

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES**

**OCTOBER 5, 2016
REGULAR MEETING**

Second Floor, Miramonte Building
Telluride, Colorado

Present: Chair Joan May
Vice Chair Art Goodtimes
Commissioner Amy Levek

Staff Present: County Administrator Lynn Black
County Attorney Steve Zwick
Chief Deputy Clerk Carmen Warfield

1. Call to order.
9:29 a.m.
2. Review of Agenda.
3. Calendar Review.
4. CONSENT AGENDA:
 - a. Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Lionel and Martha Starr, Lot 151, Aldasoro Ranch/PUD.
 - b. Approval of Minutes: September 7, 2016, and September 21, 2016.
 - c. ~~Approval of Chair's signature on a contract for Professional Services with Goff Engineering.~~

Note: Item 4.c. will be continued to the October 19, 2016, Board meeting. It will be reviewed by Steve Zwick, County Attorney; if acceptable, it will be signed by the Board chair and placed on the agenda for ratification.

Present: Mike Rozycki, County Planning Director

- d. Acceptance of September 2016 Road Report.

MOTION by Goodtimes to approve the consent agenda including the continuance of item 4.c. until the October 19, 2016, Board meeting. **SECONDED** by Levek. **APPROVED 3-0.**

5. ADMINISTRATIVE MATTERS:
 - a. Consideration of the 2017 County Health Pool Benefits Renewal.

MOTION by Levek to approve the County Health Pool Benefits to be renewed for the year 2017. **SECONDED** by Goodtimes. **APPROVED 3-0.**

- b. Consideration of Adoption of a Resolution in Support of a Ballot Issue 5A for the Lone Tree Cemetery District.

Present: Janie Goldberg, Lone Tree Cemetery District; Nanci Brown, Lone Tree Cemetery District

MOTION by Levek to approve the Resolution in support of the Lone Tree Cemetery District and their ballot issue. **SECONDED** by Goodtimes. **APPROVED 3-0.**
(ATTACHMENT I – Resolution #2016-22)

- c. Consideration of an interim County Commissioner Appointment to the SMART Board of Directors in the event of the passage of Ballot Issue 1A.

MOTION by Goodtimes to appoint Amy Levek and Joan May as interim Smart Board members, only if the ballot measure passes, until permanent County members to the SMART Board of Directors can be appointed. **SECONDED** by Levek. **APPROVED 3-0.**

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- d. Consideration of a County representative and alternate representative for the SBEADMR Adaptive Management Team.

Present: Hilary Cooper, County Resident; Lynn Padgett, County Public Agency Liaison/ Natural Resources Director

Board Consensus to postpone selecting a representative for the SBEADMR Adaptive Management Team until January 2017.

7. PUBLIC AGENCY LIAISON/NATURAL RESOURCES:

- a. Consideration of approval for the 2016-2017 Policy Priorities Statement for Colorado Communities for Climate Action (CC4CA).

MOTION by Levek to approve the CC4CA Statements of 2016-2017 policy priorities. **SECONDED** by Goodtimes. **APPROVED 3-0.**

- b. Colorado Counties, Inc. Legislative meeting in Denver, CO., October 14, 2016. Goodtimes and Padgett will attend.

Present: Lynn Padgett, County Public Agency Liaison/Natural Resources Director

8. ADMINISTRATOR'S REPORT:

- a. Update with County Administrator.
- b. Six County Infrastructure Coalition.

Present: Lynn Black, County Administrator

6. PLANNING MATTERS:

- a. Update on the San Miguel Power Association Telluride Reliability Project.

Present: Mike Rozycki, County Planning Director; Jeremy Fox, San Miguel Power Association; Bill Riley, San Miguel Power Association; Bob Kammer, Resident of Illium Valley

- b. Other.
 - 1. Crown Castle Tower Company Wireless infrastructure issues.
 - 2. Hub lots and the Industrial development on them that could affect the County Intercept lot due to the shared access utility easement.

Present: Mike Rozycki, County Planning Director; Karen Henderson, Associate County Planner

8. ADMINISTRATOR'S REPORT: (Continued)

- c. West End Economic Development Council (WEEDC).
- d. San Juan Rural Philanthropy Days.
 - 1. Forest Health.
 - 2. Gondola Study.

Note: Funding requests will be reviewed with the 2017 budget discussions.

- e. Other, as needed.
 - 1. Interviews will begin in October 2016, for a County Road and Bridge Superintendent.
 - 2. Broadband and Colorado Tax Credits for Easements.
 - 3. Norwood Raw water project with broadband infrastructure.

Present: Lynn Black, County Administrator

9. COMMISSIONER AND PUBLIC DISCUSSION:

- a. Public Discussion.

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1. Development in the West End after the closing of the Nucla Power plant.

Present: Terri Snyder Lamers, County Resident

2. Broadband conduit on the Valley floor.

Present: Hilary Cooper, County Resident

- b. Update on Outside Meetings. (5min)
 1. ~~Art Goodtimes – Bears Ears Resolution and Letter of Support; Ute Resolution and upcoming celebration; Dolores River NCA Review Meeting~~

Note: Goodtimes requested no action be taken on the Bears Ears Resolution and Letter of Support and until we are able to hear both sides of the issue.

2. Amy Levek – Housing Trust
3. Joan May – P3-Housing Owner's Rep Meeting; TMVOA Gondola Chondola Committee meeting, SBEADMR meeting in Norwood, Mental Health funding request, CORA meeting with staff
- ~~e. Website postings and press releases.~~
- ~~d. General Discussion. (5min)~~

10:58 a.m. Recessed.

11:04 a.m. Reconvened.

10. ATTORNEY MATTERS:

- a. Executive Session: Gold Hill Development Company, L.P., V. San Miguel County et al. Colorado Court of Appeals Case No. 2015CA361, Citation (4)(b).

MOTION by Levek to go into Executive Session to discuss Gold Hill Development Company, L.P., V. San Miguel County et al. Colorado Court of Appeals Case No. 2015CA361, Citation (4)(b). **SECONDED** by Goodtimes. **PASSED 3-0.**

Note: The County Attorney requested that items 10.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- II)

11:04 p.m. Recessed.

11:20 p.m. Reconvened.

Board only discussed the items it stated in Executive Session.

Present: Steve Zwick, County Attorney

11. Adjournment.
11:21 a.m.

Audio MP4 20161005-BOCC-Audio.

Respectfully submitted,


Carmen Warfield
Chief Deputy Clerk



SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
WEDNESDAY, October 5, 2016

APPROVED November 2, 2016.

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, SUPPORTING THE BALLOT ISSUE OF
THE LONE TREE CEMETERY DISTRICT 1**

RESOLUTION NO. 2016 - 22

WHEREAS, the Lone Tree Cemetery District 1 ("**District**") is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing cemetery district pursuant to Title 30, Article 20, Part 8, C.R.S.; and

WHEREAS, the Board of Directors of the District (the "**Board**") has determined that the interest of the District and the public interest and necessity require that the District increase its property tax levy and collect, retain and spend all revenues generated from its existing general operating mill levy and any other source, as an exemption to the provisions and restrictions set forth in Article X, Section 20 of the Colorado Constitution ("**TABOR**") or any other law, in order to adequately operate and maintain the National Historic Landmark known as the Lone Tree Cemetery and address deferred maintenance and aging infrastructure; in order to preserve and protect the legacy of the Telluride region and ensure the utilization of the cemetery by future generations; and

WHEREAS, the Board further has determined that it is necessary to submit to the eligible electors of the District the question of authorizing the District to collect, retain and spend all District revenues, and that such question should be presented to the District's eligible electors at the election to be held on November 8, 2016 (the "**Election**"), in accordance with the provisions of the Special District Act (the "**Act**"), the Uniform Election Code of 1992 (the "**Code**"), and TABOR (the Act, the Code, and TABOR collectively referred to as the "**Election Laws**").

WHEREAS, it is the opinion of the Board of County Commissioners of San Miguel County that restoring a portion of the original tax levy to the District will enable and will promote the health, safety, and welfare of the entire community, including residents and visitors vital to our tourism industry.

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

1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the Board of County Commissioners.
2. The Board of County Commissioners has determined this support is in the public interest and necessary to protect the rich history, physical beauty and local legacy of the cemetery by increasing revenues for the purpose of:
 - a. Updating/replacing ancient irrigation system with efficient, water saving system.

- b. Replacing aging infrastructure and grounds maintenance equipment.
 - c. Creating informational website so public has immediate and easy access to information in times of need.
 - d. Implementing annual grounds management and landscaping program, focusing on non-chemical, organic weed management and tree care.
 - e. Updating boundary, plot and monument surveys to ensure utilization of cemetery by future generations.
 - f. Development of plots and memorial spaces on property already deeded to the Cemetery District for use by future generations.
3. The Board of County Commissioners recommends that every elector gives the District's Ballot Question serious consideration and strong support on November 8, 2016.
 4. The officers of the County are authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution and accordance with applicable Colorado Law and to make this Resolution available to the Public.

DONE AND APPROVED IN SAN MIGUEL COUNTY, COLORADO, this 5th day of October 2016.

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



Joan May, Chair

ATTEST:



Carmen Warfield, Chief Deputy Clerk



VOTE:

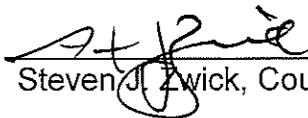
Joan May	<u>Aye</u>	Nay	Abstain	Absent
Amy Levek	<u>Aye</u>	Nay	Abstain	Absent
Art Goodtimes	<u>Aye</u>	Nay	Abstain	Absent

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ATTACHMENT II

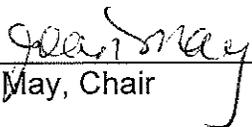
Executive Session Minutes Attest

I, Steven J. Zwick, County Attorney attest that the Wednesday, October 5, 2016, 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, October 5, 2016, 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