

The Board of County Commissioners met in regular session on August 7, 2006. Those present for the session were Heidi M. Albritton, Chair; Don Batchelder, Member; Kristi R. Westfall, Member; Connie I. Hunt, County Administrator; Mary Deganhart, County Attorney; and Linda Munson-Haley, Clerk of the Board.

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

A. 9:00 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.

Traffic and Speed Limit on Camp Bird Road

Helen Olivier approached the Board on behalf of the Yankee Boy Conservation Association (YBCA). She discussed the increased traffic above the Weekawken Bridge on Camp Bird Road and suggested changing the speed limit 15 mph for safety considerations. Connie Hunt will advise the Sheriff of the request and ask him to investigate the conditions and make a recommendation.

Ms. Olivier brought up a previous request regarding an ATV rental trailer parked at the Ice Park and Commissioner Albritton explained that she learned that the trailer belongs to a rental company in the city of Ouray. The company rents the ATVs in town and trailers them to and from the site. The Sheriff spoke to the company about leaving the trailer parked at the site all day.

B. 9:30 Commissioner/Administrative Reports:

Mary Deganhart, County Attorney, discussed the following:

- 1) Camp Bird case. The Camp Bird attorneys are scheduling depositions and asked that the County designate one person to testify on behalf of the County on August 24, 2006. She suggested either Don Batchelder or Alan Staehle, both of whom were commissioners at the time in question. Testimony previous to their terms would be provided by minutes and any other pertinent documents. It was the consensus of the Board to designate one or both.

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

Connie Hunt, County Administrator, discussed the following:

- 1) Affordable housing. AHS (Affordable Housing Solutions) would like to write a grant on behalf of the County, City of Ouray, and Town of Ridgway to get funding to do a study. Commissioner Batchelder and Commissioner Albritton agreed that they had no problem being a participant providing there was no associated cost.
- 2) Fisher Canyon South PUD petition and request for final draw. She explained that all of the requirements had been met and she saw no reason to hold the monies any longer.

M/S/P—Motion was made by Commissioner Batchelder and seconded by Commissioner Westfall to release funds and authorize the Chair's signature on appropriate documents. There was no discussion. Motion passed unanimously.

- 3) Email from Doug Canright regarding the Ouray County 4-H Event Center. The County's portion of the raw water line is ready but the Town of Ridgway's portion will not be ready until September. She asked for direction regarding planting. Commissioner Batchelder noted that his preference would be to get everything prepped and wait to plant until after the Center gets the water.

Commissioner Westfall had nothing to discuss:

Commissioner Batchelder discussed the following:

- 1) Issue of gate at Pleasant Valley Vista, Filing 2, accessing Lazy Dog. He met with the president of the homeowners' association for Pleasant Valley Vista who was concerned. The green space is owned by Pleasant Valley Vista, Filing 2. According to the plat, the easement is for utilities and emergency access with a lock on the gate and keys given to qualified emergency services; however, keys have been given out to unauthorized people. The Commissioners agreed to tell the homeowners' association that the lock could be changed to protect its interests as long as the County's rights in those interests are not diminished, i.e. that keys be given to the Sheriff's Office, EMS, Road and Bridge, and the fire department.
- 2) Meeting schedule review. NIMS training session planned for August 21, from 9 a.m. to 4 p.m. at the Ouray County 4-H Event Center; Dr. Theobald meeting on August 9 at 9 a.m. at the Courthouse, Weed Board on August 9 at 7 p.m. at the Ouray County 4-H Event Center; joint meeting with the Citizens Strategic Initiative and Accountability Committee and the Road Committee on August 14 at 5 p.m. at the Ouray County 4-H Event Center ; and a meeting with Land Use Staff on August 15 at 9 a.m. at the Courthouse.
- 3) Forest Service roads meeting. Ms. Hunt informed him that Tammy Randal-Parker with the Forest Service would be meeting with the Board in the near future. He had questions regarding which roads in the County have Schedule A and which have FRTA (Forest Roads and Trails Act) easements. A discussion followed regarding the difference between Schedule A and FRTA. Commissioner Batchelder explained that to have a reasonable discussion on how to move forward it would be necessary to know where the County stands currently.

Commissioner Albritton discussed the following:

- 1) A letter to the editor of the local newspaper by Barbara Weber that contained misinformation regarding the County. Commissioner Albritton discussed whether the County should respond and what format would be appropriate. A discussion followed. Commissioner Westfall did not feel that the Commissioners should respond. By consensus, the Board directed Connie Hunt to draft a response letter to Barbara Weber, personally, rather than in the form of a letter to the editor.

C. 9:45 General Business:

- ~~1. Request for approval of warrants:~~
2. **Request for approval of July 24, 2006 Board of County Commissioners minutes and August 2, 2006 Board of Equalization minutes:**
3. **Request for adoption of Resolution 2006-058 declaring certain Ouray County personal property as surplus and setting forth the method of disposal:**
4. **Request for adoption of the following Land Use item Resolution.** *(This Land Use item was considered and approved at the July 24th Board of County Commissioners meeting):*
 - a. **Resolution 2006-059 – Cimarron Mesa PUD:**
5. **Request for approval and Chair's signature on GOCO support letter for the Northern San Juan Initiative Planning Grant:**
6. **Request for approval and Chair's signature on DOLA support letter for the Log Hill Mesa Fire Protection District Fire Station Building Grant:**
7. **Request for approval and Chair's signature on Task Order Option to Renew Letter with the State of Colorado for the Public Health WIC program:**
8. **Request for approval and Chair's signature (ratification) on Request for Extension of Time to File Audit Form with the Office of the State Auditor:**
9. **Request for approval and Chair's signature on letter to GOCO concerning the Grandstands Grant Project:**
10. **Request for approval of thank you letter to San Miguel County thanking them for their assistance and cooperation on the Fire Plan:**
11. **Request for adoption of Resolution 2006-060 concerning Senate Bill 90:**
12. **Request for approval of General Disclosure for Cornerstone Metropolitan Districts Numbers 1 and 2:**

M/S/P—Motion was made by Commissioner Batchelder and seconded by Commissioner Westfall to approve all items listed under General Business, with the exception of C.1., as a consent agenda. There was no discussion. Motion passed unanimously.

9:50 Commissioner Albritton recessed until 10:00:

D. 10:04 Public Hearing – Petition for Abatement or Refund of Property Taxes:

Petitioner: **Taylor Family Income Trust No. 2**
Schedule #: R001658

Doris Johnson, Chief Deputy Assessor/Chief Appraiser, and Raelene Freier were present for the Assessor's Office.

Commissioner Albritton opened the public hearing and explained the petition.

Doris Johnson, Chief Deputy Assessor/Chief Appraiser, explained that this was an Assessor-initiated action to correct an error made by the Assessor.

M/S/P—Motion was made by Commissioner Batchelder and seconded by Commissioner Westfall, based on Assessor's recommendation, to rebate the tax for tax year 2005 for property Schedule #R001658 in the amount of \$2,292.28. There was no discussion. Motion passed unanimously.

Commissioner Albritton closed public hearing.

10:08 Commissioner Albritton recessed and reconvened at 10:30:

E. 10:30 Pete Blair, Blair and Associates (County Auditor):

1. Presentation of 2005 Audited Financial Reports:

Pete Blair was present and discussed the draft 2005 Audited Financial Reports. Overall, the County is in better shape in 2005 than in 2004.

10:50 Commissioner Albritton recessed and reconvened at 11:00:

F. 11:00 Snowy Peaks Subdivision Discussion:

1. Request by residents to consider County maintenance of Snowy Peaks Drive:

Chris Miller, Road Superintendent, was present to discuss the request by residents of Snowy Peaks subdivision for snow plowing Snowy Peaks Drive, a cul-de-sac about 150 yards long. The subdivision is currently plowing the road.

Commissioner Batchelder expressed concern about setting a precedent. He noted that he has no problem with Road and Bridge plowing the road if the subdivision pays for it and if Road and Bridge can fit it into the regular plowing schedule. A discussion followed.

Mr. Miller reminded the Commissioners that they had declined other such offers in the past. Even though this request is a short span, it could "open a can of worms."

The Board consensus was not to obligate at this time. A letter will be sent to Ron Turnbull, who presented the request to Chris Miller.

11:15 Commissioner Albritton recessed for lunch and reconvened at 1:30:

G. 1:30 Ted Lindtveit, County Technical Services, Inc. (CTSI):

1. Discussion and review of CTSI Insurance Pool Loss Analysis:

Ted Lindtveit addressed the Board and reviewed the Colorado Counties Casualty Property Pool Loss Ratio Report and the County Workers' Compensation Pool Loss Ratio Report.

2:00 Commissioner Albritton adjourned the regular session:

OURAY COUNTY BOARD OF COUNTY COMMISSIONERS
OURAY, COLORADO

ATTEST:

Heidi M. Albritton, Chair

Don Batchelder, Vice Chair

Michelle Nauer, County Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

Kristi R. Westfall, Member