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 Bordogna, 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 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.
   h. Approval of Herb McIlgarr 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.

20200317-BOCC-Audio

Respectfully submitted,

Carmen Warfield, Chief Deputy Clerk

Approved April 22, 2020.
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

Hiary 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-
12-101et 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

[Signature]
Hilary Cooper, Chair

Vote:  Hilary Cooper   Aye  Nay  Abstain  Absent
        Kris Holstrom    Aye  Nay  Abstain  Absent
        Lance Waring     Aye  Nay  Abstain  Absent
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 FEET 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 ("Property"). 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
This Petition is executed and made effective by Petitioner as of the Effective Date.

San Miguel County, Colorado,
Acting by and through the
Board of County Commissioners

[Signature]
Printed Name: Hillary Cooper
Title: Chairperson

Date: 3/17/2020

STATE OF Colorado)
COUNTY OF San Miguel ) ss.

The foregoing instrument was acknowledged before me on March 17, 2020, by
Hillary Cooper as the Chairperson of Board of County Commissioners for San
Miguel County, Colorado.

Witness my hand and official seal.

[Signature]
Notary Public

[Stamp]
Carmen Lynn Warfield
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 2016401635
MY COMMISSION EXPIRES April 26, 2024
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 FEET 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 NORTHEASTERLY 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 EII 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.