

241282 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**

December 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 December 9, 2025 was called to order at 9:00 AM by the Chair of the Board.

Mike Rock, Log Hill resident, thanked the Commissioners and staff for the work they do every day. He discussed his history with local government. He stressed that county employees deserve respect at every level and need that so they can perform to their best abilities. He encouraged the board to have healthy discourse and made suggestions for the board to work together. He also reminded everyone that today is giving Tuesday.

No additional public comment.

2. 9:15 - Consent Agenda

Commissioner Nauer commented on a large expenditure and wanted to make sure it was for the replacement fuel tanks at Road and Bridge. She also mentioned that there was not a fiscal impact form for the Vegetation IGA.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the consent agenda, items a and b. Motion Passed (3 - 0).

- a. Request for approval of Expenditures:
- b. Request for approval and authorization of Chair's signature on Vegetation Management Intergovernmental Agreement (IGA) between Ouray County and San Miguel County and on its Fiscal Impact Form:

3. 9:20 - General Business

- a. Request for adoption of the State of Colorado Proclamations recognizing the Town of Ridgway and City of Ouray Wastewater Treatment Facilities, and

declaring December 1-5, 2025 Wastewater Utility Appreciation Week:

Jennifer Peterson, Ouray County Communications Administrator, asked to hold this off until Kristin Kelley, Ouray County Public Health Director, and Preston Neill, Ridgway Town Manager, were able to be there to present.
The board moved on to item 3b.

9:33 - The board returned to this item.

Presented by Jennifer Peterson, Ouray County Communications Administrator.
Preston Neill, Ridgway Town Manager, thanked the board and state for the recognition.

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to approve the State of Colorado Proclamations. Motion Passed (3 - 0).

The board continued on to item 3d.

- b. Request for approval of **Resolution 2025-042** repealing and replacing Resolution 2025-034 - Evaluation and Decision Concerning Expenditures:

Presented by Commissioner Niece.

Commissioner Padgett suggested a change to one whereas statement so that departments were not specified in the resolution.
All three commissioners discussed the suggested change.
Commissioner Padgett suggested repealing the entire resolution due to its lack of practicality.
All three commissioners discussed whether the resolution should be repealed in full.
County Attorney Caselli suggested a formatting change to improve clarity on the whereas statement that created confusion.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Niece to approve Resolution 2025-042 with the change discussed in the meeting. Motion Passed (2 - 1).

Roll call vote was called:

Padgett - No

Nauer - Yes

Niece - Yes

- c. Request for approval of the following minutes:

- i. June 10, 2025

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the June 10, 2025 minutes. Motion Passed (3 - 0).

ii. June 24, 2025

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the July 24, 2025 minutes. Motion Passed (3 - 0).

iii. July 15, 2025

Commissioner Nauer asked for the agendaized Lunch section to be removed from the minutes to mitigate confusion and improve formatting.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the July 15, 2025 minutes with the removal of "Lunch" at the end of the minutes. Motion Passed (3 - 0).

9:33 - The Board went back to item 3a.

- d. Request for approval and authorization of the Chair's signature on the Intergovernmental Agreement (IGA) between Hinsdale, Ouray, San Miguel and San Juan Counties concerning the management of Alpineloop.info:

Commissioner Niece asked for an update to the contact information in the agreement. County Attorney Caselli recommended using the new county manager's email for the contact information.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize the Chair's signature on the IGA between Hinsdale, Ouray, San Miguel and San Juan Counties concerning the management of Alpineloop.info. Motion Passed (3 - 0).

- e. Request for approval and authorization of Chair's signature on the Fund Transfer Form for the Distribution of the MJ Excise Tax Funds:

Presented by Commissioner Nauer.

Commissioner Padgett stated that she liked the presentation of the MJ Excise Tax because of the transparency, and hoped the same could be done with the lodging tax.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize the Chair's signature on the Fund Transfer Form for the distribution of the MJ Excise Tax funds. Motion Passed (3 - 0).

- f. Request for approval and authorization of Chair's signature on Budgetary Transfer Form from the General Fund to the EMS Fund:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize the chair's signature on the Budgetary Transfer Form from the General Fund to the EMS fund. Motion Passed (3 - 0).

4. 9:45 - Glenn Boyd, County Emergency Manager**a. Emergency Management Update:**

Presented by Glenn Boyd, Ouray County Emergency Manager.

Commissioner Padgett and Emergency Manager Boyd discussed the FEMA NIMS training website being down.

Sherry Peck, Ouray County HR Director, asked Boyd to share the list of employees who need to finish NIMS training with her.

5. 10:15 - 15-Minute Break

9:56 - The Board of County Commissioners recessed for a break.

6. 10:30 - Ty Barger, Road and Bridge Superintendent

10:21 - The Board of County Commissioners reconvened.

a. Road and Bridge Report:

Presented by Ty Barger, Ouray County Road and Bridge Superintendent.

Commissioner Niece, Commissioner Padgett and Superintendent Barger discussed directives for updating the One-and-Six Year Road Plan.

All three commissioners agreed with Barger's request to recruit for vacancies.

Commissioner Nauer, Commissioner Padgett, Superintendent Barger and County Attorney Caselli discussed transfers out of multiple funds into the pavement preservation fund.

Commissioner Padgett and Superintendent Barger discussed funds spent from the road materials fund.

Commissioner Nauer reminded the board that there are matching grant monies in some of the funds being discussed.

Commissioner Padgett asked to rename the line item for pavement preservation fund to something more appropriate.

Commissioners Niece and Nauer agreed with this suggestion.

Joel Northey, Wolf Cattle Company Manager, requested a single day to plow upper County Road 7 so they could finish a wildfire mitigation project.

County Attorney Caselli suggested a one-time encroachment permit with a time limit.

All three commissioners, Superintendent Barger and Northey discussed a limited scope permit to finish the project.

The board provided direction for staff to work on a permit for the project.

7. 11:00 - The Board of County Commissioners will convene as the Board of Health to consider the following items

The Board convened as the Board of Health.

a. Public Health Director Update:

Presented by Kristin Kelley, Ouray County Public Health Director.

- b. Request for approval and authorization of Chair's signature on the Women Infants and Children (WIC) Intergovernmental Agreement (IGA) between Ouray County and San Miguel County and on the Fiscal Impact Form:

Presented by Kristin Kelley, Ouray County Public Health Director.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize the Chair's signature on the WIC IGA between Ouray County and San Miguel County and on the fiscal impact form. Motion Passed (3 - 0).

- c. Request for approval and authorization of the Chair's signature on the Public Health Emergency Preparedness (PHEP) program Agreement #2026*0044 Amendment #3 (Original Agreement #2025*0136), and on the Fiscal Impact Form:

Presented by Kristin Kelley, Ouray County Public Health Director.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize the Chair's signature on the Public Health Emergency Preparedness program Agreement #2026*0044 Amendment #3 (Original Agreement #2025*0136), and on the fiscal impact form. Motion Passed (3 - 0).

8. 11:30 - Public Hearing to consider adoption of proposed 2026 Ouray County Budget and adoption/approval and signatures on appropriate Resolutions and Budget Message as follows:

Presented by Commissioner Nauer.

Commissioner Padgett stated that the budget message and budget packet did not include the clear message that was shared by Commissioner Nauer. She wanted to update the budget message to make the lodging tax language in the budget message more transparent.

Commissioner Niece agreed that the format used for the Marijuana Excise tax distribution is appropriate for the lodging tax.

All three commissioners discussed details from the lodging tax disbursement, and providing this detail for the public.

Connie Hunt, Ouray County Special Policy Advisor, provided context on the way the budget document was built and stated that it could be built any way the board would like.

Commissioner Padgett shared her screen with the budget document shared earlier by Commissioner Nauer, and noted the structure of the Marijuana Excise Tax fund.

Commissioner Niece agreed with Commissioner Padgett's suggestion to clean up the Lodging Tax structure in the same fashion as the marijuana excise tax fund, but thought this could be addressed during a work session during 2026.

All three commissioners discussed passing the budget as proposed, and having a work session to improve the structure of the lodging tax fund.

Commissioner Padgett proposed using \$40,000 from the lodging tax to appropriate to the disaster fund to recover some funds from the depletion from the rockfall disaster.

All three commissioners and County Attorney Caselli discussed the proposal.

Commissioner Niece asked if the decrease in revenues for all funds includes transfers.

Hunt stated that transfers are included.

Commissioner Niece asked if the increase in property tax revenue accounted for the state lowering the residential assessment rate.

Hunt stated that this is included in the calculation.

Commissioner Padgett asked for an index for all non-government organizations the county contributes to.

Commissioner Nauer outlined the proposed transfers for the Road and Bridge funds, and the options the county has.

Hunt provided suggestions for how the board would like to appropriate the funds from those transfers.

Commissioner Padgett discussed her notes from the original proposal to transfer funds regarding the Road and Bridge funds and why she made the proposal.

All three commissioners and Hunt discussed whether to keep the transfers as presented and making budget amendments in 2026.

Public Comment

No public comment.

Commissioner Padgett read questions she had compiled from citizens:

"Where is the county accounting for the part-time employees currently working for the Administration department?"

Sherry Peck, HR Director, stated that this is coming out of the Salaries line item.

"Does the proposed 2026 budget only have the salaries of the regular employees, or does it include the temporary employees?"

Hunt stated that full-time employees are the only salaries in the line item, but the temporary employees will be paid out of that item.

Commissioner Padgett asked for clarification on the Administration budget line item 115-7230.

Hunt described the professional services expenditures for 2025.

"What are we appropriating for professional services for 2026?"

Hunt described the professional services expenditures appropriated for 2026.

"What is the miscellaneous expense of \$20,250 in the Administration Budget for 2026?"

Commissioner Nauer believed it was reimbursement for relocation for the new county manager.

"What is the reason for the bump up in Juvenile Services?"

Commissioner Padgett described what she learned from San Miguel County, and her understanding of the increase.

Commissioner Padgett discussed notes regarding the budget message, and using and potentially updating the budget policy.

All three commissioners acknowledged the difficult budget process and hoped to

improve the process next year.

- a. **Resolution 2025-039** Approving Cost Allocations from County Funds and State Federal Sources to Support Indirect Internal Services within the General Fund for 2026:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve Resolution 2025-039 approving cost allocations from county funds and state federal sources to support indirect internal services within the General Fund for 2026. Motion Passed (3 - 0).

- b. **Resolution 2025-040** Adopting the Expenditures and Revenues for each Fund and Adopting a Budget for 2026:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve Resolution 2025-040 adopting the expenditures and revenues for each fund and adopting a budget for 2026. Motion Passed (3 - 0).

- c. **Resolution 2025-041** Appropriating Sums of Money to various Funds for the 2026 Budget year:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve Resolution 2025-041 appropriating sums of money to various funds for the 2026 budget year. Motion Passed (3 - 0).

- d. **Resolution 2025-042** Levying General Property Taxes for 2026:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve Resolution 2025-042 levying general property taxes for 2026. Motion Passed (3 - 0).

- e. 2026 Budget Message:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the 2026 Budget Message with the update to the resolution number as discussed in the meeting and otherwise as presented. Motion Passed (3 - 0).

- f. Proposed 2026 Budget:

9. 12:30 - Lunch

12:54 - The Board of County Commissioners recessed for Lunch.

- 10. 1:30 - Executive Session - The Board of County Commissioners may convene into an Executive Session pursuant to C.R.S. § 24-6-402(4)(b); for a conference with legal counsel to: receive legal advice on specific legal questions for: (1) Docket Nos. 2019CW3098, 2025CV30000, 2025CV5, 2023CV4, 2025CV2/ 2025CA1350; and (2) for procedures and interview**

questions for county clerk appointment process.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to convene into executive session as listed on the agenda. Motion Passed (3 - 0).

1:30 - The Board of County Commissioners convened in Executive Session.

2:37 - The Board of County Commissioner reconvened in Regular Session.

County Attorney Caselli read the board out of Executive Session.

Participants in Executive Session:

Commissioner Niece

Commissioner Nauer

Commissioner Padgett

Leo Caselli - County Attorney

Tammy Stroup - Undersheriff

Justin Perry - Sheriff

County Attorney Caselli asked the board for direction to develop a list of questions for interviews for the County Clerk and Recorder appointment.

All three commissioners confirmed this direction.

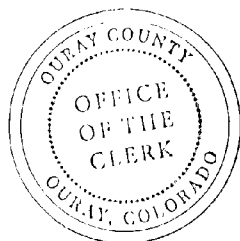
2:39 - With no further business, the Board of County Commissioners adjourned.

The Board of County Commissioners met in a regular session on December 9, 2025. Those present for the session were Commissioner Padgett, Commissioner Niece, Commissioner Nauer; Leo Caselli, County Attorney; Sherry Peck, HR Director; Jennifer Peterson, Public Information Officer; and Eli Holmes, Executive Assistant I and Deputy Clerk to the Board.

These Minutes were approved on April 14, 2026

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

Attest:



Signed by:

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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

Signed by:

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Michelle Nauer, Vice-Chair

Signed by:

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Lynn Padgett, Commissioner Member