

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

Wednesday, March 1, 2023

Zoom.us

1) Roll Call

Present:

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.

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

Public Comment:

Stephanie Conley, United States Forest Service

Derek Padilla, Tres Rios Field Office

9:34 a.m. Mike Bordogna arrived.

6) CONSENT AGENDA

6.a) Acceptance of the January 2023 Road Report.

(ATTACHMENT - 1.23.docx)

6.b) Approval of Chair's signature on an Amended and Restated Deed Restriction and Covenant for San Miguel County, Lot 25A Lawson Hill Subdivision/PUD.

(ATTACHMENT - SMC Deed Restriction.pdf)

6.c) Ratification of a commissioner signatures on a letter of support for Mountain Village application to the RAISE Discretionary Grant Program for the

Mountain Village Bicycle-Pedestrian and Transit Infrastructure for regional connectivity project.

(ATTACHMENT - Letter of Support)

- 6.d) Acceptance of the Semi-Annual Report from the County Treasurer for July 1 - December 31, 2022.

(ATTACHMENT - Semi Annual Report July - Dec 22 to BOCC.pdf)

(ATTACHMENT I)

- 6.e) Acceptance of the 4th Quarter Public Trustee, report, October 1 - December 31, 2022.

(ATTACHMENT - 4th QuarterPublic Trustee report.pdf)

(ATTACHMENT II)

- 6.f) Ratification of Commissioner signatures on a letter of support for San Miguel Power applying for the Grid Resilience and Innovation Partnerships (GRIP)./MOTION

(ATTACHMENT - Letter of Support GRIPLOS_SMPA.pdf)

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

7) **ADMINISTRATIVE MATTERS**

- 7.a) Consideration of Chair's signature on Resolution 2023-11 adopting a hazardous weather policy for San Miguel County./MOTION

(ATTACHMENT - Res_2023_Snow Day Policy DRAFT (1).docx)

Presented by: Mike Bordogna, County Manager

Note: This item will be continued to a later meeting.

- 7.b) Discussion and possible consideration of Chair's signature on Resolution 2023-08 adopting a policy regarding the use of County property and buildings for county purposes./MOTION

(ATTACHMENT - Res 2023-08 Use of County Property.docx)

Presented by: Amy Markwell, County Attorney

Note: This item will be continued to a later meeting.

9) **PLANNING MATTERS**

- 9.a) 10:00 a.m. Public Hearing: Consideration of Amendment to San Miguel County Land Use Code Section Affordable Housing, Employee Housing Mitigation

Fee revision / MOTION

(ATTACHMENT - BOCC Packet Materials AFHM Fee LUCA 030123.pdf)

(ATTACHMENT - pc.2.9.23.minutes DRAFT.docx)

Presented by: John Huebner, Senior Planner; Kaye Simonson, Planning Director

10:01 a.m. The Public Hearing was opened by the Chair.

11:05 a.m. The Public Hearing was closed by the Chair.

Public Comment:

Shellie Duplan, Aldasoro Ranch Operations

Wally Pfenning, County resident

Ms. Tipton, County resident

M Bibliowicz, County resident

Haley Carmer, Aspen Attorney

Rick Lesan, County resident

MOTION by Lance Waring to adopt and approve of Resolution 2023-09 the proposed amendment to San Miguel County Land Use Code Section 5-13, Affordable Housing to increase the exempt floor area from 1,799 s.f. to 2,000 s.f., to modify the Employee Housing Mitigation rate as presented, and to phase in the fee with fifty percent (50%) of the fee assessed for all projects that have submitted complete building permit applications prior to June 1, 2023, and with the full fee assessed to all projects submitted or made complete after that date. The current per square foot rate of \$527.00 shall be maintained through 2023. Further staff is directed where applicable to recalculate and issue refunds to those payees of residential impact fees since July 15, 2022 whose impact fee would have been affected by this amendment. Adoption of this amendment is based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code. Any changes made by this motion will be reflected in the resolution. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT III - Resolution 2023-09)

11:21 a.m. Recessed.

11:25 a.m. Reconvened.

- 9.b) Annual Review: Tarsis Resources US Inc - Alianza Klondike Basin drill program, West End (WE) zone district, Conditional Uses on Federal Lands, Mining Special Use Permit / MOTION

(ATTACHMENT - BOCC Annual Review -Tarsis Resources US Inc Klondike Basin Exploratory Drill Program 3.1.23.pdf)

Presented by: Kaye Simonson, Planning Director; John Huebner, Senior Planner; Garbriel Sweet, Big Rock Exploration LLC; Tarsis Resources US Inc - Alianza Minerals Ltd.

No Motion was needed. It was an annual review only.

- 9.c) 11:00 a.m. Public Hearing: Consideration of Tarsis Resources US, Inc. - Stateline Project, West End (WE) zone district, Conditional Uses on Federal Lands, Mining Special Use Permit - limited exploratory drilling / MOTION

(ATTACHMENT - BOCC Packet Materials -Tarsis Resources US Stateline Project Exploratory Drill Program 3.1.23.pdf)

(ATTACHMENT - pc.2.9.23.minutes DRAFT.docx)

Presented by: John Huebner, Senior Planner; Kaye Simonson, Planning Director; Gabriel Sweet, Big Rock Exploration LLC; Tarsis Resources US Inc - Alianza Minerals Ltd.; Derek Padilla and Ryan Joyner of the Tres Rios Field Office

11:57 a.m. The Chair Opened the Public Hearing.

12:49 p.m. The Chair Closed the Public Hearing.

Public Who Addressed the Board:
Mason Osgood, Sheep Mountain Alliance
Ryan Joyner, Tres Rios Field Office

MOTION by Lance Waring to continue the Public Hearing to the May 3, 2023 board meeting. This will allow time for the BLM to review the permit prior to the board making a decision. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

10) **Lunch**

12:55 p.m. Recessed.

1:02 p.m. Reconvened.

11) **PUBLIC HEALTH AND ENVIRONMENT**

Presented by: Grace Franklin, Public Health Director

8) **MANAGER & ASSISTANT MANAGER MATTERS**

- 8.a) Consideration of the following vehicle be declared surplus: 2020 Chevrolet Tahoe VIN 1GNSKFEC0LR22650 and re-commission the 2012 Ford F150 pickup VIN 1FTFX1EF3CFC37133 pickup back into the Road and Bridge vehicle inventory./MOTION

(ATTACHMENT - BOCC Memo 02.27.23 Vehicle declared surplus.pdf)

Presented by: Mike Bordogna, County Manager; Ramona Rummel, Finance Director

MOTION by Lance Waring to approve the 2020 Chevy Tahoe considered surplus and to direct staff to dispose of the asset; and to re-commission the 2012 Ford 150 pickup back into the Road and Bridge vehicle inventory. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Board Consensus- To declare any vehicle or equipment valued under \$10,000 can be declared surplus by an administrative approval, [per item]. - to be

drafted and brought to the commissioners for a formal Resolution.

Other, update as needed.

Mike Bordogna, County Manager

1. Mike Bordogna will be taking a couple of days off later this week.
2. March 2, 2023, will be a celebration of Becky Goldsworthy for 38 years with the County. She will be retiring.
3. Assistant Attorney Interviews are scheduled for March 6, 2023
4. Update on the Lodging Tax meeting
5. Update on the staff accessibility meetings
6. The County will be recognizing Shannon Armstrong on March 8, 2023, for her recognition of Rookie of the Year by the Colorado Emergency Management Association.
7. The Broadband grants are complete and testing will begin on broadband in Telluride
8. An RFP has been published for the Replacement of the Miramonte Windows
9. Shavano will be presenting at a future meeting reviewing a proposal implementing the PES Program
10. March is Woman's history month
11. The approved 2023 budget is placed on the website
12. Update on the continued snow in Ophir - forecasting Avalanches
13. Clint Clusser - Has purchased the Egnar School - he is requesting an easement from the County to allow access to the county road
14. The East End Master Plan survey will be ending on at the end of the week.
15. An all County training is scheduled for April 27, 2023
16. Update on staffing.

13.a) Executive Session: Update and Negotiations with San Miguel Water Conservancy District, citation (4)(b)(e).

Presented by: Mike Bordogna, County Manager; Amy Markwell, County Attorney; Mark Hamilton, Attorney representing the County

MOTION by Lance Waring to go into executive session, to discuss any updates and negotiation with the San Miguel Water Conservancy District, citation (4)(b)(e). **SECONDED** by Kris Holstrom. **PASSED 3-0.**

1:50 p.m. Recessed.

2:51 p.m. Reconvened.

2:26 pm Mike Bordogna, County Manager left the meeting.

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

Note: The County Attorney requested that the above item not have written minutes as it constitutes a privileged attorney-client communication and a statement signed by the attorney and the chair is attached.

(ATTACHMENT IV - Executive Session Minutes)

Assistant Manager Matters - James Van Hooser -

Transition of the oversight for the parcel in Lawson Hill (508 Society Drive, Lawson Hill) has been passed to Jerid Cabot, Building Official.

James will be providing the Commissioners with an updated housing map
Pinion Park House will be closing in the next couple of weeks

12) COMMISSIONER UPDATES:

12.a) Consideration of supporting the (SB23-166) Wildfire Resiliency code board./MOTION

(ATTACHMENT - Establishment Of A Wildfire Resiliency Code Board Colorado General Assembly.pdf)

Presented by: Hilary Cooper, Commissioner; Matt Gonzales, Building Official

MOTION by Lance Waring to approve the support of (SB23-166) Wildfire Resiliency code board in the form of adding the County as a list of supporters.
SECONDED by Kris Holstrom. **PASSED 3-0.**

Kris Holstrom - Shavano Meeting; PES Program; ECOAction Partners Trash Sort, Composting grant

Lance Waring - Rural Electrification systems; SMPA applying for federal money to develop Microgrids for emergency power; CC4CA; Elaine's Place will be closing due to lack of qualified staff

Hilary Cooper - Full on Legislative session; Land Use affordable housing legislation

13) ATTORNEY MATTERS

13.b) Executive Session: Conference with the County Attorney regarding CCRD Complaint. 4(b)(e).

MOTION by Lance Waring to go into executive session, to have conference with the County Attorney regarding CCRD Complaint, citation 4(b)(e).
SECONDED by Kris Holstrom. **PASSED 3-0.**

3:10 p.m. Recessed.

3:20 p.m. Reconvened.

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 privileged attorney-client communication and a statement signed by the attorney and the chair is attached. (ATTACHMENT IV - Executive Session Minutes)

Update and other, as needed.

Gift limit has been raised to \$75.00 as of Feb 22, 2023. The next update will occur in February of 2027.

Presented by: Amy Markwell, County Attorney

14) ADJOURNMENT

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

3:21 p.m. Adjourned.

Respectfully submitted,

Carmen Warfield, Chief Deputy Clerk

Approved April 19, 2023.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

/s/Hilary Cooper

Hilary Cooper, Chair
ATTEST:

Mike Bordogna, County Manager