

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MINUTES
WEDNESDAY, JUNE 15, 2016
REGULAR MEETING
Second Floor, Miramonte Building
Telluride, Colorado

Present: Vice-Chair Art Goodtimes
Commissioner Amy Levek
Absent: Chair Joan May
Staff Present: County Administrator Lynn Black
County Attorney Steve Zwick
Chief Deputy Clerk Carmen Warfield

1. Call to order.
9:32 a.m.
2. Review of Agenda.
3. Calendar Review.
4. CONSENT AGENDA:
 - a. Approval of Chair's signature on a Malt Beverage and Vinous Special Events Permit on July 16, 2016, for San Miguel County Fair Board, 1165 Summit Street, Norwood, CO. based on the County Clerk's Written Findings. (ATTACHMENT I)
 - b. Approval of Chair's signature on a Malt Beverage and Vinous Special Events Permit on July 23, 2016, for San Miguel County Fair Board, 1165 Summit Street, Norwood, CO. based on the County Clerk's Written Findings. (ATTACHMENT II)
 - c. Approval of Chair's signature on a Malt Beverage and Vinous Special Events Permit on July 22-23, 2016 for Norwood Roping Club, 1165 Summit Street, Norwood, CO based on the County Clerk's Written Findings. (ATTACHMENT III)
 - d. Acceptance of the May 2016 Road Report.
 - e. Authorization of May 2016 Payroll and Vendor Payments. (ATTACHMENT IV)
 - f. Approval of Chair's signature on a letter to Julie Lenzer Kirk, Director of the Office of Innovation and Entrepreneurship, Economic Development Administration supporting the 2016 Regional Innovation Strategies Program on behalf of Telluride Foundation.
 - g. Approval of Chair's signature on an Environmental Health Contract for Retail Food Inspections and Issuing of Licenses.
 - h. Ratification of Chair's signature on County Veterans Service Officer's May 2016 Report.
 - i. Ratification of Chair's signature on a letter dated June 6, 2016, to the Colorado Creative Industries in support of the Ah Haa School for the Arts.
 - j. Ratification of Chair's signature on a letter dated June 8, 2016, to the Tres Rios Field Office concerning the February 2017 Lease Sale.
 - k. Approval of Chair's signature on letters dated June 13, 2016, to Representative Tipton and Senator Bennet, supporting the naming of the Fowler Peak and Boskoff Peak near Navajo Basin, Wilson Range, Colorado.

MOTON by Levek to approve the Consent Agenda with the addition of item 4.k.
SECONDED by Goodtimes. **PASSED 2-0.**

9:40 a.m. Recessed.
9:42 a.m. Reconvened.

5. ADMINISTRATIVE MATTERS:
 - a. **9:40 A.M. PUBLIC HEARING:** In the matter of the proposed Intergovernmental Agreement creating the San Miguel Regional Transportation Authority, (pending voter approval).

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9:42 a.m. Chair opened the Public Hearing. (EXHIBIT A – Documents)

Those who presented to the Board:
Lynn Black, County Administrator,
Steve Zwick, County Attorney

9:48 a.m. Chair closed the Public Hearing

- b. Discussion regarding the Ablation process – Black Range Minerals.

Present: Jennifer Thurston, Information Network for Responsible Mining (INFORM);
Lexi Tuddenham, Sheep Mountain Alliance; Mike Royzicki, County Planning Director;
Karen Henderson, Associate County Planner

Board Direction for Steve Zwick, County Attorney, to work with the INFORM attorneys to prepare comments concerning the Ablation process to the Colorado Department of Public Health and Environment by the deadline.

- c. ~~Interview Jenny Russell for position on Lone Tree Cemetery Board~~
Note: Email dated June 12, 2016, Jenny Russell withdrew her letter of interest for the Lone Tree Cemetery Board.
- d. Interview Matt Steen for position on the Lone Tree Cemetery Board.
Note: Not present.
- e. Interview Cathy James for the position on the Lone Tree Cemetery Board.

Present: Cathy James, Town of Telluride resident

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

Board Consensus to continue this item until July 6, 2016.

- g. Consideration of a resolution supporting a strong, final BLM natural gas waste rule to cut methane waste on Colorado's Federal and Tribal Lands.

MOTON by Levek to approve Resolution with the condition that the statements on the resolution be verified from their source. **SECONDED** by Goodtimes with the same condition. **PASSED 2-0.** Note: After a review of the information, it was determined that the source of the statements provided in the resolution be directly from the BLM Fact Sheet on Methane and Waste Reduction rule. (ATTACHMENT V – Resolution #2016-16)

6. ADMINISTRATOR'S REPORT:

- a. Update with County Administrator.
 - 1. Mike Horner, County Road, and Bridge Superintendent, is Retiring.
 - 2. Update of the Mountain Connect [Broadband] Conference.
 - 3. Update on TriState line [Dry Creek Basin preferred alternative].
 - 4. BLM moves their field offices in Gunnison and San Juan County to Canon City, Colorado.

Present: Lynn Black, County Administrator; Mike Royzicki, County Planning Director

7. COMMISSIONER AND PUBLIC DISCUSSION:

- a. Public Discussion.
 - 1. Scott Bookman, Uncompahgre Clinic Director.
- b. ~~Update on Outside Meetings.~~

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1. ~~Art Goodtimes—CCI Summer Conference, Xerees Society Butterflies & Bees, Public Land Partnership, Black Range Minerals Stakeholders~~
2. ~~Amy Levek—~~
3. ~~Jean May—~~
- c. ~~Website postings and press releases.~~
- d. General Discussion.
 1. Discussion of supporting Palliative and Hospice Care in the County.
 2. Mental Health concerns related to the incarcerated population.

Present: Hilary Cooper, San Miguel resident; David Oyster, San Miguel resident

8. ATTORNEY MATTERS:

- a. Update on litigation.
 1. Executive Session: Discussion of San Miguel County C.R. 64B – aka Priest Lake Road, legal status, Citation (4)(b).
 2. Executive Session: Discussion of San Miguel County C.R. S7, legal status, Citation (4)(b).
 3. Executive Session: Discussion of San Miguel County C.R. 40J, legal status, Citation (4)(b).

Present: Steve Zwick, County Attorney

MOTION by Levek to go into Executive Session to discuss San Miguel County C.R. 64B – aka Priest Lake Road, legal status, Citation (4)(b), San Miguel County C.R. S7, legal status, Citation (4)(b), and of San Miguel County C.R. 40J, legal status, Citation (4)(b). **SECONDED** by Goodtimes. **PASSED 2-0.**

Note: The County Attorney requested that items 8.a.1., 8.a.2., and 8.a.3., not to have written minutes as it constitutes a privileged attorney-client communication and a statement signed by the attorney and chair is attached. (ATTACHMENT VI)

11:21 a.m. Recessed.

11:54 a.m. Reconvened.

Board discussed only the three items in Executive Session it stated.

9. Adjournment.
11:55 a.m.

Note: **No** audio recording of this meeting is available.

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
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Respectfully submitted,

Carmen J. Warfield
Carmen Warfield
Chief Deputy Clerk

APPROVED *July 19, 2016*

Joan May
Joan May, Chair

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

Lynn Black
Lynn M. Black
County Administrator

**EXHIBIT A FILED IN CABINET DRAWER MARKED "EXHIBITS" OR STORED IN
COUNTY CLERK'S OFFICE.**

WRITTEN FINDINGS

Date: May 19, 2016

To: San Miguel County Board of Commissioners

Re: Special Events Permit for: San Miguel County Fair Board
Box 486
Norwood, CO 81423

1. Fees: \$60.00 paid to San Miguel County, to serve Malt Beverage & Vinous on July 16, 2016.
2. Notice for posting on the proposed site was given to applicant June 1, 2016.

Notice does not need to be published in the Weekly Planet unless petitions of remonstrances are filed with me.

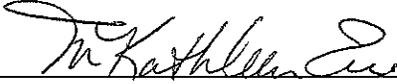
Meeting to be held at 9:40 o'clock A.M June 15, 2016 for approval of application.

The Sheriff's office will be notified of an opportunity to comment (on any possible perceived law enforcement) at the meeting.

3. Fingerprinting is not required for a Special Events Permit.

William Masters, Sheriff, gives his approval on this application with the understanding that they be allowed to sell only 6% beer, and wine.

4. Application is complete with the following documents:
 - (a) Diagram showing where liquor will be served and consumer.
 - (b) ~~Certificate of Good Corporate Standing~~ **SMC**
 - (c) Written permission from the San Miguel Open Space & Recreation Dept.
 - (d) Insurance attached.


M. Kathleen Erie, County Clerk


William Masters, Sheriff

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M. Kathleen Erie, County Clerk


William Masters, Sheriff

WRITTEN FINDINGS

Date: May 19, 2016

To: San Miguel County Board of Commissioners

Re: Special Events Permit for: Norwood Roping Club
Box 173
Norwood, CO 81423

1. Fees: \$100.00 paid to San Miguel County, to serve Malt Beverage & Vinous on July 22-23 2016.
2. Notice for posting on the proposed site was given to applicant May 30, 2016.

Notice does not need to be published in the Weekly Planet unless petitions of remonstrances are filed with me.

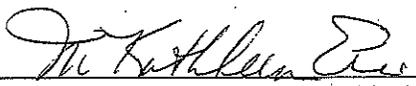
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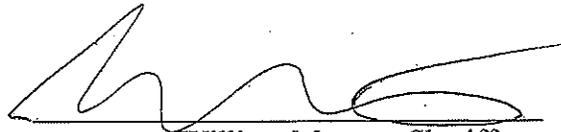
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M. Kathleen Erie, County Clerk



William Masters, Sheriff

ATTACHMENT IV

FOR CONSENT AGENDA JUNE 15TH 2016

APPROVAL OF MAY PAYROLLS &
MAY 2016 VENDOR PAYMENTS

CHECKS ISSUED MAY 1ST THRU MAY 31ST 2016
FROM FUND/DISTRICT AS FOLLOWS:

FUND	PAYROLL	SPECIAL REQUEST VENDOR
GENERAL FUND - 101	\$552,853.36	\$111,877.46
ROAD & BRIDGE FUND - 102	\$128,801.08	\$130,042.85
SOCIAL SERVICES FUND - 103	\$30,873.77	\$0.00
SALES TAX CAPITAL FUND - 104	\$0.00	\$146,353.56
CAPITAL EXPENDITURES - 106	\$0.00	\$21,313.14
RETIREMENT FUND -107	\$34,071.24	\$0.00
PARKS/OPEN SPACE - 108	\$33,765.08	\$24,180.44
CONSERVATION TRUST FUND - 109	\$0.00	\$6,828.50
LODGING TAX - 110	\$0.00	\$32,959.08
VEGETATION MANAGEMENT - 111	\$0.00	\$41,765.71
PUBLIC HEALTH & ENVIRONMNT - 115	\$35,728.57	\$6,511.81
ENERGY FUND - 116	\$0.00	\$0.00
HOUSING AUTHORITY - 224	\$0.00	\$0.00
DISPOSAL DISTRICT - 226	\$0.00	\$6,044.63
TOTALS	\$816,093.10	\$527,877.18

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO,
SUPPORTS A STRONG, FINAL BLM NATURAL GAS
WASTE RULE TO CUT METHANE WASTE ON COLORADO'S
FEDERAL AND TRIBAL LANDS**

Resolution #2016- 16

WHEREAS, energy development is critically important to economy of the State of Colorado;

WHEREAS, oil and gas companies waste more than \$26 million worth of natural gas in Colorado and \$330 million across the U.S. on federal and tribal lands each year;

WHEREAS, enough natural gas is wasted on federal and tribal lands across the U.S. each year to have met the home meeting needs for a population larger than the entire Denver Metro Area;

WHEREAS, the BLM typically does not charge royalties or charge reduced royalty rates on methane – the primary component of natural gas – that is leaked, flared or vented;

WHEREAS, the State of Colorado lost \$36 million in tax revenue primarily used for local government funding due to natural gas waste on public lands over a five-year period;

WHEREAS, a recent National Aeronautics, and Space Administration study discovered a methane cloud the size of Delaware above the Four Corners region where much of the venting, flaring, and leaks occurs;

WHEREAS, technologies to cut methane waste would also cut toxic air pollutants such as benzene and ozone-forming volatile organic compounds;

WHEREAS, recent studies show that as much as ninety percent of methane wasted could be put to use;

WHEREAS, a bipartisan poll found that 81 percent of Coloradans support federal efforts to curb methane waste on federal lands;

WHEREAS, the BLM has proposed new rules that would modernize how the government accounts for methane waste on public lands;

WHEREAS, Colorado passed the Nation's first-ever rules in 2014 to cut methane pollution and is well-poised to meet and exceed new federal standards;

WHEREAS, Colorado saw an increase in natural gas production after adopting state rules;

WHEREAS, the State of Colorado ranks third in the nation for businesses in the methane mitigation industry and would see additional job growth when BLM adopts a methane natural gas rule;

WHEREAS, a natural gas waste rule for federal and tribal lands will help create a level playing field across the West for industry;

NOW, THEREFORE, BE IT RESOLVED that San Miguel County supports a strong, final BLM natural gas waste rule to cut methane waste on Colorado's federal and tribal lands.

DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado June 17, 2016.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO


Joan May, Chair

ATTEST:


Carmen Warfield, Chief Deputy Clerk to the Board



VOTE:

Joan May	<u>Aye</u>	Nay	Abstain	<u>Absent</u>
Amy Levek	<u>Aye</u>	Nay	Abstain	Absent
Art Goodtimes	<u>Aye</u>	Nay	Abstain	Absent

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
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Executive Session Minutes Attest

I, Steven J. Zwick, County Attorney attest that the Wednesday, June 15, 2016 Executive Session discussions of attorney-client matters were confined to a permissible executive session topic; and constituted a privileged attorney-client communication that does not have written minutes.



Steven J. Zwick, County Attorney

I, Art Goodtimes, Pro Tem Chair of the San Miguel County Board of Commissioners attest that the Wednesday, June 15, 2016 Executive Session discussions of attorney-client matters were confined to a permissible executive session topic; and constituted a privileged attorney-client communication that does not have written minutes.



Art Goodtimes, Pro Tem Chair