

The Board of County Commissioners met in special session on July 19, 2004. Those present for the session were Tom Hollenbeck, Chairman; Don Batchelder, Vice-Chairman; Bill Ferguson, Member; Connie I. Hunt, County Administrator, and Linda Munson-Haley, Deputy Clerk of the Board.

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

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

**A. 9:30 The Board of County Commissioners convened as the Board of Equalization to consider the following property valuation appeal:**

1. Property Owner: Reid and Susan Henry  
Schedule Number: R003618

Commissioner Hollenbeck opened the hearing and entered into evidence a letter dated July 15, 2004 from Doris Johnson, Chief Appraiser, to the Board of Equalization stating that the Petitioners came to an agreement with the Assessor's Office of a new valuation in the amount of \$565,020 (Assessor's Exhibit A-1\*). Also included in the exhibit is a letter from Reid Henry dated July 17, 2004 to Doris Johnson stating agreement with the valuation.

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson recommending approval of the new valuation amount. Motion passed unanimously.

Chairman Hollenbeck closed the hearing.

*\*Exhibits are kept in the official Board of Equalization file in the County Administrator's office.*

**The Board of Equalization reconvened as the Board of County Commissioners for the following items:**

**C. 9:45 General Business:  
Originally scheduled for 11:00**

1. Consideration of response letter concerning delinquent taxes:

Connie Hunt, County Administrator, discussed a letter addressed to the Commissioners requesting that they intercede and remove a delinquent charge on a tax bill. She explained that because of state statute the County could not waive the fee. The Commissioners decided to pay the delinquent charge of \$15.30 equally out of their pockets.

2. Request for approval of transfer from Road and Bridge Trust to the Road and Bridge Fund as per adopted budget:

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to approve the transfer of funds from the Road and Bridge Trust to the Road and Bridge Fund. Motion passed unanimously.

3. Consideration of dozer work in the Dolores and Happy Canyon areas on Wild Cat Canyon Road to facilitate travel of fire/rescue vehicles:

Commissioner Batchelder stated that the Road Committee recommended that the work be done and he recommended that the Commissioners authorize Bob Wolford, County Road Superintendent, to perform the work with two conditions: 1) that the work can fit into the work schedule, and 2) that Mr. Wolford is assured that all property owners who are impacted by the road agree to this in writing.

4. Consideration of weed enforcement letter:

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson authorized Mr. Wolford to send a weed enforcement letter upon approval by the County Attorney. Discussion. Motion passed unanimously.

Commissioner Batchelder related that the Weed Committee requested the Commissioners look at amending the county weed plan, and he proposed adding a section on enforcement, specifically with regard to leafy spurge. This would also include language informing the public of what measures would need to be taken before the County would get involved.

Connie Hunt, County Administrator, discussed the following:

- 1) Draft of non-profit bylaws for Board perusal
- 2) On veteran's service agreement, would like to make a change in how to receive and disburse funds to Montrose County. Discussion. Board authorized Ms. Hunt to call Dennis Hunt, County Administrator of Montrose County, to decided how to handle the exchange of funds.

- 3) CCI designee. Currently, the representative from Ouray County is Commissioner Hollenbeck and the Board agreed to keep it the same.
- 4) Distributed budget packets to departments

Commissioner Hollenbeck, discussed the following:

- 1) Roof leaking at 4-H Event Center that Ron Durham, Maintenance Supervisor, is working on.

**B. 10:05 Jared Wright (Congressman McInnis's Office):**

Jared Wright was present to discuss County issues. The Commissioners wanted to publicly thank Congressman McInnis for his efforts in preserving HUTF and full funding of PILT, and also his lobbying efforts on behalf of the Red Mountain Project.

Mr. Wright asked about the rec fee demo and a discussion followed.

**10:30 Chairman Hollenbeck recessed this regular session for lunch and reconvened at 1:30:**

**D. 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

Pat Crossley, County Attorney, and Sue McIntosh, attorney for JV Real Estate, LLC made final changes to the Development Agreement and incorporated suggestions from Commissioner Batchelder.

Ms. Crossley stated for the record that all documents and testimony presented at public meetings, workshops and hearing will be considered as part of the record. She submitted new correspondence for the record: a letter from Hi Mountain Lake Ranch, Inc. dated June 18, 2004 to the Board of County Commissioners (Exhibit D-1); a letter from Sue McIntosh to Pat Crossley dated June 28, 2004 (Exhibit D-2); a letter from Dennis Devor to Pat Crossley dated July 9, 2004 (Exhibit D-3); a letter from Buckhorn Geotech to John Kuijvenhoven dated July 8, 2004 (Exhibit D4); a letter from Buckhorn Geotech to John Kuijvenhoven dated July 12, 2004 (Exhibit D5), a letter from John Kuijvenhoven dated July 12, 2004 to the Ouray County BOCC (Exhibit D-6); a letter from Susan McIntosh to Dennis Devor dated July 12, 2004 (Exhibit D-7); a letter from John Kuijvenhoven dated July 14, 2004 to the Ouray County BOCC (Exhibit D-8); a letter from Susan McIntosh to Dennis Devor dated July 14, 2004 (Exhibit D-9).

Chairman Hollenbeck asked if there were any further questions. Ms. Crossley corrected a paragraph in the resolution and added some language.

Commissioner Batchelder asked Ms. McIntosh if she was authorized to approve the changes mentioned above and she stated that she was. He also clarified with Ms. Crossley and Ms. McIntosh that the Development Agreement and other attachments be included as part of the resolution.

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Ferguson to approve Resolution 2004-031 with incorporation of the changes to the Development Agreement made at this meeting. Motion passed unanimously.

**2:15 Commissioner Hollenbeck adjourned this special session:**

BOARD OF OURAY COUNTY COMMISSIONERS

ATTEST:

\_\_\_\_\_  
Tom Hollenbeck, Chairman

\_\_\_\_\_  
Michelle Nauer, County Clerk and Recorder

\_\_\_\_\_  
Don Batchelder, Vice Chairman

By: \_\_\_\_\_  
Linda Munson-Haley,  
Deputy Clerk of the Board

\_\_\_\_\_  
William Ferguson, Member