

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES**

Tuesday, March 17, 2020

333 W Colorado Ave. 2nd Floor Telluride Co

Present: Hilary Cooper, Chair
Lance Waring, Vice Chair
Kris Holstrom, Commissioner, via phone

Staff Present: Mike Borlogna, County Manager
Amy Markwell, County Attorney
Carmen Warfield, Chief Deputy Clerk
Ryan Righetti, County Road and Bridge Superintendent

1. **CALL TO ORDER.**
9:31 a.m.
2. **REVIEW OF AGENDA AND APPROVAL**
 - a. Public Comment on items not on the agenda.
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.
 - b. Approval of Chair's signature acting as the San Miguel County Board of Public Health to sign an intergovernmental agreement to participate in the West Central Public Health Partnership.
 - c. Approval of Chair's signature on an Intergovernmental Agreement and Memorandum of Understanding between San Miguel County and Montrose County for Public Road Maintenance.
 - d. Approval of Chair's signature on a letter of support for a grant application to the Laura Jane Musser Fund on behalf of the Telluride Mountain Club for the Jud Wiebe Trail.
 - e. Ratification of Chair's signature on the February 2020 Veterans Service Officer Report.
 - f. Approval of Chair's signature on a 2020 Homeland Security Grant Program Application.
 - g. Approval of Chair's signature on Social Services Department Balance Sheet January 2020, Earned Revenue and Expenditures, January 2020, Expenditures through Electronic Benefit Transfers, February 2020, Check Register for the Month of February 2020, County Allocation/MOE Report, January 2020 and the 2020 Caseload Report.
 - h. Approval of Herb McHarg for contract legal services.
 - i. Approve an annual Merit System Certification.

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

5. **PLANNING MATTERS**
 - a. Authorization of the Chair to sign a Petition and Resolution for Annexation into the Town of Telluride, Colorado for the property commonly referred to as the Sunnyside parcel.

Present: Amy Markwell, County Attorney

MOTION by Lance Waring to approve the petition and resolution for annexation into the Town of Telluride, Colorado for the property commonly referred to as the Sunnyside parcel. **SECONDED** by Kris Holstrom. **PASSED 3-0.** (ATTACHMENT I – Resolution 2020-010)

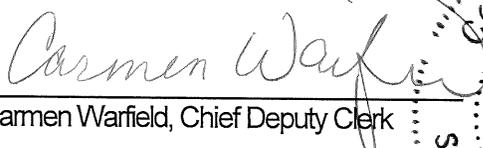
- b. ALL OTHER ITEMS WILL BE CONTINUED TO APRIL 1, 2020, Board Meeting.

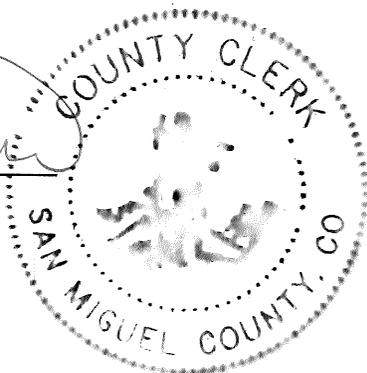
6. **ADJOURNMENT**
9:58 a.m.

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

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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 Bordogna, County Manager

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING A PETITION FOR ANNEXATION INTO THE TOWN OF TELLURIDE
FOR THE SUNNYSIDE PARCEL**

Resolution 2020-010

WHEREAS, San Miguel County is the owner of certain property generally known as the Sunnyside Parcel, to be developed as affordable housing and referred to as the Sunnyside Housing Project, more specifically described in Exhibit A, attached; and

WHEREAS, on September 27, 2017, the San Miguel County Board of Commissioners and the Town of Telluride entered in a Memorandum of Understanding (MOU) concerning the potential joint development of the Sunnyside Housing Project; and

WHEREAS, the MOU anticipates the annexation of the property to the Town of Telluride for the provision of municipal services; and

WHEREAS, a Petition for Annexation into the Town of Telluride has been prepared, pursuant to the requirements of the Colorado Municipal Annexation Act of 1965, as amended, C.R.S.31-12-101 et seq. ("Annexation Statute"), the Town of Telluride Home Rule Charter ("Charter"), and the Town of Telluride Municipal Code ("Code"), including the Telluride Land Use Code ("LUC"), including, without limitation, the provisions and requirements contained in Article 6-601 et. seq. of the LUC; and

WHEREAS, San Miguel County as Petitioner reserves the right to withdraw the Petition for Annexation at any time prior to the adoption of an annexation ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves the Petition for Annexation into the Town of Telluride and authorizes the submission of said Petition to the Town of Telluride.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on March 17, 2020.

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

DocuSigned by:
Hilary Cooper
By: _____
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Hilary Cooper, Chair

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

ATTEST:

By: DocuSigned by:
Carmen Warfield
Carmen Warfield, Chief Deputy Clerk



EXHIBIT "A"
(Legal Description of Property)

A PORTION OF SECTIONS 28, 33 AND 34 TOWNSHIP 43 NORTH RANGE 9 WEST NEW MEXICO PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE PILOT KNOB PLACER MS 7137 THE SAME AS SHOWN ON THE BLM DEPENDENT RESURVEY AND THE SURVEY PLAT ACCEPTED 7/24/1980; THENCE S 01D 41 41 W 16.34 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 01D 41 41 W ALONG THE WESTERLY LINE OF SAID PILOT KNOB PLACER 260.00 FETT TO A POINT IN THE NORTHERLY RIGHT OF WAY OF COLORADO AVENUE, TOWN OF TELLURIDE; THENCE N 75D 18 08 W ALONG SAID RIGHT OF WAY 399.19 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SW AND HAVING A RADIUS OF 1960.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08D 06 12 AN ARC DISTANCE OF 277.21 FEET; THENCE LEAVING SAID ROW N 01D 41 41 E 280.13 FEET; THENCE S 75D 18 08 E 680.00 FEET TO THE POINT OF BEGINNING, COUNTY OF SAN MIGUEL, STATE OF COLORADO ACCORDING TO SPECIAL WARRANTY DEED RECORDED 12/20/2001 UNDER RECEPTION NUMBER 345853 ALSO ACCORDING TO SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NUMBER 2001-61 GRANTING SUBDIVISION EXEMPTION RECORDED 12/20/2001 UNDER RECEPTION NUMBER 345852 CONTAINING 4 ACRES MORE OR LESS, ALSO KNOWN AS TRACT EH ACCORDING TO SUBDIVISION EXEMPTION PLAT RECORDED AT PLAT BOOK 1 PAGE 3036 AND FIRST AMENDED PLAT RECORDED MAY 24, 2004 AT BOOK 1 PAGE 3276 THROUGH 3286.

PETITION FOR ANNEXATION INTO THE TOWN OF TELLURIDE, COLORADO

THIS PETITION FOR ANNEXATION ("**Petition**"), dated as of March 17th, 2020 ("**Effective Date**"), is submitted by San Miguel County Colorado ("**Petitioner**"). Petitioner does hereby state, declare and affirm as follows:

1. Petitioner is the current fee simple owner of that certain real property consisting of approximately 4 acres MOL. Located in San Miguel County, Colorado ("**Property**"). A legal description for the Property is attached as **Exhibit "A"**.

2. This Petition is being made by Petitioner and seeks annexation of the Property into the Town of Telluride, a home rule municipality and political subdivision of the State of Colorado ("**Town**").

3. This Petition is being made to the Telluride Town Council, the governing body of the Town of Telluride ("**Town Council**").

4. The Petition is being submitted to Town by and through the San Miguel County Manager ("**County Manager**").

5. The Property is eligible for annexation into the Town in accordance with the requirements of the Colorado Municipal Annexation Act of 1965, as amended, C.R.S.31-12-101 *et seq.* ("**Annexation Statute**"), the Town of Telluride Home Rule Charter ("**Charter**"), and the Town of Telluride Municipal Code ("**Code**"), including the Telluride Land Use Code ("**LUC**"), including, without limitation, the provisions and requirements contained in Article 6-601 *et. Seq.* of the LUC.

6. Petitioner constitutes more than fifty percent—in this case a full 100% ownership—of the area, excluding public streets and alleys, meeting the requirements of CRS Sections 31-12-104 and 31-12-105.

7. Petitioner has determined that it is desirable and necessary that the Property be annexed into the Town of Telluride.

8. The requirements of CRS Section 31-12-104 exist or have been met, in particular, the following:

8.1. Petitioner affirms that not less than one-sixth of the perimeter of the Property is contiguous with the annexing municipality; and

8.2. That in light of this contiguity, a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and

8.3 That said area is integrated with or is capable of being integrated with the annexing municipality.

9. The requirements of CRS Section 31-12-105 exist or have been met.

10. Petitioner comprises the landowners of more than fifty percent—in this case a full 100% ownership—of the territory included in the area proposed to be annexed, exclusive of streets and alleys and also certify by signing this Petition that they own the Property.

11. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Telluride more than three (3) miles in any direction from any point of the Town's boundary in any one year.

12. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.

13. Petitioner reserves the right to withdraw this Petition at any time prior to the adoption of an annexation ordinance.

14. Petitioner hereby requests waiver of an annexation cost/benefit report under the Telluride Land Use Code Section 6.604.E.

15. Petitioner hereby requests waiver of an annexation impact analysis under the Telluride Land Use Code Section 6.604.D.

16. Petitioner hereby requests that the Town Council approve the annexation of the Property into the Town.

17. A copy of the Annexation Map for the Property is attached as **Exhibit "B"**.

18. The Name and Address of the Petitioner is as follows:

Board of County Commissioners
San Miguel County
P.O. Box 1170
Telluride, CO 81435

19. The Authorized Agent for the Petitioner is as follows:

Mike Bordogna, County Manager
PO Box 1170
333 W Colorado Avenue
Telluride, CO 81435

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