

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

Wednesday, November 10, 2021

Zoom.us

1) Roll Call

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

2) 9:33 am CALL TO ORDER.

3) CALENDAR REVIEW

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

Public Comment: Douglas Tooley, County resident

Greg Craig, County resident

6) CONSENT AGENDA

- 6.b) Approval of Chair's signature on a letter of support for a non-profit in LaPlataCounty for funding of a greywater pilot program.

(ATTACHMENT - 4CORE Graywater Project Executive Summary.pdf)

(ATTACHMENT - 4CORE CWCB ltr of support.docx)

- 6.c) Ratification of Chair's signature on the October 2021 Veterans Service OfficersMonthly Report.

(ATTACHMENT - October 2021 VSO Report.pdf)

- 6.d) Approval of a letter of support on behalf of the Town of Norwood for an application for a Colorado Community Revitalization grant.

(ATTACHMENT - Norwood Expansion-SAMPLE LETTER OF SUPPORT (1) (1).docx)

- 6.e) Approval of Chair's signature on a Memorandum of Understanding with Tri-County Health Network - Behavioral Health Fund Administration.

(ATTACHMENT - TCHNetwork BH Fund MOU.pdf)

- 6.f) Ratification of Commissioners' signatures on an grant authorization to apply to the Coronavirus Relief fund.

(ATTACHMENT - BOCC Grant Authorization 11.05.21 (1).docx)

MOTION by Hilary Cooper to approve the consent agenda with Item 6.a. to be discussed later in the meeting. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

7) **ADMINISTRATIVE MATTERS**

- 7.a) 9:35 am Public Hearing: Consideration of approval of a Special Use Permit for Malt, Vinous and Spirituous Liquor on December 4, 2021 from 3:00 pm to 11:59 pm for Rocky Mountain Arts dba Telluride Fire Festival, location at the Idarado Mill, Telluride CO based on the County Clerk's Written Findings./MOTION

(ATTACHMENT - Liquor License Rocky Mtn Arts.pdf)

9:42 a.m. Chair Opened the Public hearing

9:43 a.m. Chair Closed the Public Hearing

MOTION by Kris Holstrom to approve the Special Use Permit for Malt, Vinous and Spirituous Liquor on December 4, 2021 from 3:00 pm to 11:59 pm for Rocky Mountain Arts dba Telluride Fire Festival, location at the Idarado Mill, Telluride CO based on the County Clerk's Written Findings.. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT I - Written Findings)

- 7.b) Discussion with the new Town of Ophir Manager John Wontrobski.

Presented: John Wontrobski, Ophir Manager

- 6.a) **Approval of Chair's signature on a Project Developer Agreement - Project Developer of Mixed Use and Affordable Housing Lots - Lot 404, Ilium.**

(ATTACHMENT - Project Developer Agreement.pdf)

Presented by: Lois Major, Representing San Miguel County for housing matters

This item will be continued as there were several unanswered questions stemming from this document.

8) **PLANNING MATTERS**

- 8.a) Consideration of the approval of an Amended Agreement and Restrictive Covenant, Lot 14, West Meadows Core./MOTION

(ATTACHMENT - BOCC Packet Lot 14 West Meadows 111021.pdf)

Presented by: Kaye Simonson, Planning Director; Tom Kennedy, Attorney representing the applicant; Chris Gerrick, Olson Kundig Architects representing the Applicant; Mike Albert, representing the applicant

MOTION by Kris Holstrom to approve and authorize the Chair's signature on the First Amendment to the Agreement and Restrictive Covenant for Lot 14, West Meadows Core. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

9) **ADMINISTRATIVE MATTERS, Continued**

- 9.a) 10:20 am Discussion and consideration on the Rural Homes - Norwood Deed Restrictions and Unit Covenant./MOTION

(ATTACHMENT - DR_Rural Homes_FINAL_SMC_ExA(1).pdf)

(ATTACHMENT - Guidelines_Rural Homes_FINAL_SMC_ExB.pdf)

(ATTACHMENT - Item 6(c)-Memo-Rural Homes_DR&Guidelines.pdf)

Presented by April Montgomery, Telluride Foundation; Paul Major, Telluride Foundation; Lois Major, representing the Telluride Foundation on the deed restriction document

To be continued pending discussion with Paul Major and Mike Bordogna with changes that were discussed

11:54 p.m. Recessed.

12:00 p.m. Reconvened.

- 9.b) 11:30a.m. Public Hearing: ITEM Continued to Wednesday, November 24, 2021 due to an error in Public Noticing of the newspaper of record. Redistricting of Commissioner Districts

(ATTACHMENT - 20211103_CommissionerRedistrictingMemo.docx)

(ATTACHMENT - 2021 Commissioner Redistricting OPTION 1 BW.pdf)

(ATTACHMENT - 2021 Commissioner Redistricting OPTION 2 BW.pdf)

(ATTACHMENT - 2021 Commissioner Redistricting OPTION 3 BW.pdf)

(ATTACHMENT - CCI FACT SHEET - County Redistricting Requirement 2021.docx)

(ATTACHMENT - Dove Creek Ad 10.28.21.pdf)

(ATTACHMENT - Daily Planet ad 10.27.21.jpg)

- 9.c) Consideration of the Assessor's recommendation of Petition for Abatement or Refund of Taxes, Geoffrey and Michele Kalish c/o Joe Solomon, R1010091158 TY2020.

(ATTACHMENT - Petition ABTMNT2021-50 Kalish TY2020.pdf)

(ATTACHMENT - Klish Interior photos (1).docx)

(ATTACHMENT - Subject vs Petitionar Best Comp (1).docx)

Presented by: Jeff Marsoun, Senior Appraiser; Joseph Solomon, representing the petitioner

MOTION by Kris Holstrom to approve the Assessor's recommendation of denial due to the Assessor feels the value is correct for the year 2020 representing the market value for 6/30/18. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT II)

10) Lunch

12:15 p.m. Recessed

12:45 p.m. Reconvened.

11) PUBLIC HEALTH AND ENVIRONMENT

- 11.a) Update with Public Health.

Presented by: Grace Franklin, Public Health Director

Public Who Addressed the Board:

Greg Craig, County resident

Dr. Jeffrey Kocher, County resident

12) MANAGER MATTERS/Mike Bordogna

- 12.a) Consideration of the 2022 Holidays.

Board Consensus to prepare the resolution for the 2022 holidays as presented.

12.b) Discussion on the Gold Run Parcel Loan.

MOTION by Kris Holstrom to approve and write-off the remaining amount owed on the Gold Run parcel. **SECONDED** by Hilary Cooper. **PASSED 2-1.**

(Hilary Cooper opposed.)

12.c) Introduction of the new Chief Executive Officer for Montrose Regional Health

Presented by: Joel Lee, Montrose Regional Health Board Member; Jeff Mengenhausen, Chief Executive Officer Montrose Regional Health Board

Other as needed.

1. Final revisions of the 2022 budget are being made.
2. Chuck Tomlinson, Human Resources Director has resigned.

Presented by: Mike Bordogna, County Manager

13) **HOUSING MATTERS**

13.a) Work Session with the Town of Telluride on finalizing the Memorandum of Understanding concerning the San Miguel County Regional Housing Authority (SMRHA) cooperative agreement.

(ATTACHMENT - Draft MOU for SMRHA 2022 Partnership.docx).

(ATTACHMENT - SMRHA 2022 Draft Budget (1) (003) (1).pdf).

Presented by: Mike Bordogna, County Manager; DeLanie Young, Mayor of Town of Telluride; Geneva Shaunette, Town of Telluride Board; Jesse Rae Arguelles, Town of Telluride Board; Todd Brown, Town of Telluride Board; Lars Carlson, Town of Telluride Board; Kevin Geiger, Attorney for the Town of Telluride; Other Town of Telluride board members and staff were also in attendance.

Consensus to formulate a 5 person board - (1) Public at Large Seat, (1) County Manager, (1) Town Manager, (1) board member from each district.

14) **COMMISSIONER UPDATES:**

Kris Holstrom - Gunnison Planning Region (Transportation), Gondola Leadership Meeting, Norwood Chamber of Commerce, San Miguel River Stakeholders meeting
Hilary Cooper- Dolores NCA, CCI Public Lands dues, State topographer office webinar, CDPHE Annual Training for the Public Health Boards - Colorado Association of Public Health, Southwest Rural Meeting
Lance Waring - CC4CA annual meeting, Early Childhood Advisory Panel Meeting

Late Addition: Update with Starr Jamison, NRS

1. Update on TAP II
2. Update on USFS Planning

15) **ATTORNEY MATTERS**

15.a) Executive Session: Discussion with an attorney on advice about the appeal process concerning Land Use, citation 4(b).

MOTION by Kris Holstrom to go into executive session to discuss with an attorney and receive advice on the appeal process concerning Land Use, citation

4(b). **SECONDED** by Hilary Cooper. **PASSED 3-0.**

4:05 p.m. Recessed.
4:59 p.m. Reconvened.

In attendance at the Executive Session:
Mike Bordogna, County Manager
Amy Markwell, County Attorney
Carmen Warfield, Chief Deputy Clerk
Kaye Simonson, Planning Director
Lance Waring, Chair
Kris Holstrom, Vice Chair
Hilary Cooper, Commissioner

ATTACHMENT III - Executive Session Minutes Attest

No motion was made to come out of Executive Session or to end the meeting.

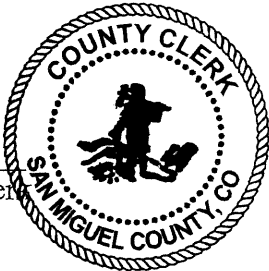
16) **ADJOURNMENT**

5:05 p.m.

Adjourned.

Respectfully submitted,


Carmen Warfield, Chief Deputy Clerk

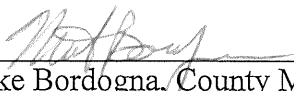


Approved January 5, 2022.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS MEETING


Lance Waring, Chair

ATTEST:


Mike Bordogna, County Manager

These minutes summarize the final decision made by the Board at the referenced meeting. This meeting was also audio recorded and that recording is available for review. In the event there is confusion as to what the final decision of the Board is, the Board will rely on the audio tape to interpret the Board's intent. The audio tape shall act as an official record of these proceedings for any necessary purpose when, in the opinion of the Board, the minutes are in any way insufficient. An audio copy of the Board of County Commissioners' proceedings is available on the website at <https://www.sanmiguelcountyco.gov/661/Agendas-and-Minutes> or by contacting the Deputy Clerk to the Board.

WRITTEN FINDINGS

Date: October 8, 2021

To: San Miguel County Board of Commissioners

Re: Special Events Permit for Rocky Mountain Arts
PO Box 2525.
Telluride, CO 81435

1. Fees: \$60.00 paid to San Miguel County, to serve regular Malt, Vinous & Spirituous Liquor December 4, 2021 to be held at the Idarado Mill.
2. Notice for posting on the proposed site was given to applicant October 29, 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 9:35 o'clock A.M., November 10, 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.
4. Application is complete with the following documents:
 - (a) Diagram showing where liquor will be served and consumed.
 - (b) Certificate of Good Corporate Standing.
 - (c) Written permission from Idarado Mining Company.
 - (d) Insurance attached.


Stephannie Van Damme, County Clerk


William Masters, Sheriff

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: San MiguelDate Received _____
(Use Assessor's or Commissioners' Date Stamp)

OCT 28 2021

Section I: Petitioner, please complete Section I only.Date: October 25 2021
Month Day YearPetitioner's Name: Geoffrey and Michele KalishPetitioner's Mailing Address: 33 Larchmont AvenueLarchmontNew York10538

City or Town

State

Zip Code

SCHEDULE OR PARCEL NUMBER(S)
R1010091158PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
168 Hemlock Street, Telluride, Colorado 81435

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year 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.)

Please see the enclosed letter.

Petitioner's estimate of value: \$ 5,800,000.00 (2020)
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.

By

Agent's Signature

Daytime Phone Number (970) 729-2225Printed Name: Joseph A. Solomon, Esq.Email: solomon@montrose.net

*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 2020

	Actual	Assessed	Tax
Original	<u>7,368,750</u>	<u>526,860</u>	<u>\$ 23,270.88</u>
Corrected	<u>5,800,000</u>	<u>414,700</u>	<u>\$ 18,316.88</u>
Abate/Refund	<u>1,568,750</u>	<u>112,160</u>	<u>\$ 4,954.00</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)(e)(i)(D), C.R.S.

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): Assessor feels the value is correct for the year 2020 representing the market value for 6/30/18

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 11/10/2021 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 Geoffrey and not present Agent - Joe Solomon present, and where, the ~~Michele Kalish~~ 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 denied with an abatement/refund as follows:

2020	\$ <u>526,860</u>	\$ <u>0</u>	0	\$ <u>0</u>	\$ <u>0</u>
------	-------------------	-------------	---	-------------	-------------

Year	Assessed Value	Taxes Abate/Refund	Year	Assessed Value	Taxes Abate/Refund
			DocuSigned by: <u>Lance Waring</u> F8BF64194B38430...		

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 11/15/2021

DocuSigned by:
Carmen Warfield
BE2AF0C39C63408...

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

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MEETING**

11/10/2021

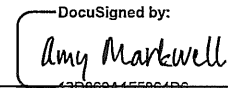
Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the 11/10/2021

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.

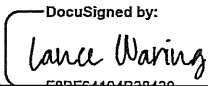
DocuSigned by:

13D669A155064D6...

Amy Markwell, County Attorney

I, Lance Waring, Chair of the San Miguel County Board of
Commissioners attest that the 11/10/2021

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:

F8BF64194B38438...

Chair

