

The Board of County Commissioners met in regular session on February 4, 2020. Those present for the session were, Don Batchelder, Chair; Ben Tisdell, Vice-Chair; John E. Peters, Commissioner Member; Connie Hunt, County Administrator; Carol Viner, County Attorney; and Hannah Hollenbeck, Deputy Clerk of the Board.

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

A. 9:00 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.

Water Rights Application Update

Marti Whitmore, Ouray County Colorado River District representative, was present to report that the Colorado Water Conservation Board (CWCB) had some concerns regarding the County's Water Rights application, yet expressed interest in becoming a co-applicant for the storage portion. Additionally, the River District and the Uncompahgre Water Users Association were similarly interested in becoming co-applicants. Whitmore said that the interest would help to solidify the application and increase the chances of state and federal funding. Whitmore suggested that a meeting with the various stakeholders be held on March 2, 2020 when the River District Executive Director would be in Ouray County. Commissioner Tisdell said that the Ouray Hydroplant may also be interested in becoming a co-applicant.

County Road 361 Avalanche Mitigation

Frank Robertson, Ouray Ice Park, Inc. (OIPI) Board Member was present to address concerns regarding the Thistledown gate closure and the impact on the Ice Park. He explained that maximum capacity of the Ice Park was 200-240 people and that the experience rapidly deteriorated for visitors when numbers were that high. He said that when the gate was closed, popular backcountry climbing areas were inaccessible, thereby increasing the pressure on the Ice Park and decreasing the user experience. Robertson said that OIPI and the City of Ouray strove to ensure that the experience was as good as possible, given that the Park reflected 60% of the City's winter economy.

Commissioner Tisdell explained that the City of Ouray Council had discussed County Road 361 and the temporary avalanche mitigation closures during a Council meeting on February 3rd. Commissioner Tisdell said that the County had convened a diverse stakeholder group in 2017 to discuss a variety of topics including parking, closures, avalanche mitigation procedures and goals for the future. Commissioner Tisdell simply stated that safety was paramount over volume of users at the Ice Park. Commissioner Tisdell explained that the Ouray Silver Mines (OSM) was responsible for performing avalanche mitigation efforts along County Road 361 and 26. He said that the areas past the Thistledown and Senator Gulch gates were only restricted during avalanche mitigation and cleanup.

Commissioner Tisdell added that the Board had revisited the avalanche mitigation protocols with OSM, the United States Forest Service (USFS) and other stakeholders in December 2019. Chad Rilling, County Road and Bridge Foreman, said that the gate at Thistledown had been installed in December and that OSM was working on developing signage for the County's review.

Robertson agreed that the gate should be closed during active mitigation. He said that the standard practice for land management was not to close areas for perceived risks or hazards. Commissioner Tisdell said that during the last mitigation efforts, OSM had to keep the gate closed for longer than normal as a person had entered the area during mitigation resulting in a delay.

John Hulburd, Ridgway resident, said that he was a backcountry user and occasionally served as the caretaker for the Mt. Hayden Backcountry Lodge in Richmond Basin. He agreed that safety was paramount, but encouraged better communication and signage. He said that if all users were informed, everyone could operate accordingly. He proposed a sign in / out kiosk in a strategic location. Commissioner Batchelder agreed that communication could always be improved, but asked who would be responsible for coordinating and checking the log. Hulburd said that better communication would keep things as safe as possible and noting that having the "avalanche mitigation in progress" sign up for a month was ineffective.

Nate Disser, San Juan Mountain Guides owner, agreed with Hulburd. He explained that when professional guiding operations accessed backcountry areas they relied on their own ability to assess when it was safe. He expressed willingness to work with the stakeholders to identify the windows for mitigation and plowing in order to limit the length of time the road was closed.

Hunt suggested that the County work with OSM to revise the Road Maintenance Agreement to streamline the avalanche mitigation portion of the agreement.

Commissioner Batchelder suggested that a work session be scheduled in the spring with OIPI, USFS, OSM, the County Sheriff, Road and Bridge, and other stakeholders be held to discuss what worked well, and what needed improvement. The Board agreed.

B. 9:30 Road and Bridge Reports:

1. Road and Bridge Report:

Chad Rilling, County Road Foreman, was present.

Rilling discussed barricades on County Road 5, brush removal on County Road 1A and 23, the Broadband Project, and other completed projects.

Commissioner Peters noted that a number of decisions needed to be made on capital projects. The Board agreed to address the topics in a work session when a Road and Bridge Superintendent was hired.

The Board discussed the freeze / thaw cycle. Commissioner Batchelder noted that several County Roads were holding up well due to the work done on drainage.

Hunt reported that the Weehawken Bridge repair may be able to be added to the FLAP Grant application. Additionally, the USFS expressed some willingness to contribute funding for a temporary repair.

Commissioner Tisdell reported that Colorado Department of Transportation was moving forward with plans for resurfacing Highway 550 between Ridgway and Ouray in 2021 or 2022. He said that the project may include shoulder widening, where possible.

C. 9:38 Tanner Kingery, Public Health Director:

1. Coronavirus Update:

Tanner Kingery, Public Health Director, was present.

Kingery provided an update on the virus, noting that no cases had been reported in Colorado. He reviewed the monitoring procedures put in place by the Colorado Department of Public Health and Environment and other state agencies. Kingery said that the risk of Coronavirus to Colorado residents was low. He encouraged residents to engage in best practices and to get a flu vaccination, noting that the risk for flu was more prevalent.

E. 9:44 General Business:

1. Request for approval of warrants:

Commissioner Batchelder asked staff to verify the address of the EMS Office rent payment at the Ridgway Firehouse prior to sending.

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve the warrants with the direction given to staff regarding the EMS Office Space rent payment address verification. The motion carried unanimously.

2. Request for approval of the following minutes:

a. November 5, 2019:

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters approve the November 5, 2019 minutes as presented. The motion carried unanimously.

b. December 10, 2019:

The Board requested revisions to the December 10, 2019 minutes. The minutes would be considered at a future meeting.

3. Request for approval and authorization of Chair's signature on Audit Engagement Services Agreement with Blair and Associates, P.C. and on the Fiscal Impact Form:

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve and authorize Chair's signature on Audit Engagement Services Agreement with Blair and Associates, P.C. and on the Fiscal Impact Form. The motion carried unanimously.

4. Request for approval and authorization of Commissioner's signatures on letter to the Sheriff from the Board of County Commissioners:

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve and authorize Commissioner's signatures on letter to the Sheriff from the Board of County Commissioners. The motion carried unanimously.

5. Request for approval and authorization of Chair's signature on Xerox Lease Agreement for the County Sheriff's Office and on the Fiscal Impact Form:

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve and authorize Chair's signature on Xerox Lease Agreement for the County Sheriff's Office and on the Fiscal Impact Form. The motion carried unanimously.

6. Request for approval and authorization of Chair's signature on EMTS Provider Grant Pre-Grant Application Form:

Commissioner Batchelder noted that the document had been revised and reflected a new grant request amount.

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve and authorize Chair's signature on EMTS Provider Grant Pre-Grant Application Form. The motion carried unanimously.

F. 9:54 Commissioner / Administrative Reports:

Connie Hunt, County Administrator, discussed the following:

- 1) **EcoAction Partners Green Lights Program** – Hunt explained that the donation request was not budgeted, but could be done, if the Board directed. The Board agreed to direct Hunt to look at the budget for a \$1,000 donation for the program.
- 2) **Ouray Silver Mines Revenue-Virginus Mine Tour** – Hunt said that the Board had been invited to a tour of the mine on February 15, 2020 at 10:00AM.

D. 10:02 The Board of County Commissioners convened as the Board of Adjustment to review the following application: *(This application was continued from October 22, 2019)*

Request: Variance from Section 3, 4, and 4 pursuant to Section 12.5 to allow for expansion of an existing mini storage facility
Applicant: Lynn Emery Olin, Authorized Agent Brad Switzer
Location: 19100 Highway 550

Mark Castrodale, County Planning Director, was present.

Commissioner Batchelder opened the continued public hearing.

Commissioner Batchelder stated that the applicant had withdrawn the request.

The Board discussed the procedure with Viner. The Board agreed to direct staff to ensure that the commercial use of the shipping containers had ceased by February 14, 2020.

As the application had been withdrawn, no public comment was taken; with no further action or direction, Commissioner Batchelder closed the public hearing.

F. 10:06 Commissioner / Administrative Reports, continued:

Commissioner Tisdell discussed the following:

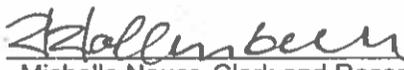
- 1) **Gunnison Valley Transportation Planning Region (GVTPR) Meeting** – Commissioner Tisdell reported that the Little Blue Canyon project was moving forward and that the closures scheme had yet to be determined.

10:09 The Board of County Commissioners adjourned the regular session.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:




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


 Don Batchelder, Chair


 Ben Tisdell, Vice-Chair


 John E. Peters, Commissioner Member