

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
Wednesday, January 4, 2023
Zoom.us

1) Roll Call

Hilary Cooper, Chair
Lance Waring, Vice Chair
Kris Holstrom, 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) 9:30 a.m. CALL TO ORDER.

Kris Holstrom - opened the meeting.

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

5.a) Public Comment Letter

(ATTACHMENT - Public Comment 1.4.23.pdf)

5.b) Public Comment #2

(ATTACHMENT - Public Comment #2.pdf)

Presented by: Mike Bordogna, County Manager

6) CONSENT AGENDA

6.a) Approval of the 2023 Ambulance Licenses for the Telluride Fire Protection District.

(ATTACHMENT - Telluride Ambulance Licenses 2023.pdf)

(ATTACHMENT - 2023 Telluride Ambulance Inspection.docx)

6.b) Acceptance of the November 2022 Road Report.

(ATTACHMENT - 11.22 Road Report.docx)

6.c) Ratification of Commissioner's signatures on the Mountain Village Housing Authority Village Court Apartments Phase IV – DOLA Transformational Affordable Housing, Homeownership, and Workforce Housing Grant Application.

(ATTACHMENT - LOS requested by MTV.pdf)

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

(ATTACHMENT - LOS - Bruin Waste Mang.docx)

- 6.e) Authorization of the Chair's signature on a Signature Authorization form for the Emergency Management Performance Grant.

(ATTACHMENT - 2023.7 DHSEM-EMPG-Signature Auth-Form_SMC.pdf)

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

7) **ADMINISTRATIVE MATTERS**

- 7.a) Consideration of appointment of the Chair and Vice-Chair to the Board of County Commissioners./MOTION

Presented by: Mike Bordogna, County Manager

MOTION by Kris Holstrom to approve the appointment of Chair to Hilary Cooper and the Vice-Chair will be held by Lance Waring. After this motion the Chair will be Hilary Cooper for the year 2023. **SECONDED** by Lance Waring. **PASSED 3-0.**

- 7.b) Consideration to reappoint Jenny Russell to The Southwestern Water Conservation District./MOTION

(ATTACHMENT - Southwestern Water Conservation Dist..pdf)

(ATTACHMENT - 20221209 District Reappointment Ltr.pdf)

Presented by: Jenny Russell, Applicant; Mike Bordogna, County Manager

MOTION by Lance Waring to approve the appointment of Jenny Russell to The Southwestern Water Conservation District. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

- 7.c) Discussion of Commissioners representation on San Miguel County 2023 Board and Committees.

(ATTACHMENT - Boards & Commissions 1.4.2023.xlsx)

Presented by: Mike Bordogna, County Manager

Note: This item will be updated and presented at the next meeting for approval.

- 7.d) Discussion with Road and Bridge concerning the paving costs of road K69./MOTION

Presented by: Ryan Righetti, Road and Bridge Superintendent

This item will be continued to a future meeting. There was a request for additional information.

8) **PUBLIC HEALTH AND ENVIRONMENT**

Update and other, as needed.

Presented by: Grace Franklin, Public Health Director

Public Who Addressed the Board:
Dr. Jeffrey Kocher, Resident

- 8.a) Consideration of Chair's signature on a Professional Services Agreement and other documents related to University Physician's Inc dba University of Colorado Medicine providing contraceptive care to anyone 24 years of age and younger on behalf of the county health department./MOTION

(ATTACHMENT - !Exhibit A_Supplies list_12.22.22.docx)

(ATTACHMENT - !San Miguel_Ado Health_Addend 1_Tele_12.22.22.docx)

(ATTACHMENT - !San Miguel_Ado Health_Addend 2_Space and Staff_12.22.22.doc)

(ATTACHMENT - !San Miguel_Ado Health_Professional Services Agreement_12.22.22.docx)

(ATTACHMENT - !San Miguel_Ado Health_Rental Agreement_12.22.22.docx)

Presented by: Grace Franklin, Public Health Director

MOTION by Lance Waring to approve the Professional Services Agreement as presented.
SECONDED by Kris Holstrom. **PASSED 3-0.**

10:41 a.m. Recessed.

10:46 a.m. Reconvened.

9) **PLANNING MATTERS**

- 9.a) Consideration of rescinding Resolution 2020-35 and adopting a new schedule of Land Use Application Review Fees./MOTION

(ATTACHMENT - BOCC Project Report SMC Land Use Fees Update 01.04.23.docx)

(ATTACHMENT - BOCC Resolution 2023-002 .docx)

(ATTACHMENT - Fee Update.pdf)

Presented by: John Huebner, Planning Director

MOTION by Lance Waring to approve the revised San Miguel County land use schedule and to authorize the Chair's signature on corresponding Board of County Commissioner Resolution 2023-02, based on the finding that the fee schedule proposed will assist the county government in capturing more of its actual costs incurred by Planning staff time and resources expended.
SECONDED by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT I - Resolution 2023-2)

10) **SOCIAL SERVICES MATTERS**

- 10.a) 1. Approval of Chair's signature on Social Services Department Balance Sheet, September 2022
Earned Revenue and Expenditures, September 2022
Expenditures through Electronic Benefit Transfers, October 2022
Check Register for the Month of October 2022
County Allocation / MOE Report, SEP-23

Balance Sheet, October 2022
Earned Revenue and Expenditures, October 2022
Expenditures through Electronic Benefit Transfers, November 2022
Check Register for the Month of November 2022
County Allocation / MOE Report, OCT-23

2022 Caseload Graph & Chart./MOTION

2. Consideration of approval and authorization of Chair's signature on a Memorandum of Understanding with The Colorado Department of Early Childhood for Child Care Assistance Program./MOTION

3. Consideration of approval and authorization of Chair's signature on a Memorandum of Understanding with Prowers County for the Hotline County Connection Center./MOTION

(ATTACHMENT - SMC Dec BOCC Packet.pdf)

Presented by: Carol Friedrich, Director of Social Services

MOTION by Lance Waring to approve the two months of financial reports for September and October, the 2022 Balance Sheets, and the Caseload report. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

MOTION by Lance Waring to approve the Memorandum of Understanding with the Colorado Department of Early Childhood for Child Care Assistance Program. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

MOTION by Lance Waring to approve the Memorandum of Understanding with Prowers County for the Hotline County Connection Center. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

11) **NATURAL RESOURCES AND SPECIAL PROJECTS - Starr Jamison, Director**

11.a) Update with San Miguel Power Association.

Presented by: Terry Schuyler, SMPA; Sean Hart, EcoAction Partners

Update on current projects.

Presented by: Starr Jamison, NRSP

12) **MANAGER & ASSISTANT MANAGER MATTERS**

Mike Bordogna, County Manager

1. Reminder Tree Recycling runs through January 31, 2023
2. Attendance of Off-the-Record with KOTO and the other Town Managers
3. Update on applications received for the 4-H position. The Board Members agreed the 4-H position could be moved to a County position with the pay and benefits be provided by the County.
4. Update on upcoming meetings

James Van Hooser, Assistant County Manager

1. Communication Specialist - The job has been created and it will be advertised.

13) **COMMISSIONER UPDATES:**

Lance Waring - The SMRHA Meeting has been postponed till February; Meeting with the Lawson Hill Property Owners - Letter of Support on an existing parkway to the underpass will be placed in the editing process - More of a general letter of support will be created.

Kris Holstrom - Dark Sky Initiative discussion; Attended two meetings on Ponds available for Fire Suppression

Hilary Cooper - No updates

14) **ATTORNEY MATTERS**

14.a) Executive Session: Conferences with an attorney regarding the Diamond Ridge property, citation (4)(b).

Presented by: Amy Markwell, County Attorney; Bill Tuthill, Attorney representing the County

12:03 p.m. Recessed.

1:33 p.m. Reconvened.

MOTION by Lance Waring to go into executive session, to have a conference with an attorney regarding the Diamond Ridge property, citation (4)(b). **SECONDED** by Kris Holstrom. **PASSED**

3-0.

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

Note: The County Attorney requested that the above item not have written minutes as it constitutes a privilege attorney-client communication and a statement signed by the Attorney and Chair is attached. (ATTACHMENT II - Attest Executive Session)

15) **ADJOURNMENT**

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

1:35 p.m. Adjourned.

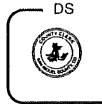
Respectfully submitted,

DocuSigned by:

Carmen Warfield

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Carmen Warfield, Chief Deputy Clerk



Approved February 15, 2023.

SAN MIGUEL COUNTY SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

DocuSigned by:

Hilary Cooper

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Hilary Cooper, Chair

ATTEST:

DocuSigned by:

Mike Bordogna

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Mike Bordogna, County Manager

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
RESCINDING RESOLUTION 2020-35 AND
ADOPTING A NEW SCHEDULE OF LAND USE APPLICATION REVIEW FEES**

Resolution 2023-02

WHEREAS, Section 3-1410 of the San Miguel County Land Use Code authorizes the Board of County Commissioners to set land use application review fees, as follows:

Fees for the processing of land use applications for proposed development shall be set by resolution of the Board of County Commissioners commensurate with the level of service. Such fees may include all costs occasioned to the County, including publication of notices, public hearing and review costs, and engineering, and legal and other professional review costs; and

WHEREAS, the draft Fee Schedule was referred to the County Manager and County Finance Director for review; and

WHEREAS, the existing schedule of land use application review fees, Board of County Commissioners Resolution 2020-35, was approved December 9, 2020; and

WHEREAS, Resolution 2020-35 specified that the fee schedule shall be adjusted biannually, based on the Denver-Boulder Consumer Price Index and rounded to the nearest five-dollar increment, to be effective January 1 of each odd-numbered year; and

WHEREAS, certain fees were omitted from Resolution 2020-35; and

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado considered this matter, along with relevant evidence and testimony at its regular meeting on January 4, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, hereby repeals Board of Commissioners Resolution 2020-35, and approves and adopts the schedule of fees for reviewing land use applications in accordance with Section 3-1410 of the San Miguel County Land Use Code, to be administered by the San Miguel County Planning Department, as follows:

SCHEDULE OF LAND USE APPLICATION REVIEW FEES

All fees listed must be paid to San Miguel County before an application is considered complete and scheduled for review. The cost of review by referral agencies per C.R.S. 30-28-136 and the cost of necessary amendments to County tax maps must be paid in full by the applicant prior to any County approval. All referral agency and copy fees are to be reimbursed by the applicant at cost.

- | | |
|--|--------|
| 1. ADMINISTRATIVE REVIEWS (Land Use Section 3-4): | \$310 |
| 2. ONE-STEP REVIEWS (Land Use Code Section 3-5): | \$850 |
| 3. TWO-STEP REVIEWS (Land Use Code Section 3-6): | \$1135 |
| 4. FIVE-STEP REVIEWS (Land Use Code Section 3-7): Base fee | \$3405 |

Base fee plus the amount calculated based on proposed density (as defined in the Land Use Code) plus non-residential density (at 1 person per 1,000 sq. ft. of developable floor space)

\$170 per person:	First 25 persons
\$115 per person:	Next 75 persons
\$ 55 per person:	Remaining persons

This amount is due in increments (prior to scheduling of an application for review), as follows:

Sketch Plan:	25 percent of total fee
Preliminary Plan:	55 percent of total fee
Final Plat:	20 percent of total fee

- | | |
|--|--------|
| 5. APPROVAL EXTENSION (Land Use Code Section 3-11): | \$310 |
| 6. MASTER PLAN AMENDMENT (Land Use Code Section 3-501 A.V.): | \$850 |
| 7. LAND USE CODE AMENDMENT (Land Use Code Section 5-18): | \$1135 |
| 8. BOARD OF ADJUSTMENT (Land Use Code Section 1-14): | \$625 |
| 9. DEVELOPMENT PERMIT: <\$1 million in project valuation | \$115 |
| =>\$1M in project valuation; or High Country Area | \$565 |
| Renewable Energy – non-commercial | \$ 0 |
| 10. RETAIL / MEDICAL MARIJUANA LICENSE: | \$1135 |
| Annual Renewal | \$565 |
| 11. SHORT TERM RENTAL PERMIT: | \$ 85 |
| Bi-Annual Renewal | \$ 85 |
| Safety Inspection Fee | \$ 85 |
| 12. APPEAL (Land Use Code Section 1-19): | \$310 |
| 13. SIGN PERMIT (Land Use Code Section 5-704): | \$ 55 |

BE IT FURTHER RESOLVED that this fee schedule shall be adjusted biannually, based on the Denver-Boulder Consumer Price Index and rounded to the nearest five-dollar increment, to be effective January 1 of each odd-numbered year.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on January 4, 2023, and **EFFECTIVE** January 1, 2023.

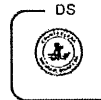
**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

DocuSigned by:
By: Hilary Cooper
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Hilary Cooper, Chair

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

ATTEST:

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



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

DocuSigned by:
By: Hilary Cooper
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Hilary Cooper, Chair

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

ATTEST:

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



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**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MEETING**

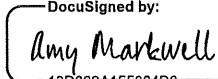
01/04/23

Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the _____
01/04/23
Date of Meeting

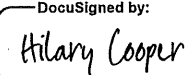
Executive Session discussions of attorney-client matters were confined to a permissible executive session topic; and constituted a privileged attorney-client communication that does not have written minutes.

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 _____
01/04/2023
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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Chair

