

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

**MINUTES**

**Wednesday, August 16, 2023**

**Zoom.us**

**1) Roll Call**

Present:

Lance Waring, Chair

Kris Holstrom, Vice Chair

Anne Brown, Commissioner

Staff Present:

Mike Bordogna, County Manager

Amy Markwell, County Attorney

Nancy Willis, 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.**

**6) CONSENT AGENDA**

- 6.a) Ratification of Chair's signature on the July 2023 County Veterans Service Officer Monthly Report.

(ATTACHMENT - VSO Monthly Report July 2023.pdf)

- 6.b) Approval of Jim Fitzmorris to the appointment of the Noxious Weed Advisory Committee.

(ATTACHMENT - James Fitzmorris - Noxious Weed appointment.pdf)

- 6.c) Approval of Minutes: July 19, 2023.

(ATTACHMENT - 20230719-BOCC-Minutes-Draft.pdf)

- 6.d) Acknowledgment of additional property tax appeal petitions received, stipulated, and denied, for CBOE protests.

(ATTACHMENT - Determination Letter Mezrah Lot 64 CBOE2023-102.5.pdf)

(ATTACHMENT - 2023-109 Stipulation Ltr R1010000560 (1).pdf)

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

**7) ADMINISTRATIVE MATTERS**

- 7.a) Consideration of Chair's signature on a Special Events Permit for Telluride Rotary Foundation, Inc. to serve regular Malt, Vinous & Spirituous Liquor location Telluride Airport, 1500 Last Dollard Road, Telluride, CO. on the specified dates noted./MOTION

(ATTACHMENT - Special Events Telluride Rotary Foundation.pdf)

Presented by: Carmen Warfield, Chief Deputy Clerk

(ATTACHMENT I - Written Findings)

**MOTION** by Kris Holstrom to approve the liquor license as presented. **SECONDED** by Anne Brown. **PASSED 3-0.**

- 7.b) Visit with the Tres Rios Field Office, Field Manager.

Presented by: Derek Padilla, Tres Rios Field Office Manager

9:57 a.m. Recessed.

10:00 a.m. Reconvened.

**8) PLANNING MATTERS**

- 8.a) 10:00 am Public Hearing - Town of Mountain Village Request to Rezone Parcel 1, Alexander Property, Ilium Valley, From Forestry Agriculture and Open (F) to Community Housing (CH).

(ATTACHMENT - BOCC Packet Materials Alexander Parcel Rezone 081623.pdf)

Presented by: Kaye Simonson, Planning Director; John Huebner, Senior Planner; Michelle Haynes, Town of Mountain Village, Assistant Town Manager; Paul Wisor, Town of Mountain Village, Town Manager; Dave and Madison Alexander, Owner of the property

Public Who Addressed the Board:

Ryan Kusuno, Resident and Board President of Two Rivers development

Scott Bennett, Resident of San Miguel County

10:01 a.m. The Public Hearing was opened.

11:17 a.m. The Public Hearing was closed.

(ATTACHMENT II - Resolution 2023-37)

11:22 a.m. Recessed.

11:30 a.m. Reconvened.

**MOTION** by Anne Brown to approve rezoning of Parcel 1, Alexander Ilium Property, to Community Housing, and to adopt Board of County Commissioner Resolution No. 2023-37 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 5-324, Community Housing and the higher density that may be proposed is not incompatible with surrounding land uses, neighborhood characteristics or community character;
3. The Applicant and Representatives have 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; mitigation of geohazards; site access; and mitigation of impacts on the environment, consistent with the purpose and standards of Land Use Section 5-324 Community Housing;
4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies and in particular the policies of Section 2-29, Housing;
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 Section E, Affordable Housing, in that it will help provide an adequate self-contained supply of affordable and community housing to meet the needs of seasonal employees and permanent residents, and particularly in Ilium Valley, which was added to the Future Land Use Map in 2006. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

**12) SOCIAL SERVICES MATTERS**

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

(ATTACHMENT - SMC August Packet - Social Services.pdf)

**MOTION** by Kris Holstrom to approve the Social Services [financials] as presented. **SECONDED** by Anne Brown. **PASSED 3-0.**

- 12.b) Update on the Behavioral Health Housing grant.

Presented by: Carol Friedrich, Director of Social Services

**14) MANAGER MATTERS**

- 14.a) Consideration of the approval of a new county position - Accessibility Coordinator./MOTION

(ATTACHMENT - Accessibility Coordinator Job Description.pdf)

Presented by: Mike Bordogna, County Manager

**MOTION** by Kris Holstrom to approve a new county position - Accessibility Coordinator. **SECONDED** by Anne Brown. **PASSED 3-0.**

- 14.b) Consideration of the Board of the First Amendment to Agreement for Professional Services with Sullivan Green Seavy LLC for the purpose of updating natural resources provisions of the San Miguel County Land Use Code (LUC). Added a new Task A to draft solar regulations, revised timeline, and revised budget. /MOTION

(ATTACHMENT - BOCC SGS 1st Amendment PSA 081623.pdf)

Presented by: Mike Bordogna, County Manager; Kaye Simonson, Planning Director

**MOTION** by Kris Holstrom to approve the authorization and execution of the First Amendment to Agreement for Professional Services with Sullivan Green Seavy LLC, for the purpose of preparing updates to the Land Use Code regarding natural resources and renewable energy. **SECONDED** by Anne Brown. **PASSED 3-0.**

- 14.c) Consideration of leasing three additional vehicles for the Sheriff's office./MOTION

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

**MOTION** by Kris Holstrom to approve an agreement with Enterprise Leasing for the 2024 budget. [This is for three additional vehicles for the Sheriff's office that will need to be ordered now to receive in 2024]. **SECONDED** by Anne Brown. **PASSED 3-0.**

- 14.d) Consideration of Chair's signature on an Amended and Restated Deed Restriction and Covenant Lots Q2R, Q4R, Q5R, Q8R, Q9R, Q10R, Q12R, Q13R, Q14R, Q16R, Q17R, Q19R, Q20R, Q21R, Q29R, Q30R, Q31R, Q32R, Q33R, Q35R and Sunshine Valley Lots SV110 and SV120, Lawson Hill Subdivision./MOTION

(ATTACHMENT - 20230814 Amended and Restated Covenant - signed by TSG.pdf)

Presented by: Kaye Simonson, Planning Director; Amy Markwell, County Attorney

**MOTION** by Kris Holstrom to approve the Chair's signature as presented. **SECONDED** by Anne Brown. **PASSED 3-0.**

Other, as needed. Presented by: Mike Bordogna, County Manager

1. Update on the Road and Bridge projects on the East End of the County. Black Bear Pass has continued to be closed. Presented by: Ryan Righetti, Road and Bridge Superintendent
2. Public Health - Back to School Event

3. Staff Picnic - 12 -5pm on Thursday, August 17, 2023.
4. Upcoming meetings / Updates throughout the County
5. New employees in Social Services, Parks and Open Space.
6. IT dept is moving to West Wing, and Maintenance will move into the IT space in the Miramonte building.
7. CDOT - update on the Applebaugh bridge project to begin work prior to October 1st or additional requirements will be in effect.

Discussion of dates to meet with residents of Placerville.

9) **Lunch**

12:19 p.m. Recessed.

12:50 p.m. Reconvened.

10) **PLANNING MATTERS - Continued.**

- 10.a) Consideration of request from Paul Doherty, Lot 5 North Gurley Reserve for approval of Cistern for domestic water supply for proposed Single-family residence / MOTION

(ATTACHMENT - BOCC staff report Doherty\_Hauling Water\_Cistern.pdf)

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

**MOTION** by Kris Holstrom to approve the authorization of the proposed use of a Cistern as the domestic water supply for a proposed residence on Lot 5, North Gurley Reserve based on the finding that the property owner has no other available water supply and that there is a sanitary means of delivering potable water that meets the Colorado Department of Health standards. **SECONDED** by Anne Brown. **PASSED 3-0.**

15) **COMMISSIONER UPDATES:**

Kris Holstrom - Gunnison Valley Transportation Planning Region (GVTPR) Meeting; Colorado Composting Council, SMART Board meeting

- 10.b) 1:00 pm Public Hearing - Consideration of approving a Mining Special Use Permit for Thor Energy PLC - Wedding Bells Project Phase II, West End (WE) Zone District Conditional Uses on Federal Lands./MOTION

(ATTACHMENT - DP 23-09 - Thor Energy - U29W.pdf)

(ATTACHMENT - BOCC Packet Materials-Thor Energy PLC Wedding Bell PhII Project Mineral Exploration 8.16.23.pdf)

(ATTACHMENT - Comment Letter to SMC Commissioners 072623.pdf)

(ATTACHMENT - Comment Letter WEEDC Comments 7.13.23.pdf)

Presented by: John Huebner, Senior Planner; Kaye Simonson, Planning Director; Nicole Galloway Warland, Thor Energy PLC; Tony Adkins, Geology Consultant; Jeff Kurtz, Geosyntec Consultant

Public Who Addressed the Board:

Paul Szilagyi, Western Small Miners Organization, Board Member

Terri Lamers, County resident

Bob Larson, Western Small Miners Organization; Geological Consultant

Amy Tooker, WEEDC representative

1:00 p.m. The Public Hearing was opened.

1:42 p.m. The Public Hearing was closed.

(ATTACHMENT III - Resolution 2023-38)

**MOTION** by Kris Holstrom to approve a Mining Special Use Permit (SUP) for Standard Minerals Inc. or its contractor, for mineral exploration from drill pads on its federal unpatented lode mining claims under Bureau of Land Management (BLM) public lands located in the Groundhog and Section 23 areas in northwest San Miguel County and to adopt Resolution No. 2023-38, based on the finding that the proposed use is consistent with the County Master Plan, and with the Land Use Policies in LUC Section 2-8, Natural and Man-Made Hazard and Resource Area; LUC Section 2-11, Erosion; LUC Section 2-34, Revegetation with Native Species; LUC Section 2-35, Mining and Mineral Processing Operations, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; Section 5-11, Conditional Uses on Federal Lands; and Section 5-16, Mining; and Section 5-320 K, Review Standards for WE Zone District Special Uses, subject to the following specific terms and conditions:

1. The Special Use Permit is issued to the Applicant, Standard Minerals Inc., and does not run with the Land.
2. No future mining activity at the project site by Standard Minerals Inc., its lessees, or the property owners or its lessees is authorized by this approval.
3. Contact the Planning Department, Road and Bridge Department and County Sheriff's Office prior to mobilization of and the start of drilling activities.
4. Provide a list of onsite contacts for Standard Minerals Inc. and the drilling project contractor.
5. This Special Use Permit conditional approval is subject to the Bureau of Land Management (BLM) and Colorado Division of Reclamation and Mining and Safety (CDRMS) approving this drilling program and issuing the requisite permits. Provide copies of these permits to County Planning.
6. The project drilling program and reclamation plan shall be consistent with and comply with the applicable provisions as approved by the County, unless specifically modified in the BLM and CDRMS approval action.
7. Provide monthly progress reports to County Planning.
8. 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.
9. Exploration activities shall be limited to August 1 to November 30.

10. Access to the project shall be from Montrose County to SMC County Road U29W.
11. The clearing of pinion-juniper and sagebrush shall be minimized to the greatest extent practical.
12. The County shall be informed of any cultural resources discovered in the course of work. Pads and road disturbance should avoid any areas with cultural resources. All appropriate mitigation measures shall be taken to protect cultural resources.
13. The revegetation plan shall include soil restoration and best practices to maximize available water.
14. Provide documentation regarding the water source(s) for the project.
15. Identify any hazardous materials that will be used in the process, and describe how those materials will be stored and transported.
16. Applicant shall obtain a Road and Bridge Access Permit prior to commencing operations.
17. Applicant will adhere to the applicable BLM Noise Abatement regulations for this project.
18. Maintain the \$50,000 voluntary reclamation bond held by county throughout this Phase II project. **SECONDED** by Anne Brown. **PASSED 3-0.**

## 11) ADMINISTRATIVE MATTERS

- 11.a) Continued from August 2, 2023 - Consideration of the Assessor's office, to petition the request to the Board of County Commissioners acting in the capacity of the County Board of Equalization to approve a correction in value for the properties as provided. /MOTION

(ATTACHMENT - Muscatel Flats Corrections.pdf)

(ATTACHMENT - OCA memo to CBOE.erroneous valuation.8.2.23.pdf)

(ATTACHMENT - CBOE RES 2023-01.approving new valuation.Muscatel Flats.docx)

(ATTACHMENT - CBOE RES 2023-01.denying new valuation.Muscatel Flats.docx)

(ATTACHMENT - Muscatel Flats value correction - list of units and values.pdf)

(ATTACHMENT - Muscatel Flats value correction - letter to owners.docx)

Presented by: John Zimmerman, Contract Appraiser; Sarah Enders, County Assessor

Public Addressed the Board:  
Aric Maloy, Resident of Muscatel Flats

**MOTION** by Kris Holstrom to approve the requested adjustments as presented.  
**SECONDED** by Anne Brown. **PASSED 3-0.**

1:57 p.m. Recessed.

2:02 p.m. Reconvened.

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

**13.a) Update on the PacifiCorp Silver Bell Tailings Pile.**

(ATTACHMENT - Memo PacifiCorp Silver Bell Tailings Pile.pdf)

(ATTACHMENT - USFS Land surrounding PacifiCorp Property.docx)

(ATTACHMENT - San Miguel County letter 8.4.2023 PacifiCorp.pdf)

General Updates: Presented by: Starr Jamison, Director of NRSP

1. Completing reports concerning the renewal energy project. The reports are due twice a year for a 5 year period.
  2. Update on a Solar Maintenance contract
  3. Update on the Forest Comment Period
  4. Upcoming meetings
  5. Update on the Lawson Hill Environmental Protection Agency (EPA).
- Updates and additional information will be provided at a later meeting.

**15) CONTINUED COMMISSIONER UPDATES:**

Anne Brown - Attendance at the CCAT Summer Conference, CCI and CCAT Land use meeting; Meeting with Mason Osgood - Dolores level NCA; SWIRL Meeting; Intergovernmental Meeting

Lance Waring - Intergovernmental Meeting; CDOT meeting with representatives; SMART Meeting

**15.a) Consideration of the Board of County Commissioner to the Colorado Counties Inc, Legislative Committee Commissioner Designation to vote on the 2024 Legislative Priorities./MOTION**

(ATTACHMENT - 20230808\_Legislative Committee Commissioner Designation Form 'Ea.pdf)

**MOTION** by Lance Waring to approve Anne Brown as the designee and Lance Waring to be the alternative to serve as the County Commissioner [to the Colorado Counties Inc, Legislative Committee Commissioner Designation to vote on the 2024 Legislative Priorities]. **SECONDED** by Anne Brown. **PASSED 3-0.**

**16) ATTORNEY MATTERS**

Presented by: Amy Markwell, County Attorney

Update and other, as needed.

1. There is a new law in effect increasing the use of sick leave for Employees.
2. Update on the Oil and Gas Suncor litigation.

**17) ADJOURNMENT**

**MOTION** by Kris Holstrom to adjourn the meeting. **SECONDED** by Anne Brown.  
**PASSED 3-0.**

2:29 p.m. Adjourned.

Respectfully submitted,

Approved 9/20/2023 Carmen Warfield  
SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

Juan Wang

ATTEST:

Walter Boudreau

WRITTEN FINDINGS

Date: July 6<sup>th</sup>, 2023

To: San Miguel County Board of Commissioners

Re: Special Events Permit for Telluride Rotary Foundation, Inc.  
PO Box 1265  
Telluride, CO 81435

---

1. Fees: \$175.00 paid June 26<sup>th</sup>, 2023 to San Miguel County, to serve regular Malt, Vinous & Spirituous Liquor September 23, 2023 from 12:00 o'clock PM to 10:00 O'clock PM, September 25, 2023 from 11:00 o'clock AM to 5:00 o'clock PM and September 27, 2023 from 11:00 o'clock AM to 5:00 o'clock PM at the Telluride Airport.

2. Notice for posting on the proposed site was given to applicant August 1, 2023.

Notice does not need to be published in the Weekly Planet unless petitions of remonstrance's are filed with me.

Meeting to be held at 9:30 o'clock A.M., August 16<sup>th</sup>, 2023 for approval of application.

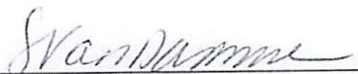
The Sheriff's office will be notified of an opportunity to comment (on any possible perceived law enforcement) at the meeting.

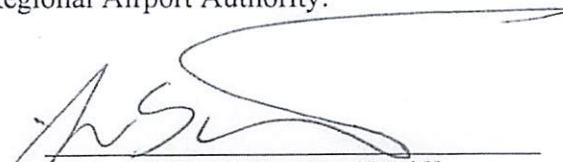
3. Fingerprinting is not required for a Special Events Permit.

William Masters, Sheriff, gives his approval on this application with the understanding that they be allowed to sell Malt, Vinous and Spirituous Liquor.

4. Application is complete with the following documents:

- (a) Diagram showing where liquor will be served and consumer.
- (b) Certificate of Good Corporate Standing.
- (c) License Agreement from Telluride Regional Airport Authority.
- (d) Insurance attached

  
Stephannie Van Damme County Clerk

  
William Masters, Sheriff

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,  
SAN MIGUEL COUNTY, COLORADO,  
APPROVING THE TOWN OF MOUNTAIN VILLAGE REQUEST TO REZONE  
PARCEL 1, ALEXANDER ILIUM PROPERTY PLAT SUBDIVISION EXEMPTION FOR  
LOT LINE ADJUSTMENT  
FROM FORESTRY, AGRICULTURE AND OPEN (F)  
TO COMMUNITY HOUSING (CH)**

**Resolution 2023-37**

**WHEREAS**, the Town of Mountain Village (Applicant), for property owned by Alexander Ranch LLLP and Alexander Trust (Property Owner), has submitted an Application (Application) to rezone Parcel 1, Alexander Ilium Property Subdivision Exemption Plat for Lot Line Adjustment portions of the San Miguel Placer (MS 262), Pekin Placer (MS 2230, Soudan Placer (MS 12909), New York Placer (MS 12721) within Section 36 T43N R10W and Section 31 T43N R9W NMPM (Property), more particularly described in Exhibit A, Legal Description Summary, from Forestry Agriculture and Open (F) to Community Housing (CH); and

**WHEREAS**, Applicants have entered into a purchase contract with the Property Owner to acquire the Property for the purpose of developing affordable housing; and

**WHEREAS**, the Property contains about 56 acres and the Applicant is seeking approval to rezone the Property to Community Housing (CH), as shown on Exhibit B, Site Utilization Map; and

**WHEREAS**, increasing affordable housing opportunities is one of the primary goals of the San Miguel County Commissioners; and

**WHEREAS**, the purpose of the CH zone district as stated in Land Use Code (LUC) Section 5-324 A is to "provide for the development of high-density, clustered housing for people who live and work within San Miguel County;" and

**WHEREAS**, the purpose statement of the CH zone states with emphasis, "It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land use, neighborhood characteristics or community character;" and

**WHEREAS**, the CH zone district specifies that properties that may be considered for rezoning to the CH district shall be located within the Telluride R-1 School District boundaries, and that properties in the F zone district may be rezoned to the CH zone district where water can be developed; and

**WHEREAS**, as presented within the application, Applicants have described how the Property can be developed in a way that protects the public health, safety and welfare,

including the provision of water and wastewater treatment; mitigation of geohazards; site access; and mitigation of impacts on the environment; and

**WHEREAS**, the Application was referred to the County Manager, County Attorney, County Building Official, County Road and Bridge Director, County Natural Resources Director, County Parks and Open Space Director, County Sheriff, County Public Health Specialist, County Surveyor, Colorado Parks and Wildlife, Colorado Division of Water Resources, Colorado Department of Transportation, San Miguel Authority for Regional Transportation, Telluride Fire Protection District, Telluride R-1 School District, Telluride Hospital District, Town of Telluride, Black Hills Energy, San Miguel Power Association, US Forest Service and the Ilium Property Owners Association for review and comment; and

**WHEREAS**, on or about July 24, 2023, the Applicant sent Notice of the application and of the Board of County Commissioner (BOCC) Public hearing to be held on August 16, 2023 to all property owners within 500 feet of the subject parcel, and posted a sign on the property noticing the proposed rezoning and the BOCC public hearing on July 24, 2023; no separate mineral rights owner(s) were identified; and

**WHEREAS**, a Public Hearing Notice for the proposed Rezoning and the County Board of County Commissioners hearing to be held on August 16, 2023 was published in the Norwood Post and the Telluride Daily Planet on August 2, 2023; and

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

**WHEREAS**, the Planning Commission considered this application, along with relevant evidence and testimony, at a public meeting on Thursday, July 13, 2023; and

**WHEREAS**, at its meeting held on Thursday, July 13, 2023, following its consideration of the proposed Rezoning Application, the CPC by a 5-0 vote recommended approval of the proposed Rezoning and adopted CPC Resolution No. 2023-06.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of San Miguel County, Colorado, approves the Rezoning of Parcel 1, Alexander Ilium Property Subdivision Exemption Plat for Lot Line Adjustment San Miguel Placer (MS 262), Pekin Placer (MS 2230, Soudan Placer (MS 12909), New York Placer (MS 12721) to Community Housing, 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 5-324, Community Housing, and the higher density that may be proposed is not incompatible with surrounding land uses, neighborhood characteristics or community character;
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; mitigation of geohazards; site access; and mitigation of impacts on the environment, consistent with the purpose and standards of Land Use Section 5-324 Community Housing;

4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies and in particular the policies of Section 2-29, Housing;
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 Section E, Affordable Housing, in that it will help provide an adequate self-contained supply of affordable and community housing to meet the needs of seasonal employees and permanent residents, and particularly in Ilium Valley, which was added to the Future Land Use Map in 2006.

**BE IT FINALLY RESOLVED** that all written representations of the applicants in the application, 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 August 16, 2013.

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

By: Lance Waring  
Lance Waring, Chair

|       |               |            |     |         |        |
|-------|---------------|------------|-----|---------|--------|
| Vote: | Anne Brown    | <u>Aye</u> | Nay | Abstain | Absent |
|       | Kris Holstrom | <u>Aye</u> | Nay | Abstain | Absent |
|       | Lance Waring  | <u>Aye</u> | Nay | Abstain | Absent |

ATTEST:

By: Carmen Warfield  
Carmen Warfield, Chief Deputy Clerk

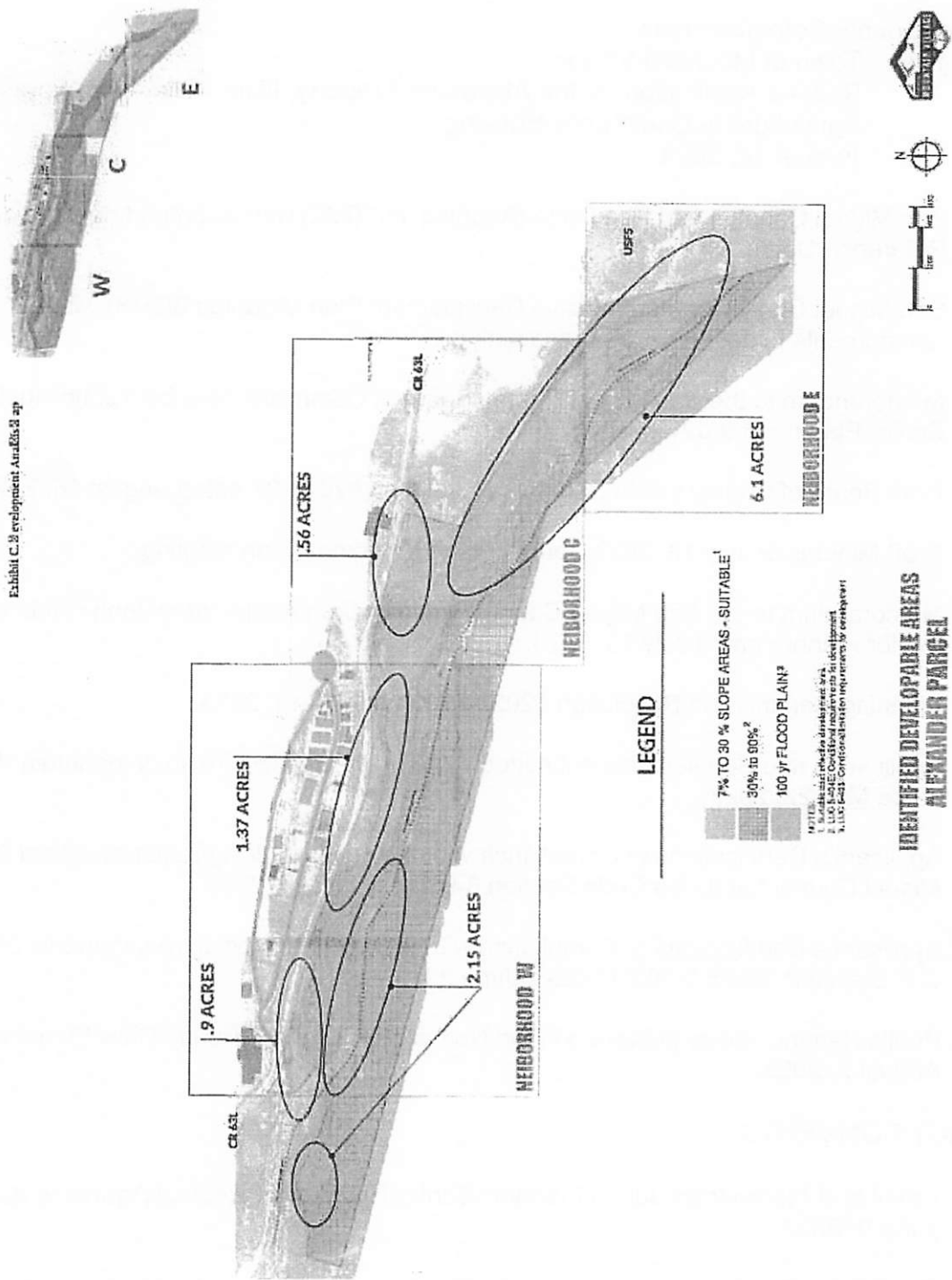


EXHIBIT "A" Legal Description Summary  
EXHIBIT "B" Development Analysis Map  
EXHIBIT "C" Public Meeting Record list

**EXHIBIT "A"**  
**LEGAL DESCRIPTION SUMMARY**

Parcel 1, Alexander Ilium Property Subdivision Exemption Plat for Lot Line Adjustment portions of the San Miguel Placer (MS 262), Pekin Placer (MS 2230, Soudan Placer (MS 12909), New York Placer (MS 12721) within Section 36 T43N R10W and Section 31 T43N R9W NMPM. Reception #481406

# EXHIBIT "B" DEVELOPMENT ANALYSIS MAP



**EXHIBIT "C"**  
**PUBLIC HEARING RECORD**

Board of County Commissioners

Application: Town of Mountain Village

Rezone Application for the Alexander Property, Ilium Valley from Forestry/  
Agriculture to Community Housing

Date: August 16, 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 John Huebner, Senior Planner dated August 16, 2023.
4. Draft Board of County Commissioners Resolution #2023-37 dated August 16, 2023.
5. Draft Minutes of July 13, 2023 County Planning Commission meeting.
6. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated July 13, 2023.
7. Planning Commission Resolution #2023-06 dated July 13, 2023.
8. Application and Supplements submitted by Michelle Haynes, Town of Mountain Village, dated May 22, 2023.
9. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated July 27, 2023.
10. Applicant's Certifications of Compliance with the mineral noticing requirements of the C.R.S section 24-65.5-103(1) dated June 22, 2023.
11. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on August 2, 2023.

**AGENCY COMMENTS**

12. Email and Memo from John Huebner, Senior Planner, to Review Agencies dated June 9, 2023.
13. Email from Scott Heidergott, Telluride Fire Department, to John Huebner, Senior Planner, dated June 16, 2023.
14. Email from David Foley, San Miguel County Surveyor, to John Huebner, Senior Planner, dated June 28, 2023.

15. Email from Kevin Chaney, Public Health, to John Huebner, Senior Planner, dated June 12, 2023.
16. Email from Gregory Powers, Colorado Division of Water Resources, to John Huebner, Senior Planner, dated June 12, 2023.
17. Email from Daniel Roussin, Colorado Division of Transportation, to John Huebner, Senior Planner, dated June 14, 2023.
18. Letter from Ron Quarles, Town of Telluride Planning and Building Director, to John Huebner, Senior Planner dated June 28, 2023.
19. Letter from Jim Bennett, Telluride Fire Department, to Kaye Simonson, Planning Director, dated July 11, 2023.

#### PUBLIC COMMENTS

20. Letter from Kara Bagnall, Two Rivers resident, to John Huebner, Senior Planner, dated June 23, 2023.
21. Letter from Rae Centanni Shaffner, Two Rivers resident, to Michelle Haynes, Town of Mountain Village dated June 29, 2023.
22. Email from Scott Harris, Two Rivers resident, to John Huebner, Senior Planner dated June 30, 2023.
23. Email from Robert Szigeti to John Huebner, Senior Planner dated June 30, 2023.
24. Email from Steve Togni, Telluride Mountain Lodge, to SMC Planning Department dated July 6, 2023.
25. Letter from Virginia Lucarelli, 2965 Last Dollar Road, to SMC Planning Commission dated July 11, 2023.
26. Email from Jim Farrar, 2805 Last Dollar Road, to SMC Planning Department dated July 11, 2023.
27. Letter from Jason C Corzine, Telluride Foundation, to SMC Planning Commission and Board of Commissioners dated July 12, 2023.
28. Email from Angela Farrar, 2805 Last Dollar Road, to SMC Planning Commission dated July 12, 2023.
29. Email from Jason Soules, 144 High Country Rd, to SMC Planning Department dated July 13, 2023.
30. Email from Greer Garner, Mountain Village Design Review Board Member, to SMC Planning Department dated July 29, 2023.

31. Email from Clint Warren, 117 Lawson Point, to SMC Planning Department dated August 3, 2023.
32. Email from Randy Podolsky, 1640 Brown Ranch Rd, to SMC Board of Commissioners dated August 3, 2023.
33. Email from Walter Dealtrey, 215 Ridgeline Dr B3, to SMC Planning Department dated August 6, 2023.

## ATTACHMENT III

**RESOLUTION OF THE BOARD OF COMMISSIONERS,  
SAN MIGUEL COUNTY, COLORADO,  
APPROVING A MINING SPECIAL USE PERMIT FOR STANDARD MINERALS INC  
WEDDING BELL PROJECT PHASE II, WEST END (WE) ZONE DISTRICT**

**Resolution 2023-38**

**WHEREAS**, Thor Energy PLC, on behalf of Standard Minerals Inc. ("Applicant"), has submitted an application seeking a Mining Special Use Permit for limited mineral exploration from drill pads on unpatented mining claims under Bureau of Land Management (BLM) federal public lands in T45N R18W in West End (WE) zone district, northwest San Miguel County off of County Road U29W near the Montrose County line. There are nineteen (19) exploratory drill sites proposed at the two project locations for the purpose of discovering uranium. The drilling program includes developing up to nineteen (19) drill pads, each measuring about 50 feet by 50 feet. The project area comprises BLM lands only and as such requires federal and state permit applications. The project plans to use existing BLM roads and routes locate on public land, and the limited development of temporary driveways to access drilling sites; and

**WHEREAS**, a West End Zone District Mining Special Use Permit (SUP) requires Two-step Planning Commission and Board of County Commissioner Review, per Land Use Code (LUC) Section 5-320 F XVI and 5-320 F XVII, pursuant to the standards contained in LUC Sections 5-320 West End Zone District, 5-320 K, Review Standards for all WE Zone District Special Uses, 5-407 Wildlife Habit Areas, 5-1002, Special Uses, 5-11 Conditional Uses on Federal Lands, and 5-16 Mining; and to the policies contained in LUC Sections 2-8, Natural and Man-made Hazard and Resource Areas, 2-11 Erosion, 2-34 Revegetation with Native Species, 2-35 Mining and Mineral Processing Operations; and

**WHEREAS**, the application was referred to the County Manager, County Attorney, County Road and Bridge Director, County Natural Resources Director, County Sheriff, County Open Space and Parks Director, Colorado Department of Public Health & Environment, Colorado Division of Reclamation-Mining and Safety, Colorado Parks and Wildlife, US Bureau of Land Management (BLM), Information Network for Responsible Mining (INFORM), and Sheep Mountain Alliance for review and comment; and

**WHEREAS**, at its regular meeting held on Thursday, July 13, 2023 the County Planning Commission reviewed the application and recommended approval to the Board of County Commissioners of a Special Use Permit (SUP) for Standard Materials Inc. or its contractor, for the proposed Mining Exploration on its mining claims on Bureau of Land Management (BLM) public lands off County Road W29U, the ("Property"), zoned West End (WE) as presented, based on the finding that the proposed use is consistent with the County Master Plan, and with the Land Use Policies in LUC Section 2-8, Natural and Man-Made Hazard and Resource Area; LUC Section 2-11, Erosion; LUC Section 2-34, Revegetation with Native Species; LUC Section 2-35, Mining and Mineral Processing Operations, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; Section 5-11, Conditional Uses on Federal Lands; and Section

5-16, Mining; and Section 5-320 K, Review Standards for WE Zone District Special Uses, subject to certain conditions, by a vote of 4-1; and

**WHEREAS**, the County Planning Commission's actions and recommendations are contained in the minutes from the July 13, 2023 CPC meeting; and

**WHEREAS**, on or about July 26, 2023, a Public Notice sign was posted at the intersection of SH 141 and CR 10R by the Applicant for the Board of County Commissioner public hearing on August 16, 2023, since there were not accessible posting locations closer to the site that would have provided effective notice. No property owners other than the BLM are within 1,500 feet of the subject parcel, nor any municipalities within 3 miles; and

**WHEREAS**, A Notice of Public Hearing was published in the Telluride Daily Planet and in the Norwood Post on Wednesday, August 2, 2023 for the Board of County Commissioner public hearing to be held on-line and in person on Wednesday, August 16, 2023; and

**WHEREAS**, a list of the items included in the Public Hearing Record is attached to this resolution as Exhibit "A";

**WHEREAS**, the Board of County Commissioners of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public hearing held on-line and in person on Wednesday, August 16, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of San Miguel County, Colorado, approves a Mining Special Use Permit (SUP) for Standard Minerals Inc. or its contractor, for mineral exploration from drill pads on its federal unpatented lode mining claims under Bureau of Land Management (BLM) public lands located in the Groundhog and Section 23 areas in northwest San Miguel County, based on the finding that the proposed use is consistent with the County Master Plan, and with the Land Use Policies in LUC Section 2-8, Natural and Man-Made Hazard and Resource Area; LUC Section 2-11, Erosion; LUC Section 2-34, Revegetation with Native Species; LUC Section 2-35, Mining and Mineral Processing Operations, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; Section 5-11, Conditional Uses on Federal Lands; and Section 5-16, Mining; and Section 5-320 K, Review Standards for WE Zone District Special Uses, subject to the following specific terms and conditions:

1. The Special Use Permit is issued to the Applicant, Standard Minerals Inc., and does not run with the Land.
2. No future mining activity at the project site by Standard Minerals Inc., its lessees, or the property owners or its lessees is authorized by this approval.
3. Contact the Planning Department, Road and Bridge Department and County Sheriff's Office prior to mobilization of and the start of drilling activities.

4. Provide a list of onsite contacts for Standard Minerals Inc. and the drilling project contractor.
5. This Special Use Permit conditional approval is subject to the Bureau of Land Management (BLM) and Colorado Division of Reclamation and Mining and Safety (CDRMS) approving this drilling program and issuing the requisite permits. Provide copies of these permits to County Planning.
6. The project drilling program and reclamation plan shall be consistent with and comply with the applicable provisions as approved by the County, unless specifically modified in the BLM and CDRMS approval action.
7. Provide monthly progress reports to County Planning.
8. 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.
9. Exploration activities shall be limited to August 1 to November 30.
10. Access to the project shall be from Montrose County to SMC County Road U29W.
11. The clearing of pinion-juniper and sagebrush shall be minimized to the greatest extent practical.
12. The County shall be informed of any cultural resources discovered in the course of work. Pads and road disturbance should avoid any areas with cultural resources. All appropriate mitigation measures shall be taken to protect cultural resources.
13. The revegetation plan shall include soil restoration and best practices to maximize available water.
14. Provide documentation regarding the water source(s) for the project.
15. Identify any hazardous materials that will be used in the process, and describe how those materials will be stored and transported.
16. Applicant shall obtain a Road and Bridge Access Permit prior to commencing operations.
17. Applicant will adhere to the applicable BLM Noise Abatement regulations for this project.
18. Maintain the \$50,000 voluntary reclamation bond held by county throughout this Phase II project.

**DONE AND APPROVED** by the Board of County Commissioners of San Miguel County, Colorado, on August 16, 2023.

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

By: Lance Waring  
Lance Waring, Chair

|       |               |            |     |         |        |
|-------|---------------|------------|-----|---------|--------|
| Vote: | Anne Brown    | <u>Aye</u> | Nay | Abstain | Absent |
|       | Kris Holstrom | <u>Aye</u> | Nay | Abstain | Absent |
|       | Lance Waring  | <u>Aye</u> | Nay | Abstain | Absent |

ATTEST:



By: Carmen Warfield  
Carmen Warfield, Chief Deputy Clerk

EXHIBIT "A" Public Hearing Record  
EXHIBIT "B" Site Plan

## EXHIBIT "A"

### Public Hearing Record

Board of County Commissioners

Application: Thor Energy, PLC c/o Standard Minerals, Inc  
West End (WE) Zone District, Conditional Use on Federal Lands, Mining Special  
Use Permit for the Wedding Bell/ Radium Hill Project

Date: August 16, 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 Planning Commission from John Huebner, Senior Planner dated August 16, 2023.
4. Draft Board of County Commissioner Resolution #2023-38.
5. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated July 13, 2023.
6. Application and Supplements submitted by Jim Guilingner, Thor Energy, PLC dated May 9, 2023.
7. Email from Nicole Galloway Warland, Applicant, to John Huebner, Senior Planner, dated June 26, 2023
8. Applicant's Certification of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated June 30, 2023.
9. Public Meeting Notice published in the Norwood Post and Telluride Daily Planet on June 28, 2023.

### AGENCY COMMENTS

10. Email and Memo from Nicola Kerr, Planning Technician, to Review Agencies dated May 31, 2023.
11. Email from Tony Bonacquista, Colorado Parks and Wildlife, to John Huebner, Senior Planner dated June 26, 2023.
12. Email from Starr Jamison, San Miguel County Natural Resources, to John Huebner, Senior Planner, dated June 28, 2023.
13. Email from Ryan Righetti, San Miguel County Road and Bridge, to John Huebner, Senior Planner, dated June 28, 2023.

### PUBLIC COMMENTS

**EXHIBIT "A"**

14. Letter from Mason Osgood, Sheep Mountain Alliance and Jennifer Thurston, INFORM to Planning Commission dated July 6, 2023.
15. Letter from Aimee Tooker, Board Chair, West End Economic Development Commission to San Miguel County Board of Commissioners dated July 12, 2013.
16. Letter Paula Brown, Executive Director, Nucla Naturita Area Chamber of Commerce to San Miguel County Board of Commissioners dated July 26, 2013.

EXHIBIT "B"

Site Plan

