

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
MINUTES**

**WEDNESDAY, JUNE 24, 2015**

**REGULAR MEETING**

Glockson Building, 1120 Summit Street  
Norwood, Colorado

Present: Chair Joan May  
Commissioner Art Goodtimes  
Absent: Vice-Chair Elaine R.C. Fischer  
Staff Present: County Administrator Lynn Black  
County Attorney Steve Zwick  
Chief Deputy Clerk John Huebner

1. Call to order.  
9:29 a.m.
2. Review of Agenda.
3. Calendar Review.
4. CONSENT AGENDA:
  - a. Acceptance of June 18, 2015 Telluride Regional Airport Monthly Report.
  - b. Approval to award contract for Owner's Representative for the Road and Bridge Norwood Shop Construction Project to Trifecta Construction in the amount of \$31,600 and to authorize the Chair's signature on Agreement for Services for management of the project.

**MOTION** by Goodtimes to approve Consent Agenda as presented. **SECONDED** by May. **PASSED 2-0.**

5. ADMINISTRATIVE MATTERS:
  - a. Consideration of request for a waiver to the County hiring freeze by the Clerk and Recorder to hire a new full-time employee to a Deputy Clerk position in recording department.

Present: Kathleen Erie, County Clerk and Recorder; Lynn Black, County Administrator

**MOTION** by Goodtimes to approve a waiver in this instance [to authorize Clerk and Recorder to hire a new full-time employee rather than a replacement part-time position in the recording department.] **SECONDED** by May. **PASSED 2-0.**

- b. Public discussion of operations at the County's gravel pit located southeast of the Town of Norwood.

Present: Mike Horner, County Road and Bridge Superintendent; Mary Ann Gaston, County resident adjacent to gravel pit; Mike Rozycki, County Planning Director  
Dave Schneck, County Environmental Director; Peggy Day, County resident

6. SAN MIGUEL COUNTY HOUSING AUTHORITY:
  - a. Discussion of the 2014 San Miguel Regional Housing Authority (SMRHA) Annual Report.

Present: Shirley Diaz, SMRHA Director

5. ADMINISTRATIVE MATTERS:
  - c. Public discussion of the County's public road claim for County Road 40J across Section 16, T42N, R13W owned by State Land Board

Present: Steve Zwick, County Attorney; Craig Greager, County resident; Ernie Williams, Dolores County Commissioner; Mike Horner, County Road and Bridge Superintendent; Dave Schneck, County Environmental Health Director; Mike Rozycki, County Planning Director

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- d. Consideration to authorize the conveyance of Lot 138, Aldasoro Ranch a deed-restricted vacant lot to Laura S and Patrick J Daley in the amount of \$159,000 and to authorize the Chair to sign the necessary documents to effectuate the sale.

Present: Lynn Black, County Administrator

**MOTION** by Goodtimes to approve [the conveyance of Lot 138, Aldasoro Ranch, a deed-restricted vacant lot, to Laura S and Patrick J Daley in the amount of \$159,000 and to authorize the Chair to sign the necessary documents] as presented.

**SECONDED** by May. **PASSED 2-0.** (ATTACHMENT I – Resolution #2015-11)

- e. Other.
  - 1. Discussion of the Montezuma unpatented mining claim located near the Town of Ophir.

Present: Mike Rozycki, County Planning Director

7. ADMINISTRATOR'S REPORT:

- a. Update with County Administrator.
  - 1. CCI legislative issues are due by July 10, 2015.
  - 2. Dolores County supports San Miguel County position concerning Tri-State Transmission line BLM environmental assessment.

Present: Lynn Black, County Administrator; Ernie Williams, Dolores County Commissioner; Dave Schneck, County Environmental Health Director

9. ATTORNEY MATTERS:

- b. Executive Session: Update of County's public road claim for CR 40 J across Section 16, T42N, R13W, Citation (4)(b).

Present: Steve Zwick, County Attorney; Dennis Goldbricht, Dolores County Attorney via telephone; Ernie Williams, Dolores County Commissioner;

**MOTION** by Goodtimes to go into Executive Session for an Update of County's public road claim for CR 40 J across Section 16, T42N, R13W, Citation (4)(b). **SECONDED** by May. **PASSED 2-0.**

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

11:01 a.m. Recessed.

11:35 a.m. Reconvened.

**Board** only discussed the one matter in Executive Session.

8. COMMISSIONER AND PUBLIC DISCUSSION:

- a. ~~Public Discussion.~~
- d. General Discussion.
  - 1. New money available from DOLA – Lynn Black
- b. Update on Outside Meetings.
  - 1. Elaine Fischer-
  - 2. Art Goodtimes -
  - 3. Joan May – FACA / Airport FAA Approach
- c. ~~Website postings and press releases.~~
- d. General Discussion.
  - 2. County is working with Telluride Airport to place a broadband tower on site to serve Sheriff's Office building.

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9. ATTORNEY MATTERS: (Continued)  
a. Consideration of County comments concerning contested 2015 CWCB ISF appropriation on the Dolores River.

Present: Steve Zwick, County Attorney

**MOTION** by Goodtimes to authorize the filing of the County's written comments in the In Stream Flow recommendations for the Dolores River Division 4. **SECONDED** by May. **PASSED 2-0.**

- d. Update on land negotiations, Citation (4)(a).

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

**MOTION** by Goodtimes to go into Executive Session to discuss land negotiations, Citation (4)(a). **SECONDED** by May. **PASSED 2-0.**

Note: Executive Session Minutes are confidential pursuant to 24-6-402(2) (d.5) (II)(A)(C), C.R.S. – Item 9.d.

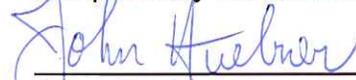
11:51 a.m. Recessed.  
12:07p.m. Reconvened.

**Board** only discussed land negotiations.

10. Adjournment.  
12:08 p.m.

Audio MP3 20150624-BOCC-Audio.

Respectfully submitted,



John Huebner  
Chief Deputy Clerk

APPROVED August 19, 2015.

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

  
Joan May, Chair

ATTEST:



Lynn M. Black  
County Administrator



**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE ALL CLOSING DOCUMENTS REQUIRED TO EFFECT THE SALE OF REAL PROPERTY LOCATED AT LOT 138, ALDASORO RANCH FILING 2, SAN MIGUEL COUNTY, COLORADO**

Resolution #2015 - 11

**WHEREAS**, the San Miguel County Board of Commissioners desires to sell real property located within unincorporated San Miguel County, CO, as legally described on Exhibit "A," a copy of which is attached hereto and incorporated herein by reference (the "Property") in accordance with the terms and conditions of the agreement between San Miguel County, Colorado ("Seller" or "County") and Laura S and Patrick J Daley ("Buyer") dated April 22, 2015; and

**WHEREAS**, pursuant to §30-11-101(1)(c), C.R.S., the Board of County Commissioners ("BOCC"), acting on behalf of San Miguel, County, has the legal authority to sell, convey or exchange any real or personal property owned by the County and to make such orders respecting the same as may be deemed conducive to the interests of the inhabitants of San Miguel County; and

**WHEREAS**, the BOCC, at a duly noticed public meeting held on June 24, 2015 at Norwood, CO, considered the sale of the Property to Laura S and Patrick J Daley; and

**WHEREAS**, the BOCC finds that the purchase price to be paid by the Buyer, as set forth in the Agreement dated April 22, 2015 is fair and adequate and it represents the current appraised fair market value of the property and it is not, in any way, a gift of public funds to a private entity; and

**WHEREAS**, the BOCC, pursuant to §38-30-141, C.R.S., finds it appropriate to designate the Chair or the Vice Chair as individuals authorized to execute any documents required to effect the sale and conveyance of the County's interest in the Property.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The BOCC hereby approves and authorizes Joan May, as Chair, and Elaine Fischer, as Vice Chair, to execute any and all documents related to the conveyance of the Property to Laura S and Patrick J Daley, pursuant to the Agreement dated April 22, 2015.

**APPROVED AND DONE** by the San Miguel County Board of Commissioners at a duly noticed regular meeting held in Norwood, CO on June 24, 2015.

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

By: Joan May  
Joan May, Chair

Vote: Elaine R.C. Fischer    Aye    Nay    Abstain    Absent  
Art Goodtimes            Aye    Nay    Abstain    Absent  
Joan May                    Aye    Nay    Abstain    Absent

ATTEST:

John Huebner  
John Huebner, Chief Deputy Clerk



Exhibit A: Legal Description of the Property

**Exhibit A**  
**Legal Description**

LOT 138, Aldasoro Ranch Filing 2, according to the map filed in the records of the Clerk and Recorder of San Miguel County, Colorado in Plat Book 1 at Page 1406; and according to the Declaration of Aldasoro Ranch recorded in Book 480 at Page 817, as amended or supplemented in Book 505 at Page 322 through 349 and also at Page 370 through 375; subject to the terms, conditions, provisions and obligations as contained therein, County of San Miguel, State of Colorado.

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Executive Session Minutes Attest

I, Steven J. Zwick, County Attorney attest that the Wednesday, June 24, 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, June 24, 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