

The Board of County Commissioners met in regular session on August 3, 2009. Those present for the session were Heidi M. Albritton, Chair; K. Keith Meinert, Vice-Chair; Lynn M. Padgett, Member; Mary Deganhart, County Attorney; Connie Hunt, County Administrator; and Linda Munson-Haley, Clerk of the Board.

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

**A. 9:05 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.*

**Mining Claims Issue**

Ken Lipton explained to the Commissioners that he wanted to speak to them about the mining claims issue. He did not think that it was appropriate to speak at the public meeting. There were important issues that were not covered. He provided a brief history of how the mining claims issue evolved because he felt that it was extremely important to keep things in perspective. On January 15, 2008 the Board of County Commissioners (BOCC) directed Staff to hold a work sessions with the Planning Commission to look at footprint, height limitations and activity envelopes as areas of concern relative to the mining claims area. On May 12, 2008, Staff issued a memo to the Planning Commission for consideration of the regulations indicating that the Planning Commission was charged with developing new regulations concerning mining claims. Then on July 15, 2008, the Planning Commission held its first workshop and took public comment. The Planning Commission agreed that regulation needed to be addressed and balanced with maintenance of private property rights and asked Staff to ask the BOCC to outline areas of concern. The BOCC submitted a document listing 20 areas of concern with mining claims. The Planning Commission stated after receipt of that, that changes to the site development permit and the visual impact regulations could be considered, as well as TDRs to mitigate residential development without diminishing individual property rights. The BOCC issued Resolution 2009-003 on January 26, 2009 and directed the Planning Commission to prepare new regulations citing impact of tourism economy, resources, services, habitat, etc., and issued a 6-month moratorium on residential development in the mining claims areas. Subsequently, the Planning Commission held five workshops and public comment was taken at all. On July 6, 2009, the BOCC issued Resolution 2009-031 recognizing the June 18 Planning Commission public hearing and its vote to conduct an additional work session on July 9 and not take action on the recommendation of the BOCC. The BOCC reminded the Planning Commission that it was to “work expeditiously to prepare draft regulations” and “wishes to ensure that the process of reviewing the proposed regulations continues to move forward and is not stymied by the impossible goal of satisfying all members of the public on all issues.” It restated the statute requiring Planning Commission approval, disapproval or suggestions for changes to the Code. It also stated that it was incumbent on the Planning Commission to complete its work and advise the BOCC of the pros and cons of the issues if it could not come to a consensus, and to advise the BOCC of its approval, disapproval or suggestions on the proposed regulations that were submitted on March 17, 2009. It directed the Planning Commission to move forward “as expeditiously as possible.” Subsequently, the Planning Commission conducted its sixth work session. It was not until the fifth and sixth work sessions that there was any organized public opposition voiced. On July 14, 2009, the BOCC instructed that further work be suspended pending a public meeting on July 27, 2009 due to the ideological debate that had ensued.

Lipton asked what had changed since then. Had the BOCC’s concern for economic impact on tourism, cost of service, residential development in hazardous areas, environmental sensitivities, safety and visual impact gone away? Had the Planning Commission’s failure to move forward expeditiously as directed due to ideological debate weakened resolve? Had the BOCC suddenly decided that the goal of satisfying all members of the public on all issues was now somehow realistic? Or was it more important to satisfy some members of the public more than others? The BOCC demonstrated leadership, strategic planning, foresight and political will when it prioritized and directed that a new regulation on mining claim residential development be written knowing that it would be controversial. Staff generated a sensible Code and the Planning Commission achieved a reasonable compromise and general consensus that culminated in the July 7 revision following the public hearing on July 18. It fell apart after that for reasons the BOCC was familiar with. At the public meeting Mayor Risch suggested a citizen’s task force be formed to discuss the issue. Lipton related that he was strongly apposed for several reasons. The reasons and need for regulations had not gone away. A task force could delay action for 1 to 2 years. The question as to whether a new section of Code should be written had already been decided by the BOCC and agreed to by the Planning Commission. It should not be negated by self-interested parties for ideology or fear of angering a portion of the community that holds unrealistic property rights views or the County’s right to regulate land use. The BOCC had recently demonstrated that in its view of the County’s interest the perceived property rights and self interest of some segments of the public, much larger than mining claims owners, could be overridden, *i.e.* the tower and Section 6.12. A task force was not an appropriate organization to develop changes to the Land Use Code. If there were problems with the Planning Commission they should be corrected by the BOCC. He discussed findings of the RPI Study and the Theobald Study and the Study Group. These facts and strategies did not need to be restudied. If the BOCC felt that a particular task force was needed to investigate or solve this problem, something similar to the Red Mountain Project may be appropriate and could move forward independently of the Code changes that have been deemed important now. However, creating a task force to review controversial Land Use Code changes could be a very bad precedent. Changes to the site development permit and visual impact code could be an interim step but in the final analysis did not address the fact that the Alpine Zone regulations were written for 1:35 and does not address the density in the mining claims. Keeping the south Alpine area in the Alpine Zone grants special privileges to the property owners in that area – density that no one else in the Alpine Zone could achieve by right. He recommended that the Commissioners remove the hold on Section 30 and remand it to the Planning Commission following the August 10 joint work session by BOCC resolution; direct the Planning Commission to hold a public hearing as soon as possible if there were substantive changes to the July 7 version of Section 30; issue a date certain for the Planning Commission to generate a resolution on Section 30; and then act promptly on that Planning Commission resolution.

Commissioner Meinert explained that the August 10 meeting had nothing to do with the substance of the mining claims issue. As far as the other issue and recommendations, the BOCC had not even had a discussion at the BOCC level about where to go from last Monday night's meeting. He understood Lipton's concern about task forces and his recommendations, and the BOCC needed to have that discussion before deciding where to go next. The way it was left, the Commissioners had asked the Planning Commission not to do anything further on Section 30, they held the forum, received a lot of input, some of which was a little different than he had thought about before, and the Commissioners needed to talk as a Board about how to go forward.

Commissioner Meinert brought up two related but separate issues. The first one was the activity of the Planning Commission. The BOCC recognized that there needed to be a better understanding between the BOCC and the Planning Commission and set up the meeting on August 10 to do that.

Commissioner Albritton added that Lipton's points were well taken and they generally agreed with his statements. The issues that existed to bring it to the table were absolutely still there. They looked at the moratorium as an opportunity to dive forward but the timeframe may not have been realistic given different elements of the public that were not necessarily as in tune as they should have been. She noted that taking a step back was not an indication of lowering the priority on the concerns in the area. There was now a large demographic of people, many of whom are property owners there, so if the Commissioners could take a different approach and get input from them, she felt they needed to do so. She did not want to slam something through against what the property owners wanted. If there were ways to work with the individuals and owners then the BOCC should do so. It was unfortunate that they did not speak up sooner in the process.

Lipton felt that there should be a mention of the mining claims issues on August 10. Commissioner Albritton replied that there would be some mention regarding the process. Lipton wanted to point out that at the first Planning Commission work session there was comment from the mining area. It was not until the fifth work session that there was organized opposition.

### **Road and Bridge Kudos**

Sheelagh Williams explained that as a citizen of Ouray County she had been in the Land Use building and left a message for Chris Miller saying what a good job he was doing. It was good for him to hear it but she wanted the Board of County Commissioners to hear it, also. She lived on a dirt road and Miller's crew was paying attention and being proactive doing a consistently good job.

Williams discussed a second item. Congressman Salazar had put up a draft of the legislation for the expansion of the Sneffels Wilderness Area on his website. She asked the Commissioners to reiterate their support and had drafted a letter that the BOCC could edit. She had a copy of an official map that was also on Salazar's website. The major issues that she had heard from the BOCC were grazing rights and the water rights issues, and she believed that those were also addressed in the bill. It was not substantially different than anticipated.

By consensus, the Commissioners agreed to send a letter stating that the current board continued to support the legislation.

### **Newspaper Articles Clarification**

Commissioner Meinert discussed articles in the *Sun* and the *Plaindealer*. He pointed out that he was not criticizing but he took issue with statements made in the articles that the draft [of Section 30] was written by the County Attorney and calling it a proposal. He talked to the author of the article and no change was made in the subsequent edition of the paper expressing his concern. First of all, it was not a proposal by the BOCC or Staff, it was a working document for working purposes and not an attempt by the Board or Staff to direct the outcome of the discussions. He pointed out the need to be careful in the way this was portrayed to the public; that there was a process and the Commissioners were trying to follow that process to encourage input from all sectors of the public. The use of the word "proposal" stuck in his craw. His second point of concern was the inference that was left with the public by pointing out that this was drafted by the County Attorney. He feared that it left an impression that Staff was trying to influence activities or pushing its own agenda that might not be the same as the BOCC's agenda. He wanted to dispel that suggestion completely. Staff was working at the instructions and direction of the BOCC and anything from Staff was supported by the BOCC. He did not want the impression in the public eye that Staff was running off on its own. No member of Staff had done anything without the support and instructions of the BOCC. On the other hand, he did not want to belittle the initiative of Staff. He wanted to ensure that any criticism was directed at the BOCC and not at Staff. And, he added, members of the Planning Commission needed to recognize that also.

### **Mining Claims Taxes**

Craig Fetterolf addressed the tax issue that he brought up at the Town Hall Meeting. It's been established by the County that mining claims were also residential, buildable lots. He wanted to know why they were not being taxed as such. Everyone else in the county was taxed at 29% on vacant land. He asked the Commissioners to act on this. He would like to see it done judiciously. It was unfair to the rest of the people who pay their taxes. In conjunction with that, if landowners have ag status they have to prove it as an owner; if someone has mine status they should have to prove that they are getting revenue and mining it. The process should be that people are taxed until they prove otherwise that they have mining/ag exemption. In fairness to the rest of the residents of the county the mining claims owners should step up to the plate and pay taxes like everyone else. He urged a proactive stance to get this done quickly.

Commissioner Albritton noted that Fetterolf raised a good point. She had received a lot of input regarding that. The reason that it was that way was because of the difficulty in getting to the property to establish that. San Juan County had done this and it made a huge difference to its economy. Her concern was that if the County changes this, people may "dump" the property. The Assessor's Office was aware of the issue but it would be a huge job to do so.

Commissioner Meinert explained that the properties were being properly assessed at 29% now. There was no distinction that they were mining claims and got special treatment, unless and until a residence was put on them. The

distinction and difference was in the valuation. The claims were now being valued \$1,000 an acre. The Assessor's Office recognized that the property was supposed to be valued as any other property at its market value. There were two issues of concern: the remoteness of the property, there were nearly 1,400 claims and getting to them to determine access, terrain, etc. was a challenge. Another challenge was that there had not been enough of these claims bought and sold to provide a database from which to value all of the claims. On the flip side, this \$1,000 per acre may actually be too high for very remote claims or in known avalanche areas. The Assessor recognized that this needed to be done and needed to have talks about how it would impact the area and the unintended consequences of spurring interest in the area. He hoped to include this in mining claims discussions.

Commissioner Padgett pointed out that the average claim size of the surface area was 7.5 acres. The State required that residential properties be assessed based on market value. The most difficult part was that there was not enough market data from sales based on residential development on mining claims. She would be interested to discuss in a work session how to incentivize property values.

#### **Citizen Complaint on Underage Drivers**

Commissioner Padgett advised that a resident alerted her to the fact that there had been underage drivers on ATVs between CR 10 and CR 12. They were going over the speed limit, ignoring the regular flow of traffic and making dangerous maneuvers in traffic.

Commissioner Albritton noted that underage drivers were allowed but must be accompanied by a licensed adult driver. That could be enforced and would need to go to the Sheriff's Office. Deganhart remembered that there was an exception for ag. Commissioner Albritton recalled that they still needed to be accompanied by a licensed driver. The complaint must go through the Sheriff's Office. Commissioner Padgett explained that the person called the Sheriff's Office but was unable to get a reaction from the Sheriff's Office, which was a recurring theme with complaints regarding traffic control and enforcement. Commissioner Albritton suggested that the Commissioners may need a work session with the Sheriff. Deganhart suggested that they could revisit the ordinance.

#### **Citizen Complaint Regarding Asphalt Trucks**

Commissioner Padgett advised of other issues that involved traffic enforcement. A chain of five or more asphalt trucks were heading down CR 24C or D. It was suggested that they were Ouray County trucks. Commissioner Padgett said that these were contractors.

Commissioner Padgett related a personal near-collision incident in the location in question and reiterated the need to dialogue with the Sheriff to be proactive.

Commissioner Albritton pointed out that this was a State Patrol issue. She had received calls regarding road rage, too, but noted that it was out of the Commissioners' purview except to talk to the State Patrol and officially notify CDOT. Deganhart asked if, on local traffic only, she should speak with Chris Miller, Road Superintendent, about signs. The Commissioners agreed.

#### **More CR 1 Issues**

Commissioner Padgett realized that the Road and Bridge crews had their work cut out for them on CR 1 but the erosion just north of the driving range had gotten much bigger and there was rapid deterioration now. It was officially recognized that the bridge had an issue. Connie Hunt would speak to Miller.

### **B. 10:07 Land Use Items:**

#### **1. Further discussion of research related to citizen complaints:**

Mark Castrodale, County Planner, was present.

Commissioner Albritton acknowledged receipt of a report from Castrodale regarding noise levels at the SAKO/ZMK pit. She understood that the belly dumps that had generated the citizen complaints were for a specific contract that had been completed but she felt the need to address the issue of future use of belly dumps on that road and/or the bridge with Chris Miller, Road Superintendent, during his next update to the Board.

Commissioner Meinert discussed whether there needed to be consideration given to revising the special use permit to make limitations as far as what kinds of vehicles, hours, types, routes, would be allowed and if the decibel levels should be changed.

Commissioner Padgett addressed the information on the screener, sorter and crusher, and clarified that she had hoped to learn what the hours of operation were for each typically, and what noise levels did each have at the edge of the property. She discussed getting more information on the best management practices for that industry. After researching this information then the Commissioners could look at changing the special use permit. She pointed out that prolonged noises even in the 50 db to 60 db range were considered nuisances in residential areas. She suggested that there might be mitigation measures such as deflection screens that could be employed.

Commissioner Albritton referred to a County noise ordinance that addressed those same issues and suggested that the Commissioners may need to readjust the db levels and look at best management practices for industries such as this one. Deganhart explained that 55 db was considered a maximum level in a residential neighborhood at the property line. Commissioner Albritton related it to recent discussions of having a mining operation near a residential area. As far as this current issue, it appeared that the gravel operation was operating within the parameters of the special use permit.

A discussion followed as to more specific readings. Hunt reminded the Commissioners that the permit was up for renewal next year and these would all be good points to consider prior to the renewal.

Commissioner Albritton concluded that the Commissioners had received and addressed the citizen complaints regarding traffic and noise at the gravel pit and the report showed that the operation was in compliance.

**C. 10:20 Karla Cline, Executive Director of the Voyager Youth Program:**

- 1. Six month status report concerning the Safe and Drug Free Schools and Communities Grant Program:**
- 2. Request for support and fiscal agent sponsorship to pursue future funding to receive Safe and Drug Free Schools and Communities Grant renewal for 2009 – 2010 Fiscal Year:**

Cline submitted a written report and explained that the Program would be continuing its partnership with the schools. From the data collected through the Healthy Kids Survey they would be able to identify risk factors and concerning behaviors and allow the data to drive the decision-making in terms of curriculum.

Cline explained that the programs were going well. There was a great turnout for the after-prom party with tremendous community support. Other summer programs were going well. Voyager started a homework help program last year in Ridgway that was held twice a week for an hour and offered a free service allowing for one-on-one attention. This year the group was looking at suggesting to the schools that students on the "D" or "F" list would be required to attend the homework help program. This would be a help to teachers and students, as well as the schools. Voyager would probably not offer the after school program for elementary students this year as it had not been utilized very well last year. The school would be offering a program on its own and Voyager did not want to duplicate services. Homework help would be offered to older students in Ridgway and Ouray.

Most of the Voyager programs were focused on schools but the group was beginning to broaden its focus to address the community as well.

Cline explained that Voyager had just received an RFA for continued funding for the 2009-2010 fiscal year. She asked the County to continue being the fiscal agent. She planned to ask for \$75,000.

Commissioner Padgett referred to the prevention talk at lunch detailed in the report and asked what measures had been used to determine effectiveness. Cline said that Voyager measured effectiveness by the amount of student participation noting that attendance at the lunch groups was voluntary; however, the group recognized the need for more documentation to actually measure where the students were in terms of attitude when they started the program and where they had moved to after the program was over. Voyager had always used the Colorado Healthy Kids survey as an indicator of effectiveness of programs but wanted to be more broad-based in determining how to evaluate specific programs.

Commissioner Meinert was wholly in favor of continuing as long as it did not place an undue burden on Staff. Hunt explained that it was a good program and working with Cline had made it one of the easier grants for the County to manage. She recommended that the County support it.

By consensus, the Commissioners directed Staff to continue working with Cline.

Commissioner Meinert asked if the program had coordinated with juvenile diversion with regard to broadening the focus communitywide. Cline replied that there was coordination between the two groups. Commissioner Meinert asked if Voyager had pursued financial avenues through the juvenile diversion program and Cline said that she had not had the time to do so.

**D. 10:32 General Business:**

- 1. Request for approval of warrants:**
- 2. Request for approval of Chair's signature on the Semi-Annual Report of Ouray County Treasurer, January 1, 2009 through June 30, 2009, acknowledging that the Board of County Commissioners has received and examined the report:**

*M/S/P—Motion was made by Commissioner Padgett and seconded by Commissioner Meinert to approve warrants and to approve and authorize the Chair's signature on the Semi-Annual Report of the Ouray County Treasurer, January 1, 2009 through June 30, 2009 as presented. There was no discussion. Motion passed unanimously.*

**10:33 Commissioner Albritton took a brief recess and reconvened at 10:58:**

**E. 10:58 Shirley Greve, Contact Person for San Miguel Regional Housing Authority Needs Assessment Grant:**

- 1. Review of Colorado Division of Housing Needs Assessment Grant Application and request for approval and authorization of the Chair's signature on the application:**

Shirley Greve with San Miguel County explained that the State had initiated a standardized format and San Miguel County had not done one yet. Because did a housing demand study based on 2006 data and the State was asking for an updated needs assessment, San Miguel County decided to do an update. During the process she attended strategic planning meetings and it became apparent that some of the things that Ouray County wanted to know impacted San Miguel County and some of the things that San Miguel County wanted to know impacted Ouray County. The need to do a multi-jurisdictional grant became clear. The assessment would not start until June 2010 to be able to get all of the 2009 data and gather similar comprehensive information for both counties. She asked for an absorption model that was not included in other grant applications that could be left with the Counties to look at regionally as well as utilization by the jurisdictions when trying to figure out housing needs. It would enable the users to plug in changes in employment and construction, and would show what kind of housing needs would be generated. It would be unique to San Miguel County's and Ouray County's process.

Greve asked the State representative about full funding and he thought it would work. She would need to send out an amendment to the RFP to include this jurisdiction and a budget for what that would cost, and submit an application based on the average. She figured about \$100,000. She was not looking for cash contributions from the jurisdictions. She asked for a Staff contact. The study would be done over six months with monthly deadlines for certain information. She would expect a draft at the end of each month for a committee to review. She would want to ensure that each of the jurisdictions had input.

Commissioner Meinert supported completely the multijurisdictional nature of this. He asked how Ouray County's newly formed regional housing authority would affect Ouray County's relationship with Greve on this study. He wanted Ouray County's regional housing authority to have a proper foundation and be the main avenue of coordination with San Miguel County's regional housing authority rather than relying on the staffs involved.

Greve pointed out that there was no staff designated from Ouray County now. The makeup of the regional housing authority could be the liaisons for this needs assessment that would not start until next June. That would give Ouray County time to decide who would be working with the people designated from San Miguel County and herself.

Commissioner Meinert's concern was the amount of staff time involved, but he also wanted to ensure that Ouray County had a functioning housing authority board that could coordinate the issues between the three entities in the county. Commissioner Lynn Padgett was Ouray County's representative on the regional housing authority board.

Commissioner Padgett noted that the group had yet to have another meeting and that everyone participating in the group recognized that the housing authority needed to be restructured to have autonomy and a funding source. It may need seed money from the three entities to get going. One thing that came out of the studies to date was the knowledge of additional data gaps.

Greve explained that she sat in on meetings and with her expertise she was able to recognize that it was to Ouray County's benefit as a region to join forces with San Miguel County and that she had tools to offer Ouray County. There had been some dialogue that maybe the regional authority could share staff.

Greve went on to explain that San Miguel County's regional housing authority had gone through many changes in membership. When she came onboard it was felt that the elected officials were not the way to go because of too much conflict and switched from elected officials to administrators.

Commissioner Padgett offered to be that person and funnel information to Mark Castrodale if he was too busy to be on the regional housing authority.

Commissioner Albritton agreed that it was beneficial to look at this regionally and appreciated Greve's willingness to work together with us.

Greve informed the Commissioners that she would be offering a homebuyer's class funded by CHFA at no charge to the attendees. The books would cost \$15. She was also looking in the future to apply for an increase in the number of Section 8 vouchers from San Miguel County to Delta County.

*M/S/P—Motion was made by Commissioner Meinert and seconded by Commissioner Padgett to approve and authorize the Chair's signature on an Application for the Regional Housing Needs Assessment Grant Application through the Colorado Division of Housing Needs Assessment with San Miguel County as presented. There was no discussion. Motion passed unanimously.*

Commissioner Padgett will be the primary contact.

**F. 11:27 The Board of County Commissioners convened as the Board of Health for the following item:**

**1. Request for approval and authorization of Chair's signature on the Colorado Department of Public Health and Environment Immunization Program Amendment 35 Immunization Funds for Local Health Agency Statement of Work:**

Cheryl Roberts, Public Health Director, was present. She explained that the contract period was for August 1, 2009 through June 30, 2010. The County would receive \$4,592. Additional monies would be allocated for the H1N1 mass vaccinations.

Commissioner Meinert clarified with Roberts that there was no match or other requirements from the County. He asked to review a fiscal impact form.

**M/S/P**—Motion was made by Commissioner Meinert and seconded by Commissioner Padgett to approve and authorize the Chair's signature on a Colorado Department of Public Health and Environment Immunization Program Amendment 35 Immunization Funds for Local Health Agency Statement of Work as presented.  
*Discussion.*

*Commissioner Padgett referred to the office visit fee and asked if Ouray County was the only contractor under the grant or if it included other medical providers in the area. Roberts explained that Mountain Medical funds came directly from the State and did not affect the County. She audits the facility and receives \$400 for that.*

*Roberts explained that Public Health charged the cost of goods and time and a typical fee was \$15 topping out at 3 vaccinations. She may suggest increasing the fees to \$20 after looking at what the surrounding counties charged. She clarified that the County did not oversee Mountain Medical's charges for office visit fees.*

*With no further discussion, the motion passed unanimously.*

Roberts advised the Commissioners that Charlotte Patterson implemented the program and she was the backup. It was set up as a clinic and appointments were encouraged. Other special clinics that Public Health scheduled were a back to school clinic, a flu clinic, and an adult immunization clinic a couple of times a year.

Roberts provided an update on the H1N1 flu. The numbers were getting fairly large and the death rate was up. Her department was working hard to prepare for when the vaccines arrived and are comfortable in that process. The downside was that Public Health would end up doing two different immunization clinics: a bundle of immunization clinics for the first influenza and then the same scenario for the H1N1. To a question by Commissioner Padgett she explained that the antibacterial dispensers were effective and that children needed to moisturize their hands after use.

Other projects included:

- Roberts advised the Board that she was working on a project to get all of the emergency plans up to the certified level.
- A nurse was coming in from New Mexico to do a massage class for infants from 0 to 5 years of age.
- The tobacco grant coordinator out of Durango would be here to talk about the annual plan.
- The Delta Force would be working on the Public Health building.
- PRS was due on the 9<sup>th</sup>.
- The local health care initiative through the Telluride Foundation and Colorado Trust was doing good things with dental services and transportation services and a navigator position. Part of the initiative was to do public education. There would be a lecture on August 19 on obesity.
- She was working on a project for a volunteer fair to support and acknowledge volunteers in the county and to sign them up for clinics.

**11:49 Commissioner Albritton recessed for lunch and reconvened at 1:30:**

**G. 1:30 Emergency Medical Services (EMS) Presentation:**

Norm Rooker, Chief Paramedic, reported that the call volume was down 9.5% from the previous year but the transport rate was way up. He provided a list of grants that were in process and would be starting application processes for in the near future.

In 2006, at the end of the fiscal year, he and his Staff spent 3.5 days storyboarding what EMS needed to do, identifying problems, and developing potential solutions of how to get there. They developed a strategic plan that they updated every year. He discussed a concept for a building for EMS comprised initially of three double bays, office facilities downstairs, a Sheriff substation downstairs with a single bathroom, upstairs two bathrooms with shower facilities and a very small bunkroom since some of the volunteers do not live within five minutes of the ambulance station, and a training facility.

Rooker provided a PowerPoint presentation on the EMS services.

**I. 2:30 The Board of County Commissioners convened as the Board of Equalization to consider the following property valuation appeals:**

1. **Property Owner: Gisela G. White**  
Schedule Number: R002758  
(This hearing was continued from July 30, 2009)

[See separate page for minutes from the Board of Equalization hearing for the White Appeal from July 30, 2009 that had been continued to August 3, 2009]

**2:56 The Board of Equalization reconvened as the Board of County Commissioners:**

**H. 2:56 Administrative / Commissioner Reports:**

**Mary Deganhart**, County Attorney, discussed the following:

- 1) **Verizon Ranch** She provided a copy of a letter to Paul Sunderland on the Verizon Ranch.
- 2) **Potter Ranch** She distributed copies of her response on the Potter Ranch.
- 3) **Section 30 Work Session** She wanted the Board to ponder taking some sort of action on the draft on Section 30. Commissioner Albritton asked to see it. If it was dramatically divergent from what the Commissioners set out on it would help to make a decision on that draft.
- 4) **Section 23** The next priority in the schedule for Staff was Section 23. Commissioner Albritton asked about working with the engineers. Deganhart envisioned a very specific task to the engineers of new standards on gravel and chip seal roads, to look at existing standards for modifications, and other parts of the section that were more engineering and practical, or overlooked. A discussion followed. Deganhart suggested that once it was ready to go to Planning Commission, the engineers be invited to attend and there be a PowerPoint presentation. Commissioner Padgett suggested having another town hall meeting. Commissioner Albritton wanted to lay as much groundwork as possible before going to the engineers.
- 5) **August 10 meeting with the Planning Commission** She asked if the Commissioners had any ideas for materials other than what she sent them. A discussion followed as to what should be presented at the meeting and how. There was a discussion of conflicts of interest, roles, etc. The Commissioners discussed process. They discussed having an introductory meeting before presenting legislative issues and going around the table disclosing any real or perceived conflicts of interest. Commissioner Padgett brought up the nuances of what conflicts of interest would mean. Commissioner Meinert suggested having a discussion with the Planning Commission about what they thought about conflicts of interest. More discussion was had on the need to discuss ethics and conflicts of interest at the August 10 meeting. The Commissioners could divide up parts of the meeting so that not just one would be heading it up. There should be a unified expression of concern.
- 6) **IECC** This was supposed to have gone into effect on August 1, 2009 but the Board agreed to put it off until October 1, 2009.

**Connie Hunt**, County Administrator, discussed the following:

- 1) **Tech/Website group** She heard back from only two employees regarding an email she sent to everyone on the formation of a group to redesign the website. Other members of the group would include Linda Munson-Haley, Commissioner Padgett and Michael Elden.
- 2) **ESCO** She worked all day Friday on ESCO information and she would schedule it for next Monday.
- 3) **Lease Purchase** She received the documents for a Sheriff's vehicle from the bank and they needed some tweaking.

**Commissioner Padgett** discussed the following:

- 1) **Water Swap** She had been working on getting together a water swap, a focus group to discuss all areas of water rights in the county and the region. Everyone that she had talked to was excited. She thought it could run three-fourths of a day and was looking at October 23.
- 2) **Alpine strategies** She talked with Deganhart and Castrodale about an alpine planning strategies forum with site visits. She thought about bringing in experts from neighboring counties to do some presentations. The Mountain Studies Institute was interested in engaging Ouray County and helping to put on a forum. She suggested October 1. Commissioner Albritton would be gone.

**Commissioner Meinert** discussed the following:

- 1) **Jennings as TCWCD Rep** He discussed a letter of support for John Jennings to represent Ouray County on the Tri-County Water Conservancy District's Board of Directors.
- 2) **CCI Western District Meeting** The meeting was scheduled for Friday, August 7, from 8 a.m. to 5 p.m., at the Bridges. The Western District was comprised of Ouray County, San Miguel County, Montrose County and Delta County.

**Commissioner Albritton** had nothing to discuss:

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

**4:02 Commissioner Albritton adjourned the regular session:**

OURAY COUNTY BOARD OF COUNTY COMMISSIONERS  
OURAY, COLORADO

ATTEST:

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Heidi M. Albritton, Chair

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K. Keith Meinert, Vice-Chair

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

\_\_\_\_\_  
Lynn M. Padgett, Commission Member