

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONER
MEETING
MINUTES
Wednesday, August 18, 2021
Zoom.us

1) **9:31 am CALL TO ORDER.**

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

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

3) **REVIEW OF AGENDA**

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

- 4.a) Late Addition: Request by Rachel Sralla, CPW; to support a public fishing access lease at the Gurley Reservoir in San Miguel County.

MOTION by Kris Holstrom to approve the letter of support with the chair's signature for the CPW Fishing Access Easement. **SECONDED** by Lance Waring. **PASSED 2-0.**

4.b. Chris Myers, County resident, addressed the Primary resident discount on residential taxes (Park City, Utah, was given as an example)

5) **CONSENT AGENDA**

- 5.a) Approval of Minutes: July 7, 2021 and July 14, 2021.
- 5.b) Acceptance of the formal notification by the County Manger to authorize the San Miguel County Road and Bridge dept. to purchase a tree chipper budgeted for \$35,000 in the 2021 budget.

MOTION by Kris Holstrom to approve the consent agenda. **SECONDED** by Lance Waring. **PASSED 2-0.**

6) **ADMINISTRATIVE MATTERS**

- 6.a) Consideration of Chair's signature on a Resolution 2021-29 to refer a ballot issue to the registered electors of the Lone Cone Library District Pursuant to article X, Section 20 of the Colorado Constitution and C.R.S. 24-90-112(1)(b) (III)./MOTION

Presented by: Beth Dauer, Attorney Representing the Lone Cone Library District; Carrie Andrew, Director of the Library

MOTION by Kris Holstrom to approve as presented. **SECONDED** by Lance Waring. **PASSED 2-0.**

(ATTACHMENT I - Resolution 2021-29)

- 6.b) Consideration of the appointment of Rebecca Mogg to the Lone Cone Public Library -Board of Trustees./MOTION

Presented by: Rebecca Mogg, Applicant; Carrie Andrew, Director of the Library

MOTION by Kris Holstrom to approve as presented. **SECONDED** by Lance Waring. **PASSED 2-0.**

- 6.c) Consideration of Chair's signature on the Semi-Annual Treasurer Report beginning January 1, 2021 and ending June 30, 2021.

Note: Item Continued until next week.

- 6.d) Update on the Gondola Sub-Committee.

Presented by: Lance Waring, Chair

- 6.e) Recognition of Oak Smith for his time and dedication as a volunteer on the Board of Adjustment.

Presented by: John Huebner, Senior Planner; Oak Smith, Volunteer

MOTION by Kris Holstrom to approve the Chair's signature on a Proclamation for the recognition of Oak Smith. **SECONDED** by Lance Waring. **PASSED 2-0.**

(ATTACHMENT II - Proclamation 2021-005)

- 6.f) Discussion and request for staff direction on the updating of the building codes.

Presented by: Matt Gonzales, Building Official

- 6.g) Consideration of amending the motion from August 4, 2021, item 6.d. to amend the Petition No: 2021-21 by replacing the Petition No: to 2021-43, due to a clerical error. The ownership on the petition Thomas Kaptur and Schedule number R1041187310 remain the same./MOTION

Note: Continued to next week

7) **SOCIAL SERVICES MATTERS**

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

MOTION by Kris Holstrom to approve as presented. **SECONDED** by Lance Waring. **PASSED 2-0.**

- 7.b) Consideration of Chair's signature on the Colorado Office of Children, Youth and Families Core Services Program - Third Year of a Three-Year Plan SFY 2021-2022 for San Miguel County/MOTION

MOTION by Kris Holstrom to approve as presented. **SECONDED** by Lance Waring. **PASSED 2-0.**

Presented by: Carol Friedrich, Director of Social Services

10:56 a.m. Recessed

11:01 a.m. Reconvened

8) **MANAGER MATTERS/Mike Bordgona**

- 8.a) Late Addition: Discussion on the use of Title III money under Secure Rural Schools (SRS).

Other as needed.

1. Increase in the number of COVID cases - going forward we will be requiring masks for anyone coming into our facilities and all meetings will occur via Zoom. A reminder to all businesses that they have the option to require the public to wear a mask
2. Discussion of the potential transfer of property with Norwood Homes LLC
3. Meeting with Region 10 concerning Broadband

9) **COMMISSIONER UPDATES:**

Kris Holstrom - SMART Board Meeting, Placerville Fire Picnic

Lance Waring - SMART Board Meeting, Gondola Subcommittee meeting, Members of the Trout Lake Homeowners

10) **ATTORNEY MATTERS**

1. Update on litigation with Mr. Halper - The Court determined his lawsuit was frivolous - they mandated the issuing of fees to be paid to the County. No response from the District court Judge concerning the land violations that was heard in August 2020.

2. Carol Friedrich and Amy Markwell, advised the Board of next steps concerning the Opioid Settlement

3. Update on the request for the State Audit on the Division of Property Taxation - A possible chosen firm may be requested by the Property Tax Administrator to review their past actions.

11) **Recess for agenda-setting with the Board and Staff (No decisions will be made).**

12) **Lunch**

11:33 a.m. Recessed.

12:45 p.m. Reconvened.

13) **PUBLIC HEALTH AND ENVIRONMENT**

13.a) Update with Public Health.

Presented by: Grace Franklin, Director of Public Health

Public Who Addressed The Board:

Douglas Tooley, County resident

Dr. Jeffrey Kocher, County resident

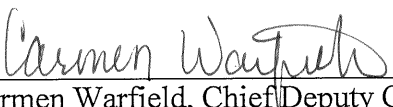
Greg Craig, County resident

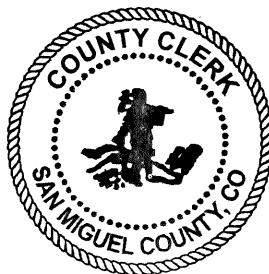
14) **ADJOURNMENT**

MOTION by Kris Holstrom to adjourn the meeting. **SECONDED** by Lance Waring.
PASSED 2-0.

2:43 p.m. Adjourned.

Respectfully submitted,


Carmen Warfield, Chief Deputy Clerk

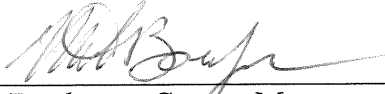


Approved October 13, 2021.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONER MEETING


Lance Waring, Chair

ATTEST:


Mike Bordogna, County Manager

ATTACHMENT I

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO, TO REFER A BALLOT ISSUE TO THE
REGISTERED ELECTORS OF THE LONE CONE LIBRARY DISTRICT PURSUANT
TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND C.R.S. §
24-90-112(1)(b)(III)**

Resolution #2021-29

WHEREAS, Lone Cone Library District, San Miguel County, Colorado (the "District"), is a duly organized and existing library district under the Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to C.R.S. § 24-90-112, the Board of Trustees of the District (the "Board") is authorized to request the Board of County Commissioners (the "BOCC") of San Miguel County, Colorado (the "County") submit to a vote of the registered electors residing within the District a ballot issue regarding the imposition of *ad valorem* taxes for the payment of the operation and maintenance expenses of the District; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval of any new tax, the creation of any debt and for spending above limits established by TABOR; and

WHEREAS, November 2, 2021, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election; and

WHEREAS, the Board elects to utilize the provisions of the Uniform Election Code of 1992 (the "Code") in order to conduct a coordinated election with the County Clerk of San Miguel County on November 2, 2021 (the "Election"); and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity require that the Board request that the BOCC submit a ballot question to the registered electors of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Miguel County, as follows:

1. All action heretofore taken by the Board and the officers of the District, directed toward the Election be, and the same hereby is, ratified, approved and confirmed.
2. The Board has determined and hereby determines, that the interest of the District and the public interest and necessity demand and require that the Board submit to the registered electors of the District the ballot question described herein.
3. Pursuant to Section 24-90-112(1)(b)(III), the District requests the BOCC cause to be submitted for a vote of the registered electors residing in the District on Tuesday, November 2, 2021, as part of the County coordinated election, the question set forth in Section 4 of this resolution.
4. The question shall be in substantially the following form:

SHALL LONE CONE LIBRARY DISTRICT TAXES BE INCREASED \$0.00 (ZERO DOLLARS) ANNUALLY FOR COLLECTION BEGINNING IN 2022 AND THEREAFTER; AND IN ORDER TO SUSTAIN ALL LIBRARY REVENUES ALLOWED BY LAW, SHALL THE DISTRICT'S TOTAL OPERATING MILL LEVY BE ADJUSTED ANNUALLY TO OFFSET NET TAX REVENUE LOSSES RESULTING FROM REDUCTIONS TO THE RESIDENTIAL REAL ESTATE ASSESSMENT RATE OF 7.15% AND THE COMMERCIAL REAL ESTATE ASSESSMENT RATE OF 29%; AND SHALL ALL DISTRICT REVENUES BE COLLECTED , RETAINED AND SPENT NOTWITHSTANDING ANY LIMITATION OR RESTRICTION OF ARTICLE X , SECTION 20 OF THE COLORADO CONSTITUTION, OR WITHOUT REGARD TO THE 5.5% PROPERTY TAX REVENUE LIMITATION OF SECTION 29-1-301, C.R.S. OR ANY OTHER LAW?

5. Michele Barrasso, shall be the designated election official for purposes of performing acts required or permitted by law in connection with the Election and is authorized by the Board to enter into an intergovernmental agreement with the County Clerk pursuant to Section 1-7-116, C.R.S., in connection with the Election.
6. The officers and employees of the District are directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including, without limitation, delivery of a copy of this resolution to the BOCC pursuant to Section 24-90-112(1)(b)(III), C.R.S.
7. All acts, orders or resolutions, or parts thereof, in conflict with this resolution are repealed.

APPROVED AND ADOPTED this 18th day of August 2021, at the regular meeting to the Board of Commissioners of San Miguel County.

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

DocuSigned by:

Lance Waring

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Lance Waring, Chair

Vote:	Hilary Cooper	Aye	Nay	Abstain	x	Absent
	Kris Holstrom	x	Aye	Nay	Abstain	Absent
	Lance Waring	x	Aye	Nay	Abstain	Absent

ATTEST:

DocuSigned by:

Carmen Warfield

BE2AF0C38C83406

Carmen Warfield, Chief Deputy Clerk

DS



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SAN MIGUEL COUNTY BOARD OF COMMISSIONERS PROCLAIMS OUR APPRECIATION
AND GRATITUDE TO OAK SMITH
FOR TWENTY-TWO YEARS OF SERVICE ON THE SMC BOARD OF ADJUSTMENT
IN SAN MIGUEL COUNTY, COLORADO

PROCLAMATION #2021 – 005

WHEREAS, Oak Smith and his wife Carrie were visitors to San Miguel County since the early 1980s and have been full-time residents since 1995 living in the house they constructed on Wright's Mesa outside of Norwood; and

WHEREAS, Oak worked in almost every position with the Wilkinson Public Library (San Miguel Public Library District No. 1) for twenty-two years until his retirement in 2017; and

WHEREAS, Oak has been involved and participated in our local county government planning boards stating "I would much rather live in a community that thinks about its future than in a community that just lets its future happen around it"; and

WHEREAS, Oak served on the San Miguel County Planning Commission for eleven years from 1996 to 2007 including six years as Chair, and including overseeing deliberations with Tri-State to underground a portion of its transmission line; and

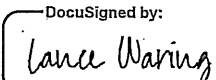
WHEREAS, Oak has served over twenty-two (22) years on the San Miguel County Board of Adjustment, which to his relief usually meets only once a year; and

WHEREAS, this Board of County Commissioners wishes Oak every happiness in his future endeavors.

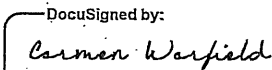
NOW, BE IT HEREBY RESOLVED, that the Board of County Commissioners of San Miguel County, Colorado expresses its deep appreciation to Mr. Smith for his legacy of service to the people of San Miguel County and the County boards he served.

DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado, at a duly noticed public meeting held in Telluride, Colorado, on August 18, 2021.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

DocuSigned by:

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Lance Waring, Chair

ATTEST:

DocuSigned by:

BE2AF0C30C62408...
Carmen L. Warfield, Chief Deputy Clerk to the Board



VOTE:

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