

240928 COMMISSIONER MINUTES

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Rec Fees: \$0.00

Damon Todd, Clerk and Recorder, Ouray County, CO

**Minutes
Board of County Commissioners
Regular Meeting**

September 9, 2025

1. 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.

The meeting on September 9, 2025 was called to order at 9:00 AM by the Chair of the Board.

Sheldon Kerr, Ridgway Resident, asked about having a clock visible on the camera during BOCC meetings, due to difficulty navigating the recordings based on specific agenda items.

Commissioner Niece, Commissioner Padgett and Interim County Manager Rhoades addressed the comment with solutions to the issue of navigating the BOCC meeting recordings.

Kerr also commented on the Trust for Land Restoration acquisition of the Brown Mountain properties, and asked what the county could do with regard to Macintyre Gulch and private closures of public access roads.

Kerr, Commissioner Niece, Commissioner Padgett and Deputy County Attorney Marita Robinson discussed private closures of public access roads, specifically discussing Macintyre Gulch.

Linda Ingo, Ridgway Resident, commented on a great experience she had with Ty Barger, Road and Bridge Superintendent as well as the Road and Bridge department.

2. 9:30 - Consent Agenda

Commissioner Padgett asked about refunds for building and driveway permits, and asked whether the county has a refund policy.

Commissioner Padgett, Interim County Manager Rhoades and Deputy Attorney Robinson discussed refunds and the relevant policy.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to Approve the Consent Agenda. Motion (3 - 0).

- a. Request for approval of Expenditures:

- b. Request for Approval and Authorization of Chair's Signature on the following Agreements for Election Services:
 - i. Cedar Hill Cemetery District:
 - ii. Ouray Fire Protection District:
 - iii. City of Ouray:
 - iv. Montrose County School District:
 - v. Ouray School District:
 - vi. Ridgway School District:
- c. Request for approval and authorization of Chair's signature on the following Memorandums of Understanding (MOU):
 - i. MOU for Control of Confidential Data for Sales Tax:
 - ii. MOU for Control of Confidential Data for State Retail Marijuana Sales Tax:

3. 9:35 - General Business

- a. Request for approval of the following Minutes:
 - i. March 25, 2025:

Commissioner Padgett stated she would abstain from the vote on the March 25, 2025 minutes.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to Approve the March 25, 2025 Minutes. Motion Passed (2 - 0) with Commissioner Padgett abstaining.

Rollcall vote was called:

Padgett - Abstain, Nauer - Yes, Niece - Yes

- ii. April 8, 2025:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to Approve the April 8, 2025 Minutes. Motion (3 - 0).

- b. Request for Adoption of **Proclamation 2025-016** Declaring September 2025 as Suicide Prevention Month:

Presented by Kristin Kelley, Ouray County Public Health Director.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to Adopt Proclamation 2025-016 declaring September 2025 as Suicide Prevention Month. Motion Passed (3 - 0).

- c. Consideration of the reappointment of Sarah McCormick to the Right-to-Farm Agricultural Review Board effective April 30, 2025 for a two year term expiring April 30, 2027:

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to reappoint Sarah McCormick to the Right-to-Farm Agricultural Review Board effective April 30, 2025 for a two year term expiring April 30, 2027. Motion Passed (3 - 0).

- d. Request for ratification of approval and authorization of Chair's signature on Abstract of Assessment certifying the County Board of Equalization has concluded its hearings and indicating examination of the Abstract of Assessment:

Presented by Susie Mayfield, Ouray County Assessor. She thanked the Chair for signing so the report could be submitted and noted a delay in submission due to a last second software update.

Commissioner Nauer asked if anything changed since the previous year's report.

Assessor Mayfield described changes to the report for this year.

Commissioner Niece asked whether the changes were related to the software update that resulted in the report being delayed.

Assessor Mayfield confirmed that was the case.

All three commissioners and Assessor Mayfield discussed the report and statewide legislative decisions which have changed the assessment process.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to Ratify the Chair's signature on the Abstract of Assessment, certifying the County Board of Equalization has concluded its hearings and indicating examination of the Abstract of Assessment. Motion Passed (3 - 0).

- e. CCAT 2025 Interim Policy Priority Survey:

Commissioner Niece presented the CCAT 2025 Interim Policy Priority Survey.

All three commissioners worked through the survey.

No additional action was taken on this item.

4. 10:00 - The Board of County Commissioners will convene as the Board of Health to consider the following items:

The Board of County Commissioners convened as the Board of Health.

- a. Public Health Director Update:

Presented by Kristin Kelley, Ouray County Public Health Director.

Commissioner Padgett and Director Kelley discussed West Nile Virus and future mosquito mitigation.

Director Kelley continued her monthly update.

All three commissioners, Director Kelley and Mark Chambers, IT, discussed COVID vaccines and barriers to access, including requirements for a prescription.

Director Kelley continued her update.

Commissioner Niece and Director Kelley discussed whether the vaccines recommended are updated for this year's viral strains.

10:27 - The Board Recessed for a break

5. 10:30 - Ty Barger, Road and Bridge Superintendent

The Board reconvened as the Board of County Commissioners.

a. Road and Bridge Report:

Presented by Christy Williams, Road and Bridge Administrative Assistant II.

Commissioner Niece and Williams discussed the timeline for the fuel equipment installation in Ridgway.

Williams continued the monthly report.

Commissioner Niece acknowledged the public comment from Linda Ingo.

Dickson Pratt, Loghill Village resident, stated that he is impressed with the condition of County Roads 24 and 1, and the job the department has done on all County Roads.

Commissioner Padgett agreed with the state of the county roads and discussed some issues that have been communicated to her.

10:55 - The board recessed for a break.

6. 11:00 - 15-Minute Break

7. 11:15 - Executive Session Litigation Updates

- a. The Board of County Commissioners may convene into an Executive Session pursuant to C.R.S. § 24-6-402(4)(b) and (e), for a conference with legal counsel, and with the county manager and/or other necessary county staff present, to receive legal advice on specific legal questions, determine positions relative to matters that may be subject to negotiations, develop strategy for negotiations, and/or instruct negotiators, for Docket Nos. 2019CW3098, 2021CW3064, and 2025CV30000:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to Convene into Executive Session pursuant to C.R.S. 24-6-402(4)(b) and (e), for a conference with legal counsel, and with the county manager and/or other necessary county staff present, to receive legal advice on specific legal questions, determine positions relative to matters that may be subject to negotiations, develop strategy for negotiations, and/or instruct negotiators, for Docket Nos. 2019CW3098, 2021CW3064 and 2025CV30000. Motion Passed (3 - 0).

County Attorney Leo Caselli read the Board of County Commissioners into Executive Session.

12:36 PM - County Attorney Leo read the Board of County Commissioners back into the regular session.

Participants in the Executive Session:

Commissioner Niece

Commissioner Nauer

Commissioner Padgett

Marita Robinson - Deputy County Attorney

Leo Caselli - County Attorney

Kara Rhoades - County Manager

Bernard Woessner - Outside Counsel

12:37 PM - Board recessed for Lunch.

8. 12:00 - Lunch

9. 1:30 - Executive Session: Preliminary County Manager Recruitment Updates

1:30 - The Board of County Commissioners reconvened.

- a. The Board of County Commissioners may convene into an Executive Session pursuant to C.R.S. § 24-6-402(4)(b), (c), (f), and (g) for a conference with legal counsel, and with the executive recruiter (Danielle Noble with Peckham & McKenney) present, to receive legal advice on specific legal questions, and discuss personnel matters, related to the ongoing County Manager recruitment, including scheduling and logistics with preliminary interviews, the preliminary candidates, and confidential preliminary application materials under C.R.S. 24-72-204(3)(a)(XI):

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to Convene into an executive session for agenda items 9.a. and 9.b. Motion Passed (3 - 0).

1:30 PM - County Attorney Caselli read the Board into the Executive Session.

3:06 PM - County Attorney Caselli read the Board back into the regular session.

Participants in the Executive Session:

Commissioner Niece

Commissioner Nauer

Commissioner Padgett

Marita Robinson - Deputy County Attorney

Leo Caselli - County Attorney

Sherry Peck - HR Director

Danielle Noble - Peckham and McKenney

- b. Action item: The Board may identify a number of preliminary County Manager candidates to advance for first-round interviews by the Board in executive session on September 22-23, 2025, and which candidates will be identified by numbering only (no names or other identifying information) to protect confidentiality under C.R.S. 24-72-204(3)(a)(XI) and other law. Note: no finalists will be identified at this time:

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to move forward with first-round interviews with candidates 5, 9, 11, 31, 36, 37 and 38. Motion Passed (3 - 0).

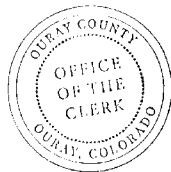
3:06 - With no further business, the Board of County Commissioners adjourned.

The Board of County Commissioners met in a regular session on September 9, 2025. Those present for the session were Commissioner Padgett, Commissioner Niece, Commissioner Nauer; Kara Rhoades, Interim County Manager; Leo Caselli, County Attorney(via Zoom); Marita Robinson, Deputy County Attorney; and Eli Holmes, Executive Assistant I and Deputy Clerk to the Board.

These Minutes were approved on February 10, 2026.

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

Attest:



Signed by:

[Signature]

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Damon Todd, 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

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Michelle Nauer, Vice-Chair

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Lynn Padgett, Commissioner Member