

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

MINUTES

Wednesday, March 2, 2022

Held via Zoom.us

1) Roll Call

Present:

Kris Holstrom, Chair

Hilary Cooper, Vice Chair

Lance Waring, Commissioner

Staff Present:

Mike Bordogna, County Manager

Amy Markwell, County Attorney

Carmen Warfield, Chief Deputy Clerk

2) 9:30 a.m. CALL TO ORDER.

Moment of Silence

3) REVIEW OF AGENDA

4) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

Public Who Addressed the Board: Douglas Tooley, County resident

5) CONSENT AGENDA

5.a) Approval of Minutes: December 15, 2021 and December 22, 2021.

(ATTACHMENT - 20211215-BOCC-Minutes-Draft.pdf)

(ATTACHMENT - 20211222-BOCC-Minutes-Draft.pdf)

5.b) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Bridget Kathleen Schuler, Lot 32B, Lawson Hill Sub/PUD.

(ATTACHMENT - DR Schuler.pdf)

5.c) Approval of the Master Task Order Agreement for On-call Professional Engineering Services with Alpine Land Consulting, Buckhorn Engineering, Goff Engineering and Surveying, and Short Elliot Hendrickson Inc., and to approve the authorized county staff to accept and sign these agreements on the Board's behalf.

(ATTACHMENT - BOCC Packet Engineering Contracts.pdf)

5.d) Approval of Chair's signature on an Intergovernmental Agreement with Montrose County regarding San Miguel Basin Extension Office.

(ATTACHMENT - IGA San Miguel - Extension Services Final February 2022.docx)

MOTION by Hilary Cooper to approve the consent agenda as presented. **SECONDED** by Lance Waring. **PASSED 3-0.**

6) ADMINISTRATIVE MATTERS

6.a) 9:35 am Public Hearing: Consideration of Chair's signature on a new Hotel and Restaurant Liquor License for 19 Lone Hand LLC DBA Blue Jay - H & R, 22332 Hwy 145, Placerville, CO, based on the County Clerk's Written Findings.

(ATTACHMENT - Liq. License Blue Jay_Redacted.pdf)

Presented by: Becky Goldsworthy, Deputy Clerk

9:35 a.m. Chair Opened the Public Hearing. 9:36

a.m. Chair Closed the Public Hearing.

MOTION by Lance Waring to approve the Liquor License as presented. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT I – Written Findings)

~~6.b) Introduction and discussion with Scott Yates candidate for the U.S. Representative appointment. Item pulled.~~

- 6.c) Approval and designating Public Depositories in which the San Miguel County Treasurer may deposit and invest public funds.

(ATTACHMENT - Banking Resolution 2022.pdf)

Presented by: Brandi Hatfield, Treasurer and Public Trustee

Item continued to 3/16/2022.

9) **COMMISSIONER UPDATES:**

Lance Waring- Gondola Sub-committee meeting, Early Childhood Advisory Panel meeting, Sneffels Energy board, CC4CA, San Miguel Regional Housing Authority Board meeting
Hilary Cooper - SBEADMR Annual Meeting, CCI Legislative Meeting, Government Council, Interviews for the Gunnison Sage Grouse coordinator, Dolores NCA Meetings
Kris Holstrom - Regional Food Summit Meeting, Soil Health Conference, Colorado Health Food Systems-call

7) **PLANNING MATTERS**

- 7.a) 10:00 a.m. Public Hearing: Consideration of an application submitted by Tom Kennedy, Attorney, on behalf of Thomas and Hallie Hunter, owners of Parcel No. 456305300043, aka 2001 CR 58P, Hastings Mesa, seeking a Subdivision Exemption for the Correction of Survey Errors to establish the legal status of the subject property and to convey a right-of-way tract to San Miguel County./MOTION

(ATTACHMENT - BOCC Packet Hunter Correct Survey Errors 3.2.22.pdf)

Presented by: John Huebner, Senior Planner; Tom Kennedy, Attorney representing the Applicant

10:18 a.m. Chair Opened the Public Hearing. 10:19
a.m. Chair Closed the Public Hearing.

MOTION by Lance Waring to approve the proposed Subdivision Exemption for Correction of Survey Errors as presented, seeking to establish the legal status of the property as a compliant lot/parcel under the San Miguel County Land Use Code, and to dedicate a public right-of-way (ROW) tract to San Miguel County, and to authorize the San Miguel County Board of Commissioners Chair's signature on the corresponding final plat, to adopt the corresponding Resolution No. 2022-08, and to authorize the Chair's signature on the resolution finding that the proposed Subdivision Exemption for Correction of Survey Errors is in compliance with all applicable Land Use Code standards in Section 4-5 Requirements for Final Plats, Section 5-1202, Correction of Survey Errors, and Section 5-1908 Substandard Size. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT II - Resolution 2022-008)

8) **NATURAL RESOURCES AND SPECIAL PROJECTS**

- 8.a) Approval of the Commissioners' signature on the Colorado Oil and Gas Conservation Commission's High Priority Habitat Map Rulemaking./ MOTION

Presented by: Starr Jamison, NRSP Director

Note: Staff direction to make the edited changes and present the document for ratification at the next meeting.

- 8.b) Consideration of commenting on the Annual 30-day Public Input Period - SBEADMR.

(ATTACHMENT - 2022_02_23_SBEADMR_TaylorPark_InputPeriod (1).pdf)

Presented by: Hilary Cooper, Commissioner; Starr Jamison, NRSP Director

1. Comments to be submitted concerning the Beaver Park Treatment Plan
2. JJJ Springs treatment area - this will be researched for additional information and possibly commented on

Note: The board gave staff direction to proceed with the SBEADMR comments. The final document will be provided at a future meeting.

8.c) Discussion of a recreation collaborative.

Presented by: Starr Jamison, NRSP Director

8.d) Update and other, as needed.

1. Update on the replacement windows for the Miramonte building
2. Update on TAP II
3. Update on the scheduled proposed actions for the Forest Service

11:12 a.m. Recessed.

11:15 a.m. Reconvened.

10) **ADMINISTRATIVE MATTERS Continued.**

10.a) Consideration of a deed restriction and covenant by the Board of Commissioners and as San Miguel County Housing Authority for Brent Moore - San Bernardo Subdivision/MOTION

(ATTACHMENT - San Bernardo Lot C.pdf)

Presented by: Amy Markwell, County Attorney; Lois Major, Attorney representing the County

Note: The Chair made a correction to the title as this is for the entire San Bernardo Subdivision not for just Brent Moore who owns property in San Bernardo.

Public Who Addressed the Board: Brent Moore, Homeowner in San Bernardo Subdivision

MOTION by Lance Waring to approve the San Bernardo Deed Restriction and Covenant for the Low Intensity industrial Lots A-F with the following changes to the wording of Affordable Housing Rental Unit to the Affordable Housing Apartments. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

10.b) Introduction of Jason Corzine, Telluride Foundation newly appointed Director.

Presented by: Jason Corzine, Telluride Foundation

11) **MANAGER MATTERS/Mike Bordogna**

11.a) Consideration of the San Miguel Regional Housing Authority Intergovernmental Agreement with Town of Telluride./MOTION

(ATTACHMENT - First Amended RHA.IGA. 2.25.22.docx)

Presented by: Mike Bordogna, County Manager

Note: No motion will be made today. This item will be continued.

11.b) Update and other, as needed.

Presented by: Mike Bordogna, County Manager

1. Update on the current requirement for the Public to wear masks in our buildings - the current policy will be reviewed with staff and the Public Health Department on lifting this policy.
2. Update on the Solar recently constructed on some of the County Buildings.
3. Update on changes of the County staff
4. Colorado State Extension office is continuing to advertise for the position of 4H agent
5. The County submitted a Planning grant request to the Division of Local Affairs -it was submitted and awarded
6. The County submitted a land banking grant to the Division of Local Affairs - it has been submitted and the County has been notified as a finalist
7. The Sales and Cannabis Tax for 2021 shows a significant increase in the amount the county has received.
8. The next work session will be a discussion on housing
9. Discussion on any investments by the county that have any Russian involvement - staff direction to research the current investments and share it with the board at the next meeting.
10. CCI - Collective Bargain Legislation
11. Gunnison Sage Grouse Working Group - Matching RESTORE Grant of \$14,500 last year and \$14,500 this year. Request to allocate both years of funding of \$14,500 each year Commissioner's approved this allocation.
12. Update on upcoming meetings.

13. Update on the alternative schedule some County offices and their employees have adopted

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

13) **Lunch**

12:22 p.m. Recessed.

12:45 p.m. Reconvened.

14) **PUBLIC HEALTH AND ENVIRONMENT**

14.a) Update and other, as needed.

Presented by: Grace Franklin, Director of Public Health

Public Who Addressed the Board:

Douglas Tooley, County resident

Greg Craig, County resident

15) **ATTORNEY MATTERS**

15.a) Update and other, as needed.

Presented by: Amy Markwell, County Attorney

11.c) Potential Executive Session: Discussion of a stated position to present to the State Land Board concerning the Wilson Mesa Parcel, citation (4)(d)(e). - Correction citation (4)(b) and (e) not (d).

MOTION by Lance Waring to go into executive session to discuss a stated position to present to the State Land Board concerning the Wilson Mesa Parcel, citation (4)(d)(b)(e). **SECONDED** by Hilary Cooper. **PASSED 3-0.**

2:09 p.m. Recessed.

2:32 p.m. Reconvened.

MOTION by Lance Waring to come out of executive session. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

Presented by: Mike Bordogna, County Manager

(ATTACHMENT III)

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 the chair is attached.

Board only talked about the stated position to the State Land Board concerning the Wilson Mesa Parcel, citation (4)(b)(e).

15.b) Executive Session: Discussion by the Board of County Commissioners and sitting as the San Miguel County Housing Authority regarding Notice of Violations of the county deed restriction, citation (4)(b)(e).

MOTION by Lance Waring to go into executive session to discuss by the Board of County Commissioners and sitting as the San Miguel County Housing Authority regarding Notice of Violations of the county deed restriction, citation (4)(b)(e). **SECONDED** by Hilary Cooper. **PASSED 3-0.**

2:33 p.m. Recessed.

2:52 p.m. Reconvened.

MOTION by Lance Waring to come out of executive session. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

Presented by: Amy Markwell, County Attorney

(ATTACHMENT III)

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 the chair is attached.

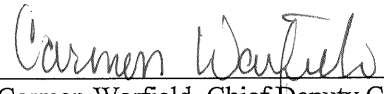
Board only talked about the San Miguel County Housing Authority regarding Notice of Violations, citation (4)(b)(e).

16) **ADJOURNMENT**

MOTION by Lance Waring to adjourn. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

2:53 p.m. Adjourned.

Respectfully submitted,


Carmen Warfield, Chief Deputy Clerk



Approved April 20, 2022.

SAN MIGUEL COUNTY SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS


Kris Holstrom, Chair

ATTEST:


Mike Bordogna, County Manager

WRITTEN FINDINGS

Date: January 31, 2022.

To: San Miguel County Board of Commissioners

Re: Hotel & Restaurant License for

19 Lone Hand LLC
D/b/a Blue Jay – H & R
22332 HWY 145
Placerville, Co 95667

APPLICATION:

- a. Complete in all appropriate sections.
- b. Fees paid January 31, 2022 - \$2,125.00 Dept. of Revenue
\$775.00 San Miguel County

PROOF OF PROPERTY POSSESSION:

- a. Special Warranty Deed to 19 Lone Hand LLC.

CORPORATE DOCUMENTS:

- a. Operating Agreement.
- b. Certificate of Good Standing.

BACKGROUND INFORMATION:

- a. Drawing of the premises to be licensed (property lines will be the premises)
- b. See page 2 for Background Information, etc. From William Masters, Sheriff

Notice for posting on the proposed site was given to applicant February 21, 2022.

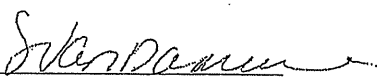
Notice requirements will be published in the Norwood Post.

According to Matt Gonzales, Building Official, this establishment is in compliance with the San Miguel County Zoning Regulations.

There is no school within 500 feet of the proposed site.

There has been no preceding denial of a Liquor License for these premises.

Insurance attached.


Stephannie Van Damme, County Clerk

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
GRANTING A SUBDIVISION EXEMPTION FOR CORRECTION
OF SURVEY ERRORS,
A TRACT OF LAND WITHIN SECTION 5, TOWNSHIP 43 NORTH, RANGE 10 WEST
PARCEL NO. 456305300043, HASTINGS MESA**

Resolution 2022-08

WHEREAS, Thomas G. Kennedy, Attorney on behalf of Thomas and Hallie Hunters, owners of a 34.39 acre parcel, Parcel No. 456305300043, the ("Property"), more specifically described in Exhibit "A", Legal Description, submitted an application for Correction of Survey Errors seeking to establish the legal status of the property as a compliant lot/parcel under the San Miguel County Land Use Code, and to dedicate a public right-of-way (ROW) tract to San Miguel County as shown on Exhibit "B", Plat. The parcel is located on Hastings Mesa off County Road 58P, and is zoned Forestry, Agriculture and Open (F);

WHEREAS, a Subdivision Exemption for Correction of Survey Errors requires a One-Step Board of County Commissioner Review pursuant to Land Use Code Sections 3-501 I. B. a. and 5-1202, Subdivision Exemption for Correction of Survey Errors standards;

WHEREAS, the application was referred to the County Attorney, County Road and Bridge Director, County Manager, and County Surveyor for review and comment;

WHEREAS, the Applicant sent Notice of the application and of the Board of County Commissioners (BOCC) public hearing to be held on March 2, 2022 to all property owners within 500 feet of the subject parcel, and a sign was posted on the property noticing the proposed Subdivision Exemption for Correction of Survey Errors application and the BOCC public hearing to be held on March 2, 2022;

WHEREAS, a Public Hearing Notice for the proposed Subdivision Exemption for Correction of Survey Errors application and the Board of County Commissioners meeting to be held on March 2, 2022 was published in the Norwood Post and the Telluride Daily Planet on February 9, 2022;

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

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public hearing held on-line on Wednesday, March 2, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves the proposed Subdivision Exemption for Correction of Survey Errors seeking to seeking to establish the legal status of the property as a compliant lot/parcel under the San Miguel County Land Use Code, and to dedicate a public right-of-way (ROW) tract to San Miguel County is in compliance with all applicable Land Use Code standards in Section

5-1202 Subdivision Exemption for Correction of Survey Errors, and Section 5-1908 Substandard size Parcels and including submission of a revised final plat that complies with final plat submission contents listed in the Land Use Code Section 4-5.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on March 2, 2022.

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

DocuSigned by:
Kris Holstrom
By: DCE710637985480
Kris Holstrom, Chair

Vote:	Hilary Cooper	<u>Aye</u>	Nay	Abstain	Absent
	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:

DocuSigned by:
Carmen Warfield
By: BE2AF0C39C63408
Carmen Warfield, Chief Deputy Clerk

DS


EXHIBIT “A” Legal Description

EXHIBIT “B” Plat

EXHIBIT “C” Public Hearing Record

EXHIBIT "A"

Legal Description

A TRACT OF LAND SITUATED IN U.S. GOVERNMENT TRACTS 42 AND 43, BOTH IN SECTION 5, TOWNSHIP 43 NORTH, RANGE 10 WEST, NEW MEXICO PRINCIPAL MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF SAID U.S. GOVERNMENT TRACT 43 TO BEAR SOUTH 00°09'50" WEST WITH ALL BEARINGS HEREIN CONTAINED AND RELATIVE THERETO;
BEGINNING AT THE SOUTHEAST CORNER OF SAID U.S. GOVERNMENT TRACT 43;
THENCE NORTH 30°24'10" WEST, 2007.41 FEET;
THENCE NORTH 29°59'03" EAST, 466.27 FEET;
THENCE EAST 1212.73 FEET TO A POINT ON THE CENTERLINE OF THE COUNTY ROAD;
THENCE THE FOLLOWING COURSES ALONG SAID CENTERLINE;
SOUTH 03°52'45" WEST, 40.45 FEET;
SOUTH 19°36'40" WEST, 217.13 FEET;
SOUTH 11°29'48" WEST, 121.11 FEET;
SOUTH 02°21'36" WEST, 125.31 FEET;
SOUTH 01°37'39" WEST, 129.60 FEET;
SOUTH 05°04'06" WEST, 152.18 FEET;
SOUTH 07°19'01" WEST, 36.09 FEET TO A POINT ON THE SOUTH LINE OF SAID U.S. GOVERNMENT TRACT 42;
THENCE SOUTH 89°51'49" WEST ALONG SAID SOUTH LINE, 299.42 FEET TO THE NORTHEAST CORNER OF SAID U.S. GOVERNMENT TRACT 43;
THENCE SOUTH 00°09'50" WEST ALONG THE EAST LINE OF SAID GOVERNMENT TRACT 43, A DISTANCE OF 1328.82 FEET TO THE POINT OF BEGINNING.

COUNTY OF SAN MIGUEL, STATE OF COLORADO.

EXHIBIT "C"

Public Hearing Record

Board of County Commissioners

Application: Subdivision Exemption to Correct Survey Errors

Hunter Parcel, Hastings Mesa

Date: March 2, 2022

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 John Huebner, Senior Planner dated March 2, 2022.
4. Draft Board of County Commissioners Resolution #2022-08.
5. Application submitted by Tom Kennedy, Attorney dated January 7, 2022 and Supplements dated February 18, 2022 and February 22, 2022.
6. Letter from John Huebner, Senior Planner, to Tom Kennedy, Attorney and Dave Bulson, Surveyor dated November 22, 2021
7. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated February 7, 2022.
8. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on February 9, 2022.
9. Email from Tom Kennedy, Attorney, to John Huebner, Senior Planner dated February 18, 2022.

AGENCY COMMENTS

10. Memo from John Huebner, Senior Planner, to Review Agencies dated January 20, 2022.
11. Letter from J David Foley, County Surveyor, to John Huebner, Senior Planner dated February 22, 2022.
12. Letter from J David Foley, County Surveyor, to John Huebner, Senior Planner dated February 22, 2022.
13. Email from Amy Markwell, County Attorney, to Dave Foley, County Surveyor dated February 22, 2022.

EXHIBIT "C"

14. Email from Dave Foley, County Surveyor, to Amy Markwell, County Attorney dated February 22, 2022.

15. Email from Ryan Righetti, County Road Director, to Dave Foley, County Surveyor dated February 22, 2022.

PUBLIC COMMENT

OTHER

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MEETING

03/02/2022

Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the 03/02/2022
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
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Amy Markwell, County Attorney

I, kris Holstrom, Chair of the San Miguel County Board of
Commissioners attest that the 03/02/2022
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:
kris Holstrom
D6F740637905400...
Chair