

**SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONER
MEETING
MINUTES**

Wednesday, September 22, 2021
Zoom.us

1) 9:33 am CALL TO ORDER.

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

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

Absent: Nancy Hrupcin, Legal Assistant

2) CALENDAR REVIEW

3) REVIEW OF AGENDA

4) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

5) CONSENT AGENDA

5.a) Approval of Minutes: August 4, 2021 and August 11, 2021.

(ATTACHMENT - 20210804-BOCC-Minutes-Draft-Corrected.pdf)

(ATTACHMENT - 20210811-BOCC-Minutes-Draft.pdf)

5.b) Continued from 9/15/2021 Approval of the Commissioner's signature on a letter of support for the Fresh Food Foundation grant being submitted to the Laura Musser Foundation.

(ATTACHMENT - Letter of Support Fresh Food Grant.docx)

5.c) Consideration of the Board for Petition for Abatement or Refund of Taxes, #2021-46, Ironbridge Enterprises, LP, R1030000115, TY2019 & TY2020 due to errors in the original petition papers.

There were several errors in the \$ amounts on the original petition that the Board was first presented with at the September 8, 2021 BOCC meeting. A corrected petition, dated 9/16/2021, with the correct \$ amounts are attached for the Board to review.

(ATTACHMENT I – Petition for Abatement)

(ATTACHMENT - Original Abatement Petition Ironbridge TY2019 & 2020.pdf)

(ATTACHMENT - Corrected 9.16.21 Abmnt Petition IRONBRIDGE.pdf)

MOTION by Kris Holstrom, Vice Chair to approve the consent agenda as presented.
SECONDED by Hilary Cooper, Commissioner. **PASSED 3-0.**

6) ADMINISTRATIVE MATTERS

6.a) Introduction and Discussion with the new General Manger of the Southwestern Water Conservation District (SWCD).

Presented by: Steve Wolff and Jenny Russell, SWCD

- 6.b) Overview of the re-districting process and updated census information for 2020.

Presented by: Heather Widlund, GIS; Amy Markwell, County Attorney; Kaye Simonson, Planning Director

Public Addressed the Board:
Douglas Tooley, County resident
Matt Hoisch, KOTO

(ATTACHMENT - CCI-Changes to County Redistricting Req.pdf)

(ATTACHMENT - 20210922_GISCoordinatorReport.pdf)

10:38 a.m. Recessed
10:42 a.m. Reconvened.

- 6.c) Update with EcoAction Partners and San Miguel Power Association for 2021.

Presented by: Emma Gerona, Kim Wheels, EcoAction Partners; Alex Shelley, San Miguel Power

(ATTACHMENT - EcoAction Partners Presentation.pdf)

7) **NATURAL RESOURCES AND SPECIAL PROJECTS**

- 7.a) Discussion on the representation of various working groups concerning the Gunnison Sage Grouse.

Presented by: Starr Jamison, Director of NRSP; Janet Kask, Parks and Open Space Director

12:14 p.m. Recessed
12:18 p.m. Reconvened.

- 7.b) Item continued to September 29, 2021, Board Meeting - Review of the current comments prepared for the Travel Access Plan (TAP) II.

(ATTACHMENT - San Miguel County Mail - BLM TAP2 Routes To and Within McIntyre Canyon - Comment letter.pdf)

- 7.c) Update on the testing of the Lawson Hill tailings.

Note: Item continued to later in the meeting.

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

9) **Lunch**

12:33 p.m. Recessed.
12:47 p.m. Reconvened.

10) **PUBLIC HEALTH AND ENVIRONMENT**

- 10.a) Update with Public Health

Presented by: Grace Franklin, Director of Public Health

Public Who Addressed the Board:
Dr. Jeffrey Kocher, County resident
Douglas Tooley, County resident

- 7.c) **Update on the testing of the Lawson Hill tailings.**

Presented by: Joni Sandoval, EPA

Note: Continued from earlier in the meeting.

11) MANAGER MATTERS/Mike Bordogna

11.a) Update and other, as needed.

11.b) Consideration of approving an agreement on the conditions and obligations of the parties for the future transfer of land between San Miguel County and Norwood Homes, LLC a CO LLC, for the purpose of building work force housing in Norwood./MOTION

Presented by: Mike Bordogna, County Manager; Amy Markwell, County Attorney

(ATTACHMENT - Land Acquisition Agr - Norwood - v6 (9.15.21) CLEAN 9.20.21.pdf)

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

11.c) Request staff direction on the 2022 Gondola Funding request.

Note: To be continued.

11.d) Consideration of increasing the allocated funding for the 2022 Community Support Funding Requests.

Note: The requests will be shared with the Commissioners and consideration of an increase of funding at that time.

(ATTACHMENT - 2021 Community Support Requests - Final 01.07.21.pdf)

12) COMMISSIONER UPDATES:

Hilary Cooper - NCA Meetings, Legislative Priorities with Colorado Counties Inc.
Kris Holstrom - Airport Authority Meeting, Economic Recovery Call, Colorado Food Policy Call, Boettcher Rural Leaders meetings
Lance Waring - EcoAction Partners, Gondola Subcommittee, San Miguel Partnership field trip, Ophir lakes road issues.

13) ATTORNEY MATTERS

13.a) Review and discussion of the Draft Intergovernmental Agreement for the formation of the Southwestern Colorado Opioid Regional Council and Draft Council Bylaws.

Presented by: Amy Markwell, County Attorney

(ATTACHMENT - SWCORC_IGA.FINAL.pdf)

(ATTACHMENT - SWSORC_bylaws.FINAL.pdf)

Note: This item will be continued.

13.b) Potential Executive Session: Update on the San Miguel Water Conservancy district settlement agreement, citation (4)(c).

MOTION by Kris Holstrom, Vice Chair to go into executive session under Citation 4(b) and 4(c) request for staff direction on the updated information on the San Miguel Water Conservancy district settlement agreement. **PASSED 3-0.**

4:00 p.m. Recessed.

4:46 p.m. Reconvened.

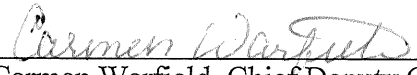
MOTION by Kris Holstrom, Vice Chair to come out of executive session the only item spoke about was the one stated. **SECONDED** by Hilary Cooper, Commissioner. **PASSED 3-0.**

14) **ADJOURNMENT**

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

4:46 p.m. Adjourned.

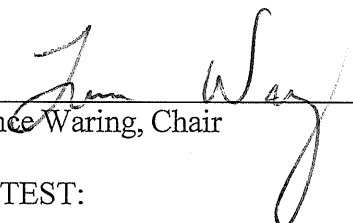
Respectfully submitted,


Carmen Warfield, Chief Deputy Clerk



Approved October 20, 2021.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONER MEETING


Lance Waring, Chair

ATTEST:


Mike Bordogna, County Manager

2021-46

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: _____

Date Received _____
(Use Assessor's or Commissioners' Date Stamp)

Section I: Petitioner, please complete Section I only.

ATTACHMENT I

SCANNED

Date: 9-16-21
Month Day YearPetitioner's Name: Ironbridge Enterprises, L.P.
Petitioner's Mailing Address: PO Box 1205
Chesterfield Virginia 23832
City or Town State Zip Code

SCHEDULE OR PARCEL NUMBER(S)

1030000115

PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY

Lot 116A Aldasora Ranches
F.I. 2 + 3

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for property tax year(s) 2019 and 2020 are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error or overvaluation. Attach additional sheets if necessary.)

Petitioner's estimate of value: \$6,000,000 (2019) and \$6,000,000 (2020)
Value Year Value Year

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information and belief, is true, correct, and complete.

Petitioner's Signature: _____

Daytime Phone Number () _____

Email _____

By _____
Agent's Signature*

Daytime Phone Number () _____

Printed Name: _____

Email _____

*Letter of agency must be attached when petition is submitted by an agent.

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114.5(1), C.R.S.

Section II:

Assessor's Recommendation
(For Assessor's Use Only)

	Tax Year <u>2019</u>			Tax Year <u>2020</u>		
	Actual	Assessed	Tax	Actual	Assessed	Tax
Original	<u>7,147,602</u>	<u>511,050</u>	<u>\$19,257.67</u>	<u>6,135,474</u>	<u>438,680</u>	<u>\$16,777.76</u>
Corrected	<u>6,135,474</u>	<u>438,680</u>	<u>\$16,525.51</u>	<u>"</u>	<u>"</u>	<u>"</u>
Abate/Refund	<u>1,012,128</u>	<u>72,370</u>	<u>\$2,726.16</u>	<u>0</u>	<u>0</u>	<u>0</u>

☐ Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: 2019 Protest? ☒ No ☐ Yes (If a protest was filed, please attach a copy of the NOD.)Tax year: 2020 Protest? ☒ No ☐ Yes (If a protest was filed, please attach a copy of the NOD.)☒ Assessor recommends denial for the following reason(s):

Approve in part:
2019 Value \$6,135,474.00
2020 Value \$6,135,474.00

Correction for Abate/Refund
amount: \$2,726.16

Deagan Kanter
Assessor's or Deputy Assessor's Signature

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY

(Section III or Section IV must be completed)

Every petition for abatement or refund filed pursuant to 39-10-114, C.R.S. shall be acted upon pursuant to the provisions of this section by the Board of County Commissioners or the Assessor, as appropriate, within six months of the date of filing such petition 39-1-113(1.7) C.R.S.

Section IV:

Decision of the County Commissioners

WHEREAS, the County Commissioner of San Miguel County, State of Colorado, at a duly and lawfully called regular meeting held on 9/22/2021 at which meeting there were present the following members: Lance Waring, Kris Holstrom, and Hilary Cooper with notice of such meeting and an opportunity to be present having been given to the Petitioner and the Assessor of said County and Assessor Peggy Kanter not present and Petitioner Ironbridge Enterprises LP not present Agent - Joe Solomon not present, and where, the said County Commissioners have carefully considered the within petition, and are fully advised in relation thereto, NOW BE IT RESOLVED, that the Board agrees with the recommendation of the Assessor and the petition be Approved in part with an abatement/refund as follows:

2019	\$ <u>72,370</u>	\$ <u>2,726.16</u>	2020	\$ <u>0</u>	\$ <u>0</u>
------	------------------	--------------------	------	-------------	-------------

Year	Assessed Value	Taxes Abate/Refund	Year	Assessed Value	Taxes Abate/Refund

DocuSigned by:

Lance Waring

F88F64194B38430...

Board of County Commissioners, Chair

I, Carmen Warfield, County Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied form the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County

Date signed 9/28/2021

DocuSigned by:

Carmen Warfield

BE2AF0C39C03406...

DS



County Clerk's or Deputy Clerk's Signature

Section V:

Action of the Property Tax Administrator

(For all abatement greater than \$10,000)

The action of the Board of County Commissioners, relative to this abatement petition, is hereby

☐

 Approved

☐

 Approved in Part \$

☐

 Denied for the following reason(s):

Secretary's Signature

Property Tax Administrator's Signature

Date