

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES**

Wednesday, June 24, 2020

Egnar Fire House, Egnar Colorado, In-Person only

1. **10:00 am - 10:45 am MEET AND GREET**
2. **CALL TO ORDER**
11:01 a.m.
3. **REVIEW OF AGENDA, CALENDAR REVIEW**
4. **CONSENT AGENDA**
 - a. Approval of the appointment to the Strong Start Early Childhood Advisory Panel of John Pandolfi, Telluride School District Superintendent. As the previous Superintendent, Mike Gass has retired.
 - b. Approval of the re-appointment of Austin Smith to the San Miguel Basin Fair Board.
 - c. Approval of the re-appointment of Ted Wilson to the County's Historical Commission.
 - d. Approval of the re-appointment of Oak Smith to the Board of Adjustment.
 - e. Approval of Chair's signature on Social Services Department Balance Sheet April 2020, Earned Revenue and Expenditures April 2020, Expenditures through Electronic Benefit Transfers May 2020, Check Register for the Month of April 2020, and 2020 Caseload Report.
 - f. Approval of Chair's Signature on the Center for Mental Health Regional Mental Health Contract
 - g. Approval of Chair's Signature on Center for Substance Abuse Regional Mental Health Contract.
 - h. Acceptance of the April 2020 Road Report.
 - i. Approval of Chair's signature on the purchase of a 2019 F-550 Chassis 4 x4 pickup with a 9' plow and an electric box sander and a 2019 F-550 Chassis 4x4 pickup with a 9' plow to not exceed \$140,795, for the Road and Bridge Dept.
 - j. Other, as needed.

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

5. **ADMINISTRATIVE MATTERS**

- a. Late Addition - Update with the Dolores County Commissioners.

Present: Steve Garchar, Dolores County Commissioner; Ryan Righetti, County Road and Bridge Superintendent; Don Wilson, Dolores County Sheriff

- b. Legislative Update.

Present: Hilary Cooper, Chair

- c. Discussion on the repeal of the Gallagher Amendment with the Board of County Commissioner's potential notice to clerk on a ballot initiative.

Present: Hilary Cooper, Chair, Amy Markwell, County Attorney

Staff Direction: to continue the education and agendize the Budget impact at the July 8, 2020, board meeting.

- d. Discussion and response regarding the Bureau of Land Management proposal to issue a right-of-way to authorize activities associated with a U.S. Department of Energy reclamation project in San Miguel County, Colorado.

Present: Mike Bordogna, County Manager and Amy Markwell, County Attorney

Staff Direction: to use the same comment letters as submitted to the U.S. Department of Energy, to be ratified at the next board meeting.

- e. Update on the 2020 Census

Present: Mike Bordogna, County Manager

- f. Late Addition: Update on the Gunnison Sage Grouse working group.

Present: Mike Bordogna, County Manager

6. **UPDATE WITH THE COUNTY MANAGER/Mike Bordogna**

- a. Update on the communication plan for San Miguel County.
- b. Update on the CARES Act Funding.
- c. Update on the construction and remodel of the Sheriff's office buildings.
- d. Update on the Code Enforcement duties 1.16 LUC
- e. Discussion regarding the Paradigm 2020 Festival being held in Egnar.

Present: Robert Wright, Serenity Eco Village

1:28 p.m. Recessed.

1:41 p.m. Reconvened.

7. **PUBLIC HEALTH AND ENVIRONMENT**

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

- a. Update on Public Health and the COVID 19 outbreak.

Present: Mike Bordogna, County Manager

10. **Public Comment/Questions.**

- a. Listening Session with Egnar Residents.
 1. Concerns over the lack of water to homes of aging residents
 2. Request for Sheriff's presence 1 or 2 x a week
 3. Concerns over the need for fire restrictions in the Egnar Fire District
 4. Water dock – not enough keys for all area residents that haul their water

Present: Darlene Williams, Egnar Resident; Joe Hayden, Egnar Resident

8. **COMMISSIONER UPDATES**

- a. Other, as needed.
 1. Kris Holstrom – Wright's Mesa Economic Recovery Meetings, Food Systems response
 2. Lance Waring – Lodging Committee, CC4CA
 3. Hilary Cooper – Sunnyside Development
 4. Ann McCoy Harold, Senator Gardner Staff – Update
 5. Ryan Righetti – Road and Bridge Update

9. **ATTORNEY MATTERS**

(Any of these items may involve an Executive Session C.R.S 24-6-402)

- a. Late Addition: Consideration of Chair's signature on the San Miguel County, Colorado, Board of County Commissioners, Fourth Extended Local Disaster Emergency Declaration.

MOTION by Lance Waring to approve the [Fourth Extended Local Disaster Emergency Declaration].
SECONDED by Kris Holstrom. **PASSED 3-0. (ATTACHMENT I)**

- b. Update on Litigation.
 1. Sunshinemesa LLC
 2. Oil and gas lawsuit
 3. Opioid litigation.

Present: Amy Markwell, County Attorney

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

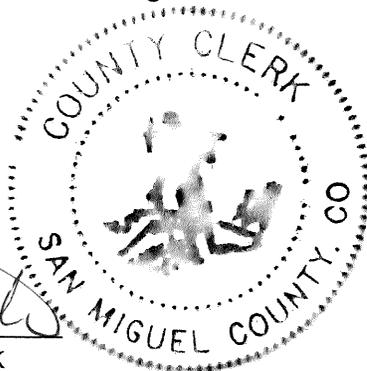
11. **ADJOURNMENT**

3:36 p.m.

20200624-BOCC-Audio

Respectfully submitted,

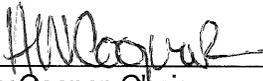

Carmen Warfield, Chief Deputy Clerk



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Approved August 5, 2020.

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS



Hilary Cooper, Chair

ATTEST:



Mike Bordogna, County Manager

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

***FOURTH EXTENDED LOCAL DISASTER
EMERGENCY DECLARATION***

WHEREAS, there is currently a threat posed by the presence of Coronavirus Disease 2019 (“COVID-19”) in San Miguel County, Colorado; and

WHEREAS, COVID-19 is a novel Coronavirus first identified during an outbreak in Wuhan, China in December 2019, and since then, COVID-19 has spread to several countries, including the United States of America, and more specifically, to a majority of counties in the State of Colorado including San Miguel County; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak as a pandemic; and

WHEREAS, on March 11, 2020, the Governor of the State of Colorado, Jared Polis, declared a State of Emergency by and through a verbal order and subsequent written Executive Order D 2020 003, allowing subsequent state emergency rulemaking regarding specific industries; and

WHEREAS, on March 13, 2020, the President of the United States, Donald Trump, declared the COVID-19 outbreak a national emergency; and

WHEREAS, on March 14, 2020, Governor Polis issued an executive order closing all ski resorts in Colorado; and

WHEREAS, on March 15, 2020, the Colorado Department of Public Health and Environment confirmed 30 additional new positive cases in Colorado bringing the total number of positive cases around the state to 131; and

WHEREAS, on May 26, 2020 the Colorado Department of Public Health and Environment reported the total number of positive cases in Colorado to 24,767; and

WHEREAS, that on June 21, 2020, San Miguel County Department of Public Health and Environment announced seven new COVID-19 cases for the county bringing the total number of confirmed cases up to 31 with nine cases being active; and

WHEREAS, the presence of COVID-19 in San Miguel County presents unique challenges and places strain upon local government, emergency and medical facilities and personnel; and

WHEREAS, the presence of COVID-19 in San Miguel County has created an unprecedented impact on the healthcare system and disruption of social activities; and

WHEREAS, the magnitude of the COVID-19 outbreak and the anticipated response and recovery costs are anticipated to exceed current operational resources available to the San Miguel County Government and all available resources are being utilized to protect the public health and safety; and

WHEREAS, Colorado law provides for declaring a local disaster emergency to assist local governments in responding to and recovering from emergency events, including epidemics, and “activates the response

and recovery aspects of any and all applicable local and interjurisdictional disaster and emergency plans and to authorize the furnishing of aid and assistance under such plan” C.R.S. § 24-33.5-709(2); and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), a local disaster may be declared only by the principal executive officer of a political subdivision and shall only be valid for a period not to exceed seven days unless by or with the consent of a majority of the members of the Board of County Commissioners; and

WHEREAS, making a declaration of a local disaster emergency is appropriate and in the interest of the public health and safety, and further protects the local economy; and

WHEREAS, the Chair of the Board of County Commissioners declared a local disaster emergency for San Miguel County, Colorado, pursuant to C.R.S. 24-33.5-709(1), as may be amended, on March 16, 2020; and

WHEREAS, the Board of County Commissioners unanimously supported the declaration made by the Chair and ratified on March 16, 2020 and said declaration is valid until April 3, 2020; and

WHEREAS, the Board of County Commissioners believes that conditions in regards to COVID-19 at the national, state and local level are such that it is prudent to extend the Local Disaster Emergency Declaration.

WHEREAS, we are still in the midst of the pandemic the Board of County Commissioners believes the *further* extension of said declaration is appropriate and in the interest of the public health and safety.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby extends the declaration of a local disaster emergency for San Miguel County, Colorado, pursuant to C.R.S. 24-33.5-709(1), as may be amended.

BE IT FURTHER RESOLVED, the effect of this extended declaration is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.

BE IT FURTHER RESOLVED, that such extended activation will provide resources to support the delivery of credible, accurate, and reliable information to empower the public to slow the spread of the disease while living their lives with minimal disruption.

BE IT FURTHER RESOLVED, that the Section 5-1(10.1) of the San Miguel County Administrative Policy Manual, as adopted by Resolution #2014-26 on November 19, 2014, which references that emergency purchases when there is a threat to public health, welfare and safety are exempt from a competitive purchasing process continues to be in full force and effect.

BE IT FURTHER RESOLVED, that Emergency Meeting protocol as set forth in Resolution #2018-026 remains in full force and effect.

BE IT FURTHER RESOLVED, that the Planning Director is authorized to grant temporary use permits for modification of existing special use permits for essential businesses that would otherwise require one-step or two-step approval pursuant to Land Use Code Chapters 3 and 5. Development standards as set forth in Chapter 5 may be modified, provided the modification allows the minimum necessary relief and is not detrimental to the public good. Temporary use permits shall not authorize any activity that is not permitted under the Emergency Order. The applicant shall be required to explain within the application how the temporary use permit is necessary to conduct the essential business. The Board of County Commissioners shall be advised of all approved temporary use permits granted under this exception.

BE IT FURTHER RESOLVED, that San Miguel County encourages people to remain calm and to base their actions on credible sources of information.

BE IT FURTHER RESOLVED, that this extended declaration shall be given prompt and general publicity and shall be filed promptly with the County Clerk and Recorder, and the Colorado Division of Homeland Security and Emergency Management (CDHSEM).

BE IT FURTHER RESOLVED, that this extended declaration shall be valid *until August 28, 2020 at 12:00 PM MST* unless further extended by the San Miguel County Board of County Commissioners.

DONE THIS 24th of July 2020, at Egnar, San Miguel County, Colorado.

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

DocuSigned by:
By: Hilary Cooper
Hilary Cooper, Chair

ATTEST:

Hilary Cooper	x	Aye	Nay	Abstain	Absent
Kris Holstrom	x	Aye	Nay	Abstain	Absent
Lance Waring	x	Aye	Nay	Abstain	Absent

DocuSigned by:
Carmen Warfield
Carmen Warfield, Chief Deputy Clerk to the Board