

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

MINUTES

Wednesday, June 8, 2022

Zoom.us

1) Roll Call

Present: Kris Holstrom, Chair
Lance Waring, Commissioner

Absent: Hilary Cooper, Vice Chair

Staff present: Mike Bordogna, County Manager
James Van Hooser, Assistant County Manager
Amy Markwell, County Attorney
Nancy Hrupcin, Legal Assistant
Carmen Warfield, Chief Deputy Clerk

2) CALL TO ORDER.

9:31 a.m.

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

Item 9.d. Discussion of the pilot position for the Sheriff's office.
Item 9.e. Late addition - added

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

6) CONSENT AGENDA

6.a) Acceptance of the March 2022 Road Report.

(ATTACHMENT - 3.22.docx).

6.b) Approval of Chair's signature on the 2022 State Homeland Security grant program.

(ATTACHMENT - 22SHS23WR HSGP 2022 Application Worksheet.pdf).

6.c) Approval of Commissioner signatures on a letter of support for Bright Futures on the Lead Coordinating Organization for the region - San Miguel, Ouray, Montrose, Delta, and San Juan counties.

(ATTACHMENT - Letter of Support Bright Futures UPK.docx).

6.d) Approval of Chair's signature on a Renewal of Retail Beer Liquor License for S M C S LLC d/b/a San Miguel County Store, 1982 Hwy 145, Telluride, CO. based on the County Clerk's Written Findings. (ATTACHMENT I - Written Findings)

(ATTACHMENT - SMCS LLC Liquor License Redacted.pdf).

6.e) Approval of Chair's signature on a Renewal of a Hotel and Restaurant Liquor License for Thyme in Telluride d/b/a/ San Juan Club, 1500 Last Dollar Road Ste. 9, Telluride, CO based on the County Clerk's Written Findings. (ATTACHMENT II - Written Findings)

(ATTACHMENT - liq license Thyme in Telluride Redacted.pdf).

6.f) Approval to transfer the representing board member for the Telluride Regional Medical Center on the Behavioral Health Solutions panel to Dr. Sharon Grundy.

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

7) **ADMINISTRATIVE MATTERS**

- 7.a) Consideration of Resolution 2022-24 Reestablishing Liquor License Fees in Unincorporated San Miguel County./MOTION

(ATTACHMENT - Resolution #2022-24 Reestablishing Liquer License Fees Unincorp.pdf).

Presented by: Stephannie Van Damme, Clerk and Recorder

MOTION by Lance Waring to approve Resolution 2022-24 re-establishing Liquor License Fees in Unincorporated San Miguel County. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

(ATTACHMENT III - Resolution 2022-24)

- 7.b) Consideration of the Chair's Signature on Assignment of the Norwood and Telluride Fiber Indefeasible Right of Use Agreements (IRU) to Region 10./MOTION

(ATTACHMENT - SMC R10 Assignment Telluride IRU mh.pdf).

(ATTACHMENT - SMC R10 Assignment Norwood IRU mh.pdf).

Presented by: Mike Bordogna, County Manager

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

- 7.c) Update on the results of the request for proposals received for the permit system software.

Presented by: Matt Gonzales, Building Official; Heather Widlund, GIS

- 7.d) Consideration of Chair's signature on Resolution 2022-25 providing for a Board of Review pursuant to the Colorado Revised Statues 30-28-206 and 30-28-207./MOTION

(ATTACHMENT - Res 2022-25.SMC Board of Review.DRAFT.docx).

(ATTACHMENT - EXHIBIT A Redline.6.1.22.docx).

Presented by: Amy Markwell, County Attorney

MOTION by Lance Waring to approve Resolution 2022-25 [renaming the Board of Appeals to San Miguel County Board of Review with further clarification appointments and meeting management] for Chair's signature. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

(ATTACHMENT IV - Resolution 2022-025)

8) **PLANNING MATTERS**

- 8.a) 10:00 am PUBLIC HEARING: Consideration of the approval of a Land Use Code Amendment to allow Social and Scenic Uses in the Forestry, Agriculture and Open (F) zone/MOTION

(ATTACHMENT - BOCC packet Wedding Venues in F Zone LUC Amendment 060822.pdf).

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

10:01 a.m. Chair Opened the Public Hearing.

10:26 a.m. Chair Closed the Public Hearing.

Public Who Addressed the Board:

Ashley Story, County resident

MOTION by Lance Waring to approve the continuance of this Public Hearing to June 15, 2022. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

9) **SHERIFF MATTERS**

9.a) Introduction of the new Mobile Crisis Contractor.

Presented: Jennifer Dinsmore, Chief Administrative Officer; Cris Matoush, Rocky Mtn Health; Joel Watts, Integrated Insight Therapy LLC

9.b) Consideration of the adoption of Resolution 2022-14 Adopting the Disaster Spending, Procurement, and Contracting Policy./MOTION

(ATTACHMENT - Res 22-14 Disaster Spending Policy.Final.docx).

Presented by: Mike Bordogna, County Manager

MOTION by Lance Waring to approve Resolution 2022-14 Adopting the Disaster Spending, Procurement, and Contracting Policy. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

(ATTACHMENT V - Resolution 2022-14)

10:50 a.m. Recessed.

10:57 a.m. Reconvened.

9.c) Consideration of approval of the Chair's signature on the Resolution adopting the San Miguel County Emergency Operations Plan (EOP). /MOTION

(ATTACHMENT - EOP Updates since the December 8th Adoption.pdf).

(ATTACHMENT - Res 22-17. EOP Adoption.Final.docx).

(ATTACHMENT - 2022 EOP Draft To Be Adopted June 8.pdf).

Presented by: Shannon Armstrong, Emergency Manager; Jennifer Dinsmore, Chief Administrative Officer

MOTION by Lance Waring to approve the Chair's signature on [Resolution 2022-017] and the updates as presented for the San Miguel County Emergency Operations Plan (EOP). **SECONDED** by Kris Holstrom. **PASSED 2-0.**

(ATTACHMENT VI - Resolution 2022-017)

9.d) ~~Consideration of approval for~~ Discussion of the process of hiring a part-time pilot position for the Sheriff use./MOTION

Presented by: Jennifer Dinsmore, Chief Administrative Officer

9.e) Late Addition: Consideration of Chair's signature on a letter to the Federal Aviation Administration concerning the support of the San Miguel County Sheriff's declaration of public aircraft status with civil operators for the purpose of carrying out the Sheriff's statutory duties./MOTION

(ATTACHMENT - BOCC ltr support.FAA Declaration.DRAFT.docx).

Presented by: Amy Markwell, County Attorney; Jennifer Dinsmore, Chief Administrative Officer; Mike Bordogna, County Manager

MOTION by Lance Waring to approve the Chair's signature on a letter to the

Federal Aviation Administration. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

10) **ADMINISTRATIVE MATTERS continued.**

- 10.a) Consideration of Chair's signature on a San Miguel County Behavioral Health Solutions (BHS) agreement with Tri-County Health Network in the amount of \$194,391.04 for the period of time January 1, 2022 through December 31, 2024 for behavioral health services./MOTION

(ATTACHMENT - 2022 Grantee Agreement TCHNetwork.pdf)

Presented by: Corinne Cavender, Tri-County Health Network

MOTION by Lance Waring to approve the San Miguel County Behavioral Health Solutions (BHS) agreement with Tri-County Health Network in the amount of \$194,391.04 for the period of time January 1, 2022 through December 31, 2024 for behavioral health services. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

15) **MANAGER MATTERS/Mike Bordogna**

- 15.a) Consideration of Chair's signature on an Intergovernmental agreement with the Town of Telluride to continue administering the San Miguel Regional Housing Authority./MOTION

(ATTACHMENT - First Amended RHA.IGA. 5.19.22 (002) ans.docx)

(ATTACHMENT - SMRHA IGA 5.20.22 (1).pdf)

Presented by: Mike Bordogna, County Manager

MOTION by Lance Waring to approve the Intergovernmental agreement with the Town of Telluride to continue administering the San Miguel Regional Housing Authority. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

- 15.b) Discussion of a job description for an administrative assistant for the Building and Planning Department.

Presented by: Mike Bordogna, County Manager

Note: Staff direction is to pursue and develop this job description and bring it back to the board for final approval

- 15.c) Consideration of Chair's signature on a resolution updating the Vegetation Management fees./MOTION

(ATTACHMENT - Vegetation Management fee schedule.docx)

MOTION by Lance Waring to approve Chair's signature on Resolution 2022-27 updating the Vegetation Management fees. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

(ATTACHMENT VII - Resolution 2022-27)

- 15.d) Item continued to a future meeting - Discussion of a Promissory Note with the Telluride Housing Authority for grant funding.

Update and Other, as needed.

1. Update on the Employment positions filled in the County:

Chief Deputy Treasurer has been hired

Randy Stevens - 4H coordinator

Americo Velez - Maintenance Supervisor

2. The County has received over \$10,000 from RREO Rebate program that will assist

with the completion of the cardboard compactor at the Transfer Station.

3. The Egnar Water System has been successfully installed. Montezuma water will be taking over the administrative duties and maintenance. An agreement will be presented at a later meeting.

4. Mike attended the summer CCI Conference

5. Next week meeting is scheduled as a Special Meeting

6. The July 13, 2022 work session has been cancelled.

Assistant County Manager Update:

1. The County has received a Grant award for a housing analysis of the Pathfinder pit and possible other County properties.

Presented by: James Van Hooser, Assistant County Manager

16) COMMISSIONER UPDATES:

Kris Holstrom - Region 10 meeting, Farmers Market in Telluride has begun on Fridays through October

Lance Waring - SMRHA meeting, Starr and Lance met with EcoAction partners and a grad student available to work on the future and need of EV Stations in the County.

17) ATTORNEY MATTERS

Presented by: Amy Markwell, County Attorney

The Code Enforcement Hearing on a parcel in the County that has been out of compliance for many years has been completed. The County is waiting on the ruling hopefully received within the next month.

11) Lunch

11:33 a.m. Recessed.

12:45 p.m. Reconvened.

12) PUBLIC HEALTH AND ENVIRONMENT

Update and other, as needed.

Presented by: Grace Franklin, Public Health Director

~~12.a) Discuss changes to the San Miguel County On-Site Wastewater Treatment Systems Regulations in particular Section 5.B.2. Item will be addressed at a later meeting.~~

(ATTACHMENT - SMC OWTS Regulation
2018_201902251229564615.pdf) —

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

13) NATURAL RESOURCES AND SPECIAL PROJECTS

13.a) Update on the Tri-State Ames Burro Vegetation Project.

Presented by: Starr Jamison, NRSP Director; Diana Leiker, Tri-State; Doug Dean, Tri-State; Ryan Righetti, Road and Bridge Superintendent

Additional Questions:

For public Concerns, who is the point of contact for the project - *List provided to Ryan Righetti, and John Huebner*

Could burn piles be reduced by cutting less vegetation within the 100' corridor - *Cutting will be necessary to avoid the fire disaster - no less than 15 ft of the area*

Is there a concern with burn piles causing wildfire, regardless of season?
The forest service will be taking care of the burn piles.

Could the public access the burn piles for firewood? *Checking with the Forest Service shall be completed prior to gathering any wood.*

Public Who Addressed the Board:
John Humphries, County resident
Corinne Platt, Mayor of Ophir, County resident
Mason Osgood, Sheep Mtn Alliance
Kim Wheels, County resident

13.b) Discussion on the potential temporary closure of the Ophir Road.

Presented by: Lance Waring, Commissioner; Amy Markwell, County Attorney; Starr Jamison, NRSP Director; Ryan Righetti, Road and Bridge Superintendent

2:33 p.m. Recessed.
2:39 p.m. Reconvened.

14) **COUNTY HOUSING MATTERS**

14.a) Discussion of the receipt and request of Chair's signature on a Project Developer of Mixed Use and Affordable Housing Lots.

(ATTACHMENT - Ground Pounders Inc Project Developer.pdf).

Presented by: Courtney McEleney, SMRHA Manager; Lois Major, representing San Miguel County; Mike Kimball, Applicant

MOTION by Lance Waring to approve the Project Developer of Mixed Use and Affordable Housing Lots with the correction of the wording "expiring January 2023 shall be changed to a review January 2023" after that review a expiring date will be set. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

14.b) Consideration of an Exception Request from Sarah and Andrew Milder for an exception to the Aldasaro Ranch Subdivision Amended and Restated Deed Restriction and Covenant Section 2.1.1 (b) and (c) of the Current Local Employee Standard./MOTION

(ATTACHMENT - Milder Exception Memo 06-08-2022 (2).pdf).

Presented by: Courtney McEleney, SMRHA Manager; Lois Major, Attorney representing the County; Sandra and Andrew Milder, Applicants; Kim and Russ Montgomery, Sellers of the property

MOTION by Lance Waring to deny the Exception Request for Sarah and Andrew Milder for an exception to the Aldasaro Ranch Subdivision amended and restated deed restriction and covenant Section 2.1.1 (b) and (c) of the Current Local Employee Standard. **SECONDED** by Kris Holstrom. **PASSED 2-0.**

14.c) Discussion on any future deed restriction foreclosures.

Presented by: Lois Major, Attorney representing the County

Other:

Update concerning the SMRHA Agreement with the Town of Telluride -

1. Strong recommendation to staff of SMRHA to have the access and ability to hire a full time assistant.
2. To provide an Investigator to provide an on call service to post an eviction notice or etc. These situations can be dangerous and staff should not be put in this position.

Note: This information will be provided to the SMRHA board for review.

Lois requested to work with James Van Hooser on amending the SMRHA policy and procedures processes to further clarify the procedures.

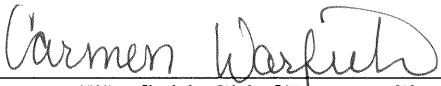
Presented by: Lois Major, Attorney representing the County

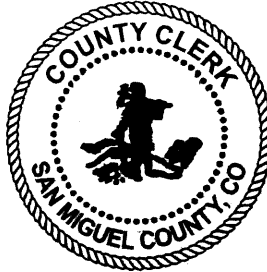
18) **ADJOURNMENT**

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

3:28 p.m.

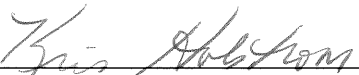
Respectfully submitted,


Carmen Warfield, Chief Deputy Clerk



Approved July 6, 2022.

SAN MIGUEL COUNTY BOARD COUNTY OF COMMISSIONERS


Kris Holstrom, 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.

OFFICE OF
SAN MIGUEL COUNTY CLERK

Stephannie Van Damme
P.O. Box 548
Telluride, Co 81435
(970) 728-3954

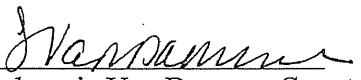
WRITTEN FINDINGS

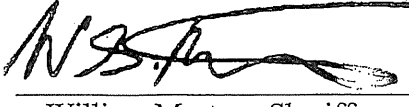
Date: May 11, 2022

To: San Miguel County Board of Commissioners

Re: Renewal of Retail Beer Liquor License for S M C S LLC
d/b/a S M C S LLC
1982 HWY 145
Telluride, Colorado 81435

1. Application is complete.
2. All fees have been paid.
3. William Masters, Sheriff, gives his approval on this renewal.
4. Insurance attached.


Stephannie Van Damme, County Clerk


William Masters, Sheriff

ATTACHMENT II

OFFICE OF
SAN MIGUEL COUNTY CLERK

Stephannie Van Damme

P.O. Box 548
Telluride, Co 81435
(970) 728-3954

WRITTEN FINDINGS

Date: May 26, 2022

To: San Miguel County Board of Commissioners

Re: Renewal of Hotel & Restaurant Liquor License for Thyme in Telluride

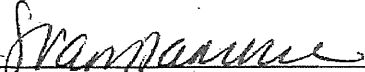
d/b/a San Juan Club

1500 Last Dollar Rd. Ste #9

P O Box 858

Ophir, Colorado 81426

1. Application is complete.
2. All fees have been paid.
3. William Masters, Sheriff, gives his approval on this renewal.
4. Insurance attached.


Stephannie Van Damme, County Clerk


William Masters, _____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO
REESTABLISHING LOCAL LIQUOR LICENSE FEES
IN UNINCORPORATED SAN MIGUEL COUNTY, COLORADO**

RESOLUTION 2022-24

WHEREAS, C.R.S. Title 44, Articles 1,3,4,5,6, and 7 *et seq.*, provides the terms, conditions, limitations, and restrictions concerning the manufacture and sale of malt, vinous, and spirituous liquors; and

WHEREAS, said Statutes set forth certain mandates for local licensing authorities, including the San Miguel County Board of County Commissioners (BOCC) acting in its statutory capacity as the local liquor licensing authority for the unincorporated area of San Miguel County, Colorado; and

WHEREAS, the BOCC established local liquor license fees within unincorporated San Miguel County by the adoption of Resolution #2007-24 Concerning the Setting of Liquor License Application Fees; and

WHEREAS, the BOCC established a process concerning the issuance of locally approved special event permits to serve alcoholic beverages without the approval of the state liquor licensing authority pursuant to S.B. 11-066 by the adoption of Resolution #2011-30; and

WHEREAS, there have been subsequent amendments made by the Colorado General Assembly to Local License Fees found in C.R.S. § 44-3-505 and Fees for Special Event Liquor Permits found in C.R.S. § 44-5-104; and

WHEREAS, the BOCC desires to repeal all prior Resolutions pertaining to liquor licensing and fees and reestablish local liquor license and special event fees to be current and consistent with Colorado law as appropriate and in the interest of the public health, safety, and welfare of San Miguel County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO, that Resolutions #2007-24, and #2011-30 is hereby repealed, and pursuant to the authority granted by the Colorado General Assembly, the local liquor license fees for unincorporated San Miguel County, Colorado shall be consistent and equal to those fees identified in C.R.S. §§ 44-3-505 and 44-5-104 *et seq.*, as may be amended from time to time [Attached hereto as "Exhibit A"].

THEREFORE, BE IT FURTHER RESOLVED, the local license fees set and determined by this Resolution shall become effective immediately upon its adoption, and shall remain in effect until and unless the statutes are further amended by the General Assembly or the Board of County Commissioners, whichever occurs first.

DONE AND ADOPTED by the San Miguel County Board of Commissioners at a regular meeting held in Telluride, Colorado, on June 8,, 2022.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

DocuSigned by:
Kris Holstrom
By: DCF710637985480
Kris Holstrom, 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
BE2AF0C39C63408...
Carmen Warfield, Chief Deputy Clerk to the Board



EXHIBIT A - LIQUOR LICENSE FEES

CATEGORY	C.R.S REFERENCE	COUNTY FEES
New Application Fee	44-3-505	
Application Fee	44-3-505 (4)(a)(I)(D)	\$1,000.00
Transfer of Ownership: Change of Location; License Merger & Coverion	44-3-505 (4)(a)(II)(B)	\$750.00
Special Event Permits	44-5-107 (2)	\$100.00
Festival Permits		
Renewal Application Fees	44-3-505	
Renewal of a License	44-3-505 (4)(a)(III)(B)	\$100.00
Renewal of an Expired License	44-3-505 (4)(a)(III)	\$500.00
Local License Fees (to be paid in addition to the new application or renewal)	44-3-505	
Retail Liquor Store	44-3-505 (1)(a)(II)	\$250.00
Beer & Wine License	44-3-505 (1)(c)(II)	\$425.00
Resort Hotel Beer & Wine License	44-3-505 (1)(c)(III)	\$375.00
Hotel and Restaurant License	44-3-505 (1)(d)	\$500.00
Tavern License	44-3-505 (1)(e)	\$500.00
Optional Premises License (each)	44-3-505 (1)(f)	\$500.00
Brew Pub, Distillery Pub, or Vintner's License	44-3-505 (1)(i)	\$500.00
Club License	44-3-505 (1)(j)	\$275.00
Arts License	44-3-505 (1)(k)	\$275.00
Racetrack License	44-3-505 (1)(l)	\$500.00
Bed & Breakfast Permit	44-3-505 (1)(m)	\$25.00
Resort-Complex-Related Facility Permit	44-3-505 (1)(n)	\$100.00
Art Gallery Permit	44-3-505 (1)(o)	\$25.00
Lodging & Entertainment	44-3-505 (1)(p)	\$500.00
Related Facility Permit (each)	44-3-505 (1)(q)	\$100.00
Fermented Malt Beverages (on premises)	44-4-107 (2)	\$50.00
Fermented Malt Beverages (off premises)	44-4-107 (2)	\$50.00
Special Event Permits- Malt Beverage	44-5-104 (1)(a)	\$10/day
Special Event Permits- Malt, Vinous, and Spiritous	44-5-104 (1)(b)	\$25/day

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY,
COLORADO PROVIDING FOR A BOARD OF REVIEW PURSUANT TO
COLORADO REVISED STATUTES §§ 30-28-206 AND 30-28-207**

Resolution #2022-25

WHEREAS, pursuant to C.R.S. §§ 30-28-201 and 30-28-204, as amended, San Miguel County (“County”) has adopted and amended a building code consistent with the uniform building code dating back to 1973; and

WHEREAS, the last amendment of the Building Code occurred on January 5, 2022, when the San Miguel County Board of Commissioners (“BOCC”) enacted Resolution #2022-01 which adopted by reference the 2018 International Building Code, 2018 International Residential Code, 2018 Mechanical Code, 2018 Fuel Gas Code, 2018 International Existing Building Code, 2018 International Energy Conservation Code, 2018 International Swimming Pool and Spa Code; and

WHEREAS, any county which enacts a building code has the authority to establish a Board of Review; and

WHEREAS, the BOCC has previously constituted and appointed a San Miguel County Board of Appeals that was authorized and empowered to perform all duties and functions of a board of review as set forth in C.R.S. §§ 30-28-206 and 30-28-207, as amended; and

WHEREAS, the Building Official requests that the BOCC rename the “San Miguel County Board of Appeals” to the “San Miguel County Board of Review” for consistency with the statute; and

WHEREAS, the BOCC has the responsibility to establish rules to govern the organization, procedure, and jurisdiction of the Board (C.R.S. § 30-28-206(1)).

NOW, THEREFORE, BE IT RESOLVED that the San Miguel County Board of Appeals is renamed the San Miguel County Board of Review.

BE IT FURTHER RESOLVED that the membership of the Board of Review shall consist of at least three (3) members who reside within the county boundaries and are experienced in building construction to be appointed by the Board of County Commissioners for three-year terms without term limitations.

BE IT FURTHER RESOLVED that the per diem compensation for members of the Board of Review shall be \$100 per meeting plus mileage reimbursement based on federal mileage reimbursement rate, as amended.

BE IT FURTHER RESOLVED that rules to govern the organization, procedure, and jurisdiction of the San Miguel County Board of Review are attached as Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED that in the event the San Miguel County Board of Review fails to have at least three appointed members, the San Miguel County Board of Commissioners shall act as the San Miguel County Board of Review as set forth in Exhibit A.

DONE AND APPROVED by the Board of County Commissioners at a regular meeting held at Telluride, Colorado, on June 8, 2022.

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

DocuSigned by:
Kris Holstrom
By: DCF710637985480
Kris Holstrom, Chair

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

ATTEST: DocuSigned by:
Carmen Warfield
By: BE2AF0C39C63408
Carmen Warfield, Chief Deputy Clerk to the Board



EXHIBIT A

SAN MIGUEL COUNTY BOARD OF REVIEW

- A. The San Miguel County Board of Review ("SMCBOR") is hereby authorized and empowered to perform all duties and functions of a Board of Review as set forth in C.R.S §§ 30-28-206 and 30-28-207, as amended. The SMCBOR is further authorized and empowered to adopt bylaws as supplemental rules of procedure which shall be consistent with the provisions of this resolution and applicable law. The SMCBOR is specifically authorized, in appropriate cases and subject to appropriate principles, standards, rules, conditions, and safeguards set forth in the adopted building code, to make special exceptions to the terms of the adopted building code in harmony with their general purpose and intent.
- B. Appeals to the SMCBOR may be taken by any person aggrieved by their inability to obtain a building permit or by any officer, department, board, or bureau of the county affected by the grant or refusal of a building permit. Any person, officer, department, board, or bureau may appeal to the SMCBOR the decision of any administrative officer or agency, including the County Building Official, based upon or made in the course of the administration or enforcement of the building code.
1. Any such person, officer, department, board, or bureau seeking a special exception to a building code requirement, or seeking to appeal from the granting, or refusal to grant, of a building permit, or seeking to appeal from any decision of any county administrative officer or agency, including the County Building Official, based upon or made in the course of administration or enforcement of the adopted building code, shall file a written statement setting forth with specificity the decision and/or the applicable building code provision upon which their appeal and/or request for the special exception was made, and the grounds for their appeal and/or special exception. Such written statement shall be filed with the County Building Official not more than thirty (30) calendar days after the decision of the county administrative officer or agency upon which the appeal is made.
 2. Upon receipt of such a written statement, the County Building Official shall promptly advise the members of the SMCBOR, which shall proceed to conduct a noticed, public hearing on the appeal and/or request for a special exception within sixty (60) days of its receipt, which hearing may be continued from time to time, in the Board's discretion.
 3. The noticed public hearing may be held in person, via an online meeting platform such as Zoom or Webex, or in a hybrid format of in-person and online. Notice shall be published in the Norwood Post and Telluride Daily Planet no later than fourteen (14) days prior to the hearing.
 4. Copies of the agenda and Board packet materials shall be provided to the members of the SMCBOR and all other interested parties to an appeal, not less than five (5) business days prior to the appeal hearing.
 5. The person or entity which filed the appeal shall be provided with no less than fourteen (14) days prior written notice of the date, time, and place set for the hearing on the appeal.

The County Building Official shall be responsible for notifying all interested parties of the date, time, and place set for the hearing by the SMCBOR.

6. The Board shall render its decision on an appeal and/or request for a special exception within thirty (30) days from the conclusion of the public hearing. Subject to compliance with applicable statutory and constitutional due process requirements, the SMCBOR shall have full authority regarding the conduct of hearings within its jurisdiction.
- C. At an appeal hearing, the SMCBOR shall receive and consider such relevant and probative evidence, including, but not limited to, the testimony of witnesses and receipt of documentary evidence, including any relevant provisions of the duly adopted building codes, as the parties to the appeal, choose to present, to the extent the Board deems such evidence to be relevant to the matters on appeal.
1. The Colorado Rules of Evidence, as adopted by the Colorado Supreme Court, shall not be applicable to the receipt of evidence by the Board of Review. However, any decision of the Board concerning an appeal shall be based upon relevant and competent evidence received on the record during the hearing.
 2. The person or entity bringing the appeal and/or seeking a special exception shall have the burden of proof before the SMCBOR.
 3. Each party shall be responsible for the costs associated with the presentation of their witnesses and documentary evidence at the hearing.
 4. The County Building Official shall be responsible for the making of a verbatim record of all testimony received during an appeal hearing and of all documents or other exhibits tendered and/or received into evidence during the hearing. Such a verbatim record shall be made by electronic recording at the County Building Official's discretion.
 5. A site visit shall be conducted in advance of the public hearing unless staff determines that under the circumstances of the appeal, a site visit is not necessary or impractical. The person making the appeal shall cause the property to be open and available for the site visit.
 6. The Board's decision shall be memorialized in the form of a written resolution of the San Miguel County Board of Review to be prepared by the County Building Official. Such written resolution shall be prepared and submitted to the SMCBOR's Chair for its review and consideration within ten (10) days of the announcement of the Board's decision. The resolution shall be recorded with the Clerk and Recorder's Office no later than seven (7) days after the Board Chair's signature.
- D. The San Miguel County Board of Review's decision, as set forth in a duly adopted written and recorded resolution, shall constitute the final administrative action of San Miguel County for purposes of appeal and judicial review pursuant to Colorado Rules of Civil Procedure Rule 106 as adopted by the Colorado Supreme Court.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO, ADOPTING THE
DISASTER SPENDING, PROCUREMENT, AND CONTRACTING POLICY
FOR SAN MIGUEL COUNTY, COLORADO**

Resolution 2022 - 14

WHEREAS, it is the intent of the Board of County Commissioners of San Miguel County, Colorado (BOCC) to provide for the effective direction, control and coordination of San Miguel County government during an emergency or disaster; and

WHEREAS, pursuant to §24-33.5-709, C.R.S., the County has the ability to declare a local disaster emergency, the effect of which is to activate the response and recovery aspects of any and all applicable local and jurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans; and

WHEREAS, the County has established a Purchasing Policy as part of its Administrative Policy Manual in order to promote responsible expenditures of public funds; and

WHEREAS, emergency purchases are exempt from the County's competitive bid selection process due to the fact that circumstances do not lend themselves to a competitive selection process when threats to public health, welfare or safety exist, and County personnel may need to make emergency procurements of construction items, goods, or services; and

WHEREAS, the BOCC finds it is necessary for the public health, welfare or safety to adopt the following Disaster Spending, Procurement, and Contracting Policy.

NOW, THEREFORE BE IT RESOLVED, a local disaster declaration supersedes non-disaster procurement policies of San Miguel County and the purchasing guidelines detailed herein comply with Title 2, Code of Federal Regulations, Part 200 (2 C.F.R.) as it relates to administrative requirements, principles and audit requirements for federal awards and the San Miguel County Emergency Operations Plan to ensure potential reimbursement, if available

AND BE IT FURTHER RESOLVED, the Board of County Commissioners authorizes that the purchasing limits for all departments or offices during a local disaster declaration and serving in their Emergency Support Functions role shall be as follows:

1. Purchases up to \$50,000 are free from any bidding or quote process.
2. Purchases from \$50,001 to \$250,000 will require at least two (2) quotes if available. The only exception is for imminent lifesaving needs. San Miguel County authorizes the sole source purchase of goods and services only for immediate threats to loss of life.
3. Purchases above \$250,000 that are for imminent lifesaving needs are exempt from the formal RFP process. Recommendations for immediate lifesaving purchases must be

approved by the Board of County Commissioners in a public meeting with an explanation of why the resources are an imminent need.

4. Any purchases above \$250,000 that are not for imminent lifesaving needs must go through the county's Request for Proposal process as outlined in the latest edition of the San Miguel County Financial Affairs Policy.

AND BE IT FURTHER RESOLVED, procurement purchasing limits per incident during a local disaster declaration shall be \$250,000 limits for each of the following:

- o County Manager,
- o Office of Emergency Management, or
- o Designee in the event the County Manager or Office of Emergency Management staff are absent or unable to act as set forth in Resolution 2022-17.

AND BE IT FURTHER RESOLVED, when requested during a local disaster declaration, the purchasing card spending limits for designated employees may be increased at the discretion of the County Manager, Emergency Manager and/or Finance Director and will be limited to the quantity of those supplies, equipment, materials or services necessary to stabilize the disaster.

AND BE IT FURTHER RESOLVED, the County Manager is authorized to move funds within the current San Miguel County budget to address the needs of the incident to the limits set above, which must be ratified at the earliest possible opportunity by the BOCC.

AND BE IT FURTHER RESOLVED, if any monies from any county fund or account are spent during a disaster or emergency, the department head/elected official spending the funds is responsible for maintaining detailed records of all items/services purchased during the declaration and must present records, invoices, and any other information related to those procurements to the Finance Department, Emergency Manager and the County Manager no later than ten (10) days after the disaster or emergency is declared to be over. The BOCC may extend this reporting period as needed. It is recommended that copies of all receipts, invoices and serial numbers be recorded with the EOC as they are made so records can be scanned in and/or stored in the documentation unit's files during the incident.

AND BE IT FURTHER RESOLVED, under a local disaster declaration, the Board of County Commissioners and County Manager shall have access to use of TABOR emergency reserves strictly limited for response efforts associated with the disaster. The county will endeavor to repay funds used to the reserves as soon as possible and the preference is to utilize budgeted funds, state and/or federal disaster assistance funds before drawing on TABOR reserves.

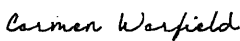
DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado,
Telluride, CO, June 8, 2022.

DocuSigned by:

DCE740637985480...
Kris Holstrom, Chair of the Board
San Miguel County Commissioners

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

ATTEST:

DocuSigned by:

BE2AF0C39C63408...
Chief Deputy Clerk to the Board



**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO, ADOPTING THE
EMERGENCY OPERATION PLAN FOR SAN MIGUEL COUNTY, COLORADO**

Resolution 2022-17

WHEREAS, it is the intent of the Board of County Commissioners of San Miguel County, Colorado to provide for the effective direction, control, and coordination of the San Miguel County government during an emergency or disaster; and

WHEREAS, pursuant to §24-33.5-707, C.R.S., San Miguel County's Emergency Manager is responsible for preparing and keeping current a local or interjurisdictional disaster emergency plan for San Miguel County; and

WHEREAS, the Emergency Manager and the Emergency Management Coordinator for the San Miguel County Sheriff comprise the Office of Emergency Management (OEM); and

WHEREAS, the potential for emergencies, either man-made or natural is a real and ever present threat; and

WHEREAS, it is nearly impossible to deal with such emergency situations without prior planning and preparations; and

WHEREAS, the Board of County Commissioners adopted the Emergency Operation Plan on December 8, 2021, with Resolution 2021-39; and

WHEREAS, the OEM, in conjunction with the offices and departments of San Miguel County, has developed an updated Emergency Operations Plan which incorporates federal and state requirements for county emergency operation plans as they relate to agency coordination, the prevention, protection, mitigation, response, and recovery from emergencies and disasters in the County required by the Emergency Management Program Grant administered by the State of Colorado; and

WHEREAS, the Board of County Commissioners finds it is necessary to adopt the 2022 Emergency Operation Plan of San Miguel County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Miguel County, Colorado, (BOCC) that the 2022 Emergency Operation Plan of San Miguel County, which is attached hereto and incorporated by reference herein be and are hereby adopted.

AND BE IT FURTHER RESOLVED pursuant to C.R.S. §24-33.5-709, the County Manager is deemed to be the County's principal executive officer and is authorized to declare a local disaster emergency for a period of time not to exceed seven days unless continued by the Board of

County Commissioners. Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be sent to the Office of Emergency Management to be filed promptly with the Colorado Division of Homeland Security and Emergency Management and with the Clerk and Recorder of San Miguel County.

AND BE IT FURTHER RESOLVED the Emergency Manager reports directly to the Board of County Commissioners, who delegates the supervision of the Emergency Manager to the Emergency Management Coordinator. OEM staff fulfill the requirements of §24-33.5-707 C.R.S. and have responsibility for the planning, coordination, and execution of pre- and post-disaster services in the County.

AND BE IT FURTHER RESOLVED the BOCC authorizes the OEM, or their designee, to act as needed in the pre-disaster declaration time frame until an official disaster or emergency declaration can be made by authorized individuals. This includes the authority to spend up to \$250,000 in the support of disaster response activities prior to a formalized declared disaster by the BOCC with the exception that if the disaster is based on a public health emergency, the BOCC authorizes the County Manager or their designee to spend up to \$250,000 in support of the disaster response activities prior to a formalized declared disaster by the BOCC.

AND BE IT FURTHER RESOLVED the Sheriff, or their designee, assumes the emergency duties of Office of Emergency Management staff in the event of their absence or inability to act with the exception of a disaster based on a public health emergency.

AND BE IT FURTHER RESOLVED that if the disaster is based on a public health emergency, the San Miguel County Director of Public Health and Environment, or their designee, assumes the duties of the County Manager in the event the County Manager is absent or is unable to act.

AND BE IT FURTHER RESOLVED designated San Miguel County offices and departments are authorized, pursuant to the 2022 Emergency Operations Plan or as necessary, to promote the health, safety, and/or welfare of the people in the County, including but not limited to granting the authority to execute a Delegation of Authority for the management of incident to a qualified incident management team or incident commander pursuant to the roles outlined in the 2022 Emergency Operations Plan.

AND BE IT FURTHER RESOLVED exempt employees are designated as disaster service workers during a declared emergency or disaster and are eligible for overtime after 50 hours of work per week. Overtime is paid one and a half times the exempt employee's estimated hourly rate at the time of the declared disaster.

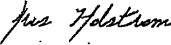
AND BE IT FURTHER RESOLVED all county employees may be called upon to perform duties outside their day-to-day activities in order to support county emergency operations. The

National Incident Management System (NIMS) establishes a single, comprehensive approach to domestic incident management to ensure that all levels of government across the nation have the capability to work efficiently and effectively together using a comprehensive and standardized approach.

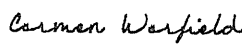
AND BE IT FURTHER RESOLVED San Miguel County Resolution 2006-6 outlines standardized training requirements for all county employees to comply with the NIMS standards. Training requirements are managed by the Human Resources Department with assistance from the OEM.

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the OEM and to the Colorado Division of Homeland Security and Emergency Management.

DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado, Telluride, CO, June 8, 2022.

DocuSigned by:

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Kris Holstrom, Chair of the Board
San Miguel County Commissioners

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

ATTEST:
DocuSigned by:

BE2AF6C99669408...
Chief Deputy Clerk to the Board



RESOLUTION OF THE BOARD OF COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO, SETTING THE
VEGETATION MANAGEMENT FEE SCHEDULE

Resolution #2022-027

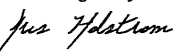
Whereas, pursuant to C.R.S. §35-5.5-101, the Board of County Commissioners of San Miguel County, Colorado ("Board") is authorized to manage the business and budget of San Miguel County, and to establish noxious weed management criteria, noxious weed management plans, fees for herbicide management of noxious weeds, fees for mechanical treatments of noxious weeds, and to charge fees that cover the direct and indirect costs of such services; and

Whereas, the Vegetation Control and Management Department requested the establishment of new service fees to cover additional staff time and costs related to noxious weed management which involve both herbicide and mechanical treatments; and

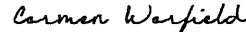
NOW THEREFORE BE IT RESOLVED THAT, the Board finds that setting Vegetation Control and Management fees for Noxious Weed Management is necessary to cover current costs to provide noxious weed control services, and noxious weed management plans and further the Board finds that the proposed new fees to cover noxious weed management and noxious weed management plans are necessary to cover related costs to conduct such reviews. Therefore, the Board approves the revisions to the Vegetation Control and Management Fee Schedule as proposed by Staff and attached hereto as "Exhibit A."

DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado, at a duly noticed public meeting held in Telluride, Colorado, on June 8, 2022.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

DocuSigned by:

DCE710637985480
Kris Holstrom, Chair

ATTEST:

DocuSigned by:

BE2AF0C39C83408
Carmen L. Warfield, Chief Deputy Clerk to the Board



VOTE:

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

EXHIBIT A
Vegetation Control and Management Fee Schedule

Weed Management Plans	\$100.00
Weed Manger Time- Mapping Services	\$65.00/hour
Spray Services/County Truck or OHV	
Spray Truck + 2 Technicians/hour	\$110.00/hour
Spray Truck +1 Technician/hour	\$ 85.00/hour
Herbicide Costs	Varies depending on herbicide, (not included in spray services rates)
Mechanical Services/Backpack	\$100.00/hour
With weed incineration	
Backpack herbicide treatments	\$85.00/hour
Native Grass Seed	\$23.95 per pound
Native seed mix for revegetation	
Biological Controls Available	
Rate varies depending on weed species	

Disclaimer and Appeal

Vegetation Control and Management staff shall, to the best of its ability notify the applicant if it appears there may be the need for additional charges. Applicant may appeal the charges to the BOCC.

Fees assessed by the San Miguel County Vegetation Control and Management Department are charged for the primary purpose of defraying the County's reasonable direct and indirect costs to provide a service or to regulate an activity under the County's regulatory scheme. Some fees may be non-refundable.