

Minutes

**Ouray County Board of County Commissioners
Public Hearing – High Country Regulations and Development
September 13, 2016 6:00-9:00PM
Ouray Community Center, 320 6th Ave., Ouray, Colorado**

The Board of County Commissioners met in public hearing on September 13, 2016. Those present for the session were Lynn M. Padgett, Chair; Ben Tisdell, Vice-Chair; Don Batchelder, Member; Connie Hunt, County Administrator; Marti Whitmore, County Attorney; Hannah Hollenbeck, Deputy Clerk of the Board; Mark Castrodale, Planning Director; and Bryan Sampson, Associate Planner.

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

6:09 Public Hearing – High Country Regulations and Development:

The purpose of this hearing was to review a recommendation from the Planning Commission to adopt a new section of the Land Use Code regarding high alpine residential development on patented mining claims and mill sites in the high country. In conjunction with these recommendations, the Board of County Commissioners also reviewed possible related changes to Sections 2, 3, and 13 of the Land Use Code.

Commissioner Padgett opened the public hearing and entered into the record *"High Country Development Regulations: Planning Commission Recommendation to the Board of County Commissioners – Land Use Staff Report"* and *"Public Comment received up to September 12, 2016 at 5pm."*

Commissioner Padgett explained the process and read the purpose of the hearing.

Castrodale began the staff presentation. He explained that staff and the Planning Commission attempted to answer the questions presented by the Board through Resolution 2016-018. He said that staff was able to develop a draft section of code pertaining to mining claims and mill sites above 9,480 feet. If the draft section of Code was adopted, staff had no concerns about immediate implementation. Castrodale said that the Planning Commission had created a document highlighting issues that the Planning Commission did not have the chance to address, given the time restrictions. He asked Randy Parker, Planning Commission Chair to present the report.

Parker said that Planning Commission developed the report because they felt that the time frame rushed the process and that there were remaining things to be addressed. He said that the Board's moratorium specifically directed the Planning Commission to review mill sites and mining claims above 9,500 feet; however, there was no map that clearly identified topography at that specific elevation. The Planning Commission recommended reducing the elevation to 9,840 feet. In addition, Planning Commission was asked to look at prohibiting structures above 11,000 feet; neither the San Juan County Code nor the San Miguel County Code referenced 11,000 feet in their definition of "tundra." The Planning Commission was asking the Board of County Commissioners to direct staff to develop a map of tundra in the County. The final request of the Planning Commission was the minimum acreage of 5 acres. He said that the Board specifically asked the Planning Commission to look at other jurisdiction's Codes and if they set any minimum on acreage for building. The San Juan County Code had a limitation of 1 building for 5 acres. Parker explained the Planning Commission process.

Commissioner Padgett opened the hearing for public comment.

Rob Ashmead, 64 Pinon Road East, Ridgway, read a short anecdote. He said that a very small portion of people would benefit from development in the Alpine Zone. He said that permitting structures in the Alpine Zone would diminish the irreplaceable resources of the pristine alpine areas.

Al Lowande, 1523 Juniper Road North, Ridgway, thought that most of the proposal was good; however it was hard to imagine that a building on 5 acres wouldn't impact the view corridors. Lowande said that a number of Planning Commissioners felt required to include the 5 acre minimum. Lowande said that the Commissioners received a letter and petition with 600 signatories that were dissatisfied with the lot size minimum. Lowande said that the Commissioners had an obligation to protect the high alpine areas.

Randy Gregory, 366 Meadow Lane, Ridgway, stated that he had been selling real estate for 27 years and he repeatedly received questions regarding what the high alpine area was going to look like in the future. He urged the Commissioners to do the right thing.

Sue Hillhouse, 43 Piedmont Drive, Ridgway, supported the idea of expanding the 5 acre minimum. She said that 5 acre minimum was better suited for suburban development. She did not think that that kind of development belonged in the alpine areas. She thought the 35 acres per 1 dwelling structure was even too small.

Kelly Ryan, 345 North Lena, Ridgway, asked why the Alpine Zone would be exempt from the 35 acres for 1 dwelling unit that applied to the rest of the County. She thought the minimum acreage should be 35 acres or more for the delicate areas of the County. She was also concerned about ski access in the winter. She said that the argument that the County would have a taxable resource if there were residences constructed in the high country was tangible; however, the argument for sustained tourism tax dollars was more persuasive. Ryan explained that she operated the San Juan Hut System, and that all parties benefited from the tourism dollars spent in the County. She said that the huts were 16 feet by 16 feet. She encouraged the Board to reconsider the 2,350 square foot limitation for something smaller. Ryan was also concerned about the potential for the construction of additional roads.

Sue Husch, 169 Ridgway Hills Drive, Ridgway, explained that she always liked looking at the historical map in the County Courthouse that depicted mining claims in the San Juan Triangle. She said that the map showed overlapping claims that was sometimes confusing and daunting. She said the claims had historically been bought and sold as mining claims, for the purpose of mining, not for real estate speculation or residential development. She said that the Board had one chance to keep wild areas wild. Husch said that if the Board had to allow some development in the alpine areas, to retain the 1 dwelling for 35 acre minimum that was the requirement for the rest of the County.

Laszlo Kubinyi, 312 Whispering Pines Drive, Ouray said that he lived in a home that was less than 1,000 square feet. He was appalled about the 5 acres and 2,500 square feet minimums. He was wary that the residences would be turned into short term rentals with renters bringing in ATVs and large groups. He urged the Board to reconsider the proposal. He did not think 2,500 square foot homes belonged in the Alpine Zone.

Anne Poe, Ouray, explained that she spent her summers living in a fifth wheel in Ouray. Poe and her husband had authored a popular hiking guide about the area. She was wary of the impacts to the alpine area as a result of development.

Daniel Zokaites, 345 North Lena, Ridgway, said that he had been a professional mountain guide for 10 years; he said his livelihood was based on the alpine areas. He agreed with the other commenters. He said that he wanted to live in Ouray County because of the access it afforded. He said that the 35 acres per 1 dwelling unit should be the minimum. He encouraged the Board to look at the distance between dwelling units as well.

Liza Clark, 8 Lynx Road, Ridgway, said that the current Land Use Code regulations had done much good for Ouray County because open valleys and vistas were preserved. She thought that the 5 acre minimum was too small, particularly given the other County regulations.

Olaf Rasmussen, 374 Promontories Drive, Ridgway, said that the alpine areas were Ouray County's biggest asset and that it should not be cluttered by development. He encouraged the Board to make the acreage minimum at least 35 acres. Rasmussen thought that providing services to the areas would be a significant impact on County resources.

Barry Doyle, 1565 Canyon Drive, Ridgway, thought it was apt to mention that the National Parks System was celebrating its 100th anniversary. He was aware the alpine areas of Ouray County was not a national park, however they were close. He said that the Board had the opportunity to exercise courage in their decisions. He urged the Board to be mindful of the impacts.

Austin Ray, 100 Willow Lane, Ridgway, said that regardless of the way the Commissioners voted, they would alienate someone. He thought the intent was simple: to preserve the beauty of the alpine areas. Ray said that the 1 residence per 35 acre provision should apply.

Sara Coulter, 142 Canyon Drive, Ridgway, said that mining claims should have never been used for residential housing. She said that allowing 1 dwelling unit per 5 acres would create a new high-density zone that enabled, and even incentivized, development in the Alpine Zone. Coulter favored a solution that retained a mining claim owner's ability to mine on the parcel, but any residential construction had to conform to the existing requirements of non-mining construction, and the 1 unit per 35 acres provision.

Laurie Shannon, 1189 Canyon Drive, Ridgway, agreed about the previous comments regarding the 5 acre parcel size. Shannon agreed that the 35 acres per 1 residence provision should be retained. She said that the visual impact of 1 residence per 5 acres would be significant. Shannon said that the Board should prohibit building on tundra, and that a 2,500 square foot home was very large.

Marti O'Leary, 182 Juniper Road South, Ridgway, agreed with previous comments. She said that 1 dwelling unit per 5 acres would be disastrous.

Nathan Disser, 1919 Elkhorn Drive, Ouray, thought that the current regulations created an adversarial relationship between the users and the owners. Disser said that hikers and skiers routinely passed through privately owned mining claims. He didn't think the proposed Code section took into account skier's access like it did for preserving hiking trails and existing roads. He thought there was many problems with the draft as proposed.

Commissioner Padgett asked Disser how he would propose to fix the conflicts between user groups within the Land Use Code. Disser thought that by allowing for more flexibility in the size of the structure. He also mentioned that there was no option in the Alpine Zone to facilitate commercial uses, like hut systems.

Frank Baumgartner, Denver, explained that he was a land owner of many mining claims on Red Mountain #3. He said that he had been a taxpayer on those claims for 60 years. He was amazed that so many people showed up to tell him what he could, and could not do on his properties. Baumgartner planned to continue to abide the 1872 Mining Law, which did not restrict what could be done on privately owned mining claims. He disagreed with the sentiment that mining claims had never been used for residential purposes; Baumgartner claimed that many owners built small cabins on their claims. He did not think there should be a minimum parcel size for development. Baumgartner threatened to restrict recreationalist access through his claims if the regulations persisted.

Kathryn Kubinyi, 312 Whispering Pines Drive, Ouray, hoped that the Board could determine that they had a responsibility to preserve the Alpine Zone. She thought that any form of building would be destructive to the ecosystem. She was against the current form of the draft Code as she was concerned about the potential for damage. Kubinyi urged the Board to keep the area undisturbed so the natural beauty was preserved.

Kathy Campbell, 1458 County Road 17, Ouray, asked the Board to deliberate on the issue of preserving lands. She said that if the land and resources were sacrificed, they would never be regained. She said that the majority of citizens thought that the highest use of the land was to remain undeveloped.

Jen Parker, speaking on behalf of the Ridgway Ouray Community Council (ROCC), Keep OURay Wild, and the Red Mountain Club, said that the draft was good, but that it did not go far enough. She mentioned specifically the dissatisfaction regarding the 5 acre parcel size minimum. She mentioned that approximately 600 people had signed a petition urging the Board to consider the strongest possible regulations to protect the alpine areas. Parker said that ROCC's attorney had indicated that the regulations could be more protective.

Priscilla Peters, 196 South Laura, Ridgway, encouraged the Board to increase the acreage minimum to 35 acres. Additionally, she requested that the Board strengthen the definition of tundra. Peters further requested that the Board consider reducing the building size to 1,750 square feet.

Rozanne Evans, 1523 Juniper Road North, Ridgway, did not think the recommendation to allow building on 5 acre parcels accomplished the purpose and intent of establishing regulations. Evans said that upholding the 35 acres per 1 dwelling unit regulation would support the "keep it simple" provision. Evans said that many mining claims owners could easily create 35 acre parcels; she thought the number was well over 60%. Evans thought the impacts of unchecked or poorly planned development in the Alpine Zone could be disastrous.

Mark Luppenlatz, 3416 Main Avenue, Durango, said that he owned a dozen claims on Red Mountain; he also said that he was an avid backcountry skier. His vision for his claims was to construct three or four cabins on his twelve claims. He said that each claim was 20 acres. He shared the opinion that there would be disastrous consequences if there was one cabin per mining claim. Luppenlatz distributed a photo depicting a 3,200 square foot residence hidden within the trees that was being constructed on his mining claim. Luppenlatz thought that the proposed regulations provided incentives for owners to build a cabin on every claim. He thought allowing such regulations would lead to tragedy and unintended consequences.

Sharon Case, 545 Ridge Road, Montrose, read the position statement of the Ridgway Ouray Community Council (ROCC).

Dudley Case, 545 Ridge Road, Montrose, read Section 1.1(A) of the Ouray County Land Use Code. He said that only one single-family residence per 35 acres was currently allowed in the Alpine Zone. He asked why the Board would even entertain changing the provision for the Alpine Zone. Case said there was no reason why the mining claims and mill sites should be exempt from the provision. Case said that changing the lot size minimum from 35 acres to 5 acres bordered on arbitrary and capricious. Case said that the Board should be focused on adding provisions of the Land Use Code that allowed land to be easily consolidated, or development rights to be transferred in the Alpine Zone.

Cindy Obrand, Ridgway, said that allowing 1 dwelling unit per 5 acres would result in suburbia in the Alpine Zone. She did not think the high alpine areas should be developed. She agreed with the 1 single family residence per 35 acres change.

Ralph Tingey, 505 Marion Overlook, Ridgway, used Grand Teton National Park as an example for the importance of maintaining pristine mountain areas and the tangible value it could have on a community. He said that keeping the alpine areas free of development was paramount to the legacy of the County.

Roland McCook, 127 6675 Road, Montrose, member of the Uncompahgre Ute Tribe, said that the remnants of mining impacts were still obvious in the mountains. He strongly opposed any further development, particularly mining development, in the mountains. He said that the San Juan Mountains were the last of the pristine mountains.

Matt Wade, 354 Escalante Circle, Ridgway, was in favor of strong regulations in the Alpine Zone. Wade said that he owned Peak Mountain Guides and that his business was dependent on the areas in the Alpine Zone. He encouraged the Board to prohibit building in the tundra, and limiting square footage of structures to 500 square feet. He further urged the Board to reconsider the 5 acre minimum.

Kate Kellogg, 3401 Ponderosa Drive, Ridgway, advocated for 1 dwelling per 35 acres, with no building in the tundra.

Joshua Mack, representing Red Mountain Backcountry Lodge, said that the difference between private and public land had been ignored in all of the testimony. He said that the Fifth Amendment prohibited the taking of any personal property without compensation. Mack said that, in most cases, mining was not a viable use of the claims. He said that an absolute ban of development on privately owned mining claims would be considered unconstitutional.

Howard Greene, 724 County Road 12A, Ridgway, said that Ouray County had the discretion and authority to enact regulations pertaining to development. He pointed out that the mining claims were created for mining purposes, not for speculation. The Mining Law of 1872 protected an owner's right to mine. Greene said the Board had the authority and an obligation to protect the sensitive alpine area. He encouraged the Board to protect the tundra with a total ban on construction, increase the acreage minimum and decrease the permitted dwelling size.

Thomas Emilson, 795 Sabeta Drive, Ridgway, said that Ouray County was experiencing development pressures. He encouraged the Board to optimize the management by enacting restrictions like adjacent counties had. He discouraged development above treeline, and in the tundra. He favored the retention of the minimum lot size of 35 acres, and limiting square footage to 1,000 feet. He said that the measures would help minimize erosion, and preserve access to alpine areas.

Keith Garvey said that he was a professional mountain guide and spent time in Ouray County in the winter. He was concerned about the smaller mining claims and unchecked development. He said the impacts on visual corridors would be irreparable; Garvey was concerned about the impacts on tourism as well as restricted access through mining claims as the result of development. He encouraged the Board to consider limiting size to 35 acres per one single family residence.

Ulli Sir Jesse, 520 South Amelia Street, Ridgway, felt that there should be no development in the Alpine Zone; if there had to be development; she thought it should retain the 35 acres per 1 dwelling unit restriction.

Jeanne Casolari, 795 Tabernash Drive, Ridgway, encouraged the Board to protect the alpine areas from development; she favored changing the parcel size to 35 acres, and instituting strict limits on sizes of dwelling units.

Anthony Gegauff, 615 Terrace Drive, Ridgway, cited Lloyd's Pamphlet and cautioned the Board about the overuse of a common resource. He said that if the Board decided to approve the proposed Code section, it would be a determinant to all.

Richard Niemeier, 2220 Ponderosa Drive, Ridgway, supported the ban of development in the tundra. He also encouraged the Board to strengthen the definition of the term.

Averill Doering, 691 County Road 17, Ouray, echoed previous commenters. She supported the increase of parcel size to 35 acres, and the decrease in dwelling size to 1,000 square feet. She said that the value of the high alpine areas was immeasurable. She thought that the best and highest use of the land was to remain undeveloped. If development was to be allowed, she encouraged the development of a sustainable hut system.

Eve Becker-Doyle agreed with previous commenters regarding parcel and dwelling size. She supported the recommendations of ROCC.

Peter Decker, 6748 Highway 62, wanted to know who proposed changes to the existing regulations. He questioned who the proponents were.

Dan Chehayl, 210 4th Avenue, Ouray agreed with previous statements.

Ellen Hunter agreed with previous commenters. She understood how difficult it was to make non-conforming lots into bigger lots. Hunter thought that regulations were important.

Andrew Klotz, Durango, thought that there had been lots of vivid imagery about the San Juans being cluttered with houses; he said that the postulated development was provocative, but was not accurate. He did not think that many people wanted to develop their mining claims. Klotz was in favor of regulations, but felt like rationality was absent from the discussion. He said that mining claims constituted 1-2% of the land in Ouray County and that development had been grossly dramatized.

Bruce Erickson, 751 Hyde Street, Ridgway, agreed with the 1 dwelling unit per 35 acre minimum, and no building in the tundra. He was also concerned about plowing, and the potential creation of roads in the Alpine Zone. He did not think that plowing should be allowed in the area.

Anthony Ramsey, 41 Oak Road, Ridgway, said that the Ouray County view corridor should not be for sale, and that County officials should not compromise on the standards. Ramsey said that it would be heartbreaking to consider allowing 1 dwelling unit per 5 acres. He encouraged the Board to raise the bar in setting regulations.

Barb Parrish supported Ramsey's statements. She disagreed with Klotz's statement that the impacts were overdramatized.

Patsy Miller, 374 Promontories Drive, Ridgway, understood that the Board had an obligation to protect the County from lawsuits, but encouraged the Board to consider changing the minimum acreage to 35 acres. Miller said that the Board received a letter from ROCC's attorney that repudiated the case law cited by other lawyers.

Commissioner Padgett closed the public comment portion of the hearing.

Commissioner Padgett reminded the Board that the County Attorney had offered to hold an executive session for the purpose of receiving legal advice.

Commissioner Batchelder asked about the purpose and intent of Section 24.3(D)(3)(B). He asked if the word "*enacting*" could be added to clarify those applicants needed not only to propose measures that preserved public trails and roads but enact them. The Board agreed.

Next, Commissioner Batchelder addressed Section 24.3(G)(2). He said that the provisions of Section 9.3(D) – Visual Impact Regulations applied to all structures, whether it was in a view corridor or not. Commissioner Batchelder said that, when referring to Section 9, an additional section should be added that notified that Section 9.3(D) applied to all structures.

Commissioner Batchelder was concerned that Section 24.3(H)(1) could potentially prohibit the County from improving roads in the Alpine Zone, under any circumstances. He did not think that was the intent of the proposed section.

Commissioner Batchelder thought that Section 24.3(K)(2) had a potential loophole concerning generators. He said that when listing the types of generators the scope needed to be broad, particularly if there were going to be restrictions on the type of generators used in order to mitigate the possibility for a loophole.

Commissioner Tisdel asked how the recommendation of 5 acres per 1 single family residence came about. Parker explained that it was the only minimum acreage set forth in either the San Juan or San Miguel County Codes. Parker said that San Miguel did not have a clear minimum, but that San Juan County's Code set forth a 5 acre minimum. Per specific Board direction, the Planning Commission included the 5 acreage minimum. Parker added that the Planning Commission specifically did not include propane generators from being housed in a structure, as it would have been a violation of building code. Commissioner Batchelder said that later in the proposed Code section, it required generators to be "otherwise screened." Parker confirmed this was meant to pertain to propane generators. Parker suggested that something could be added to the section to clarify the intent.

Commissioner Tisdel said that the average mining parcel size was 7.35 acres. He said if the Board was to amend the lot size minimum, the owner of the parcels would have to cobble together multiple mining parcels through the lot line adjustment process to achieve the acreage minimum. Castrodale confirmed this would be the case.

Commissioner Tisdel said that the Board had been very clear that the regulations would not affect mining and that it's use would still be permitted. He said that the Board had received some comments that were concerned about the possibility for faux-mining activities in order to get around the regulations. He asked if Section 24.2(A) could be changed to state "*Any residential structures associated within state-permitted active mine operation for which a mine has been permitted.*" Castrodale thought it may be difficult to enforce. He asked what would happen to an associated dwelling unit if a mine became inactive. Commissioner Padgett thought that the Building Inspector would consider the change as a change in the use of a building.

Commissioner Tisdel asked about the intent of Section 24.3(1)(2), which prohibited parking in the County Road right-of-way. He thought that the intent was to prohibit parking for the benefit of the structure, not to prohibit all parking in the right-of-way, specifically for the use by recreational day users. He thought that the permitted structure should have adequate parking that did not impact the right-of-way. Commissioner Batchelder thought the clarification made sense.

Commissioner Tisdel said that the Board had received comments regarding the potential development of a hut system. He thought there were good examples in other jurisdictions. He asked if the proposed regulations allowed for the development of a hut system. Castrodale said that they did not; a hut system was not a use allowed by special use permit. Castrodale said that there was a commercial outdoor recreation day use allowed by special use permit; however that use specifically precluded a structure. The change would require an amendment to the zoning to define a ski hut and allow its use.

Commissioner Batchelder clarified an early comment by Commissioner Tisdel; he said that underground mining was currently allowed as a use-by-right in the Alpine Zone, as were associated accessory dwellings and structures. Commissioner Batchelder said that if someone was to begin a permitted mining operation and requested a residence as an accessory structure for the mine, the County would have no grounds to deny the request. He said that Commissioner Tisdel had a point that if the County was going to preclude mining from a set of regulations, active mining operations would have to be clearly defined and actually occurring. Commissioner Padgett asked if it could be rectified by considering mining buildings as mining buildings, and residential mining buildings as residential buildings that would be exempted from the proposed regulations on the point that there was an active state mining permit for the parcel. Commissioner Batchelder said that staff would be forced to reconsider the buildings as simply residential if the mining permit was ever inactive. Commissioner Tisdel did not think the fear was significant enough to stop consideration of the draft.

Commissioner Tisdel stated that he was happy with the proposed draft as a good first step. He said that, with the luxury of additional time, the Board could examine the Planning Commission's additional questions. Commissioner Padgett asked if the Board was capable of finding answers before the moratorium on development in the Alpine Zone expired. Commissioner Tisdel said that he had questions, but they were not significant enough to not enact the draft as proposed, or without possible increases to parcel size.

Commissioner Padgett thought there were some glaring unsolved questions, notwithstanding the points that the Planning Commission asked the Board to deliberate. Commissioner Padgett said that there were three things that stood out as potential issues: first, minimum parcel size; second, maximum dwelling size; and third, definition of tundra. Commissioner Padgett said that the proposed Code was already deviating from what was already a minimum parcel size for the Alpine Zone, which was the 1 unit per 35 acres minimum. The change to 5 acres was not only deviating from the current Code, but was a deviation from the underlying zone density already present in the Alpine Zone. She asked if there was a way the provisions could be flexible in not requiring that someone had 35 acres of adjacent contiguous mining claims, but reserved other possibilities.

Commissioner Batchelder said that, under the currently regulations, approximately 30-40% of the mining claims could not be built on due to geological hazards and other factors. He stipulated that the proposed regulations would decrease density due to increased lot sizes; in addition, expanded property rights would be given to owners that previously could not build on their mining claims. He thought Commissioner Padgett's suggestion of flexibility and potentially retiring building rights on other claims was viable, but it warranted additional discussion.

Commissioner Padgett asked if the parcel size could be easily changed from 5 acres to 35 acres. Castrodale said Section 4.6(A) would conflict with the proposed section; the Code stated that all legal-non conforming lots could be built upon, and that all structures were required to meet applicable sections of

the Code. Commissioner Padgett clarified that mining claims above 9,480 feet that were legal non-conforming lots would not be subject to the provision in the proposed draft. Commissioner Padgett still wanted to respect the underlying zoning of the Alpine Zone. She said that the amendment would simply replace any reference to 5 acres with 35 acres. Commissioner Batchelder was not opposed to Commissioner Padgett's proposal, but pointed out that it would give rights to property owners that did not exist currently. The overall effect would be decreasing the density. Commissioner Batchelder said that he wanted to obtain legal advice before making a decision to change 5 acres to 35 acres.

Commissioner Padgett addressed the request to strengthen the definition of "tundra." She said that it could be clarified to include various concepts that scattered, stunted trees less than 20 feet in height and willow shrub land were still apart of tundra. Additionally, she was concerned about plowing and roads. She thought that the proposed draft allowed driveways in the tundra. Commissioner Padgett wanted to prohibit the development of driveways, roads, or plowing in the tundra in order to mitigate erosion and damage to the watershed.

Castrodale noted that the number of mining claims that were 35 acres or greater in size was one.

Commissioner Padgett brought up the dwelling size maximum. She asked if it was appropriate that part-time cabins and houses be larger than most full-time single-family dwellings. She asked if 2,500 square feet was generous for cabins in the Alpine Zone.

After a brief discussion regarding continuing the hearing, the Board elected to continue deliberation at a later hearing. The Board would convene into an executive session before the continued hearing.

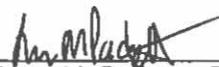
M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to continue the Public Hearing to September 22, 2016 at 5:00PM at a location to be determined. The Board would convene into an executive session at 4:30 during a Special Meeting. The motion carried unanimously.

After the motion carried, the Board clarified that no additional public comment would be taken at the continued Public Hearing. The purpose of the hearing was for Commissioner deliberation and decision.

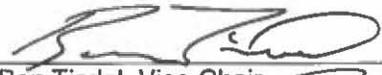
8:42 The Board continued the Public Hearing to September 22, 2016 at 5:00PM:

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:



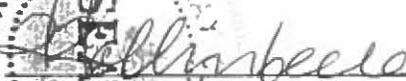
Lynn M. Padgett, Chair



Ben Tisdel, Vice-Chair



Don Batchelder, Commissioner

Michelle Nauger, Clerk and Recorder
By: Hannah Hollenbeck, Deputy Clerk of the Board