

The Board of County Commissioners met in regular session on September 27, 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. 9:01 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.

Motor Grader Accident

Jerry Allen, Montrose resident, distributed a letter written by his son-in-law who was involved in an accident with the County motor grader. The letter asked that the County cover lost wages, medical expenses, vehicle rental fees, and full payment for the replacement of the totaled vehicle.

Commissioner Padgett thanked Allen for being present. She said that the letter was new information that the Board had not discussed. She said that the Board would need to consider the new information and may need to meet in executive session to discuss next steps. Whitmore said that the letter Allen presented new information regarding specific losses and numbers. She said that the County's insurance company had correctly ruled that the County had no liability under the law due to governmental immunity. Allen did not think that the grader met the definition of mobile equipment, as the grader was on Highway 550. Whitmore said that equipment like graders and snowplows were not motor vehicles under the law.

Fiber Optic Connection at Public Health Facility

Jeff Bockes, IT/GIS Manager; Elisabeth Lawaczek, Public Health Director; and Doug Seacat, Deeply Digital were present to discuss the possibility for installing a fiber optic connection at the Public Health Facility. Bockes distributed an estimation of the costs. He said that it was highly desirable to create the connection between the Public Health facility and the County Courthouse. He added that the Public Health Director had been looking into providing telemedicine services and other remote services that were not possible with the current internet connection. Lawaczek had pursued some grant funding through the Women, Infant and Children (WIC) program and they agreed to fund \$2,000 of the estimated \$5,000 cost. Bockes added that he was looking into another funding program that may be available through the Colorado Telehealth Network (CTN).

Commissioner Padgett asked how much the facility was currently paying for services. Bockes said that currently there was a DSL line and four phone lines at Public Health. He was proposing that the DSL line be replaced with the fiber line, but retain the DSL for fax purposes and redundancy in case of a fiber outage. He said that the County was paying \$280 for its current services; he estimated the monthly charge for the new service to be \$300. Bockes thought that the 2016 IT budget could absorb some of the initial costs.

Commissioner Padgett said that it sounded like a good proposal. Whitmore recommended that the Board wait to make a decision until after that afternoon's executive session.

B. Commissioner/Administrative Reports:

C. 10:03 Road and Bridge Reports:

1. Road and Bridge Report:

Commissioner Tisdell asked about the gravel stockpiled by Ouray Silver Mines. It was his understanding that there was quite a bit of gravel and that some may be available for use on other roads. Hunt said that she had not discussed using the gravel on any other roads than County Road 361.

2. Request for approval of the following equipment purchases and authorization of Chair's or Staff's signature on associated purchase forms: (Both purchases are over \$10,000 and require Board approval.)

a. Two Variable Message System Boards as a "sole source" purchase:

Hunt said that the purchases would be made from remaining funds in an escrow account.

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdell to approve and authorize the appropriate signatures on associated purchase forms for Two Variable Message System Boards as a "sole source" purchase. The motion carried unanimously.

b. Light Duty Tire Changer and Balancing Machine off of State Contract:

Commissioner Batchelder asked if the equipment would serve the needs for all tires. Hunt said that it would not service the large equipment, like tractors or grader, but that Road and Bridge would be best served by the contemplated equipment.

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdell to approve and authorize the appropriate signatures on associated purchase forms for a Light Duty Tire Changer and Balancing Machine off of a State Contract. The motion carried unanimously.

D. 9:46 The Board convened as the Board of Social Services to consider the following items:

Carol Friedrich, Social Services Director, was present.

1. **Request for approval of the following reports and authorization of the Chair's signature on certification page:**
 - a. **County YTD Expenditures, June 2016:**
 - b. **Check Register, July 2016:**
 - c. **County Allocation / MOE Report. JUNE-16**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to approve the County YTD Expenditures, June 2016; Check Register, July 2016; and County Allocation / MOE Report, JUNE-16 reports and authorized Chair's signature on the certification page. The motion carried unanimously.

2. **Caseload Report, 2016:**

Friedrich presented the report.

3. **Update from the Social Services Director:**

Friedrich updated the Board on staffing changes.

Friedrich said that the department would start implementing a new procedure regarding child welfare cases. She was optimistic about the advantages the new program would offer.

Friedrich updated the Board on the State's fiscal year end. She said that the department finished the State's fiscal year in good financial position.

E. 10:18 General Business:

1. **Request for Approval of Warrants:**

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

2. **Request for approval of the following minutes:**

- a. **September 6, 2016**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Padgett to approve the September 6, 2016 meeting minutes. The motion carried unanimously.

- b. **September 13, 2016**

Commissioner Tisdel requested that the Deputy Clerk listen to the tape of the Commissioner / Administrative Reports. The Board agreed to table the minutes.

- c. **September 13, 2016 Public Hearing:**

The Board authorized the Deputy Clerk to verify the affiliation of one member of the public, and make changes, if needed.

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to approve the September 13, 2016 Public Hearing minutes, with the condition that the Deputy Clerk verify one member of the public's affiliation. The motion carried unanimously.

3. **Request for adoption of Resolution 2016-043 Approving an Application for 'Change in Entity Structure' for High Mesa Farms, LLC: (This application was approved by the Board on September 13, 2016)**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to adoption Resolution 2016-043 Approving an Application for 'Change in Entity Structure' for High Mesa Farms, LLC. The motion carried unanimously.

4. **Request for approval and authorization of the Chair's signature on Letter of Support for the Ouray County Historical Society's Museum Rehabilitation grant: (Ratification)**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to ratify approval and authorization of Chair's signature on Letter of Support for the Ouray County Historical Society's Museum Rehabilitation Grant. The motion carried unanimously.

5. **Request for approval and authorization of Chair's signature on letter to State Land Board regarding the sale of 80 acres in Ouray County:**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to approve and authorize Chair's signature on letter to State Land Board regarding the sale of 80 acres in Ouray County. The motion carried unanimously.

6. **Request for approval and authorization of Chair's signature on Corkscrew/Turntable Properties Management Plan and adoption of Resolution 2016-044:**

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to approve and authorize Chair's signature on Corkscrew/Turntable Properties Management Plan and adopt Resolution 2016-044. The motion carried unanimously.

7. Request for approval and authorization of Commissioner's signatures on letter to Colorado Department of Transportation, Regions 5 and 3 regarding the US Highway 550 corridor:

The Board requested minor changes to the letter.

M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to approve and authorize Commissioner's signature on letter to Colorado Department of Transportation, Region 5 and 3 regarding the US Highway 550 corridor, as amended. The motion carried unanimously.

F. 10:31 George Tinker, County Technical Services (CTSI) Representative:

1. Annual Loss Analysis of Casualty and Property Pool (CAPP) and County Workers County Workers Compensation Pool (CWCP):

George Tinker, CTSI Representative, was present.

Tinker presented the annual report. He informed the Board about CTSI's Inmate Catastrophic Medical Program Insurance. The Board directed Hunt to follow up with Tinker regarding the program.

Hunt was further instructed to follow up with CTSI regarding a potential error in the CAPP Ambulance Services line item. The Board also directed staff to identify training opportunities that may exist to increase the County's safety record.

11:08 The Board took a short break:

G. 11:13 Colin Waters, Colorado Lottery

1. Presentation of "Starburst Award" to County for the Ouray County Grandstands:

Colin Waters, Colorado Lottery, was present.

Waters presented the Starburst Award to the County for the Ouray County Grandstands Project.

12:32 Lunch

B. 1:27 Commissioner/Administrative Reports:

Commissioner Batchelder had nothing to report.

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

- 1) **County Road 361 Winter Stakeholders Meeting** – Hollenbeck said that the meeting would be scheduled for October 25 or 26, in the evening in Ouray.

Commissioner Tisdel discussed the following:

- 1) **Ridgway Area Trails (RAT) Trail Closure** - Commissioner Tisdel said that he had been contacted by a concerned party regarding the closure of a trail. Commissioner Padgett recommended that RAT be contacted to determine if it was the planned decommission of a trail.
- 2) **County Road 24 Test Section** - Commissioner Tisdel requested that an update be scheduled regarding the County Road Test Section.
- 3) **Road and Bridge Staffing** - Commissioner Tisdel reminded staff that a follow-up work session needed to be scheduled to discuss Road and Bridge Staffing.
- 4) **Early Childhood Care Discussion** - Commissioner Tisdel reported that the Director of Early Childhood from the Department of Health and Human Services would be in Ouray County for a meeting on October 11th at 9AM.

Commissioner Padgett discussed the following:

- 1) **City/Town Annual Intergovernmental Agreements (IGA)** - Commissioner Padgett confirmed that the City/Town and County IGA meetings had been scheduled. Hunt said that the County would be meeting with the Town of Ridgway on October 12th and with the City of Ouray on October 17th.
- 2) **Uncompahgre Field Office Resource Management Plan** - Commissioner Padgett said that she was planning to submit comments requesting several items from the BLM; first, to prioritize Top of the Pines for disposal to the County; second, to request that the BLM parcel on Log Hill Mesa be scoped for a trail system; and finally, analysis of BLM lands in Idlewild and Ridgway.
- 3) **CCI and Parks and Wildlife IGAs** - Commissioner Padgett was aware the CCI had expressed willingness to set up a conference call between key staff at Colorado Parks and Wildlife (CPW) and County staff regarding the House Bill. She requested that staff consider reaching out to La Plata, Boulder, and Larimer Counties to determine why they thought the proposal was a good model IGA.

Commissioner Tisdel discussed the following, continued:

- 5) **Four County Cooperative MOU** - Commissioner Tisdel requested that Elijah Waters be contacted in order to set up a four county meeting to discuss the MOU.

Commissioner Padgett discussed the following, continued:

- 4) **Ridgway Ouray Community Council (ROCC) Housing Forum** - Commissioner Padgett pointed out that tiny home communities were brought up frequently during the ROCC housing forum.

Connie Hunt, County Administrator, discussed the following:

- 1) **County Road 5** – Hunt distributed a memo reporting on her findings for grant opportunities for County Road 5. She said that the Federal Lands Access Program (FLAP) grant opportunity had closed on May 25th. She said that staff was tracking other grant programs that may open in the future. She listed several other programs that were closed. Hunt presented a draft letter responding to the County Road 5 residents that had created a petition asking the County to look into grant funding. Commissioner Padgett requested that the County Engineer make a recommendation and look at putting together suggestions for a grant opportunity, when it became available. She asked that some soft engineering and drawings be completed. Hunt said that County Road 5 was currently listed as a priority 1 road under the capital improvement plan (CIP). She said that there were many priority 1 roads listed on the plan and that the Board would eventually need to prioritize the roads. Commissioner Batchelder agreed with Commissioner Padgett that the letter should allude to the fact that the County was looking for funding opportunities for improvements on County Road 5; in the meantime, the County was positioning itself to be prepared for an grant opportunity.

Marti Whitmore, County Attorney, discussed the following:

- 1) **Colorado Open Records Act (CORA)** - Whitmore said that there was a movement supporting revisions to CORA lead by the Secretary of State's office.

H. 2:03 The Board of County Commissioners convened into an Executive Session pursuant to CRS 24-6-402(4)(b) and (e) for the purpose of receiving legal advice from the County Attorney and for matters that may be subject to negotiations regarding real estate and other matters:

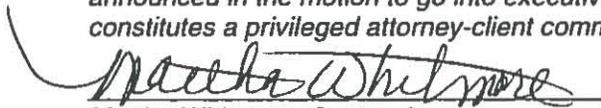
M/S/P – Motion was made by Commissioner Batchelder and seconded by Commissioner Tisdel to convene into an Executive Session pursuant to CRS 24-6-402(4)(b) and (e) for the purpose of receiving legal advice from the County Attorney and for matters that may be subject to negotiations regarding real estate and other matters.

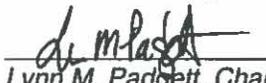
A roll call vote was taken on the motion with the following results:

Commissioner Padgett voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Batchelder voted in the affirmative.

There was no discussion. Motion passed unanimously.

As County Attorney, it is my opinion that the discussion announced in the motion to go into executive session constitutes a privileged attorney-client communication.


Martha Whitmore, County Attorney


Lynn M. Padgett, Chair

Sherry Peck, Human Resources Director, was present for the executive session.

2:03 The Board of County Commissioners entered into Executive Session:

2:50 The Board of County Commissioners exited Executive Session:

Commissioner Padgett stated that the Board had just exited an executive session pertaining to the topics stated in the motion. No decisions were made and no action was taken.

2:50 The Board of County Commissioners adjourned the Regular Meeting:

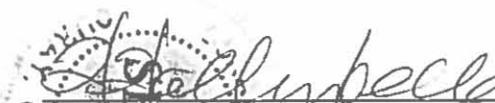
Attest:

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO


Lynn M. Padgett, Chair


Ben Tisdel, Vice-Chair


Don Batchelder, Commissioner


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