

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES**

**WEDNESDAY, FEBRUARY 25, 2015
REGULAR MEETING**

Glockson Building, 1120 Summit Street
Norwood, Colorado

Present: Chair Joan May
Vice-Chair Elaine R.C. Fischer
Commissioner Art Goodtimes

Staff Present: County Administrator Lynn Black
County Attorney Steve Zwick
Chief Deputy Clerk John Huebner

1. Call to order.
9:30 a.m.
2. Review of Agenda.
3. Calendar Review.
4. CONSENT AGENDA:
 - a. Authorization of January 2015 Payroll and Vendor Payments.
(ATTACHMENT I)
 - b. Approval of Chair's signature on Colorado Department of Transportation Division of Transit and Rail FTA Section 5316 Grant Agreement to receive \$60,800 in 2015 for reimbursement of purchase of two replacement passenger vans used in SMC Van Pool Service.
 - c. Approval of Consulting Agreement with ValueWest, Inc. for commercial real property and residential condominium re-appraisal and website services in 2015 for the benefit of the San Miguel County Assessor in the amount of \$58,980.
 - d. Approval to re-appoint John Arnold as a regular member to County Lodging Tax Panel to a term ending February 8, 2018.
 - e. Approval to re-appoint Frank Ruggeri as a regular member to County Lodging Tax Panel to a term ending February 8, 2018.
 - f. Ratification of county signing on to support Colorado (CO) HB 1194 to allow the CO Department of Public Health and Environment to accept additional state general funds to continue distribution of long-acting reversible contraception as part of its family planning efforts.
 - g. Ratification of Chair's signature on County Veterans Service Officer's January 2015 Report.
 - h. Ratification of Chair's signature on letter dated February 4, 2015 to Telluride Town Council requesting the two entities discuss forming a committee to discuss developing an affordable housing project on county Sunnyside Lot.
 - i. Ratification of Chair's signature on letter dated February 9, 2015 to Colorado Department of Public Health and Environment in support of grant application submitted by the Norwood Fire Protection District for funds toward purchasing a replacement ambulance.
 - j. Ratification of Chair's signature on letter dated February 6, 2015 to USDA grant committee in support of the Town of Ophir's grant request to bring broadband to its community.
 - k. Ratification of Chair's signature on letter dated February 6, 2015 to Telluride School District Board requesting the school assist the Town of Ophir with funding toward a grant match requirement of a CFDA grant application submitted by Town.
 - l. Ratification of Chair's signature on letter dated February 10, 2015 to Town of Ophir committing the county to funding \$10,000 toward a grant match requirement of a CFDA grant application submitted by Town.
 - m. Acceptance of February 19, 2015 Telluride Regional Airport Monthly Report.
 - n. Approval of Chair's signature on Social Services Department December 2014 Earned Revenue and Expenditures, January 2015 Check Register, January 2015 Expenditures through Electronic Benefit

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- Transfers, January 2015 County Allocation / MOE report, December 2014 Balance Sheet, January 2015 Caseload Report.
- o. Approval to amend the Agreement for Services previously approved July 8, 2014 with Backcountry Surveying to survey Wasatch Trail thru certain mining claims in upper Bear Creek extending term of contract to March 1, 2015 and increasing amount from \$10,000 to \$11,500.
 - p. Approval of Chair's signature on a letter to CDPHE Pollution Prevention Advisory Board in support of an EcoAction Partners' RREO grant application for the Sneffels Regional Composting project.
 - q. Acceptance of Building Department Monthly Report for January 2015.

MOTION by Goodtimes to approve [Consent Agenda] as presented. **SECONDED** by Fischer. **PASSED 3-0.**

5. ADMINISTRATIVE MATTERS:

- a. Second reading of County Mass Transportation Ordinance.

Present: Steve Zwick, County Attorney

MOTION by Fischer to approve as presented. **SECONDED** by Goodtimes. **PASSED 3-0.** (ATTACHMENT II - Ordinance #2015 - 1)

- b. Presentation of the new county website design.

Present: Heather Widlund, County GIS Coordinator

- c. ~~Consideration~~ Discussion to send a letter to State Senator Ellen Roberts and State Representative Don Coram in opposition to SB15039 in the Colorado State Senate that proposes concurrent jurisdiction over certain Federal Lands by the State of Colorado.

Board Consensus to not send a letter.

- d. Consideration to appoint Monet Ragsdale to regular seat on the Norwood Lone Cone Library Board to a term ending 12/31/19

MOTION by Goodtimes to appoint Monet Ragsdale to a regular seat on the Norwood Lone Cone Library Board. **SECONDED** by Fischer. **PASSED 3-0.**

6. SOCIAL SERVICES MATTERS:

- a. Discussion of differential response in Child Welfare.
- b. Other if needed.
 - 1. Transit Advisory Committee.
 - 2. CDHS Advisory Board application.
 - 3. Communication with BOCC and County Administrator.
 - 4. Telluride Foundation Grants Committee.
 - 5. Bright Futures Board and Tri-County Health Network introduction.
 - 6. Communication with Social Services Director (e-mail and text).

Present: Carol Friedrich, County Social Services Director

5. ADMINISTRATIVE MATTERS: (Continued)

- e. Update with the USFS Norwood District Ranger.
 - 1. Priest Lake / Matterhorn parking (30 new spaces) this summer.
 - 2. Trout Lake Nordic winter use master plan / parking lot and new trails proposal from Telluride Nordic Association.
 - 3. Lizard Head lynx connection area emphasis.
 - 4. Snow mobile usage on railroad grade - Nordic trails.
 - 5. Thunder trails construction completion expected June 30, 2015.
 - 6. Wilson Peak Land Exchange Environmental Assessment update.

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7. Winter igloo erected near Lizard Head and now dismantled per USFS Law Enforcement.

Present: Judy Schutza, USFS Norwood District Ranger; Kathy Peckham, USFS Norwood District Recreation Manager; Linda Luther, County Open Space and Recreation Coordinator

7. ADMINISTRATOR'S REPORT:

- a. Update with County Administrator.
 1. Town of Ophir did not submit USDA Broadband grant.
 2. A County Building Official has been hired.
 3. The Human Resources Manager hiring process has started.
 4. Update regarding membership on All Point Transit Board.
 5. Attending Mountain Connect broadband conference June 7-9th.
 6. Tres Rios BLM Southwest RAC is seeking nominations.
 7. Issues Region 10 Broadband issues.
 8. County DOLA broadband grant and grant match discussion and meeting with Telluride Foundation on ROW and business plan.
 9. EcoAction planning grant for composting facility in Ouray County.
 10. Planning Commission appointments to be scheduled 3/4/15.
 11. Prepare letter regarding largest war budget?

Present: Lynn Black, County Administrator

8. COMMISSIONER AND PUBLIC DISCUSSION:

- a. Public Discussion.
- b. Update on Outside Meetings.
 1. Elaine Fischer- SMTAC / CCI / EcoAction / SneffelsEB / Housing
 2. Art Goodtimes – FSSuper / UteApology / SBEADMR / WEBA / PLP / CCI / FSLIOS / CWCBH20Plan / Extension
 3. Joan May – SWCD / Airport / SMH2OShed
- c. Website postings and press releases.
- d. General Discussion.
 1. Discussion of BOCC meeting schedule.
 2. FSW exempted conservation easements from the GuSg Habitat map and from consultation if federal nexus.

Present: Linda Luther, County Open Space and Recreation Coordinator

9. ATTORNEY MATTERS:

- a. Discussion regarding recreational access easement, Citation (4)(b).

Present: Steve Zwick, County Attorney; Linda Luther, County Open Space and Recreation Director

MOTION by Fischer to go into Executive Session to discuss recreational access easement, Citation (4)(b). **SECONDED** by Goodtimes. **PASSED 3-0.**

Note: The County Attorney requested that item 9.a. not have written minutes as it constitutes a privileged attorney-client communication and a statement signed by the attorney and chair is attached. (ATTACHMENT III)

12:08 p.m. Recessed.
12:28 p.m. Reconvened.

Board only discussed the item stated on agenda.

- b. Other, as needed
 1. Discussion of upcoming counties OHV meeting on 3/4/15.

Present: Lynn Black, County Administrator; Steve Zwick, County Attorney

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10. Adjournment.
12:34 p.m.

Audio MP3 20150225-BOCC-Audio.

Respectfully submitted,

John Huebner

John Huebner
Chief Deputy Clerk

APPROVED March 25, 2015.

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

Joan May

Joan May, Chair

ATTEST:

Lynn M. Black

Lynn M. Black
County Administrator

FOR CONSENT AGENDA FEBRUARY 25th, 2015

APPROVAL OF JANUARY PAYROLLS &
JANUARY 2015 VENDOR PAYMENTSCHECKS ISSUED JAN 1ST THRU JAN 31ST, 2015
FROM FUND/DISTRICT AS FOLLOWS:

| FUND | PAYROLL | SPECIAL REQUEST VENDOR |
|----------------------------------|---------------------|---------------------------|
| GENERAL FUND - 101 | \$512,733.35 | \$438,522.36 |
| ROAD & BRIDGE FUND - 102 | \$116,420.38 | \$122,030.56 |
| SOCIAL SERVICES FUND - 103 | \$89,302.33 | \$225.07 |
| SALES TAX CAPITAL FUND - 104 | \$0.00 | \$150,132.08 |
| CAPITAL EXPENDITURES - 106 | \$0.00 | \$21,532.73 |
| RETIREMENT FUND -107 | \$34,831.52 | \$0.00 |
| PARKS/OPEN SPACE - 108 | \$29,138.07 | \$67,013.02 |
| CONSERVATION TRUST FUND - 109 | \$0.00 | \$75,000.00 |
| LODGING TAX - 110 | \$0.00 | \$1,032.07 |
| VEGETATION MANAGEMENT - 111 | \$0.00 | \$110.90 |
| PUBLIC HEALTH & ENVIRONMNT - 115 | \$33,057.47 | \$85,774.36 |
| ENERGY FUND - 116 | \$0.00 | \$0.00 |
| HOUSING AUTHORITY - 224 | \$0.00 | \$2,940.09 |
| DISPOSAL DISTRICT - 226 | \$0.00 | \$5,802.46 |
| TOTALS | \$815,483.12 | \$970,115.70 |

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO,
ORDAINING A PROCESS TO DEVELOP, MAINTAIN, AND OPERATE
MASS TRANSPORTATION SYSTEMS WITHIN THE COUNTY
PURSUANT TO §30-11-101(1)(f), C.R.S.**

Ordinance #2015-1

WHEREAS, Section 30-11-101(1)(f), C.R.S., authorizes counties to develop, maintain, and operate mass transportation systems, which power shall be vested either individually in the board of county commissioners or jointly with other political subdivisions or governmental entities formed pursuant to the provisions of part 2 of Article 1 of Title 29, C.R.S.; and,

WHEREAS, on December 17, 1996, the San Miguel County Board of Commissioners (“BOCC”), adopted on second reading Ordinance No. 96-3, “An Ordinance of the Board of County Commissioners of San Miguel County, Colorado, ordaining a process for entering into Intergovernmental Agreements between the Town of Telluride and San Miguel County to provide Transportation Services”, pursuant to which the BOCC and the Telluride Town Council have entered into Intergovernmental Agreements on an annual basis for the Town’s provision of public bus service within areas of the County located outside the Town of Telluride, which Ordinance and the implementing intergovernmental agreements would continue to remain in full force and effect following the adoption of this ordinance; and,

WHEREAS, Section 30-11-101(1)(f), C.R.S., provides that “Counties, by ordinance adopted, administered; and enforced in accordance with part 4 of Article 15 of this Title [30], shall have the authority: To fix, maintain, and revise passenger fees, rates, and charges and terms and conditions for such systems; to prescribe the method of development, maintenance, and operation of such mass transportation systems; and to receive contributions, gifts, or other support from public and private entities to defray the operating costs of such systems”; and,

WHEREAS, the BOCC has applied for and received approval for grant assistance funding from the Colorado Department of Transportation (“CDOT”), which funds include monies that CDOT has received from the United States Department of Transportation, Federal Transit Administration, to assist in defraying the costs associated with contracting with the Town of Telluride to provide public bus service within areas of the County located outside the Town, as well as to fund various other County public transportation programs that provide services to persons working, visiting, and/or residing within the County, which programs and services are intended to reduce the number of vehicles using the public roads and highways in the County, both within and outside the Telluride region, and thereby promote the public’s health, safety, and welfare, by improving air quality and reducing traffic congestion; and,

WHEREAS, this San Miguel County Ordinance #2015-1 was published in full in the Norwood Post, an official publication of record in San Miguel County, along with Notice of the date, time, and place of a public hearing whereby all interested persons were invited to attend and give testimony or submit written statements for the Board of Commissioners consideration, on January 28, 2015; more than ten days prior to the adoption of this Ordinance on second reading. The second reading is scheduled at 9:40 a.m. February 25, 2015 at the County Glockson Building located at 1120 Summit Street in Norwood, Colorado.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of San Miguel County, Colorado, as follows:

Section 1: AUTHORIZATION TO DEVELOP, MAINTAIN, AND OPERATE PUBLIC MASS TRANSPORTATION SYSTEMS

The BOCC does hereby approve and authorize the development, maintenance, and operation of public mass transportation systems and programs that provide transportation services to persons working, visiting, and/or residing within the County, to be provided either directly through the County or jointly through intergovernmental agreements with other political subdivisions or governmental entities formed in accordance with part 2, Article 1, Title 29, C.R.S., including the BOCC's authority, subject to prior notice and hearing, to fix, maintain, and revise passenger fees, rates, and charges and terms and conditions for such public mass transportation systems and programs as the BOCC may in future specifically authorize by written resolution, and to prescribe the method of development, maintenance, and operation of such public mass transportation systems and programs; and to receive contributions, gifts, or other support from public and private entities to defray the operating costs of such systems.

Section 2: ORDINANCE NO. 96-3 ORDAINING A PROCESS FOR THE SAN MIGUEL COUNTY, COLORADO, BOARD OF COUNTY COMMISSIONERS TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS WITH THE TOWN OF TELLURIDE TO PROVIDE TRANSPORTATION SERVICES TO REMAIN IN FULL FORCE AND EFFECT

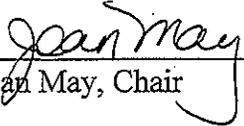
The provisions set forth in this Ordinance are intended to be in addition to the provisions set forth in Ordinance No. 96-3, which Ordinance's provisions are not repealed and/or superseded by the provisions of this Ordinance and which shall remain in full force and effect.

Section 3: ORDINANCE EFFECTIVE THIRTY-ONE DAYS FOLLOWING PUBLICATION OF THE NOTICE OF ADOPTION

Pursuant to §30-15-405, C.R.S., the provisions of this Ordinance shall become effective on the thirty-first day following the publication of its notice of adoption in the Norwood Post.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED
PUBLISHED AS ADOPTED, AT A DULY NOTICED REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO,
at Telluride, Colorado, on January 21, 2015.

SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS



Joan May, Chair

Vote:

| | | | |
|---------------------|--------------------------------------|-----|----------------|
| Joan May | <input checked="" type="radio"/> Aye | Nay | Abstain Absent |
| Elaine R.C. Fischer | <input checked="" type="radio"/> Aye | Nay | Abstain Absent |
| Art Goodtimes | <input checked="" type="radio"/> Aye | Nay | Abstain Absent |

ATTEST:



John Huebner, Chief Deputy Clerk

ADOPTED ON SECOND AND FINAL READING, at Norwood, Colorado, on February 25, 2015.

SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

Joan May
Joan May, Chair

Vote:

Joan May
Elaine R.C. Fischer
Art Goodtimes

(Aye)
(Aye)
(Aye)

Nay
Nay
Nay

Abstain
Abstain
Abstain

Absent
Absent
Absent

ATTEST:

John Huebner
John Huebner, Chief Deputy Clerk



CERTIFICATE

I hereby certify that the foregoing ordinance entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO, ORDAINING A PROCESS TO DEVELOP, MAINTAIN, AND OPERATE MASS TRANSPORTATION SYSTEMS WITHIN THE COUNTY PURSUANT TO §30-11-101(1)(f), C.R.S.

Ordinance #2015 - 1

was introduced, read and adopted on first reading at a regular meeting of the San Miguel County, Colorado, Board of Commissioners on January 21, 2015, and the same was published in full in the Norwood Post on January 28, 2015, and thereafter was adopted, without amendment, on second and final reading at a regular meeting of the Board of County Commissioners of San Miguel County on February 25, 2015, and Notice of the Adoption of the foregoing ordinance following such second and final reading was published in the Norwood Post on March 11, 2015.



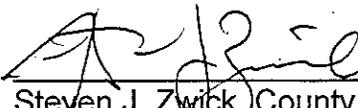
M. Kathleen Erie
San Miguel, Colorado, County Clerk and Recorder

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
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WEDNESDAY, FEBRUARY 25, 2015

ATTACHMENT III

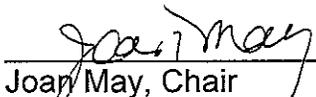
Executive Session Minutes Attest

I, Steven J. Zwick, County Attorney attest that the Wednesday, February 25, 2015 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.



Steven J. Zwick, County Attorney

I, Joan May, Chair of the San Miguel County Board of Commissioners attest that the Wednesday, February 25, 2015 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.



Joan May, Chair