

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES**

Wednesday, February 19, 2020

333 W Colorado Ave. 2nd Floor Telluride Co

Present: Hilary Cooper, Chair
Lance Waring, Vice Chair
Kris Holstrom, Chair

Staff Present: Mike Bordogna, County Manager
Nancy Hrupcin, County Legal Assistant
Carmen Warfield, Chief Deputy Clerk

1. **CALL TO ORDER.**
9:35 a.m.

2. **REVIEW OF AGENDA**

Item 4.a. Continued to the meeting scheduled on 3/17/2020.

Item 5.b. Continued to the meeting scheduled on 3/10/2020.

Item 10.a.10.d. Continued to the meeting scheduled 3/10/2020 for the items to be ratified.

MOTION by Lance Waring to approve the amended agenda as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

3. **CALENDAR REVIEW**

4. **CONSENT AGENDA**

- a. Approval of Chair's signature on a Memorandum of Understanding for participation in the Colorado Emergency Fire Fund. – Item continued to the next scheduled meeting on 3/17/2020.
- b. Acceptance of Agreement for Services Shelter for Impounded, Stray, or Surrendered Animals.
- c. Notification by the County Manager for a budgeted approved purchase of a replacement vehicle for the Assessor's Department 2020 Toyota Rav4 not to exceed \$29,327.00.
- d. Ratification of Chair's signature on a letter to the State Land Board Regarding Wilson Mesa Parcel.
- e. Acceptance of an application to the Family Planning Program through the Colorado Department of Public Health and Environment, submitted February 10, 2020.
- f. Approval of Chair's signature on the 2020 Rec Ranger Agreement Modification.
- g. Acceptance of the Chair's signature on a Quitclaim deed transferring 40% interest to the Condominium Unit 601, Building F, Eider Creek Condominiums.
- h. Approval of Chair's signature on an Agreement for professional services with ValueWest Inc. providing commercial appraisal services for San Miguel County.
- i. Approval of Minutes: December 31, 2019, and January 8, 2020.

MOTION by Lance Waring to approve the consent agenda with 4.a. to be continued. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

5. **ADMINISTRATIVE MATTERS**

- e. Update on the Sheriff - construction project.

Present: David Rosenfeld, Charles Cunniff Architects; David Hawthorne, Jaynes Construction; Werner Catsman, Project Manager; William Masters, County Sheriff; Jennifer Dinsmore, Chief Administrative officer

- b. ~~Update on the Transfer Station operations.~~ – Item continued to the March 10, 2020, scheduled meeting.

- d. Approval of Chair's Signature on a Resolution of the Board of County Commissioners of San Miguel County authorizing the Chair of the Board to transfer the Trout Lake Trestle and the Vance Junction Coal Chutes both situated on Forest Service Land to the United States of America, acting by and through the Forest Service, Department of Agriculture.

Present: Janet Kask, Parks and Open Space Director

MOTION by Kris Holstrom to approve the resolution concerning the transfer of the Trout Lake Trestle and the Vance Junction Coal Chutes with the slight addition to the [third Whereas, to add with the understanding that the County has transferred this valuable asset in a gesture of goodwill; and] **SECONDED** by Lance Waring. **PASSED 3-0.** (ATTACHMENT I – Resolution 2020-008)

- e. Approval of Chair's signature on two Quitclaim Deeds transferring the Trout Lake Trestle and the Vance Junction Coal Chutes to the United States of America, acting through the Forest Service, Department of Agriculture.

Present: Janet Kask, Parks and Open Space Director

MOTION by Lance Waring to approve the two Quitclaim deeds as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

10:33 a.m. Recessed.
10:39 a.m. Reconvened.

- c. Consideration of Chair's signature on a petition for abatement or refund of taxes for the Sheridan Arts Foundation due to a clerical error by the Assessor's office.

Present: Peggy Kanter, County Assessor

MOTION by Kris Holstrom to approve the [petition for abatement] as presented. **SECONDED** by Lance Waring. **PASSED 3-0.** (ATTACHMENT II)

10. **UPDATE WITH GOVERNMENT AFFAIRS/NATURAL RESOURCES**

- a. ~~Late Addition: Review and Comment on the BLM Uncompahgre Field Office Preliminary programmatic Environmental Assessment (EA) to disclose and analyze the environmental effects of a proposal to implement wildlife habitat and rangeland improvement, restoration, and mitigation treatments within the Project Area. – Item continued to a later scheduled meeting.~~
- b. Approval of Chair's signature on a comment letter regarding the Paradox Salinity Control.

MOTION by Kris Holstrom to approve the comment letter as presented. **SECONDED** by Lance Waring. **PASSED 3-0.**

- c. Ratification Approval of the Department of Energy Slickrock Burro Mines Complex Follow-up Letter.

MOTION by Lance Waring to approve the follow-up letter as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

- d. ~~Approval of Chair's signature on a Scoping Notice for Spring Creek Basin Wild Horse Herd Area Management Plan – Item continued to a later scheduled meeting.~~
- e. Ratification of Chair's signature on a COGCC Wellbore Rulemaking comments.

MOTION by Lance Waring to approve the comments as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Present: Mike Bordogna, County Manager

5. **ADMINISTRATIVE MATTERS -Continued**

- f. Update with Jenny Russell on the Southwestern Water Conservancy District.

Present: Jenny Russell, appointed to the Southwestern Water Conservancy District

- g. ~~Late Addition: Executive Session: To investigate the reasonable diligence application that the San Miguel Water Conservancy District has filed with Water Division in case # 17CW3071, citation (4)(a).~~

6. **PUBLIC HEALTH AND ENVIRONMENT**

(Board of Commissioners sitting as the San Miguel County Board of Public Health and Environment.)

- a. Welcome the new Public Health Director.

Present: Grace Franklin, Public Health Director

- b. Update with Chris Smith, Environmental Health.

Present: Chris Smith, Environmental Health Specialist

12:10 p.m. Recessed.
12:14 p.m. Reconvened.

8. **ADMINISTRATIVE MATTERS, Continued**

- a. Follow-up on discussion on roads, and related matters with Ophir residents.

Present: Ken Haynes, Town of Ophir; Ryan Righetti, Road and Bridge Supervisor; Janet Kask, Parks and Open Space; Mike Bordogna, County Manager; Tom Hannahs, Road and Bridge Deep Creek Shop; Wendy Basham, Ophir Resident; Corinne Plat, Ophir Resident

1:20 p.m. Recessed.
1:27 p.m. Reconvened.

9. **SOCIAL SERVICES MATTERS**

(Board of Commissioners sitting as the San Miguel County Board of Social Services.)

- a. Approval of Chair's signature on Social Services Department Balance Sheet November 2019, Earned Revenue and Expenditures November 2019, Expenditures through Electronic Benefit Transfers December 2019, Check Register for the Month of December 2019, County Allocation/MOE Report NOV-2019, and 2019 Caseload Report.
- b. Approval of Chair's signature on Social Services Department Balance Sheet December 2019, Earned Revenue and Expenditures December 2019, Expenditures through Electronic Benefit Transfers January 2020, Check Register for the Month of January 2020, County Allocation/MOE Report DEC- 20, and 2020 Caseload Report.

Present: Carol Friedrich, County Social Services Director

MOTION by Kris Holstrom to approve both of the Social Services reports as presented. **SECONDED** by Lance Waring. **PASSED 3-0.**

11. **UPDATE WITH THE COUNTY MANAGER**

- a. Other, as needed.
 - 1. Exploring a singular module for Human Resources and the Finance dept.
 - 2. Update on hiring Human Resources Manager
 - 3. Update on the outcome of the all-County Professional Development day
 - 4. Clean Energy Challenge Presentation –Scheduled March 18, 2020
 - 5. Lone Cone Library Appreciation Dinner
 - 6. Meeting Brad Zaporski, San Miguel Power Association.
 - 7. Next Elected Official/Director Meeting is scheduled February 26, 2020
 - 8. Swat Analysis
 - 9. Upcoming Potential Housing conversation with the Town of Norwood
 - 10. Presentation at the next scheduled board meeting to view the prepared County-owned property map

12. **COMMISSIONER UPDATES AND PUBLIC DISCUSSION**

- a. Lance Waring – SMART Meeting
- b. Kris Holstrom – Farmer's Water meeting

- c. Hilary Cooper - ReStore letter of support for the Gunnison Sage Grouse; testified on behalf of the broadband bill, Soil health not funded, update on the 811 locate bill, Medical assistance for the jails providing care

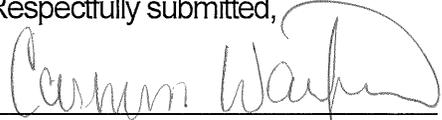
13. **ADJOURNMENT**

MOTION by Kris Holstrom to adjourn the board meeting. **SECONDED** by Lance Waring.
PASSED 3-0.

2:25 p.m. Adjourned.

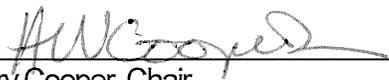
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Respectfully submitted,


Carmen Warfield, Chief Deputy Clerk

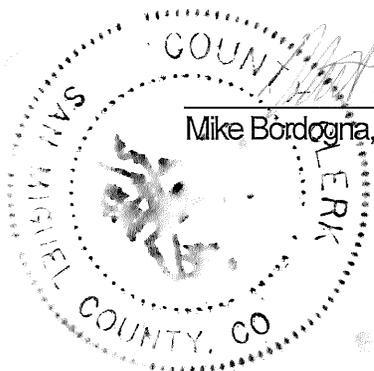
Approved April 22, 2020

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS


Hilary Cooper, Chair

ATTEST:


Mike Bordonaga, County Manager



**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO, AUTHORIZING THE CHAIR OF THE BOARD
TO TRANSFER THE TROUT LAKE TRESTLE AND THE VANCE JUNCTION COAL
CHUTES BOTH SITUATED ON FOREST SERVICE LAND TO THE UNITED STATES OF
AMERICA, ACTING BY AND THROUGH THE FOREST SERVICE, DEPARTMENT OF
AGRICULTURE**

Resolution No. 2020 – 008

ATTACHMENT I

WHEREAS, pursuant to section 30-11-101 (1) (c), C.R.S., the Board of County Commissioners (BOCC), on behalf of the County, has the legal authority to sell, convey, exchange or lease any real property owned by the County and make such order respecting the same as may be deemed to be in the best interests of the County and its inhabitants; and

WHEREAS, San Miguel County, Colorado (the County) owns certain real property located at the Trout Lake Trestle legally described as T41N R9W Sec 16 S2SW4 NMPM, excepting MS 16066 (unsurveyed) and the Vance Junction Coal Chutes legally described as T41N R9W NMPM MS. No. 12728; M.S. No. 6950; and

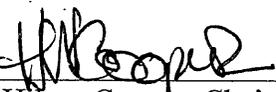
WHEREAS, the Parties have formalized the terms and conditions for the transfer and use of the both historical structures with the understanding that the County has transferred this valuable asset in a gesture of goodwill; and

WHEREAS, the BOCC finds it appropriate to designate the Chair or Chair Pro-tem as the individuals authorized to execute any documents required to effect the transfer of the Property.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of San Miguel County, Colorado hereby authorizes the Chair or the Chair Pro-tem to execute any and all documents related to the transfer of the Trout Lake Trestle and the Vance Junction Coal Chutes property to United States of America, acting by and through the Forest Service, Department of Agriculture for the purposes referenced herein.

DONE AND APPROVED by the San Miguel County Board of County Commissioners at a duly noticed public meeting held in Telluride, Colorado on Feb. 19, 2020.

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

By: 
Hilary Cooper, Chair

ATTEST:

Hilary Cooper	<u>Aye</u>	Nay	Abstain	Absent
Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
Lance Waring	<u>Aye</u>	Nay	Abstain	Absent


Carmen Warfield, Chief Deputy Clerk to the Board

After Recording Return To:
United States of America
Department of Agriculture Forest Service
Attention:
P.O. Box 388
Norwood, CO 81423

Approved as to Land Description,
Considerations & Conditions

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this 19th day of February, 2020, the Grantor SAN MIGUEL COUNTY, COLORADO, by and through its Board of County Commissioners, whose mailing address is P.O. Box 1170, Telluride, Colorado 81435, hereinafter called Grantor, and the United States of America, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantee.

WITNESSETH, that the Grantor, pursuant to the provisions of Act of October 10, 1978 (P.L. 95-442, 92 Stat. 1065; 7 U.S.C. 2269), for and in consideration of TEN and 00/100 Dollars (\$10.00), the receipt whereof is hereby duly acknowledged, does hereby remise, release, and quitclaim unto the Grantee, its successors and assigns, all its right, title, interest, and claim, in and to the structure known as the Trout Lake Trestle situated on Forest Service land in the County of San Miguel, State of Colorado, described as follows:

New Mexico Principal Meridian
T. 41 N., R. 9 W.,
sec. 16, S1/2SW1/4, excepting MS 16066 (unsurveyed)

SUBJECT TO: the Memorandum of Understanding entered into by the Grantor and Grantee simultaneous with this quitclaim deed which outlines the shared, mutual goal of preserving this unique structure through identification, protection, education, interpretation, and management for appropriate public access, use, and enjoyment.

IN WITNESS WHEREOF, the Grantor, by its duly authorized representative, has executed this deed this 19th day of February, 2020.

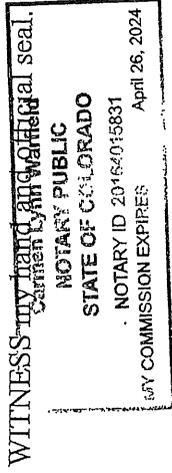
GRANTOR:
SAN MIGUEL COUNTY, COLORADO

By: Hilary Cooper
Hilary Cooper, Chair
Board of County Commissioners

ACKNOWLEDGMENT

STATE OF COLORADO)
) SS:
COUNTY OF SAN MIGUEL)

On this 19th day of February, 2020, before me, CARMEN WARFIELD, a Notary Public in and for said State, personally appeared HILARY COOPER, known to me to be the person who executed the foregoing and acknowledged to me that he/she/they executed the same for the purposes therein stated.



Carmen Warfield
Notary Public Signature

My Commission expires: April 26, 2024

After Recording Return To:
United States of America
Department of Agriculture Forest Service
Attention: Spencer Haley
P.O. Box 388
Norwood, CO 81423

Approved as to Land Description,
Considerations & Conditions

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New Mexico Principal Meridian
T. 41 N., R. 9 W.,
M.S. No. 12728;
M.S. No. 6950.

SUBJECT TO: the Memorandum of Understanding entered into by the Grantor and Grantee simultaneous with this quitclaim deed which outlines the shared, mutual goal of preserving this unique structure through identification, protection, education, interpretation, and management for appropriate public access, use, and enjoyment.

IN WITNESS WHEREOF, the Grantor, by its duly authorized representative, has executed this deed this 19th day of February, 2020.

GRANTOR:
SAN MIGUEL COUNTY, COLORADO

By: Hilary Cooper
Hilary Cooper, Chair
Board of County Commissioners

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: San Miguel

Date Received 3/4/20
(Use Assessor's or Commissioners' Date Stamp)

Section I: Petitioner, please complete Section I only.

ATTACHMENT II

Date: Feb 4 2020
Month Day Year

Petitioner's Name: Sheridan Arts Foundation

Petitioner's Mailing Address: P.O. Box 2680

Telluride CO 81435
City or Town State Zip Code

SCHEDULE OR PARCEL NUMBER(S)

1010003373

PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY

L North 60.6' of Lots 21 & 23,

Blk 3, Telluride

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year 2019 are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error, or overvaluation. Attach additional sheets if necessary.)

D.P.T. granted 91% of Real Property Exempt
and 100% of Personal Property Exempt. Clerical

Petitioner's estimate of value: \$ 276,357 (2019) Error by Assessors' office
Value Year

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information, and belief, is true, correct, and complete.

Rhonda Delonay
Petitioner's Signature

Daytime Phone Number (970) 728-6363 x 7

Email Ronnie@sheridandancehouse.com

By _____ Daytime Phone Number () _____

Agent's Signature*

Printed Name: Roggy Krater

Email _____

*Letter of agency must be attached when petition is submitted by an agent.

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114, 5(1), C.R.S.

Section II: Assessor's Recommendation
(For Assessor's Use Only)

Tax Year 2019

	Actual	Assessed	Tax
Original	<u>1,409,591</u>	<u>408,780</u>	<u>\$ 17,873.50</u>
Corrected	<u>276,357</u>	<u>80,140</u>	<u>3,524.04</u>
Abate/Refund	<u>1,133,234</u>	<u>328,640</u>	<u>14,369.46</u>

Assessor recommends approval as outlined above.

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY
(Section III or Section IV must be completed)

Every petition for abatement or refund filed pursuant to § 39-10-114, C.R.S., shall be acted upon pursuant to the provisions of this section by the Board of County Commissioners or the Assessor, as appropriate, within six months of the date of filing such petition, § 39-1-113(1.7), C.R.S.

Section III: Written Mutual Agreement of Assessor and Petitioner

(Only for abatements up to \$10,000)

The Commissioners of _____ County authorize the Assessor by Resolution No. _____ to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of \$10,000 or less per tract, parcel, or lot of land or per schedule of personal property, in accordance with § 39-1-113(1.5), C.R.S.

The Assessor and Petitioner mutually agree to the values and tax abatement/refund of:

	Actual	Assessed	Tax
Original	_____	_____	_____
Corrected	_____	_____	_____
Abate/Refund	_____	_____	_____

Tax Year _____

Note: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

Petitioner's Signature _____ Date _____

Assessor's or Deputy Assessor's Signature _____ Date _____

Section IV: Decision of the County Commissioners

(Must be completed if Section III does not apply)

WHEREAS, the County Commissioners of San Miguel County, State of Colorado, at a duly and lawfully called regular meeting held on 02/19/2020, at which meeting there were present the following members:

Hilary Coper, Lance Waring, Kris Holstrom

with notice of such meeting and an opportunity to be present having been given to the Petitioner and the Assessor of said County and Assessor Reggy Kunter

Petitioner ShuridanArts Foundation (being present--not present), and WHEREAS, the said

County Commissioners have carefully considered the within petition, and are fully advised in relation thereto, NOW BE IT RESOLVED that the Board (agrees--does not agree) with the recommendation of the Assessor, and that the petition be (approved--approved in part--denied) with an abatement/refund as follows:

2019 ~~\$1328,140~~ \$14,369.46
Year Assessed Value Taxes Abate/Refund

[Signature]
Chairperson of the Board of County Commissioners

[Signature]
County Clerk and Ex-Officio Clerk of the Board of County Commissioners

I, Carmen Warfield County Clerk and Ex-Officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing are true and correct with the record of the proceedings of the Board of County Commissioners.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County

this 19th day of Feb., 2020 Year

[Signature]
County Clerk's or Deputy County Clerk's Signature

