

The Board of County Commissioners met in special session on April 2, 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. The meeting was conducted virtually pursuant to Resolution 2020-007 Setting Forth a Virtual Meeting Policy During a Local Disaster Emergency.**

A. 9:01AM General Business:

1. Request for approval of warrants:

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to approve the warrants as presented.

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

Commissioner Batchelder voted in the affirmative.

Commissioner Tisdell voted in the affirmative.

Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

2. Request for adoption of the following resolutions:

- Resolution 2020-009** approving an application to Change the Entity Structure of Dalwhinnie Farms, LLC: *(This application was approved by the Board during the March 17, 2020 meeting.)*
- Resolution 2020-010** approving an application to Change the Entity Structure of Shining Mountain, LLC (a subsidiary of Dalwhinnie Farms, LLC): *(This application was approved by the Board during the March 17, 2020 meeting.)*
- Resolution 2020-011** approving and application for Renewal of a Marijuana Cultivation License for Mountain Annie's LLC, located at 33380 Highway 550: *(This application was approved by the Board during the March 17, 2020 meeting.)*
- Resolution 2020-012** approving a Final Plat Amendment of Fairway Pines Estates, Filing No. 1, Lot C-104: *(This application was approved by the Board during the March 24, 2020 meeting.)*

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to adopt Resolution 2020-009 approving an application to Change the Entity Structure of Dalwhinnie Farms, LLC; Resolution 2020-010 approving an application to Change the Entity Structure of Shining Mountain, LLC (a subsidiary of Dalwhinnie Farms, LLC); Resolution 2020-011 approving and application for Renewal of a Marijuana Cultivation License for Mountain Annie's LLC, located at 33380 Highway 550; and Resolution 2020-012 approving a Final Plat Amendment of Fairway Pines Estates, Filing No. 1, Lot C-104.

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

Commissioner Batchelder voted in the affirmative.

Commissioner Tisdell voted in the affirmative.

Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

- Resolution 2020-013** approving a variance to allow converting existing "Quonset hut" structures to stick built dorms pursuant to Section 12.4 of the Land Use Code: *(This application was approved by the Board during the March 24, 2020 meeting.)*

M/S/P – Motion was made by Commissioner Tisdell and seconded by Commissioner Peters to adopt Resolution 2020-013 approving a variance to allow converting existing "Quonset hut" structures to stick built dorms pursuant to Section 12.4 of the Land Use Code.

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

Commissioner Batchelder voted in the affirmative.

Commissioner Tisdell voted in the affirmative.

Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

3. Request for approval and authorization of Chair's signature on Letter Agreement between Ouray County and Idarado Mining Company to donate three Red Mountain Pass houses to Ouray County for historic tourism:

Viner said that the Letter Agreement outlined the general conditions for transfer of the houses from Idarado to the County. She said that additional agreements and contracts would need to be considered,

likely in June. Commissioner Tisdel confirmed that Idarado and Trust for Land Restoration (TLR) accepted the format and the terms. Viner said that they did.

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Letter Agreement between Ouray County and Idarado Mining Company to donate three Red Mountain Pass houses to Ouray County for historic tourism.

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

Commissioner Batchelder voted in the affirmative.

Commissioner Tisdel voted in the affirmative.

Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

4. Request for approval and authorization of Chair's signature on Cooperative Law Enforcement Annual Operating Plan and on the Fiscal Impact Form:

Commissioner Peters clarified the mileage reimbursement rate. The Board agreed to change the Fiscal Impact Form to reflect .555 per mile, as stipulated in the agreement.

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on Cooperative Law Enforcement Annual Operating Plan and on the Fiscal Impact Form.

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

Commissioner Batchelder voted in the affirmative.

Commissioner Tisdel voted in the affirmative.

Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

After the motion carried Hunt requested that the Board consider two additional warrants for the purchase of a Courthouse Security scanner in the amount of \$17,351.55 and the warranty in the amount of \$3,040.

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to approve and authorize Chair's signature on two warrants to VOTI Detection.

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

Commissioner Batchelder voted in the affirmative.

Commissioner Tisdel voted in the affirmative.

Commissioner Peters voted in the affirmative.

There was no discussion. Motion passed unanimously.

Commissioner Tisdel provided an update on the CCI Western District meeting.

B. 9:20AM The Board of County Commissioners convened into an executive session pursuant C.R.S. § 24-6-402(4)(b) and (e) for a conference with the County attorney for the purpose of receiving legal advice on specific legal questions and to determine positions relative to matters subject to negotiations regarding the CR5 litigation:

M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Peters to convene into an executive session pursuant C.R.S. § 24-6-402(4)(b) and (e) for a conference with the County attorney for the purpose of receiving legal advice on specific legal questions and to determine positions relative to matters subject to negotiations regarding the CR5 litigation.

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

Commissioner Batchelder voted in the affirmative.

Commissioner Tisdel voted in the affirmative.

Commissioner Peters voted in the affirmative.

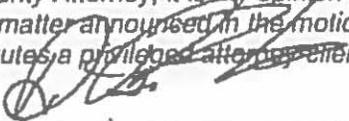
There was no discussion. Motion passed unanimously.

9:23AM The Board of County Commissioners convened into executive session:

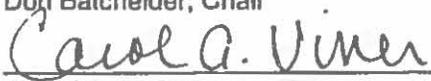
11:47AM The Board of County Commissioners exited executive session:

Commissioner Batchelder said that the discussion was on the matter as announced in the executive session; no actions were taken.

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



Don Batchelder, Chair



Carol Viner, County Attorney

11:48AM The Board of County Commissioners adjourned the regular session.

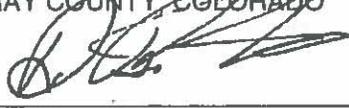
BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

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