

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

Wednesday, September 21, 2022

Zoom.us

1) Roll Call

Present:

Kris Holstrom, Chair

Hilary Cooper, Vice Chair

Lance Waring, Commissioner

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.

9:30 a.m.

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

6) CONSENT AGENDA

6.a) Ratification of Chair's signature on the August 2022 Veterans Service Officers monthly report.

([ATTACHMENT - August 2022 VSO Report.pdf](#)).

6.b) Approval of the Minutes: July 6, 2022, August 3, 2022, August 24, 2022, and August 31, 2022.

([ATTACHMENT - 20220803-BOCC-Minutes-Draft.pdf](#)).

([ATTACHMENT - 20220824-BOCC-Minutes-Draft.pdf](#)).

([ATTACHMENT - 20220831-BOCC-Agenda-Draft.pdf](#)).

([ATTACHMENT - 20220706-BOCC-Minutes-Draft.pdf](#)).

6.c) Ratification of Commissioner's signature on a request to President Biden to support the CORE Act designation.

([ATTACHMENT - President Biden Core Act 9.8.22.pdf](#)).

6.d) Approval of the Chair's signature on an amended Community Support agreement for Norwood Senior Meals to the Town of Norwood and fund them for \$10,000 in 2022.

([ATTACHMENT - Funding Request SMC 22& 23.pdf](#)).

- 6.e) Approval of Resolution 2022-047 obligating Title III Funding in the amount of \$9,931.11 to the West Region Wildfire Council (WRWC) for eligible projects. (ATTACHMENT I - Resolution 2022-047)

(ATTACHMENT - BOCC Memo 09.14.22.pdf).

(ATTACHMENT - BOCC Packet 09.14.22.pdf).

- 6.f) Ratification of Commissioner's signature on the Colorado Office of Economic Development and International Trade (COEDIT) letter of support for the San Juan Mountain Association grant request.

(ATTACHMENT - SJMA High Alpine Grant 9.13.22.pdf).

- 6.g) Approval of Chair's signature on a agreement with the Lone Cone Library District funding of \$1,500 for behavioral health services.

(ATTACHMENT - Grant agreement LCLD and Behavioral health solutions.pdf).

- 6.h) Ratification of Commissioner's signature on a scoping comments to the Bureau of Land Management (BLM) for the Sunday Mine Complex Plan of Operations Update.

(ATTACHMENT - Sunday Mine Complex Scoping Comments.pdf).

- 6.i) Approval of the Chair's signature on Pinion Park Policy Statements #2022-01, #2022-02, and #2022-03

(ATTACHMENT - PP-Policy Stmt 2022-01 Household-adopted.pdf).

(ATTACHMENT - PP-Policy Stmt 2022-02 AMI-adopted.pdf).

(ATTACHMENT - PP-Policy Stmt 2022-03 Physically Working-adopted.pdf).

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

7) ADMINISTRATIVE MATTERS

- 7.a) Update with the Tres Rios and Uncompahgre Field Offices.

(ATTACHMENT - Sunday Mine Briefing 2022 (1).pdf).

Presented by: Connie Clementson, Tres Rios Field Officer; Ryan Joyner, Tres Rios Field Officer; Suzanne Copping, Uncompahgre Field Office

- 7.b) Consideration of approval of Commissioner's signature on a U.S. Forest Service Cooperative, Schedule A, Forest Road Agreement 22-RO-11020400-031.

(ATTACHMENT - 22-RO-11020400-031_SanMiguelCounty_MasterRoadAgreement_Corrected.pdf).

Presented by: Ryan Righetti, Road and Bridge Superintendent

MOTION by Lance Waring to approve the Commissioner's signature on a U.S. Forest Service Cooperative, Schedule A, Forest Road Agreement 22-RO-11020400-031. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

8) COUNTY HOUSING AUTHORITY MATTERS

- 8.a) Consideration and adoption of changes to the Deed Restriction and Covenant for San Bernardo template Lots A-F (Low Intensity Industrial)

(ATTACHMENT - SB Memo & Updated Covenant Lots A-F.pdf).

(ATTACHMENT - San Bernardo DR & Covenant_LII_LotsA-F.final_September 2022 UpdateV2.pdf)

Presented by: Lois Major, Special Counsel to the County Housing Authority; Amy Markwell, County Attorney; Kristin Hughes, Tree Realty LLC, representing the purchaser

MOTION by Hilary Cooper to approve the changes to the Deed Restriction and Covenant for San Bernardo template Lots A-F (Low Intensity Industrial). **SECONDED** by Lance Waring. **PASSED 3-0.**

- 8.b) Consideration of approval and signature for the Amended and Restated Deed Restriction and Covenant, Lot C, San Bernardo Subdivision, Affordable Housing Apartment with Brent Moore and Elizabeth Tracy, citation/MOTION

*Late Update: Section 4 of the draft document was amended to relate to the Affordable Housing Apartment and not the Subject Property as a whole.

(ATTACHMENT - San Bernardo Lot C Updated Covenant.pdf)

(ATTACHMENT - San Bernardo DR & Covenant_LII_Lot_C.final_UpdatedV.1.pdf)

Presented by: Amy Markwell, County Attorney; Lois Major, Special Counsel to the County Housing Authority; Kristen Hughes, Tree Realty LLC, representing the buyer; Brent Moore, Owner of the parcel; Matt Gonzales, Building Official

MOTION by Lance Waring to approve the Chair's signature on the Amended and Restated Deed Restriction and Covenant, Lot C, San Bernardo Subdivision, Affordable Housing Apartment with Brent Moore and Elizabeth Tracy. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

- 8.c) Consideration of Approval of the Chair's Signature on Pinion Park Policy Statement #2022-04, Administrative Determination of Income/MOTION

(ATTACHMENT - Pinion Park Norwood Policy#4 Memo.pdf)

(ATTACHMENT - PP-Policy Stmt 2022-4-final.pdf)

Presented by: Lois Major, Special Counsel to the County Housing Authority

MOTION by Lance Waring to approve the Pinion Park Policy Statement #2022-04 [Administrative Determination of Income]. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

- 8.d) Consideration of the review and adoption of an Addendum to the Amended and Restated Deed Restriction and Covenant for Multi-Family Housing Units./MOTION

(ATTACHMENT - Multi-family Covenant Memo 9.20.2022.pdf)

(ATTACHMENT - Addendum to MFHU Covenant_Template.pdf)

Presented by: Lois Major, Special Counsel to the County Housing Authority

MOTION by Hilary Cooper to approve the addendum to the Amended and Restated Deed Restriction and Covenant for Multi-Family Housing Units. **SECONDED** by Lance Waring. **PASSED 3-0.**

- 8.e) Consideration for Approval of the Chair's Signature on the Amended and Restated Deed Restriction and Covenant for Multi-Family Housing, Unit C, Lot D, Lawson Hill with Sunshine Beach LLC./MOTION

(ATTACHMENT - Multi-family Covenant Memo 9.20.2022HUNTER_LotC.pdf)

(ATTACHMENT - Sunshine Beach LLC deed restriction.pdf)

Presented by: Lois Major, Special Counsel to the County Housing Authority

MOTION by Lance Waring to approve the Chair's signature on the Amended and Restated Deed Restriction and Covenant for Multi-Family Housing, Unit C, Lot D, Lawson Hill with Sunshine Beach LLC. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

9) **ADMINISTRATIVE MATTERS, Continued**

- 9.a) Presentation of the Western Area Power Administration upcoming Veg work in San Miguel County.

(ATTACHMENT - SMPA Power Lines.png)

(ATTACHMENT - SMPA Power Lines II.png)

(ATTACHMENT - SanMiguelCOopenspace.pdf)

Presented by Nellie Goodwin, Western Area Power Administration; Barb O'Rourke, Land and Realty Specialist

11:19 a.m. Recessed.

11:24 a.m. Reconvened.

- 9.c) Discussion regarding Letters of Support

(ATTACHMENT - San Miguel County Mail - back up for Letters of Support discussion.pdf)

Note: Consensus to add clarity to the Administrative Policy.

10) **SOCIAL SERVICES MATTERS**

- 10.a) Approval of Chair's signature on Social Services Department Balance Sheet July 2022, Earned Revenue and Expenditures July 2022, Expenditures through Electronic Benefit Transfers August 2022, Check Register for the Month of August 2022, County Allocation/MOE Report JUL-22, and 2022 Caseload Graph & Chart.

(ATTACHMENT - SMC September Packet.pdf)

Presented by: Carol Friedrich, Director of Social Services

MOTION by Hilary Cooper to approve the Chair's signature on documents as presented. **SECONDED** by Lance Waring. **PASSED 3-0.**

Other,

1. Update on staffing in the Telluride office.

11) Lunch

12:03 p.m. Recessed.

12:45 p.m. Reconvened.

12) PUBLIC HEALTH AND ENVIRONMENT

Presented by: Grace Franklin, Public Health Director

Public Who Addressed the Board:
Douglas Tooley, County resident

- 9.b) Discussion with Emil Sante, San Miguel County Coroner.

Presented by: Emil Sante, County Coroner

Note: Emil will come back to the board with additional information requested by the Commissioners.

13) PARKS AND OPEN SPACE MATTERS

- 13.a) Consideration of Chair's signature on an approval for the Independent Contract agreement for the Lewis Mill. Repair Work/MOTION

(ATTACHMENT - Agreement for Services Access In Motion.pdf)

Presented by: Janet Kask, Parks and Open Space Director

MOTION by Hilary Cooper to approve the Chair's signature on the Independent Contract agreement for the Lewis Mill repair work. **SECONDED** by Lance Waring. **PASSED 3-0.**

- 13.b) Down Valley Connector Trail Timeline update

Presented by: Janet Kask, Parks and Open Space Director

14) MANAGER and ASSISTANT MANAGER MATTERS

- 14.a) Update and other, as needed.

Presented by: Mike Bordogna, County Manager

Update and other, as needed.

1. The Water issue in Norwood has been fixed
2. Lily Briggs has started in the Building and Planning Department today. She will be assisting both departments with directing the public on information that needs to be filled out to obtain proper permitting.
3. Notification of CDOT 4 year plan for projects
4. Tracking Internet Service Outage
5. CTSI Medical rates for health insurance has increased 5% for the year 2023
6. Lou Lazo, Employee Council is scheduled to present the Compensation study at next weeks meeting

Presented by: James Van Hooser, Assistant County Manager

Regional affordable housing map for the County - James will recruit assistance from SMRHA and Heather Widlund moving forward with this concept

- 14.b) Consideration of the Appointment of John Duncan, General Manager and Co-Owner of Telluride Outside, to the County Lodging Tax Panel/MOTION

Presented by: Mike Bordogna, County Manager

MOTION by Hilary Cooper to approve the appointment of John Duncan to the County Lodging Tax Panel for a 3-year term. **SECONDED** by Lance Waring. **PASSED 3-0.**

- 14.c) Update regarding CDOT chain station locations.

Presented by: Mike Bordogna, County Manager; Lance Waring, Commissioner; Julie Constan, CDOT

Note: To be continued to October 12, 2022, 9:30 a.m.

15) COMMISSIONER UPDATES:

Lance Waring - CCI Webinar

Hilary Cooper - Gunnison Sage Grouse BLM Meeting; Alpine Road Map; Continued Housing Research

Kris Holstrom- Telluride Foundation Executive board meeting; Pinion Park Lottery; Recycling meeting

16) ATTORNEY MATTERS

- 16.a) Update and other, as needed.

Presented by: Amy Markwell, County Attorney

- 16.b) Potential Executive Session: Update on the Paradox's payment of delinquent taxes, citation (4)(b)(e).

Presented by: Amy Markwell, County Attorney; Brandi Hatfield, County Treasurer

MOTION by Hilary Cooper to go into executive session to discuss the Paradox's [Oil and Gas] payment of delinquent taxes, citation (4)(b)(e). **SECONDED** by Lance Waring. **PASSED 3-0.**

2:54 p.m. Recessed.

3:06 p.m. Reconvened.

MOTION by Lance Waring to come out of executive session - only the one item stated was discussed. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

- 16.c) Executive Session: Continued discussion on the San Miguel Water Conservation District Court Case, citation (4)(b)(e).

MOTION by Lance Waring to go into executive session to discuss the San Miguel Water Conservation District Court Case, citation (4)(b)(e). **SECONDED** by Hilary Cooper. **PASSED 3-0.**

3:07 p.m. Recessed.

3:28 p.m. Reconvened.

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

MOTION by Lance Waring to come out of executive session - Only the one item was spoken of. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

- 16.d) Executive Session: Discussion regarding appeal of decision in 2019CV30009 pursuant to C.R.S. 24-6-402(4)(b).

MOTION by Lance Waring to go into executive session to discuss an appeal of decision in 2019CV30009 pursuant to C.R.S. 24-6-402(4)(b). **SECONDED** by Hilary Cooper. **PASSED 3-0.**

3:29 p.m. Recessed.

3:44 p.m. Reconvened.

Presented by: Amy Markwell, County Attorney

MOTION by Lance Waring to come out of executive session - only the one item stated was spoken of. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT II - Executive Session Minutes for Item 16.b, 16c, 16d)

17) ADJOURNMENT

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

3:44 p.m. Adjourned.

Respectfully submitted,

Carmen Warfield, Chief Deputy Clerk

Approved.

SAN MIGUEL COUNTY SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

Kris Holstrom, Chair

ATTEST:

Mike Bordogna, County Manager