

The Board of County Commissioners met in regular session on August 9, 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; and Hannah Hollenbeck, Deputy Clerk of the Board.

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

A. 5:04 PM 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.

There were no Call to the Public items.

C. 5:05 The Board of County Commissioners convened as the Board of Health to consider the following items:

- 1. Request for approval and authorization of Chair's signature on Intergovernmental Agreement (IGA) for School Health Services with Ouray Schools and on its Fiscal Impact Form:**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdell to approve and authorize Chair's signature on Intergovernmental Agreement (IGA) for School Health Services with Ouray Schools and on its Fiscal Impact Form. The motion carried unanimously.

D. 5:06 General Business:

- 1. Request for approval of warrants:**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Batchelder to approve the warrants as presented. The motion carried unanimously.

- 2. Request for approval and authorization of Chair's signature on Grant Contract with Colorado Department of Public Health and Environment Health Facilities and Emergency Medical Services Division for EMS personnel and communications equipment: (ratification)**

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Batchelder to ratify approval and authorization of Chair's signature on Grant Contract with Colorado Department of Public Health and Environment Health Facilities and Emergency Medical Services Division for EMS personnel and communications equipment. The motion carried unanimously.

- 3. Request for adoption of Resolution 2016-042 Approving an Application of a Marijuana Cultivation License Renewal and an Application to Transfer Ownership to Golden Eagle Nurseries, LLC: (This application was approved by the Board on August 2, 2016.)**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdell to adopt Resolution 2016-042 Approving an Application of a Marijuana Cultivation License Renewal and Application to Transfer Ownership to Golden Eagle Nurseries, LLC. The motion carried unanimously.

- 4. Request for approval and authorization of Chair's signature on Form 8038-G for the Governmental Lease Purchase previously approved by the Board on July 5, 2016 via Resolution 2016-035:**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdell to approve and authorize Chair's signature on Form 8038-G for the Governmental Lease Purchase previously approved by the Board on July 5, 2016 via Resolution 2016-035. The motion carried unanimously.

E. 5:09 Commissioner/Administrative Reports:

Marti Whitmore, County Attorney, discussed the following:

- 1) Ouray County Water Study Report** – Whitmore said that the final report for the Ouray County Water Study Report had been released. She expected to host a public meeting to present the report.
- 2) Colorado River District Budget Meeting** – Whitmore reported that the budget meeting would be held September 15th at the Ouray County 4-H Event Center.

Hannah Hollenbeck, Deputy Clerk of the Board, discussed the following:

- 1) High Country Development and Regulations** – Commissioner Padgett requested that the High Country Development and Regulations Public Hearing be rescheduled from August 31st to September 13th. The Board agreed.

Connie Hunt, County Administrator, discussed the following:

- 1) **Road and Bridge Emergency Projects** – Hunt reported that Road and Bridge crews worked to mitigate three mudslides during the heavy rain events the previous week. She said all areas were passable and that crews planned to do additional work on one particular area. She said that the Road and Bridge Superintendent had been working on a reply email from a citizen regarding Corbett Creek.
- 2) **Tri Agency Dinner** – Hunt said that the Dinner and meeting had been scheduled for October 13th. She said meeting topics would include a short update on economic development goals and the Ouray County Housing Authority IGA.
- 3) **Ouray Silver Mine (OSM) / United States Forest Service (USFS) Presentation** – Hunt explained that OSM would be providing a status update on operations; the USFS, the County and OSM would meet immediately after to discuss the proposed shuttle service idea.
- 4) **BLM Redistricting of San Juan County** – Hunt said that San Juan, San Miguel, Hinsdale and Ouray Counties were set to hold a conference call regarding the proposed redistricting of San Juan County. She clarified that the group would also briefly discuss the Alpine Loop.

Commissioner Tisdell discussed the following:

- 1) **Updates** - Commissioner Tisdell reported that he had attended the San Juan Mining and Reclamation Conference in Durango the week prior; Commissioner Tisdell said that he had received some comments from the CCI 360 Review Survey; Commissioner Tisdell reported that construction would commence on the Skyrocket culvert in the City of Ouray.

Commissioner Padgett discussed the following:

- 1) **Gunnison Sage-Grouse Rangewide Plan** - Commissioner Padgett said that the County needed to pressure the BLM to extend the comment period in order to allow for adequate time for review.

B. 5:37 Top of the Pines (TOP) Presentation of Annual Report and Budget:

Geoff Tischbein, Patsy Young, Brad Wallis, and Kelvin Kent, TOP Board members, were present; Ron Mabry, Weed Manager was also present.

Tischbein presented the report. He highlighted TOP's new mission statement and new direction. He updated the Board on the projects completed in 2016, including the warming hut and the repair of the water pump. Tischbein said that TOP was working to implement the ropes course, but had run into some issues digging anchors. Kent said that the post holes were dug, and no trees would be affected.

Tischbein continued to say that TOP was hoping to develop a perimeter trail in order to expand the property's uses. TOP had obtained preliminary approval from Hunt to begin flagging and mapping out the trail. Tischbein said that TOP was also looking at developing a single-track bike trail. The trail would be marketed towards beginners and families, so to not compete with the Ridgway Area Trails.

Tischbein requested \$9,000 from the County in order to help to extend the water and electrical lines in 2017. He explained that the water line would need to be dug about 500 feet in order to implement a shower and spigot at the campground. He asked if the County would be willing to contribute some in-kind costs by helping to dig the trenches. He said that the electrical line needed to be extended in order to provide electricity to the warming hut and pavilion.

Tischbein added that TOP was also requesting some Road and Bridge work on Pavilion and Highland Drives. He said the road was fraught with potholes and it was nearly impassable in a low clearance vehicle. Commissioner Batchelder said that he was hesitant to authorize additional work, but, if crews were already up in the area and it was possible to combine the work with another project, it could be done. The Board agreed to authorize a Road and Bridge crew member to assess the situation, if they were already in the area, to determine what work needed to be done.

Tischbein said that the original management agreement between TOP, the County and the Bureau of Land Management (BLM) limited use of the property to wintertime use. He said that the property was seeing increased summertime use. He said that the use did not fall in line with the existing agreed upon terms. Commissioner Padgett said that she didn't see a difference between summer and winter recreational use. She wanted to obtain an opinion from the BLM, and wanted to extend the individual and family use from winter to summer use. Commissioner Padgett was wary that starting the conversation about summer use of the property may jeopardize the current uses of the property.

The Board agreed to authorize Hunt to causally reach out to the BLM to investigate the possibility of extending the uses on TOP. Commissioner Padgett also asked if the BLM would determine that pass holders constituted a "group use." The Board further authorized Whitmore to examine the 2002 Management Agreement to determine what possibilities existed for TOP to collect use fees and memberships for individual and family uses. The Board authorized Mabry to walk the proposed perimeter trail to ensure proper placement. The Board also authorized Whitmore to review the TOP fee schedule and forward it to the BLM for approval. The Board recognized TOP's request for monetary and in-kind contributions, and would consider them during the County's budget development.

6:57 The Board adjourned the regular session.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:



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

Lynn M. Padgett

Lynn M. Padgett, Chair

Ben Tisdell

Ben Tisdell, Vice-Chair

Don Batchelder

Don Batchelder, Commissioner