

241547 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**

March 24, 2026

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 March 24, 2026 was called to order at 9:00 AM by the Chair of the Board.

Erik Fallenius presented a cycling event that he is proposing for a special event permit. John Hill, Ridgway Chamber of Commerce, commented in support of the special event proposed by Fallenius.

Dianne Eschmann, representing Great Old Broads for Wilderness, commented in support of a proposal to close a section of Upper Yankee Boy and discussed issues regarding recreational OHVs.

Richard Weber III and Tyler Ferguson, on behalf of the West Arm Ditch company, asked for a new culvert under County Road 23 due to stagnant water in the ditch. He acknowledged a meeting with Road and Bridge Superintendent Ty Barger, in which he learned that the culvert and County Road 23 were moved from this year to next year due to budget constraints.

County Attorney Caselli suggested an on-site meeting to see if something could be done in the short-term.

Commissioner Niece, Commissioner Padgett and Weber discussed the culvert issue.

Commissioner Niece asked County Manager Antonio Mendez to work with Weber and county staff to come up with a solution.

Commissioner Nauer acknowledged the issue and agreed with the other commissioners to find a compromise.

Commissioner Padgett suggested this should be done for all ditches and ditch companies that have elevation issues.

All three commissioners discussed the culvert issues on County Road 23.

Richard Weber Jr. suggested the culvert needs immediate attention.

Vicky Halls, on behalf of Ridgway Ouray Community Council, commented in support of a vehicular closure of the Upper Yankee Boy Road.

Robyn Cascade, Ridgway resident, commented on the overuse of the high alpine by

some user groups and urged the board to listen to local constituents, rather than outside groups. She also suggested changing the name of Cesar Chavez day. Commissioner Padgett and Commissioner Nauer discussed conversations they have had with motorized user groups from around the state.

- a. Public Comments:

2. 9:30 - Consent Agenda

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

- a. Request for approval of Expenditures:
 - i. Human Services Warrants:
- b. Request for approval of the Clerk's MV and ERTB forms for February 2026:
- c. February Public Trustee Report:

3. 9:35 - General Business

- a. Request for adoption of **Proclamation 2026-003** recognizing April 6-12 as National Public Health week:

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 2026-003 recognizing April 6-12 as National Public Health Week. Motion Passed (3 - 0).

Director Kelley shared appreciation for each of the Public Health staff members.

- b. Request for adoption of **Proclamation 2026-004** recognizing April 2026 as Child Abuse Prevention Month:

Presented by Linnea Edwards, Ouray County Human Services Director.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to adopt Proclamation 2026-004 recognizing April 2026 as Child Abuse Prevention Month. Motion Passed (3 - 0).

- c. Request for adoption of **Proclamation 2026-005** recognizing April 2026 as Sexual Assault Awareness Month:

Presented by Justin Perry, Ouray County Sheriff.

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to adopt Proclamation 2026-005 and proclaim April 2026 as

Sexual Assault Awareness Month in Ouray County. Motion Passed (3 - 0).

d. Request for approval of the following minutes:

i. October 7, 2025:

Commissioner Padgett commented about the amount of context for the veteran's flag request.

All three commissioners discussed the minutes.

Commissioner Padgett asked to include conditions from application approvals during quasi-judicial hearings in minutes for additional context.

All three commissioners and County Attorney Caselli discussed how conditions could be referenced in the minutes moving forward.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the October 7 minutes, with the condition to strike the sentences stating Boyd continued his update and reference to the resolution number where Attorney Caselli read the conditions. Motion Passed (3 - 0).

ii. October 20, 2025 - Special Meeting:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the October 20th minutes. Motion Passed (3 - 0).

iii. October 21, 2025:

Commissioner Niece asked if there was a name change for Sarah Smedsrud, as it was written as Sarah McConnel in the minutes.

Eli Holmes, Deputy Clerk of the Board stated that this was a mistake and would be corrected.

Commissioner Nauer asked to update Ingo to Linda Ingo in call to the public.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the October 21, 2025 minutes with changes discussed. Motion Passed (3 - 0).

iv. November 5, 2025:

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to approve the November 5, 2025 Minutes. Motion Passed (3 - 0).

e. Request for approval and authorization of the Chair's signature on the Special Event Permit Agreement with the Fairway Pines Wildfire Emergency Planning Committee of the Fairway Pines Property Owners Association for the Wildfire Aware Fair:

Commissioner Padgett asked if this event required a permit since it is not on County property and would have minimal effect on county roads.

County Attorney Caselli, Deputy Clerk Holmes and Commissioner Padgett discussed the event and the purpose of this request.

Commissioner Nauer noted discrepancies between the start time listed in the permit agreement and the flyer included in the packet.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize the Chair's signature on the Special Event Permit Agreement with Fairway Pines Wildfire Emergency Planning Committee of the Fairway Pines Property Owners Association for the Wildfire Aware Fair. Motion Passed (3 - 0).

- f. Request for approval of the Law Enforcement Assistance Fund (LEAF) Grant Application for supplemental impaired driving and HVE provisions funding for state fiscal year 2027:

Presented by Tyler Wallace, Ouray County Sheriff's Deputy and Tammy Stroup, Ouray County Undersheriff.

Commissioner Niece asked if the traffic data would be available for public.

Deputy Wallace stated that the data would be held in the Sheriff's office and that the data would not be shared with third parties.

Commissioner Padgett suggested the data could be useful, but that the contract should be monitored to see what the contract says about data collection.

Commissioner Niece, Commissioner Padgett, Sheriff Perry, County Attorney Caselli and Deputy Wallace discussed data collection and potential contract terms for the proposed technology.

Commissioner Padgett asked what the maximum dollar amount is that could be applied for.

Deputy Wallace stated that he believes he could apply for more money to get additional traffic monitoring systems.

Commissioner Nauer suggested modifying the application to order more than one system.

Sheriff Perry stated that this would help in the back-country.

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to approve the grant application, allowing for any number of additional speed trailers as the Sheriff's Office deems appropriate. Motion Passed (3 - 0).

- g. Request for approval and authorization of the County Manager's and Chair's signatures on the Engagement Letter with Blair and Associates, PC, for the 2025 audit:

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve and authorize the County Manager's and Chair's signatures on the engagement letter with Blair and Associates, PC, for the 2025 audit. Motion Passed (3 - 0).

Commissioner Padgett asked if the county planned to go out for an RFP for audit in the future.

County Manager Mendez stated that this has been the county's auditor for quite some time but could go out to RFP if the board wants.

All three commissioners expressed support for an RFP for audit for future years.

- h. Request for Approval and Authorization of Chair's Signature for Amendment 1 to IGA for Law Enforcement Services for City of Ouray

Commissioner Padgett asked if all the mechanisms for approving additional duties were in place.

County Attorney Caselli explained the mechanisms that will allow the Sheriff and County Manager to approve additional duties.

Sheriff Perry stated that the City has been amenable to any changes to the agreement that have been requested thus far. He explained the reason for the amendment.

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to approve and authorize the Chair's signature for Amendment 1 to the IGA for Law Enforcement Services to be provided by the Sheriff's Office for the City of Ouray. Motion Passed (3 - 0).

County Attorney Caselli stated that this typically relies on part-time or contract employees, and offered to bring those requests back if the board wants, even though these requests don't normally come to the board.

All three commissioners discussed the ability of the Sheriff to hire contract employees without bringing them to the board under the agreement.

M/S/P Motion was made by Commissioner Padgett and seconded by Commissioner Nauer to approve any temporary positions that are funded and required for the service of this IGA and amendment. Motion Passed (3 - 0).

4. 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.

- a. Request for approval and authorization of the Chair's signature for the following reports:
 - 1. Balance Sheet, January 2026
 - 2. Earned Revenue and Expenditures, January 2026
 - 3. Expenditures through Electronic Benefit Transfers, February 2026
 - 4. Check Register for the Month of February 2026
 - 5. County Allocation/MOE Report JAN-2026

Presented by Linnea Edwards, Ouray County Human Services Director.

M/S/P Motion was made by Commissioner Nauer and seconded by Commissioner Padgett to approve the Balance sheet for January 2026, Earned Revenue and Expenditures for January 2026, Expenditures through Electronic Benefit Transfers for February 2026, Check Register for February 2026 and the County Allocation/MOE report for January 2026. Motion Passed (3 - 0).

b. Caseload Report:

Presented by Linnea Edwards, Ouray County Human Services Director.

c. Request for approval and authorization of the Chair's signature on the Purchase Services Agreement with Evelyn Nelson for Tutoring Services:

Presented by Linnea Edwards, Ouray County Human Services 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 Purchase Services Agreement with Evelyn Nelson for tutoring services and on the Fiscal Impact Form. Motion Passed (3 - 0).

5. 10:30 - 15 Minute Break

11:00 - The Board of County Commissioners recessed for a break.

6. 10:45 - 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. Request for approval and authorization of Director's signature on OeHI Grant Funding

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 Public Health Director's signature signature on the OeHI Grant Funding. Motion Passed (3 - 0).

7. 11:00 - Executive Session: Litigation Updates

a. Executive Session: 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, the county manager, and any necessary county staff to: (1) receive legal advice on specific legal questions for Docket Nos. 2019CW3098 and 2025CV30000/ 2025CA2328; (2) if authorized, determine positions relative to matters that may be subject to negotiations, develop strategy for negotiations, and/or instruct negotiators for Docket No. 2019CW3098; and (3) receive legal advice on specific legal questions for

potential civil code enforcement litigation for unpermitted structures and unpermitted private closures of public roads/trails in the McIntyre Gulch high alpine area near Ironton;

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

11:13 - The Board of County Commissioners convened in Executive Session.

1:07 - The Board of County Commissioners reconvened in Regular Session.

County Attorney Caselli read the Board back into regular session.

Participants in Executive Session:

Commissioner Niece

Commissioner Nauer

Commissioner Padgett

Antonio Mendez - County Manager

Leo Caselli - County Attorney

Robert Perry - Deputy County Attorney

Mark Castrodale - County Planning Director (McIntyre Gulch Area Discussion and dockets 2025CV30000 and 2025CV2328)

Jeff Bockes - GIS/IT Director (McIntyre Gulch Area Discussion only)

- b. Action Item (Public Session, with opportunity for public comment): The Board of County Commissioners may authorize the County Attorney's Office to file civil litigation for unpermitted structures and unpermitted private closures of public roads/trails, in the McIntyre Gulch high alpine area near Ironton, in accordance with County Resolution 2024-028 (Authorizing Expedited Code Enforcement) and all applicable laws and regulations.

Presented by Leo Caselli, Ouray County Attorney. He noted that he is not requesting any formal action at this time.

1:12 - With no further business, the Board of County Commissioners adjourned.

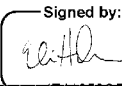
The Board of County Commissioners met in a regular session on March 24, 2026. Those present for the session were Commissioner Padgett, Commissioner Niece, Commissioner Nauer; Antonio Mendez, County Manager; Leo Caselli, County Attorney; Robert Perry IV, Deputy County Attorney; Jennifer Peterson, Public Information Officer; and Eli Holmes, Executive Assistant I and Deputy Clerk to the Board.

These Minutes were approved on June 9, 2026

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

Attest:

Signed by:

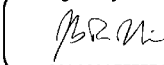

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Damon Todd, Clerk and Recorder
By: Eli Holmes, Deputy Clerk of the Board



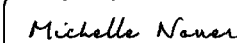
Board of County Commissioners of Ouray County,
Colorado

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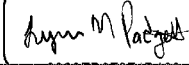
Jake Niece, Chair

Signed by:


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Michelle Nauer, Vice-Chair

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Lynn Padgett, Commissioner Member