

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

Wednesday, April 19, 2023

Zoom.us

1) Roll Call

Present:

Lance Waring, Vice Chair

Kris Holstrom, Commissioner

Hilary Cooper, Chair will be attending the meeting after lunch.

Lance Waring will be Chairing the meeting.

Staff Present:

Mike Bordogna, County Manager

Amy Markwell, County Attorney

Rachel Allen, Assistant 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) Approval of Minutes: March 1, 2023, March 6, 2023, and March 15, 2023.

([ATTACHMENT - 20230301-BOCC-Minutes-Draft.pdf](#))

([ATTACHMENT - 20230306-BOCC-Minutes-Draft.pdf](#))

([ATTACHMENT - 20230315-BOCC-Minutes-Draft.pdf](#))

6.b) Approval of Chair's signature as the Board of Commissioners and as the San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with the Brown Trust, Lot 106-3, Aldasoro Ranch Subdivision.

([ATTACHMENT - DR Lot 106-3 Tobin Brown.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 Douglas B. Geissler, Lot 309-9, Lawson Hill Subdivision/PUD.

(ATTACHMENT - Geissler Deed Restriction.pdf)

- 6.d) Approval of Chair's signature on the 2023 Homeland Security Grant application.

(ATTACHMENT - 23SHS24WR Application - Homeland Security Grant Program.pdf)

- 6.e) Acceptance of the March 2023 Road Report.

(ATTACHMENT - 3.23.docx)

- 6.f) Approval of Chair's signature on Renewal of Retail Beer Liquor License for SMCS LLC, 1982 Hwy 145, Telluride, CO 81435.

(ATTACHMENT - SMCS LLC Renew Liquor License_Redacted.pdf)

(ATTACHMENT I - Written Findings)

- 6.g) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Deed Restriction and Covenant with San Miguel County, Lot 7 Lone Cone Library Subdivision, Norwood.

(ATTACHMENT - SMC Deed Restriction.pdf)

- 6.h) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Deed Restriction and Covenant with Shannon Farley, Lot 15 Lone Cone Library Subdivision, Norwood.

(ATTACHMENT - Shannon Farley DR.pdf)

- 6.i) Approval of Chair's signature on the request for extension on the San Miguel County Pathfinder Property and County-wide site Analysis grant.

(ATTACHMENT - Extension Request 04.13.23.docx)

- 6.j) Authorization of the March 2023 Vendor Payments and Payroll.

(ATTACHMENT - 03 - BOCC Consent Agenda.docx)

MOTION by Kris Holstrom to approve the consent agenda as presented.
SECONDED by Lance Waring. **PASSED 2-0.**

(ATTACHMENT II)

7) ADMINISTRATIVE MATTERS

- 7.a) Consideration of a request by the Assessor to approve Petition #2023-34 for Abatement or Refund of Taxes, approval for the year 2022, Denise Lynne

Jackson, Lot 11R Blk 6, Dakota Addition, 463 W Dakota Ave, Parcel Number 4565363-01-002./MOTION

(ATTACHMENT - Abatement 2023-34 Jackson.pdf)

Presented by: Sarah Enders, Assessor

MOTION by Kris Holstrom to approve the Assessor's recommendation of approval on Petition #2023-34 due to a classification error. **SECONDED** by Lance Waring. **PASSED 2-0.**

(ATTACHMENT III)

- 7.b) Consideration of Chair's signature on the Four County High Alpine Loop Memorandum.

(ATTACHMENT - SanJuan alpine loop IGA 4-12-23.pdf)

Presented by: Mike Bordogna, County Manager

MOTION by Kris Holstrom to approve the Chair's signature on the Four County High Alpine Loop Memorandum. **SECONDED** by Lance Waring. **PASSED 2-0.**

- 7.c) Consideration of Chair's signature on the Road and Bridge department requesting the following:
1. To dispose of one 1989 772BH, VIN # DW772BH524529 and dispose of one 1972 CAT D7f Dozer, VIN # 94N4184 and
2. Approve the purchase of a newer motor grader for a total not to exceed \$223,000./MOTION

(ATTACHMENT - Memo to Request Grader Purchase.pdf)

Presented by: Ryan Righetti, Road and Bridge Supertindent

MOTION by Kris Holstrom to approve the Chair's signature on the Road and Bridge department requesting the following:
1. To dispose of one 1989 772BH, VIN # DW772BH524529 and dispose of one 1972 CAT D7f Dozer, VIN # 94N4184 and
2. Approve the purchase of a newer motor grader for a total not to exceed \$223,000. **SECONDED** by Lance Waring. **PASSED 2-0.**

14) **MANAGER MATTERS**

Note: Introduction of Rachel Allen, Assistant County Attorney

Update and other, as needed.

Shannon Armstrong - Predictions of flooding during the Spring Run off - Mike approved an emergency order of \$2,000 to purchase 2000 sand bags.

Commissioner Cooper will be stepping down May 8, 2023 - The Democratic party to fill the remainder of her Commissioner term.

All County Training next week - Thursday

Update on the USDA Compost grant

Update on the Broadband completion.

Presented by: Mike Bordogna, County Manager

- 14.b) Consideration to approve a Letter of Support for Town of Mountain Village's application to the Transportation Alternatives Program (TAP).

(ATTACHMENT - Letter of Support TMV TAP.docx)

Presented by: Mike Bordogna, County Manager

Staff Direction - to be ratified on May 3, 2023

- 14.a) Consideration of a Resolution 2023-21 Adopting the updated County Organizational Structure.

(ATTACHMENT - 2023 Organizational Chart.pdf)

Presented by: Mike Bordogna, County Manager

MOTION by Kris Holstrom to approve the Chair's signature on Resolution 2023-21 adopting the updated County Organizational Structure. **SECONDED** by Lance Waring. **PASSED 2-0.**

(ATTACHMENT IV - Resolution 2023-21)

8) PLANNING MATTERS

9:56 a.m. Recessed.

10:01 a.m. Reconvened.

- 8.a) 10:00 AM PUBLIC HEARING: Consideration of an application submitted by Tom Kennedy, Attorney, on behalf of Alexander Ranch LLLP, owner of 143.8-acres comprised of several placers but combined into a single parcel for property tax purposes, Property Identification Number (PIN) No. 456336200028, and of Alexander Trust, owner of a 22.12-acre parcel, PIN No. 456531400005, aka 964 County Road 63L, zoned (F) Forestry, Agricultural and Open. The applicant is seeking a Subdivision Exemption for Lot Line Adjustments to adjust certain boundary lines between the tracts and placers, and create Parcels 1, 2 and 3 as set forth in the project plat. The area subject to the proposed lot line adjustment contains 78.818 acres and is made up of portions of the San Miguel Placer (MS 2068), the Pekin Placer (MS 2230, the Soudan Placer (MS 12909), the New York Placer (MS 12721) and the Mary E. Placer (MS 12728). /MOTION

(ATTACHMENT - BOCC Packet Materials Alexander 63L Properties LLA 4.19.23.pdf)

Presented by: Kaye Simonson, Planning Director; John Huebner, Senior Planner; Nicola Kerr, Planning technician; Tom Kennedy, Representing the Applicant; David Bulson, Surveyor for the Applicant; Dave Alexander, Owner of the property

10:25 a.m. The Chair opened the Public Hearing.

10:27 a.m. The Chair closed the Public Hearing.

Public Who Addressed the Board:
Douglas Tooley, Resident of San Miguel County

MOTION by Kris Holstrom to approve the proposed Subdivision Exemption to adjust the boundary lines between Parcels 1, 2 and 3 of Alexander Ilium Property as presented, to authorize the San Miguel County Board of Commissioners Chair's signature on the corresponding final plat, and to adopt the corresponding Resolution No. 2023-20, and to authorize the Chair's signature on the resolution finding that the proposed Subdivision Exemption for Lot Line Adjustments is in compliance with all applicable Land Use Code standards in Section 4-5 Requirements for Final Plats, Section 5-1203, Lot Line Adjustments, , including the submission of a final plat that complies with the final plat submission contents required in Land Use Code. **SECONDED** by Lance Waring. **PASSED 2-0.**

(ATTACHMENT IV - Resolution 2023-20)

10:31 a.m. Recessed.

10:36 a.m. Reconvened.

- 8.b) No Agenda Item: 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.

10) SOCIAL SERVICES MATTERS

- 10.a) Approval of Chair's signature on Social Services Department Balance Sheet January/February 2023, Earned Revenue and Expenditures January/February 2023, Expenditures through Electronic Benefit Transfers, February/March 2023, Check Register for the Month of February/March 2023, County Allocation/MOE Report January/February 2023, and 2023 Caseload Report./MOTION

(ATTACHMENT - BOCC Packet 4.2023.pdf)

MOTION by Kris Holstrom to approve To approve as presented..
SECONDED by Lance Waring. **PASSED 2-0.**

Presented by: Carol Friedrich, Director of Social Services

11) NATURAL RESOURCES AND SPECIAL PROJECTS

Presented by: Starr Jamison, Director of Natural Resources

Update and Other, as needed.

1. Update on the Restore grant
2. CC4CA support proposed for policy statement - request that Starr will distribute this to the Commissioners for review no action will be needed.
3. Big Game RFP amendment
4. Update on upcoming meetings.
5. Climate Action Plan meeting with all Directors

9) **ADMINISTRATIVE MATTERS, Continued**

10:54 a.m. Recessed.

11:03 a.m. Reconvened.

9.a) Update with Bright Futures on Universal Preschool legislation.

Presented by: Maureen Randall, Universal Preschool Manager; Kathleen Merritt, Director of Bright Futures

12) **Lunch**

11:19 a.m. Recessed.

12:45 p.m. Reconvened.

13) **ADMINISTRATIVE MATTERS - Continued.**

13.a) Discussion with Telluride Fire Protection District on Ballot Question 6A.

(ATTACHMENT - TFPD Ballot Measure Question 6A.pdf)

Presented by: John Bennet, Telluride Fire Protection District

12:46 p.m. Hilary Cooper, joined the meeting.

13.b) Presentation and direction sought on the Pathfinder gravel pit housing proposal. Potential Executive Session for negotiation with the United States Forest Service, citation (4)(e).

Presented by: Mike Bordogna, County Manager; Jim Kehoe, KEO Studioworks; Jonah How, Wright Water Associated; Hayes Lenhart, Wright Water Engineers; Kaye Simonson, Planning Director; Ryan Righetti, Road and Bridge Superintendent

For Executive Session - Kaye Simonson and Ryan Righetti were excused.

1:37 p.m. Recessed.

2:36 p.m. Reconvened.

MOTION by Kris Holstrom to go into executive session, to discuss negotiations with the United States Forest Service, citation (4)(e). **SECONDED** by Hilary Cooper. **PASSED 3-0.**

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

Staff direction to continue the discussion for potential acquisition of the Forest Service Land

Public Who Addressed the Board:

Douglas Tooley, Resident of San Miguel County

15) **COMMISSIONER UPDATES:**

Kris Holstrom - No updates.

Lance Waring - SMART Meeting, Gondola Subcommittee meeting

Hilary Cooper - Legislative Updates - (Housing Bills)

16) ATTORNEY MATTERS

- 16.a) Discussion of Aldasoro Ranch's letter regarding exemption from the County's mitigation fee. This matter may be subject to an Executive Session pursuant to CRS 24-6-402(4)(b).

(ATTACHMENT - Aldasoro Ranch Letter To County Re Impact Fee 4-5-23.pdf)

MOTION by Kris Holstrom to go into executive session, to discuss a letter received by Aldasoro Ranch concerning the exemption from the County's mitigation fee, citation 24-6-402(4)(b). **SECONDED** by Hilary Cooper. **PASSED 3-0.**

2:52 p.m. Recessed.

3:59 p.m. Reconvened.

In attendance:

Kaye Simonson, Planning Director; Matt Gonzales, Building Official

MOTION by Lance Waring to come out of executive session, only the one item stated was spoken of CRS 24-6-402(4)(b). **PASSED 3-0.**

Note: In our preliminary research indicates that the assertion that Aldasoro HOA is correct. We agree there is an issue. We identified conflicting language in our PUD and Impact mitigation fee documentation. We are directing staff to continue research to better understand how to proceed to make that right. We will have a public discussion of this matter as soon as possible as to come to a resolution.

17) ADJOURNMENT

MOTION by Kris Holstrom to adjourn the meeting. **SECONDED** by Hilary Cooper. **PASSED 3-0.**

4:00 p.m. Adjourned.

Respectfully submitted,

Approved May 24, 2023.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST:
