

**SAN JUAN COUNTY, COLORADO BOARD OF COMMISSIONERS  
TOWN OF SILVERTON BOARD OF TRUSTEES  
MEETING AGENDA**

June 28, 2023

San Juan County Commissioner meeting will be conducted in a hybrid virtual/in-person format. All persons including Board Members, Staff, those with appointments scheduled on the agenda and the general public may attend the meeting in person or via Zoom. The information necessary to connect to the meeting via Zoom is listed below.

**CALL TO ORDER:** 6:30 P.M.  
BOCC Meeting Minutes for June 14, 2023

**APPOINTMENTS**

6:35 P.M. Steve Pendleton – SB 108

7:00 P.M. Draft Ordinance 2023-01 An Ordinance Requiring A Permit For Certain County Road Use Including Certain Repetitive Commercial Use, Overweight, Oversize And Special Transport

7:30 P.M. Resolution 2023-07 Conducting Meetings by Hybrid Means

Correspondence:

Public Comment  
Commissioner and Staff Reports  
Other

Adjourn

**Times listed above are approximate.  
Discussion of an agenda item may occur before or after the assigned time.**

**Next Regular Meeting – July 12, 2023 6:30 P.M.**

Join Zoom Meeting  
<https://zoom.us/j/92136473203>

Meeting ID: 921 3647 3203  
By Phone: 1 669 900 6833 US



SAN JUAN COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING WEDNESDAY, June 14, 2023  
AT 8:30 A.M.

Call to Order: The meeting was called to order by Chairman Austin Lashley. Present were Commissioners Scott Fetchenhier and Pete Maisel, County Attorney Dennis Golbricht and Administrator William Tookey.

Payment of Bills: Commissioner Fetchenhier moved to authorize payment of the warrants as presented. Commissioner Maisel seconded the motion. The motion passed unanimously.

Minutes: Commissioner Maisel moved to approve the minutes of May 24, 2023 as presented. Commissioner Maisel seconded the motion. The motion passed unanimously.

Resolution 2023-03 to thank Mike Maxfield for his years of service to San Juan County was read by Chairman Lashley. Commissioner Fetchenhier moved to approve Resolution 2023-03 as presented. Commissioner Maisel seconded the motion. The motion passed unanimously.

Resolution 2023-04 to thank Lois MacKenzie for her years of service to San Juan County was read by Chairman Lashley. Commissioner Fetchenhier moved to approve Resolution 2023-04 as presented. Commissioner Maisel seconded the motion. The motion passed unanimously.

Social Services Director Martha Johnson was present to provide the Commissioners with an update.

Commissioner Fetchenhier moved to approve Transmittal #4 in the amount of \$11,372.97. Commissioner Maisel seconded the motion. The motion passed unanimously.

Commissioner Fetchenhier moved to approve the TANF contract with the Silverton School in the amount of \$25,000. Commissioner Maisel seconded the motion. The motion passed unanimously.

Commissioner Fetchenhier moved to approve the TANF contract with the Silverton Family Learning Center in the amount of \$16,000. Commissioner Maisel seconded the motion. The motion passed unanimously.

Brian Rose of Region 9 was present to request that the Commissioners close out CDBG Contract 8 and approve the application for CDBG Contract 9. Commissioner Fetchenhier moved to support the Region 9 CDBG Contract 9 application and authorize the Chairman to sign all necessary documents. Commissioner Maisel seconded the motion. The motion passed unanimously.

Administrator Tookey presented the Commissioners with a report concerning property tax revenues for their review.

The Commissioners discussed operating articulated rock trucks on the county roads. It was the consensus of the Commissioners to direct County Attorney Golbricht to develop a draft ordinance to regulate overweight and oversize vehicles on county roads.

The Commissioners reviewed a letter from Hillary Cable concerning drainage around her house at Anvil Mountain. The Road Supervisor will look at the site to determine if there is anything that the County can do.

Asa Oakes of Honnen Equipment provided quotes on extended warranties for the motor graders. It was the consensus of the Commissioners to add the 60-month hydraulic and powertrain warranty to the proposed lease purchase agreement for the two John Deere motor graders.

The Treasurer's monthly report was presented to the Commissioners for their review.

The County Administrator provided the Commissioners with a Sales Tax update.

Having no further business, the meeting was adjourned at 12:22 P.M.

---

Austin Lashley, Chairman

---

Ladonna L. Jaramillo, County Clerk

# An Act

SENATE BILL 23-108

BY SENATOR(S) Baisley and Winter F., Rich, Roberts, Bridges, Buckner, Coleman, Cutter, Exum, Gardner, Ginal, Gonzales, Hinrichsen, Jaquez Lewis, Kirkmeyer, Kolker, Liston, Lundeen, Marchman, Moreno, Mullica, Pelton B., Pelton R., Priola, Rodriguez, Simpson, Smallwood, Sullivan, Van Winkle, Will, Zenzinger, Fenberg;  
also REPRESENTATIVE(S) Pugliese and Frizell, Taggart, Weinberg, Winter T., Amabile, Bird, Bockenfeld, Bradley, Catlin, DeGraaf, deGruy Kennedy, Dickson, Duran, English, Evans, Hamrick, Hartsook, Joseph, Kipp, Lieder, Lindstedt, Lukens, Marshall, McCormick, McLachlan, Ricks, Snyder, Soper, Titone, Valdez, Velasco, Vigil, Wilson, Young, McCluskie.

CONCERNING TEMPORARY REDUCTIONS IN PROPERTY TAXES DUE.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 39-1-111.5, **amend** (1), (2), and (5) as follows:

**39-1-111.5. Temporary property tax credits and temporary mill levy rate reductions.** (1) In order to effect a refund for any of the purposes set forth in section 20 of article X of the state constitution, **OR TO PROVIDE**

---

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

PROPERTY TAX RELIEF BY A TEMPORARY REDUCTION IN PROPERTY TAXES DUE, any local government may approve and certify a temporary property tax credit or temporary mill levy rate reduction as set forth in this section. A DISTRICT, AS DEFINED IN SECTION 22-54-103 (5), MAY NOT REDUCE A MILL LEVY BELOW THE MINIMUM AMOUNTS PROVIDED IN SECTION 22-54-106. The procedures set forth in this section ~~shall be~~ ARE deemed to be a reasonable method for effecting refunds in accordance with section 20 of article X of the state constitution AND FOR PROVIDING TEMPORARY PROPERTY TAX RELIEF. A TEMPORARY REDUCTION IN PROPERTY TAXES DUE FOR THE PURPOSE OF PROPERTY TAX RELIEF IS SUBJECT TO ANNUAL RENEWAL.

(2) Concurrent with the certification of its levy to the board of county commissioners as required pursuant to section 39-5-128 (1), any local government may certify a ~~refund in the form of a~~ temporary property tax credit or temporary mill levy rate reduction. The certification ~~shall~~ MUST include the local government's gross mill levy, the temporary property tax credit or temporary mill levy rate reduction expressed in mill levy equivalents, and the net mill levy, which ~~shall~~ MUST be the gross mill levy less the temporary property tax credit or temporary mill levy rate reduction. A DISTRICT, AS DEFINED IN SECTION 22-54-103 (5), MAY NOT CERTIFY A NET MILL LEVY BELOW THE MINIMUM AMOUNTS PROVIDED IN SECTION 22-54-106.

(5) Upon receipt of any tax warrant reflecting a temporary property tax credit or temporary mill levy rate reduction for any local government, the treasurer shall be responsible for collecting taxes on behalf of ~~such~~ THE local government based upon ~~such~~ THE local government's net adjusted mill levy. In addition to any other information required by section 39-10-103, the tax statement ~~shall~~ MUST indicate by footnote which, if any, local government mill levies ~~contained therein~~ IN THE TAX STATEMENT reflect a temporary property tax credit or temporary mill levy rate reduction for the purpose of effecting a refund in accordance with section 20 of article X of the state constitution OR FOR PROVIDING TEMPORARY PROPERTY TAX RELIEF.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



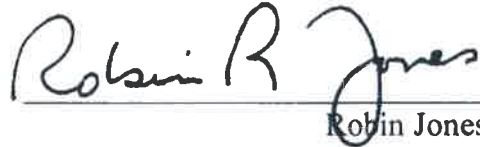
Steve Fenberg  
PRESIDENT OF  
THE SENATE



Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

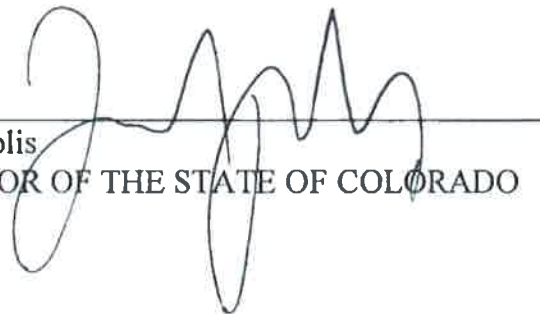


Cindi L. Markwell  
SECRETARY OF  
THE SENATE



Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED Monday June 5<sup>th</sup> 2023 at 11:45 am  
(Date and Time)



Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO





SAN JUAN COUNTY ORDINANCE NO. 2023-01

AN ORDINANCE REQUIRING A PERMIT FOR CERTAIN COUNTY ROAD  
USE INCLUDING CERTAIN REPETITIVE COMMERCIAL USE,  
OVERWEIGHT, OVERSIZE AND SPECIAL TRANSPORT

WHEREAS, the San Juan County Board of County Commissioners finds it necessary to monitor commercial road use in the County in order to exercise its authority to preserve the health, safety and welfare of its citizens and to protect the San Juan County road system from damage and undue wear caused by non-typical and high-impact use; and

WHEREAS, pursuant to section 42-4-111, C.R.S., San Juan County is granted the authority through exercise of reasonable police power to regulate streets and highways within its jurisdiction by, among other things, regulating or prohibiting the stopping, standing, or parking of vehicles, regulating traffic by means of police officers or official traffic control devices, designating truck routes and restricting the use of highways, and by adopting such temporary or experimental regulations as may be necessary to cover emergencies or special conditions; and

WHEREAS, pursuant to section 42-4-106, C.R.S., San Juan County is granted the authority to regulate streets and highways within its jurisdiction by prohibiting the operation of vehicles upon any such highway or impose restrictions as to the weight of vehicles to be operated upon any such highway, for a total period of not to exceed ninety days in any one calendar year, whenever any said highway by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced, or prohibit the operation of trucks or commercial vehicles on designated highways, or may impose limitations as to the weight thereof, which prohibitions and limitations shall be designated by appropriate signs placed on such highways, or close totally or limit travel to over-snow only on roads snow covered or expected to be snow-covered; and

WHEREAS, pursuant to sections 42-4-510 and 42-4-511, C.R.S., as amended, San Juan County is authorized to regulate the size and weight of vehicles traveling upon the County road system, and to require that vehicles which exceed size and weight restrictions obtain permits prior to using County roads; and

WHEREAS, pursuant to section 42-4-510(3), C.R.S., as amended, San Juan County is authorized to issue or withhold permits for vehicles which exceed the size and weight limitations established by statute, and if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which vehicles may be operated on the County roads indicated or otherwise to limit or prescribe conditions of operation of such vehicles when necessary to protect the safety of highway users, to protect the efficient movement of traffic from unreasonable interference, or to protect the County roads from undue damage to the road foundations, surface, or structures and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any highway or highway structure; and

WHEREAS, section 42-4-512, C.R.S., as amended, provides that no person shall drive, operate, or move upon or over any highway or highway structure any vehicles, object, or contrivance in

such a manner so as to cause damage to said highway or highway structure, and such person shall be liable for any such damage caused regardless of the weight or size of the vehicle and whether or not the person has obtained a permit authorizing the activity causing the damage. Every person violating the provisions of section 42-4-512, C.R.S., shall be liable for all damage, which said highway or highway structure may sustain as a result of such usage or activity. Whenever the driver of such vehicle, object, or contrivance is not the owner of same but is operating, driving, or moving such vehicle, object, or contrivance with the express or implied consent of the owner, then the owner or driver shall be jointly and severally liable for any such damage; and

WHEREAS, pursuant to section 43-2-111, C.R.S., as amended, the Board of County Commissioners is responsible for the construction and maintenance of the County road system. The County road supervisor is legally vested with the power to prevent damage to County roads from ditch overflows, insufficient or unsafe conduits, flumes, or ditches crossing such roads, the removal or disposition of any material injurious to such roads, unsafe railway or tramway crossings or any other cause which may arise and which comes under the jurisdiction of the Board of County Commissioners; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Juan County as follows:

#### A. SCOPE

1. This Ordinance shall apply to each and every road activity (“Subject Activity”) other than normal public use of County roads. Activities specifically **NOT** considered normal public use include, but are not limited to: (i) the operation of any vehicles, combination of vehicles, or equipment, upon a County road which exceed the size and/or weight restrictions set forth in sections 42-4-501, through 42-4-512, C.R.S., as amended; (ii) structural, oversize, or overweight moves requiring extraordinary action or moves involving weight in excess of 200,000 pounds; and (iii) the operation of any hauling project or hauling job estimated to be in excess of 2,000,000 pounds within a 12-month period beginning with the date of permit approval.
2. The following Subject Activities are specifically exempt from application of this Ordinance: (i) direct agriculture use such as operation of farm machinery on County roads, transportation of agricultural equipment and machinery via trailer, transportation of livestock, including via trailer or through herd drives, and transportation of product to market; (ii) activities already specifically addressed and approved through the approval and issuance of a permit issued by the County through other permitting processes, or through other agreements, including an IGA with other governmental entities; and (iii) regular commercial route hauling, such as garbage/refuse hauling and commercial carrier services.
3. In the event that subcontractor haulers are utilized for any Subject Activity, the contractor shall be responsible for obtaining all permits for each and every subcontractor hauler. Both the contractor and subcontractor haulers shall be subject to all penalties, damages and enforcement procedures provided for herein or otherwise by law.

## B. APPLICATION/PERMIT

1. Any person, prior to conducting any Subject Activity on a road which is included on the County road system within the boundaries of the County of San Juan County, shall comply with the process and restrictions as set forth herein. Subject Activities subject to this Ordinance may be commenced only upon written approval of the Board of County Commissioners and/or that of the County Road Supervisor or his designated representative through the issuance of a permit. For repetitive hauling exceeding a 12-month period, permits shall be required for each subsequent 12-month period.

2. An application for permit shall be submitted on forms issued by the County, which shall include acknowledgments of liability for road damage caused by Subject Activity. In addition to said acknowledgment, the applicant may be required to submit information deemed warranted by the County, including without limitation:

- a. Log-books for each vehicle to be provided quarterly following issuance of permit
- b. VIN for each vehicle to be used
- c. Requested routes
- d. Anticipated number of total hauls
- e. Anticipated total weight per haul
- f. Anticipated commencement and completion dates
- g. Hours of hauling
- h. Insurance information
- i. Vehicle maintenance and inspection schedule and process
- j. Operator licensing requirements

3. The anticipated permit costs shall be included with the initial submittal. If such permit costs are undetermined at the time of submittal, said costs shall be paid upon determination by the County, prior to issuance of the permit.

4. Should the County Road Supervisor fail or refuse to issue any permit applied for pursuant to this Ordinance, the applicant for same may appeal such failure or refusal to the San Juan County Board of Commissioners. Any such appeal shall be made in writing to the Board of County Commissioners, with a copy to the County Road Supervisor, and filed with the Board within ten days of the failure or refusal to grant a permit. Within ten days of the receipt of an appeal, the Board of County Commissioners shall schedule the matter to be heard at a noticed public meeting of the Board, to be held within thirty days of receiving the appeal. No less than five working days prior to the date at which the Board of County Commissioners is scheduled to consider an appeal, the party filing the appeal shall be given written notice of the time, date, and place at which time the appeal will be considered, and at which, evidence may be received from applicant, County Road Supervisor, and interested members of public.

## C. PERMIT ISSUANCE/CONDITIONS

1. Each Subject Activity shall be considered a separate incident, and each may require bonding or the posting of other acceptable security according to the nature and scope of activity and to the satisfaction of the Board of County Commissioners and/or the County Road Supervisor. The amount of bonding or other security shall be in amounts reasonably calculated to adequately

cover all reasonably foreseeable damages as determined by the County Road Supervisor in accordance with the provisions of this Ordinance. In the event that the requirements herein are not satisfied at all times, by decision of the Board of County Commissioners and/or County Road Supervisor, the bond posted shall be forfeited, payable to the County, and those who failed to perform must pay any and all additional expenses incurred, including all legal fees, construction costs, and additional damages necessary and pertinent to the case.

2. Special conditions may be attached to the approved permit with said conditions becoming an integral part of the permit requiring full compliance at all times. Special conditions may include but are not limited to: hours and days of operation, dust control, designation of routes, speed limits, traffic control requirements, seasonal restrictions, route designations, rerouting, operator licensing, vehicle inspections, and any other conditions deemed necessary by the County Road Supervisor or his designated representative. No hauling or any other activity will be allowed when road conditions, weather conditions or visibility make traveling hazardous to the operator or the traveling public. It shall be the permit holder's responsibility to discuss any questionable road conditions, weather, or other unusual conditions with the County Road Supervisor as such conditions arise.

#### D. DAMAGES

1. No person shall drive, operate or move upon or over any County road, highway or bridge any vehicle, object or contrivance in such manner so as to cause damage to such road, highway or bridge. When the damage sustained to such road, highway or bridge is the result of the operating, driving or moving of such vehicle, object or contrivance which was subject to this Ordinance, it shall be no defense to any action, either civil or criminal, brought against such person that the Subject Activity was authorized by permit.

2. Every person violating the provisions of subsection (1) of this section shall be liable for all damages which such road, highway or bridge may sustain as a result thereof. Whenever the driver of such vehicle, object or contrivance is not the owner thereof, but is operating, driving or moving such vehicle, object or contrivance with the express or implied consent of the owner thereof, then such owner or driver shall be jointly and severally liable for any such damage. The liability for damage sustained by any such road, highway or bridge may be enforced by a civil action as provided in C.R.S. § 42-4-512. No satisfaction of such civil liability, however, shall be deemed to be a release or satisfaction of any criminal liability. All repair work will be performed by County personnel within and upon a damaged area, without agreement otherwise.

3. In the event a permit is issued, the County makes no guarantee that the approved haul route will be adequate, and the applicant assumes responsibility for all necessary improvements as well as continued costs of repair for the duration of hauling.

#### E. PERMIT COSTS

The following permit costs shall apply to each respective Subject Activity.

1. Oversize/Overweight:

Subject to the permit costs as set forth in C.R.S § 42-4-510, *et seq.* as may be amended.

2. Structural, oversize, or overweight moves requiring extraordinary action or moves involving weight in excess of 200,000 pounds, specifically including all oil and gas drilling rigs, excepting single truck-based rigs. Each mobilization and each demobilization shall be considered separate moves:

i. Extraordinary moves shall be assessed based upon an estimate of actual costs to the County.

3. The operation of any hauling project or job estimated to be in excess of 2,000,000 pounds within a 12-month period beginning with the date of permit approval:

i. To be set and periodically revised by the Board of County Commissioners in order to reflect actual administrative costs. The permit fee shall be in addition to a requirement for a bond or road improvement/repair costs when applicable.

#### F. PENALTIES/ENFORCEMENT

1. Violation of the provisions of this Ordinance shall be a class 1 misdemeanor traffic offense and shall be punished as provided in section CRS § 42-4-1701(3)(a) (II), including a fine of not more than one thousand dollars (\$1,000.00) for each violation. Each instance of continuing operation in violation of this Ordinance shall be considered a separate offense. All fines and forfeitures for the violation of this Ordinance shall be paid to the Treasurer of San Juan County within thirty (30) days of receipt and shall be deposited into the General Fund of San Juan County. Any person convicted of a violation of this Ordinance shall be subject to the statutory surcharges of ten dollars (\$10.00) for the Victims and Witnesses Assistance and Law Enforcement Fund, and fifteen dollars (\$15.00) for the Colorado Traumatic Brain Injury Trust Fund. These surcharges shall be paid to the clerk of the court by each person convicted of violating this Ordinance. The clerk shall transmit the monies to the respective funds in accordance with C.R.S. § 30-15-402(2). This Ordinance shall be enforced by the San Juan County Sheriff. The BOCC hereby designates the San Juan County Attorney, or his designee, as the County's legal representative in the enforcement of the provisions of this Ordinance in a court of applicable jurisdiction. In the event the San Juan County Attorney or his/her designee cannot represent San Juan County, or the Board deems it otherwise appropriate, the Board may appoint the District Attorney of the 6th Judicial District to perform such legal enforcement duties in lieu of the County Attorney. This Ordinance shall in no way limit application and enforcement of any State, Federal, or local rules, laws, or regulations, but shall be in addition thereto.

2. The remedies contained herein shall be cumulative with any and all remedies available in law or equity. The County may seek other remedies provided for by law or equity in enforcement of this Ordinance, including, but not limited to recovery of actual damages, and an injunction or other equitable relief in any court of competent jurisdiction to stop or prevent any violation. The County shall be awarded its reasonable attorney fees and costs in any successful enforcement action.

## G. MISCELLANEOUS

1. Each permit issued shall be carried in the vehicles or combination of vehicles to which it refers and shall be open to inspection by any law enforcement personnel or authorized agent of the County at all times. By applying for said permit, each applicant hereby consents to vehicle stops for such inspection.
2. Should a court of competent jurisdiction find and declare that any specific provision or provisions of this Ordinance are illegal, unconstitutional, or otherwise legally unenforceable, that specific provision or provisions shall be deemed to be severable from the remaining provisions of this Ordinance, which shall remain in full force and effect. The provisions of any prior San Juan County oversize/overweight road permitting regulations are hereby repealed as of the effective date of this Ordinance.
3. The permit may be revoked by the County if any of the conditions necessary for the issuance of the permit are not complied with, or if any condition previously met ceases to be met. Prior to revocation, the permittee shall be notified in writing of the intent by the County to revoke any active permit following BOCC hearing to take place no sooner than 5 days following actual notice. The County may suspend routes periodically based upon changes in road conditions, ongoing damages, special events, or otherwise for the preservation of roads or safety of the public.

## H. PUBLICATION AND EFFECTIVE DATE

1. The foregoing text is the authentic text of the San Juan County Ordinance No. \_\_\_\_\_. The first reading of said Ordinance took place on \_\_\_\_\_, 2023 at a regular Board of County Commissioners meeting. The Ordinance was published in full in the *Silverton Standard* on \_\_\_\_\_, 2023. Notice of a Public Hearing regarding the adoption of the Ordinance was included with publication. Following public hearing the Ordinance was adopted at a regular Board of County Commissioners meeting on \_\_\_\_\_, 2023 and shall take effect upon adoption.
2. This Ordinance is designed to regulate potentially dangerous activity upon roads within the County and to preserve the condition of County roads. The immediate adoption and effective date upon adoption is necessary for the immediate preservation of public health or safety.
3. This Ordinance shall apply to all Subject Activity to take place after the effective date.

\*\*\*\*\*

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Ladonna L. Jaramillo  
Deputy Clerk to the BOCC  
[SEAL]

BOARD OF COUNTY COMMISSIONERS OF  
SAN JUAN COUNTY, COLORADO

By: \_\_\_\_\_  
Austin Lashley, Chair

\_\_\_\_\_  
Scott Fetchenhier, Vice Chair

\_\_\_\_\_  
Pete Maisel, Commissioner

DRAFT





## **RESOLUTION 2023-07**

### **A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO, DESIGNATING THAT PUBLIC MEETINGS OF THE SAN JUAN COUNTY BOARD OF COUNTY COMMISSIONERS BE CONDUCTED IN A HYBRID ELECTRONICALLY / IN-PERSON FORMAT**

**WHEREAS**, C.R.S. § 30-10-303 provides, in relevant part, that the Board of County Commissioners (the Board) shall meet “at least one business day of each month and at such times and locations within the County as in the opinion of the Board the public interest may require;” and

**WHEREAS**, said statute further provides that such meetings shall be held on a regular and published schedule, as determined by resolution of the Board; and

**WHEREAS**, C.R.S. § 24-6-402(2)(c) requires that the Board shall annually designate the public place within the boundaries of the County where notices of public meetings shall be posted; and

**WHEREAS**, the Board adopts a meeting schedule and designating the public place for meeting notices annually; and

**WHEREAS**, during the public health pandemic caused by COVID-19, and the heightened risk posed to the public, and more specifically the need for social distancing by the avoidance of public gatherings, the Board conducted its meetings by electronic means; and

**WHEREAS**, the Board conducted public meetings in a hybrid electronically / in person format; and

**WHEREAS**, the hybrid format proved to be effective and convenient for the County as well as the general public and allowed for greater attendance.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY AS FOLLOWS:**

1. During the hybrid format at least one member of the Board will be present in the county seat for the meeting, and that member will conduct the meeting as Chair. Board members not in the room will participate through a virtual meeting platform either by phone or using a microphone on their computer and will be able to view meeting materials through that platform.
2. Motions and voting by Board members not physically present will be handled in the same manner as if they were present: the Board members speaking by phone or using a microphone through the virtual shared meeting platform.
3. Public comment during meetings that allow public participation can be made in person or

by using an online meeting platform as follows:

- a. The public will be able to view meeting materials through the Home Page of the San Juan County Website: <http://sanjuancolorado.us>
- b. The public will be given the opportunity to make public comment using a telephone or microphone through the online platform.
- c. The link for public participation through an online meeting platform will be posted on the meeting agenda and may be accessed on the home page of the county website: <http://sanjuancolorado.us/>

**READ, PASSED AND ADOPTED** this 28th day of June 2023 by the Board of Commissioners of San Juan County, Colorado.

\_\_\_\_\_  
Austin Lashley, Chairman

\_\_\_\_\_  
Scott Fetchenhier

\_\_\_\_\_  
Pete Maisel

Attest:

\_\_\_\_\_  
Ladonna L. Jaramillo  
Clerk and Recorder

## **RESOLUTION 2020-04**

### **A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO, DESIGNATING THAT ALL PUBLIC MEETINGS OF THE SAN JUAN COUNTY BOARD OF COUNTY COMMISSIONERS BE CONDUCTED ELECTRONICALLY UNTIL THE RISKS OF THE COVID-19 PANDEMIC SUBSIDE**

**WHEREAS**, C.R.S. § 30-10-303 provides, in relevant part, that the Board of County Commissioners (the Board) shall meet “at least one business day of each month and at such times and locations within the County as in the opinion of the Board the public interest may require;” and

**WHEREAS**, said statute further provides that such meetings shall be held on a regular and published schedule, as determined by resolution of the Board; and

**WHEREAS**, C.R.S. § 24-6-402(2)(c) requires that the Board shall annually designate the public place within the boundaries of the County where notices of public meetings shall be posted; and

**WHEREAS**, the Board has adopted a meeting schedule and designating the public place for meeting notices for calendar year 2020; and

**WHEREAS**, due to the public health pandemic caused by COVID-19, and the heightened risk posed to the public, and more specifically the need for social distancing by the avoidance of public gatherings, the Board will conduct its meetings by electronic means until the risk subsides; and

**WHEREAS**, once the risk subsides, the Board shall resume regular practices of conducting public meetings.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY AS FOLLOWS:**

1. During this public health pandemic period, at least one member of the Board will be present in the county seat for the meeting, and that member will conduct the meeting as Chair. Board members not in the room will participate through a virtual meeting platform either by phone or using a microphone on their computer, and will be able to view meeting materials through that platform.
2. Motions and voting by Board members not physically present will be handled in the same manner as if they were present: the Board members speaking by phone or using a microphone through the virtual shared meeting platform.
3. During this public health pandemic, public comment during meetings that allow public participation will be made using an online meeting platform as follows:

- a. The public will be able to view meeting materials through the Home Page of the San Juan County Website: <http://sanjuancolorado.us>
- b. The public will be given the opportunity to make public comment using a telephone or microphone through the online platform.
- c. The link for public participation through an online meeting platform will be posted on the meeting agenda and may be accessed on the home page of the county website: <http://sanjuancolorado.us/>

**READ, PASSED AND ADOPTED** this 25th day of March 2020 by the Board of Commissioners of San Juan County, Colorado.

\_\_\_\_\_  
Peter C. McKay, Chair

Attest:

\_\_\_\_\_  
Scott Fetchenhier

\_\_\_\_\_  
Ladonna L. Jaramillo  
Clerk and Recorder

\_\_\_\_\_  
Ernest F. Kuhlman