

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

Wednesday, May 17, 2023
Zoom.us

1) Roll Call

Present:

Lance Waring, Chair

Kris Holstrom, Vice Chair

The third Commissioner has not been appointed to replace Hilary Cooper, District 1 Commissioner

Staff Present:

Mike Bordogna, County Manager

Amy Markwell, County Attorney

Rachel Allen, Assistant County Attorney

Suzanne Cheavens, Communications Coordinator

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 the April 2023 Veterans Service Officers Monthly Report.

(ATTACHMENT - April 2023 VSO Report.pdf)

- 6.b) Acceptance of the Public Trustee Report for the First Quarter of 2023.

(ATTACHMENT - 1QT PT.pdf)

- 6.c) Approval of the re-appointment of Melissa Tuohey, to the Western Regional EMS Council Inc (WRETAC).

- 6.d) Approval of the appointment of Kathryn Westcott, Norwood Fire Protection District replacing the vacancy of Brad Blackwell, Telluride Fire Protection District on the Western Regional EMS Council Inc (WRETAC).

- 6.e) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on the Rural Homes: For Sale, For Locals Deed Restriction and Covenant Pinion Park with Rachel Cook and Benjamin Charleston, Lot 12 Lone Cone Library Subdivision aka 1540 Pinion Street, Norwood.

(ATTACHMENT - Cook and Charleston Deed Restriction.pdf)

- 6.f) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on the Rural Homes: For Sale, For Locals Deed Restriction and Covenant Pinion Park with Marcus Kirkwood, Lot 22 Lone Cone Library Subdivision aka 1435 Paradox Street, Norwood.

(ATTACHMENT - Krikwood Deed Restriction.pdf)

- 6.g) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on the Rural Homes: For Sale, For Locals Deed Restriction and Covenant Pinion Park with Stephanie Griebe, Lot 17 Lone Cone Library Subdivision aka 1550 Pinion Street, Norwood.

(ATTACHMENT - Griebe Deed Restriction.pdf)

- 6.h) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on the Rural Homes: For Sale, For Locals Deed Restriction and Covenant Pinion Park with Tri-County Health Network, Lot 21 Lone Cone Library Subdivision aka 1425 Paradox Street, Norwood.

(ATTACHMENT - Tri-County Health Network.pdf)

- 6.i) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on the Rural Homes: For Sale, For Locals Deed Restriction and Covenant Pinion Park with Jennie Thomas, Lot 25 Lone Cone Library Subdivision aka 1465 Paradox Street, Norwood.

(ATTACHMENT - Jennie Thomas dr.pdf)

- 6.j) Approval of Chair's Signature as the Board of Commissioners and as San Miguel County Housing Authority on the Rural Homes: For Sale, For Locals Deed Restriction and Covenant Pinion Park with Krystina Retta Smith, Lot 11, Lone Cone Library Subdivision aka 1530 South Pinion Street, Norwood.

(ATTACHMENT - Deed Restriction Smith.pdf)

- 6.k) Request of an increase to the Sheriff's budget to lease an additional vehicle and emergency equipment for \$9,500.

- 6.l) Authorization of the April 2023 Payroll and Vendor Payments.

(ATTACHMENT - 04 - April BOCC Consent Agenda.docx)

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

7) PARKS AND OPEN SPACE MATTERS

- 7.a) Recognition of Charlene Starks for her 5-years of service.

Presented by: Janet Kask, Parks and Open Space Director; Charlene Starks, Facility Maintenance, Mike Bordogna, County Manager

8) SOCIAL SERVICES MATTERS

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

(ATTACHMENT - SMC BOCC Packet.pdf)

Presented by: Carol Friedrich, Director of Social Services

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

- 8.b) Discussion of the Workforce Innovation and Opportunity Act (WIOA) memorandum of understanding.

Presented by: Carol Friedrich, Director of Social Services

Staff direction to Carol Friedrich, Director of Social Services will be the signatory on the Memorandum of Understanding.

9) MANAGER MATTERS

Presented by: Mike Bordogna, County Manager

1. Attended the Gunnison Valley Transportation Meeting
2. Transportation Alternatives - Meadows underpass grant submitted by the lead organization Mt Village
3. DMV2Go is a Colorado Division of Motor Vehicles mobile van service providing an easy access to in-office driver license service. It is scheduled to be in San Miguel County on August 29, 2023 and August 30, 2023.
4. The Broadband grant has been completed and the lines should be active by the end of the day.
5. The Democratic party will be meeting tonight to appoint the Commissioner to fill Hilary Coopers seat.
6. Upcoming meetings
7. Update on the Gondola Subcommittee meeting

Update on Solar array on Wright's Mesa - At this time there has been no application received.

10) COMMISSIONER UPDATES:

Kris Holstrom - Boettcher Rural Leaders, GVTPR meeting, Uncompahgre Medical Center board meeting, SMART, Scheduled Spring Clean-up in Norwood and Telluride
Lance Waring - ECAP meeting

11) PLANNING MATTERS

- 11.a) Due to limited seating we are asking the Public to attend via zoom. There will be a lunch break from 12:00 pm - 12:45 pm.

10:00 am Public Hearing:

1. Consideration of Chair's signature on a Resolution 2023-23 approving a preliminary Planned Unit development and Subdivision of the Society Turn Parcel for Genesee Properties./MOTION

2. Consideration of Chair's signature on a Resolution 2023-24 approving a rezone for the Society Turn Parcel for Genesee Properties Inc from PUD Reserve (PUD-R) to Mixed Use Development (MXD)/MOTION

(ATTACHMENT - BOCC Packet Society Turn PUD 051723.pdf)

10:01 a.m. Chair Opened the Public Hearing.

Presented by: Kaye Simonson, Planning Director; John Huebner, Senior Planner; Nicola Kerr, Planning Technician; Tom Kennedy, Attorney representing the Applicant

Presenters on behalf of Genesee: Chris Touchette; Chase Branham; Dave Bulson; Brie Bikis; Doug Cockley; Rich Beachtol; and Alex Nees

11:03 a.m. Recessed.

11:10 a.m. Reconvened.

Lunch

12:21 p.m. Recessed.

12:50 p.m. Reconvened.

Public Who Addressed the Board:

Pam Lifton-Zoline, County resident

Chris Chaffin, Telluride Hospital District Board Member

Brad Zaporski, Representing San Miguel Power

1:22 p.m. Public Comment was closed.

MOTION by Kris Holstrom to approve the Society Turn Preliminary PUD Plan and Subdivision and adopt Resolution No. 2023-23, based on the findings that the Preliminary PUD Plan and Subdivision is consistent with the San Miguel County Comprehensive Development Plan and more specifically, Section III.N of the Telluride Regional Area Master Plan Future Land Use Element, and meets the Intent for Planned Unit Developments, as set forth in Land Use Code Section 5-1401, the review standards of Land Use Code Section 5-1403, the relevant Land Use Policies as set forth in Article 2 of the San Miguel County Land Use Code, and the relevant Areas and Activities of Local and State Interest "1041" Environmental Review as set forth in Land Use Code Section 5-4, with the following conditions:

1. The applicant shall address all relevant Referral Agency comments in the application for Final PUD and Subdivision.
2. All representations made within the Application and its exhibits shall be

incorporated into the Final PUD and Subdivision Plan, Development Agreement, Covenants, and Subdivision Improvements Agreement, except as modified herein.

3. Lane widths shall be at least twelve (12) feet, exclusive of shoulders, curb and gutter, or valley pans, for all of Road A, per LUC Figure 5-1D.

4. Lane widths shall be at least eleven (11) feet, exclusive of shoulders, curb and gutter or valley pans, for all of Road B, with a design speed of no more than 20 miles per hour, per LUC Figure 5-1G.

5. Sidewalk widths along Road B shall be a minimum of eight (8) feet wide where adjacent to parking, per LUC Section 5-502 I. Sidewalks along Road A and along Road B where not adjacent to parking may be a minimum of six (6) feet wide.

6. Official names for Roads A and B shall be provided.

7. Tailings cleanup shall occur prior to transfer of the County lots. Should the property not be included in the EPA cleanup, the Applicant shall pursue alternatives acceptable to the County.

8. Unless an agreement is reached with San Miguel Power Association regarding a trail easement, no trails utilizing SMPA property shall be shown on the final plan. The access easement agreement with SMPA shall be executed prior to recording of the Final Plat.

9. Prior to submitting the Final PUD and Subdivision Plan, the applicant shall obtain the approved and executed Town of Telluride Water and Sewer Service Agreement.

10. As part of the Land Use Matrix, include conversion factors for trip generation and parking, to be used in the case of future Insubstantial PUD Amendments reallocating uses and floor area, e.g. hotel to commercial or commercial to residential.

11. The Development Agreement shall include provisions for partnerships, with public or private entities, to facilitate and encourage development of the additional 4th floor housing, should the site developer not be interested in developing that housing as part of their project.

12. The development agreement shall enumerate the facilities to be included if a hotel is built to keep the hotel moderately priced.. **SECONDED** by Lance Waring. **PASSED 2-0.**

MOTION by Kris Holstrom to approve rezoning on the Society Turn Parcel to Mixed Use Development – MXD, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;

2. The proposed rezoning is consistent with the Purpose of Land Use Code Section 5-323, Mixed Use Development;

3. The Applicant has demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; traffic; mitigation of geohazards; and mitigation of impacts on the environment;

4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies;

5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;

6. The proposed rezoning is consistent with and implements the Telluride Regional Area Master Plan, an element of the San Miguel County Comprehensive Development Plan, and in particular Future Land Use Element, Section III.N, Society Turn Parcel.. **SECONDED** by Lance Waring. **PASSED**

2-0.

12) Lunch was scheduled during the Planning item.

13) ATTORNEY MATTERS

1:36 p.m. Recessed.

1:40 p.m. Reconvened.

13.a) Potential Executive Session: Discussion with an attorney regarding Aldasoro ADU Deed Restriction, citation 24-6-402 CRS (4)(b).

Presented by: Amy Markwell, County Attorney

Public Who Addressed the Board:
Shellie Duplan, Aldasoro Ranch

In attendance during the Executive Session:
Matt Gonzales, Building Official
Lois Major, Special Counsel to the San Miguel County Housing Authority

1:45 p.m. Recessed for Executive Session.

2:42 p.m. Reconvened Executive Session.

MOTION by Kris Holstrom to go into executive session, to discuss with an attorney regarding Aldasoro ADU Deed Restriction, citation 24-6-402 CRS (4)(b). **SECONDED** by Lance Waring. **PASSED 3-0.**

MOTION by Kris Holstrom to come out of executive session, only the one item stated was spoken of. **SECONDED** by Lance Waring. **PASSED 2-0.**

Per Lance Waring, Chair: Based on the information we have today we continue to believe Aldasoro HOC assertion regarding the Impact mitigation fee is correct. We are waiting for one more piece of information to come in and we plan to have that information on or before June 7, 2023, and we will schedule a discussion at the June 7th meeting to consider next steps.

14) ADJOURNMENT

MOTION by Kris Holstrom to adjourn the meeting. **SECONDED** by Lance Waring. **PASSED 2-0.**

2:44 p.m. Adjourn.

Respectfully submitted,

Carmen Warfield

Carmen Warfield

Chief Deputy Clerk to the Board

Approved July 5, 2023.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

Lance Waring

Lance Waring

San Miguel County Commissioner, Chair

ATTEST:

Mike Bordogna

Mike Bordogna

County Manager

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO, APPROVING A
PRELIMINARY PLANNED UNIT DEVELOPMENT AND SUBDIVISION
OF THE SOCIETY TURN PARCEL FOR GENESEE PROPERTIES, INC.**

Resolution 2023-23

WHEREAS, Genesee Properties, Inc., a Wyoming Corporation, hereafter "Applicant", is the owner a certain tract of land ("Society Turn Parcel"), hereafter "Property," more particularly described as shown on Exhibit A, Legal Description; and

WHEREAS, Thomas G. Kennedy, Attorney, on behalf of the Applicant has submitted an Application ("Application") for Preliminary Planned Unit Development (PUD) Plan and Subdivision for the Property, in accordance with San Miguel County Land Use Code Section 5-317 Planned Unit Development Reserve (PUDR), and for the proposed rezone of the property to Mixed-Use Development (MXD) zone district, Land Use Code Section 5-323; and

WHEREAS, Applicant is seeking approval of the Society Turn PUD Preliminary PUD Plan and Subdivision that consists of the platting of certain Lots to accommodate the development of various separate buildings and other improvements on the Property, which would be used to implement those uses and activities allowed under the San Miguel County Comprehensive Development Plan/ Telluride Regional Area III. Future Land Use Element N. Society Turn Parcel, as shown on Exhibit C, Site Plan; and

WHEREAS, C.R.S. § 30-28-102, as amended, authorizes the Board of County Commissioners (BOCC) to provide for the physical development of the unincorporated territory within the County and for the zoning of all or any part of such unincorporated territory subject to other statutory provisions; and

WHEREAS, on July 27, 2021 the Board of County Commissioners approved the Sketch Plan for a Planned Unit Development and Subdivision of the Society Turn Parcel for Genesee Properties, Inc., as set forth in Resolution 2021-22, and amended the Land Use Code, establishing Section 5-323, Mixed Use Development – MXD zone district, pursuant to Resolution 2021-23; and

WHEREAS, the Preliminary PUD Plan and Rezone Application was referred to the County Attorney, County Building Department, County Manager, County Road and Bridge Department, County Open Space and Parks Department, County Sheriff, County Environmental Health, County Surveyor, County Vegetation Management, County Addressing/GIS, County Assessor, SEH – County Designated Engineer, Colorado Department of Transportation, Colorado Geological Survey, Colorado Parks and Wildlife, Colorado Department of Public Health & Environment Environmental Protection Specialist, Colorado Division of Water Resources, Aldasoro Ranch Homeowners Company, Lawson Hill Property Owners Company, Last Dollar Home Owners Association, Black Hills Energy, San Miguel Power Association, Environmental Protection Agency, Federal Aviation Administration, Telluride Regional Airport, San Miguel Authority for Regional Transportation,

Sheep Mountain Alliance, SMRHA, Telluride Fire Protection District, Telluride R-1 School District, Town of Mountain Village, Telluride Hospital District, Town of Telluride, and the US Forest Service for review and comment; and

WHEREAS, on or about April 26, 2023, the Applicant sent Notice of the application and the BOCC Public Hearing to be held on Wednesday, May 17, 2023 to all property owners within 500 feet of the subject parcel, and signs were posted on the property on or about April 25, 2023 noticing the proposed application and the BOCC hearing to be held on May 17, 2023; and

WHEREAS, a Public Hearing Notice for the BOCC's consideration of the proposed Preliminary Subdivision and Planned Unit Development and Rezone, to be held on May 17, 2023, was published in the Norwood Post and the Telluride Daily Planet on May 3, 2023; and

WHEREAS, the County Planning Commission (CPC) considered this application, along with relevant evidence and testimony, at a public meeting on Thursday, January 12, 2023 and continued the application to the February 9, 2023 meeting in order to allow additional time to consider the application and to have questions addressed; and

WHEREAS, at the request of the Applicant, consideration of the application was continued at the February 9, 2023 CPC meeting to March 9, 2023; and

WHEREAS, the CPC considered this application, along with relevant evidence and testimony, on Thursday, March 9, 2023; and

WHEREAS, at its meeting hearing held on Thursday, March 9, 2023, following its consideration of the proposed Preliminary PUD Plan and Subdivision Application, the CPC by a 3-2 vote recommended approval of the Preliminary PUD Plan and Subdivision and adopted CPC Resolution No. 2023-02; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made the findings that the Preliminary PUD Plan and Subdivision is consistent with the San Miguel County Comprehensive Development Plan and more specifically, Section III.N of the Telluride Regional Area Master Plan Future Land Use Element, and meets the Intent for Planned Unit Developments, as set forth in Land Use Code Section 5-1401, the review standards of Land Use Code Section 5-1403, the relevant Land Use Policies as set forth in Article 2 of the San Miguel County Land Use Code, and the relevant Areas and Activities of Local and State Interest/"1041" Environmental Review as set forth in Land Use Code Section 5-4, subject to conditions set forth in CPC Resolution No. 2023.02.

NOW, THEREFORE, BE IT RESOLVED that the San Miguel County Board of Commissioners approves the Society Turn Preliminary PUD Plan and Subdivision and adopts BOCC Resolution No. 2023-23, based on the findings that the Preliminary PUD Plan and Subdivision is consistent with the San Miguel County Comprehensive Development Plan and more specifically, Section III.N of the Telluride Regional Area Master Plan Future Land Use Element, and meets the Intent for Planned Unit Developments, as set forth in Land Use Code Section 5-1401, the review standards of

Land Use Code Section 5-1403, the relevant Land Use Policies as set forth in Article 2 of the San Miguel County Land Use Code, and the relevant Areas and Activities of Local and State Interest/"1041" Environmental Review as set forth in Land Use Code Section 5-4, with the following conditions:

1. The applicant shall address all relevant Referral Agency comments in the application for Final PUD and Subdivision.
2. All representations made within the Application and its exhibits shall be incorporated into the Final PUD and Subdivision Plan, Development Agreement, Covenants, and Subdivision Improvements Agreement, except as modified herein.
3. Lane widths shall be at least twelve (12) feet, exclusive of shoulders, curb and gutter, or valley pans, for all of Road A, per LUC Figure 5-1D.
4. Lane widths shall be at least eleven (11) feet, exclusive of shoulders, curb and gutter or valley pans, for all of Road B, with a design speed of no more than 20 miles per hour, per LUC Figure 5-1G.
5. Sidewalk widths along Road B shall be a minimum of eight (8) feet wide where adjacent to parking, per LUC Section 5-502 I. Sidewalks along Road A and along Road B where not adjacent to parking may be a minimum of six (6) feet wide.
6. Official names for Roads A and B shall be provided.
7. Tailings cleanup shall occur prior to transfer of the County lots. Should the property not be included in the EPA cleanup, the Applicant shall pursue alternatives acceptable to the County.
8. Unless an agreement is reached with San Miguel Power Association regarding a trail easement, no trails utilizing SMPA property shall be shown on the final plan. The access easement agreement with SMPA shall be executed prior to recording of the Final Plat.
9. Prior to submitting the Final PUD and Subdivision Plan, the applicant shall obtain the approved and executed Town of Telluride Water and Sewer Service Agreement.
10. As part of the Land Use Matrix, include conversion factors for trip generation and parking, to be used in the case of future Insubstantial PUD Amendments reallocating uses and floor area, e.g. hotel to commercial or commercial to residential.
11. The Development Agreement shall include provisions for partnerships, with public or private entities, to facilitate and encourage development of the additional 4th floor housing, should the site developer not be interested in

developing that housing as part of their project.

12. The development agreement shall enumerate the facilities to be included if a hotel is built to keep the hotel moderately priced.

BE IT FINALLY RESOLVED that all written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this review process.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on May 17, 2023.

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

By: Lance Waring
Lance Waring, Chair

Vote:	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent
	(Vacant)				

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk



EXHIBIT "A" Legal Description
EXHIBIT "B" Public Meeting Record list
EXHIBIT "C" Site Plan

EXHIBIT "A" LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE DENVER PLACER, MINERAL SURVEY NO. 12119, OF THE UPPER SAN MIGUEL MINING DISTRICT AND IN THE NAVIKE PLACER, MINERAL SURVEY NO. 736, OF THE UPPER SAN MIGUEL MINING DISTRICT AND IN GOVERNMENT LOT 1 OF SECTION 32, ALL SITUATED IN SECTIONS 32 AND 33, TOWNSHIP 43 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAN MIGUEL, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 9 OF SAID DENVER PLACER, BEING A UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT BRASS CAP;
THENCE ALONG LINE 9-10 OF SAID DENVER PLACER NORTH 81° 08' 37" WEST, 366.65 FEET;
THENCE DEPARTING SAID LINE 9-10 NORTH 08° 13' 23" WEST, 446.33 FEET;
THENCE SOUTH 81° 46' 37" WEST, 362.00 FEET;
THENCE SOUTH 08° 13' 23" EAST, 335.11 FEET TO SAID LINE 9-10;
THENCE ALONG SAID LINE 9-10 NORTH 81° 08' 37" WEST, 1406.67 FEET TO CORNER NO. 10 OF SAID DENVER PLACER;
THENCE ALONG LINE 1-2 OF THE BOSTON PLACER, MINERAL SURVEY NO. 2019, OF THE UPPER SAN MIGUEL MINING DISTRICT, NORTH 81° 05' 35" WEST, 107.35 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 145;
THENCE EASTERLY ALONG SAID RIGHT-OF-WAY LINE NORTH 74° 26' 41" EAST, 846.03 FEET;
THENCE 696.28 FEET ALONG THE ARC OF A NON-TANGENT CIRCULAR CURVE BEING CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2790.00 FEET, A CENTRAL ANGLE OF 14° 17' 56" AND A CHORD BEARING NORTH 81° 35' 39" EAST, 694.48 FEET;
THENCE NORTH 88° 44' 41" EAST, 890.11 FEET;
THENCE SOUTH 40° 28' 23" EAST, 63.75 FEET;
THENCE SOUTH 11° 20' 11" WEST, 878.41 FEET TO LINE 8-9 OF SAID DENVER PLACER;
THENCE NORTH 07° 31' 25" WEST, 215.78 FEET TO THE POINT OF BEGINNING,
SAID TRACT OF LAND IS SHOWN AS TRACT 19A ON SPECIAL WARRANTY DEED RECORDED MAY 26, 2005 UNDER RECEPTION NO. 375058;
COUNTY OF SAN MIGUEL, STATE OF COLORADO.

LESS AND EXCEPT ANY PORTION CONVEYED TO THE TOWN OF TELLURIDE IN WARRANTY DEED RECORDED DECEMBER 5, 1986 IN BOOK 432 AT PAGE 38, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

LESS AND EXCEPT A TRACT OR PARCEL OF LAND NO. RW-1 OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, PROJECT CODE 17641, PROJECT NUMBER NH 145A-045, BEING IN SECTION 33, TOWNSHIP 43 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAN MIGUEL, STATE OF COLORADO, CONVEYED TO THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, IN WARRANTY DEED RECORDED JANUARY 18, 2012 UNDER RECEPTION NO. 421280, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 145 ESTABLISHED ON PROJECT S 0153(13), WHENCE CORNER NO. 9 OF THE DENVER, PLACER, MINERAL SURVEY NO. 12119, OF THE UPPER SAN MIGUEL MINING DISTRICT, BEING A BRASS CAP, 3 1/4" IN DIAMETER, MARKED "U.S. DEPT. OF THE INTERIOR, BUR. OF LAND MANAGEMENT, COR 9 MS 12119, COR 2 MS 2019, 1975", BEARS SOUTH 20° 17' 42" WEST, A DISTANCE OF 447.41 FEET;

1. THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, NORTH 14° 10' 25" WEST, A DISTANCE OF 219.30 FEET;
2. THENCE SOUTH 88° 45' 19" WEST, A DISTANCE OF 75.75 FEET;
3. THENCE NORTH 40° 26' 09" WEST, A DISTANCE OF 80.00 FEET TO THE SOUTHERLY LINE OF COLORADO STATE HIGHWAY 145 ESTABLISHED ON PROJECT S 0150(3);
4. THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY NORTH 88° 45' 19" EAST, A DISTANCE OF 185.86 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 145 ESTABLISHED ON PROJECT S 0153(13), TO AN ALUMINUM CAP, 1 1/2" IN DIAMETER, MARKED "BANNER INC. 25954";
5. THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 40° 26' 09" EAST, A DISTANCE OF 63.44 FEET TO A BRASS CAP, 3" IN DIAMETER ON A 6" DIAMETER CONCRETE POST, MARKED "STATE HIGHWAY DEPT., R.O.W. MARKER";
6. THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 11° 20' 21" WEST, A DISTANCE OF 232.15 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE "STATE PLANE" GRID BEARING OF NORTH 2° 41' 20" EAST FROM CDOT CONTROL POINT MILEPOST 71.38 (A 3 1/4" ALUMINUM CAP) TO CDOT CONTROL POINT MILEPOST 71.48 (A 3 1/4" ALUMINUM CAP).
COUNTY OF SAN MIGUEL, STATE OF COLORADO.

**EXHIBIT “B”
PUBLIC HEARING RECORD**

Public Hearing Record

Board of County Commissioners

Application: Genesee Properties, Inc

Planned Unit Development /Subdivision Preliminary Plan for the Society Turn
Parcel; Mixed-Use Development Zone District Rezoning of Parcel

Date: May 17, 2023

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).
3. Memorandum to the San Miguel County Board of Commissioners from Kaye Simonson, Planning Director dated May 17, 2023
4. Draft Resolution 2023-23 of the San Miguel County Board of Commissioners Approving the Preliminary Planned Unit Development and Subdivision of the Society Turn Parcel for Genesee Properties.
5. Draft Resolution 2023-24 of the San Miguel County Board of Commissioners Approving the Rezone to Mixed-Use Development Zone District of the Society Turn Parcel for Genesee Properties.
6. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director dated March 9, 2023.
7. CPC Resolution 2023-02, Planning Commission, San Miguel County, Colorado, Recommending Approval of the Preliminary Planned Unit Development and Subdivision of the Society Turn Parcel for Genesee Properties.
8. CPC Resolution 2023-03, Planning Commission, San Miguel County, Colorado, Recommending Approval of the Rezone to Mixed-Use Development Zone District of the Society Turn Parcel for Genesee Properties.
9. Planning Commission Minutes, January 12, 2023
10. Planning Commission Minutes, March 9, 2023
11. Application Supplement submitted by Tom Kennedy, Attorney, on behalf of Genesee Properties, Inc., Society Turn Preliminary PUD/Subdivision Plan Review and Related Matters received February 27, 2023.

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING A REZONE FOR THE SOCIETY TURN PARCEL FOR GENESEE
PROPERTIES, INC. FROM PLANNED UNIT DEVELOPMENT RESERVE (PUDR) TO
MIXED USE DEVELOPMENT (MXD)**

Resolution 2023-24

WHEREAS, Genesee Properties, Inc., a Wyoming Corporation, hereafter "Applicant", is the owner a certain tract of land ("Society Turn Parcel"), hereafter "Property," more particularly described as shown on Exhibit A, Legal Description; and

WHEREAS, Thomas G. Kennedy, Attorney, on behalf of the Applicant has submitted an Application ("Application") for Preliminary Planned Unit Development (PUD) Plan and Subdivision for the Property, in accordance with San Miguel County Land Use Code Section 5-317 Planned Unit Development Reserve (PUDR), and for the proposed rezone of the property to Mixed Use Development (MXD) zone district, Land Use Code Section 5-323; and

WHEREAS, concurrent with the Society Turn Preliminary PUD Plan and Subdivision, Applicant is seeking approval to rezone the Property in order to implement those uses and activities allowed under the San Miguel County Comprehensive Development Plan/ Telluride Regional Area III. Future Land Use Element N. Society Turn Parcel, as shown on Exhibit C, Rezoning Area Map; and

WHEREAS, C.R.S. § 30-28-102, as amended, authorizes the Board of County Commissioners (BOCC) to provide for the physical development of the unincorporated territory within the County and for the zoning of all or any part of such unincorporated territory subject to other statutory provisions; and

WHEREAS, on July 27, 2021 the Board of County Commissioners approved the Sketch Plan for a Planned Unit Development and Subdivision of the Society Turn Parcel for Genesee Properties, Inc., as set forth in Resolution 2021-22, and amended the Land Use Code, establishing Section 5-323, Mixed Use Development – MXD zone district, pursuant to Resolution 2021-23; and

WHEREAS, the Preliminary PUD Plan and Rezone Application was referred to the County Attorney, County Building Department, County Manager, County Road and Bridge Department, County Open Space and Parks Department, County Sheriff, County Environmental Health, County Surveyor, County Vegetation Management, County Addressing/GIS, County Assessor, SEH – County Designated Engineer, Colorado Department of Transportation, Colorado Geological Survey, Colorado Parks and Wildlife, Colorado Department of Public Health & Environment Environmental Protection Specialist, Colorado Division of Water Resources, Aldasoro Ranch Homeowners Company, Lawson Hill Property Owners Company, Last Dollar Home Owners Association, Black Hills Energy, San Miguel Power Association, Environmental Protection Agency, Federal Aviation Administration, Telluride Regional Airport, San Miguel Authority for Regional Transportation, Sheep Mountain Alliance, SMRHA, Telluride Fire Protection District, Telluride R-1 School

District, Town of Mountain Village, Telluride Hospital District, Town of Telluride, and the US Forest Service for review and comment; and

WHEREAS, on or about April 26, 2023, the Applicant sent Notice of the application and the BOCC Public Hearing to be held on Wednesday, May 17, 2023 to all property owners within 500 feet of the subject parcel, and signs were posted on the property on or about April 25, 2023 noticing the proposed application and the BOCC hearing to be held on May 17, 2023; and

WHEREAS, a Public Hearing Notice for the BOCC's consideration of the proposed Preliminary Subdivision and Planned Unit Development and Rezone, to be held on May 17, 2023, was published in the Norwood Post and the Telluride Daily Planet on May 3, 2023; and

WHEREAS, the County Planning Commission (CPC) considered this application, along with relevant evidence and testimony, at a public meeting on Thursday, January 12, 2023 and continued the application to the February 9, 2023 meeting in order to allow additional time to consider the application and to have questions addressed; and

WHEREAS, at the request of the Applicant, consideration of the application was continued at the February 9, 2023 CPC meeting to March 9, 2023; and

WHEREAS, the CPC considered this application, along with relevant evidence and testimony, on Thursday, March 9, 2023; and

WHEREAS, at its meeting hearing held on Thursday, March 9, 2023, following its consideration of the proposed Rezoning Application, the CPC by a 4-1 vote recommended approval of the Rezoning and adopted CPC Resolution No. 2023-03; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made the following findings, as set forth in CPC Resolution No. 2023-03:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;
2. The proposed rezoning is consistent with the Purpose of Land Use Code Section 5-323, Mixed Use Development;
3. The Applicant has demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; traffic; mitigation of geohazards; and mitigation of impacts on the environment;
4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies;
5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;
6. The proposed rezoning is consistent with and implements the Telluride Regional Area Master Plan, an element of the San Miguel County Comprehensive Development Plan, and in particular Future Land Use Element, Section III.N, Society Turn Parcel.

WHEREAS, a list of the items included in the Public Meeting Record is attached to this resolution as Exhibit B; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado approves rezoning rezonings the Society Turn Parcel to Mixed Use Development – MXD, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;
2. The proposed rezoning is consistent with the Purpose of Land Use Code Section 5-323, Mixed Use Development;
3. The Applicant has demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; traffic; mitigation of geohazards; and mitigation of impacts on the environment;
4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies;
5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;
6. The proposed rezoning is consistent with and implements the Telluride Regional Area Master Plan, an element of the San Miguel County Comprehensive Development Plan, and in particular Future Land Use Element, Section III.N, Society Turn Parcel.

BE IT FINALLY RESOLVED that all written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this review process.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on May 17, 2023.

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

By: Lance Waring
Lance Waring, Chair

Vote:	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent
	(Vacant)				

ATTEST:

By: *Carmen Warfield*
Carmen Warfield, Chief Deputy Clerk



EXHIBIT "A" Area of Rezoning Legal Description
EXHIBIT "B" Public Meeting Record
EXHIBIT "C" Rezoning Area Map

EXHIBIT "A" LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE DENVER PLACER, MINERAL SURVEY NO. 12119, OF THE UPPER SAN MIGUEL MINING DISTRICT AND IN THE NAVIKE PLACER, MINERAL SURVEY NO. 736, OF THE UPPER SAN MIGUEL MINING DISTRICT AND IN GOVERNMENT LOT 1 OF SECTION 32, ALL SITUATED IN SECTIONS 32 AND 33, TOWNSHIP 43 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAN MIGUEL, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

**BEGINNING AT CORNER NO. 9 OF SAID DENVER PLACER, BEING A UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT BRASS CAP;
THENCE ALONG LINE 9-10 OF SAID DENVER PLACER NORTH 81° 08' 37" WEST, 366.65 FEET;
THENCE DEPARTING SAID LINE 9-10 NORTH 08° 13' 23" WEST, 446.33 FEET;
THENCE SOUTH 81° 46' 37" WEST, 362.00 FEET;
THENCE SOUTH 08° 13' 23" EAST, 335.11 FEET TO SAID LINE 9-10;
THENCE ALONG SAID LINE 9-10 NORTH 81° 08' 37" WEST, 1406.67 FEET TO CORNER NO. 10 OF SAID DENVER PLACER;
THENCE ALONG LINE 1-2 OF THE BOSTON PLACER, MINERAL SURVEY NO. 2019, OF THE UPPER SAN MIGUEL MINING DISTRICT, NORTH 81° 05' 35" WEST, 107.35 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 145;
THENCE EASTERLY ALONG SAID RIGHT-OF-WAY LINE NORTH 74° 26' 41" EAST, 846.03 FEET;
THENCE 696.28 FEET ALONG THE ARC OF A NON-TANGENT CIRCULAR CURVE BEING CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2790.00 FEET, A CENTRAL ANGLE OF 14° 17' 56" AND A CHORD BEARING NORTH 81° 35' 39" EAST, 694.48 FEET;
THENCE NORTH 88° 44' 41" EAST, 890.11 FEET;
THENCE SOUTH 40° 28' 23" EAST, 63.75 FEET;
THENCE SOUTH 11° 20' 11" WEST, 878.41 FEET TO LINE 8-9 OF SAID DENVER PLACER;
THENCE NORTH 07° 31' 25" WEST, 215.78 FEET TO THE POINT OF BEGINNING,
SAID TRACT OF LAND IS SHOWN AS TRACT 19A ON SPECIAL WARRANTY DEED RECORDED MAY 26, 2005 UNDER RECEPTION NO. ~~375058~~;
COUNTY OF SAN MIGUEL, STATE OF COLORADO.**

LESS AND EXCEPT ANY PORTION CONVEYED TO THE TOWN OF TELLURIDE IN WARRANTY DEED RECORDED DECEMBER 5, 1986 IN BOOK 432 AT PAGE ~~38~~, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

LESS AND EXCEPT A TRACT OR PARCEL OF LAND NO. RW-1 OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, PROJECT CODE 17641, PROJECT NUMBER NH 145A-045, BEING IN SECTION 33, TOWNSHIP 43 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAN MIGUEL, STATE OF COLORADO, CONVEYED TO THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, IN WARRANTY DEED RECORDED JANUARY 18, 2012 UNDER RECEPTION NO. ~~421280~~, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 145 ESTABLISHED ON PROJECT S 0153(13), WHENCE CORNER NO. 9 OF THE DENVER PLACER, MINERAL SURVEY NO. 12119, OF THE UPPER SAN MIGUEL MINING DISTRICT, BEING A BRASS CAP, 3 1/4" IN DIAMETER, MARKED "U.S. DEPT. OF THE INTERIOR, BUR. OF LAND MANAGEMENT, COR 9 MS 12119, COR 2 MS 2019, 1975", BEARS SOUTH 20° 17' 42" WEST, A DISTANCE OF 447.41 FEET;

1. THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, NORTH 14° 10' 25" WEST, A DISTANCE OF 219.30 FEET;
2. THENCE SOUTH 88° 45' 19" WEST, A DISTANCE OF 75.75 FEET;
3. THENCE NORTH 40° 26' 09" WEST, A DISTANCE OF 80.00 FEET TO THE SOUTHERLY LINE OF COLORADO STATE HIGHWAY 145 ESTABLISHED ON PROJECT S 0150(3);
4. THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY NORTH 88° 45' 19" EAST, A DISTANCE OF 185.86 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 145 ESTABLISHED ON PROJECT S 0153(13), TO AN ALUMINUM CAP, 1 1/2" IN DIAMETER, MARKED "BANNER INC. 25954";
5. THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 40° 26' 09" EAST, A DISTANCE OF 63.44 FEET TO A BRASS CAP, 3" IN DIAMETER ON A 6" DIAMETER CONCRETE POST, MARKED "STATE HIGHWAY DEPT., R.O.W. MARKER";
6. THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 11° 20' 21" WEST, A DISTANCE OF 232.15 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

**BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE "STATE PLANE" GRID BEARING OF NORTH 2° 41' 20" EAST FROM CDOT CONTROL POINT MILEPOST 71.38 (A 3 1/4" ALUMINUM CAP) TO CDOT CONTROL POINT MILEPOST 71.48 (A 3 1/4" ALUMINUM CAP).
COUNTY OF SAN MIGUEL, STATE OF COLORADO.**

EXHIBIT "B"
PUBLIC HEARING RECORD

Public Hearing Record

Board of County Commissioners

Application: Genesee Properties, Inc

Planned Unit Development /Subdivision Preliminary Plan for the Society Turn
Parcel; Mixed-Use Development Zone District Rezoning of Parcel

Date: May17, 2023

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).
3. Memorandum to the San Miguel County Board of Commissioners from Kaye Simonson, Planning Director dated May 17, 2023
4. Draft Resolution 2023-23 of the San Miguel County Board of Commissioners Approving the Preliminary Planned Unit Development and Subdivision of the Society Turn Parcel for Genesee Properties.
5. Draft Resolution 2023-24 of the San Miguel County Board of Commissioners Approving the Rezone to Mixed-Use Development Zone District of the Society Turn Parcel for Genesee Properties.
6. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director dated March 9, 2023.
7. CPC Resolution 2023-02, Planning Commission, San Miguel County, Colorado, Recommending Approval of the Preliminary Planned Unit Development and Subdivision of the Society Turn Parcel for Genesee Properties.
8. CPC Resolution 2023-03, Planning Commission, San Miguel County, Colorado, Recommending Approval of the Rezone to Mixed-Use Development Zone District of the Society Turn Parcel for Genesee Properties.
9. Planning Commission Minutes, January 12, 2023
10. Planning Commission Minutes, March 9, 2023
11. Application Supplement submitted by Tom Kennedy, Attorney, on behalf of Genesee Properties, Inc., Society Turn Preliminary PUD/Subdivision Plan Review and Related Matters received February 27, 2023.

12. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director dated February 9, 2023.
13. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director dated January 12, 2023.
14. Application submitted by Tom Kennedy, Attorney, on behalf of Genesee Properties, Inc., Society Turn Preliminary PUD/Subdivision Plan Review and Related Matters received October 25, 2022. (The complete application is online at <https://societyturn.info/>)
15. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated April 26, 2023 and April 25, 2023.
16. Public Hearing Notices published in the Norwood Post and Telluride Daily Planet on May 3, 2023.
17. Society Turn Sketch Plan application, amendments, documents, and Public Hearing and Public Meeting Records (By Reference Only)

AGENCY COMMENTS

18. Email from Kaye Simonson, Planning Director dated January 18, 2023 to Referral Agencies.
19. Email and Letter from Kaye Simonson, Planning Director dated December 6, 2022 to Referral Agencies.
20. Email from Randee Reider, CDOT Region 5 Permits Program Manager, to Planning Department dated December 6, 2022.
21. Letter received from Chris Darnell, TRMC - CEO, to Kaye Simonson, Planning Director dated December 30, 2022.
22. Letter received from David Averill, SMART – Executive Director, to Kaye Simonson, Planning Director dated December 30, 2022.
23. Letter received from Mark W. Caddy, CPW – District Wildlife Manager, to Kaye Simonson, Planning Director dated December 29, 2022.
24. Email received from Pam Hall, Lawson Hill POC – Manager, to Kaye Simonson, Planning Director dated December 23, 2022.
25. Letter received from Janet Kask, County Parks & Open Space Director, to Kaye Simonson, Planning Director dated December 30, 2022.

26. Email received from Ryan Righetti, County Road & Bridge Director, to Kaye Simonson, Planning Director dated January 3, 2023.
27. Letter received from Matt Gonzales, County Building Official, to SMC Planning Commission dated December 30, 2022.
28. Letter received from Julie Kolb, County Vegetation Control and Management, to Kaye Simonson, Planning Director dated January 3, 2023.
29. Letter received from J. David Foley, County Surveyor, to John Huebner, Senior Planner dated January 3, 2023.
30. Letter received from Laila Benitez, Town of Mountain Village Mayor, to Kaye Simonson, Planning Director dated January 3, 2023.
31. Letter received from Paul O'Neil, SEH – Designated County Engineer, to Kaye Simonson, Planning Director dated January 5, 2023.
32. Letter received from Martha Whitmore, Attorney Hockersmith & Whitmore LLC, for San Miguel Power Association, to Kaye Simonson, Planning Director dated January 9, 2023
33. Email received from Jill Carlson, Colorado Geological Survey to Kaye Simonson, Planning Director dated January 20, 2023.
34. Letter and Attachment received from Last Dollar PUD Association Board of Directors to Kaye Simonson, Planning Director dated January 31, 2023.
35. Letter received from Shelly Duplan, Aldasoro Ranch Homeowners Company Director of Operations to Kaye Simonson, Planning Director dated January 30, 2023.
36. Email and Attachment received from Scott Heidergott, Fire Marshal, Telluride Fire Protection District to Kaye Simonson, Planning Director dated January 19, 2023.
37. Email received from John Pandolfo, Superintendent, Telluride R-1 School District, to Kaye Simonson, Planning Director dated January 18, 2023.
38. Letter received from Martha Whitmore, Attorney Hockersmith & Whitmore LLC, for San Miguel Power Association, to Kaye Simonson, Planning Director dated May 8, 2023

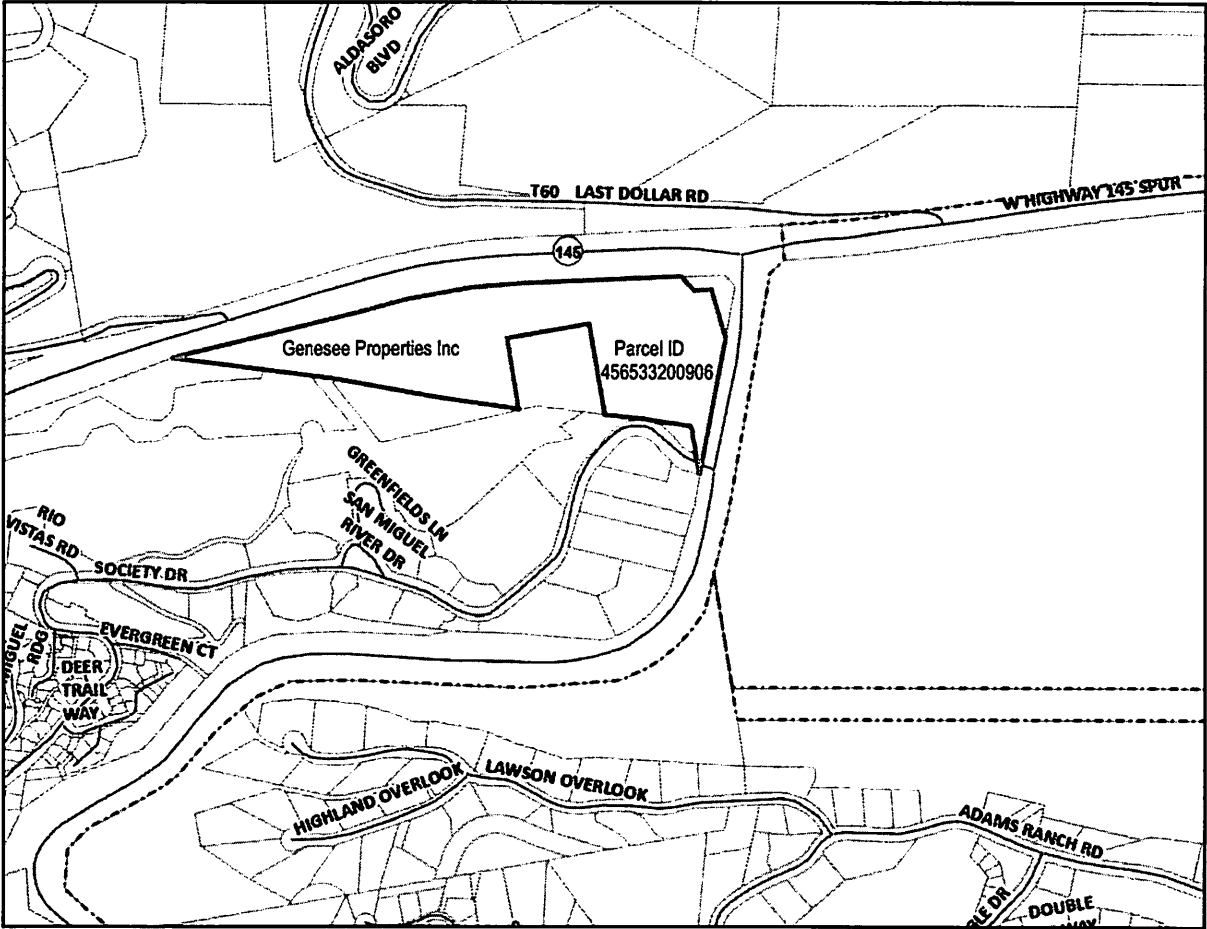
PUBLIC COMMENTS

39. Email received from Alison James dated December 22, 2022.
40. Email received from Alex Maarten dated January 11, 2023.

41. Letter from Bill Burgess dated February 8, 2023.

42. Email received from Joan May dated March 8, 2023.

Exhibit “C” – Rezoning Area Map



**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MEETING**

05/17/2023

Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the 05/17/2023

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.

Amy Markwell

Amy Markwell, County Attorney

I, Lance Waring, Chair of the San Miguel County Board of
Commissioners attest that the 05/17/2023

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.

Lance Waring

Chair