

The Board of County Commissioners met in regular session on October 3, 2005. Those present for the session were Don Batchelder, Chair; Heidi M. Albritton, Vice Chair; Connie I. Hunt, County Administrator; and Linda Munson-Haley, Deputy Clerk of the Board. Kristi R. Westfall, Member, was absent for this session.

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

9:30 Commissioner Batchelder called this session to order:

A. 9:30 General Business:

1. Request for approval of warrants:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to approve warrants. Commissioner Batchelder discussed the tax-exempt status of credit card purchases. Motion passed.

2. Request for approval of Minutes for September 12 and 19, 2005 Board of County Commissioner Meetings:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to approve Minutes for September 12, 2005 and September 19, 2005 as presented. There was no discussion. Motion passed.

3. Request for adoption of Resolution 2005-062 designating the D&RGW Caboose 0575, as a Historic Landmark:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to adopt Resolution 2005-062 designating D&RGW Caboose 0575 as a Historic Landmark as presented. There was no discussion. Motion passed.

4. Request for approval of Intergovernmental Agreement between Ouray County and the City of Ouray for 2006:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to approve the Intergovernmental Agreement between Ouray County and the City of Ouray for 2006 as presented. Discussion. Motion passed.

5. Request for approval (ratification) of the following:

a. Miller Mesa Weed Letters:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to ratify the Miller Mesa Weed Letters as presented. There was no discussion. Motion passed.

b. Tree Trimmer License with City of Ouray:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to ratify the Tree Trimmer License for the City of Ouray as presented. There was no discussion. Motion passed.

6. Request for authorization for I.T. Manager to sign Qwest Agreements, Acknowledgments, and Addendums for T-1 lines associated with e-Recording:

Connie Hunt, County Administrator, discussed the reasons for the request.

Commissioner Batchelder requested to have this done by resolution specifying authorization for these items only and for 2005, subject to annual review and appropriation.

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to authorize the I.T. Manager to sign Qwest Agreements, Acknowledgments and Addendums for T-1 lines associated with eRecording as presented, and to authorize the Chair's signature on Resolution 2005-057 as discussed. There was no further discussion. Motion passed.

7. Request for approval of the following Mountain Rescue Agreements:

a. Addendum to Agreement for Cooperative Participation:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to approve the Addendum to Agreement for Cooperative Participation concerning the Mountain Rescue Services and Facility as presented. There was no discussion. Motion passed.

b. Addendum to Lease Agreement:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to approve the Lease Agreement for the Mountain Rescue Team Facility as presented. There was no discussion. Motion passed.

8. Request for contribution to participate in Region 10 Second Home Study:

After some discussion, Commissioner Batchelder and Commissioner Albritton agreed to allocate \$1,000 to the Region 10 Second Home Study.

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to contribute \$1,000 to the Region 10 Second Home Study. There was no discussion. Motion passed.

9. Request for approval of the following Employment Agreements for 2006:

a. County Administrator:

b. County Attorney:

Connie Hunt, County Administrator, noted that Commissioner Westfall was not present and had requested that these two items be tabled until a future work session.

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to table discussion and approval of the employment contracts for the County Administrator and the County Attorney until the October 17, 2005 work session. There was no discussion. Motion passed.

10. Request for approval of amendment to Colorado County Officials and Employees Retirement Association (CCOERA) Retirement Agreement and 457 Deferred Compensation Agreement:

Connie Hunt, County Administrator, discussed a question from Commissioner Batchelder on Section 2.1(b)(2), Status of the Employee. The agreement specified that the plan cover every employee who works at least five (5) months per year and who works at least sixteen (16) hours per week. Commissioner Batchelder asked to amend the agreement to change five months to six (6) months per year and to change sixteen hours to twenty (20) hours per week.

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to approve the amendment to the CCOERA (Colorado County Officials and Employees Retirement Association) Retirement Plan and Trust Agreement with the changes noted above. There was no discussion. Motion passed.

11. Discussion and consideration of resolution to Protect Colorado's Natural Resources:

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to adopt the resolution to Protect Colorado's Natural Resources as Resolution 2005-060. There was no discussion. Motion passed.

Sheilagh Williams addressed the Board regarding the Log Hill Mesa Fire Protection District. She expressed concerns regarding the confidentiality of the vote and suggested that either Greg Moberg and Doug Canright tally the votes or Connie Hunt and Sally Bailar, and that the specifics of the individual votes be made available only to the Commissioners to preserve the anonymity of the vote. The totals only would be available for public review.

Secondly, Ms. Williams expressed confusion as to the actual vote. She asked if the voters were voting on the original plat presented by the fire district absent the Planning Commission's recommendations and conditions. If so, she informed the Commissioners that she would be writing a letter urging a "No" vote. She asked for an extension of the vote to allow time for Planning Commission's recommendations to be incorporated into the plat. At that time, she would be willing to vote "Yes" on the request.

Commissioner Batchelder addressed Ms. Williams's first request and replied that all of the ballots would be going to Mr. Moberg and, after confirming with Pat Crossley, County Attorney, that it would be legal, Land Use would work with totals only and the names would remain confidential. Specific to the Planning Commission recommendations, Commissioner Batchelder explained that until the recommendations were presented to the Commissioners in a posted meeting, they could not make a determination without jeopardizing impartiality.

Commissioner Albritton pointed out that voting had already begun and any changes or alterations at this point would cause confusion.

Greg Moberg, County Planner, clarified that the voters are voting on the original request by the applicant. He acknowledged the confusion created with the vote and the Planning Commission hearing running concurrently.

Commissioner Batchelder suggested that voters could review the draft Planning Commission minutes to glean the applicant's response to the recommendations.

10:05 Commissioner Batchelder recessed and reconvened at 10:10:

B. 10:10 Department Heads/Elected Officials Meeting:

Susie Mayfield, County Assessor, discussed the following:

- 1) The Assessor's Office passed the audit.

- 2) The office is preparing to begin looking at new construction and remodels.
- 3) Raelene Freier is attending a cost approach class in Grand Junction this week.

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

- 1) The motor vehicle conversion, scheduled for last week, was postponed until mid-February. The new software upgrade was not ready for distribution.
- 2) The eRecording grants were approved but the grant monies are not here yet. A contract with the Secretary of State to receive the grant funding money will be presented for Board signature at a future meeting. December 19, 2005 is the "go live" date for eRecording.
- 3) The office is heavily involved in the election process. The ballots are in a locked cabinet in the vault. The Secretary of State will be here Wednesday. She discussed election preparations for the mail ballot.

Glenda Sanderson, representing Social Services, discussed the following:

- 1) Alan Gerstle, Director of Social Services, is in Florida and could not make the meeting.
- 2) Preparing for LEAP (Local Energy Assistance Program). Cheryl Roberts asked for information to give to the homemakers for their clients.
- 2) Getting ready for Medicare, Part D – Prescription Drugs.

Ms. Roberts and Ms. Sanderson discussed CHP+ and noted that the income limits have increased. Notices will be put in the newspaper and possibly included in the County employees' paychecks.

Sheriff Mattivi discussed the following:

- 1) Beginning an embezzlement and fraud investigation that will involve many man-hours and CBI. He anticipates that it will be ongoing for a couple of months.
- 2) Have been working on a burglary investigation involving handguns.
- 3) A new deputy will be starting today.
- 4) One deputy signed up to take the First Responder Course through Norm Rooker.
- 5) Provided a civil standby for the Assessor's Office.
- 6) One of the canine units assisted Hinsdale County in an investigation.
- 6) There have been several alarm calls and 9-1-1 hang ups from an unoccupied cabin that could be phone company problem.
- 7) Responded to a call from a husband reporting a threat against his wife from a man in another county. The other county confirmed it as a credible threat. The Sheriff's Office increased patrols by the residence and secured a restraining order against the alleged perpetrator.

Greg Moberg, County Planner, discussed the following:

- 1) There are now minutes and resolutions signed by the Planning Commission for open lands and he suggested scheduling a workshop for discussions. Commissioner Batchelder pointed out that this has to be reviewed at a public hearing; otherwise, the Commissioners would be in an ex parte position. Connie Hunt, County Administrator, concurred. Mr. Moberg explained that the Planning Commission decision was split and that he has a different opinion, also, and felt that a workshop would help to clarify matters before going to a public hearing. Ms. Hunt noted that it should have been "workshopped" before going to Planning Commission. There was discussion of going to a public hearing first and then continuing the public hearing to go to a workshop, and the decision was made to confer with the County Attorney for her recommendation.
- 2) Working on the building permit process with Paul Christensen and Doug Canright to present to the Board at a later date.
- 3) There is a new interest in the Development Agreement so Pat Crossley is designing a boilerplate.
- 4) The owner/developer of much of the property in Colona is in violation of County regulations regarding signage and special use permits. He was notified and requested ninety days to comply. Commissioner Albritton indicated that she had no problem with the request explaining that she did not want to quash any signs of revival in Colona. Mr. Moberg assented to all except for the restaurant sign. Commissioner Batchelder concurred with Commissioner Albritton.

Cheryl Roberts, Public Health Director, discussed the following:

- 1) There was good response to the surveys and the department is now doing the statistical work. As results showed five years ago, the county is seeing the largest health problems in the county as health, drugs, and lack of recreation and physical activity, namely a place to do cardiovascular workout.
- 2) The flu clinic is up and going; however, she is beginning to here from vendors of a possible shortage.

Michael Elden, I.T. Manager, discussed the following:

- 1) Ordered the servers last week to upgrade to T1 lines, and will begin looking at networking and security changes.
- 2) Computer usage policy has been submitted.
- 3) Beginning to receive software for eRecording from Aptitude Solutions
- 4) Looking into upgrade cards for the phone systems

Chris Miller, Road Superintendent, discussed the following:

- 1) The bridge in Dexter Creek and the bridge on CR1 will be finished by the end of the week.
- 2) Working on getting drainage systems back in order and as many roads bladed as possible.
- 3) The project on CR5A.
- 4) There is a little left in the mag budget for spot touch-up.
- 5) Everyone was impressed with the grading class
- 6) Received two letters requesting that the County take over maintenance of specific roads

Susie Mayfield, County Assessor, continued her discussion:

- 4) The Mueller family is appealing the County Board of Equalization decisions to the Board of Assessment Appeals (BAA) and she asked if Pat Crossley, County Attorney, would be representing the CBOE. The hearing will be in Grand Junction but the date has not yet been set. Doris Johnson will be doing full-blown appraisals in preparation. Commissioner Batchelder directed the Assessor's Office to work with the County Administrator to determine if Ms. Crossley or Paul Sunderland would be handling the appeal.

Linda Munson-Haley, Clerk of the Board, had nothing to discuss:

Connie Hunt, County Administrator, discussed the following:

- 1) Thanked everyone who came to the budget workshop and noted that a public copy is available.
- 2) Will be working with seniors this week on the senior program.
- 3) Working on getting the weed program up and going. Sheila Grother is helping with the program and working on grants.
- 4) Will be getting back to the procurement/grant/purchasing policy soon and working on getting tax exempt status on credit cards.
- 5) The budget message is done.

Commissioner Albritton had nothing to discuss:

Commissioner Batchelder discussed the following:

- 1) Thanked all for their hard work and reported that he is continuing to hear from the public about the County's increasing professional attitude.
- 2) Asked if any of the elected officials had been approached on Referenda C and D. No one had.

11:05 Commissioner Batchelder recessed briefly and reconvened at 11:15:

C. 11:15 Commissioners/Administrative Reports:

Linda Munson-Haley, Clerk of the Board, had nothing to discuss:

Connie Hunt, County Administrator, discussed the following:

- 1) Clarified the procedure for the Log Hill Mesa Fire Protection District issue.
- 2) Requested direction on what to do with the rubber shavings at the Fairgrounds. The Commissioners asked her to check with the Fairgrounds Advisory Committee and the Fair Board and, if they have no need for the shavings, then declare it surplus property.
- 3) County representation to the Gunnison Basin Roundtable water board. Bill Ferguson had been appointed to represent the County and due to health reasons would not be able to fulfill the commitment. Currently, Greg Clifton is representing the City of Ouray and the Town of Ridgway, and Commissioner Batchelder suggested asking him to represent the County until the County could advertise and secure representation.
- 4) Asked the Board to sign a waiver letter prepared by Sheila Grother to apply for grant funding for several noxious weed species.

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to the approve Chair's signature on the waiver. There was no discussion. Motion passed.

Commissioner Albritton discussed the following:

- 1) Meeting last week with Congressman John Salazar where she spoke with Montrose County Commissioner Bill Patterson regarding dispatch issues and road issues in Cornerstone. Montrose County requested a work session with Ouray County regarding the road issue.
- 2) Spoke to a donor who asked to remain anonymous regarding cash donations to the Sheriff's Office of \$30,000 for the office and \$38,000 for salary for the first year for an investigator's position. Commissioner Batchelder suggested securing specific written directions from the donor of how the money is to be used.

Commissioner Batchelder discussed the following:

- 1) Asked Connie Hunt to schedule a meeting on Thursday with the City of Ouray and the Town of Ridgway elected officials to discuss Region 10 issues.
- 2) Revisited the Log Hill Mesa Fire Protection District issues.
- 3) A group of people in the Pleasants wants to form a road improvement district. Asked Connie Hunt to have the Road Superintendent research the cost to bring the road to standard and the capital cost required to maintain the pavement. A cautionary discussion ensued and metamorphosed into a general discussion of roads. Commissioner Batchelder discussed the idea of a use fee.

D. 11:40 Proposed 2006 Budget Presentation and request for authorization to publish notice of public hearing pursuant to C.R.S. 29-1-106:

Connie Hunt, County Administrator, suggested and the Commissioners concurred to hold a public hearing on December 12 at 11:30 a.m. at the Courthouse to present the 2006 Budget. Commissioner Batchelder discussed the vacancy on the Budget Committee and the need to define further the role of the committee. Several suggestions were discussed. Commissioner Batchelder asked to place the discussion of tasks and goals for the Budget Committee on the October 17 workshop.

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to authorize publication of the notice of a public hearing pursuant to C.R.S. 29-1-106 and to acknowledge presentation of the 2006 Budget. There was no discussion. Motion passed unanimously.

12:30 Commissioner Batchelder recessed for lunch and reconvened at 1:30:

E. 1:30 Public Hearing:

1. **Request for approval of Preliminary Plan/Plat as part of an approved Development Agreement**
Applicant: Cornerstone Montrose, LLC
Location: Sections 6, 7 and 18 of Township 46 North, Range 9 West, and Sections 11, 12, 13, 14, 15, 16, 22, 23, 24, 25 and 26 of Township 46 North, Range 10 West, New Mexico Principle Meridian, Ouray County, State of Colorado

Those in attendance are listed in Exhibit E.

Commissioner Batchelder explained that within the Development Agreement adopted by the County there are standards for preliminary plat approval. He opened the public hearing and asked for comments from the Applicant. 1b/2a

Brian Wallin, Project Manager for Cornerstone Montrose, LLC, began by providing a rundown of the development in general. Cornerstone was approved in July 2004 and is situated in two separate counties – Montrose and Ouray. He alluded to an earlier workshop with Board of County Commissioners and addressed the requests made by the Commissioners at that meeting.

1. Emergency access on cul-de-sacs. This was accomplished with the exception of a few instances where the access was limited by the topography.
2. Ongoing dispute over ownership of a 30-foot strip of property. It was removed from the plan but asked to reserve the rights if resolved.
3. Charter of CC&Rs (Covenants, Conditions and Restrictions). Provided.
4. Wildlife Management Plan. Representatives of Cornerstone met with ROCC (Ridgway-Ouray Community Council) and resolved the issues. He provided the Board with a revised copy of the plan (Applicant Exhibit E-1).

Greg Moberg, County Planner, presented the request to the Board. On review of the plan, he noted that the utilities were maintained under the metropolitan district but expressed some surprise at how many lots would be served by individual septic systems. He explained that the main access would be by Government Springs Road with emergency access to Dave Wood Road. The density requirements are met. The Development Agreement allows the developer to decide who gets accessory dwelling units when the tracts are sold. The minimum lot sizes are all met per the Development Agreement, as well as the planning areas. The Applicant has met the timeframe as far as submittal of the preliminary plan. Mr. Moberg spoke of some concern with the natural hazards that could be addressed at the time of final plat noting that if there is a problem, there could be a plat note at that time. The road standards have been met. The Traffic Monitoring Plan was submitted and the road impact fees completed. The Wildlife Management Plan has been submitted with changes.

Mr. Moberg submitted an email from Rick Gibbons, Montrose County Planner/Land Use Administrator, detailing the Montrose County Status Report on the Cornerstone Ranch Sketch Plan (County Exhibit E-1).

Mr. Moberg concluded by discussing the Planning Commission's comments, and recommended approval by the Board of County Commissioners. He reiterated concerns over the lots with wells meeting State guidelines, and the requirement that the Developer demonstrate suitability by profile hole and percolation hole tests for all lots 6 acres or less with proposed ISDSs.

Commissioner Batchelder noted for the record that the Wildlife Management Plan presented to the Board at this meeting (Applicant Exhibit E-1) is to take precedence over any previous plan.

Mr. Wallin discussed the Planning Commission recommendation that a 45-mph speed limit is too fast. He explained that this would be only on one particular road and tests showed this to be a safe speed limit except on curves where reduced speed limits would be posted.

As to the Planning Commission recommendation that open space development be shown on the plat, Mr. Wallin explained that these would be identified on a demand basis and the Developer reserved the right to do this at the development stage.

He addressed the issue of well permits noting that he had a meeting with the Colorado Division of Water Resources and would be getting a letter regarding the wells to be permitted. Mr. Wallin provided the Commissioners with the "perc" tests referred to by Mr. Moberg earlier (Applicant Exhibit E-2).

Mr. Moberg presented a referral from the BLM (Bureau of Land Management) regarding federal mineral interests (County Exhibit E-2). Mr. Wallin noted that the mineral rights were identified on the preliminary plat.

Tom Kennedy, attorney for Cornerstone, explained that the issues with Montrose County would not have any immediate impact on Ouray County and offered to keep Ouray County updated of developments with Montrose County.

At this time, Commissioner Batchelder opened the hearing to public comment.

Sara Coulter with the San Juan Corridors Coalition (SJCC) spoke to the preservation of wildlife corridors in the area. SJCC has been working with the Developer with the goal of finding common ground. She read from a letter dated October 3, 2005 (Public Exhibit E-1) and alluded to public testimony letters included as Public Exhibit E-1 but previously submitted as Exhibit F-1 at the May 24, 2004 Board of County Commissioners meeting and Exhibit E-1 at the June 28, 2004 Board of County Commissioners meeting. Ideally, the land should have been set aside as undisturbed open space through a conservation easement. SJCC appreciated the "thorough and thoughtful attention to the ecology of the property reflected in the Cornerstone Wildlife Management Plan" but expressed concern that the accomplishment not be compromised by subsequent activities. She discussed mitigation measures, especially a proposed trail plan, and motorized vehicles on the trails with the associated noise impact not only on the trails but also near the trails.

Mr. Wallin explained that once the trail system plan is working, the Developer would consult with SJCC. He acknowledged SJCC's offer to provide speakers on wildlife and welcomed the suggestion.

Ken Lipton, President Ridgway-Ouray Community Council (ROCC), voiced support for comments made by Ms. Coulter. ROCC worked closely with SJCC and Mr. Lipton indicated that ROCC would support the wildlife plan as submitted. Mr. Wallin discussed changes to the Wildlife Management Plan.

Britt Hay, resident of Ouray County, voiced his frustration of living off Government Springs Road and having to deal with construction traffic, and wondered what would happen once the road is paved if the speed limit increases. He was under the assumption that the project was 35- or 40-acre minimums but is now hearing of 6 acres, 3 acres, less than 3 acres. Mr. Hay also questioned Montrose County's proposal of a connecting road from Government Springs Road to Dave Wood Road and the traffic impact to Dave Wood Road, and he asked what "emergency traffic" would entail.

Mr. Moberg explained that the gross density remains at 1:35 acres but Cornerstone is meeting the number of units for clustering and describing a better use of open space. He also explained that Ouray County is approving access to Dave Wood Road as emergency access only but the specifics as to what defines emergency would be for the most part complaint driven enforcement.

Ms. McIntosh clarified that emergency is defined as public health and safety. Residents will not have access to the gate. She also pointed out that the road is described as emergency access only in the Road Maintenance Agreement. If, in the future, the Developer would make an operational decision to allow general access to Dave Wood Road, the Road Maintenance Agreement would need to be revised, approved and memorialized by amendment.

Mr. Lipton related that one of ROCC's major concerns was the development of Dave Wood Road as a major corridor. The group was pleased that Cornerstone would be treating the connecting road as an emergency access only. But now that Montrose County is putting pressure on Cornerstone to make a public access to Dave Wood Road, he encouraged the Ouray County Commissioners to put pressure on the Montrose County Commissioners to alleviate this.

Ms. McIntosh responded to Mr. Lipton's statement. She explained that it is Cornerstone's perspective that if a regional transportation corridor is deemed appropriate in the future, there are many stakeholders involved and the issue should not be decided based on one development. She concluded that it is not good government to have those discussions outside of the venue with all of the stakeholders present.

With no further discussion, Commissioner Batchelder had questions for the Applicant. In Chapter 22 of the Community Charter for Cornerstone, which is yet to be written, he requested that, at the very least, a clause be included that if the Charter is terminated, all of the County-required covenants and provisions survive termination. Additionally, he requested that all sections referenced in the Charter have a clause stating that these particular parts of the Charter cannot be changed without Board of County Commissioners approval.

Commissioner Batchelder noted that Section 34.0 of the Development Agreement requires a wildfire mitigation plan and one has not yet been submitted. Ms. McIntosh replied that it is not required as part of the preliminary plan submittal. Tom Kennedy explained that the Community Charter would address a wildfire mitigation plan. Ms. McIntosh alluded to another requirement of Section 34.0 for sprinkler systems in all residential buildings and appropriate administrative and recreational buildings and explained that this would be included in the Community Charter, also.

Commissioner Batchelder asked that, for purposes of final plat, a written document be submitted detailing where and how these requirements would be met.

Commissioner Batchelder referred to language in Exhibit K (Applicant Exhibit E-3) of the "Cornerstone Road Maintenance Agreement," *Item 1 – GSR Annual Routine Maintenance* and *Item 2 – GSR Extraordinary Maintenance*. Both state that the GSR maintenance budget in the form of cash payments or in-kind are a combination of both in an amount equal to eighty percent of Cornerstone's actual percentage use. He explained that the eighty percent figure was derived, in part, in recognition of the property tax revenue that the County is to receive from this project; however, until such time as the lots are sold and Cornerstone has gone through the statutory deduction that is part of development, there will be no huge property tax benefit to the County. Obligating the County to the remaining twenty percent without the revenue to cover it is not realistic. He suggested additional language in both sections that the County contribution not exceed the Road and Bridge mill levy and HUTF funds for that part of the county served by Government Springs Road. Additionally, for further protection in Item 4 – Dave Wood Road, he suggested adding a clause after "*In the event Cornerstone decides, in its discretion,*" that states "*only with Ouray County Board of County Commissioners' formal approval that can only occur as an amendment to this agreement after a properly noticed public hearing with notification to San Miguel County and Montrose County of such hearing,*" continuing with the remainder of the sentence. (2a/2b)

Commissioner Batchelder clarified that the submittals required in Section 25.5.E. of the Land Use Code had been submitted. Mr. Wallin explained that the Developer is still in the process of identifying building locations and will define building envelope sizes on final plat. Mr. Moberg notified the Board that if the Developer wanted to submit this information it would need to be on the preliminary plan; however, as a Planner, he does not need to see a footprint or envelope. Ms. McIntosh clarified that the language of the Development Agreement regarding footprints referred to major features, not individual residential building envelopes.

Commissioner Batchelder continued to ascertain which submittals were required at this time and which would be required at final plat.

To a procedural question by Commissioner Batchelder regarding deadlines for submittals, Mr. Moberg explained that the preliminary plan must be in by a certain date but that the Development Agreement would supersede requirements of the Ouray County Land Use Code as far as deadlines for final plans/plats. The County Attorney agreed noting that vesting, also, allows phasing over a 15-year period.

To Mr. Moberg's question regarding perc and profile approval, Commissioner Batchelder directed that review of this be a condition of approval.

Ms. McIntosh agreed to Commissioner Batchelder's changes to Section 22 of the Charter but asked for a five-minute break to discuss the changes to the Cornerstone Road Maintenance Agreement with the involved parties.

2:55 Commissioner Batchelder recessed briefly at Applicant's request and reconvened at 3:05:

Commissioner Batchelder ascertained that suggested amendments to Exhibit K of the Cornerstone Road Maintenance Agreement were amenable to all parties including the survival clause in Section 22 of the Community Charter. Approval would be pending review of the engineer report and the location of perc holes. The geohazards survey could be addressed at final plan with review by the County Engineer at that time, and with conditions being addressed then with a plat note.

Commissioner Batchelder asked for any further public comment. With no further comment, he closed the public hearing.

M/S/P—Motion was made by Commissioner Albritton and seconded by Commissioner Batchelder to approve the preliminary plan as presented with the following conditions: 1) a change in Chapter 22 of the Community Charter to include a survivability clause for County-imposed issues, 2) changes suggested in Exhibit K, 3) pending submittal to the Land Use office of a map showing the location of perc holes, and 4) that review by the County Engineer of the geotechnical report may require further conditions dealing with structural issues at final plat. There was no further discussion. Motion passed.

3:12 Commissioner Batchelder recessed and reconvened at 3:15:

F. 3:15 Howard Greene:

1. Discussion/request regarding the initiation of a proposed County Survey:

Howard Greene was present to address the Board and yielded the floor to Alan Staehle for background information.

Alan Staehle provided a brief history. The Master Plan, adopted in December 1999, should be revisited periodically. In order to do so, in the past the County commissioned a survey and worked with a professional consultant. The surveys

were mailed and there was a high return rate. The results showed that the values had not changed very much and there was no significant difference between absent landowners and residents. It would be timely now to do a new survey utilizing the old survey and adding a few questions.

Howard Greene added to Mr. Staehle's comments noting that the County is in the process of creating new policies regarding land use. Typically, the County hears from the vocal minorities and it is easy to lose track of what the silent majority thinks. The results could offer opportunity for pragmatic guidance of future decisions that will enable the Planning Commission and the Board of County Commissioners to create regulations that reflect what the people want concerning new land use issues; can serve as a guide to politicians in future campaigns; and can also be educational. Mr. Greene is seeking participation from the Town of Ridgway and the City of Ouray, researching sponsorships and contributions, and possible grant monies.

Dick Bjurstrom and Ken Lipton were present and exchanged ideas with the Board. Mr. Lipton stated that a properly designed survey could provide a basis for strategic long-range planning. He recognized that the previous questionnaire would be a good baseline but suggested incorporating new areas of concern to assess community sentiment on current issues. One outcome could be a Board of County Commissioners sanctioned commission to develop a strategic 10-year plan for the county. He encouraged the Commissioners to find sponsorship for the survey, determine what DOLA could provide, and explore what the State could offer in terms of professional help.

Mr. Greene returned to the original premise that this be something looked at from the point-of-view of what serves county government and its arms the best and not be a representation of specific groups' interests and assumptions.

The group discussed the structure of questions and the interpretation of the data.

Sara Coulter pointed out that the interpretation of the results is the perception of those reviewing it and not fact. Some people accept it as fact and this could be dangerous. It is important to understand what the people think is true. Instead of snapshots, the survey should be looking at trends.

Mr. Lipton reiterated that this would only be a starting point for the development of a long-range plan that has to be a living document. (2b/3a)

Commissioner Batchelder asked Ms. Hunt to talk to CCI to find someone with expertise on surveys and post an informational meeting to get public comment.

A discussion followed on how to proceed.

4:10 Commissioner Batchelder adjourned this regular session:

**Numbered exhibits are maintained separately in the County Administrator's office.*

OURAY COUNTY BOARD OF COUNTY COMMISSIONERS
OURAY, COLORADO

ATTEST:

Don Batchelder, Chair

Michelle Nauer, County Clerk and Recorder

Heidi M. Albritton, Vice Chair

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

Kristi R. Westfall, Member