

The Board of County Commissioners met in regular session on March 17, 2020. Those present for the session were, Don Batchelder, Chair; Ben Tisdell, Vice-Chair; John E. Peters, Commissioner Member; Connie Hunt, County Administrator; Carol Viner, County Attorney; and Hannah Hollenbeck, Deputy Clerk of the Board.

- **Note – This meeting was recorded for reference purposes.**

A. 9:01 Call to the Public:

The "Call to the Public" agenda item is a time when the public may bring forth items of interest or concern. No formal action may be taken on these items during this time due to the open meeting law provision; however, they may be placed on a future posted agenda if action is required.

There were no "Call to the Public" items.

~~**D. 10:30 Erica Weeks, Executive Director, Habitat for Humanity of the San Juans:**~~
~~**CANCELLED**~~

- ~~**1. Presentation – Regional Housing / Population Needs Assessment Update:**~~
~~**2. Update on Ridgway Triplex Development affordable housing project:**~~

G. 905 General Business:

- 1. Request for approval of warrants:**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve warrants as presented. The motion carried unanimously.

- 2. Request for approval and authorization of Chair's signature on Change Order ratifying the March 3, 2020 approval to increase the fiber strands from 96 to 144:**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve and authorize Chair's signature on Change Order ratifying the March 3, 2020 approval to increase the fiber strands from 96 to 144. The motion carried unanimously.

- 3. Review and acceptance of January 2020 and February 2020 Public Trustee Reports:**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to accept the January 2020 and February 2020 Public Trustee Reports as presented. The motion carried unanimously.

- 4. Request for approval of the February 25, 2020 minutes:**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve the February 25, 2020 minutes as presented. The motion carried unanimously.

- 5. Request for direction regarding Commissioner-appointed Boards and Committees:**

The Board directed staff to move forward with advertisement as requested.

- 6. Request for approval and authorization of Commissioners signatures on Thank You Letter for Dallas Park Cemetery Board Member:**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve and authorize Commissioner's signature on Thank You Letter for Dallas Park Cemetery Board Member. The motion carried unanimously.

H. 9:13 Commissioner/Administrative Reports:

Commissioner Batchelder discussed the following:

- 1) **Board Directions** – Commissioner Batchelder stated that the Board may need to consider items as critical versus non-critical. He said that the Board needed to be cogitative of staff time.

Carol Viner, County Attorney, discussed the following:

- 1) **Uncompahgre Watershed Partnership (UWP) Presentation** – Viner cautioned the Board that they could not speak about the County's water rights filing. She said that the Board could listen to UWP's concerns; she said that she would explain the limitations during the agenda item.

Commissioner Tisdell discussed the following:

- 1) **Broadband Project Funding** – Commissioner Tisdell reported that informal notice had been given announcing that all 2019 applications would be fully funded, which included Ouray County's Broadband Project Phase 2 application.

Commissioner Peters discussed the following:

- 1) **Ouray County Historical Society (OCHS) Grant Support Letter** – Commissioner Peters requested that the Board consider a support letter for the next phase of facility improvements at the OCHS Museum. The Board agreed to consider the letter at a future meeting.

Commissioner Batchelder discussed the following, continued:

- 2) **Sales Tax Revenue** – Commissioner Batchelder expected the revenues to the County would be negatively impacted by COVID-19. He asked Hunt to provide the monthly sales tax revenue reports for the last five years in order to project the anticipated revenue.
- 3) **Ips Beetle** – Commissioner Batchelder requested that the County Planning Director connect with regional experts regarding the potential for ips beetle infestations resulting from increased trimming requirements in the newly adopted Wildfire Mitigation Regulations section of the Land Use Code.

B. 9:30 The Board of County Commissioners convened as the Local Licensing Authority to consider the following marijuana cultivation facility requests:

1. **Request for approval of a Marijuana Facility License Renewal:**
Applicant: Flying Pig Farms, Clifton Randall Knipe, Authorized Agent
Location: 33380 Hwy 550

Mark Castrodale, County Planning Director, was present.

Castrodale presented the request. He said that the facility had previously been operational, but was under new ownership. No modifications were proposed in the application. Castrodale said that there had been no calls or complaints about the facility. It was staff's opinion that the application had met the requirements for renewal.

Randy Knipe, Authorized Agent, said that the property required significant improvements to the HVAC system after it was purchased. He said that he was currently undergoing a "test" grow cycle with approximately 100 plants to ensure that the system was adequate and functional. Knipe added that the facility operated to supply the four retail stores associated with his business. He said that none of the crop grown in the facility would be sold to other facilities.

Commissioner Batchelder asked for public comment; there was no public comment.

Commissioner Tisdell said that the application appeared to be adequate. He said that the fourteen staff conditions would remain.

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve a Marijuana Facility License Renewal for Flying Pig Farms, located at 33380 Highway 550, based on the finding that sufficient evidence had been presented. The motion carried unanimously.

2. **Request for approval of a Change in Entity Structure:**
Applicant: Dalwhinnie Farms, LLC, Mandy Quattlebaum, Authorized Agent
Location: 5636 County Road 23

Mark Castrodale, County Planning Director, was present.

Castrodale presented the request. He explained that the ownership structure had been revised; the revision had been approved by the State.

Mandy Quattlebaum and Michael Cox, Dalwhinnie Farms, were present.

Cox discussed newly implemented procedures for the facility specific to the COVID-19 pandemic.

There was no public comment.

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve a Change in Entity Structure as applied for by Dalwhinnie Farms, LLC located at 5636 County Road 23. The motion carried unanimously.

3. **Request for approval of a Change in Entity Structure:**
Applicant: Shining Mountain, LLC, Mandy Quattlebaum, Authorized Agent
Location: 6154 County Road 23

Mark Castrodale, County Planning Director, was present.

Castrodale explained that the request was to change the ownership structure. The revision had been approved by the State.

Commissioner Tisdell said that the facility was still under construction and requested that the Board's previous direction to manage construction traffic carry forward. Michael Cox, Shining Mountain, LLC, agreed that the same protocol would be implemented. He anticipated that the building would be completed in June, with production beginning in July.

There was no public comment.

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve a Change in Entity Structure as applied for by Shining Mountain, LLC located at 6154 County Road 23. The motion carried unanimously.

After the motion carried, Commissioner Batchelder noted that there may be an increase of traffic as Dalwhinnine and Shining Mountain could no longer utilize a carpool system for employees, given the social distancing requirements implemented by the State.

C. 10:00 Ken Lipton, Shavano Conservation District:

1. Shavano Conservation District Annual Update:

Lipton presented the annual update.

10:46 The Board took a short break:

E. 10:58 Uncompahgre Watershed Partnership:

1. Discussion of Water Rights Filing:

Jay Montgomery and Tanya Ishikawa, Uncompahgre Watershed Partnership (UWP) were present.

Viner explained that the Board was limited in what they could discuss as it was a pending application. Ishikawa and Montgomery agreed to connect direction with Viner regarding their concerns.

F. 11:06 Tanner Kingery, Public Health Director and Glenn Boyd, Emergency Manager:

1. COVID-19 (Coronavirus) update:

Kingery and Boyd gave a presentation regarding COVID-19 and the County's response.

The Board discussed Resolution 2020-007 Adopting an Emergency Virtual Meeting Policy.

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to adopt Resolution 2020-007 Setting Forth a Virtual Meeting Policy during a Local Disaster Emergency. The motion carried unanimously.

12:45 The Board of County Commissioners adjourned the regular session.



Michelle Nauer
Michelle Nauer, Clerk and Recorder
By: Hannah Hollenbeck, Deputy Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

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Don Batchelder, Chair

Ben Tisdell
Ben Tisdell, Vice-Chair

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John E. Peters, Commissioner Member