The Board of County Commissioners met in regular session on March 15, 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.** 8:32 The Board of County Commissioners convened as the Board of Health concerning the following:

Tanner Kingery, County Public Health Director, was present.

1. Public Health Director Update:

Kingery reported that the State had adopted an amended Public Health Order. He said that the County’s guidance aligned with the State’s Order.

Kingery reported on local and regional case data, vaccination rates, and hospital status.

The Board discussed refreshing messaging efforts.

2. Request for approval of Ouray County Public Health Department (OCPH) Public Health Order No. 14, Rescinding OCPHA Public Health Order No. 13:

The Board discussed possible revisions to the document, but ultimately decided no amendments were necessary.

No action necessary.

**B.** 9:03 The Board of County Commissioners considered the following:

1. **Request for adoption of Resolution 2022-011 rescinding Resolution 2021-021 and setting forth only limited and/or temporary requirements for masking for County Facilities and Property:**

Caselli projected redline revisions, resulting from the amended State Public Health Order.

Commissioner Padgett proposed minor amendments pertaining to the “Five Commitments of Containment” and emphasizing the importance of respecting personal decisions to mask or not mask.

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to adopt Resolution 2022-011 rescinding Resolution 2021-021 and setting forth only limited and/or temporary requirements for masking for County Facilities and Property, as amended, with authorization given to staff to clean up any minor typographical errors. The motion carried unanimously.

9:27 Break:

**C.** 9:32 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.

Shooting on Private Land

Brad Johnson, Ridge View Lane resident, said that he had previously appeared before the Board regarding a private gun range on a property near the intersection of County Road 1 and 24. He asked if there was any update regarding the disruptive activity.

Commissioner Padgett said that the Board was aware of Johnson’s concern. She said that there was some pending legislation proposed by another County that could affect these kinds of activities. She said that the County Attorney had also been directed to do some legal research, as there were some constitutionality concerns.

Caselli said that he had discussed the topic with the County Sheriff and that it was included on the BOCC Work Session list. He said that Johnson could file a private noise action, but that the activity was within the constitutional right of an individual to participate in a legal activity on private property.

**D.** 9:47 Glenn Boyd, Ouray County Emergency Manager:

1. Emergency Manager Semi-Annual Report:

Glenn Boyd, Ouray County Emergency Manager, and Drew Peterson, West Service Area Field Manager, were present.

Boyd highlighted a review from the Colorado Emergency Preparedness program that would help to identify shortfalls in the County’s Emergency Management program.

The Board congratulated Boyd for being recognized as the Colorado Emergency Manager of the Year.

The Board discussed emergency notification systems.

March 15, 2022
E. 10:30  Public Hearing – 2021 Budget Amendment:
   1. Request for adoption of Supplemental Appropriations Resolution 2022-007 amending the 2021 budget:

Commissioner Padgett opened the public hearing.
Hunt explained the changes in expenditures and revenues.
There were no questions from the Board.
Commissioner Padgett asked for public comment; hearing none, Commissioner Padgett closed the public hearing portion of the hearing.

M/S/P – Motion was made by Commissioner Niece and seconded by Commissioner Tisdel to adopt Supplemental Appropriations Resolution 2022-007 amending the 2021 budget. The motion carried unanimously.

Commissioner Padgett closed the public hearing.

G. 10:34  General Business:

1. Request for approval of warrants:

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

2. Request for approval of the following minutes:
   a. December 7, 2021 minutes:
   The Board discussed and agreed to minor amendments.
   M/S/P – Motion was made by Commissioner Padgett and seconded by Commissioner Niece to approve the December 7, 2021 minutes, as amended. The motion carried unanimously.
   b. December 14, 2021 minutes:
   The Board discussed and agreed to minor amendments.
   M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to approve the December 14, 2021 minutes, as amended. The motion carried unanimously.
   c. December 16, 2021 minutes:
   The Board requested substantial changes and agreed to consider the minutes at a future meeting.

10:48-10:52  Break:

3. Request for approval of the following resolutions:
   a. Resolution 2022-006 repealing and replacing Section 16 of the Land Use Code – Wildfire Mitigation Regulations:  
   (This application was approved by the Board at the January 25, 2022 meeting.)
   Commissioner Padgett presented minor amendments to clarify the dates when cutting pifion was prohibited, and to move the "Informational Items" to the top of the worksheet. The Board agreed.
   M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to adopt Resolution 2022-006 repealing and replacing Section 16 of the Land Use Code – Wildfire Mitigation Regulations, as amended. The motion carried unanimously.
   b. Resolution 2022-008 approving a Temporary Use – Special Use Permit for Basecamp Bouldering, LLC:  
   (This application was approved by the Board at the February 17, 2022 meeting.)
   Commissioner Niece pointed out a minor typo.
   M/S/P – Motion was made by Commissioner Niece and seconded by Commissioner Tisdel to adopt Resolution 2022-008 approving a Temporary Use – Special Use Permit for Basecamp Bouldering, LLC, as amended. The motion carried unanimously.
   c. Resolution 2022-010 approving an Exemption for a 38-acre (+/-) parcel off of Dave Wood Road known as Lot: 3, Section: 4, Township: 46, Range 10, owned by Steven and Cheryl Niehoff:  
   (This application was approved by the Board at the February 17, 2022 meeting.)
   Commissioner Padgett requested that "Happy Canyon Rim Road" be added to Condition 1d. The Board agreed.
   M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to adopt Resolution 2022-010 approving an Exemption for a 38-acre (+/-) parcel off of Dave Wood Road known as Lot: 3, Section: 4, Township: 46, Range 10, owned by Steven and Cheryl Niehoff, as amended. The motion carried unanimously.

4. Request for appointment of Corporal Derrick Linnell to the Seventh Judicial District Community Corrections Board:

Caselli requested that the Board table the item so additional information regarding the term and the publication requirement could be determined. The Board agreed.

March 15, 2022
5. Request for approval and authorization of Chair's signature on Budgetary Transfer Form:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to approve and authorize Chair's signature on Budgetary Transfer Form. The motion carried unanimously.

6. Request for approval and authorization of Chair's signature on the following five (5) Agreements for Dust Control and Road Stabilization and on its Fiscal Impact Form:

a. Enviroad, LLC:
b. EnviroTech Services, Inc.:
c. EP&A Envirotac, Inc.:
d. GMCO Corporation:
e. Stabilization Products LLC:

Commissioner Padgett said that the agreements allowed for flexibility to allow any substitute products upon mutual agreement.

The Board discussed the language in the Fiscal Impact Form and agreed to amend the document to include “...as proposed and appropriated in the 2022 budget.”

M/S/P – Motion was made by Commissioner Niece and seconded by Commissioner Tisdel to approve and authorize Chair's signature on Agreements for Dust Control and Road Stabilization with Enviroad, LLC; EnviroTech Services, Inc; EP&A Envirotac, Inc.; GMCO Corporation; Stabilization Products, LLC, and on the Fiscal Impact Form, with the changes as discussed. The motion carried unanimously.

H. 11:30 Commissioner/Administrative Reports:

1. Upcoming Work Session Review:

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

1) 2022 BOCC Meeting Calendar Change – Hollenbeck reviewed changes to the 2022 BOCC Meeting Calendar.

Commissioner Niece discussed the following:

1) Wildland Urban Interface (WUI) Committee - Commissioner Niece said that a new committee had been formed under the Infrastructure Bill that sought strategies to prevent, manage and suppress wildfires. Commissioner Niece said that he was interested in applying. The Board supported his candidacy.

Commissioner Padgett discussed the following:

1) Congressional Earmarks - Commissioner Padgett reported that a new round of congressional earmarks were expected. She asked if there were any additional projects that could be submitted, other than the County Road 17 / Corbett Creek project that had been denied earlier in the year. Commissioner Niece said that an earmark for a possible satellite office for the Sheriff could be discussed.

2) Bottom Up Economic Goals Listening Session - Commissioner Padgett said that she wanted to schedule a listening session to update the bottom up economic goals that were last done in 2010. Commissioner Padgett said that she wanted to convene a group before May. The Board agreed.

3) Montrose Regional Airport - Commissioner Padgett discussed issues related to the Montrose Regional Airport expansion. She indicated her interest in participating on the Airport Board. Staff was directed to research requirements and bylaws.

12:23 The Board of County Commissioners adjourned the regular session.

Attest:

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

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Lynn M. Padgett, Chair
Jake Niece, Vice-Chair
Ben Tisdel, Commissioner Member

March 15, 2022