



The Board of County Commissioners met in regular session on January 10, 2023. Those present for the session were Jake Niece, Chair; Michelle Nauer, Vice-Chair; Lynn M. Padgett, Commissioner Member; Connie Hunt, County Administrator; Leo Caselli, County Attorney; Jennifer Peterson, Public Information Officer (via Zoom); and Harlan Thompson, Deputy Clerk of the Board.

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

**A. 11:00 Reorganization of the Board items:**

**1. Appointment of Chair of 2023:**

**M/S/IP** – Motion was made by Commissioner Nauer and seconded by to Commissioner Padgett to appoint Commissioner Niece as Chair of 2023. The motion passed unanimously.

**2. Authorization for Chair to make second motions:**

**M/S/IP** – Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to authorize Chair to make second motions. The motion passed unanimously.

**3. Appointment of Vice-Chair for 2023:**

**M/S/IP** – Motion was made by Commissioner Padgett and seconded by Commissioner Niece to appoint Commissioner Nauer as Vice-Chair for 2023. The motion passed unanimously.

**4. Authorization for Vice-Chair to sign warrants and other official Board of County Commissioner approved documents in the absence of the Chair:**

**M/S/IP** – Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to authorize Vice-Chair to sign warrants and other official Board of County Commissioner approved documents in the absence of the Chair. The motion passed unanimously.

**5. Appointment of Commissioner Michelle Nauer to the Board of Adjustment / Equalization for a term to expire on January 2026:**

**M/S/IP** – Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to appoint Commissioner Michelle Nauer to the Board of Adjustment / Equalization for a term to expire on January 2026. The motion passed unanimously.

**6. Appointment of the County Clerk & Recorder Cristy Sulewski as an Associate Member of the Board of Adjustment / Equalization for a term to expire on January 2026:**

**M/S/IP** – Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to appoint the County Clerk & Recorder Cristy Sulewski as an Associate Member of the Board of Adjustment / Equalization for a term to expire on January 2026. The motion passed unanimously.

**7. Appointment of current BOCC Chair as Chair and BOCC Vice-Chair as Vice-Chair of the following Boards/Authorities:**

- a. **Board of Health:**
- b. **Board of Social Services:**
- c. **Board of Adjustment:**
- d. **Board of Equalization:**
- e. **Local Liquor Licensing Authority:**
- d. **Local Licensing Authority:**

**M/S/IP** – Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to appoint current BOCC Chair as Chair and BOCC Vice-Chair as Vice-Chair of the following Boards/Authorities: Board of Health; Board of Social Services; Board of Adjustment; Board of Equalization; and Local Liquor Licensing Authority. The motion passed unanimously.

**8. Appointment of Connie Hunt as Budget Officer pursuant to C.R.S. §29-1-104:**

**M/S/IP** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to appoint Connie Hunt as Budget Officer pursuant to C.R.S. §29-1-104. The motion carried unanimously.

**9. Appointment of Ty Barger as Road Supervisor pursuant to C.R.S. §43-2-111:**

**M/S/IP** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to appoint Ty Barger as Road Supervisor pursuant to C.R.S. §43-2-111. The motion carried unanimously.

**10. Designation of the Ouray County Plaindealer as the legal newspaper for Ouray County for 2023 pursuant to C.R.S. §24-70-103:**

**M/S/P** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to designate the Ouray County Plaindealer as the legal newspaper for Ouray County for 2023 pursuant to C.R.S. §24-70-103. The motion carried unanimously.

**11. Designation of the Ouray County Website as the official posting place for all public notices, agendas, etc., for 2023, pursuant to HB19-1087:**

**M/S/P** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to designate the Ouray County Website as the official posting place for all public notices, agendas, etc., for 2023, pursuant to HB19-1087. The motion passed unanimously.

**B. 11:11 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.*

Commissioner Padgett recognized the eight years of Commissioner Tisdell's service, and welcomed Commissioner Nauer.

**C. 11:13 Jon Kaminsky, Gunnison Field Manager, BLM:**

**1. Mineral Point Ditch Water Right Purchase Update:**

*Jon Kaminsky, Gunnison Field Manager, BLM, via Zoom.*

Kaminsky provided the update. He highlighted the ongoing purchase of a water right from a willing seller to return it back to the Animas Watershed to rehydrate some fens that were down gradient of a mining claim. He explained this was an active Super Fund site on the National Priorities List (NPL). He indicated fens provided a long term treatment solution and were a win for tax payers.

*Tayna Ishikawa, Executive Director of the Uncompahgre Watershed, present.*

Ishikawa said she was happy that more water will be coming to the San Juan fens. She added the Uncompahgre Watershed group was talking about fens.

**D. 11:27 General Business:**

**1. Request for approval of Social Services Warrants and Warrant Register:**

**M/S/P** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve Social Services Warrants and Warrant Register. The motion carried unanimously.

**2. Request for adoption of Resolution 2023-001 authorizing the County Administrator to Approve and Sign Contracts, Agreements, and other Documents for Calendar Year 2023:**

Commissioner Nauer found a minor typo in the last WHEREAS to change the word my to may.

**M/S/P** – Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to adopt Resolution 2023-001 authorizing the County Administrator to Approve and Sign Contracts, Agreements, and other Documents for Calendar Year 2023, with the minor typo correction. The motion carried unanimously.

**3. Request for adoption of Resolution 2023-002 authorizing the County Administrator to approve and sign warrants up to a determined amount for payments that must be made expeditiously:**

**M/S/P** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to adopt Resolution 2023-002 authorizing the County Administrator to approve and sign warrants up to a determined amount for payments that must be made expeditiously. The motion carried unanimously.

**4. Request for designation of CCI Steering Committee Proxy Member(s) and approval and authorization of Chair's signature on CCI Proxy Form:**

Commissioner Niece said that Carol Friedrich was typically put on Health and Human Services.

Commissioner Padgett explained that they needed to add Carol Friedrich to Social Services and Tanner Kingery to Public Health on all committees because some items fall under general business instead of Health and Human Services.

**M/S/P** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to designate Carol Friedrich as the primary designee and Tanner Kingery as the secondary designee to all CCI Steering Committees in regards to Health and Human Services as Proxy Member(s) and approve and authorize Chair's signature on CCI Proxy Form. The motion passed unanimously.

**5. Request for approval and authorization of Chair's signature on Intergovernmental Agreement (IGA) between Ouray County and Ridgway State Park concerning Noxious Weed Management and Control Services:**

**M/S/P** – Motion was made by Commissioner Nauer and seconded Commissioner Padgett by to approve and authorize Chair's signature on Intergovernmental Agreement (IGA) between Ouray County and Ridgway

State Park concerning Noxious Weed Management and Control Services. The motion carried unanimously.

**6. Request for approval and authorization of Chair's signature on EMS Standby Agreement for San Juan Skijoring Event – January 14-15, 2023:**

**M/S/P** – Motion was made by Commissioner Nauer and seconded Commissioner Padgett by to approve and authorize Chair's signature on EMS Standby Agreement for San Juan Skijoring Event – January 14-15, 2023. The motion carried unanimously.

**7. Request for approval of the 2023 EMPG Grant; its online application is printed from the new State portal, and authorization of Chair's signature on the Pre-Grant Form:**

Commissioner Padgett mentioned that Genasys training should replace CODERED training, with CODERED being phased out.

**M/S/P** – Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to authorize Chair's signature on the Pre-Grant Form as well as approve submission of the grant along with any fact checking and minor clarifications on EMF #: 15, for the Emergency Management Performance Grant (EMPG) / Local Emergency Management Support Grant for 2023. The motion passed unanimously.

**8. Request for approval and authorization of Chair's signature on Ouray County Catastrophic Inmate Medical Insurance Policy documents for 2023 and on the Fiscal Impact Form:**

Vicki Lane, Administrative Specialist, present.

Lane stated that the average number of inmates from Ouray County at the Montrose jail had varied between three to nine inmates without a rate increase in the Catastrophic Inmate Medical Insurance.

Commissioner Padgett expressed concern whether or not all inmates would be covered in the event of a large bar brawl or any catastrophic event, since insurance companies were known to try not to cover some things.

Hunt clarified this was rider policy; Ouray County inmates were covered by the Montrose insurance except for catastrophic events where inmates were moved offsite to a hospital. She added that Montrose would first use the inmates own health insurance if they had it, or it would go back to the State.

Commissioner Padgett specified an inmate's Medicare or Medicaid would cease while they were incarcerated. She explained the catastrophic insurance was needed because at one point the County had a \$1,000,000 liability that was not covered by the Montrose policy. Hunt said there was a \$20,000 deductible per inmate that the County would have to cover, but they had never had to exercise it.

Commissioner Padgett highlighted a 15% commission to Gallagher on page five and questioned if it was built in or additional. Commissioner Niece asked Hunt to query Gallagher for clarification using the five inmate bar brawl scenario to ensure they would not play games, and if the 15% commission was included in the \$5370.84 annual premium. Hunt said she would double check with Gallagher and report back to the Board.

**M/S/P** – Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize Chair's signature on Ouray County Catastrophic Inmate Medical Insurance Policy documents for 2023 and on the Fiscal Impact Form. The motion carried unanimously.

**9. Request for award of bids for vehicles declared surplus pursuant to Resolution 2022-048:**

**M/S/P** – Motion was made by Commissioner Nauer and seconded Commissioner Padgett to request award of bids for vehicles declared surplus pursuant to Resolution 2022-048. The motion passed unanimously.

**10. Request for approval and authorization of Chair's signature on Grant Award Letter for Colorado Election Security Act (CESA) Grant Program:**

Commissioner Nauer said this was to provide dual authentication for election security. She detailed the State granted \$12,500 to each county, and she and Glenn Boyd were applying for an additional grant to cover the nearly \$24,000 needed to cover the security upgrade.

**M/S/P** – Motion was made by Commissioner Nauer and seconded Commissioner Padgett by to approve and authorize Chair's signature on Grant Award Letter for Colorado Election Security Act (CESA) Grant Program. The motion carried unanimously.

**11. Request for approval and authorization of Chair's signature on Intergovernmental Agreement (IGA) between the Town of Ridgway, City of Ouray and Ouray County for Shared Victim Advocate(s) Services:**

**12:01-12:06 BREAK:**

Tammy Stroup, Under Sheriff, was present.

Stroup said the grant application process was ongoing.

Commissioner Niece explained it transferred the grant from the Town to the County, and it would be available in the package online for anyone to view.

The Board agreed to have the County Administrator and the Chair sign and execute any additional grant application forms before the next meeting.

Commissioner Padgett conveyed the primary change to the agreement was to make the County the fiscal agent for the program. She indicated little had changed in the accountability and performance section. She pointed out the Victim Advocate would be a part-time employee of the County and not the Town or the City. She suggested the agreement be changed to make the Ouray County Sheriff the person's supervisor. Commissioner Padgett stated if something of a disciplinary nature occurred in another jurisdiction, including verbal counseling, the Sheriff should be notified. She expressed concern that community expectations be clearly established in the agreement.

Caselli stated that could be changed by the Board.

Stroup identified the position's supervision was shared with two other jurisdictions not solely the Sheriff's office. She added there would be more oversight and supervision from the Sheriff's office.

Commissioner Niece noted the role of a law enforcement victim advocate was different than a community based victim advocate; the community based victim advocate did not have the same legal restrictions and could fill different roles. He identified his involvement in a grassroots effort to develop a community based victim support organization to provide a more complete range of services in Ouray County.

Commissioner Niece remarked the Board was due for an update from Sheriff. He asked for that to include what the community could expect from the Victim Advocate Program, once it was moved over to the Sheriff's office and changes implemented. Stroup agreed and said they would sit down with the new victim advocate to go over expectations.

*Tanya Ishikawa, Ridgway resident, present.*

Ishikawa stated she was involved with a grassroots nonprofit victim advocate support program. She stressed importance of the law enforcement victim advocate having first contact with the victim. She indicated the required reporting in the old IGA was not being tracked, but there was some verbal reporting on an irregular basis. She noted reporting within the County staff and officials was happening, and proper reporting was needed. She highlighted the need for the victim to receive multiple follow ups from the victim advocate.

Caselli shared his screen while he made adjustments to the agreement. Commissioner Niece asked if the changes Caselli made on the screen were helpful. Commissioner Padgett indicated she felt more comfortable with the agreement.

*Robyn Cascade, 575 Sabeta Drive Ridgway, via Zoom.*

Cascade agreed that there needed to be oversight with the victim advocates. She stated she was delighted the oversight would happen in the Sheriff's office, so that it will be more coordinated. She asserted there would be accountability with the monthly reports, but it did not appear those written reports had been taking place. She stated that was critical.

**M/S/P** – *Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to approve and authorize Chair's signature on Intergovernmental Agreement (IGA) between the Town of Ridgway, City of Ouray and Ouray County for Shared Victim Advocate(s) Services as amended and shown on the Zoom screen, and as more grant documents were forth coming to approve the County Administrator and the Chair, as appropriate, to execute the Intergovernmental Agreement as soon as possible. The motion carried unanimously.*

#### **E. 12:30 Commissioner/Administrative Reports:**

**Hannah Hollenbeck, Administrative Specialist,** discussed:

- 1) A BOCC retreat the first work session in February, 2023 to talk about the 2023 work sessions priorities.

**Jennifer Peterson, Public Information Officer,** discussed:

- 1) Genasys Ouray County Alerts migration update.
- 2) CODERED was finalized Jan 9, 2023, and transferred to Ouray County alerts.
- 3) WENS still in place.
- 4) Ouray County Alerts outreach plans and efforts.

**Commissioner Nauer,** discussed:

- 1) New commissioner training.

**Commissioner Padgett,** discussed:

- 1) Work to get Ouray Regional Recreation and Conservation Alliance (ORRCA) GIS user with the County.
- 2) Participation in CCI.
- 3) Committee member on National Association of Counties (NACo), committee member and Subcommittee Chair of Energy, Environment and Land use Committee as well as the Election Caucus Installation and View Plan.
- 4) Plans to attend the NACo Conference in Washington D.C. in February 2023.
- 5) A webinar on Colorado General Assembly Senate Bill 22-114 Fire Suppression Ponds Water Rights regarding fire suppression funds.

- 1) Getting Commissioner Nauer setup with the State Google system.
- 2) County redistricting.

12:58     **The Board adjourned the regular session.**



BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

*J. R. Niece*

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Jake Niece, Chair

*Michelle Nauer*

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Michelle Nauer, Vice-Chair

*Harlan Thompson*  
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Cristy Lynn Sulewski, Clerk and Recorder

By: Harlan Thompson, Deputy Clerk of the Board

*Lynn M. Padgett*  
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Lynn M. Padgett, Commissioner Member