

The Board of County Commissioners met in regular session on July 12, 2004. Those present for the session were Tom Hollenbeck, Chairman; Don Batchelder, Vice-Chairman; Bill Ferguson, Member; Connie I. Hunt, County Administrator, and Michelle Nauer, Clerk of the Board.

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

**9:30 Chairman Hollenbeck called this session to order:**

**A. 9:30 General Business:**

1. Request for approval of warrants:
2. Request for approval of June 28, 2004 Minutes:

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to approve the warrants and June 28, 2004 Minutes as presented. Motion passed unanimously.

3. Request for approval of Employment Contract (*ratification*):

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to ratify the Employment Contract for a Fairgrounds Facilities Worker. Motion passed unanimously.

4. Request for appointment of Liz McKenzie to the Tri-River Area Advisory Committee:
5. Request for approval of second quarter budget amendments:

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to appoint Liz McKenzie to the Tri-River Area Advisory Committee and to approve the second quarter budget amendments as presented. Motion passed unanimously.

6. Consideration of IGA between Ouray and Montrose County for Veteran's Services:

Tabled this motion per Commissioner Ferguson pending discussion at upcoming Tri-County meeting to include San Miguel County. Other issues were further discussed regarding financial costs, travel etc.

7. Consideration of letter of intent to place a ballot question regarding a mill levy increase to support Emergency Medical Services on the November 2004 ballot:

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to authorize the Chair's signature on a letter of intent to place a ballot question regarding a mill levy increase to support Emergency Medical Services on the November 2004 ballot. Motion passed unanimously.

8. Request for approval of Tri-County letter to U.S.F.S. regarding Roads over Public Lands:

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to authorize the Chair's signature on a letter from Montrose, San Miguel and Ouray counties to the U.S. Forest Service regarding Roads over Public Lands. Motion passed unanimously.

**B. 9:45 The Board of County Commissioners will meet as the Board of Social Services Concerning the following items:**

1. Budget Reports – May 2004:
2. Check Register – June 2004:

**M/S/P**—Motion was made by Commissioner Ferguson and seconded by Commissioner Batchelder to approve the Budget Report for May 2004 and the Check Register for June 2004 as presented. Motion passed unanimously.

3. Caseload Report – June 2004:

.Allan Gerstle, Director of Social Service, discussed the Caseload Report for June 2004.

4. Request for approval of Memorandum of Understanding (MOU) for the Colorado Works Program and the Colorado Child Care Assistance Program:

**M/S/P**—Motion was made by Commissioner Ferguson and seconded by Commissioner Batchelder to approve the Memorandum of Understanding for the Colorado Works Program and the Colorado Child Care Assistance Program as presented. Motion passed unanimously.

**9:50 Commissioner/Administrative Reports:**

Connie Hunt, County Administrator, discussed the following:

- 1) Submitted a resolution for signature that was approved previously.
- 2) Board of Equalization is scheduled for next Monday, July 19, 2004 at 9:30 a.m.
- 3) Ouray County will host the next Tri-Agency meeting with the municipalities. September was suggested to allow an opportunity for the new City Administrator to come onboard. Commissioner Ferguson encouraged Ms. Hunt to continue the monthly Administrator meetings with the City and Town.
- 4) CCOERA meeting last week. The County was assured the retirement funds are intact.
- 5) Budget packets are being prepared. The same format will be used as last year. Packets will be prepared for the County Commissioner candidates, also.

Commissioner Ferguson discussed the following:

- 1) He attended a Park Estates Homeowners Association meeting. He mentioned that he found the taxing of the various properties, whether there were cows grazing or not versus homes, interesting.
- 2) The River Walk meeting this week. He has visited with property owners and discussed their thoughts. He encouraged Tom Hollenbeck to attend, as he is unable to participate.

Commissioner Batchelder discussed the following:

- 1) Kinder Morgan is preparing for final sign-offs on the roads on Log Hill.

**C. 10:00 Department Heads/Elected Officials Meeting:**

Michelle Nauer, County Clerk and Recorder, discussed the following:

- 1) Reported on elections, deadlines, etc.
- 2) Increase in recording in the Clerk's Office

Sherry Peck, Human Resources Representative, discussed the following:

- 1) Morey Spiess from CCOERA met with employees last week. Employees who were unable to meet with Mr. Spiess can contact Ms. Peck to review their retirement plans or make changes to deferred retirement accounts.

Ramona Radcliff, County Treasurer, discussed the following:

- 1) Treasurer's Deed to be issued at 4:00 p.m. today on a piece of property in Fairway Pines. The Fairway Pines Homeowners' Association and Sanitation District are displeased that liens filed against the property do not carry over to the new deeded owner.
- 2) Ninety percent (90%) tax collection to-date.

Susie Mayfield, County Assessor, discussed the following:

- 1) Hiring of a new Appraiser I position will be advertised locally and within the Assessors' Association
- 2) Board of Equalization looking good

Ashley Miller, IT Manager, discussed the following:

- 1) Still working on the Clerk's software
- 2) New laptop computers for the Sheriff's Office

Cheryl Roberts, Public Health Director, discussed the following:

- 1) WIC program is progressing well
- 2) West Nile Virus – only 9 human cases in Colorado; no human cases on the Western Slope, although some horses have been identified with the virus.
- 3) Bioterrorism, handicapped children's meetings, audit time.
- 4) Future of the Clinic in the next couple of years. Maybe check on Ridgway/Ouray convenience.

Ron Durham, Maintenance Supervisor, discussed the following:

- 1) Completed installation of new flooring in the bathroom in the Assessor's Office and discovered electrical problems there.

Sheriff Mattivi discussed the following:

- 1) A flyover that was dropping water on a fire at the north end of the county discovered a greenhouse growing marijuana on Sims Mesa
- 2) Arson issue being investigated on a hillside above Ouray

- 3) Felony arrest on a warrant out of Fremont County
- 4) Fire ban discussion, particularly in the Log Hill area

Connie Hunt, County Administrator, discussed the following:

- 1) Employee evaluations still need to be completed
- 2) Budget packets will be distributed soon
- 3) Will attend a budget workshop in Grand Junction provided by DOLA

**10:55 Commissioner Hollenbeck declared a brief recess and reconvened at 11:15:**

**D. 11:15 Land Use Items:**

1. Request for approval of the Burdick Subdivision Limited Planned Unit Development (PUD) and adoption of Resolution #2004-028:  
Applicant: Michael and Julie Burdick  
Location: Log Hill Mesa in the North Mesa Zone on the east side of County Road 22

The Staff Report recommended showing ditches and ponds shown on the plats. All conditions appear satisfied with regard to fire coverage and DOW fencing issues.

**M/S/P**—Motion was made by Commissioner Ferguson and seconded by Commissioner Batchelder to approve the Burdick Subdivision Limited Planned Unit Development and to adopt Resolution 2004-028. Motion passed unanimously.

**E. 11:30 Road and Bridge Items:**

Bob Wolford, County Road Superintendent, reported that Elk Mountain Resort is putting down calcium chloride, not magnesium (mag) chloride. The County will be laying it for them along with several other roads in the county. There is a request to have mag laid in the Idlewild area up Suzanne to County Rd 23 to Black Lake assuming there is enough in the budget, or may have to have the people pay for it.

The Road and Bridge crew will be starting a new bridge on County Rd 14.

1. Consideration of recommendation by Road Committee for repairs on Marmot Drive:

Bill Fugazzi reported that Jim Willey had done some excavation, sewer line repair work, on a paved road in Fairway Pines and had not replaced the pavement. Mr. Fugazzi would like the County to encourage Mr. Willey to do a 1,000 ft. overlay versus patching. An overlay will cost \$24,000 versus \$8,000 to patch. Because the developer made so many holes, an overlay is the preference. The question arose as to who will pay for the work. Findings need to be written to determine this issue, due to the fact that the permit was never applied for prior to the sewer line repair. The County needs to work with the Sanitation District to come to agreement on these kinds of repairs in the future. Commissioner Batchelder will meet with Bob Wolford tomorrow to establish a protocol, and work with Pat Crossley to assist in resolving the matter.

2. Discussion concerning paint striping on County Road 24-A:

Chris Pike was present regarding the painting/striping of roads. The cost associated with this request is approximately \$14,000. This is unbudgeted and the Board discussed the possibility of signage or reflectors. The Commissioners asked Mr. Wolford to apply stickers and reflectors to the road in question.

**F. 11:45 Eagle Scout Trail Group Presentation:**

Grant Zimmerman, Eagle Scout Candidate, made a presentation to the Commissioners to allow him to build trails at Ironton to allow people to move throughout the area from mine to mine. The Commissioners gave their approval and support and asked that Grant keep them informed of his project.

**Executive Session pursuant to C.R.S. Section 24-6-402(4)(f) to discuss a personnel matter:**

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to move into Executive Session pursuant to C.R.S. Section 24-6-402(4)(f) for the purpose of discussing a personnel matter. Motion carried.

I, Tom Hollenbeck, hereby attest that the portion of the executive session during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

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Tom Hollenbeck, Chairman

The following were present for the Executive Session: Chairman Hollenbeck; Commissioner Batchelder; Commissioner Ferguson; and Connie Hunt, County Administrator.

**12:00 Chairman Hollenbeck adjourned the Executive Session, reconvened the regular session, and recessed for lunch to reconvene at 1:30:**

**1:50 Chairman Hollenbeck reconvened into regular session:**

**G. 1:30 Consideration of Exemption/Development Agreement and appropriate Resolution:**

Applicant: JV Real Estate, LLC  
Location: Sections 6, 7, and 18, Township 46 North, Range 9 West, and Sections 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, and 26, Township 46 North, Range 10 West, New Mexico Principle Meridian  
Purpose: Request for approval of an Exemption/Development Agreement

Chairman Hollenbeck advised those in attendance that the submitted documentation was received just last Friday and the Board was unable to review this in a timely fashion.

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson adjourn the regular session and move into a workshop session. Motion passed unanimously. Consideration of the Exemption/Development Agreement will be addressed on Monday, July 19, 2004 at 1:30 p.m.

BOARD OF OURAY COUNTY COMMISSIONERS

ATTEST:

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Michelle Nauer, County Clerk and Recorder

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Tom Hollenbeck, Chairman

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Don Batchelder, Vice Chairman

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William Ferguson, Member