

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES**

Wednesday, February 17, 2021

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.

9:31 a.m.

2. REVIEW OF AGENDA/CALENDAR REVIEW

3. CONSENT AGENDA

- a. Approval of appointing Yvette Henson to the Open Space Commission.
- b. Approval of re-appoint Jim Botenhagen to a two-year term as the Veteran Service Officer.
- c. Approval of Minutes: December 21, 2020; January 13, 2021; January 20, 2021, and January 22, 2021.
- d. Ratification of Chair's signature on County Veterans Service Officer's January 2021 Report.
- e. ~~Item Pulled - Approval of two Advanced Life Support Care Flight Permits and Ambulance Service Licenses for Care Flight of the Rockies.~~
- f. Approval of the Chair's signature on Renewal of Hotel and Restaurant with Optional Premises for Telski Food and Beverage Services d/b/a Alpino Vino, 12100 Camels Garden Road, Telluride, CO-based on the County Clerk's Written Findings.
- g. Acceptance of the January 2021 Payroll and Vendor Payments. (ATTACHMENT I)
- h. Approval of Chair's signature on a designation of a representative to the County Health Pool.

MOTION by Kris Holstrom to approve the consent agenda with item 4e removed to request additional information be provided. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

4. ADMINISTRATIVE MATTERS

- a. Presentation of the Annual report from the Wilkinson Public Library.

Presenter: Sarah Landeryou, Wilkinson Public Library Director and John Wontrobski, Board President

- b. Approval of the 7th Local Disaster Emergency Declaration.

Presenter: Amy Markwell, County Attorney

MOTION by Kris Holstrom to approve the 7th Local Disaster Emergency Declaration. **SECONDED** by Hilary Cooper. **PASSED 3-0.** (ATTACHMENT II)

13. ATTORNEY MATTERS

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

- a. Late Addition: Opioid Litigation Update
- b. Update on Litigation
 1. Update on the injunction case concerning the violation of building codes.

Presenter: Amy Markwell, County Attorney

10:10 a.m. Recessed.

10:15 a.m. Reconvened.

5. PLANNING MATTERS

- a. Public Hearing: Consideration of an amendment to the San Miguel County Land Use Code Section 5-10 Special Uses and adopt Resolution No. 2021- 007 regarding Violations.

Presenter: Kaye Simonson, Planning Director

10:17 a.m. Chair Opened the Public Hearing.

10:18 a.m. Chair Closed the Public Hearing

MOTION by Hilary Cooper to approve the amendment to the San Miguel County Land Use Code Section 5-10 Special Uses and adopt Resolution No. 2021-007, regarding Violations, based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code. **SECONDED** by Kris Holstrom. **PASSED 3-0.** (ATTACHMENT III – Resolution 2021-007)

- b. Other, as needed.
 1. Update on the Society Turn Parcel and review.
 2. Update - RFQ - Affordable Housing Mitigation.

6. **SOCIAL SERVICES MATTERS**

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

- a. Approval of Chair's signature on Social Services Department Balance Sheet December 2020, Earned Revenue and Expenditures December 2020, Expenditures through Electronic Benefit Transfers January 2021, Check Register for the Month of January 2021, MOE Report DEC-21 and 2021 Caseload Report.

MOTION by Hilary Cooper to approve as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

- b. Approval of Chair's signature on a Contract for Legal Services with Herb McHarg, 100th Meridian Law Group, P.C. for legal counsel for the calendar year 2021, San Miguel County Department of Social Services.

MOTION by Kris Holstrom to approve the contract as presented **SECONDED** by Hilary Cooper. **PASSED 3-0.**

9. **UPDATE WITH THE COUNTY MANAGER**

- a. Update and other, as needed.
 1. Upcoming scheduled meetings
 2. Update on agenda items scheduled for next week
 3. Update on the Small Business Relief Fund
 4. Update on legislation concerning commissioners unable to serve on the Board of Health
 5. Update on the Natural Resources and Special Projects Director position
 6. Region 10 - Regional Economic Plan
 7. Dolores County School District is offering the Egnar School Building to San Miguel County

Note: Mike will do a site visit and bring the information back to the board

8. COVID Migration study of Mountain Towns
9. 5-Star State Certification Program - HO2 sensors, 5-Star evaluators
10. The budget is prepared for the 5-star program – with a proposed match from each jurisdiction

7. **PARKS AND OPEN SPACE MATTERS**

- a. Update and review of the 2021 PES project conceptual budget.

Presenter: Chris Hazen, The Terra Firm, Inc.; Janet Kask, Director Parks and Open Space

8. **ADMINISTRATIVE MATTERS, Continued**

- a. Appreciation of Lynn Padgett and all the work she has done for the County.

Thank you, Lynn, for everything you have done.

- b. Consideration of a UFO BLM San Miguel River Restoration Project comment period

Presenter: Lynn Padgett, Government Affairs/Natural Resource Director

Note: Lynn Padgett will incorporate the shared thoughts and the advice from the Commissioners to create a draft working document.

11:43 a.m. Recessed.

12:48 p.m. Reconvened.

10. PUBLIC HEALTH AND ENVIRONMENT

(Board of Commissioners sitting as the San Miguel County Board of Public Health and Environment.)

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

Presenter: Grace Franklin, Public Health Director

Public Who Addressed the Board:

Douglas Tooley, Part-time resident

Matt Skinner – County resident

Greg Craig – County resident

Matthew Thomas – Telluride Ski and Golf

Larry Mallard – Lodging Community

Jeffrey Kocher – County resident

Commissioner Updates:

Kris Holstrom - Norwood Town Trustee meeting; Farmer's Water, Western Slope Soil Conference, SMART Board Meeting

Hilary Cooper – Governor's Coronavirus Advisory Committee

Jurisdictional Updates:

DeLanie Young - Town of Telluride

Laila Benitez - Town of Mountain Village

2:09 p.m. Recessed.

2:17 p.m. Reconvened.

- b. Potential Executive Session: Concerning Public Health, Meeting with an Attorney, citation (4)(b).

Note: No executive session needed.

- c. Introduction of the Family Wellness Program of the San Juans.

Presenter: Amy Eriksen, Women, Infant and Children Director/Educator

11. HOUSING MATTERS

(Board of Commissioners sitting as the San Miguel County Housing Authority.)

- a. Discussion on local housing issues and solutions.

Presenter: Amy Levek, Trust for Community Housing

12. COMMISSIONER UPDATES

- b. Hilary Cooper – Update on Outside Meetings – and Legislative updates
 1. Colorado State Land Board comment letter will be drafted.
 2. Jenny Russel was nominated as Board President of the Southwestern Water Conservation District.
 3. Colorado Wilderness Bill - A proposed designation for the Norwood Canyon
 4. Event Producers are continuing to struggle through the COVID pandemic
- a. Kris Holstrom - SMART Board Meeting, Farmer's Water Meeting, Assisting at the Ridgway Community Garden
- c. Lance- No reports.

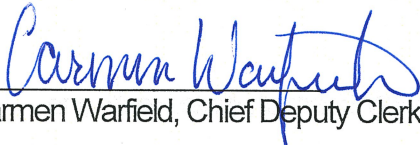
d. Public Comment. – No Public Comment.

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

14. **ADJOURNMENT**
3:20 p.m.

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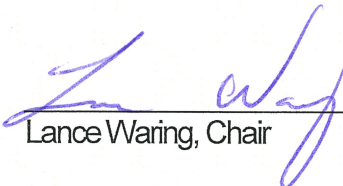
Respectfully submitted,


Carmen Warfield, Chief Deputy Clerk

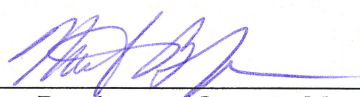


Approved .

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS


Lance Waring, Chair

ATTEST:


Mike Bordogna, County Manager



FINANCE OFFICE

RAMONA RUMMEL, FINANCE/HR DIRECTOR

February 12, 2021

To: Board of County Commissioners
Mike Bordogna, County Manager

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

Staff is recommending the approval of these payments via consent agenda on February 17, 2021.

Any questions, please let me know. Thank you.

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

January 2021 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$513,703.59	\$837,615.29
102 - Road & Bridge Fund	\$88,977.09	\$278,631.75
103 - Social Services Fund	\$30,849.77	\$11,459.53
104 - Sales Tax Capital Fund		\$974,195.86
106 - Transit Fund		\$192,617.47
107 - Retirement Fund	\$35,430.23	
108- Parks and Open Space Fund	\$24,970.55	\$51,424.73
109 - Conservation Trust Fund		
110 - Lodging Tax Fund		
111 - Vegetation Management Fund		\$2,196.42
112 - Early Childhood Education Fund		\$77,184.00
113 – Mental Health Fund		\$23,106.75
115 - Public Health & Environment Fund	\$22,065.72	\$9,941.80
116 - Energy Fund		\$8,015.00
117 – COVID19 Fund	\$39,523.70	\$52,489.50
224 - Housing Authority		\$6,252.00
226 - Solid Waste Disposal District		\$5,292.82
TOTALS	\$755,520.65	\$2,530,422.92

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
SEVENTH EXTENDED LOCAL DISASTER
EMERGENCY DECLARATION**

**EFFECTIVE IMMEDIATELY
April 30, 2021 at 12:00 PM .**

WHEREAS, there is currently a threat posed by the presence of Coronavirus (COVID-19) in San Miguel County, Colorado; and

WHEREAS, COVID-19 is a highly contagious respiratory illness transmitted primarily through person-to-person contact. Persons infected with COVID-19 may become symptomatic anywhere from two (2) to fourteen (14) days after exposure. Symptoms may include but are not limited to, a runny or stuffy nose, fever/chills, cough, shortness of breath, or difficulty breathing. Individuals with serious chronic health conditions and older adults are most at risk for becoming critically ill with this disease; and

WHEREAS, COVID-19 has been known to spread when a person is infected but they have not had any symptoms of illness making it very difficult to control the spread of this disease; and

WHEREAS, the Director General of the World Health Organization has declared that COVID-19 constitutes a Public Health Emergency of International Concern and characterized it as a pandemic. The Secretary of the U.S. Department of Health and Human Services has declared COVID-19 constitutes a public health emergency and on March 13, 2020, the President of the United States declared a National Emergency. On March 10, 2020, the Governor of Colorado ("Governor"), Jared Polis, declared a State of Emergency related to the presence of COVID-19 in the State of Colorado and on March 16, 2020, the Chair of the Board of County Commissioners for San Miguel County declared a local disaster emergency and that declaration continues; and

WHEREAS, infection rates remain unstable as San Miguel County continues to experience high Covid-19 incidence and positivity rates. As of February 5, 2021 there were 91 active cases amongst residents in the County; and

WHEREAS, as of February 8, 2021, there have been 405,289 confirmed or probable positive cases of COVID-19 and 5,454 COVID-19 related deaths statewide and 754 confirmed cases (county-residents only) in San Miguel County with 72 active local cases; and

WHEREAS, the initial supply of COVID-19 vaccine is expected to be very limited for several months. A vaccine will not be immediately available to everyone who wants one. Until the vaccines are widely available, Coloradans should continue to avoid in-person interactions, physically distance, and wear a mask; and

WHEREAS, the presence of COVID-19 in San Miguel County continues to present unique challenges and places strain upon local government, emergency and medical facilities and personnel; and

ATTACHMENT

temporary use permit is necessary to conduct the essential business. The Board of County Commissioners shall be advised of all approved temporary use permits granted under this exception.

BE IT FURTHER RESOLVED, that San Miguel County encourages people to remain calm and to base their actions on credible sources of information.

BE IT FURTHER RESOLVED, that this extended declaration shall be given prompt and general publicity and shall be filed promptly with the County Clerk and Recorder, and the Colorado Division of Homeland Security and Emergency Management (CDHSEM).

BE IT FURTHER RESOLVED, that this extended declaration shall be valid *until April 30, 2021 at 12:00 PM MST* unless either rescinded or further extended by the San Miguel County Board of County Commissioners.

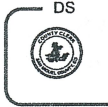
DONE THIS DAY, February 17, 2021, at Telluride, San Miguel County, Colorado.

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

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



**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING AN AMENDMENT TO LAND USE CODE SECTION 5-10 SPECIAL
USES, REGARDING VIOLATIONS**

Resolution 2021-007

WHEREAS, the Planning Director has prepared a draft Land Use Code Amendment to correct a numbering error in Land Use Code Section 5-10 regarding Violations; and

WHEREAS, the draft amendment was referred to the County Attorney; County Manager; Town of Telluride; Town of Mountain Village; Town of Sawpit; Town of Ophir; and Town of Norwood; and

WHEREAS, at its regular meeting held on Wednesday, January 13, 2021, following its consideration of the proposed LUC Amendment, the County Planning Commission (CPC) unanimously recommended approval of the Land Use Code Amendment; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code; and

WHEREAS, the County Planning Commission's recommendations are set forth in the minutes from the January 13, 2021 CPC meeting; and

WHEREAS, a Public Hearing Notice for the proposed Land Use Code Amendment and the Board of County Commissioners meeting to be held on February 17, 2021 was published in the Norwood Post and the Telluride Daily Planet on February 3, 2021; and

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

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this Land Use Code amendment, along with relevant evidence and testimony, at a public hearing on Wednesday, February 17, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves and adopts the amendments to San Miguel County Land Use Code 5-10, Special Uses to correct the numbering for Section 5-1004 N.III and make it a stand-alone section:

(Additions are shown with underline. Deletions are shown with ~~strike-through~~.)

5-1005III. Violations

Violation or noncompliance with any Special Use Permit or applicable Land Use Code requirement may result in suspension and/or revocation of the Permit by the

EXHIBIT A
PUBLIC HEARING RECORD

Board of County Commissioners

Application: Land Use Code Amendment to Articles 3, 4, 5 and 6, Subdivisions

Date: February 17, 2021

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 Kaye Simonson, Planning Director dated February 17, 2021.
4. Draft Resolution
5. Minutes of the January 13, 2021 County Planning Commission meeting.
6. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director dated January 13, 2021.
7. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on February 3, 2021.

AGENCY COMMENTS

8. None

PUBLIC COMMENT

9. None

OTHER

10. None