

240533 COMMISSIONER MINUTES

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Rec Fees: \$0.00

Cristy Lynn, Clerk and Recorder, Ouray County, CO

**Minutes
Board of County Commissioners
Regular Meeting**

May 20, 2025

A. 9:00 - Call to the Public

The "Call to the Public" agenda item is a time when the community members may bring forth items of interest or concern that are not already on the day's agenda. If you would like to speak about an agenda item, please hold your comments until that time in the meeting. The format is presentation, but the BOCC or staff may answer straightforward questions, and the Chair may limit speaker time to 3 minutes. No formal action may be taken on topics raised in Call to the Public due to Colorado Open Meetings Law. Any topics that require back-and-forth dialogue will be referred to commissioners or staff for discussion outside the meeting or placed on a future work session or agenda for action. Written comments can be submitted electronically via our website.

Glenn Boyd, Ouray County Emergency Manager, shared that Bobby Lucero had called the day before stating that the EMPG grant will expire in September of this year due to the ongoing federal funding issues.

B. 9:30 - Consent Agenda

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to Approve the Consent Agenda. Motion Passed (2 - 0).

Kara Rhoades, Ouray County Interim County Manager, read Commissioner Padgett's questions for the record.

1. Request for approval of Expenditures
2. Request for adoption of **Resolution 2025-021** regarding Disbursement of National Forest Payments:
3. Request for adoption of **Resolution 2025-022** authorizin the Sheriff to Enact Fire Restrictions and Limited Fire Ban Within the Unincorporated Areas of Ouray County, Colorado:
4. Review and acceptance of Public Trustee Report - April 2025:
5. Request for approval and authorization of Commissioner's signatures on Letter of Support for the Ridgway-Ouray Community Council (ROCC) Field Work grant:

C. 9:35 - General Business

1. Request for adoption of the Community Wildfire Protection Plan:

Presented by Glenn Boyd, Ouray County Emergency Manager.
Commissioner Nauer, County Attorney Leo Caselli, and Boyd discussed the effects a new fire authority would have on the Community Wildfire Protection Plan.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to adopt the Community Wildfire Protection Plan. Motion Passed (2 - 0).

2. Request for approval and authorization of Chair's signature on an Intergovernmental Agreement (IGA) between San Miguel County and Ouray County regarding Fiscal Agent for State Homeland Security Grant:

Presented by Glenn Boyd, Ouray County Emergency Manager.
Commissioner Nauer and County Attorney Caselli discussed legal review of the agreement.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to approve and authorize the Chair's signature on the Intergovernmental Agreement (IGA) between San Miguel County and Ouray County regarding the Fiscal Agent for the State Homeland Security Grant. Motion Passed (2 - 0).

3. Request for approval and authorization of Chair's signature on Amendment No. 1 to 2023 Tax Sale Internet Auction Services Agreement:

Presented by Jill Mihelich, Ouray County Treasurer.
Commissioner Niece, Commissioner Nauer and Mihelich discussed the types of properties available and the timeline for the Tax Sale Auction.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to approve and authorize the Chair's signature on Amendment No. 1 to the 2023 Tax Sale Internet Auction Services Agreement. Motion Passed (2 - 0).

4. Request for ratification and approval of Chair's signature on the 2025 Ouray County Service Agreement for County Manager Recruitment Services:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to ratify and approve the Chair's signature on the 2025 Ouray County Service Agreement for County Manager Recruitment Services. Motion Passed (2 - 0).

5. Request for approval of Preliminary Project Schedule for County Manager recruitment services by Peckham and McKenney and establish an Application Timeline including Deadlines and Preliminary Selection Procedures:

Presented by Leo Caselli, Ouray County Attorney.
Commissioner Niece, Commissioner Nauer, County Attorney Caselli and Danielle Noble with Peckham and McKenney discussed the format of the community panel portion of the County Manager recruitment process.
Commissioner Niece asked to make changes to the schedule as discussed, then bring

this back after lunch.

Continued after item G1.

6. Request for ratification of the EarthTech West proposal of services for repairing the Hilfiker wall on County Road 361 (if quote is received):

Presented by Kara Rhoades, Ouray County Interim County Manager. Commissioner Nauer, Commissioner Niece and Interim County Manager Rhoades discussed the increased costs associated with the agreement since the last discussion, and the county's financial inability to handle future disasters of this nature.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to ratify the EarthTech West proposal of services for repairing the Hilfiker wall on County Road 361. Motion Passed (2 - 0).

Ouray County Emergency Manager Glenn Boyd introduced Daniel Harris, the new Deputy County Emergency Manager.

D. 10:00 - The Board of County Commissioners will convene as the Board of Human Services to consider the following items

The Board of County Commissioners convened as the Board of Human Services.

1. Request for approval of the following reports and authorization of the Chair's signature on certification page:
 - a. Balance Sheet March 2025:
 - b. Earned Revenue and Expenditures March 2025:
 - c. Expenditures through Electronic Benefit Transfers April 2025:
 - d. Check Register for the Month of April 2025:
 - e. County Allocation / MOE Report March 2025:

Presented by Linnea Edwards, Ouray County Human Services Director.

2. Caseload Report:

Presented by Linnea Edwards, Ouray County Human Services Director.

3. 25-26 Core Contracts:

Presented by Linnea Edwards, Ouray County Human Services Director. Commissioner Nauer, Director Edwards, County Attorney Caselli and Deputy County Attorney, Marita Robinson discussed a contract that was included in the packet but not on the list of contracts provided.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to approve the 2025-26 Core Contracts. Motion Passed (2 - 0).

4. 25-26 SS 23 A-Placement Agreements:

Presented by Linnea Edwards, Ouray County Human Services Director. Commissioner Nauer and Director Edwards discussed the reasoning for the core services contracts and placement contracts having different start dates.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to approve the 2025-26 SS 23 A-Placement Agreements. Motion Passed (2 - 0).

E. 10:30 - Will Clapsadl - Facilities Plan: (Brad Ash/KLJ)

Presented by Will Clapsadl, Ouray County Facilities Manager, and Brad Ash, Reynolds Ash and Associates.

Commissioner Nauer, Commissioner Niece, Clapsadl and Ash discussed the omission of the Surveyor from the facilities plan, facilities related to EMS, the differing needs of various county departments and the needs of the county as a whole.

Jeff Bockes, Ouray County IT Manager, suggested the information in the report for the IT department was not accurate and felt he was not given an opportunity to review.

Ash, Clapsadl, County Attorney Caselli, IT Manager Bockes, Commissioner Niece and Commissioner Nauer discussed improving communication with departments regarding facilities planning, using county wide population growth data to estimate staffing needs, and potential growth opportunities for the Mall Road property.

Clapsadl, Ash and Commissioner Niece discussed land acquisition for a new facility.

No action was taken on this item.

F. 11:30 - Planning Commission Interviews:

1. Valentine Szwarc:

Valentine Szwarc introduced himself and explained his qualifications for appointment to the Planning Commission.

Commissioner Nauer commented on Szwarc's life experience and attention to detail as an engineer, and his experience with the Master Plan process, noting the value this would bring to the Planning Commission.

Szwarc stated his desire to address water and recreation as two priorities.

Commissioner Niece asked if there were any conflicts of interest that would interfere with his ability to act on behalf of the Planning Commission.

Szwarc noted his place on the board of directors with San Miguel Power Association and on the Elk Meadows HOA, stating he would recuse himself if either were to bring a request to the Planning Commission.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to appoint Valentine Szwarc to the Planning Commission. Motion Passed (2 - 0).

2. K John Wood:

K John Wood introduced himself and explained his qualifications for the Planning Commission.

Commissioner Nauer asked if he had reviewed the Master Plan, and to give some ideas he had for the master plan.

Wood explained his preference to address growth appropriately, suggesting fatigue played a major part in the effectiveness of the master plan process and thought some things weren't addressed that are important for the future of the County.

Commissioner Niece asked if there were any conflicts of interest that could interfere with the ability to work on the Planning Commission.

Wood stated that he would recuse himself from any issues that would involve his property on County Road 14.

Commissioner Niece shared his concerns regarding an issue with a gate being placed on a trail that disallowed public access, and things that were discussed with the newspaper about candidates for the Police Chief when Wood was on Ouray City Council.

Wood stated that he wasn't aware of the situation regarding the police chief search. He acknowledged the gate issue, calling it a misunderstanding that had been resolved with the County Attorney.

Commissioner Niece argued that the gate issue showed a disregard for county regulations.

Commissioner Nauer recalled a situation that occurred during a Board of Equalization hearing, in which comments were made that were problematic and agreed with Commissioner Niece's concerns.

No action was taken on this item.

11:50 - Lunch

G. 1:30 - The Board of County Commissioners will convene as the Board of Adjustment to consider the following items:

[Public comments may be submitted in writing prior to the hearing and should be received no later than 3:00PM on May 19, 2025. Alternatively, oral testimony will be accepted during the hearing.]

1. **Public Hearing:** Request for approval of a Variance from the dimensional standard listed in the definition of "Accessory Dwelling Unit" (ADU), requiring that an accessory dwelling be located within 300 feet of the Primary Dwelling Unit (PDU). If approved, the Applicant would be allowed to construct a Primary Dwelling Unit approximately 1,000 feet from the Accessory Dwelling Unit. There is an existing 1,198 sq. ft. manufactured home on the parcel located at 1147 County Road 22. [This item was continued from both the May 21, 2024, July 30, 2024 and November 5, 2024 meetings to May 20, 2025 in order to give the applicant time to explore and develop a PUD application versus a variance request.]

Applicant: Trevor Croke

Commissioner Niece acknowledged the memo in the packet stating that the application had been rescinded and asked Dan Hughes, Ouray County Planner, if he had additional comments.

Hughes expanded on the information in the memo provided in the board packet.

County Attorney Caselli suggested the board make a motion to accept the withdrawn application and apply the fees from the original application to the new application.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to accept the withdrawal of the application and apply the fees from the application to the new PUD application. Motion Passed (2 - 0).

1:33 - Board recessed for a break.

1:45 - Peckham and McKenney - Continued from B5

Commissioner Niece shared the proposed schedule on the screen.

Commissioner Niece, Commissioner Nauer, Noble and County Attorney Caselli discussed details of the schedule and the plan for the meet and greet.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to approve the preliminary project schedule and establish an application timeline as shown during the discussion. Motion Passed (2 - 0).

1:58 - With no further business, the Board of County Commissioners adjourned.

The Board of County Commissioners met in a regular session on May 20, 2025. Those present for the session were Commissioner Niece, Commissioner Nauer; Kara Rhoades, Interim County Manager; Leo Caselli, County Attorney; Marita Robinson, Deputy County Attorney (via Zoom); Jennifer Peterson, Public Information Officer; and Eli Holmes, Executive Assistant I and Deputy Clerk to the Board.

These Minutes were approved on November 18, 2025.

Commissioner	Yes/Aye	No/Nay	Abstain	Absent
Niece	X			
Nauer	X			
Padgett	X			

Attest:



Signed by:

A handwritten signature in black ink, appearing to be "Eli Holmes".

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Cristy Lynn, Clerk and Recorder
By: Eli Holmes, Deputy Clerk of the Board

Board of County Commissioners of Ouray County,
Colorado

Signed by:

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Jake Niece, Chair

Signed by:

A handwritten signature in black ink, appearing to be "Michelle Nauer".

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Michelle Nauer, Vice-Chair

Signed by:

A handwritten signature in black ink, appearing to be "Lynn Padgett".

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Lynn Padgett, Commissioner Member