

**SAN MIGUEL COUNTY SPECIAL BOARD OF COUNTY
COMMISSIONER MEETING**

MINUTES

Wednesday, March 29, 2023

Zoom.us

1) Roll Call

Present:

Hilary Cooper, Chair

Lance Waring, Vice Chair

Kris Holstrom, Commissioner

Staff Present:

Mike Bordogna, County Manager

Amy Markwell, County Attorney

Nancy Willis, Legal Assistant

Carmen Warfield, Chief Deputy Clerk

2) CALL TO ORDER.

9:30 a.m. Begin

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

6) CONSENT AGENDA

- 6.a) Ratification of Chair's signature on the Colorado Counties Inc, designation of proxy to Carol Friedrich for the Health and Human Services Steering Committee if the appointed County Commissioner is unable to attend.

(ATTACHMENT - SanMiguelProxy-Designation-2023 CCI.pdf)

- 6.b) Approval of Smith's Materials LLC 2023/24 Gravel Crushing Agreement with Road and Bridge for \$350,000/MOTION

(ATTACHMENT - Smith's Materials Agreement.pdf)

- 6.c) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Daiana Barragan and Jesus Barragan, Lot 23B, Lawson Hill Subdivision/PUD.

(ATTACHMENT - Deed Restriction Barragan.pdf)

- 6.d) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Douglas B. Geissler, Lot 309-9, Lawson Hill Subdivision/PUD.

(ATTACHMENT - Deed Restriction Geissler.pdf)

- 6.e) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Rural Homes, LLC, Lot 2, Lone Cone Library Subdivision.

(ATTACHMENT - DR Rural Homes LLC.pdf)

- 6.f) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with John Sullivan, Lot 9, Lone Cone Subdivision.

(ATTACHMENT - DR Sullivan.pdf)

- 6.g) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Norwood School District R-2J, Lot 8 Lone Cone Library Subdivision.

(ATTACHMENT - DR Norwood School District.pdf)

- 6.h) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Colby and Amilya Brown, Lot 3, Lone Cone Library Subdivision.

(ATTACHMENT - DR Brown.pdf)

- 6.i) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Jessica H. Jakobsen, Condominium Unit 17, San Bernardo Subdivision.

(ATTACHMENT - DR Jakobsen.pdf)

- 6.j) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Jade Solais Rose, Lot 140, Aldasoro Ranch Subdivision.

(ATTACHMENT - DR Rose.pdf)

- 6.k) Approval to declare six Chevrolet Tahoes surplus and to direct staff to dispose of the assets.

(ATTACHMENT - BOCC Memo 03.23.23 (6 Tahoes and 1 Ranger) - REVISED 03.27.23.pdf)

- 6.l) Ratification of Commissioner signatures on a letter of support for the San Miguel Watershed Coalition's (SMWC) Water Supply Reserve Fund Application.

(ATTACHMENT - SMWC Water Supply Reserve Fund Application.pdf)

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

7) PARKS AND OPEN SPACE MATTERS

- 7.a) Presentation of the CSU 2022 Year-End Report.

(ATTACHMENT - 2022 Annual Report (1).pdf)

Presented by: Yvette Henson, CSU Extension Agent

10) MANAGER MATTERS

Update and other, as needed.

Presented by: Mike Bordogna, County Manager

1. Update on the EcoAction Partners Lease agreement.
2. Update on the Idarado Easement for Bridal Veil Parking and Paving project.
3. Update on the new position for the Special Projects and current applications received.
4. Request from the Town of Mountain Village for a Letter of Support for the CDOT alternatives mobility grant for the bike connection into Lawson hill - Please notify Mike Bordogna if are are in agreement to provide a Letter of Support.
5. Attendance of the weekly Gondola Funding Committee.
6. Request a Letter of Support for CC4CA

8) PLANNING MATTERS

- 8.a) 10:00 A.M. PUBLIC HEARING: Consideration of an application submitted by Nate Smith (Applicant) on behalf of Peter Pitts, (Property Owner), proposing a Substantial PUD Amendment, to convert 2,091 square feet of neighborhood commercial square feet to residential, and to add six (6) persons of population density and two (2) residential units, to Units 2 and 4, Lot SV-150, Morningstar Condominiums, aka 896 Two Rivers Drive, Ilium, in the Affordable Housing PUD (AH) zone district./MOTION

(ATTACHMENT - BOCC Packet Materials -Pitts SPU 3.29.23.pdf)

Presented by: John Huebner, Senior Planner; Kaye Simonson, Planning Director; Nate Smith, Representing the Applicant; Matt Gonzales, Building Official

10:00 a.m. The Public Hearing was opened.

10:35 a.m. The Public Hearing was closed.

MOTION by Lance Waring to approve a Substantial P.U.D. Amendment for Units 2 and 4, Morningstar Condominiums, Lot 150-SV, Ilium, to change the use from Neighborhood Commercial to Residential and to adopt BOCC Resolution #2023-17, that would increase the residential units by two (2) and increase the population density

on Lot P by six (6) persons, and eliminate the neighborhood commercial use, based on the finding that the proposed use is consistent with the County Master Plan, and complies with the Land Use Code review standards in Section 5-1503 Substantial Amendment and 5-1803, Rezoning and subject to the following specific terms and conditions:

1. All written representations of the applicant, in the original submittal and all supplements, are deemed to be conditions of approval except to the extent modified by this approval.
2. Applicant shall obtain a Building Permit and a certificate of occupancy from the Building Department for the two residential units that were converted from a commercial unit. This PUD amendment approval shall not be effective unless and until the certificate of occupancy is issued. Failure to obtain the building permit and certificate of occupancy within one (1) year shall result in this approval becoming void, whereupon the Owner will be required to remove all residential improvements and revert the property to neighborhood commercial use.
3. An amendment to the Lawson Hill PUD Development Plan Matrix to reflect the addition of two (2) residential units and six (6) persons of population density, and the elimination of the neighborhood commercial use, shall be prepared and recorded concurrent with the issuance of the certificate(s) of occupancy.
4. New County R-1 Deed Restriction and Covenants shall be prepared and recorded concurrently at the time of sale of these units from the current owner to new owners..
SECONDED by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT I - Resolution 2023-17)

- 8.b) NOTE: The continuation of the Employee Housing fee appeals scheduled for April 5, 2023, has been rescheduled to the May 3, 2023, board meeting - time to be determined.

9) **ADMINISTRATIVE MATTERS**

- 9.a) Consideration of Chair's signature on Resolution 2023-18 rescinding Resolution 2020-30 and implementing the updated version of the San Miguel County official street name list./MOTION

(ATTACHMENT - BOCC Street Name Resolution 2023-18.docx)

(ATTACHMENT - 20230317_StreetNameListwithAliases (1).pdf)

Presented by: Mike Bordogna, County Manager

MOTION by Lance Waring to approve the Chair's signature on Resolution 2023-18 as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT II - Resolution 2023-18)

- 9.b) Consideration of Chair's signature on Resolution 2023-19 for adoption of a Pre-Hazard Mitigation Plan./MOTION

(ATTACHMENT - Res 2023-19 Adoption of Pre-Hazard Mitigation Plan.docx)

(ATTACHMENT - San Miguel County All Hazard Mitigation Plan Final Draft 3.20.23.pdf)

Presented by: Mike Bordogna, County Manager; Shannon Armstrong, Emergency Manager

MOTION by Lance Waring to approve Chair's signature on Resolution 2023-19 with the acceptance of the changes as identified. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT III - Resolution 2023-19)

- 9.c) Consideration of an Intergovernmental Agreement between the Boards of County Commissioners of San Miguel County, Colorado, and Dolores County, Colorado regarding the housing of Dolores County Inmates at the San Miguel County Detention Center./MOTION

(ATTACHMENT - IGA.Dolores County and SMC.housing inmates.Clean 3.23.23.docx)

MOTION by Lance Waring to approve the Intergovernmental Agreement between the San Miguel County, Colorado, and Dolores County, Colorado regarding the housing of Dolores County Inmates at the San Miguel County Detention Center. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

11:28 a.m. Recessed.

11:34 a.m. Reconvened.

Presented by: Amy Markwell, County Attorney

14) PUBLIC HEALTH AND ENVIRONMENT

- 14.a) CONTINUED TO MAY 3, 2023 Consideration of Chair's signature on Resolution by the Board of Health, adopting onsite wastewater treatment system ("OWTS") permit fees./MOTION

Update and other, as needed.

Presented by: Grace Franklin, Public Health Director

10. Continued Manager Matters

Presented by: Mike Bordogna, County Manager

Update on Manager Matters:

1. Mike will be on Vacation next week Tuesday thru Friday.
2. The April 4th and April 12th meetings will be canceled.
3. There will be a regular meeting April 19th and a work session on April 26th
4. The May 3rd meeting will be held in Norwood.
5. San Miguel Regional Housing Authority will have a Board meeting on April 3, 2023
6. Thank you to the Road and Bridge, Helitrax, and Town of Ophir for their quick actions related to Mitigation of Avalanche in Ophir.

11) COMMISSIONER UPDATES:

Lance Waring- ECE program, Capacity Building Grants approved, Elaine's Place will stay open for now, An application has been submitted for the Home Child Care at the Sunnyside apartments, EcoAction Partners meeting, Attended the East End Master Plan survey at the library

Kris Holstrom - Nourish Colorado Board Meeting; Region 10 Executive Board Meeting

Hilary Cooper - Legislative Updates, Update on Bill 23-213 State Land use with Affordable housing

Request by Hilary Cooper - A draft bill concerning the projects of restoring the environmental health of natural springs - This bill will clarify the process of restoring the environment with natural springs projects. Hilary Cooper asked the board if they were in support of the bill. A vote was taken for clarity.

MOTION by Hilary Cooper to approve and support a proposed bill that would address restoring the environment with natural spring systems. **SECONDED** by Lance Waring. **PASSED 3-0.**

12) ATTORNEY MATTERS

Update and other, as needed.

Presented by: Amy Markwell, County Attorney

1. Update on CBOE matters.

15) ADJOURNMENT

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

12:38 p.m. Adjourned.

Respectfully submitted,

Approved May 24, 2023.

SAN MIGUEL COUNTY SPECIAL BOARD OF COUNTY COMMISSIONER MEETING

ATTEST:
