



The Board of County Commissioners met in regular session on August 25, 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. The meeting was conducted virtually and in person pursuant to Resolution 2020-007 Setting Forth a Virtual Meeting Policy During a Local Disaster Emergency.**

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.

Mask Order

Tamara Gulde, Ouray resident and business owner, thanked the Board for their response to the COVID-19 pandemic. She recognized that, while the slow reopening has been painful for everyone, the Board's leadership reflected a thoughtful response. She said that her business fielded 500-700 customers every day and the County's compliance with the Mask Order helped to keep everyone safe. She urged the Board's continued support of the Mask Order. Gulde requested increased enforcement of the Order.

County Road 1 Chip Sealing

Scott Bridgman, County Road 22 resident, asked about the chip seal recently completed on County Road 1. He said that it appeared that only one lane received a coating. Commissioner Batchelder explained that Road and Bridge had a surplus of the material and was able to do a fog coat on one lane. The remainder of the road had been chip sealed according to the specifications.

Mask Order, continued

Robb Austin, Ridgway resident, thanked the Board for their efforts in containing the COVID-19 virus. He said that the Board was not overreacting in choosing to follow the Governor's Orders requiring masks in public places, particularly in light of the recent outbreak in the County. He said that noncompliance could result in increased infection in the community. Austin thanked the Public Health Director and the Board.

Short Term Rentals

Jill Parisi, Log Hill Village resident, thanked Land Use staff for providing information regarding the short term rental (STR) ordinance. She was concerned with how STRs were regulated in the County, as there were minimal regulations, and violations were complaint driven. She pointed out that it was extra work for Land Use staff to respond to complaints. Parisi suggested that the Board consider limiting the number of people that could be present in a STR unit to minimize impacts on noise, trash and parking.

Commissioner Tisdell said that the Board had discussed amending the ordinance utilizing other municipalities and counties as a guide. Mark Castrodale, County Planning Director, said that he had been developing a list of potential revisions to the ordinance. The Board agreed to schedule a work session.

Idarado Houses

Pat Willits, the Trust for Land Restoration (TLR), echoed Austin and Gulde's thanks to the Commissioners for their response to the COVID-19 pandemic. Additionally, he thanked the Road and Bridge crews for their work on County Road 5.

Willits was present to update the Board regarding the ongoing Idarado Houses project. He said that the United States Forest Service (USFS) was working cooperatively with Newmont Mining to donate three of the four houses to the County. TLR was working with the Ouray County Historical Society (OCHS) to develop a maintenance and preservation plan for the three houses. Willits expected that the transfer from Newmont Mining to the County would be completed by the end of September. Willits said that he was developing a grant application for preservation funds. Willits reported that the USFS required a historical assessment as a part of the demolition permit that was being developed for the fourth house. The assessment revealed that the fourth house was historically significant and that if it possible, it should be saved. Willits requested permission from the Board to follow up with the USFS to see if there was a way to save the house. Willits said that he had been working with an engineer and determined that an easy, inexpensive fix could be deployed to stabilize the house from further movement off the foundation. The Board agreed to direct Willits to move forward.

Backcountry Usage and Impacts

Trevor Peterson, Ouray resident, read a letter on behalf of Ouray County residents and business owners expressing concerns about alpine access roads and alpine areas. He said that dramatic increase in use of backcountry resources resulted in the rise of illegal and unsafe behaviors which contributed to impacts on roadways, waterways, alpine vegetation and wildlife. In addition to the impacts on natural habitats, Peterson said that other impacts on taxpayer resources like roads and emergency services would also be burdened. Peterson explained that the group of residents and business owners wanted a more long-term systemic approach and encouraged standardization of backcountry use regulations with surrounding counties, use of volunteer groups to encourage recreational education, improved signage, data collection, increased law enforcement presence and fully funding the Alpine Ranger program.

Commissioner Batchelder encouraged Peterson and other signers of the letter to get into touch with representatives from The Six Basins Project as they had been involved with many projects related to the

topics Peterson referenced. The Board requested that a work session be scheduled to discuss backcountry uses and asked that all stakeholders be invited. Hunt added that the County did contribute to the Alpine Ranger program, in addition to collaborating with the United States Forest Service for law enforcement patrols.

MS Support Marijuana Cultivation Facility

George Kerber, County Road 22 resident, was present to discuss compliance issues with the visual screening portion of the MS Support marijuana cultivation facility, located at 255 Melody Lane. He said that on June 28, 2020 he informed the Board that the facility was out of compliance due to the camo netting falling down in some areas. Kerber said that he received an email from County Land Use Planning Director Mark Castrodale on August 4, 2020 reporting that replacement netting had been ordered and that it would be installed by August 24, 2020. Kerber said that the facility had been out of compliance with the terms of their license for most of 2019 and 2020. Kerber stated that the prior lack of action by the Board and by County staff to compel the facility to comply with the conditions of their license had taught the facility operators that the terms would not be enforced. Kerber implored the Board to stop ignoring the violations. He said that the topic could be discussed and resolved later in the meeting when the Board convened as the Local Licensing Authority.

COVID-19 Testing

Jake Niece, Ridgway resident and Commissioner Candidate, inquired about COVID-19 testing. He said that there were a number of people in two week quarantine, but that they could not get tested due to their understanding of a policy that only symptomatic individuals could be tested. Commissioner Batchelder asked Niece to contact the County Emergency Manager or Public Health Director. He said that access to testing had been a point of frustration for all.

Mask Order, continued

Tom McKenney, Ridgway resident, thanked the Board for the response to the COVID-19 pandemic. He also thanked the Board and Road and Bridge crews for work on the County Road system.

Backcountry Usage and Impacts, continued

Scott Bridgman, County Road 22 resident, echoed Peterson's statement regarding backcountry usage. He thought that implementing crowd control would be helpful. He asked the Board to consider a licensing system of off-highway vehicles (OHVs).

MS Support Marijuana Cultivation Facility, continued

Jessica Myer, Melody Lane resident, agreed with Kerber that the camo netting was in a constant state of disrepair. She said that she had discussed the possibility of a wooden privacy fence with the facility operator, which she was supportive of. She said that she had discussed the screening and noise issues with the Sheriff's office and Land Use staff. Myer added that a complaint-driven system was not conducive to fostering a neighborly environment.

Commissioner Batchelder said that the County was limited in resources resulting in code enforcement being complaint driven. He said that Myer's concern regarding the fence needed to first be discussed with Land Use. Mark Castrodale, County Planning Director, said that the cultivation facility property owner had submitted a building permit for a fence; he noted that the fence had nothing to do with the cultivation facility. He said that it required a building permit as it was over seven feet in height and would be a chain link fence. Myer asked if there was anything she could do to encourage the installation of a wooden fence. Castrodale reiterated that the fence had nothing to do with the facility; a property owner had the right to put up a fence and Castrodale had no authority to require anything specific outside what was required by the Land Use Code. Castrodale said that the County did not have regulations specific to fences.

Fire Restrictions and Payroll Tax Deferral

Jeff Bockes, Mary's Road resident, encouraged the Board to enact fire restrictions due to the dry conditions. Additionally, Bockes asked if the County was planning on implementing the payroll tax deferment implemented by the federal government. Hunt said that she would follow up on the status of the deferment and bring it back to the Board if further action was needed.

B. 9:59 The Board of County Commissioners convened as the Board of Social Services to consider the following items:

Carol Friedrich, County Social Services Director, was present.

- 1. Request for approval of the following reports and authorization of the Chair's signature on certification page:**
 - a. Balance Sheet, June 2020:**
 - b. Earned Revenue and Expenditures, June 2020:**
 - c. Expenditures through Electronic Benefit Transfers, July 2020:**
 - d. Check Register for the Month of July 2020:**
 - e. County Allocation / MOE Report, JUN-20:**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve the Balance Sheet, June 2020; Earned Revenue and Expenditures, June 2020; Expenditures through Electronic Benefit Transfers, July 2020; Check Register for the Month of July 2020;

County Allocation / MOE Report, JUN-20, and authorize Chair's signature on the certification page.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

2. Caseload Report:

Commissioner Tisdel and Friedrich discussed general assistance and the Temporary Assistance for Needy Families (TANF) programs.

Friedrich said that the LEAP program had been extended due to the COVID-19 pandemic through July 31st, resulting in the appearance of increased usage.

3. Request for approval and authorization of Chair's signature on Position Replacement Form for a Caseworker position:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Position Replacement Form for a Casework position.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

C. 10:09 Ouray County Public Health Agency Fiber / Broadband Project Update:

1. Doug Seacat, Deeply Digital:

Doug Seacat, Deeply Digital, was present.

Seacat provided an update on the project. He said that the Phase 1 project punch list had been completed. He said that Phase 2 had begun and that crews would be working to install the fiber line north of the Ridgway School District, then work north up the escarpment.

Commissioner Tisdel reported that he had been appointed to the State Broadband Deployment Board.

D. 10:024 The Board of County Commissioners convened as the Board of Equalization to receive the following reports from Susie Mayfield, County Assessor pursuant to C.R.S. 39-8-105 (1) and (2):

Susie Mayfield, County Assessor, was present.

1. Report of valuation of assessment of all taxable real property in the county, and provision of a list of all persons who have protested the real property and the action taken in each case:
2. Report of valuation of assessment of all taxable personal property in the county and notation of any valuations for assessment of portable or movable equipment which have been apportioned pursuant to C.R.S 39-58-113, and provision of a list of all persons in the county who have failed to return any schedules and report of the action taken in each case and also provision of a list of persons who have protested personal property and the action taken in each case:

Mayfield said that the reports were typically due on July 15th; however, due to the COVID-19 pandemic Governor Polis had extended the deadline.

Mayfield presented the reports.

E. 10:37 Sheelagh Williams, Ridgway Chautauqua Society Board of Directors:

1. Request for approval and authorization of Chair's signature on Save Our Stages Act Letter of Support:

Guthrie Castle, Ridgway Chautauqua Society (RCS), presented the request.

The Board requested that the letter be amended to include the Wright Opera House in Ouray and included on the next meeting agenda for ratification.

F. 10:45 EMS Items:

1. Request for approval and authorization of Chair's signature on Ambulance Service License and Ambulance Permits for the Emergency Medical Vehicles:

Kim Mitchell, Chief Paramedic, was present.

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Ambulance Service License and Ambulance Permits for the Emergency Medical Vehicles.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

G. 10:47 Land Use Item:

- 1. Request for approval of a Land Use Fee Schedule Amendment relating to onsite waste water treatment system (OWTS) permits and building permits associated with wildfire mitigation regulations:**

Mark Castrodale, County Planning Director, was present.

Castrodale explained that the fee for OWTS inspections no longer adequately covered the costs associated with the processing of the new permits. He said that the minor increase from \$275 to \$350 would allow the County to recoup the costs associated with processing a permit. Commissioner Peters asked if the burden for the inspection could be placed on the engineer providing the final sign off.

Castrodale explained that the second part of the request was to implement fees for permits related to the newly-adopted Wildfire Mitigation regulations.

The Board agreed to authorize Castrodale to follow up on the OWTS question and to bring the request back to the Board for consideration.

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to continue consideration of the request to September 15, 2020 at 9:30AM.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

H. 10:58 West Region Wildfire Council (WRWC):

- 1. General Program and Public Updates:**
- 2. Land Use Planning / WRWC implementation of Wildfire Code:**
- 3. 2021 Budget Request:**

Jaime Gomez, Maggie McCaffery, and Lilia Falk, WRWC, were present.

Gomez, McCaffery, and Falk presented the WRWC accomplishments and programs. WRWC requested \$12,500 for wildfire mitigation programs in the 2021 budget year. The Board agreed that the programs were valuable and agreed to include the request in the 2021 preliminary budget.

I. 11:29 Tanya Ishikawa, Uncompahgre Watershed Partnership (UWP):

Tanya Ishikawa, UWP, was present.

- 1. Review of draft Strategic Plan and solicitation of comments:**
- 2. 2021 Budget Request:**

Ishikawa discussed projects and fundraising efforts to-date.

UWP requested \$1,500 for ongoing watershed improvement and protection efforts. The Board agreed to include the request in the 2021 preliminary budget.

11:38 The Board took a short break:

J. 11:42 General Business:

- 1. Request for approval and authorization of Chair's signature on the following expenditures:**
 - a. Warrants and Warrant Register:**

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on the Warrants and Warrant Register.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

b . Wire Transfer Approval Form for Courthouse Lease Purchase Payment # 9:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Wire Transfer Approval Form for Courthouse Lease Purchase Payment #9.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

2. Request for adoption of the following resolutions:

- a. Resolution 2020-026 Approving a Special Use Permit – Commercial Use for 36926 Highway 550 (AKA Colona Store), as applied for by Charles Van Alsbury, authorized agent for Angela Oberg: (This application was approved by the Board during the August 4, 2020 meeting.)**

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to adopt Resolution 2020-026 Approving a Special Use Permit – Commercial Use for 36926 Highway 550 (AKA Colona Store), as applied for by Charles Van Alsbury, authorized agent for Angela Oberg.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

- b. Resolution 2020-028 declaring a 2002 Ford F-150 as Surplus Property to be disposed of in accordance with the Surplus Property Policy:**

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to adopt Resolution 2020-028 declaring a 2002 Ford F-150 as Surplus Property to be disposed of in accordance with Surplus Property Policy.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

3. Request for approval of the July 2, 2020 Special Emergency Minutes – redline:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve the July 2, 2020 Special Emergency Minutes.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

4. Request for approval and authorization of Chair's signature on Yarbrough Exemption Plat Amendment as approved by Resolution 2014-025:

The Board agreed to consider the Plat on a future meeting agenda in order to allow staff to correct some errors.

5. Request for approval and authorization of Chair's signature on a renewal Services Agreement with CHA Broadband Services, LLC for reimbursement of services and to prepare for the upcoming USAC 2021 grant funding window which opens 1-1-2021.

The Board agreed to consider the item on a future meeting agenda.

6. Discussion and possible action concerning potential ballot question:

Hunt said that ballot language was due to the County Clerk and Recorder by September 4th.

Commissioner Tisdel said that five counties had committed to running a de-Gallagherization question on the 2020 ballot. He said that the residential assessment rate was projected to go from 7.15% to 5%. A successful de-Gallagherization effort would allow the mill levy to float in order to preserve a county's

ability to operate and project essential functions. Commissioner Tisdel pointed out that many fire districts had been successful in similar efforts.

Commissioner Batchelder said that if the question was successful, it would not come into effect until 2022. He said that there were remaining legal questions. The Board needed clarification if a tax question could be included on an even year ballot.

Commissioner Peter said that the issue was very complicated, and that the Board may run the risk of people voting against it due to not understanding it.

Viner was concerned that there was not adequate time to properly vet the question. She said that the County was not in a position to be involved in a law suit.

The Board agreed to discuss the topic during the September 1st agenda. The Board directed Viner to review the legal memos and provide an assessment if there were risks. The Board further authorized Hunt to project out the potential revenue impacts.

7. Request for approval and authorization of Chair's signature on Agreement Concerning Election Services between Ouray County and the Ouray County Clerk and Recorder:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Agreement Concerning Election Services between Ouray County and the Ouray County Clerk and Recorder.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

8. Request for approval and authorization of Chair's signature on Grant Award Letter with the Colorado Department of the State, CARES Act Drop Box Program to purchase a Drop Box for installation in Colona:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Grant Award Letter with the Colorado Department of State, CARES Act Drop Box Program to purchase a Drop Box for installation in Colona.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

9. Request for approval and authorization of Chair's signature on SEH Extension Agreement for Interim Road Superintendent services:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on SEH Extension Agreement for Interim Road Superintendent Services.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

10. Request for approval and authorization of Chair's signature on Letter of Support for Top of the Pines (TOP) IDA International Dark Sky Park designation:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Letter of Support for Top of the Pines (TOP) IDA International Dark Sky Park designation, as amended.

A roll call vote was taken on the motion with the following results:

*Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.*

There was no discussion. Motion passed unanimously.

11. Request for ratification of approval and authorization of Chair's signature on the following documents:

- a. Request for approval and authorization of Chair's signature on Recruitment Form for Deputy Clerk position: *(Ratification)*
- b. Request for approval and authorization of Chair's signature on Special Event Permit and Agreement for Story Form TV – Commercial Film Event – August 24, 25, and 26: *(Ratification)*
- c. Request for approval and authorization of Chair's signature on Extension Letter for Peace Officer's Mental Health Grant: *(Ratification)*
- d. Request for ratification of implementation of Stage 1 Fire Restrictions in the unincorporated Ouray County as recommended by the Ouray County Sheriff pursuant to Resolution 2020-018: *(Ratification)*
- e. Request for ratification of approval and authorization of Chair's signature on Special Event Permit and Agreement with Reo, LLC – Commercial Film Event – August 24 and 25, 2020: *(Ratification)*

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to ratify approval and authorization of Chair's signature on Recruitment Form for Deputy Clerk position; Special Event Permit and Agreement for Story Form TV – Commercial Film Event – August 24, 25, and 26; Extension Letter for Peace Officer's Mental Health Grant; implementation of Stage 1 Fire Restrictions in the unincorporated Ouray County as recommended by the Ouray County Sheriff, pursuant to Resolution 2020-018; Special Event Permit and Agreement with Reo, LLC – Commercial Film Event – August 24 and 25, 2020.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
 Commissioner Tisdel voted in the affirmative.
 Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

12. Request for approval and authorization of Chair's signature on Fuel Usage and Maintenance Intergovernmental Agreements (IGA) and on the Fiscal Impact Forms:

- a. Town of Ridgway:
- b. Ridgway Fire District:
- c. Ridgway School District R-2:
- d. Log Hill Mesa Fire District:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Fuel Usage and Maintenance Intergovernmental Agreements (IGAs) and on the Fiscal Impact Forms for the Town of Ridgway, Ridgway Fire District, Ridgway School District R-2, and Log Hill Mesa Fire District.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
 Commissioner Tisdel voted in the affirmative.
 Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

13. Request for approval and authorization of Chair's signature on the annual Peak Alarm Master Agreement (Superior Alarm dba Peak Alarm) and on the Fiscal Impact Form:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on the annual Peak Alarm Master Agreement (Superior Alarm dba Peak Alarm) and on the Fiscal Impact Form.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
 Commissioner Tisdel voted in the affirmative.
 Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

K. 12:26 The Board of County Commissioners convened as the Board of Adjustment to consider the following item:

1. Request for adoption of Resolution 2020-027 denying an appeal of a staff decision, to deny a permit to construct a ground mount solar array at Lot 1, Pleasant Valley Vista #2: *(This application was denied by the Board during the July 28, 2020 meeting.)*

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to adopt Resolution 2020-027 denying an appeal of a staff decision, to deny a permit to construct a ground mount solar array at Lot 1, Pleasant Valley Vista #2.

A roll call vote was taken on the motion with the following results:

Commissioner Batchelder voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

L. 12:28 Commissioner/Administrative Reports:

Connie Hunt, County Administrator, discussed the following:

- 1) **Courthouse Ribbon Cutting Ceremony** – Hunt said that plans were being developed for October 5, 2020 for the Courthouse Ribbon Cutting Ceremony.

Carol Viner, County Attorney, discussed the following:

- 1) **Code Enforcement** – Viner said that Land Use had received some complaints that would possibly require court intervention; she reminded the Board that was not covered under her contract fee. She said that two of the issues involved structures built without a building permit. Castrodale said that Land Use was experiencing an increase in complaints regarding unpermitted structures. Commissioner Peters said that the County needed a structure that allowed for the recapturing of expenses related to investigation and mitigation; he said that it might be time to consider setting up a code enforcement division. Commissioner Batchelder agreed. The Board directed Viner to meet with Castrodale to see if there was a structure to be able to recapture fees. He said that an executive session may be necessary when Viner and Castrodale were able to review the complaints.

Hannah Hollenbeck, Deputy Clerk of the Board, discussed the following:

- 1) **Public Comment Emails** – Hollenbeck reminded the Board to forward all public comment emails received regarding the Mask Order and County Road 5 to County Administration.

Commissioner Tisdel discussed the following:

- 1) **Labor Day Fair and Rodeo** – Commissioner Tisdel requested an update from the Fairgrounds Manager regarding the status of the Labor Day Fair and Rodeo.
- 2) **Weed Management Program Update** – Commissioner Tisdel requested an end of season update from the Weed Manager.
- 3) **Commissioner Meetings** – Commissioner Tisdel said that there had been some questions regarding when the Board would allow in-person Commissioner meetings. He said that it may need to be discussed on an upcoming meeting agenda; he noted that it was important to keep County staff healthy in order to ensure the continuity of daily operations, particularly with the November election.

Commissioner Batchelder discussed the following:

- 1) **ATVs and OHVs on County Roads** – Commissioner Batchelder reported that the Board was in receipt of an email requesting the Board ban ATVs and OHVs on County Roads. Commissioner Tisdel said that there had been an exponential increase of OHVs in the last few years and that it did deserve a discussion. He was unsure about the County's ability to ban the use as it would involve various state and local agencies. The Board agreed to have a work session in the fall to discuss use and possibly amending the OHV ordinance.

12:54 Lunch

M. 1:31 The Board of County Commissioners convened as the Local Licensing Authority to consider the following item: (This item was continued from July 28, 2020 and August 4, 2020)

Request: Request for approval of a Retail Marijuana Store
Applicant: Kind Colona, LLC, dba The Kind Castle
Location: 55 Hotchkiss Avenue, Colona, CO

Bryan Sampson, County Associate Planner, was present.

Commissioner Batchelder said that the authorized agent for the applicant had submitted a request to withdraw the application. He further noted that some additional public comment had been received regarding the application. Commissioner Batchelder explained that he would allow the applicant to make a brief statement. He said that no action was required other than to acknowledge the request to withdraw.

John Dyet, applicant, thanked the Local Licensing Authority for their time and attention in reviewing the application. He said that the property owner had withdrawn the lease agreement.

L. 1:33 Commissioner/Administrative Reports, continued:

Carol Viner continued:

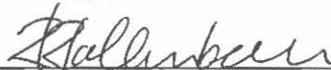
- 1) **County Ballot Question Follow Up** – Viner said that counties could include ballot questions related to taxes every year.

Commissioner Tisdel continued:

- 4) **COVID-19 Outbreak in County** – Commissioner Tisdel said that there had been an outbreak of COVID-19 related to a private gathering. He said that, despite the request for more information on the event and the individuals potentially exposed, the County Public Health Department could not release any additional information.

1:40 **The Board of County Commissioners adjourned the regular session.**

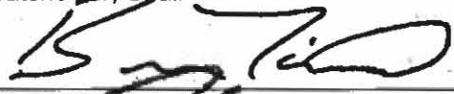



Michelle Nauer, Clerk and Recorder
By: Hannah Hollenbeck, Deputy Clerk of the Board

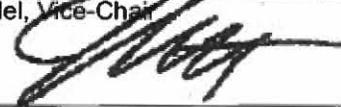
BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO



Don Batchelder, Chair



Ben Tisdel, Vice-Chair



John E. Peters, Commissioner Member