

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

Wednesday, December 21, 2022

Zoom.us

1) Roll Call

Hilary Cooper, Vice Chair, [Chairing the meeting due to Kris Holstrom being remote.]

Kris Holstrom, Chair

Lance Waring, Commissioner

Staff Present:

Mike Bordogna, County Manager

James Van Hooser, Assistant County Manager

Amy Markwell, County Attorney

Carmen Warfield, Chief Deputy Clerk

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

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 a Veterans Service Officers Monthly Report for November 2022.

(ATTACHMENT - November 2022 VSO Report.pdf)

- 6.b) Approval of Chair's signature on a Memorandum of Understanding between Tri-County Health Network on a San Miguel County Mental Health Fund providing Administration Costs for three years in the amount of \$221,574.

(ATTACHMENT - TCHNetwork 2023 MOU (1)(1).pdf)

- 6.c) Consideration of the Chair's signature on a 2023 Employment Agreement with Amy Markwell, County Attorney.

(ATTACHMENT - Markwell.EmployContract. 2023.doc)

- 6.d) Consideration of Chair's signature on a 2023 Employment Agreement with Mike Bordogna, County Manager.

(ATTACHMENT - MJB.AmendedContract.12.21.22.pdf)

- 6.e) Approval of Commissioner's signatures on a letter of appreciation to the Colorado Cattlemen's Agricultural Land Trust for the leadership in securing the Bray Family Ranch Conservation Easement.

(ATTACHMENT - Appreciation letter Cattleman's Association.docx)

- 6.f) Approval of the Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Patrick Shehan

and Natalie Price, Lot SV -150. Lawson Hill/Morningstar.

(ATTACHMENT - Shehan and Price Deed Restriction.pdf)

- 6.g) Approval of Commissioner's signatures on a letter of support for Bruin Waste Management's proposed Compost Collection Route and transfer to 3XM.

(ATTACHMENT - Letter of Support Bruin Waste.docx)

- 6.h) Approval of Chair's signature on a Montrose County Community Partnership Agreement for 2023 funding in the amount of \$8,000 for the San Miguel County Fair Board.

(ATTACHMENT - San Miguel Fair 2023.docx)

- 6.i) Authorization of the November 2022 Payroll and Vendor Payments.

(ATTACHMENT - 11-November BOCC Consent Agenda.pdf)

(ATTACHMENT I)

- 6.j) Approval of Commissioners' signatures to San Miguel Power Association encouraging the use of President Biden's Inflation Reduction Act (IRA).

(ATTACHMENT - San Miguel Power Comment Letter.docx)

- 6.k) Acceptance of the Public Trustee Report for the third quarter beginning July 1, 2022 and ending September 30, 2022.

(ATTACHMENT - 2022 3rd QuarterPublic Trustee report.pdf)

(ATTACHMENT II)

- 6.l) Acceptance of taxes received from the San Miguel County Treasurer beginning 2021 received as of November 30, 2022.

(ATTACHMENT - Taxes received through 113022.pdf)

- 6.m) Ratification of Commissioner's signature on comments for the Sunday Mine Complex - Plan of Operation Update - DOI-BLM-CO-S010-2022-0006-EA.

(ATTACHMENT - BLM Sunday Mine Comment Letter _2.pdf)

- 6.n) Approval of the Vice Chair's signature on the 2023 Professional Services Agreement between the County and ValueWest, Inc.

(ATTACHMENT - Contract San Miguel County2023- ValueWest.doc)

- 6.o) Approval of the reappointment of Emily Haight to the Lone Cone Library Board of Trustees for a 3-year term.

- 6.p) Approval of the Road and Bridge Department to purchase a 2016 Liebherr (bulldozer) in the amount of \$145,400 (including transport, 2022 budgeted).

(ATTACHMENT - Road and Bridge dozer purchase request (1).pdf)

- 6.q) Acceptance of the October 2022 road report.

(ATTACHMENT - 10.22.docx)

- 6.r) Approval of the Chair's signature on the purchase of a 2018 772G Motor Grader for the budgeted amount of \$225, 000 for use by the Road and Bridge Department. [approval was needed - no signature was required]

(ATTACHMENT - 2018 Motor Grader Purchase (1).pdf)

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

7) **ADMINISTRATIVE MATTERS**

- 7.a) 9:35 am PUBLIC HEARING: Consideration of Resolution 2022-65 appropriating additional sums of money to defray expenses in excess of amounts budgeted for San Miguel County, Colorado for the budget year 2022./MOTION

(ATTACHMENT - BOCC Meeting Packet - 12.21.22 v2.pdf)

Presented by: Ramona Rummel, Finance Director

9:35 a.m. The Public Hearing was Opened.

9:36 a.m. The Public Hearing was Closed.

MOTION by Lance Waring to approve Resolution 2022-65 as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT III - Resolution 2022-65)

- 7.b) Consideration of Resolution 2022-66 by the Board of County Commissioners transferring sums of money from the San Miguel County Treasurer's Trust and Agency funds to the San Miguel County General Fund./MOTION

(ATTACHMENT - Year End Transfer Resolution - FINAL.pdf)

Presented by: Ramona Rummel, Finance Director

MOTION by Lance Waring to approve the Resolution 2022-66 as presented. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

(ATTACHMENT IV - Resolution 2022-66)

- 7.c) Consideration of Resolution 2022-67 levying property taxes for the year 2022 for San Miguel County, Colorado, for the 2023 Budget year./MOTION

(ATTACHMENT - SMC Mill Levy Resolution - Final.pdf)

Presented by: Ramona Rummel, Finance Director

MOTION by Lance Waring to approve the resolution with the addition of the statement [referring to Senate Bill 21-293 lowered property tax rates for most classifications of property for 2022 and 2023]. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT V - Resolution 2022-67)

- 7.d) Consideration of Resolution 2022-68 levying property taxes for the year 2022 for the San Miguel County Solid Waste Disposal District, Colorado for the 2023 budget year./MOTION

(ATTACHMENT - SWDD Mill Levy Resolution - Final.pdf)

Presented by: Ramona Rummel, Finance Director

MOTION by Hilary Cooper to approve the Resolution 2022-68 as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT VI - Resolution 2022-68)

- 7.e) Consideration to certify levies and revenue for all taxing entities for the year 2023./MOTION

(ATTACHMENT - Mill Levy Certification spreadsheet - Final 12.20.22 (unsigned).pdf)

Presented by: Ramona Rummel, Finance Director

MOTION by Lance Waring to approve and certify the levies and revenue for all taxing entities for the year 2023. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

- 7.f) Approval of the Policy and Procedures for the Secure Transportation Services/Resolution 2022-59.

(ATTACHMENT - Resolution 2022-59 Adopting a Policy for Secure Transportation Services (1).docx)

(ATTACHMENT - SMC Secure Transportation Services Policy.pdf)

Presented by: Carmen Warfield, Chief Deputy Clerk

MOTION by Lance Waring to approve the Policy and Procedures for the Secure Transportation Services, Resolution 2022-59 as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT VII - Resolution 2022-59)

- 7.g) Update on HB 21-1110 (digital accessibility) and approval of Vice Chair's signature on Resolution 2022-64 memorializing digital accessibility for all./MOTION

(ATTACHMENT - 20221215 Accessibility Memo (1).docx)

(ATTACHMENT - 2022-64 Digital Accessibility.docx)

(ATTACHMENT - AE-STAR-sanmiguelcountyco.gov-2022-10-25.pdf)

Presented by: Heather Widlund, Director of GIS and Website mangement

MOTION by Lance Waring to approve the signature on Resolution 2022-64 memorializing digital accessibility for all. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT VIII - Resolution 2022-64)

8) **NATURAL RESOURCES AND SPECIAL PROJECTS**

- 8.a) Consideration of all three Commissioner's signature on a USGS Joint Funding Agreement 23REJFACO123 from March 1, 2023 to December 31, 2023.

(ATTACHMENT - 23REJFACO123 CY23 San Miguel County cover letter.pdf)

(ATTACHMENT - 23REJFACO123 CY23 San Miguel County JFA btf.pdf)

Presented by: Mike Bordogna, County Manager and Starr Jamison, NRSP Director

MOTION by Lance Waring to approve Commissioner's signature on a USGS Joint Funding Agreement 23REJFACO123 from March 1, 2023 to December 31, 2023. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

9) **ASSISTANT MANAGER & MANAGER MATTERS**

Consideration of a request by the Town of Mountain Village a letter of support for funding Phase 4 of the Village Court Apartments

Presented by: Mike Bordogna, County Manager; J.D. Wise, Town of Mountain Village; Lauren Kim, Town of Mountain Village

Note: The board approved the submission of a letter of support to be submitted prior to December 31st.

The letter will be scheduled to be ratified at the January 4, 2023, board meeting.

Update and Other, as needed - Mike Bordogna, County Manager

1. Bonuses went out to all eligible employees
2. The next regular commissioner meeting will be held on January 4, 2023 - Mike gave a brief overview of the agenda.
3. Amy Markwell will be moving and working remotely.

James Van Hooser- Assistant County Manager

1. Overview of James attendance at the CCI Winter Conference

13) ATTORNEY MATTERS

13.a) Litigation Update

(ATTACHMENT - Attorney Memo.Litigation Update.12.21.22.pdf)

Presented by: Amy Markwell, County Attorney

13.b) Update: Collective Bargaining Rulemaking

(ATTACHMENT - 12132022 County Attorneys Letter re CBCEA Rulemaking.pdf)

Presented by: Amy Markwell, County Attorney

12) COMMISSIONER UPDATES:

Lance Waring - CC4CA meeting; Gondola Subcommittee meeting; ECAP meeting; East End Master Plan Meetings

Kris Holstrom - Telluride Institute - Mushroom Festival; Update on future meetings

Hilary Cooper - Update on the Basin Clinic and communication with Montrose County; Working on the Residential Mitigation Fees with the State and other Counties; Participated on a Statewide Panel - Planning process - Conservation, outdoor recreation and Climate Resiliency; Participated in the CCI Conference; CCAT Meeting; Southwest opioid settlement meeting; Update on the Dolores Land bill; State Housing Authority Board; Housing Colorado

10:58 a.m. Recessed.

11:05 a.m. Reconvened.

10) PLANNING MATTERS

- 10.a) Annual Review of the Alpine Wellness Marijuana Retail Cultivation Facility Amendment to Special Use Permit located at 557 Woodstock Road, Norwood, Colorado that authorized the addition of an Outdoor Cultivation Area, 2 temporary greenhouses and a processing/storage building./MOTION

(ATTACHMENT - BOCC Packet Materials Alpine Wellness SUP Amendment Annual Review 12.21.22.pdf)

Presented by: John Huebner, Senior Planner

After a short discussion the proposed motion was rescinded. It was stated there were no concerns with the annual review and proceed as approved.

11) COUNTY HOUSING MATTERS

- 11.a) Consideration of adopting the proposed updates to the deed restriction and guidelines for Pinion Park Norwood./MOTION

(ATTACHMENT - PP_update_Memo Dec.21.2022.pdf)

(ATTACHMENT - PP_Guidelines_Redline for Update_Nov.2022.pdf)

(ATTACHMENT - PP_Guidelines_Amended_12.21.2022_CLEAN.pdf)

(ATTACHMENT - PP_DR_Redline for Update_Nov.2022.pdf)

(ATTACHMENT - PP_DR_Amended_12.21.2022_CLEAN.pdf)

Presented by: Lois Major, Special Counsel to the County Housing Authority; Courtney McEleney, SMRHA; David Bruce, Project Manager Pinion Park

MOTION by Lance Waring to approve the adoption of the proposed amendments to the Pinion Park Covenant and Guidelines as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

11.b) Consideration of adoption of the proposed updates to the deed restriction and guidelines for Rio Vista II/MOTION

(ATTACHMENT - RVII_Deed Restriction Update_Memo_V2_Dec.2022.pdf)

(ATTACHMENT - San Miguel County Area Median Income.pdf)

(ATTACHMENT - Resolution 2000-23.pdf)

(ATTACHMENT - Resolution 2002-3 Adoption of RVII_DR-Guidelines.pdf)

(ATTACHMENT - RVII_DR_Update_12.21.2022.pdf)

(ATTACHMENT - RVII_Guidelines_Update_12.21.2022.pdf)

(ATTACHMENT - Rio Vista Plat Map detail.pdf)

(ATTACHMENT - RVII-Unit designation.pdf)

Presented by: Lois Major, Special Counsel to the County Housing Authority; Courtney McEleney, SMRHA

MOTION by Lance Waring to approve the adoption of the proposed Rio Vista II Covenant and the Rio Vista II Guidelines as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

ATTORNEY MATTERS - continued.

Executive Session: Litigation Update, citation (4)(b).

MOTION by Lance Waring to go into executive session, to discuss an update in regards to litigation with the County Attorney, citation (4)(b). **SECONDED** by Kris Holstrom. **PASSED 3-0.**

12:56 p.m. Recessed.

1:24 p.m. Reconvened.

MOTION by Lance Waring to come out of executive session, only the one item was spoken of. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Staff direction was given.

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 Chair is attached. (ATTACHMENT VIII- Executive Session Minutes)

14) **ADJOURNMENT**

MOTION by Lance Waring to adjourn the meeting. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

1:26 p.m. Adjourned.

Respectfully submitted,

DocuSigned by:

Carmen Warfield

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Carmen Warfield, Chief Deputy Clerk



Approved February 1, 2023.

SAN MIGUEL COUNTY SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

DocuSigned by:

Hilary Cooper

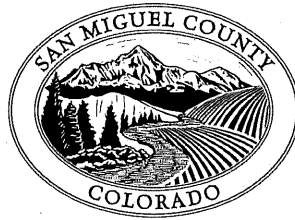
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Hilary Cooper, Vice Chair

ATTEST:

DocuSigned by:

Mike Bordogna

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Mike Bordogna, County Manager



FINANCE OFFICE

RAMONA RUMMEL, FINANCE DIRECTOR

December 12, 2022

To: Board of County Commissioners
Mike Bordogna, County Manager

Below please find a summary of payments issued during the month of November 2022. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on December 21, 2022.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

November 2022 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$542,303.16	\$301,552.81
102 - Road & Bridge Fund	\$82,621.00	\$95,048.69
103 - Social Services Fund	\$28,367.24	\$2,833.23
104 - Sales Tax Capital Fund		\$84,536.69
106 - Transit Fund		\$225,089.23
107 - Retirement Fund	\$35,747.31	
108- Parks and Open Space Fund	\$32,258.00	\$73,782.84
109 - Conservation Trust Fund		
110 - Lodging Tax Fund		\$500.00
111 - Vegetation Management Fund		\$19,415.14
112 - Early Childhood Education Fund		\$69,800.00
113 - Mental Health Fund		\$92,126.01
115 - Public Health & Environment Fund	\$23,605.96	\$22,290.85
116 - Energy Fund		
117 - COVID19 Fund	\$7,102.04	\$4,747.51
224 - Housing Authority		\$59,146.50
226 - Solid Waste Disposal District		\$4,291.24
301 - Grant Fund		\$67,640.25
TOTALS	\$752,004.71	\$1,122,800.99



Office of the Treasurer and Public Trustee

Brandi R. Hatfield, Treasurer and Public Trustee

PUBLIC TRUSTEE'S REPORT Third Quarter beginning July 1, 2022, and ending September 30, 2022

Financial Report

Revenue Source	3rd Quarter 2022		3rd Quarter 2021		\$ Change	
Release of Deeds of Trust	145	\$ 2,175.00	209*	\$ 3,105.00	-64	\$ (930.00)
Foreclosure Fees						
Total Earnings		\$ 2,175.00		\$ 3,105.00		\$ (930.00)

*Total number of releases includes two free County releases.

Statistical Report

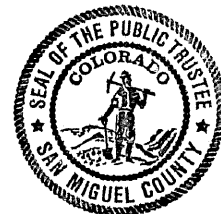
Number of Foreclosures	3rd Quarter 2022	3rd Quarter 2021	% Change
Opened:	0	0	No Change
Withdrawn:	1	0	-100%
Filed Bankruptcy	0	0	No Change
Cured:	0	0	No Change
Sold:	0	0	No Change
Redeemed:	0	0	No Change
Deeds Issued:	0	0	No Change

I, Brandi R. Hatfield, Public Trustee in and for the County of San Miguel in the State of Colorado, hereby certify that the preceding report is a true and correct report of the transactions of the office of Public Trustee in the County and State aforesaid for the 3rd Quarter of 2022.

WITNESS MY HAND AND SEAL THIS 12th DAY OF DECEMBER 2022.

Brandi R. Hatfield

Brandi R. Hatfield, Public Trustee in and for the
County of San Miguel, Colorado



**A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY
TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED
FOR SAN MIGUEL COUNTY, COLORADO FOR BUDGET YEAR 2022**

RESOLUTION 2022 – 65

WHEREAS, certain operating expenditures for 2022 for San Miguel County have exceeded those anticipated at the time of adoption of the 2022 budget, and

WHEREAS, there have been revenues received or otherwise made available in 2022 which were not anticipated or were not assured at the time of adoption of the 2022 budget, and

WHEREAS, a public hearing was held on December 21, 2022, before the San Miguel County Board of Commissioners, San Miguel County, Colorado to accept public comment, and

WHEREAS, the need exists to appropriate additional expenditures for use by various county funds and spending agencies, as follows:

General Fund	\$2,725,000
Social Services Fund	\$ 260,000
Sales Tax Capital Fund	\$ 100,000
Transit Fund	\$ 80,000
Early Childhood Care Fund	\$ 20,000
COVID19 Fund	\$1,755,000

AND, WHEREAS, Funds available to be appropriated for the above purposes include:

General Fund	
Grant Funding and Operating Reserves	\$2,725,000
Social Services Fund	
Federal Backfill Funding and Operating Reserves	\$ 260,000
Sales Tax Capital Fund	
Operating Reserves	\$ 100,000
Transit Fund	
SMART Reimbursements	\$ 80,000
Early Childhood Care Fund	
Operating Reserves	\$ 20,000
COVID19 Fund	
Contract and Grant Funding	\$ 1,755,000

AND, WHEREAS, appropriate public notice of this action has been made as required by section 29-1-106 and 109, C.R.S.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Miguel County, Colorado, for the purposes detailed above:

THAT, the 2022 appropriation for the San Miguel County General Fund is hereby increased from \$12,311,508 to \$15,036,508;

AND THAT, the 2022 appropriation for the San Miguel County Social Services Fund is hereby increased from \$1,736,004 to \$1,996,004;

AND THAT, the 2022 appropriation for the San Miguel County Sales Tax Capital Fund is hereby increased from \$1,272,755 to \$1,372,755;

AND THAT, the 2022 appropriation for the San Miguel County Transit Fund is hereby increased from \$480,000 to \$560,000;

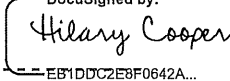
AND THAT, the 2022 appropriation for the San Miguel County Early Childhood Care Fund is hereby increased from \$714,083 to \$734,083;

AND, THAT, the 2022 appropriation for the San Miguel County COVID19 Fund is hereby increased from \$478,662 to \$2,233,662;

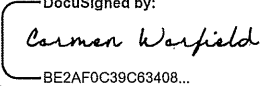
AND, THAT the supplemental appropriations detailed above increase the total appropriations for San Miguel County for 2022 from \$27,951,249 to \$32,891,249.

ADOPTED this 21st day of December, 2022.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

DocuSigned by:
Hilary Cooper
By :  EB1DDC2E8F0642A...
Hilary Cooper, Vice Chair

ATTEST:

DocuSigned by:
Carmen Warfield
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Carmen Warfield, Chief Deputy Clerk



Legal Notices

Norwood Sanitation District
RATE RAISE

The Norwood Sanitation District will be taking public comment on the consideration of a rate increase at their regular meeting on December 8th, 2022 at 6:30PM at 22 on the Monthly Minimum.

NORWOOD WATER COMMISSION
RATE RAISE

The Norwood Water Commission will be taking public comment on the consideration of a rate increase at their regular meeting on December 13th, 2022 at 7:00PM at 22 on the Monthly Minimum.

VESTED PROPERTY RIGHT

SUBMISSION EXEMPTION FOR LOT LINE ADJUSTMENTS
FOR LOT 17 AND LOT 18, SAN JUAN VISTA, PLING 1
SUBDIVISION EXEMPTION

This is to notice that a Subdivision Exemption for Lot Line Adjustments for Lots 17 and 18, San Juan Vista, Pling 1, Subdivision Exemption, San Miguel County, Colorado, received Final Plat Approval from the San Miguel County Board of Commissioners on November 16, 2022. A vested property right has been created with the recording of this final plat on November 28, 2022.

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
Kris Holstrom, Chair

THE MEETING OF THE TELLURIDE REGIONAL
AIRPORT AUTHORITY WILL BE HELD ON
THURSDAY

DECEMBER 15, 2022 AT 12:00 P.M.
LOCATION: OBSERVATION LOUNGE, 2ND FLOOR,
TELLURIDE REGIONAL AIRPORT.

SEE www.tellurideairport.com FOR AGENDA

SAN MIGUEL COUNTY

Notice of Proposed 2022 Supplemental Budget Requests

NOTICE is hereby given that the proposed 2022 supplemental budget requests for San Miguel County will be presented to the San Miguel County Board of Commissioners for their consideration at a public hearing to be held on Wednesday, December 21, 2022, 5:35 AM during the regularly scheduled BOCC meeting.

Copies of each proposed supplemental budget requests are available for public inspection in the following locations:

Office of the County Commissioners
833 W Colorado Avenue
Telluride CO 81435

Finance Office
1120 Summit Street
Norwood CO 81423

San Miguel County website
www.sanmiguelcountyco.gov

Any interested elector of San Miguel County may inspect the proposed 2022 supplemental budget requests and file or register any objection thereto at any time prior to the final adoption of the proposed requests on December 21, 2022.

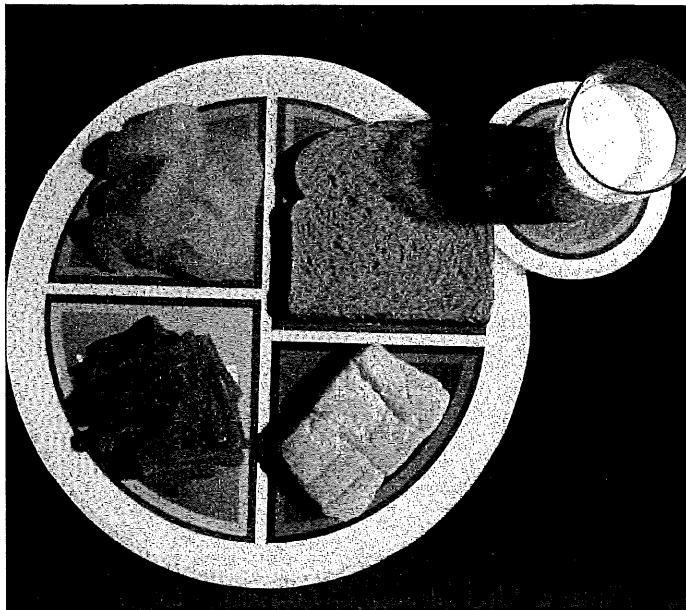
INVITATION TO BID

San Miguel County Board of Commissioners, care of Ryan Higgett, Director, San Miguel County Road & Bridge, 1120 Summit Street, Norwood, CO 81423 (mailing: PO Box 426, Norwood, CO 81423) is accepting bids based on presented quantities until 4:00 P.M., on Thursday, December 8, 2022 for the San Miguel County Road K68 (CDOT Project #22877) paving of approximately .5 mile. All bids that have been received in person, mail, or by email at rsanmiguel@sanmiguelcountyco.gov will be publicly opened and read aloud at 4:30 P.M., on December 8, 2022, in the Conference Room at 1120 Summit Street, Norwood, Colorado.

San Miguel County Road K68 is located at the East End of the Town of Telluride.

Contact: Ryan Higgett at (970) 327-4835 to schedule an on-site meeting and for any questions. If needed, Copies of the Contract Documents, complete with Construction Specifications and Drawings, may be obtained from the San Miguel County Road & Bridge Office at 1120 Summit Street, Norwood, CO 81423, or by phone (970) 327-4835, or by email rsanmiguel@sanmiguelcountyco.gov. No partial sets will be issued.

Bids will be received as set forth in the Bid Form - Section 3.



A sample plate of the food icon MyPlate, is unveiled at the U.S. Department of Agriculture in Washington on June 2, 2011. A new study finds that few Americans have heard of MyPlate, the government diet guide that replaced the longstanding food pyramid in 2011, and even fewer have tried to follow its advice. (AP Photo/Susan Walsh, File)

RECIPE

Few Americans know or heed US nutrition guide

By JONEL ALECCIA
AP Health Writer

Here's a quick quiz: What replaced the food pyramid, the government guide to healthy eating that stood for nearly 20 years?

If you're stumped, you're not alone.

More than a decade after Agriculture Department officials ditched the pyramid, few Americans have heard of MyPlate, a dinner plate-shaped logo that emphasizes fruits and vegetables.

Only about 25 percent of adults were aware of MyPlate — and less than 10 percent had attempted to use the guidance, according to a study released last Tuesday by the National Center for Health Statistics. Those figures for 2017-20 showed only slight improvement from a similar survey done a few years earlier.

That means that the Obama administration program that costs about \$3 million a year hasn't reached most Americans, even as diet-related diseases such as obesity, diabetes and heart disease have continued to rise.

"This is currently the primary education tool that communicates guidelines for Americans," said the study's lead author, Edwina Wambogo, a nutrition epidemiologist at the agency. "MyPlate should be doing a little bit better."

The results are hardly surprising, said Marion Nestle, a food policy expert.

"Why would anyone expect otherwise?" she said in an email. "MyPlate never came with an education campaign, is old hat by now, only dealt with healthy foods, said nothing about unhealthy foods and is so far from what Americans actually eat as to seem unattainable."

A top USDA official said the agency's proposed fiscal year 2023 budget seeks an increase from \$3 million to \$10 million a year to bolster the MyPlate campaign by extending its reach and making recipes and other materials more culturally relevant.

"We absolutely want to make sure that MyPlate and other critical tools are in the hands of more people," said Stacy Dean, deputy undersecretary for food, nutrition and consumer services.

The new study found that people who rated their diet as excellent, very good or good were far more likely to have heard of MyPlate than those who said their diet was fair or poor. Of those who'd heard of the plan, about one-third tried to follow it, the study found.

MyPlate was introduced in 2011 with high-profile support from former first lady Michelle Obama, who made healthy eating and exercise her focus.

It uses a dinner plate with four colored sections for fruit, vegetables, grain and protein, with a smaller circle for dairy products, such as low-fat milk or yogurt. It encouraged Americans to make half of their

meals fruits and vegetables in what was promoted as a fast, easily accessible format.

But the guide left out crucial details, said Dr. Vijaya Surampudi, a nutrition specialist at the University of California, Los Angeles.

"It doesn't differentiate between starchy vegetables and non-starchy vegetables," she said. "There's no fats on there." Nor does MyPlate acknowledge that vegetables, grains and dairy foods also contain protein, Nestle added.

MyPlate replaced the USDA's food pyramid, which was in use from 1992 to 2011. Although it was recognized by generations of schoolkids, nutritionists were critical of the pyramid for promoting too many carbohydrates through grains and cutting back on fats.

"It wasn't the best set of recommendations on so many levels," Surampudi said. "Our rates of diabetes didn't go down. Our rates of obesity didn't go down. It went up."

The new study called for research into why some groups are less likely to be aware of and follow government guidance — and how best to reach those with poor diets.

But it's tricky, Surampudi said. In general, people know now that they should eat more fruits and vegetables. Beyond that, the message gets muddled.

"The minute it gets a little confusing, people shut down," she said.

San Miguel County Social Services

Low Income? High Heating Costs? Now there is help!

LEAP

Low Income Energy Assistance Program Eligibility Requirements:

- Deadline for applications April 30th
- You pay home heating costs to an energy provider, fuel dealer or as part of your rent.
- You are a permanent legal resident of the U.S. and Colorado
- Your maximum family household income falls within the guidelines given below.

HOUSEHOLD SIZE	MAXIMUM MONTHLY INCOME
1	\$2,880
2	\$3,766
3	\$4,652
4	\$5,539
5	\$6,425
6	\$7,311
7	\$7,477
8	\$7,644
Each Additional Person	\$166

Household size includes people who live with you and for whom you are financially responsible.

For more information call
970-708-8859
or log on to Colorado.gov/cdhs/leap
for information and the application

HOROSCOPEBy **SALLY BROMPTON**
www.sallybrompton.com

BIRTHDAY FRIDAY:
With Venus linked to Jupiter on your birthday you will take your pleasures where you find them over the coming year. The only thing you need to watch out for is that your pleasure does not make life difficult for the people you love. Think before you act.

BIRTHDAY SATURDAY:
Your everyday needs will be taken care of one way or another over the coming year, giving you the time and the space to focus on creative activities and affairs of the heart. Don't fret too much about the state of the world - you'll never change it.

ARIES (March 21 - April 20):
If you want to strike out in a new direction don't think about it, just do it. If you insist on waiting until the moment is right that moment will either never come or you will dream up a thousand reasons for not moving forward, so get busy.

TAURUS (April 21 - May 21):
Don't believe everything you hear or see today because there will be a lot of confusion in the air, and maybe some deliberate deception as well. The best way to see clearly through the fog and the fear is to listen to what your inner voice tells you.

GEMINI (May 22 - June 21):
You may be immensely popular with friends and work colleagues right now but a Venus-Jupiter link warns that not everyone favors you, so you still need to be on your guard. Make sure everyone you deal with over the next 24 hours can be trusted.

CANCER (June 22 - July 23):
You need to recognize that until you get your personal life sorted out you won't be able to focus on your work. The message of the planets today is that you need to face up to emotional problems, then deal with them once and for all.

LEO (July 24 - Aug. 23):
You may think you can clear your workload in record time today and then be free to start the weekend early but don't be too sure. It may take more time than expected to get through the backlog of issues that other people have dumped on you.

VIRGO (Aug. 24 - Sept. 23):
You must not let your feelings get in the way of the facts today. On the home front especially you need to look at each and every situation according to what is likely to happen, not according to what you or loved ones would prefer to happen.

LIBRA (Sept. 24 - Oct. 23):
Short journeys will be enjoyable today and you could meet someone who sets your heart racing. However, there is a downside in that Venus, your ruler and planet of love, is at odds with Jupiter, planet of excess. First Impressions could be misleading.

SCORPIO (Oct. 24 - Nov. 22):
You may be doing well financially but don't forget to make time for your nearest and dearest. No amount of money can replace the unconditional love you get from those you are closest to emotionally. Let partners and family members know how much you care.

SAGITTARIUS (Nov. 23 - Dec. 21):
Go out and have a good time. Live up to your reputation as a party person. If you deny yourself a bit of fun now you may regret it later when you no longer have time to laugh and sling as there is too much work to be done.

CAPRICORN (Dec. 22 - Jan. 20):
You may be of the opinion that you have missed out in some way in recent weeks but you will more than make up for it between now and the end of the year. Clear the decks of work today, then treat yourself to a weekend to remember.

AQUARIUS (Jan. 21 - Feb. 19):
Be generous with others on every level today. It may be easier to condemn some people for the stupid things they have done but they are human like you and we all make mistakes. Forgiveness is essential - without it the world would be chaos.

PISCES (Feb. 20 - Mar. 20):
If someone in a position of authority insists you do something you know is wrong you must be strong and refuse point blank. Just because they outrank you does not mean you have to follow orders. Your conscience must be your only guide.

Legal Notices**SAN MIGUEL COUNTY****Notice of Proposed 2022 Supplemental Budget Requests**

NOTICE is hereby given that the proposed 2022 supplemental budget requests for San Miguel County will be presented to the San Miguel County Board of Commissioners for their consideration at a public hearing to be held on Wednesday, December 21, 2022, 5:35 AM during the regularly scheduled BOCC meeting.

Copies of each proposed supplemental budget requests are available for public inspection in the following locations:

Office of the County Commissioners
333 W Colorado Avenue
Telluride CO 81435

Finance Office
1120 Summit Street
Horsewood CO 81423

San Miguel County website
www.sanmiguelcountycolorado.gov

Any interested elector of San Miguel County may inspect the proposed 2022 supplemental budget requests and file or register any objection thereto at any time prior to the final adoption of the proposed requests on December 21, 2022.

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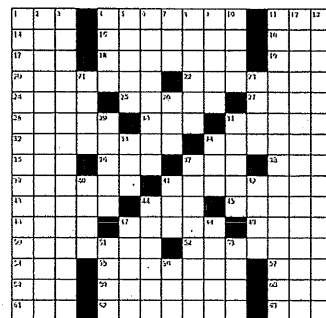
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NEW YORK TIMES CROSSWORD**ACROSS**

- 1 "We choose to go to the moon" speaker, for short
4 Collection awaiting analysis
11 Childhood vaccine combo
14 Will be present?
15 Amorphous, in a way
16 Singer Carly Jepsen
17 Six-time Dodgers All-Star Ron
18 Ceramic iron compound that's nonconductive
19 Usher's offering
20 Auntie Em and Uncle Henry, for two
22 Dry cleaner

- 24 "I already said I would!"
25 Battle of the
27 2009 Beyoncé hit containing the lyric "I got my angel now"
28 Be accepted by one's peers
30 Head of House Stark on "Game of Thrones"
31 Cliche, in modern lingo
32 Predatory relatives of coral
34 Truffle hunting option
35 Some smartphones
36 Bill
37 One isn't good for cellphone service
38 Geom. figure
39 Pomeranian, for one

- 41 Send out again
43 Refinement
44 Ford or Lincoln
45 Muscly
46 Old movie unit
47 "Shut up!"
49 _____ v. Alison (landmark 2021 Supreme Court antitrust decision)
50 Takes the throne, say
52 Actress Angela of "Malcolm X"
54 Play: _____
55 Style moderne
57 Cause of some head-scratching
58 Suffix in linguistics
59 Star that's actually three stars
60 Phillis original Eliza in "Hamilton"
61 French possessive
62 Professor _____
63 One backward musician?

**PUZZLE BY JIKET CONLESS**

- 8 Accepted without objection
10 Nolla
11 Freedom for a screenwriter, say
12 Felling a drug test or leaving the state, maybe
13 Erasable ink?
21 Go through lightly
23 Trumpeter Jones
26 Kisses, symbolically
29 Taboo
31 Biblical peak
33 Badger or hound, say
34 Wander
37 Thiamine deficiency disease
40 Hollow
41 Took off
42 "Queen of denial" and "Knight and day"
44 Make a certain chess move
47 Obsolescent PC insert
48 Implied
51 Resting spot for some buns
53 Slamin' Smurvy
56 Give: Sp.

ANSWER TO PREVIOUS PUZZLE

FUTZ BLURS PLAY
INRE EATIN LOVE
STAN ASADA TSIT
KIDGINTHEPANTS
LEONI GUS
ACEINTHESHOLE
AMANA NOEAR USC
SING TURN BLAH
ACT WAITE PESTO
PAINTINTHEASE
DEUN EISER
HOLDINGONTMPT
DEYS NOONE VISE
OREO ERICA ELON
ASSN SALES RENT

- DOWN**
1 Certain multitasker?
2 Amazeballs
3 Conference highlights
4 Tennis's Nadal, informally
5 Good faith agreements?
6 Went downhill
7 German article

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**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO
TRANSFERRING SUMS OF MONEY FROM THE SAN MIGUEL COUNTY TREASURER'S
TRUST & AGENCY FUNDS TO THE SAN MIGUEL COUNTY GENERAL FUND**

RESOLUTION 2022 - 66

WHEREAS, the San Miguel County Treasurer has received monies from various sources which are currently being held in trust pending instructions for distribution, AND;

WHEREAS, the need exists to transfer such monies to the proper county funds in accordance with budgetary requirements, AND;

WHEREAS, a public meeting was held on December 21, 2022 before the San Miguel County Board of Commissioners, San Miguel County, Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of San Miguel County, Colorado,

THAT, transfers be made as follows:

- \$ 5,689.56 in Penalty funds be transferred to the San Miguel County General Fund. These funds were collected to defray the costs of advertising and other costs associated with collecting past due property taxes.
- \$ 27,665 in Tax sale overbid funds be transferred to the San Miguel County General Fund. These funds were received in excess of the amount of property tax due at the time of the tax sale.

AND THAT, a copy of this executed resolution constitutes the authority of Brandi Hatfield, the duly elected Treasurer of San Miguel County, to make such transfers herewith.

APPROVED by the Board of Commissioners of San Miguel County, Colorado this 21st day of December, 2022.

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

DocuSigned by:
Hilary Cooper
EB4BD02E8F0642A...
Hilary Cooper, Vice Chair

ATTEST:

DocuSigned by:
Carmen Warfield
DE2AF0C39C63400...
Carmen Warfield, Chief Deputy Clerk



**A RESOLUTION LEVYING PROPERTY TAXES FOR THE YEAR 2022 FOR
SAN MIGUEL COUNTY, COLORADO, FOR THE 2023 BUDGET YEAR**

RESOLUTION 2022 - 67

WHEREAS, the Board of Commissioners of San Miguel County, has adopted the annual budget in accordance with local government budget law, on December 7, 2022; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$11,417,444, and;

WHEREAS, SB 21-293 lowered property tax assessment rates for most classifications of property for 2022 and 2023 which resulted in a revenue reduction of \$205,711; and

WHEREAS, the county electors passed a ballot measure in 2021 which allows the County to offset those revenue reductions by; and

WHEREAS, the County has utilized its ability to offset revenue reductions in the amount of \$205,711; and.

WHEREAS, the 2022 valuation for assessment for San Miguel County as certified by the County Assessor on November 21, 2022 is \$962,219,680.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of San Miguel County, Colorado:

THAT, for the purpose of meeting all general operating expenses of San Miguel County during the 2023 budget year, there is hereby levied a general operating tax of 11.834 mills and an additional tax of .033 mills for abatements; upon each dollar of the total valuation for assessment of all taxable property within San Miguel County for the year 2022, for distribution to County funds as follows:

	<u>Mill Levy</u>	<u>Property Tax</u>
General Fund	6.175 mills	\$ 5,941,707
General Fund – Abatement	0.033 mills	\$ 30,739
General Fund - Revenue Stabilization	0.214 mills	\$ 205,711
Road & Bridge Fund	1.900 mills	\$ 1,828,217
Social Services Fund	0.155 mills	\$ 149,144

Retirement Fund	0.390 mills	\$ 375,266
Parks/Open Space Fund	1.500 mills	\$ 1,443,330
Early Childhood Care Fund	0.750 mills	\$ 721,665
Mental Health Services Fund	0.750 mills	\$ 721,665

Total Levy: 11.867 mills \$11,417,444

AND THAT, the Finance Director is hereby authorized and directed to immediately certify to the County Commissioners of San Miguel County, Colorado, the mill levies for San Miguel County as hereinabove determined and set.

ADOPTED this 21st day of December, 2022.

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

DocuSigned by:

Hilary Cooper

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Hilary Cooper, Vice Chair

DS



ATTEST:

DocuSigned by:

Carmen Warfield

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Carmen Warfield, Chief Deputy Clerk

**A RESOLUTION LEVYING PROPERTY TAXES FOR THE YEAR 2022 FOR THE
SAN MIGUEL COUNTY SOLID WASTE DISPOSAL DISTRICT, COLORADO,
FOR THE 2023 BUDGET YEAR**

RESOLUTION 2022 - 68

WHEREAS, the Board of Commissioners of the San Miguel County Solid Waste Disposal District, has adopted the annual budget in accordance with local government budget law, on December 7, 2022; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$107,939, and

WHEREAS, the 2022 valuation for assessment for the San Miguel County Solid Waste Disposal District as certified by the County Assessor on November 21, 2022, is \$269,354,531.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the San Miguel County Solid Waste Disposal District, Colorado:

THAT, for the purpose of meeting all general operating expenses of the San Miguel County Solid Waste Disposal District during the 2023 budget year, there is hereby levied a general operating tax of 0.400 mills and an additional tax of .001 mills for abatements; upon each dollar of the total valuation for assessment of all taxable property within the San Miguel County Solid Waste Disposal District for the year 2022, generating approximately \$107,939 in revenue, and

THAT, the Finance Director is hereby authorized and directed to immediately certify to the County Commissioners of San Miguel County, Colorado, the mill levy for the San Miguel County Solid Waste Disposal District as hereinabove determined and set.

ADOPTED this 21st day of December, 2022.

SMC SOLID WASTE DISPOSAL DISTRICT

DocuSigned by:

Hilary Cooper

EB4DDC2E8F0842A...

Hilary Cooper, Vice Chair

ATTEST:

DocuSigned by:

Carmen Warfield

BE2AF0C38C63408

Carmen Warfield, Chief Deputy Clerk

DS



**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO ADOPTING THE SAN MIGUEL COUNTY POLICY AND
PROCEDURES REGARDING SECURE TRANSPORTATION SERVICES**

RESOLUTION 2022 - 059

WHEREAS, House Bill 21-1085 ("Bill"), adopted in June 2021, created a regulatory and service system to provide public or private secure transportation services to individuals experiencing a behavioral health crisis; and,

WHEREAS, the Bill directed each county's Board of County Commissioners to implement a program, including issuing licenses and vehicle permits for such transports, processing complaints and enforcement of the rules associated with the program; and,

WHEREAS, the Bill directed each county to have such a program in place by January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO that the Board hereby adopts a policy regarding Secure Transportation Services. The policy is attached hereto as Exhibit A.

RESOLVED, APPROVED AND ADOPTED at a meeting of the Board of County Commissioners, San Miguel County, Colorado, on December 21, 2022.

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

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

DocuSigned by:

Hilary Cooper

ED4DD62E0F8642A...

Hilary Cooper, Vice Chair

ATTEST:

DocuSigned by:

Carmen Warfield

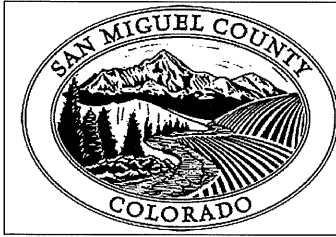
BF2AE0C39C63408

Carmen Warfield, Chief Deputy Clerk to the Board

DS



EXHIBIT A



SAN MIGUEL COUNTY POLICY AND PROCEDURES REGARDING SECURE TRANSPORTATION SERVICES

I. Purpose

It is the policy of the San Miguel County Board of County Commissioners that all providers of secure transportation services and the vehicles used for secure transportation services comply with local and state laws and regulations, specifically C.R.S. §§ 25-3.5-103, 25-3.5-309, 25-3.5-310, 25-3.5-311, and 25-3.5-313 as well as 6 CCR 1011-4.

II. Policy

The following procedures are intended to facilitate the licensing and permitting of secure transportation services and the vehicles used for such services. This Policy is subject to interpretation by the San Miguel County Attorney's Office.

III. Definitions

The definitions contained in C.R.S. § 25-3.5-103 *et.seq.*, as may be amended from time to time, shall apply to this Policy and procedures unless the context clearly requires a different meaning. One definition of particular relevance is "secure transportation" or "secure transportation services," which shall mean urgent transportation services provided to individuals experiencing a behavioral health crisis and includes:

1. An individual being transported from the community to a facility designated for treatment and evaluation;
2. An individual in need of services from any location to an approved treatment facility, or a walk-in crisis center that is operating as part of a behavioral health crisis response system; or
3. An individual who is receiving transportation across levels of care or to a higher level of care.

"Secure transportation" does not include urgent transportation services provided by law enforcement or personnel employed by or contracted with a law enforcement agency.

IV. Applicability

This Policy applies to all public or private businesses within San Miguel County who provide transportation services within the boundaries of San Miguel County, with the exception of ambulance agencies, transportation services provided by the state department of human services, emergency service patrols established pursuant to C.R.S. §27-81-115, and law enforcement.

V. Secure Transportation Services License

Applicable secure transportation service businesses are required to have a valid County-issued license for their business beginning January 1, 2023. Licenses are valid for three years and have the following two licensing options:

1. Class A – services that may use physical restraint during secure transport; or
2. Class B – services that shall not use physical restraint during secure transport.

Requirements for Licensing: Owners of new secure transportation service businesses must obtain a Secure Transportation license and vehicle permit(s) prior to beginning operations and upon change of ownership of a secure transportation service.

VI. Staffing Requirements

1. Manager/Administrator: Each applicable, secure transportation service operating within San Miguel County must have a manager and/or administrator who meets the following minimum requirements:
 - A. Be at least twenty-one (21) years of age, possess a high school diploma or GED;
 - B. Have at least one (1) year documented supervisory experience in the provision of secure transportation services - or be qualified by education, knowledge, and experience to oversee the secure transportation services provided;
 - C. Be able to communicate, understand, and respond effectively to the client, family representatives, and other providers and be able to use appropriate translator services as needed;
 - D. Be familiar with all applicable local, state and federal laws and regulations concerning the operation and provision of secure transportation services;
 - E. Be in good standing with any state regulatory agency if the manager or administrator is licensed or certified with the Colorado Department of Regulatory Agencies or the Colorado Department of Public Health and Environment; and
 - F. Have passed a background check that was performed by the secure transportation service or owner prior to the assumption of responsibilities. The manager or administrator shall not conduct their own background check or any required follow-up.
2. Any changes regarding the manager or administrator of record must be provided to the Licensing Coordinator within fourteen (14) business days of the change.

3. Staffing: Every secure transportation service's staffing requirements must include, at a minimum:
 - A. All drivers must possess a current and valid Colorado driver's license.
 - B. If a Type 1 (partitioned) vehicle is being used for the secure transport, then the following shall apply:
 - i. A 1:1 ratio of the client to staff member shall be maintained during the transport; this staff member may *also* be the driver. If one (1) client is being transported, then one (1) staff member with a current and valid certification for all training topics is required to staff a vehicle permitted for each secure transport. If more than one client is being transported, then one (1) staff member who possesses a current and valid certification for all training topics is required to accompany each individual client during transport.
 - C. If a Type 2 (non-partitioned) vehicle is being used for the secure transport, then the following shall apply:
 - i. A 1:1 ratio of the client to staff member shall be maintained during the transport, in addition to the driver who is *not* included in this staffing ratio requirement. If one (1) client is being transported, then two (2) staff members are required to staff the vehicle. At a minimum, the staff member who is not the driver will have a current and valid certification for all training topics.
 - D. Each secure transportation service must have a policy in place related to background checks for all staff members. Such background checks shall take place prior to an individual providing secure transportation services. The policy shall include, at a minimum:
 - i. Criminal History Record check
 - E. Each secure transportation service must have established the following minimum staff training requirements for all staff that must be completed prior to providing secure transportation services, and annually thereafter, or as recommended by the relevant training organizations:
 - i. Cultural competencies including, but not limited to, supporting persons with physical or cognitive disabilities, language accessibility, and accessing interpretive services;
 - ii. In-person or online verbal de-escalation training sessions that prioritize client and staff safety and inform restraint requirements set forth in Part 8.3, 6 CCR 1011-4;

- iii. Trauma-informed care principles;
 - iv. Evade and escape violent encounter strategies;
 - v. Internal policies and procedures applicable to the secure transportation service and staff, including, but not limited to, the staff disciplinary policy;
 - vi. Client rights; and
 - vii. Compliance with applicable privacy laws.
- F. Each secure transportation service must have established the following additional minimum staff training requirements for all staff with direct client contact:
- i. Adult and Youth Mental Health First Aid as offered by educational institutions or professional organizations such as mental health firstaid.org or the equivalent;
 - ii. Basic First Aid and CPR; and
 - iii. Care of clients with substance use disorders.
- G. Each Class A secure transportation service must have also established the following additional minimum staff training requirements for all staff who may utilize physical restraint during secure transportation of clients:
- i. Circumstances and protocols governing the permissible application of individual physical restraint during secure transport; and
 - ii. Safe application of individual physical restraint on clients during secure transport.
- H. Each staff member with direct client contact must possess a certification or proof of having completed the required coursework.

VII. Quality Management Program (QMP)

1. Each secure transportation service operating within San Miguel County must have an ongoing quality management program ("QMP") that is appropriate to the size and type of the service. The program shall incorporate a plan that evaluates the quality of client care and safety and has the following policies and procedures, including, at a minimum:
 - A. The incorporation of the substantiated findings of any complaint into its QMP for the purpose of evaluating and implementing systemic changes where needed.
 - B. The general description of the types of cases, problems, or risks to be reviewed and criteria for identifying potential risks.
 - C. Identification of the staff members responsible for coordinating quality management activities.

- D. A description of the method(s) for
 - i. Investigating and analyzing the frequency and causes of individual problems and patterns of problems;
 - ii. Taking corrective action to address the problems, including prevention and minimizing problems or risks;
 - iii. Evaluating corrective action(s) to determine the effectiveness of such action(s); and
 - iv. Coordinating all pertinent case, problem, or risk review information with other applicable quality assurance and/or risk management activities, such as review of client care, review of staff conduct, the client complaint system as described in Section XI of this Policy, and education and training programs.
 - E. Documentation of required quality management activities, including cases, problems, or risks identified for review, findings of investigations, and any actions taken to address problems or risks.
 - F. A schedule for program implementation not to exceed ninety (90) days after the date of the issuance of the secure transportation service license.
 - G. A schedule for program evaluation to periodically assess the effectiveness of services and review the clinical and operational protocols and compliance with such protocols.
 - H. The utilization or application of data collected pursuant to Section XIII.1 of this Policy to inform the quality management plan.
 - I. A written disciplinary policy that addresses a process for staff quality improvement.
- 2. The secure transportation service shall make available the quality management plan to San Miguel County during the initial license application and include it with renewal applications if the plan has been revised.
 - 3. San Miguel County, the Colorado Department of Public Health and Environment (the "Department"), or any other appropriate regulatory agency having jurisdiction for disciplinary or licensing sanctions shall have access to any records, reports, and other information of the quality management program.

VIII. Secure Transportation Vehicle Permit

Each vehicle used by a licensed secure transportation service is required to have a valid County-issued permit for the vehicle beginning January 1, 2023.

1. Permits are valid for one year and have the following two types of permitting options:
 - A. Type 1 – a vehicle with a safety partition that separates the driver from the passenger compartment; or
 - B. Type 2 – non-partitioned vehicle.
2. Requirements for Licensing:
 - A. All client and crew vehicle safety standards must be followed.
 - B. All vehicles must demonstrate proof of compliance with Federal Motor Vehicle Safety Standards on the date of manufacture.
 - C. All vehicles must undergo routine vehicle maintenance and periodic checks in accordance with manufacturer recommendations.
 - D. All vehicles must have the following safety features:
 - a. Four doors;
 - b. Ligature risk reduction measures;
 - c. Child safety and window safety locks;
 - d. Global Positioning System (GPS) tracking;
 - e. Occupant protection, including seat belts, supplemental inflatable restraints, and child safety seats (as applicable);
 - f. Cabin temperature control and ventilation system;
 - g. Be absent of any foreign items or instruments in the secured area that may be used to inflict harm; and
 - h. Mirror for monitoring the client or capability for visual observation of the client.
 - E. If a Type 1 vehicle with a safety partition that separates the driver from the passenger compartment is being used for the secure transportation service, then the vehicle must have the following additional safety features:
 - i. Permanent installation of all safety partitions; and
 - ii. For vehicles with a cargo area, a safety partition must also be installed that separates the passenger compartment from the cargo area.
 - F. All vehicles must be equipped with the following:

- i. First aid kit;
- ii. Fire extinguisher;
- iii. Wireless two-way communication (public safety radio, commercial land mobile radio, or wireless telephone);
- iv. Biohazard bag;
- v. Personal protective equipment for each occupant as per public health recommendations; and
- vi. Map of service area.

G. If a licensed secure transportation service utilizes physical restraint as part of its services, the vehicle shall additionally be equipped with the following:

- i. Automated external defibrillator (AED);
- ii. Non-metal, soft posey-type restraints; and
- iii. Device intended to prevent a client from spitting or biting that does not restrict the client's airway or breathing ability and does not pose a ligature risk.

IX. Application Process

1. All applications, whether for a secure transportation service license, a secure transportation vehicle permit, or both, can be downloaded from the County website at: www.sanmiguelcountyco.gov/securetransportation. Questions related to the applications can be directed to the Licensing Coordinator at 970-728-3844 or via email to bocc@sanmiguelcountyco.gov.
2. Applicant shall contact San Miguel County (970-728-3844 or bocc@sanmiguelcountyco.gov) to schedule a Secure Transportation Vehicle Inspection.
3. Once all documentation is completed and the vehicle inspections have been done, applicant shall contact the Licensing Coordinator at 970-728-3844 or via email to bocc@sanmiguelcountyco.gov to schedule the application review.
4. Upon completion of the application review, applications will be placed on the next available agenda for the Board of County Commissioners (the "Board") for final review and approval.
5. Upon Board review, the Licensing Coordinator, will notify the applicant of the Board's findings and when/if the approved license and permit(s) will be available for pick-up.
6. For secure transportation service licenses, applicants must provide:

- A. Completed license application.
 - B. Certificate of occupancy or other documentation that the applicant's premises were found to be in compliance with applicable local requirements.
 - C. Proof of a minimum level of worker's compensation consistent with the Colorado Worker's Compensation Act.
 - D. Copy of a written policy and procedure manual, operational protocols, medical protocols (if applicable), training procedures, or other relevant documents.
 - i. Policies and procedures must follow national best practice guidelines where available that address, at a minimum:
 - a. Appropriate procedures to assess initially whether the client requires a higher level of transport than the service can provide;
 - b. Appropriate procedures to follow when, during a secure transport, it becomes apparent that a client needs medical attention or a higher level of transport than the service can provide;
 - c. Appropriate procedures to confirm the receiving facility's acceptance of the client prior to initiation of the secure transport;
 - d. Criteria used for pickup and drop-off, including the circumstances that determine a secure transport client's eligibility;
 - e. The level of support and protection needed for both client and staff safety;
 - f. Compliance with vehicle safety standards and procedures;
 - g. Proper evacuation of the vehicle during emergencies if the windows and/or exits of the vehicle are blocked or inaccessible;
 - h. Infection protection and control, including the decontamination of the vehicle after each transport;
 - i. Parental and/or guardian level of support and involvement;
 - j. Meeting client needs on extended transports, including meals, water and bathroom breaks; and
 - k. Documentation of all steps in the process from initial pickup request to drop-off, including but not limited to documenting all stops made during the secure transportation service.
 - E. Payment of Secure Transportation Service license fee
7. For secure transportation vehicle permits, applicants must provide:
- A. Completed permit application (one for each vehicle).

- B. Certificate of Mechanical Inspection to be completed by a qualified motor vehicle mechanic (one for each vehicle).
- C. Proof of motor vehicle insurance coverage with San Miguel County identified as certificate holder.
- D. Proof of general liability and applicable professional liability insurance coverage, including, at a minimum:
 - i. Liability insurance for injuries in the amount of \$1,000,000 for each individual claim;
 - ii. Liability insurance in the amount of \$3,000,000 for all claims made against the secure transportation service or against its personnel from an insurance company authorized to write liability insurance in Colorado;
 - iii. Liability insurance coverage to the maximum extent required by Section 24-10-114, C.R.S., as applicable, if the secure transportation service is granted qualified immunity under the Colorado Governmental Immunity Act, Section 24-10-101, *et seq.*, C.R.S.; and
 - iv. Proof of any additional insurance as identified in county resolution or regulations.
- E. Payment of Secure Transportation Service Vehicle permit fee

X. Renewal of License and Permits

Secure transportation service licenses are valid for three years. Secure transportation service vehicle permits are valid for one year. Renewal applications are processed in the same manner as new applications.

Applicants should schedule their application review meeting with the Licensing Coordinator no less than thirty (30) days prior to the date of license and/or permit expiration.

XI. Complaint and Investigation Process

1. Origination of Complaints: Alleged violation of this Policy by a licensed secure transportation service or of a secure transportation service operating in the County without a license, may be made in writing by any party and addressed to the Board, or by the Board on its own initiative. Any individual bringing a matter of medical competency to the Board shall waive the right of patient confidentiality as a condition of complaint submission and subsequent investigation. If any legal action is filed against a licensed secure transportation service in a court of the United States, the State of Colorado or any of its political subdivisions, the licensee shall notify the Board within ten (10) business days. A violation

of this Policy shall not be presumed based on the allegation. In the event that a judgment is entered against the licensee, the licensee shall file a copy of the findings of fact, conclusions of law and order of the court with the Board within ten (10) business days. If an action against a secure transportation service license is undertaken by another jurisdiction, the licensee shall notify the Board within ten (10) business days. A violation of these rules shall not be presumed based on the action. If the action results in a suspension or revocation of the secure transportation service license by another jurisdiction, the licensee shall file a copy of the record of the adverse action with the Board within ten (10) business days.

2. Validation of Complaints: The Board, or its designee, shall complete an initial review of the complaint, judgment or adverse action within five (5) business days to determine if it constitutes a violation of this Policy and has sufficient foundation to warrant a complete investigation. Any apparent violation of this Policy having sufficient factual basis shall be fully investigated by the Board. Allegations of violations outside the purview of the Board shall be returned to the complainant for referral to the appropriate authority or jurisdiction. The Board shall notify the complainant in writing if the allegation lacks sufficient basis to warrant investigation. The Board shall notify the licensee in writing if a judgment or adverse action filed with the Board does not constitute a violation of this Policy.
3. Investigation of Complaints: The Board shall notify the complainant in writing that the allegation is sufficient to warrant a full investigation. Upon initiation of a full investigation, the Board shall notify the secure transportation service of the alleged violation in writing. The Board shall commence action against the secure transportation service or unlicensed secure transportation service if the allegation is determined to be a violation of this Policy or, at its discretion, may provide a reasonable period for the licensee to cure any violation or to implement corrective measures to bring the licensee's business activities into conformance with this Policy before commencing action to suspend or revoke a license or permit. The Board may forego further hearing or action against the license or permit upon confirmation that the licensee has cured the violation and satisfied any conditions reasonably imposed by the Board. The Board shall notify the complainant in writing if an investigation determines that the allegation fails to constitute a violation of this Policy or that the licensee has cured the violation.

XII. Procedures for Revocation or Suspension

1. The Board may, on its own initiative or upon written complaint made by any party, temporarily suspend, suspend for a definite period, or revoke any license or permit issued pursuant to this Policy upon a determination that a violation of this Policy by a licensed secure transportation service has occurred.

2. Temporary Suspension: Without prior notice to the licensee and upon determination that a violation that poses immediate threat to the public health, safety and welfare has occurred, the Board may temporarily suspend any license or permit. Such temporary suspension shall be effective upon delivery of written notice to the licensed secure transportation service by the Board. No temporary suspension shall be valid for more than thirty (30) days or until a final decision by the Board concerning suspension or revocation, whichever period is longer. Any written notice of temporary suspension shall also provide notice of the time, date and place of a hearing before the Board to consider the suspension or revocation of the license. Except upon written consent of the licensee, the hearing shall be held not more than ten (10) business days following the effective date of the temporary suspension.
3. Suspension for Definite Period or Revocation of License: Following notice to the licensee and a public hearing at which the licensee shall be afforded an opportunity to be heard, the Board may suspend or revoke any license or permit. Any suspension or revocation shall require a finding by the Board of a violation of this Policy based upon the evidence presented at the hearing. Suspension shall be for a specific and definite period of time not to exceed any remaining current license period. The County shall bear the burden of proof of a violation justifying any suspension or revocation of a license or permit. Issuance of a temporary suspension shall not be a prerequisite to the conduct of a hearing to consider the suspension or revocation of a license or permit.
4. Hearings: All suspension or revocation hearings shall be open to the public and shall be conducted in accordance with the Colorado Open Meetings Act. The Board shall be authorized to administer oaths and issue subpoenas to require the attendance of witnesses and the production of papers, books, and records necessary to the determination of any issue at any hearing.
5. Surrender of License or Permit: Following receipt of a written notice of suspension or revocation, the licensee shall surrender and deliver its license and all secure transportation vehicle permits to the Board within forty-eight (48) hours.
6. Notices: Any notice issued pursuant to this Policy shall be made in writing and provided to the licensee at the address listed in the application for license. The Board shall use its best efforts to immediately notify in writing any communications center and notify within three (3) business days any first response agencies, local law enforcement agencies and medical facilities of any suspension or revocation. The Board may send notice to other counties, the Colorado Department of Public Health and Environment, Colorado Department of Regulatory Agencies, Colorado Department of Health Care Policy and Financing or other interested parties; provided, however, that such notice shall not entitle these parties to a right to participate in any hearing concerning suspension or revocation of a license.

XIII. Data Collection and Reporting Requirements

Any secure transport resulting in the serious injury, illness or death of a client or staff member during transport or resulting in injury to the client as a result of the use of physical restraint during transport shall be reported to the receiving facility immediately and to the County within twenty-four (24) hours of the incident. The County should be notified by calling or emailing the Licensing Coordinator. Each report shall identify and describe the circumstances leading to the serious injury, illness or death of a client or staff member during transport.

In accordance with Part 6, 6 CCR 1011-4, all secure transportation services in Colorado shall provide the Department the required data and information in a form and manner determined by the Department as follows:

1. Beginning in 2024, all secure transportation services shall submit the following data no later than March 1 for the previous calendar year:
 - A. The total number of transports (individual trips and trips with multiple clients as allowed in Part 8.4, 6 CCR 1011-4) that the service's vehicles made for the previous calendar year.
 - B. The total number of adults (18+) served by the secure transportation service for the previous calendar year.
 - C. The total number of minors (17 and under) served by the secure transportation service for the previous calendar year.
 - D. The type of location where individuals were picked up and dropped off for the previous calendar year.
 - E. The total number of individuals who were transported by the secure transportation service more than one time for the previous calendar year.
 - F. The total number of transports (individual trips and trips with multiple clients as allowed in Part 8.4, 6 CCR 1011-4) that the secure transportation service declined due to lack of secure transportation service resources for the previous calendar year.
 - G. Demographic information for the previous calendar year, including, but not limited to:
 - i. The total number of clients served by residential zip code;
 - ii. The total number of clients served by pickup location zip code; and
 - iii. The total number of clients served by gender, race and ethnicity.

- H. The total number of clients the service transported who were not on involuntary holds (M1, M5 and M8) for the previous calendar year.
- 2. The secure transportation service shall complete and submit to the Department a secure transportation service profile in the manner and method determined by the Department. The profile shall include, but not be limited to contact information for the licensee and its owner, manager, and/or administrator, demographics of the service area, number and types of responding staff, number of calls, counties served, organizational type, and number and type of responding vehicles.
 - A. Secure transportation services shall update the profile data whenever changes occur and at least annually.
 - B. As part of the profile, a licensed ground ambulance agency shall notify the Department if it is providing secure transportation services under its ground ambulance license.
- 3. The Department may establish procedures to monitor and enforce compliance regarding submission of secure transportation service profile information as described in Section XII.B. above and annual submission of utilization data as described in Section XII.1 above.
- 4. If a secure transportation service fails to comply with the Department's rules, the Department may report this lack of compliance to San Miguel County.
- 5. The Department may establish procedures to allow outside agencies, institutions, or individuals to obtain information from the secure transportation data system.
- 6. A secure transportation service may request the annual data that it has submitted to the Department.

XIV. Clinical, Medical and Operating Standards and Procedures

- 1. Parameters for Secure Transportation: Secure transport clients shall only be transported under the following circumstances:
 - A. The client is experiencing a behavioral health crisis.
 - B. The client is in need of urgent transportation to a facility that is defined in part 2.22(C), 6 CCR 1011-4.

- C. The client does not and will not need either:
 - i. Medical treatment during transport, or
 - ii. Active or ongoing medical monitoring.
- D. The client does not and will not need to be chemically restrained during secure transport as a behavioral intervention.

2. Restraint:

- A. No chemical restraint shall be administered during a secure transport. If chemical restraint is needed to ensure client safety, then the client shall receive an ambulance transport.
- B. Physical restraint, as defined in Part 2.21, 6 CCR 1011-4, shall only be utilized for health and safety purposes under the following conditions:
 - i. In cases of emergency, when the client is at risk of causing serious, probable and imminent threat of bodily harm to themselves or to others and when there is the present ability to affect such bodily harm; and
 - ii. After the failure of less restrict alternatives, including verbal de-escalation; or
 - iii. After a determination that such alternatives would be inappropriate or ineffective under the circumstances.
- C. If physical restraint is utilized during a transport, the service shall document the time at which the physical restraint was applied and removed (if applicable) and the type of physical restraint used.

3. Transportation Procedures:

- A. The secure transportation service shall transport one (1) client per vehicle transport, except under the following circumstances:
 - i. Each client has received behavioral health clearance from the treating provider at the sending facility, no physical restraint is needed, and there is a low probability of behavioral destabilization;
 - ii. Each client has received medical clearance from the treating provider at the sending facility, is medically stabilized, and has a low probability of medical destabilization;
 - iii. Each client has received an assessment from the treating provider at the sending facility that the client is an appropriate candidate for a transport with one or more individuals;

- iv. The transport is an inter-facility transport as defined at Part 2.22(C), 6 CCR 1011-4; and
 - v. Each client has given their consent to be transported with another individual.
- B. The secure transportation service shall create and maintain accurate and detailed logs of client transports, including professional incident reports.
- C. To ensure the needs of clients are met, secure transportation services that do not provide 24/7 services shall provide the client with their after-hours contact information and with contact information for the secure transportation service's back-up providers.

XV. Client Rights

1. Every secure transportation service must have written client rights that assure a client has the right to be treated with consideration, respect, and full recognition of human dignity and individuality, and that includes, at a minimum:
 - A. The right of the client and their property to be treated with respect.
 - B. The right of the client to have access to basic comfort items and their personal mobile phone, provided the direct client support staff member establishes and documents that those items do not pose a danger to the client or staff member.
 - C. The right of the client to wear their own clothes, provided the direct client support staff member establishes and documents that those items do not pose a danger to the client or staff member.
 - D. The right of the client to receive secure transportation services by the least restrictive means necessary to assure the safety of the client.
 - E. The right of the client to be free from discrimination in the provision of services.
 - F. The right of the client to be free from neglect; financial exploitation; and verbal, physical, and psychological abuse, including humiliation, intimidation, or punishment.
 - G. For clients who request voluntary transport, the right of the client to discontinue secure transportation services.
 - H. The right of the client to receive disclosure about any video and/or audio recording that occurs during the delivery of service in accordance with applicable privacy laws.

- I. The right of the client to have personally identifying health information protected from unnecessary disclosure.
 - J. The right of the client or their representative to file a complaint against the secure transportation service with the secure transportation service and County concerning services or care that is or is not furnished and receive documentation of the existence of the investigation and resolution of the complaint, including providing the complainant with the results of the investigation, and the secure transportation service's plan to resolve any identified issues.
 - K. The right of the client to file a complaint with the secure transportation service and County without fear of discrimination or retaliation by the secure transportation service's owner, manager, administrator or any staff member.
2. Every secure transportation service must have client's rights policies and procedures, that include, at a minimum:
- A. Procedures for identifying, reporting, reviewing, and investigating all allegations of abuse, mistreatment, neglect and exploitation.
 - B. Procedures for timely communicating all investigation results to the client and County in which the secure transportation service is licensed.
 - C. Procedures for timely and appropriate disciplinary action up to and including termination of staff and appropriate legal recourse against any staff member who has engaged in abuse, mistreatment, neglect or exploitation of a client.
 - D. Procedures that direct client support staff members must follow, to document their decision to withhold any basic comfort items and/or the client's personal mobile phone or prohibit a client from wearing their own clothes.
- XVI. Assignment**, sale or transfer of a secure transportation service license or vehicle permit is strictly prohibited.

XVII. Fees

San Miguel County charges a non-refundable flat fee for the review and processing of secure transportation services licenses and vehicle permits, as set forth in the San Miguel County Fee Schedule, as amended from time to time.

Payment of the total fee is required at the time of submitting the application(s).

3-Year Secure Transportation Service License	\$100.00
1-Year Vehicle Permit	\$ 50.00

Fee are non-refundable, not transferrable, and will not be pro-rated.

Payment of the total fee is required at the time of submission of the application.

XIV: REVIEW OF REGULATIONS

These regulations shall be reviewed periodically as necessary to maintain compliance with State law and regulations governing the licensing and permitting of ground Secure Transportation Service and vehicles. The Board retains full right to revise, add to, amend, and/or delete from the Regulations from time to time as the Board in its sole discretion sees fit.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO,
MEMORIALIZING DIGITAL ACCESSIBILITY FOR ALL**

RESOLUTION 2022 - 64

WHEREAS, Colorado House Bill 21-1110, passed on June 30, 2021, makes it a state civil rights violation for a government agency to exclude people with disabilities from receiving services or benefits because of a lack of accessibility; and

WHEREAS, providing a "Perceivable, operable, and understandable digital content that enables an individual with a disability to access the same information, engage in the same interactions and enjoy the same services for individuals without a disability." HB 21-1110, 24-85-102 (1.5); and

WHEREAS, the Board of County Commissioners supports the tasks that need to be in place:

- Identify roles and responsibilities for accessibility leadership.
- Develop a strategic plan for addressing all software and digital content accessibility.
- Review, monitor, and remediate website content for compliance, including pages, documents, and images.
- Provide ongoing staff training for maintaining compliance.
- Revise the accessibility section of the Administrative Policy Manual to include digital accessibility.
- Revise procurement policies to require adherence to accessibility standards for software; and

WHEREAS, the County will make digital accessibility a County priority; and

WHEREAS, the County will support the personnel needs for accessibility leadership and tasks, including the support of ongoing staff training and software needed to reach and maintain compliance; and

WHEREAS, there will be a policy established providing three years of content on the County website; and

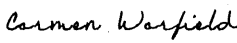
THEREFORE, San Miguel County believes all individuals with disabilities should be able to access our services; and Digital accessibility is the right thing to do, not only because of recent legislation; but because we want to serve all community members of San Miguel County.

DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado, at a duly noticed public meeting held in Telluride, Colorado, on December 21, 2022.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

DocuSigned by:

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Hilary Cooper, Vice Chair

ATTEST:
DocuSigned by:

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Carmen L. Warfield, Chief Deputy Clerk to the Board

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

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS MEETING

12/21/2022

Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the 12/21/2022

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:


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Amy Markwell, County Attorney

I, Hilary Cooper, Chair of the San Miguel County Board of
Commissioners attest that the 12/21/2022

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:


ED1DD02E0F0642A...
Chair