass indoor gatherings: 100+ people in a room must have 6ft distancing unless it is verified all are vaccinated*
- D. Nothing in this Order prevents any individual local governmental entity, business or service provider from adopting more protective standards for the health and safety of their jurisdictions, employees, offices, businesses or customers.
- E. Nothing in this Order prevents businesses or service providers from denying any or all of their services as they deem appropriate and necessary under the circumstances.
- F. **Most Restrictive Standard Controls.** To the extent there is a conflict between State, County, Town or Business rules/orders, the more restrictive provisions control. For clarity's sake, County provisions that are more restrictive than the Executive Orders and State Public Health Orders are highlighted with an asterisk (\*).
- G. **\* Posting Compliance Signage.** Businesses from all industries **must** post appropriate signage to communicate current COVID-19 protocols, as instructed by San Miguel county Public Health.
- H. **Take the Pledge.** Everyone is strongly encouraged to follow the Five Commitments of Containment to curb the spread of COVID-19 and help keep our community open: wear a mask; physically distance; minimize group size; wash hands frequently; and stay at home when sick and get tested.
- I. **\* Cooperation with Contact Tracing, Quarantine Orders, and Isolation Orders.** All individuals must cooperate with contact tracing efforts conducted by San Miguel County Public Health as well as any quarantine or isolation orders issued by County Public Health.

J. **\* Isolation and Quarantine.**

- 1) All individuals who have a confirmed positive COVID-19 test, regardless of where that test was performed or how it was provided (medical practitioner, at home COVID-19 test, or County Public Health) must isolate for 10 days from onset of symptoms or test date if asymptomatic. Isolation means you must stay at home away from all other people. If possible, use a separate bedroom and bathroom and stay out of shared spaces. If you need to be in a shared space, limit the amount of time in that space and wear a mask. Wash hands frequently and disinfect shared spaces. **Prohibited activities after being confirmed positive for COVID-19 include but are not limited to** going out of your home to run, walk, ski, hike, bike, attend school, go to work or go shopping for essential or non-essential items. County Public Health has resources to assist in getting essential items delivered to your home. Individuals may only leave their homes in order to seek essential medical care.
- 2) All individuals who have been notified that they are a close contact with a person who tested positive must quarantine for 10 days from the last date of known close contact, unless fully vaccinated and asymptomatic. Quarantine means to stay in their home and not interact with others outside of your household. If a close contact individual becomes symptomatic during this timeframe, they must notify San Miguel Public Health immediately for next steps.
- 3) All individuals who have any symptom that is associated with COVID-19 (runny or stuffy nose, fever, cough, loss of smell or taste, shortness of breath, or difficulty breathing) are strongly encouraged to receive a COVID-19 test and self-quarantine, stay in their home and not interact with others outside of your household.

K. **Responsibility for Compliance.**

- Individuals. Each individual present within San Miguel County whether they are a full-time resident, part-time resident or visitor is responsible for compliance with this Order and any additional restrictions implemented by individual towns, businesses and facilities.
- Businesses. The responsibility for compliance for businesses within this Order shall apply to the owner of the Business and owner of the property on which the facility or event is located.
- Everyone should take steps to review and become familiar with the materials found on the County and State websites, posted by the business or facility as well as materials that are sent to them through the mail or various electronic media. <https://covid-19-sanmiguelco.hub.arcgis.com/>

L. **Severability**. If any provision of this Order is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect.

M. **Conflicting Interpretations**. To the extent any ambiguity exists between this Order and any statement made by San Miguel County staff and officials or others regarding the interpretation or effect of this Order, the express terms of this Order and its interpretation by the Public Health Director or her designee shall control.

- N. Penalties. Failure to comply with any provision of this Order may result in (1) a fine of up to five thousand (\$5,000) dollars and/or imprisonment in the county jail for up to eighteen (18) month pursuant to C.R.S. §§ 25-1-516 and 18-1.3-501; (2) loss of business license(s); (3) and/or a temporary shutdown of your business or worksite.

## II. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

- If you have questions regarding this Order, please contact the San Miguel County Health Department at 970.728.4289 and/or email [publichealth@sanmiguelcountyco.gov](mailto:publichealth@sanmiguelcountyco.gov).
- Any person aggrieved and affected by this Order has the right to request judicial review by filing an action with the San Miguel County District Court within 90 days of the date of this Order, pursuant to C.R.S. § 25-1-515. However, you must continue to obey the terms of this Order while your request for review is pending.

## III. FURTHER GUIDANCE & GUIDELINES

- San Miguel COVID-19 Information & Links: <https://www.sanmiguelcountyco.gov/590/Coronavirus>
- San Miguel COVID-19 Communication Assets <https://drive.google.com/drive/folders/1W3NKG9kxZWj84VuxcUjSlaT0BkoK45XS>
- Colorado Public Health & Executive Orders: <https://covid19.colorado.gov/covid-19-in-colorado/public-health-executive-orders-resource>
- CDPHE COVID-19 Dial Dashboard: <https://covid19.colorado.gov/data/covid-19-dial-dashboard>
- CDPHE Environmental Cleaning Guidance: <https://drive.google.com/file/d/1XQnjAL2nzdPnb7Dabz7-fX8Pw7XlyUe8/view>
- CDPHE Guidance for Wearing Masks: <https://covid19.colorado.gov/mask-guidance>
- CDPHE Outdoor Event Guidance: <https://covid19.colorado.gov/outdoor-events>
- US Department of Labor OSHA Information: <https://www.osha.gov/SLTC/covid-19/>
- US Centers for Disease Control & Prevention: <https://www.cdc.gov/coronavirus/2019-nCov/index.html>
- US Centers for Disease Control & Prevention - Visiting Bars and Restaurants: <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/personal-social-activities.html#restaurant>

(End of Order)

This Order is in effect from

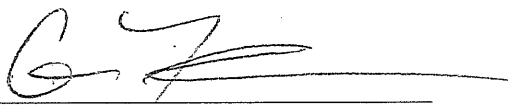
*THURSDAY, MAY 20, 2021 at 1:00 AM MST*

to

*THURSDAY, JULY 22, 2021 at MIDNIGHT MST*

and is subject to continuing review by the Public Health Director.

**DONE AND SIGNED**, as the official Order of the Director of the San Miguel County Department of Public Health and Environment.

  
\_\_\_\_\_  
Grace Franklin, Public Health Director

05/19/2021  
Date