

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES
JULY 6, 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
Deputy Clerk Nina Kothe

1. Call to order.
9:30 a.m.
2. Review of Agenda.
3. Calendar Review.
4. CONSENT AGENDA:
 - a. Approval to authorize Jim Soukup, IT Director, to purchase a fire detection and suppression system not to exceed \$16,000.

MOTION by Goodtimes to approve as presented. **SECONDED** by Levek. **PASSED 3-0.**

5. ADMINISTRATIVE MATTERS:
 - a. ~~Interview Matt Steen for position on Lone Tree Cemetery Board.~~

Note: Matt Steen was unable to attend.

- b. Consideration of Nanci Brown for position on Lone Tree Cemetery Board.

Note: Nanci Brown was unable to attend.

- c. Consideration to appoint an applicant to the Lone Tree Cemetery Board to a six-year term ending 05/25/22.

Present: Janie Goldberg, Board Member on the Lone Tree Cemetery Board; Ashley Palomar, Board Member on the Lone Tree Cemetery Board

MOTION by Goodtimes to appoint Cathy James to the Lone Tree Cemetery Board. **SECONDED** by Levek. **PASSED 3-0.**

- d. Consideration of an application for a Transfer of Ownership for a Tavern Liquor License from Cowboy Angel Corp dba The Hitchin' Post to Cloud Bridge Corporation; and an application for a temporary 120-day permit authorizing continued operation of the licensed premises pending approval of the transfer of Tavern Liquor License. These approvals are expressly conditioned upon the applicant closing on its purchase of the transferor's tavern business and its lease of the licensed premises scheduled for Thursday, July 28, 2016, location 41087 Hwy 145, Norwood, CO and providing notification of such closing to the County. Based on the County Clerk's Written Findings.

MOTION by Goodtimes to approve [Transfer of Ownership for a Tavern Liquor License from Cowboy Angel Corp dba The Hitchin' Post to Cloud Bridge Corporation contingent on the property ownership transfer]. **SECONDED** by Levek. **PASSED 3-0.**

- e. Discussion regarding the Ablation Process – Black Range Minerals.

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Present: Jennifer Thurston, INFORM; George Glasier, Western Uranium; Travis Stills, Sheep Mountain Alliance; Lexi Tuddenham, Sheep Mountain Alliance

10:52 a.m. Recessed.
10:58 a.m. Reconvened.

- f. Discussion of the BLM Uncompahgre Resource Management Plan revision for over 675,000 surface acres.

Board Consensus to direct Steve Zwick, County Attorney to request an extension of the comment period for the Uncompahgre Resource Management Plan.

- g. Review of Commissioner Board and Commission appointments.

Board Consensus to direct staff to schedule consideration of the Commissioner Board and Appointments at an August 2016 meeting, and that Levek will attend the Sneffels Energy Board, May and Levek will alternate attending EcoAction Partners and the County Lodging Tax Panel.

6. PLANNING MATTERS:

- a. ~~Consideration~~ Discussion of a Multi-Family Housing Deed Restriction and Covenant template that would be offered to owners of multi-family or work-force housing deed-restricted properties to replace the current Deed Restriction and Land Use Code provisions for Affordable Housing.

Present: Lois Major, Attorney Representing County; Mike Rozycki, County Planning Director; Shirley Diaz, Executive Director Housing Authority

Board Consensus to add nine-month rental cap and alternative standards to the draft document for board review at a future meeting.

7. SAN MIGUEL COUNTY HOUSING AUTHORITY MATTERS:

- a. Consideration of action on the January 2014 NOV for Ashley Boling and Suzan Beraza, who own Lawson Hill Unit 26.

Note: Goodtimes and May disclosed communications with Ashley Boling and Suzan Beraza before they were advised of the quasi-judicial nature of the hearing. No communication between Goodtimes and May has occurred that could affect their decision on a motion.

Present: Lois Major, Attorney Representing County; Shirley Diaz, Executive Director Housing Authority; Ashley Boiling and Suzan Beraza, Owners, Lot 26 Lawson Hill PUD

MOTION by Levek to grant a 90-day extension to the Notice of Violation for Lawson Hill, Unit 26. **SECONDED** by Goodtimes. **PASSED 3-0.**

11:55 a.m. Goodtimes left the meeting room.

- b. Request from Scott Stewart for an exception to the definition of employee Section 5-1305 B.VII. The hearing is requested pursuant to LUC § 5-1305 H.III. of the San Miguel County R-1 Housing Deed Restriction and the Guidelines, Rules, and Regulations governing Affordable Housing in the Telluride R-1 School District.

Present: Lois Major, Attorney Representing County; Shirley Diaz, Executive Director Housing Authority; Scott Stewart, Owner; Danielle Rodriguez, San Miguel Regional Housing Authority

MOTION by Levek to grant an exception to the definition of employee in Section 5-1305 B.VII., due to the following compelling circumstances: Scott's previous employment, his

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long history and contribution to the community, and his current work at home, with the following condition:

1. Mr. Stewart shall use the property as his sole and primary residence;
2. Mr. Stewart's employment and income as a business owner working from home is approved. However, he must track and be able to provide the minimum of 30 hours per week for at least 8 out of 10 months within five days of a request from SMRHA.

SECONDED by May. PASSED 2-0.

8. **OPEN SPACE AND RECREATION MATTERS:**

- a. Update on Pandora Mill Due Diligence and Staff Recommendation regarding July 15, 2016, deadline to notify Idarado Mining Company.

Present: Linda Luther-Broderick, County Open Space and Recreation Coordinator; Kevin Geiger, Town of Telluride Attorney

MOTION by Levek to authorize staff to notify Idarado in writing per the Letter of Agreement that the County elects to accept the conveyance of Pandora Mill site which notification sets in motion the steps necessary for amending the Pandora Mill reclamation plan. **SECONDED by May. PASSED 2-0.**

Board Consensus to direct staff to schedule a joint public meeting with the County and the Town of Telluride in September or October once Idarado's Amended Reclamation Plan is completed and then Idarado is authorized to request public input.

- b. Other, as needed.
 1. Update on fencing at the O.A. Greager site.

Present: Linda Luther-Broderick, County Open Space and Recreation Coordinator

12:11 p.m. Art returned to the meeting.

12:12 p.m. Recessed.

12:21 p.m. Reconvened.

9. **ADMINISTRATOR'S REPORT:**

- a. Update with County Administrator.
 1. Ideas Festival funding request.
 2. Sheriff lifts the Temporary Fire Restriction Order.
 3. Club 20 meeting in Cortez on July 7 and 8, 2016.
 4. Cap II Funding.
 5. Raise the Bar Initiative.

Present: Lynn Black, County Administrator

10. **COMMISSIONER AND PUBLIC DISCUSSION:**

- a. ~~Public Discussion.~~
- b. Update on Outside Meetings.
 1. Art Goodtimes – Pollinator Project
 2. Amy Levek – Citizens Climate Lobby
 3. Joan May – Telluride Foundation Board, Colorado Communities for Climate Action
- c. ~~Website postings and press releases.~~
- d. ~~General Discussion.~~

11. **ATTORNEY MATTERS:**

- a. Update on litigation.

Present: Steve Zwick, County Attorney

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12. Adjournment.
1:33 p.m.

Audio MP4 20160706-BOCC-Audio.

Respectfully submitted,





Nina Kothe
Deputy Clerk



Carmen Warfield
Chief Deputy Clerk

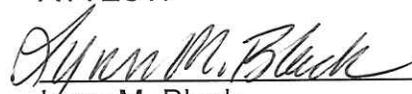
APPROVED August 3, 2016

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Joan May, Chair

ATTEST:



Lynn M. Black
County Administrator