The Board of County Commissioners met in regular session on March 8, 2022. Those present for the session were, Lynn M. Padgett, Chair; Jake Niece, Vice-Chair; Ben Tisdel, Commissioner Member; Connie Hunt, County Administrator; Leo Caselli, County Attorney; and Hannah Hollenbeck, Deputy Clerk of the Board.

- Note – This meeting was recorded for reference purposes.

A. 8:30 The Board of County Commissioners convened as the Board of Health concerning the following:
Tanner Kingery, County Public Health Director, and Dr. Drew Yeowell, County Medical

2. Public Health Director Update:
Yeowell said that regionally COVID-19 cases were decreasing. He encouraged people to wear masks if they felt was appropriate, and supported businesses that required them in their stores; however, he no longer found it necessary to have a mask mandate. Yeowell said Montrose Regional Health (MRH) had seen an increase in non-COVID-19 related respiratory illnesses.

Commissioner Padgett asked about the current recommendations for boosters. Yeowell said that the current guidance was for immunocompromised individuals to receive a booster. He said that the definition of "fully vaccinated" was two shots. Kingery said that the metric for "fully vaccinated" was difficult with the different types of vaccines originally offered. He encouraged people to reach out to the Public Health office to discuss their specific situation.

Commissioner Tisdel asked about the availability of post exposure treatments. Yeowell said that there was some regional availability for the treatment.

Kingery reviewed case data and vaccination rates, noting that cases in the County had decreased, as had the demand for testing.

Kingery encouraged personal responsibility and provided information on where masks and testing resources were available.

1. Discussion and possible action or direction to staff concerning Masking for public and County Facilities:
Commissioner Padgett asked for Kingery’s opinion on the mask requirement. She noted that Ridgway and Ouray Schools had dropped their mask requirements. She said that the Courthouse had been under a mask mandate due to a judicial order, but that it had been rescinded.

Kingery recommended that the mask requirement inside County facilities be dropped.

Caselli reviewed the process. Hunt said that there were two separate actions needed: first, she requested that the Board direct her to work with Kingery and Yeowell to repeal Resolution 2021-021 for masking in County Facilities, and second, for Caselli to draft either a new Public Health Order, or repeal the current Order.

The Board discussed the process with Caselli and Hunt.

M/S/P— Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to rescind Public Health Order No. 13, and direct the Public Health Director to work with the County Attorney and County Administrator to develop language regarding guidance and practices and develop a resolution rescinding Resolution 2021-021. The motion carried unanimously.

9:59 Break:

B. 10:07 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.

Sheriff’s Office Mill Levy Proposal
Richard Wojciechowski, Log Hill resident, was present to make some comments and suggestions regarding Sheriff’s Office staffing. He said that having one deputy on duty was not effective given the number of calls and geographic dispersion of County. He said that backup was not always reliable. He said that it would be more advantageous for two deputies to be on shift at any given time. Wojciechowski said that he had reviewed the Sheriff's budget and came to the conclusion that a dedicated mill levy of 1.65 would provide two additional deputies. He said that he had crafted some ballot language to ensure that the funds generated from the mill levy would be solely controlled by the Sheriff, exempt from cost allocation, and would sunset in 2042. He requested that the Board consider placing the question on ballot in November.

Commissioner Padgett thanked Wojciechowski and encouraged him to attend the Sheriff's Office update at 11:30.

John W. Nelson, Log Hill resident, supported the officer safety aspect. He said that having a single officer responding to incidents was a significant safety concern. The Board agreed to schedule a work session to discuss the proposal.

County Road 1 Chip Seal
Mitch Walker, County Road 1 resident, was present regarding the poor condition of the chip seal on County Road 1, and the status of completing additional miles of chip seal during the spring and summer months. Commissioner Padgett said that Walker's questions would be addressed during the Road and Bridge Reports item.

C. 10:19 Road and Bridge Reports:
Ty Barger, County Road and Bridge Superintendent, was present.
1. Road and Bridge Report:
Barger reviewed February updates and goals for March. Barger was pleased to report that the department was fully staffed.
Commissioner Tisdel asked Barger to provide an update on the chip seal on County Road 1. Barger said that the worst portion on the north end, near Wisteria, would be repaired in conjunction with the larger chip seal project. He said that, pending Board approval, the plan was to pick up where crews left off during the winter season. The Board agreed to consider direction on the two miles of chip seal on a future meeting agenda.

2. Request for award of the following proposals:

a. Chip Seal Emulsion:
Barger presented the recommendation.

M/S/P - Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to award the Chip Seal Emulsion proposal to Vance Brothers, Inc., as outlined in the staff memo. The motion carried unanimously.

3. Request for award of Tree Pruning and Removal Services and approval and authorization of Chair's signature on agreement with Climb Tree Services and Aspen Tree Service Inc. and on the Fiscal Impact Form:
Barger explained that he was recommending award to both contractors.

M/S/P - Motion was made by Commissioner Niece and seconded by Commissioner Tisdel award Tree Pruning and Removal Services to Climb Tree Services, LLC and Aspen Tree Service, LLC, and approve and authorize Chair's signature on agreement with Climb Tree Services and Aspen Tree Service, Inc. and on the Fiscal Impact Form. The motion carried unanimously.

2. Request for award of the following proposals:

b. Dust Control:
Barger began a presentation explaining his rationale for proposing award to all five companies. He said that his recommendation was to award to all bidders as proposed to learn what would work best for County Roads. Barger said that he wanted to test each in order to understand their value.

Commissioner Padgett said that she supported the idea. Commissioner Niece agreed: he requested that a category be added to the matrix to account for environmental and health impacts through dust and runoff, if available.

Commissioner Tisdel was confused to why GMCO did not respond with their IntegriBlend Plus product. He said that it had been used on County Roads previously with good success. He asked if the award would allow GMCO to exchange products proposed with another product. Caselli said that he could include a provision in the agreements that allowed for similar substitute products in the case of unavailability, upon mutual agreement.

M/S/P - Motion was made by Commissioner Padgett and seconded by Commissioner Niece to award the Dust Control proposal to EnviroTech Services, Inc.; Stabilization Products, LLC; EnviRoad, LLC; EP&A Enviroc, Inc.; and GMCO Corporation, as outlined in the staff memo, with direction to the County to allow substitute products, upon mutual agreement.

A roll call vote was taken on the motion with the following results:
Commissioner Niece voted in the affirmative.
Commissioner Tisdel voted in the affirmative.
Commissioner Padgett voted in the affirmative
There was no discussion. Motion passed unanimously.

4. Request for approval of procurement expense for repair of Caterpillar 315L Excavator:
Barger explained that significant repair work was needed. He expected the repair to cost $80,000-$83,000.

M/S/P - Motion was made by Commissioner Tisdel and seconded by Commissioner Padgett to approve the procurement expense for repair of the Caterpillar 315L Excavator. The motion carried unanimously.

5. Request for approval and authorization of Chair's signature on Intergovernmental Agreement (IGA) and Memorandum of Understanding (MOU) between Ouray County and Montrose County for Public Road Maintenance of Dave Wood Road Located in Ouray County and on the Fiscal Impact Form:

M/S/P - Motion was made by Commissioner Niece and seconded by Commissioner Tisdel to approve and authorize Chair's signature on Intergovernmental Agreement (IGA) and Memorandum of Understanding (MOU) between Ouray County and Montrose County for Public Road Maintenance of Dave Wood Road Located in Ouray County and on the Fiscal Impact Form. The motion carried unanimously.

D. 11:19 Poppy Staub, Ouray Silver Mines, Inc. (OSMI):

1. Update on OSMI:
Poppy Staub, OSMI, was present.
Staub said that OSMI had temporarily suspended active mining operations. She said that when the mine was fully operational, the large expense to maintain the road and perform avalanche mitigation was justified; however, with just a few key personnel accessing the mine site, it was not feasible to keep up the expense. She said that OSMI was planning...
to complete Raise #1 hoist, which would enable a swift ramp up to production. She anticipated mining and milling to resume in September.

Staub updated the Board regarding the Governor Basin Restoration project. She anticipated increased traffic during the project, which may inconvenience the recreating public.

Commissioner Padgett asked if the funding issues for the project had been resolved. Staub said that the project partners were working to identify additional funding opportunities.

E. 11:29 General Business:
1. Discussion and possible direction regarding United States Forest Service (USFS) Diamond Creek Abandoned Mine Lands Project:
   Jeff Litteral, Division of Reclamation, Mining and Safety (DRMS), was present.
   Litteral provided an update on the project. He said that, while the project was located in Ouray County, access would be through San Juan County. Litteral presented the plans for the Project and said that the contractor was planning to implement the project in mid-July. Litteral did not anticipate any impacts to traffic.

F. 11:42 Justin Perry, Ouray County Sheriff:
1. Sheriff’s Office Update:
   Justin Perry, County Sheriff; Tammy Stroup, County Undersheriff; and Leo Rasmussen, County Security Officer, were present.
   Perry presented the update. He highlighted staffing concerns, coverage, and the need for increased directed patrols and proactive work.

E. 12:47 General Business:
3. Request for award of Idaorado Houses – Asbestos Abatement and Lead-Based Paint Stabilization Project:
   M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to approve award of Idaorado Houses – Asbestos Abatement and Lead-Based Paint Stabilization Project. The motion carried unanimously.

6. Request for approval of the following minutes:
   a. October 26, 2021 regular meeting minutes:
   b. November 9, 2021 regular meeting minutes:
   c. November 10, 2021 special meeting minutes:
   d. November 15, 2021 special meeting minutes:
   e. November 23, 2021 regular meeting minutes:

The Board discussed and agreed to minor amendments to the October 26, 2021 and November 9, 2021 minutes.

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to approve the October 26, 2021 regular meeting minutes, as amended; November 9, 2021 regular meeting minutes, as amended; November 10, 2021 special meeting minutes; November 15, 2021 special meeting minutes; and November 23, 2021 regular meeting minutes. The motion carried unanimously.

4. Request for award of the Ouray County Courthouse Alley Drainage Project:
   Travis Mooney, Short Elliot Hendrickson, was present.
   M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to award the Ouray County Courthouse Alley Drainage Project to Kuboske Construction, LLC as outlined in the memo. The motion carried unanimously.

2. Request for approval of warrants:
   M/S/P – Motion was made by Commissioner Niece and seconded by Commissioner Tisdel to approve the warrants as presented. The motion carried unanimously.

5. Request for approval and authorization of Chair’s signature on Designation of Representative to the County Health Pool form:
   M/S/P – Motion was made by Commissioner Niece and seconded by Commissioner Tisdel to approve and authorize Chair’s signature on Designation of Representative to the County Health Pool form. The motion carried unanimously.

7. Request for adoption of Resolution 2022-009 Repealing Resolution 2010-048, and Adopting Resolution 2022-009, for Evaluation and Decision Concerning Replacement of Vacated County Positions:
   Commissioner Padgett suggested minor amendments. The Board agreed to the proposed revisions.
   M/S/P – Motion was made by Commissioner Niece and seconded by Commissioner Tisdel to adopt Resolution 2022-009 Repealing Resolution 2010-048, and Adopting Resolution 2022-009, for Evaluation and Decision Concerning Replacement of Vacated County Positions, as amended. The motion carried unanimously.
8. Request for approval and authorization of Chair’s signature on Xerox Lease Agreement for Public Health and on its Fiscal Impact Form:

M/S/P – Motion was made by Commissioner Padgett and seconded by Commissioner Niece to approve and authorize Chair’s signature on Xerox Lease Agreement for Public Health and on its Fiscal Impact Form. The motion carried unanimously.

9. Discussion and direction regarding Preliminary Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS):

The Board agreed to direct Hunt to reply that the County had no comments regarding the FIRM and FIS.

10. Request for appointment of one member to the Ouray County Weed Board for a term to expire on March 13, 2025:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Padgett to appoint Peggy Lyon to the Ouray County Weed Board for a term to expire on March 13, 2025. The motion carried unanimously.

[Commissioner Tisdel was not present for the remainder of the meeting.]

G. 1:33 Marti Whitmore, Colorado River Water Conservation District (CRWCD):
Marti Whitmore, Ouray County Appointee to CRWCD, was present.

1. Quarterly Meeting Update:
2. Discussion and direction regarding Water and Natural Resource Provisions in the Bipartisan Infrastructure Investment and Jobs Act of 2021:
3. Ouray County Water Users Association (OCWUA) Update:

Whitmore provided updates on CRWCD, pending legislation, demand management, and snowpack levels.

H. 2:07 Commissioner/Administrative Reports:

1. Upcoming Work Session Review:

Commissioner Padgett discussed the following:

1) Master Plan Revision - Commissioner Padgett said that the Master Plan revision would require significant input and involvement from Land Use staff. She asked if the Board would be willing to direct Hunt to work with the County Planning Director to identify processes to streamline applications and reviews. The Board agreed.

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

1) Scheduling Updates - The Board directed Hollenbeck to schedule work sessions to discuss the Sheriff’s Office mill levy ballot question and preliminary Master Plan topics.

Connie Hunt, County Administrator, discussed the following:

1) Deputy Social Services Director Interview – Hunt requested that one Commissioner participate in the interviews. The Board agreed to authorize Commissioner Padgett to participate in the interviews.

Commissioner Niece discussed the following:

1) Noxious Weed Management Update - Commissioner Niece asked if an update from the County Vegetation Manager could be scheduled before the spring season. The Board agreed.

Commissioner Padgett discussed the following, continued:

2) Ouray Recreation and Conservation Alliance (ORCA) - Commissioner Padgett said that the group agreed that a facilitator was needed. The Board authorized Commissioner Padgett to work with Hunt to develop a request for proposal and determine the scope.

3:02 The Board of County Commissioners adjourned the regular session.

Attest:

BOARD OF COUNTY COMMISSIONERS 
OF OURAY COUNTY, COLORADO

Lynn M. Padgett, Chair

Jake Niece, Vice-Chair 

Ben Tisdel, Commissioner Member

March 8, 2022