

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
MINUTES**

**WEDNESDAY, APRIL 22, 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.  
9:30 a.m.
2. Review of Agenda.
3. Calendar Review.
4. CONSENT AGENDA:
  - a. Authorization of March 2015 Payroll and Vendor Payments.  
(ATTACHMENT I)
  - b. Acceptance of March 2015 Road Report.
  - c. Acceptance of Building Department Monthly Report for March 2015.
  - d. Approval of Chair's signature on Modification #1 to Participating Agreement #14-PA-11020405-015 for weed control services performed by San Miguel County on behalf of U.S.D.A. Forest Service concerning the Forest Service's Cooperative Noxious Weed Control project.
  - e. Approval of Chair's signature on Intergovernmental Agreement with Town of Telluride concerning noxious weed management and control services in 2015 on behalf of Town of Telluride.
  - f. Approval of Chair's signature on a letter of support for the Montezuma Land Conservancy for a capacity building grant for MLC's continuing work in San Miguel County to conserve Gunnison Sage-grouse habitat.
  - g. Approval of Chair's signature on Household Hazardous Waste Collection Agreement with Clean Harbors Environmental Services Inc. for County Household Hazardous Disposal Event on May 16, 2015 in Telluride.
  - h. Approval of Chair's signature on Social Services Department February 2015 Earned Revenue and Expenditures, March 2015 Check Register, March 2015 Expenditures through Electronic Benefit Transfers, March 2015 County Allocation / MOE report, February 2015 Balance Sheet, March 2015 Caseload Report.
  - i. Approval of request for waiver to County hiring freeze by Social Services Department to hire a replacement full-time Case Manager position.
  - j. Approval to waive the Prohibition of Deadly Weapons on San Miguel County Property, Section 4.5.1 County Facilities/Vehicles Weapons policy at the fairgrounds facility to allow the 4H Archery Club to practice weekly.
  - k. Approval of an Agreement of Services with David Foley, Backcountry Surveying, for land survey of the Rio Grande Southern Railroad Right of Way in Illium Valley between the Coal Chutes and County Road 63J.
  - l. Approval of Chair's signature on 2014 Colorado Department of Public Safety Division of Homeland Security Grant Program applications on behalf of West All Hazard Emergency Management Region Board (BOCC approved the corresponding Grant Agreements on 9/3/14).
  - m. Approval of a request for a waiver to County hiring freeze from Road and Bridge Department to hire a permanent full time replacement position.
  - n. Approval of a request for a waiver to County hiring freeze from the County Treasurer to hire a permanent full time replacement position.
  - o. Ratification of Chair's signature on letter dated April 3, 2015 to Judy Schutza, Norwood District Ranger declining the U.S.D.A. Forest Service Trail Permit or Trail Easement for the Telluride Via Ferrata trail.
  - p. Ratification of Chair's signature on County Veterans Service Officer's March 2015 Report.

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

**Board Consensus** to change the county hiring freeze policy so waivers to hiring freeze for hiring replacement staff would be submitted for administrative approval to the County Administrator, and only requests for waiver to hiring freeze to hire new county staff positions would be approved by BOCC; and to direct staff to notify elected officials and department heads of this policy change.

5. SOCIAL SERVICES MATTERS:

- a. Discussion of impact of Maximus Contract changes on Medicaid Assistance.
- b. Other.
  1. Conflict scheduling an update to BOCC in May.

Present: Carol Friedrich, County Social Services Director

8. ADMINISTRATOR'S REPORT:

- a. Update with County Administrator.
  1. CCI small group meeting regarding SB52 ballot questions in state.
  2. Alpine Ranger program seasonal staffing issue. **Board** requested Commissioner Goodtimes to consult with Sheriff Masters.

Present: Lynn Black, County Administrator

6. PLANNING MATTERS:

- a. Consideration of a referral from the Town of Mountain Village for a proposed new 100' high cell tower on Coonskin Ridge within the Town of Mountain Village.

Present: Mike Rozycki, County Planning Director; Devon Morris, Black & Veach engineering consultant for AT&T; Steve Zwick, County Attorney

**Board Consensus** to direct staff to attend Town of Mountain Village Council meeting and present county comments to support tower proposal and to request that equipment above tree line to blend with sky if agreed upon; but county would oppose if painted white, striped and lit; and to encourage regional planning for broadband.

- b. Consideration of comments to State Land Board regarding a proposed Copper Mine Exploration in Klondike Basin in West End of San Miguel County.

Present: Mike Rozycki, County Planning Director; Dave Schneck, County Environmental Health Director; Mike Horner, County Road and Bridge Superintendent

**Board Consensus** to direct staff to submit comments notifying State Land Board that BOCC has no objections to the proposed phase one portion of the plan, but would want to review any further exploration including drilling, geophysical surveying or increased traffic on county road, and to contact BLM concerning potential impact to bald eagles.

- c. Update on status of CCI Paradox pending application for an underground Injection Well in the Hamilton Creek Unit in the West End Zone District.

Present: Mike Rozycki, County Planning Director; Dave Schneck, County Environmental Health Director

**Board Consensus** to direct staff to submit late comments to State Land Board (SLB) opposing the pending application and requesting SLB improve review process, favoring evaporation pits, reclassifying injection wells as a major facility and including impacts on seismicity; and sending a letter in support of the BLM Tres Rios Field Office concerns.

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- d. Other.
  - 1. **Board Consensus** to not allow the use of oil and gas production waste water for dust control on county roads.
  - 2. Update on proposed use of county intercept lot by The Ride and Pretty Lights festivals subject to sharing in costs of lot maintenance and naming county as additional insured, and Sheriff's agreement.

Present: Mike Rozycki, County Planning Director; Dave Schneck, County Environmental Health Director

7. ADMINISTRATIVE MATTERS:

- a. Discussion with Craig Grother, Habitat Watchman for the Uncompahgre National Forest for Backcountry Hunters and Anglers.

Present: Craig Grother, Backcountry Hunters and Anglers; Mike Horner, County Road and Bridge Superintendent; Dave Schneck, County Environmental Health Director; Mike Rozycki, County Planning Director

- b. Update with USFS Norwood District Ranger.
  - 1. Thunder Road Trails construction update.
  - 2. Fire season expected to be average to above average.
  - 3. Secure Rural Schools Act was approved.
  - 4. West Region Fire Wise Council meeting in Norwood.
  - 5. Roads analysis for travel management planning. **Board Consensus** to direct staff to draft letter to GMUG Forest Supervisor requesting county receive easements from Forest Service for certain Forest Service roads in the county.

Present: Judy Schutza, USFF Norwood District Ranger; Mike Rozycki, County Planning Director; Steve Zwick, County Attorney; Mike Horner, County Road and Bridge Superintendent; Dave Schneck, County Environmental Health Director; Doug Barry, County Building Official

- c. Consideration of County comments regarding proposed Colorado Water Plan.

Present: Dave Schneck, County Environmental Health Director

**MOTION** by Goodtimes to approve [County comments regarding proposed Colorado Water Plan] with the one change. **SECONDED** by May. **PASSED 2-0.**

- d. Consideration of County participation concerning a contested 2015 Colorado Water Conservation Board (CWCB) In Stream Flow (ISF) appropriation on Dolores River.

Present: Steve Zwick, County Attorney

**Board Consensus** to direct legal staff to send a letter to the CWCB requesting county participatory status concerning contested 2015 ISF appropriation on the Dolores River.

8. ADMINISTRATOR'S REPORT:

- a. Update with County Administrator.
  - 3. Notice received of Forest Service timber sale(s) outside of county.
  - 4. Schedule discussion of the proposed Norfolk coal sale near Paonia.
  - 5. Letter concerning drone regulations received from Skip Edwards.  
**Board Consensus** to direct staff to draft a response letter.

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

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10. OPEN SPACE AND RECREATION MATTERS:

- c. Other.
  - 1. **Board Consensus** to keep the County Open Space Commission as a standing board, but to direct staff to only schedule meetings as needed and to notify commission members of this policy change.
- a. Update and Presentation of Open Space and Recreation Program Activities.

Present: Linda Luther, County Open Space and Recreation Coordinator

**Board Consensus** to direct staff to commence a preliminary trails master planning process with the Forest Service, Bureau of Land Management, and County Planning.

- b. Discussion of out of budget cycle funding requests received from taxing districts.

Present: Linda Luther, County Open Space and Recreation Coordinator; Ramona Rummel, County Finance Manager; Lynn Black, County Administrator; Steve Zwick, County Attorney

**Board Consensus** to direct staff to decline the request for funds received for Lone Tree Cemetery irrigation project, and to draft a departmental policy regarding out of budget cycle funding requests from taxing districts.

9. COMMISSIONER AND PUBLIC DISCUSSION:

- a. ~~Public Discussion.~~
- b. Update on Outside Meetings.
  - 1. ~~Elaine Fischer – SMTAC / Eco Action / CCI~~
  - 2. Art Goodtimes – SWCD / CFLRP/ Nor Library / Uncomp Med Ctr / Dolores River NCA
  - 3. Joan May – FACA / TAR
- c. ~~Website postings and press releases.~~
- d. ~~General Discussion.~~

11. ATTORNEY MATTERS:

- a. ~~Update on litigation.~~
  - 1. ~~Discussion of San Miguel County C.R. S7 legal status, Citation (4)(b).~~
- b. Other.
  - 1. Update on land negotiations, Citation (4)(a).

**MOTION** by Goodtimes to go into Executive Session for Update on 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 11.b.1.

1:10 p.m. Recessed.  
1:25 p.m. Reconvened.

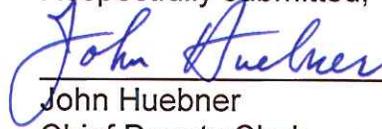
**Board** only discussed the one issue in Executive Session.

- 12. Adjournment.  
1:29 p.m.

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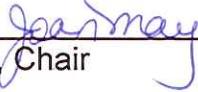
Respectfully submitted,



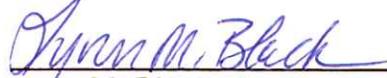
John Huebner  
Chief Deputy Clerk

APPROVED July 15, 2015.

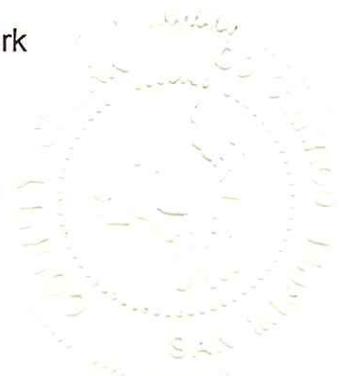
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

  
Joan May, Chair

ATTEST:



Lynn M. Black  
County Administrator



FOR CONSENT AGENDA APRIL 22nd, 2015

APPROVAL OF MARCH PAYROLLS &  
MARCH 2015 VENDOR PAYMENTSCHECKS ISSUED MAR 1st THRU MAR 31st, 2015  
FROM FUND/DISTRICT AS FOLLOWS:

FUND	PAYROLL	SPECIAL REQUEST VENDOR
GENERAL FUND - 101	\$509,805.63	\$187,750.78
ROAD & BRIDGE FUND - 102	\$119,162.29	\$49,073.46
SOCIAL SERVICES FUND - 103	\$27,630.80	\$0.00
SALES TAX CAPITAL FUND - 104	\$0.00	\$19,570.98
CAPITAL EXPENDITURES - 106	\$0.00	\$21,545.61
RETIREMENT FUND -107	\$31,044.24	\$0.00
PARKS/OPEN SPACE - 108	\$29,138.07	\$32,091.03
CONSERVATION TRUST FUND - 109	\$0.00	\$0.00
LODGING TAX - 110	\$0.00	\$6,575.60
VEGETATION MANAGEMENT - 111	\$0.00	\$226.51
PUBLIC HEALTH & ENVIRONMNT - 115	\$33,297.94	\$7,270.94
ENERGY FUND - 116	\$0.00	\$0.00
HOUSING AUTHORITY - 224	\$0.00	\$0.00
DISPOSAL DISTRICT - 226	\$0.00	\$13,804.65
<b>TOTALS</b>	<b>\$750,078.97</b>	<b>\$337,909.56</b>