

SAN JUAN COUNTY, COLORADO
BOARD OF COMMISSIONERS MEETING AGENDA
September 13, 2023

CALL TO ORDER: 8:30 A.M.

OLD BUSINESS:

Consider Bills and Authorize Warrants
BOCC Regular Meeting Minutes for August 23, 2023

APPOINTMENTS:

8:40 A.M. - Becky Joyce, Public Health Director
9:00 A.M. - Martha Johnson, Social Services Director
San Juan County Department of Social Services – Recognized for 2022
Distinguished Performance
9:30 A.M. - Public Hearing – Improvement Permit Application: Preliminary/Final Plan
Submitted by Adam Rex for the development on the Forst Lode MS 18463 of a single-family
dwelling and associated utility improvements. Located on Kendall Mountain and accessed from
CR 33
10:00 A.M. - Public Hearing – Improvement Permit Application: Preliminary/Final Plan
submitted by David Cole-Mineral King Lode to construct a single-family dwelling and
associated utility improvements. Located in Prospect Gulch and accessed from CR 35
10:30 A.M. - Public Hearing Commissioners Redistricting
11:00 A.M. - Gilbert Archuleta Fire Authority

Lunch – Location to be determined

CORRESPONDENCE:

NEW BUSINESS:

Amended Memorandum of Understanding Between San Juan Basin Public Health and
San Juan County Public Health
Draft = On-Site Wastewater Treatment System Regulations 2024
2022 Audit
Treasure's Report
Sales Tax Update
November Meeting Dates
Public Comment
Commissioner and Staff Reports

OTHER:

ADJOURN: Next Regular Meeting – 6:30 PM, Wednesday September 27, 2023

Join Zoom Meeting

<https://zoom.us/j/92136473203>

By Telephone: Dial 1 669-900-6833 and enter the Webinar ID 92136473203 when prompted.
Meeting ID: 921 3647 3203

You Tube (live and recorded for later viewing, does not support public comment):

<https://www.youtube.com/a/sanjuancountycolorado/streams>

SAN JUAN COUNTY BOARD OF COMMISSIONERS MET SEPTEMBER 13, 2023
AND THE FOLLOWING BILLS WERE APPROVED FOR PAYMENT.

24594 DAYNA KRANKER	NURSES PAY	22.00
24595 FIRESTONE OF DURANGO	SHERIFF VEHICLE SERVICE	3864.28
24596 CENTURY LINK	SHERIFFS BILL	361.21
24597 APPLIED CONCEPTS	SHERIFFS BILL	73.00
24598 DAYNA KRANKER	REMAINDER OF NURSES PAY	814.00
24599 INTERNAL REVENUE SERVICE	TAX PAYMENT	28.84
24600 MOSS MASONRY	LIMESTONE REPAIRS	10811.26
24601 SILVERTON ELECTRIC	CORNER POST LAMP REPAIR	897.50
24602 CO SHERIFFS OF COLO	2023 MEMBERSHIP DUES	2160.00
24603 GARFIELD COUNTY CLERK	UOCAVA ENVELOPES (ELECTION)	64.34
24604 ANTHEM BLUE CROSS	MEDICAL INSURANCE	18513.18
24605 CITIZENS STATE BANK	ANVIL PAYMENT (SEPT 23)	5558.98
DD ABIGAIL H. ARMISTEAD	SHERIFF DEPUTY WAGES	3607.12
DD ADAM D. CLIFTON	SHERIFF DEPUTY WAGES	3815.51
DD AMIE R. BIOCCHI	NURSE-SHERIFF HELP WAGES	3597.82
DD ANTHONY D. EDWARDS	COMMUNICATIONS WAGES	4326.54
DD ARTHUR J. DONOVAN	EPD WAGES	4491.57
DD SUSTIN P. LASHLEY	COMMISSIONERS WAGES	2273.98
DD BRUCE T. CONRAD	SHERIFF WAGES	4295.98
DD DEANNA M. JARAMILLO	TREASURERS WAGES	3674.79
DD JOHN A. JACOBS	SHERIFF DEPUTY WAGES	3441.73
DD KERI METZLER	CORONER WAGES	993.03
DD LIMBERLY A. BUCK	ASSESSOR WAGES	4235.00
DD KRISTINA L. RHOADES	SOCIAL SERVICE WAGES	2526.21
DD LADONNA L. JARAMILLO	COUNTY CLERK WAGES	3719.59
DD LINSLEY SWEET	DEPUTY CLERK-ASSESSOR WAGES	2512.38
DD PETER C. MAISEL	COMMISSIONERS WAGES	2182.02
DD REBECCA B. JOYCE	COUNTY NURSE WAGES	4541.64
DD REBECCA J. RHOADES	CUSTODIAN-NURSE WAGES	1695.25
DD ROBERT W. GARDINER	NURSE FINANCE WAGES	1675.53
DD STEPHEN W. LAWBRANCE	UNDERSHERIFF WAGES	4055.33
24606 SCOTT L. FETCHENHIER	COUNTY COMMISSIONER WAGES	2138.02
24607 TOMMY WIPF	VETS OFFICER WAGES	356.40
24608 WILLIAM A. TOOKEY	ADMINISTRATOR WAGES	4738.35
24609 CITIZENS STATE BANK	FEDERAL TAXES WITHHELD	22798.26
24610 CITIZENS STATE BANK	STATE TAXES WITHHELD	3666.00
24611 GREAT WEST LIFE	GROUP RETIREMENT	5960.24
24612 CITIZENS STATE BANK	H S A SAVINGS	1600.00
24613 KANSAS CITY LIFE	DENTAL & LIFE INSURANCE	881.73
24614 AMWINS GROUP BENEFITS	VISION INSURANCE	170.97
24615 AFLAC	INDIVIDUAL INSURANCE	295.14
24616 RAGSDALE & ASSOCIATES	PSYCHOLOGICAL TESTING	375.00
24617 IDS INTEGRATED DOCUMENT	REGSREG-TITLE-RENEWALS	58.74
24618 VISA	BILLS	2830.08

24619 VISA	BILLS	2733.30
24620 LINSLEY SWEET	REIMB SUPPLEMENTAL INSUR.	164.90
24621 SAUL'S CREEK ENGINEERING	ASSESSOR S BILL	100.00
24622 PEI	ELEVATOR INSPECTION (HOSPITAL)	300.00
24623 AXXIS AUDIO	SEMI ANNUAL BILLING	240.00
24624 DAYNA KRANKER	PREVENTATIVE BLOCK GRANT	1007.00
24625 SILVERTON CLINIC	REIMB RATHEY	1035.34
24626 ROBERT ROOF, LPC	COMMUNITY COUNSELING PAY	900.00
24627 BRUCE E. HARING, MA LPC	PSYCHOTHERAPY PAY (NURSE)	4942.00
24628 VERIZON	SHERIFFS BILL	122.04
24629 WEX BANK	SHERIFFS FUEL	2413.93
24630 IMAGE NET CONSULTING	SHERIFFS BILL	114.54
24631 CENTURY LINK	ELEVATOR BILL	88.55
24632 J & J LANDSCAPING, LLC	CUSTODIAN BILL	1709.99
24633 CO CUTOM ELEVATOR LIFT	SEMI-ANNUAL ROUTINE SERVICES	750.00
24634 SILVERTON LP GAS	TANK FILL UP (COURTHOUSE)	1175.27
24635 LA PLATA DETENTION	AUGUST 2023 JAIL BILL	65.00
24636 CO LABOR LAW POSTER	2024 POSTERS	99.50
24637 DENNIS R. GOLBRICHT	JULY-AUGUST 23 SERVICES	9262.50
24638 IRELAND STAPLETON	CERCLA PROPERTY TRANSFER	16604.00
24639 LA PLATA COUNTY TREASURER	JAN 1, 23 THRU JUNE 30, 23	6367.38
24640 SILVERTON AMBULANCE	SALES TAX MONTHLY PAYMENT	41933.33
24641 SILVERTON AMBULANCE	MONTHLY PAYMENT	7200.00
24642 SILVERTON FIRE AUTHORITY	JULY-AUGUST 23 CLEANING	360.00
24643 ALL TRAFFIC SOLUTIONS	ALERTS-MAPPING-PREMIERCARE	1900.00
24644 VERO	BILLS	1152.15
24645 UNITED RENTALS	MASSONRY WORK COURTHOUSE	3468.36
24646 DR JOEL, INC	COMPUTER WORK	1224.21
24647 SILVERTON HARDWARE	SUPPLIES	38.95
24648 SIDWELL	ASSESSOR PROFESSIONAL SERVICES	5112.50
24649 SILVER SAN JUAN	FIX KITCHEN FAUCET APT 5B	106.00
24650 VISA	COMMUNICATIONS BILL	112.50
24651 SILVERTON STANDARD	LEGALS	204.52
24652 SILVERTON FIRE AUTHORITY	REIMB 2016 CHEVROLET COSTS	9987.00
TOTAL GENERAL		273693.30

ROAD

DD	DAVID L. ANDREWS	ROAD FOREMAN WAGES	3755.65
DD	LOUIS K. GIRODO	ROAD OVERSEER WAGES	4602.46
DD	MATHEW J. ZIMMERMAN	ROAD OPERATOR WAGES	3562.89
DD	RUSTY D. MELCHER	ROAD OPERATOR WAGES	3680.94
7177	CITIZENS STATE BANK	FEDERAL TAXES WITHHELD	10999.56
7178	CITIZENS STATE BANK	STATE TAXES WITHHELD	1688.00
7179	GREAT-WEST LIFE	GROUP RETIREMENT	685.48
7180	CITIZENS STATE BANK	H S A SAVINGS	300.00
7181	ANTHEM BLUE CROSS	MEDICAL INSURANCE	3849.33
7182	KANSAS CITY LIFE	DENTAL & LIFE INSURANCE	191.77
7183	AMWINS GROUP BENEFITS	VISION INSURANCE	36.88
7184	SAN MIGUEL POWER	BILLS	220.80
7185	JOHN DEERE FINANCIAL	MOTOR GRADER PAYMENT	6589.95
7186	WHISTLESTOP	FUEL	1628.48
7187	HONNEN EQUIPMENT	SUPPLIES	1234.29
7188	LAWSON PRODUCTS	PARTS	1808.51
7189	SILVERTON HARDWARE	SPRAY PAINT	6.49
7190	FOUR CORNERS WELDING	KOX-MAC	45.00
7191	WAGNER	PARTS	19452.56
7192	FERGUSON WATERWORKS	WHITE PIPE BE	4033.60
7193	ALSCO AMERICAN	BILL	120.00
7194	CATERPILLAR FINANCIAL	D6TVP PAYMENT	5274.36
7195	CENTURY LINK	BILL	152.90
	TOTAL ROAD		73919.90

GENERAL 273693.30

ROAD 73919.90

ALL FUNDS 347613.20

WERE ALLOWED SETTLEMENT IN FULL BY ORDER OF SAN JUAN COUNTY COMMISSIONERS.

AUSTIN LASHLEY, CHAIRMAN

SCOTT L. FETCHENHIER, COMMISSIONER

PETER C. MAISEL, COMMISSIONER

LADONNA L. JARAMILLO, CLERK

SAN JUAN COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING WEDNESDAY, AUGUST 23, 2023
AT 6:30 P.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 Golbright and Administrator William Tookey.

Minutes: Commissioner Fetchenhier moved to approve the minutes of August 9, 2023, with the correction that Commissioner Lashley's name be removed from the first sentence. Commissioner Maisel seconded the motion. The motion passed unanimously.

A Public Hearing was held for the Silverton Powerhouse Liquor License. Upon completion of the public hearing commissioner Fetchenhier moved to approve the liquor license as submitted. Commissioner Masiel seconded the motion. The motion passed unanimously.

Paul Reich of Axis was present to request a letter of support for Axis' application to designate their Durango Integrated Healthcare Clinic as an Enterprise Zone Contribution Project. Axis' plans to expand and centralize healthcare services will directly benefit residents of San Juan County.

The Bonanza Boy LLC PUD Sketch Plan was presented to the Commissioners for their consideration. The project includes the construction of a lodge, garage, employee housing, primitive camping and other recreational activities. Commissioner Maisel moved to approve the Sketch Plan with the conditions as recommended by staff and the Planning Commission plus the additional condition that a visual rendering of the parking area be generated to demonstrate the visual impact. Commissioner Lashley seconded the motion. The motion passed with Commissioners Lashley and Maisel voting yes and Commissioner Fetchenhier voting no.

Resolution 2023-08, a resolution of the board of county commissioners of San Juan County, Colorado, supporting the Silverton Singletrack Society's grant application for a community impact program grant from the state board of the Great Outdoors Colorado trust fund and for the completion of the Aspen Face Trails project within the Baker's Park Trail system was presented to the Commissioners for their review. Commissioner Fetchenhier moved to adopt Resolution 2023-08 as presented. Commissioner Maisel seconded the motion. The motion passed unanimously.

Commissioner Fetchenhier moved to provide the Silverton Singletrack Society a letter of support for the GOCO Grant application. Commissioner Maisel seconded the motion. The motion passed unanimously.

Having no further business, the meeting adjourned at 9:26 P.M.

Austin Lashley, Chairman

Ladonna L. Jaramillo, County Clerk

**AMENDED MEMORANDUM OF UNDERSTANDING
BETWEEN
SAN JUAN BASIN PUBLIC HEALTH, A PUBLIC HEALTH AGENCY
AND
SAN JUAN COUNTY PUBLIC HEALTH**

This Amended Memorandum of Understanding (“MOU”) is made and entered into effective January 1, 2023, by and between SAN JUAN BASIN PUBLIC HEALTH, 281 Sawyer Drive, Suite 300, Durango, CO 81303 (“SJBPH”), and SAN JUAN COUNTY PUBLIC HEALTH, 1315 Snowden Street, Silverton, CO 81433 (“SJCPH”) (the parties are sometimes hereinafter collectively referred to as the “Parties”) and supersedes all previous versions of this MOU.

PREMISES

A. SJBPH is a public district health agency, as that term is defined by C.R.S. § 25-1-502; SJBPH’s district includes all of La Plata and Archuleta counties, Colorado (the “District”); SJBPH provides public health services as set forth in C.R.S. § 25-1-506 and will be dissolved on December 31, 2023.

B. SJCPH is a county public health agency, as that term is defined by C.R.S. § 25-1-502 which serves San Juan County.

C. SJCPH desires for SJBPH to provide the public health services to residents of San Juan County as more fully described on Exhibit “C” attached hereto.

D. SJBPH and SJCPH desire to enter into this MOU to provide a full statement of their rights and responsibilities in connection with the Services as defined in this MOU.

NOW THEREFORE, in consideration of the foregoing premises and the mutual promises and covenants set forth herein, the Parties agree as set forth below.

AGREEMENT

- 1) **RIGHTS AND RESPONSIBILITIES OF SJBPH.** Throughout the term of this MOU, SJBPH shall have the rights and responsibilities as outlined on Exhibit “C” attached hereto.
- 2) **RIGHTS AND RESPONSIBILITIES OF SJCPH.** Throughout the term of this MOU, SJCPH shall have the rights and responsibilities as outlined on Exhibit “C” attached hereto.
- 3) **SJCPH PAYMENT TO SJBPH FOR THE SERVICES.** See Exhibit “C” for fees and payment information.

4) **TERM OF AGREEMENT; TERMINATION.**

- a) **Term.** This MOU is effective commencing January 1, 2023 (“Commencement Date”) and terminates at the end of the day on December 31, 2023, unless terminated earlier as provided herein.
- b) **Termination.**
 - i) **For Cause Termination.** Either Party shall have the right to terminate this Agreement, for cause, upon thirty (30) days’ written notice to the other Party. Any such notice shall specify the cause upon which it is based. The violating Party shall have thirty (30) days to rectify the cause specified in the notice of termination, and if such cause is not rectified, in the sole discretion of the non-breaching Party, within such thirty (30) day period, this Agreement shall thereupon automatically terminate; provided, however, that if such cause cannot reasonably be rectified within such thirty (30) day period, this Agreement shall not automatically terminate so long as the violating Party has commenced to rectify the cause within such thirty (30) day period and thereafter diligently and continuously proceeds to rectify such cause. It is understood and agreed by the Parties that “cause” for termination subject to notice and cure under this Section includes material breach by either Party of any of its obligations under this Agreement, including, failure by a Party to perform its service, payment or other obligations in accordance with the requirements and standards specified in this Agreement. Notwithstanding the notice provisions hereof, no notice and opportunity to cure shall be required if a Party has previously received notice for the same or a substantially similar breach within the twelve (12) month period immediately preceding the breach.
 - ii) **Automatic Termination.** As set forth in *Exhibit “A”*, this Agreement shall be automatically terminated for violations of federal payor requirements.
 - iii) **No Cause Termination.** This MOU may be terminated by either Party without cause by providing thirty (30) days advance written notice of termination.
 - iv) **Effect of Termination.** Upon termination or expiration of this Agreement, the Parties shall cooperate with the orderly transfer of responsibilities.

5) **General Provisions.**

- a) **Compliance.** Each Party and the employees of each Party will at all times conduct themselves in compliance with all local, state, federal and applicable laws and shall conduct themselves with highest standards of business ethics and integrity.
- b) **General Provisions.** The Parties agree that this MOU is subject to the standard provisions set forth on *Exhibit A* attached hereto and incorporated herein.
- c) **HIPAA.** As set forth in Section 1.1 of *Exhibit “A”*, each Party shall comply with all laws, including HIPAA. SJBPH is a “covered entity” as defined by HIPAA, and therefore, SJBPH is subject to the confidentiality obligations of HIPAA. To the extent there is any question about whether SJCPH is a “covered entity” under HIPAA, the Parties agree they shall execute SJBPH’s form Business Associates Agreement as required by HIPAA.
- d) **Entire MOU; Integration.** This MOU, including the referenced Exhibits, supersedes all previous understandings, contracts or agreements between the Parties with respect to the same subject matter and constitutes the entire agreement

between the Parties. There are no agreements, representations, or warranties between or among the Parties other than those set forth in this MOU or the documents and agreements referred to in this MOU.

- e) Notice. Whenever under the terms of this MOU written notice is required or permitted to be given by a Party to the other Party, such notice shall be in writing and shall be deemed to have been sufficiently given if personally delivered, delivered by a national overnight courier service (such as Federal Express), transmitted by electronic facsimile or deposited in the United States Mail, in a properly stamped envelope, certified or registered mail, return receipt requested, addressed to the Party to whom it is to be given, at the address set forth with in the first paragraph of this MOU.
- f) Execution. By signing below the Parties represent that: (a) s/he is authorized to execute and enter contracts on behalf of such Party; (b) s/he has read and understands the Agreement. A duplicate, a copy, and/or an electronic execution of this MOU will have the same force and effect of an original signature.

AGREED TO AND APPROVED BY:

FOR SJBPH:

By: Bellann Raile, Court-appointed
Receiver

Date: _____

FOR SJCPH:

By: Becky Joyce, Director

Date: _____

EXHIBIT A - STANDARD PROVISIONS

(01.21.2014)

For purposes of this Exhibit A, San Juan County Public Health shall be referred to as "Contracting Party".

1.1. Compliance with all laws; Compliance with HIPAA. Each party agrees that in connection with this MOU each shall, at all times, comply with all applicable laws including, but not limited to, the following: (a) applicable federal and Colorado law and regulations, including those of the Colorado Department of Health and Environment and the requirements of the Health Insurance Portability and Accountability Act of 1996, as amended; and (b) to the extent applicable to this MOU, with the Medicare Conditions of Participation and any other requirements for participation in Medicare and Medicaid; and (c) the reasonable requirements of any other applicable regulatory or accrediting agency or third party payor; and (d) the professional and ethical guidelines of applicable professional associations.

To the extent this MOU would provide the Contracting Party with "protected health information" as that term is defined by 45 CFR 160.103, each party shall not use, disclose, create, receive, maintain, or transmit protected health information other than as allowed by the HIPAA regulations at 45 CFR 160.101, et seq. Further, both parties agree to promptly (within 3 business days) report to the other any breaches of the foregoing limitation regarding use or disclosure of protected health information.

1.2. Insurance. Each of the Parties shall, at his/her/its sole cost and expense, procure, keep and maintain throughout the term of this MOU, insurance coverage in the minimum amounts of One Million Dollars (\$1,000,000) per occurrence and Three Million Dollars (\$3,000,000) annual aggregate, negligence, errors and omissions, and comprehensive general liability. In addition to the coverages specifically listed herein, each of the Parties shall maintain any other usual and customary policies of insurance applicable to the services or other work being performed pursuant to this MOU. Said insurance policy shall cover all Services or other work provided under or in connection with this MOU and shall provide for at least thirty (30) days' prior written notice to the other party for cancellation or diminution in coverage to take effect. Upon request, each party shall provide the other party with a certificate evidencing such insurance.

1.3. Responsibility for Own Acts. Each party shall be responsible for its own acts and omissions and shall be liable for payment of that portion of any and all claims, liabilities, injuries, suits, and demands and expenses of all kinds that may result or arise out of any alleged malfeasance or neglect caused or alleged to have been caused by said party, its employees, agents, or subcontractors, in the performance or omission of any act or responsibility of said party under this MOU. In the event that a claim is made against both Parties, it is the intent of both Parties to cooperate in the defense of said claim and to cause their insurers to do likewise. Both Parties shall, however, retain the right to take any and all actions they believe necessary to protect their own interests.

1.4. Governing Law. This MOU shall be governed by and construed in accordance with the laws of the State of Colorado applicable to agreements made and to be performed wholly within that state, irrespective of such state's choice-of-law principles.

1.5. Partial Invalidity. If any provision of this MOU is found to be invalid or unenforceable by any court or other lawful forum, such provision shall be ineffective only to the extent that it is in contravention of applicable laws without invalidating the remaining provisions of this MOU, unless such invalidity or unenforceability would defeat an essential business purpose of this MOU.

1.6. Cumulation of Remedies. The various rights, options, elections, powers, and remedies of the Parties contained in, granted, or reserved by this MOU, are in addition to any others that the Parties may be entitled to by law, shall be construed as cumulative, and no one of them is exclusive of any of the others, or of any right or priority allowed by law.

1.7. Waiver. Any waiver of any term or condition of this MOU must be in writing and signed by the Parties. No delay or failure by either party to exercise any right or remedy it may have shall operate as a continuing waiver of such right or remedy, or prejudice such party's right to insist upon full compliance by the other party of the terms of this MOU. Only SJBPH's Executive Director, duly authorized, has the authority to waive provisions of this MOU on behalf of SJBPH.

1.8. Further Assurances. Each party agrees, at its own cost, to do such further acts and things and to execute and deliver such additional agreements and instruments as the other may reasonably require to consummate, evidence or confirm the agreements contained herein in the manner contemplated hereby.

1.9. Assignment. Neither party shall not have the right or the power to assign this MOU nor any of the rights or obligations inuring to or imposed upon it herein, and any attempted or purported assignment shall be null and void and of no effect.

1.10. Amendments. This MOU may be amended at any time by mutual agreement of the Parties without additional consideration, provided that, before any amendment shall become effective, it shall be reduced to writing and signed by each of the Parties.

1.11. Survival. Except as otherwise expressly provided in this MOU, all covenants, agreements, representations and warranties, expressed and implied, shall survive the termination of this MOU, and shall remain in effect and binding upon the Parties until they have fulfilled all of their obligations hereunder and the statute of limitations shall not commence to run until the time such obligations have been fulfilled.

1.12. No Third Party Beneficiaries. There are no third party beneficiaries to this MOU. Nothing in this MOU shall be construed as creating or giving rise to any rights in any third parties or any persons other than the Parties.

1.13. Headings. The headings of the sections of this MOU are included for the purposes of convenience only and shall not affect the interpretation of any provision hereof.

1.14. Force Majeure. Neither party hereto shall be liable for any delay or failure in the performance of any obligation under this MOU or for any loss or damage (including indirect or consequential damage) to the extent that such nonperformance, delay, loss or damage results from any contingency which is beyond the control of such party, provided such contingency is not caused by the fault or negligence of such party. A contingency for the purposes of this MOU shall be Acts of God, fires, floods, earthquakes, explosions, storms, wars, hostilities, terrorist attacks, blockades, public disorders, quarantine restrictions, embargoes, strikes or other labor disturbances, and compliance with any law, order or control of, or insistence by any governmental or military authority. The party claiming to be affected by such contingency shall give immediate notice to the other party, giving full particulars thereof, and all such contingencies shall, as far as is reasonably possible, be remedied with all reasonable efforts and dispatch. The existence of such contingencies shall justify the suspension of performance hereunder by either party and shall extend the time for such performance for a period equal to the period of delay; provided, however, that if such period of delay shall exceed sixty (60) days from the date of such notice, either party shall have the right to cancel this MOU.

1.15. Confidentiality. Each of the Parties shall treat all non-public information obtained as part of this engagement as confidential and shall not, without written authorization from the other party, release or share such information with any third party, except as may be required by law. Each of the Parties agrees that, prior to reporting any actual or perceived violation of law to any governmental entity, even if required by law to do so, said party will first discuss any potential legal or compliance matter with the other party's most senior leader (e.g., as to SJBPH, its Executive Director) and, unless otherwise required by law, provide the other party with an opportunity to investigate and appropriately report any compliance matter brought to its attention by said party.

1.16. Relationship of the Parties; Independent Contractor. In the performance of this MOU, the Parties mutually understand and agree that each is at all times acting as and shall be treated as independent contractors vis-a-vis the other. Each of the Parties shall exercise independent judgment at all times and shall not be subject to the direction, control, or supervision of the other in the performance of this MOU, except that each of the Parties shall be subject to the standards, including but not limited to the performance standards set forth in this MOU. Additionally, each of the Parties shall be solely responsible for the salary, compensation, benefits, payroll taxes, required insurance, workers' compensation insurance, compliance with employment laws and similar items of said party. The Contracting Party shall purchase and provide SJBPH with proof of its workers' compensation coverage for such employees.

1.17. CGIA. SJBPH and SJCPH are provided certain immunities and limitation of damages under the Colorado Governmental Immunity Act, and at no time has SJBPH or SJCPH waived such immunity or limitations.

TO THE EXTENT APPLICABLE TO EACH PARTY, THE FOLLOWING PROVISIONS SHALL APPLY:

2.1. Compliance with Federal Payor Requirements.

2.1.1 Excluded Provider & Indemnification. Each of the Parties hereby represents and warrants that it is not now and at no time has it been excluded from participation in any federally funded health care program, including Medicare and Medicaid. Each of the Parties hereby agrees to immediately notify the other of any threatened, proposed, or actual exclusion of the notifying party from any federally funded health care program, including Medicare and Medicaid. In the event that a party is excluded from participation in any federally funded health care program during the term of this MOU, or if at any time after the Effective Date of this MOU it is determined that such party is in breach of this Section, this MOU shall, as of the effective date of such exclusion or breach, automatically terminate. Each of the Parties shall indemnify and hold harmless the other against all actions, claims, demands and liabilities, and against all loss, damage, costs and expenses, including reasonable attorneys' fees, arising directly or indirectly, out of any violation of this Section by such party, or due to the exclusion of such party from a federally funded health care program, including Medicare or Medicaid. This Section shall survive the termination of this MOU.

2.1.2 Application of Requirements. SJBPH and Contracting Party specifically recognize that each party may provide services to patients covered by the Medicare program (Title XVIII of the Social Security Act) and that each has an obligation to comply with the requirements of the Medicare program for payment for services provided by SJBPH-based physicians, to the extent that such services are provided pursuant to this MOU. Each party hereby agrees to cooperate with the other in order to assure that these requirements are met.

2.1.3 No Billing in Violation of Medicare Regulations. Group shall not submit on behalf of itself or Contracting Party any claim to any federally funded health care program, state funded health care program, a patient, insurer or any other third person for Services provided by Contracting Party under this MOU. SJBPH may immediately terminate this MOU upon Contracting Party's violation of this Section, and Contracting Party shall indemnify SJBPH for all losses suffered by SJBPH as a result of any such violation, whether intentional or negligent. This Section shall survive the termination of this MOU.

2.1.4 Recordkeeping. If and to the extent required by Section 1395x(v)(1)(i) of Title 42 of the United States Code ("U.S.C."), until the expiration of four (4) years after the termination or expiration of this MOU, each of the Parties shall make available, upon written request by the Secretary of the Department of Health and Human Services (the "Secretary"), or upon request by the Comptroller General of the United States General Accounting Office, or any of their duly authorized representatives, a copy of this MOU and such books, documents and records as are necessary to certify the nature and extent of the costs of the Services provided by said party under this MOU. Each of the Parties further

agrees that, in the event it carries out any of its duties under this MOU through a subcontract with a related organization with a value or cost of Ten Thousand Dollars (\$10,000.00) or more over a twelve (12) month period, such subcontract shall contain a provision requiring the related organization to make available until the expiration of four (4) years after the furnishing of such goods or services pursuant to such subcontract upon written request to the Secretary, or upon request to the Comptroller General of the United States General Accounting Office, or any of their duly authorized representatives, a copy of such subcontract and such books, documents and records of such organization as are necessary to verify the nature and extent of such costs.

2.1.5 Compliance with Medicare Anti-Kickback, Self-Referral and Anti-Rebate Laws. Neither party shall engage in any activity prohibited by 42 U.S.C. Section 1395nn (42 Code of Federal Regulations, Part 411 (411.1 to 411.361)), 42 U.S.C. Section 1320a-7a and 42 U.S.C. Section 1320a-7b (42 Code of Federal Regulations, Part 1001 (1001.952(a) to 1001.1001)) or any other federal, state or local law or regulation relating to the referral of patients, including, without limitation, anti-rebating and self-referral prohibitions and limitations, as those regulations now exist or as subsequently amended, renumbered or revised, nor shall either party associate or engage in similar activities with respect to any third party payors, including, but not limited to, soliciting or receiving, directly or indirectly, any compensation, in cash or in kind, or offering to pay any compensation to a third person in exchange for referring an individual to a person for the furnishing of any item or service for which payment may be made in whole or in part by Medicare or Medicaid or any other state or federally funded healthcare payment program.

2.1.6 No Referral Obligation. Nothing in this MOU shall be construed to require Contracting Party to refer patients to SJBPH or to require SJBPH to refer patients to Contracting Party.

2.2. Jeopardy. Notwithstanding anything to the contrary herein contained, in the event the performance by either party of any term, covenant, condition or provision of this MOU jeopardizes the licensure of SJBPH, its participation in, or the payment or reimbursement from, Medicare, Medicaid, Blue Cross or other reimbursement or payment programs, or its accreditation or licensing through CDPHE or any other state or nationally recognized accreditation organization, or the tax-exempt status of SJBPH or any affiliated entity, any of their property or financing (or the interest income thereon, as applicable), or will prevent or prohibit any health care professionals or their patients from utilizing SJBPH or any of its services, or if for any other reason said performance should be in violation of any statute, ordinance, or be otherwise deemed illegal, or be deemed unethical by any recognized body, agency, or association in the medical fields, SJBPH may initiate negotiations to resolve the matter through amendments to this MOU and, if the Parties are unable to resolve the matter within thirty (30) days thereafter, SJBPH may, at its option, terminate this MOU immediately. The Parties acknowledge and agree that this provision imposes a duty on each of the Parties to act in good faith, and where agreement is required, such agreement shall not be unreasonably withheld. After an initial notice is given as provided for in this Section, the Parties agree to cooperate and to act in such a manner as to eliminate or minimize to the extent possible any of the potential conditions described herein. This

Section shall apply regardless of the reason that one or more of the described potential conditions exists, including, but not limited to, because of the occurrence of substantially changed circumstances.

2.3 Nondiscrimination. To further the goals of public health, the Parties agree to accept all Medicare and Medicaid patients and to treat all medically indigent patients without regard to ability to pay and without regard to race, color, national origin, citizenship, sex, age, disability, religion or other factors unrelated to the patient's need for services.

EXHIBIT B - HIPAA BUSINESS ASSOCIATES AGREEMENT

The Health Insurance Portability and Accountability Act of 1996 ("HIPAA") requires the San Juan Basin Health a public health agency and a "Covered Entity," to comply with HIPAA. HIPAA mandates that if San Juan Basin Health contracts with any third-party "Business Associate" (i.e., generally an entity/person that (a) is not a Covered Entity, and (b) might view/access/receive a patient's protected health information), then that Business Associate must agree to comply with the provisions of HIPAA as set forth in this Business Associates Agreement.

1) DEFINITIONS.

- a) General definitions: The following terms used in this Agreement shall have the same meaning as those terms in the HIPAA Rules: Breach; Data Aggregation; Designated Record Set; Disclosure; Health Care Operations; Individual, Minimum Necessary; Notice of Privacy Practices; Protected Health Information; Required By Law; Secretary; Security Incident; Subcontractor; Unsecured Protected Health Information; and Use.
- b) Specific definitions:
 - i) Business Associate. "Business Associate" shall generally have the same meaning as the term "business associate" at 45 CFR 160.103.
 - ii) Covered Entity. "Covered Entity" shall generally have the same meaning as the term "covered entity" at 45 CFR 160.103. For purposes of this Business Associates Agreement, San Juan Basin Health is the "Covered Entity".
 - iii) HIPAA Rules. "HIPAA Rules" shall mean the Privacy, Security, Breach Notification, and Enforcement Rules at 45 CFR Part 160 and Part 164.

2) OBLIGATION AND ACTIVITIES OF BUSINESS ASSOCIATE. Business Associate agrees to:

- a) Not use or disclose protected health information other than as permitted or required by the Agreement or as required by law;
- b) Use appropriate safeguards, and comply with Subpart C of 45 CFR Part 164 with respect to electronic protected health information, to prevent use or disclosure of protected health information other than as provided for by the Agreement;
- c) Report to covered entity (not delaying more than three days of Business Associates discovery) any use or disclosure of protected health information not provided for by the Agreement of which it becomes aware, including breaches of unsecured protected health information as required at 45 CFR 164.410, and any security incident of which it becomes aware;
- d) In accordance with 45 CFR 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, ensure that any subcontractors that create, receive, maintain, or transmit protected health information on behalf of the business associate agree to the same restrictions, conditions, and requirements that apply to the business associate with respect to such information;
- e) Make available protected health information in a designated record set to the Covered Entity as necessary to satisfy covered entity's obligations under 45 CFR 164.524;
- f) Make any amendment(s) to protected health information in a designated record set as directed or agreed to by the covered entity pursuant to 45 CFR 164.526, or take other measures as necessary to satisfy covered entity's obligations under 45 CFR 164.526;
- g) Maintain and make available the information required to provide an accounting of disclosures to the Covered Entity as necessary to satisfy covered entity's obligations under 45 CFR 164.528;
- h) To the extent the business associate is to carry out one or more of covered entity's obligation(s) under Subpart E of 45 CFR Part 164, comply with the requirements of Subpart E that apply to the covered entity in the performance of such obligation(s); and

- i) Make its internal practices, books, and records available to the Secretary for purposes of determining compliance with the HIPAA Rules.
- 3) PERMITTED USES AND DISCLOSURES BY BUSINESS ASSOCIATE.
- a) Business associate may use or disclose protected health information as necessary to perform the services as set forth in a written agreement between the parties.
 - b) Business associate may use or disclose protected health information as required by law.
 - c) Business associate agrees to make uses and disclosures and requests for protected health information consistent with covered entity's minimum necessary policies and procedures.
 - d) Business associate may not use or disclose protected health information in a manner that would violate Subpart E of 45 CFR Part 164 if done by covered entity except for the specific uses and disclosures set forth below:
 - i) Business associate may use protected health information for the proper management and administration of the business associate or to carry out the legal responsibilities of the business associate; and/or
 - ii) Business associate may provide data aggregation services relating to the health care operations of the covered entity.
- 4) PROVISIONS FOR COVERED ENTITY TO INFORM BUSINESS ASSOCIATE OF PRIVACY PRACTICES AND RESTRICTIONS.
- a) Covered entity shall notify business associate of any limitation(s) in the notice of privacy practices of covered entity under 45 CFR 164.520, to the extent that such limitation may affect business associate's use or disclosure of protected health information.
 - b) Covered entity shall notify business associate of any changes in, or revocation of, the permission by an individual to use or disclose his or her protected health information, to the extent that such changes may affect business associate's use or disclosure of protected health information.
 - c) Covered entity shall notify business associate of any restriction on the use or disclosure of protected health information that covered entity has agreed to or is required to abide by under 45 CFR 164.522, to the extent that such restriction may affect business associate's use or disclosure of protected health information.
- 5) PERMISSIBLE REQUESTS BY COVERED ENTITY.
- a) Covered entity shall not request business associate to use or disclose protected health information in any manner that would not be permissible under Subpart E of 45 CFR Part 164 if done by covered entity. This specifically excludes any use or disclosure by business associate protected health information for business associate's management, administration and legal responsibilities and data aggregation.
- 6) TERM AND TERMINATION.
- a) Term. The Term of this Agreement shall be effective when executed by both parties and shall continue throughout the term of any written agreement between the parties unless earlier terminated as set forth below.
 - b) Termination for Cause. Business associate authorizes termination of this Agreement by covered entity, if covered entity determines business associate has violated a material term of the Agreement and business associate has not cured the breach or ended the violation within the time specified by covered entity.
 - c) Obligations of Business Associate Upon Termination. Upon termination of this Agreement for any reason, business associate, with respect to protected health information received from covered entity, or created, maintained, or received by business associate on behalf of covered entity, shall:

- i) Retain only that protected health information which is necessary for business associate to continue its proper management and administration or to carry out its legal responsibilities;
- ii) Return to covered entity or, if agreed to by covered entity, destroy the remaining protected health information that the business associate still maintains in any form; and
- iii) Continue to use appropriate safeguards and comply with Subpart C of 45 CFR Part 164 with respect to electronic protected health information to prevent use or disclosure of the protected health information, other than as provided for in this Section, for as long as business associate retains the protected health information;
- d) Survival. The obligations of business associate under this Section shall survive the termination of this Agreement.

7) **ADDITIONAL PROVISIONS.**

- a) Amendment. The Parties agree to take such action as is necessary to amend this Agreement from time to time as is necessary for compliance with the requirements of the HIPAA Rules and any other applicable law.
- b) Interpretation. Any ambiguity in this Agreement shall be interpreted to permit compliance with the HIPAA Rules.
- c) Regulatory References. A reference in this Agreement to a section in the HIPAA Rules means the section as in effect or as amended.

Covered Entity: San Juan Basin Public Health By: _____ Bellann Raile, Court-appointed Receiver Date: _____	Business Associate: San Juan County Public Health By: _____ Becky Joyce, Director Date: _____
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EXHIBIT “C” TO MOU
BETWEEN SJBPH AND SJCPH

I. SERVICES.

- a) The Service Area: San Juan County, Colorado.
- b) Services:
 - i. *The services (“Services”) include:*
 - 1) the agency duties set forth in C.R.S. § 25-1-506(b)(IV), as to administration and enforcement of laws pertaining to public health, air pollution, solid and hazardous waste, and water quality;
 - 2) the agency duties set forth in C.R.S. § 25-1-506(b)(IV), as to investigation and abatement of environmental-related nuisances;
 - 3) the agency duties set forth in C.R.S. § 25-1-506(b)(IX), make chemical, bacteriological, and biological labs, except such labs are in La Plata and/or Archuleta counties;
 - 4) the agency duties set forth in C.R.S. § 25-1-506(b)(XI), as to carrying out health programs offered by SJBPH. SJCPH shall be notified in advance of said programs, including enrollment therein or grant applications therefore;
 - 5) the agency duties set forth in C.R.S. § 25-1-506(b)(XIII), to make necessary sanitation and health investigations and inspections for matters affecting public health, including all OWTS permitting, inspection and enforcement, pursuant to San Juan Basin Public Health On-site Wastewater Treatment Systems Regulations 2018, as amended;
 - 6) the agency duties set forth in C.R.S. § 25-1-506(b)(XIV), as to collaboration with the state department on all matters pertaining to water quality, air quality, air pollution, and solid and hazardous waste; and
 - 7) the agency duties set forth in C.R.S. § 25-1-506(b)(XV), as to San Juan County’s establishment of local or regional child fatality prevention review team.
 - 8) the agency duties set forth in C.R.S. § 25-1-506(b)(XII), to collect, compile and tabulate reports of births and deaths. for San Juan County.
 - a. San Juan County agrees to transfer all birth and death records currently held to SJBPH within 30 days of the execution of this MOU
 - b. All birth and death records for San Juan County will be held by SJBPH in their Durango office
 - 9) SJBPH assistance with the following activities set forth in the SFY 2023 PHEP contract between SJCPH and the Colorado Department of Public Health and Environment, which is incorporated into this MOU as Exhibit D:
 - a. Provide public health preparedness, response and recovery surveillance response activities, to maintain public health surveillance and epidemiological capacity in the jurisdiction through planning, training, exercises and real events (Only Objective #1, Primary Activity #1, Sub-Activity #1-5)
 - b. Improve public health preparedness, response and recovery activities through exercises (Only Objective #3, Primary Activity #1 Sub-activities #2)

ii) *The Services do not include:*

- 1) SJBPH clinics in San Juan County (any persons in the Service Area desiring SJBPH clinic services will need to travel to La Plata and/or Archuleta County for SJBPH clinic services);
- 2) the agency duties set forth in C.R.S. § 25-1-506(b)(I), completion of a community assessment;
- 3) the agency duties set forth in C.R.S. § 25-1-506(b)(II), advising San Juan County on public policy issues;
- 4) the agency duties set forth in C.R.S. § 25-1-506(b)(III), the San Juan County's obligation to arrange for its core public health services;
- 5) the agency duties set forth in C.R.S. § 25-1-506(b)(IV), as to vital statistics for San Juan County and as to the orders, rules and standards of the state board;
- 6) the agency duties set forth in C.R.S. § 25-1-506(b)(VIII), as to investigation of non-environmental nuisances;
- 7) the agency duties set forth in C.R.S. § 25-1-506(b)(X), to purchase and distribute biological or therapeutic products to physicians and veterinarians in San Juan County;
- 8) the agency duties set forth in C.R.S. § 25-1-506(b)(XI), as to carrying out health programs not offered by SJBPH;
- 9) the agency duties set forth in C.R.S. § 25-1-506(b)(XIV), as to collaboration with the state department as to public health matters of San Juan County.

iii) *In addition, the Services do not include the following:*

- 1) the agency duties set forth in C.R.S. § 25-1-506(b)(V), investigate and control epidemic or communicable diseases in San Juan County beyond the activities discussed in I(b)(i)(9) of this MOU;
- 2) the agency duties set forth in C.R.S. § 25-1-506(b)(VI), establish, maintain, and enforce quarantines in San Juan County; and
- 3) the agency duties set forth in C.R.S. § 25-1-506(b)(VII), close schools and public places in San Juan County.

II. **SJBPH'S RIGHTS AND RESPONSIBILITIES.** Throughout the term of this MOU, SJBPH shall have the following rights and responsibilities:

SJBPH shall provide the Services to the Service Area in accordance with the obligations and standards set forth in C.R.S. § 25-1-501, *et seq.*

III. **SJCPH'S RIGHTS AND RESPONSIBILITIES.** Throughout the term of this MOU, SJCPH shall have the following rights and responsibilities:

- a) SJCPH shall be responsible for forming its public health agency and all obligations mandated by C.R.S. § 25-1-501, *et seq.*, for San Juan County other than those Services provided by SJBPH.
- b) SJCPH agrees that it shall not, at any time, submit billing to Medicaid, Medicare or otherwise for the Services provided by SJBPH in the Service Area.

IV. **JOINT OBLIGATIONS AND RESPONSIBILITIES.** The Parties will periodically meet (upon the formal request of either) during San Juan County Board of Health meetings to discuss public health issues relevant to this MOU.

V. **FEES; BILLING.**

- a) Fees: SJCPH shall pay SJBPH the sum of *fourteen dollars (\$14.00)* for each person in the Service Area as determined by the July 2021 population estimate by the Colorado State Demography Office which estimated the population to be 741 (seven hundred forty one) for a total of \$10,374.
- b) SJCPH shall also pay SJBPH a lump sum payment of four thousand five hundred dollars (\$4,500.00) for the services described in 1(b)(i)(9) in addition to the per capita payment in V(a).
- c) SJBPH will retain any fees charged for services provided through this MOU



Department of Social Services
Phone 970-387-5631 * Fax 970-387-5326
Martha Johnson, Director
7/31/2023

Date 8/28/2023
Transmittal No. 7

Vendor	Date	Num	Amount
La Plata County	07/31/2023	11653	\$ 3,250.62
San Juan Cty	07/31/2023	11655	\$ 4,657.04
CHSDA	07/31/2023	11652	\$ 926.00
TOTAL			\$ 8,833.66

I, MARTHA JOHNSON, Director of Social Services of San Juan County of Colorado, hereby certify that the payments listed above are available for inspection and have been paid to the payees listed.

MARTHA JOHNSON

I, Austin Lashley, Chairman of the San Juan County Board of Commissioners, hereby certify that the payments as set forth above have this date been approved and warrants in payment thereof issued upon the Social Services Fund.

Austin Lashley

San Juan County Social Services
Profit & Loss Budget vs. Actual
January through December 2023

Ordinary Income/Expense	TOTAL						
	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23
Income	Jan - Dec 23						
	Budget						
400.001 REVENUE-State Alloc	5,837.77	5,834.67	6,106.69	9,634.17	6,266.52	29,456.34	6,504.17
400.010 Property Tax Current	0.00	1,589.26	3,112.96	1,535.25	3,683.72	1,722.33	1,858.47
400.020 Specific Ownership tax	102.95	89.02	77.69	81.20	76.62	187.36	207.70
400.040 Penalties/Int on Tax	0.00	0.00	0.00	0.16	0.47	4.24	6.83
400.145 REVENUE-CSGB Grant	999.11	0.00	0.00	0.00	0.00	0.00	0.00
400.180 REVENUE-EOC	37.50	0.00	0.00	37.50	0.00	0.00	37.50
400.220 REVENUE-Program Refunds	200.00	300.00	300.00	0.00	0.00	0.00	0.00
Total Income	7,177.33	7,812.95	9,597.34	11,286.28	10,027.33	31,350.27	8,614.67
Expense	4,868.71	5,049.60	5,891.11	5,948.51	6,036.35	6,602.58	6,783.37
500.100 EXPENSE-Administration	0.00	0.00	0.00	0.00	0.00	105.46	0.00
500.110 EXPENSE-Adult Protectio	26.61	0.00	0.00	0.00	0.00	0.00	0.00
500.120 EXPENSE-Child Care	74.19	41.28	34.53	0.00	34.53	0.00	50.29
500.130 EXPENSE-Child Support	0.00	0.00	0.00	0.00	0.00	180.98	0.00
500.140 EXPENSE-Child Welfare	0.00	0.00	0.00	0.00	0.00	0.00	0.00
500.145 EXPENSE-CSGB Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.00
500.150 EXPENSE-Colorado Works	0.00	0.00	0.00	0.00	0.00	19,461.32	0.00
500.160 EXPENSE-Core Services	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
500.200 EXPENSE-LEAP	564.44	297.85	218.89	3,424.46	0.00	41.49	0.00
500.210 EXPENSE-OAP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Expense	7,533.95	7,386.73	8,144.53	11,372.97	8,070.88	28,391.83	8,833.66
Net Income	-356.62	424.22	1,452.81	-84.69	1,956.45	2,958.44	-218.99

San Juan County
CDHS Allocation and Expenditures report
For State Fiscal Year 2022-23
7/31/2023

FIPS

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Program	Allocation	Expenditures	Remaining	% Remaining	% of Fiscal Year Remaining
CDHS County Admin	88,433	1,861	86,572	97.90%	91.67%
CDHS ARPA (F302.4013)	828	0	828	100.00%	91.67%
HCPF Regular	23,299	915	22,383	96.07%	91.67%
HCPF Enhanced	45,271	74	45,197	99.84%	91.67%
APS Admin	30,000	342	29,658	98.86%	91.67%
APS Client	2,000	0	2,000	100.00%	91.67%
Child Care	7,610	163	7,447	97.86%	91.67%
CARE CRSSA Funding Expan	1,043	0	1,043	100.00%	91.67%
Colorado Works	44,697	909	43,788	97.97%	91.67%
Colorado Works HB 22-1259 ARPA	2,504	53	2,451	97.88%	91.67%
Child Welfare 80/20	26,664	2,966	23,698	88.88%	91.67%
Child Welfare 100%	2,225	9	2,216	99.62%	91.67%
CORE 80/20	8,724	2,000	6,724	77.07%	91.67%
CORE 100%	15,902	0	15,902	100.00%	91.67%
SEAP	374		374	100.00%	91.67%
LEAP L300.5200	244	41	203	83.00%	16.67%
LEAP outreach incentive	26,000	5,351	20,649	79.42%	91.67%
Total	325,818	14,684	311,134		

MEMORANDUM

September 13, 2023

TO: San Juan County Commissioners

FR: William A. Tookey

RE: Forst Lode MS 18463

Adam Rex has submitted a Preliminary/Final Improvement Permit application for the development of a 2000 Sq. Ft. cabin, vacation rental and associated utility improvements on the Forst Lode MS 18463. The property is located on Kendall Mountain and will be accessed by Country Road 33.

The property is currently owned by Adam Rex and the taxes are current.

The application fees have been paid.

The adjacent landowners have been notified via US Mail of the proposed Improvement Permit application.

The Planning Commission previously reviewed the Sketch Plan application for the project and recommended approval for the Improvement Permit application.

The Board of County Commissioners reviewed and approved the Sketch Plan application with conditions. The Commissioners denied the vacation rental after determining that the proposed plan did not adequately provide for safe access.

Mountain Zoning District requires a minimum parcel or lot area of 5 acres with a setback of 20 feet from public lands and 30 feet from private property lines. The Forst Lode is 10.36 acres. The proposed cabin would exceed the setback requirements.

The applicant has substantially met the requirements for application submittals as required by 3-102 Requirements for Uses and Improvements.

All applications for review will be examined initially to determine whether the proposal is consistent with the County's Master Plan.

Master Plan Strategy LU-2.1 Encourages future development in the economic corridors which include the upper Animas Valley from Silverton to Eureka, Cement Creek from Silverton to Gladstone and the South County Line to just above the Mill Creek Subdivision. And Strategy LU-2.2 Identify areas in the growth corridors that are suitable for residential use considering natural hazards, habitat resources, scenic impacts and sensitivity to residential land uses. The proposed development is not located in the identified growth corridors. However, the Master Plan notes that private property rights are respected in San Juan County. The Plan also states that residential development on mining claims are to be built in low-visibility

places outside of environmentally sensitive areas, leaving visible ridgelines and other scenic resources undeveloped and minimizing the impacts on the environment. I believe this application is attempting to meet the intent of the Master Plan.

- a. Adequate potable water is available or can be developed to safely support the proposed use.

The applicant plans to collect water from a spring on the property and store it in a 1500 gallon cistern located in the basement of the house. The applicant has submitted a Notice of Intent to Mak Absolute for water rights on the spring.

- b. Adequate sewage disposal can be provided to support the proposed use.

The applicant has submitted an On-Site Wastewater Treatment Permit Application to San Juan Basin Health.

- c. Will the proposed use have any adverse impact on public or private property in the vicinity of the development?

The proposed improvements should have minimal impact on the adjoining properties. Adjoining property owners have been notified and at this time I have not received any comments from them.

- d. Will the proposed use have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife, erosion or other geological conditions?

- 1. The applicant has included a scenic quality report. It appears that the cabin has been located to minimize the visual impact. The applicant did construct a 30' story pole on the cabin site and was unable to see the pole from US 550.**
- 2. It does not appear that the site has any historic significance, structures or artifacts. If any artifacts are discovered during excavation or construction the site would be shut down until the Historic Review Committee or qualified archeologist could visit the site.**
- 3. The improvements should create minimal adverse impacts upon wildlife. All solid waste, garbage and refuse must be kept within the building, in a separate secure enclosed area or in wildlife/bear-resistant containers until it is properly disposed of at the Transfer station.**

- e. Adequate road access exists or can be developed to ensure access appropriate to the use.

The applicant will access the property via CR 33.

- f. The design and development of the site shall preserve, insofar as possible, the natural terrain and drainage of the land, the existing topsoil and existing vegetation. Disturbed areas shall be revegetated with native plant species certified weed free as soon as possible after disturbance in order to prevent the establishment and dominance of non-native invasive species.

The proposed improvement will preserve, insofar as possible, the natural terrain and drainage of the land. All disturbances will be revegetated with native plant species certified to be weed free.

- g. Sites subject to hazardous conditions, for example avalanche, flood, land slide, rock fall, mud flow, open mine shaft, corrosive water, etc, shall be identified and shall not be built upon or used until satisfactory plans have been approved by the County for eliminating or appropriately mitigating such hazards. The provisions of Chapters 8, 9, 10 and 11 shall govern the evaluation of those natural hazards covered by such provisions.

A portion of the property is located in an avalanche hazard area. However, the cabin would be constructed outside of the Avalanche Hazard. Access to the site would require crossing avalanche paths that could put the occupants and emergency responders at risk.

The County Geohazards Map identifies that the cabin will be built on a talus slope.

- h. The applicant shall permit continued public access to any historic public trails that cross the property.

Planning Commission Member Ken Safranski noted that the original Deer Park Trail crosses the property. I do not believe that there are any public trails other than CR 33 that cross the property. That trail will need to be identified on the certified survey plat.

- i. Individual building sites shall be placed on the Town of Silverton's utility billing system for water and refuse when water is hauled to the site., Any applicant who shows that it is obtaining water from an approved permitted well or is purchasing water from an acceptable source of potable water other than the Town of Silverton may be permitted to be placed on the Town of Silverton's billing system for refuse only.

The applicant will be required to be placed on the Town's utility billing system for refuse.

The San Juan Regional Planning Commission has reviewed and recommends approval of the Preliminary/Final Plan application with the conditions as listed below.

The County Commissioners has the option to approve as submitted, deny, or approve with conditions.

Should the County Commissioners choose to approve this improvement permit to construct a single-family dwelling on the Forst Lode, they should do so with the following conditions prior to the issuance of an Improvement Permit:

1. That the applicant acknowledges that emergency services will not be available in a timely manner and perhaps not at all.
2. All improvements to the Forst Lode shall fully and completely comply with, and strictly conform to, all terms, conditions and restrictions contained in the San Juan County Zoning and Land Use Regulation, all permits issued, and all applicable State and Federal rules and regulations.
3. The applicant shall fully and completely comply with the San Juan County Zoning and Land Use Regulation 4-110 Design and Development Standards for all Improvement and Use Permits.
4. If any historic artifacts are discovered on site during the excavation or construction, all work on the project will be stopped immediately until the Historic Review Committee or qualified archeologist can visit the site to document and preserve those artifacts.
5. That the Deer Park Trail and CR 33 be identified on the certified survey site and signed by a Colorado Licensed Surveyor.
6. That the proposed improvements are identified and staked on site by a Colorado Licensed Surveyor.
7. That the applicant be placed on the Town of Silverton's Utility billing system for refuse.
8. That the septic system be engineered and permitted.
9. That the on-site water be tested for potability and measured for volume.
10. The failure to comply with these conditions shall be grounds for the revocation of this Improvement Permit.
11. Any other conditions that the County Commissioners deems necessary.





VACATION RENTAL

The applicants request for a vacation rental was denied by the San Juan County Commissioners in part because it did not adequately address Section 4-110.21(iii)(b) that requires that the vacation rental is safely accessible for guests and emergency responders.

**San Juan Regional
Planning Commission**
SAN JUAN COUNTY TOWN OF SILVERTON
Silverton, Colorado 81433
P.O. Box 223

August 15, 2023

Board of County Commissioners
San Juan County
Silverton, CO 81433

Members of the Commission:

RE: County Improvement Permit Application
Preliminary/Final Application on Forst Lode
MS 18463 For Single-family dwelling and
associated improvements on Kendall
Mountain adjacent to CR 33.

At the regular meeting of the San Juan Regional Planning Commission on August 15, 2023, members of that Commission held a meeting to discuss the Proposed County Improvement Permit Application for a Preliminary/Final Plan for the development of a 2000square foot cabin and associated utility improvements located on Forst Lode MS 18463 located on Kendall Mountain adjacent to CR 33. The owner Adam Rex is present to answer questions.

After considerable discussion and background of the project, questions and presentations from William Tookey, Land use Administrator, and the applicant, the Planning Commission voted unanimously to recommend to the San Juan County Commissioners that you approve the proposed County Improvement Permit Application and Preliminary/Final Plan with the 11 proposed conditions of approval.

Thank you for considering this recommendation.

Sincerely,
The Planning Commission Members and
James Weller, Chairman

San Juan County Colorado Application for Improvement Permit

Applicant: Adam Rex

Date: 7/28/2023

Property: Forst Lode Claim

Description of build: 4 bed, 2 bath house, approximately 2000sqft


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Application for Improvement Permit

Sao Joan County, Colorado

Application for Improvement Permit

Applicant	Name: <u>Joan Rex</u>	APPROVAL CHECKLIST		Initial	Date
	Address: <u>PO Box 178</u>	Land Use Administrator			
	Escalante UT 84726 Phone: _____	Ownership of Surface			
Owner	Name: <u>same as above</u>	Ownership of Minerals			
	Address: _____	Vicinity Map			
	Phone: <u>435-618-1119</u>	Certified Survey Plat			
County	Name: <u>same as above</u>	Monumentation			
	Address: _____	Basic Plat Map			
	Phone: _____	Plans and Drawings			
Legal Description of Property: _____		Road System Relationship			
<u>Forst Lodge, Mineral survey #18463</u> Township <u>N</u> , Range <u>W</u> , Section _____ Nature of Improvement Planned: <u>2000 sqft cabin/vacation rental</u> <u>Septic System</u> <u>Propane Tank on exterior of house</u> <u>Driveway and parking area</u> <u>Solar Panels on roof</u> <u>Water piping and cistern to transport and store water</u>		Zoning Compatibility			
		State Mining Permit			
		Owner Notification			
		Avalanche Hazard			
		Geologic Hazard			
		Floodplain Hazard			
		Wildfire Hazard			
		Mineral Resource Impact			
		Wildlife Impact			
		Historic Site Impact			
Land Use Zone: _____		Watershed Governance			
Applicant Signature: 		County Building Inspector			
Date Application Requested: _____		Building Permit			
Date Submitted for Permit: _____		State Electrical Inspector			
Date Permit Issued: _____		Electrical Permit			
Date Permit Denied: _____		San Juan Basin Health Unit			
Reason for Denial: _____		Sewage Disposal: Test			
		Design			
		Central Sewage Collection			
		State Division of Water Resources			
		Adequate Water Source			
		Well Permit			
		Central Water Distribution			
		U.S. Forest Service/BLM			
		Access Approval			
		State Division of Highways			
		Driveway Permit			
Receipt		FEE PAYMENT			
Application		Amount	Date		
Building Permit					
Subdivision/PUD				Subdivision Variance	
Hearing Notice				Subdivision Approval	
				PUD Approval	

Project Overview

Hi my name is Adam Rex and I am applying to build a 2000 sqft, 4 bed, 2 bath house on Kendall Mountain, just off of County Rd 33. I'm a builder from Escalante Utah and I will be building the house myself. I have over 20 years of experience in construction and I take great pride in the homes that I build. I've built high end, modern homes in locations such as Lake Tahoe, California and in Escalante, Utah. Some examples of my work include the Escalante Cliff House and Birch Creek House in Escalante Utah (escalantecruffhouse.com & birchcreekhouse.com).

The house will be used at times as a vacation rental. We understand that there are certain dangers that come from guests visiting this house, especially in the winter, and we plan on mitigating those risks so that staying at the house is as safe as staying at any other house in Silverton. Strategies for risk mitigation are explained in the "Vacation Rental Use" section of this document.

The house will be invisible from county road 33 or highway 550. We put story poles up on the property that are higher than the house will be, and we couldn't see them from either road.

The cumulative impact of the house on the surrounding properties will be very small for the simple fact that most of the surrounding land is BLM land. Within 1500' of the property, there are only 2 other properties, the Manson Claim and the Lady Forst Claim and both of those claims have no improvements.

This house will be completely off the grid and will be built in such a way as to cause minimal disturbance to the beautiful mountain landscape surrounding it. Water will be drawn from a spring on the property that will be piped to the house and stored in a 1500-gallon cistern in the basement of the house. This water will be used for domestic uses as well as for firefighting if the need arise.

Wastewater will be treated on site using a waste water treatment system.

For electricity, solar panels will be installed on the roof with batteries in the basement. For house heat, water heaters, stove and oven we will use propane. The propane tank will be 500 gallons and will sit just to the side of the house.

The development will be in compliance with San Juan County Dark Skies Regulations and San Juan County Fire Regulations.

Vacation Rental Use

We plan on renting the house out as a short-term vacation rental so that others can enjoy it while we're not. The house will have adequate communications in all seasons via cell phone and satellite internet, which can be used for wifi calling. Guests will be informed that this is a remote mountain cabin and as such, first responders will have a hard time reaching them or in some cases won't be able to reach them for a long period of time, such as during a snowstorm.

Summer and Fall

The house will be accessible during the summer by 4WD/OHV or on foot during the summer and fall. We will ensure that there is parking for at least 2 vehicles at the house and make it a rule that guests aren't allowed to park on CR33. We will reserve the right to cancel bookings if the fire danger in the area becomes extreme so as to not endanger our guests or first responders.

Winter

During the winter, the property will be accessible via snow machine or skis. In the winter we will instruct people to park their cars at the beginning of CR33 where there is an open area in front of the big speed bump. Guests will be told to not park snow machines on CR33 so that the road can be groomed. We plan on mitigating the risk of avalanche in a couple of ways. In the directions/access info that we will give the guests, we'll inform them of the avalanche paths that they will cross on the way to the house and advise them to not stop in those locations. We will reserve the right to cancel reservations if the risk of avalanche becomes "extreme" so as to not endanger guests and emergency services.

Spring

We anticipate that there will be a mud season in the spring where getting to the house will be impossible. Depending on the year we think this'll be sometime in the April-June timeframe. The house will remain unoccupied during mud season so that we or our guests aren't tearing up the road or getting stuck going to and from the house.

Scenic Quality Report

Overview

In February 2023 we went to the Forst Lode claim to erect a 30' story pole with an orange hunting vest on the proposed build site. 30' was chosen as this will be the max height for the house. It was immediately obvious that the trees surrounding the house are much higher than 30'. After setting up the pole, we went to try and spot it from CR33 and highway 550. As the pictures below show, it was impossible to see the story pole from either CR33 or highway 550, at an spot along those roads. After completing this exercise, we're confident that the finished house will be invisible from view, even after clearing trees around the house to lessen the fire hazard.



Figure 1. The location of the proposed building location, marked with the 30' story pole.



Figure 2. The location of the proposed building location, looking west.



Figure 3. The location of the proposed building location, looking west.



Figure 4. The location of the proposed building location, as seen from county road 33. There was no other location on the road from which one can see the building site. This is the closest spot to the build site.



Figure 5. Showing that the direction of the photo in figure 4 is looking SW towards the build site from county road 33.



Figure 6. A 10x zoom photograph taken from highway 550 looking NW across the Animas river. The red circle indicates the area where the story pole is. We were not able to visually locate the story pole from highway 550.

Cumulative Impact Report

Summary

The building of a house on the Forst Lode Claim will not have a large impact on surrounding land owners. This is mostly because there are only 2 claims within 1500ft of the ALO map produced for this project by Kim Buck. Those claims are the Lady Forst Claim and the Manson Claim. The details and description of the Claims are below. The data gathered for this report are the same as other cumulative impact reports that Lisa Adair has done in the past.


Manson Claim

This claim is owned by Adam Rex (49%) and Michael Steadman (51%). The land is accessible as CR33 passes through it. The claim is 8.99 acres and contains some avalanche zone and geologic hazard zone. The property is mostly wooded with some clearing and is all below 11000ft. This property has no improvements on it and is unlikely to be built on for the simple fact that I, Adam Rex, own half of it and I have no desire to develop it.

Lady Forst Claim

This claim is owned by William Rogers (100%). The land is accessible as CR33 passes through it. The claim is 8.25 acres and contains some avalanche zone and very little geologic hazard zone. The property is mostly wooded with some clearing and is before the Forst Lode claim as you drive from Silverton up CR33. This property has no improvements on it but could probably be built on some time in the future.

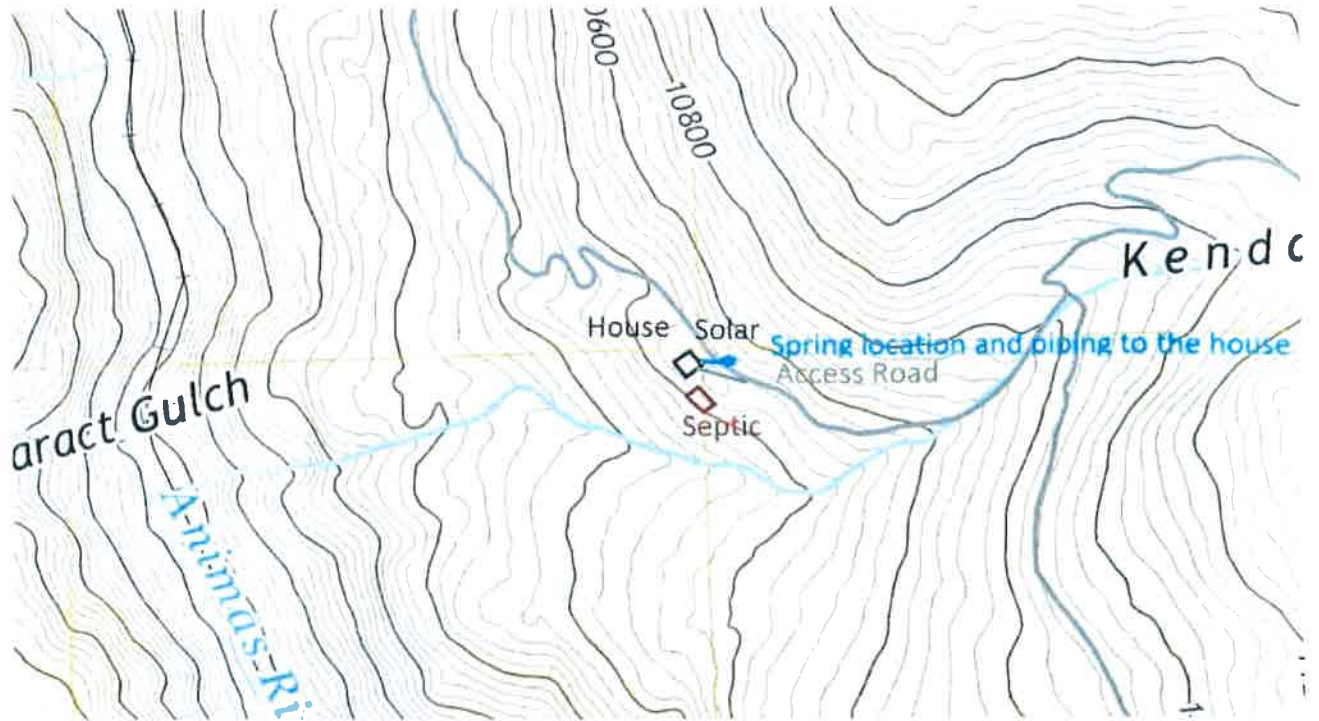
Building Permit Application

		Building Permit Application	
Address of Job Site _____			
Class of Work NEW CONSTRUCTION <input type="checkbox"/> REMODEL <input type="checkbox"/> ADDITION <input type="checkbox"/> REPAIR <input type="checkbox"/> OTHER <input type="checkbox"/>			
Property Owner _____		Phone: _____	
Mailing Address _____			
City _____		State _____	Zip Code _____
Email Address: _____			
Contractor: _____		Phone: _____	
Legal Description Tract No. _____ Section _____ Township _____ Range _____ Hazardous Materials <input type="checkbox"/> AVIATION <input type="checkbox"/> AIRPORT <input type="checkbox"/>			
Structural Information Require NW Structure <input type="checkbox"/> Survey Provided <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Plot Plan Provided <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>			
Designed By _____		Professional Seal _____	
Signature _____		Date: 7/1/2018	
Describe All Work To Be Done: <div style="border: 1px solid black; height: 100px; width: 100%;"></div>			
(Staff Use ONLY)			
Total Estimated Duration: Weeks 5		Contract/Design Fee: \$	
Building Fee and Miscellaneous _____			

Certified Survey Plat

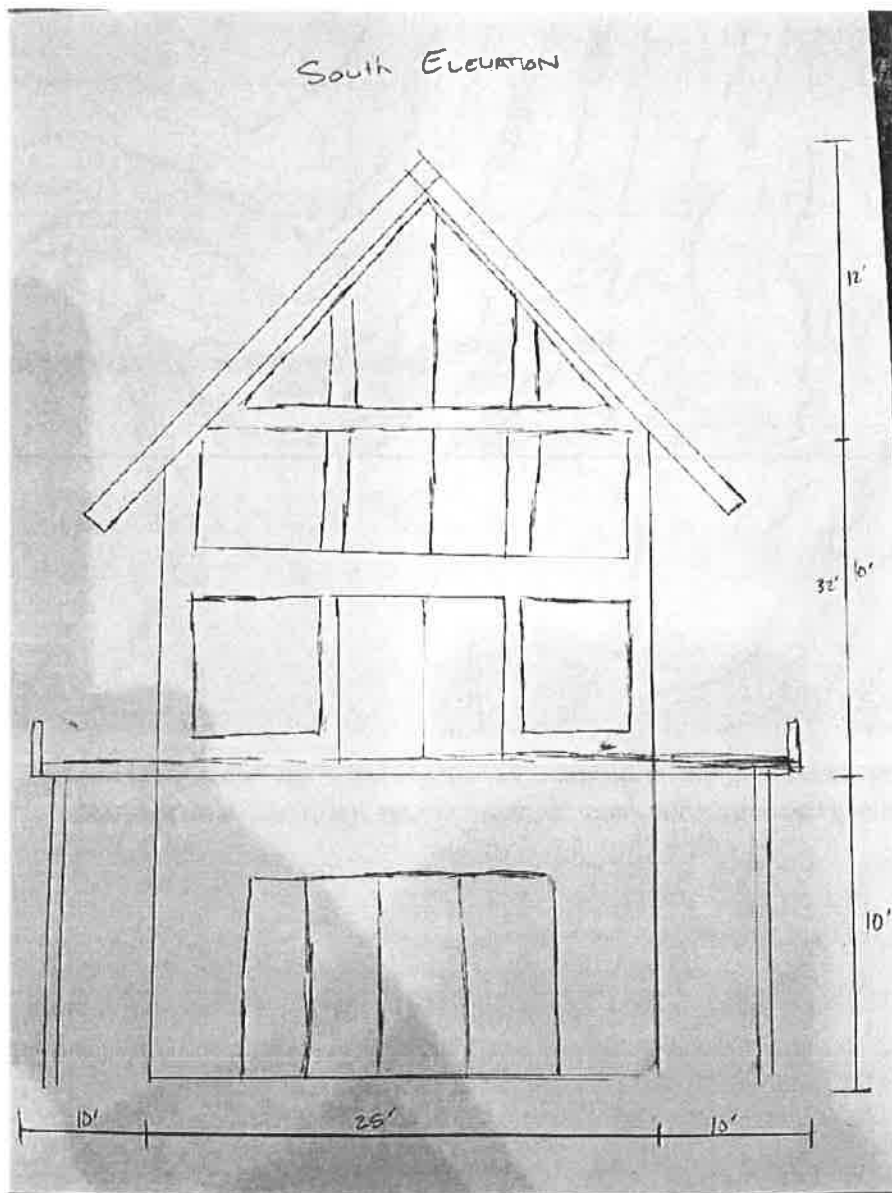
Basic Plan Map

This map will be replaced by one that Dirk Hatter, surveyor, will produce.

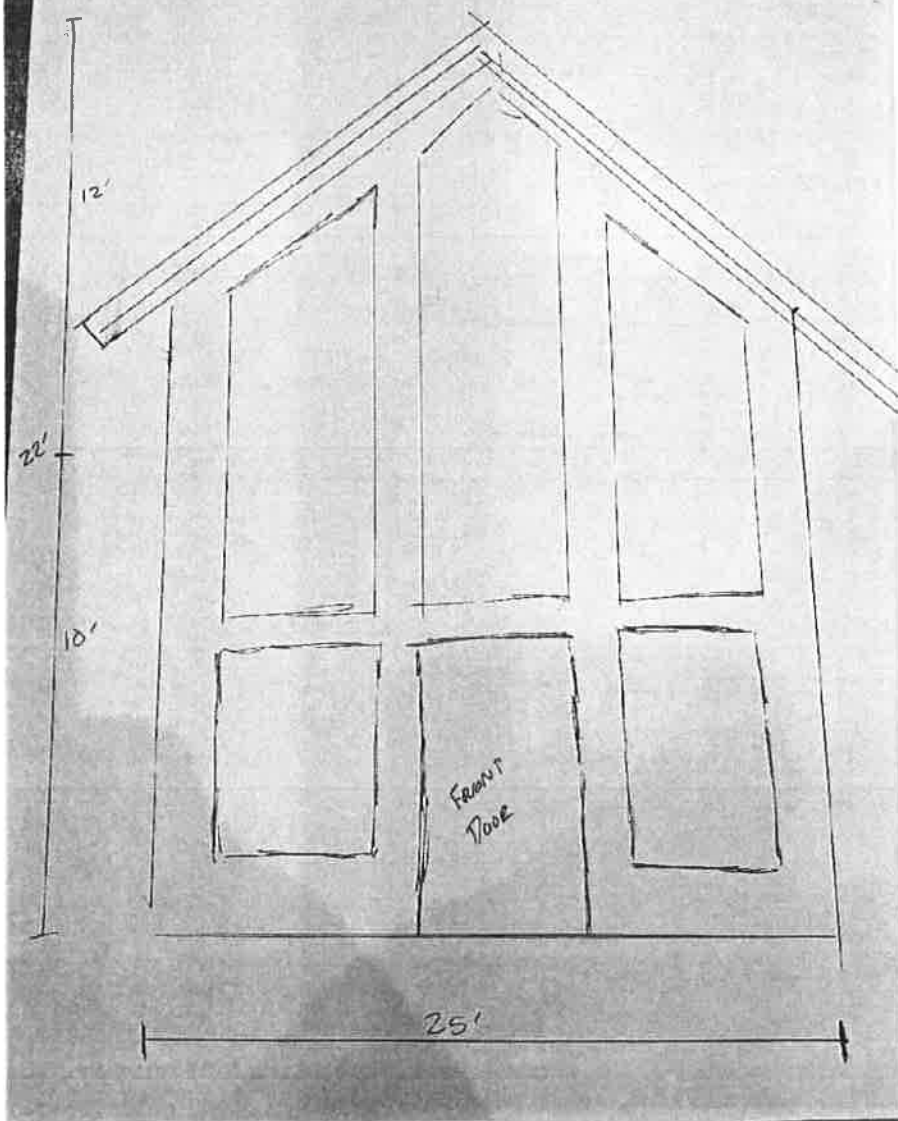


The site plan above shows the location of the house and solar array on top of the house (black square), the spring location and piping to the house (blue line), the septic system (red) and the access road (grey).

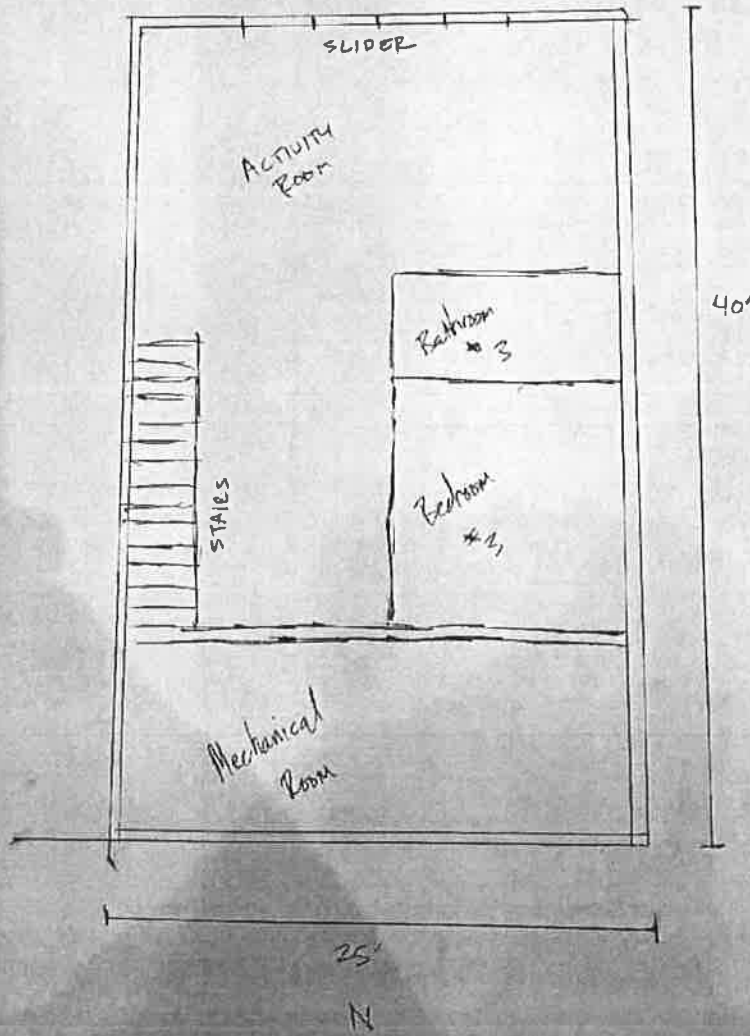
Plans and Drawings

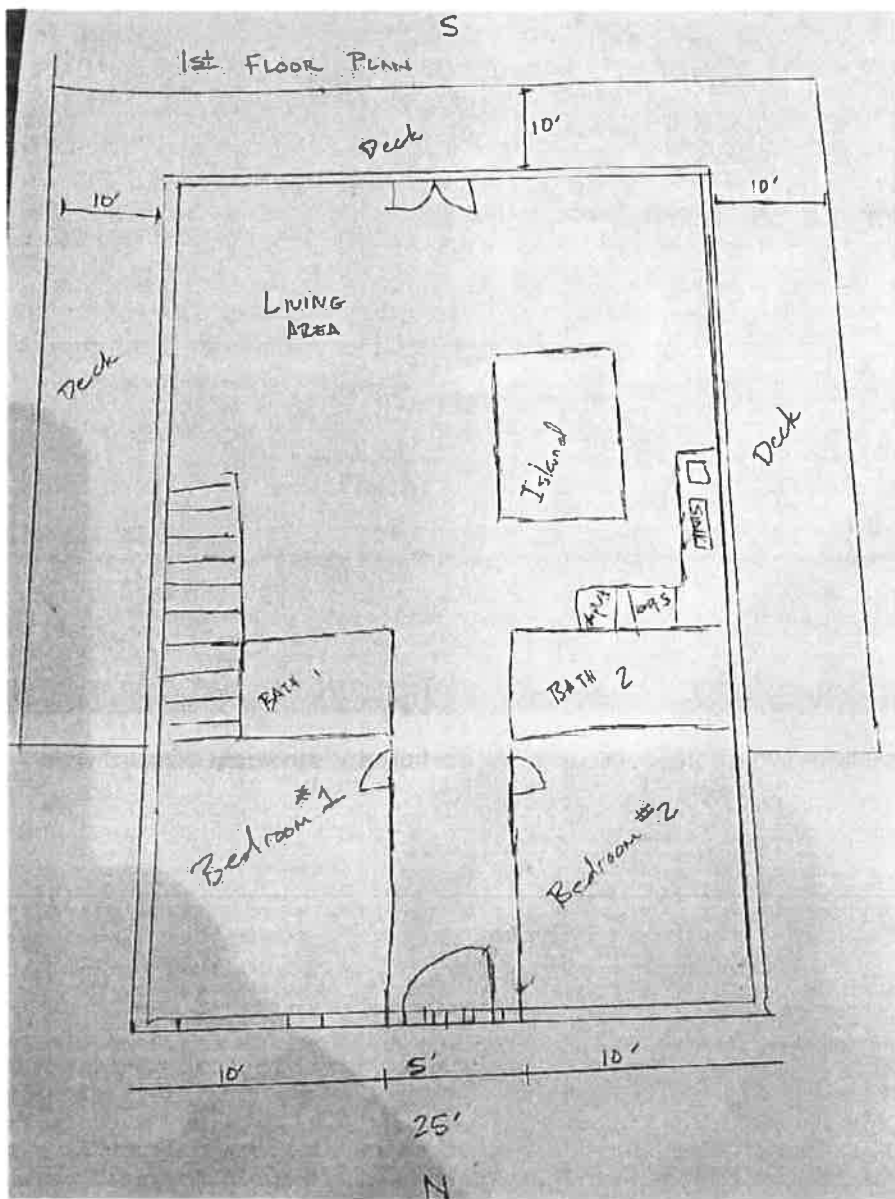


NORTH ELEVATION



WALK OUT BASEMENT FLOOR PLAN







The exterior colors of the house will match this buildings giving the house a "Mountain Modern" style.

Road System Relationship

BOARD OF COUNTY COMMISSIONERS
San Juan County

P.O. Box 466

Silverton, Colorado 81433

970-387-5671

RELATIONSHIP OF PROPERTY TO COUNTY ROAD AND STATE HIGHWAY SYSTEMS

I, the undersigned, applicant engaged in the processing of Application for Improvement Permit No. _____, San Juan County, Colorado, do hereby acknowledge the following facts:

1. The real property which is the subject of said application is on this date located ~~approximately~~ _____ ~~from~~ County Road No. _____, the nearest designated and publicly maintained county road.
2. Said County Road No. _____ is on this date maintained on an _____ basis by San Juan County.
3. The real property which is the subject of said application is on this date located approximately _____ from Colorado State Highway No. _____, the nearest designated state or federal highway.
4. Said Colorado State Highway No. _____ is on this date maintained on a year-round basis by _____ San Juan County or the Colorado Department of Highways.
5. A driveway permit will be required for any private driveway or access to the _____ _____, which is _____ by designated _____ _____.

Signed and dated this 6 day of March, 2023

ATTEST:



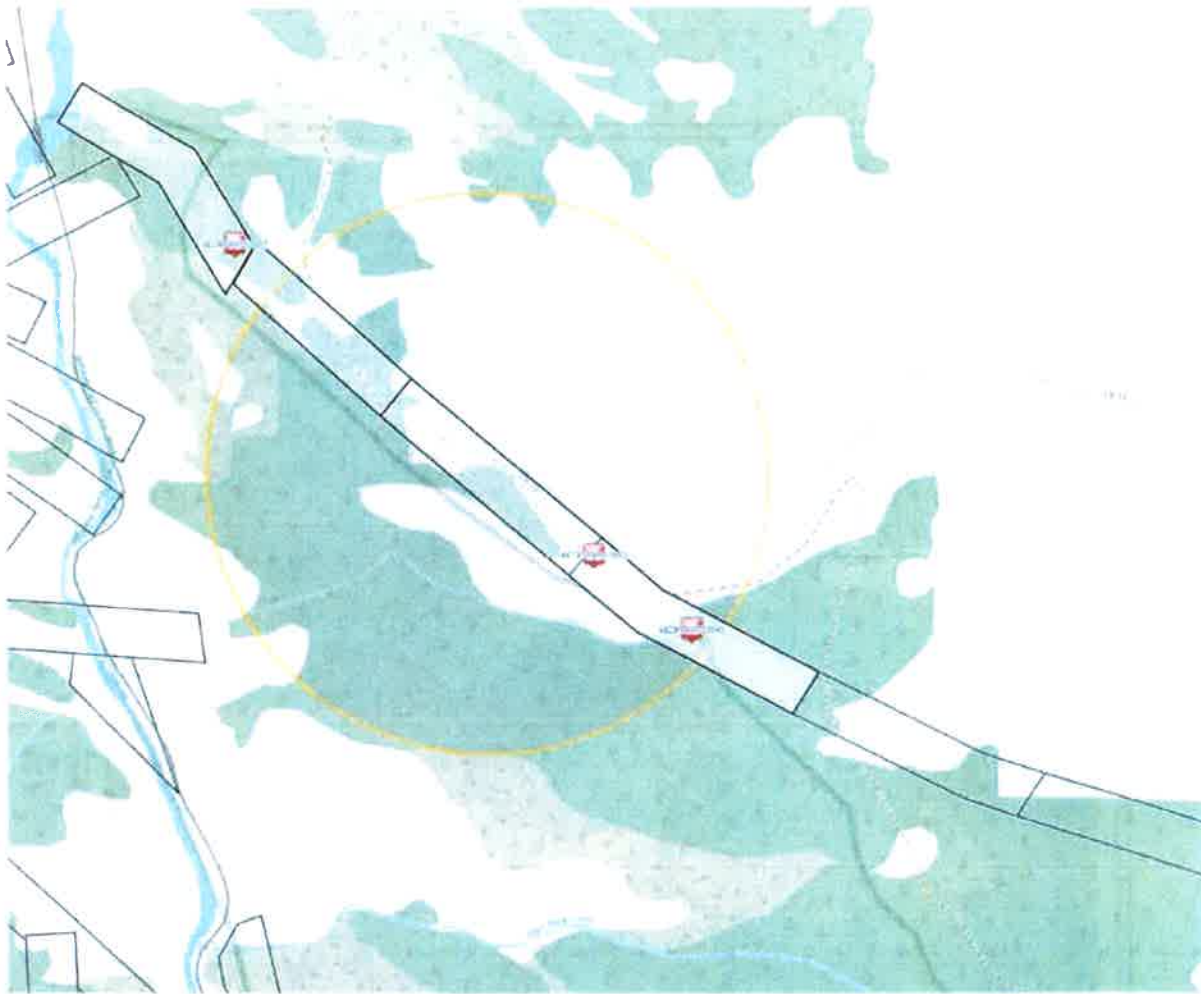
Applicant

FILED

Owner Notification

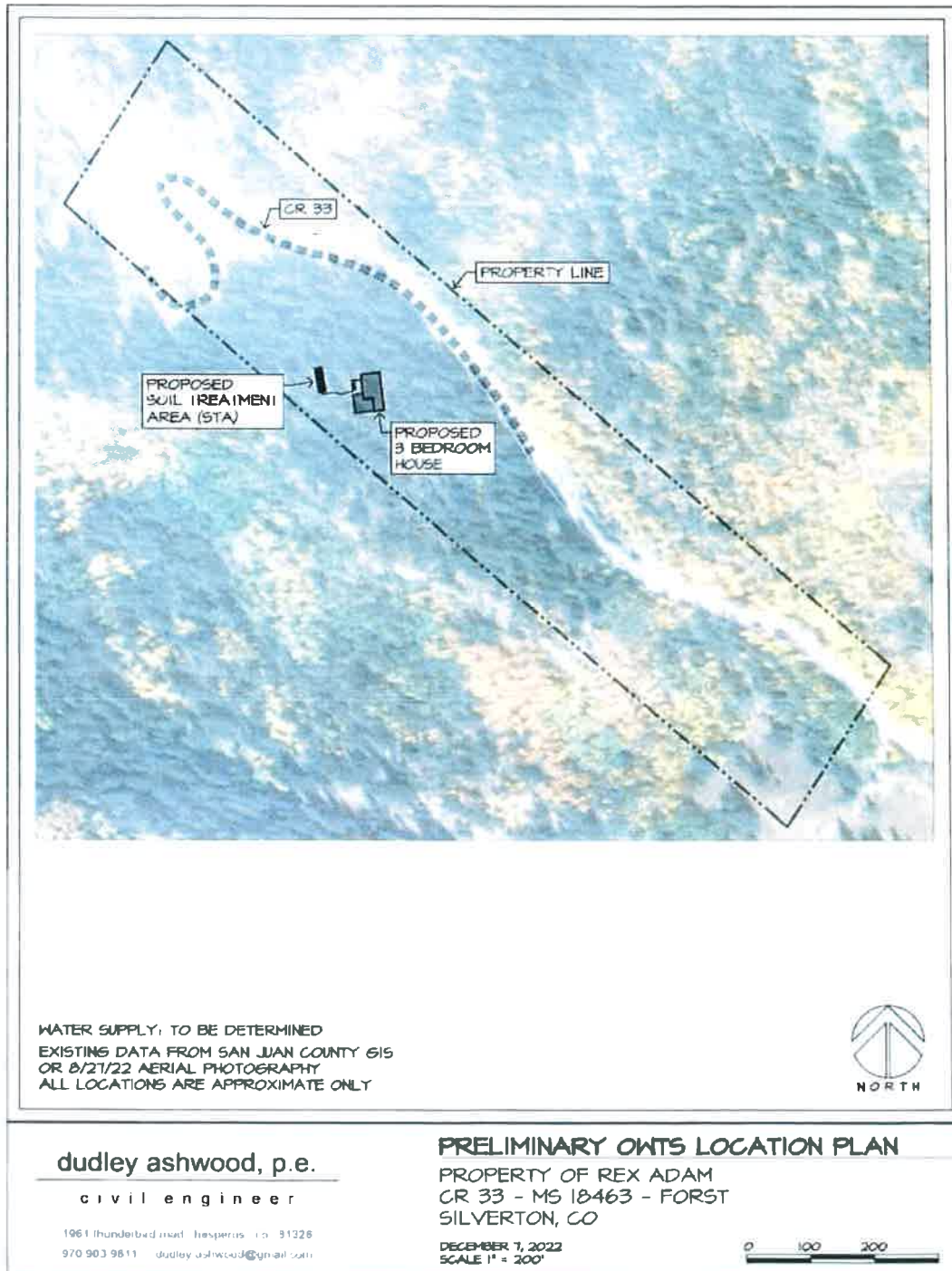


These images and this list were provided to me by Kimberly Buck, San Juan County Assessor.



Account	Situs Address	Owner	MailingAddress	Legal Description	Website
N2159	TBD COUNTY ROAD 33, SILVERTON, CO	ROGERS WILLIAM	15 CARDINAL AVE - W SAND LAKE, NY 12196-	LADY FORST - 18463, LIMESTONE -	https://property.spatalest.com/co/sanjuan/#/property/48290000010037
	81433		2100	18463	
N2165	TBD COUNTY ROAD 33, SILVERTON, CO	STEADMAN MICHAEL N	PO BOX 1552 - BOULDER, UT	MANSON - 18463 UND 51% INT IN	https://property.spatalest.com/co/sanjuan/#/property/48290000010045
	81433		84716-1552	8.99 ACRES	
N2210	TBD COUNTY ROAD 33, SILVERTON, CO	REX ADAM	PO BOX 178 - ESCALANTE, UT	FORST - 18463, MANSON - 18463	https://property.spatalest.com/co/sanjuan/#/property/48290000010452
	81433		84726-0178	UND 49% INT	

Sewage Disposal: Test



dudley ashwood, p.e.
civil engineer

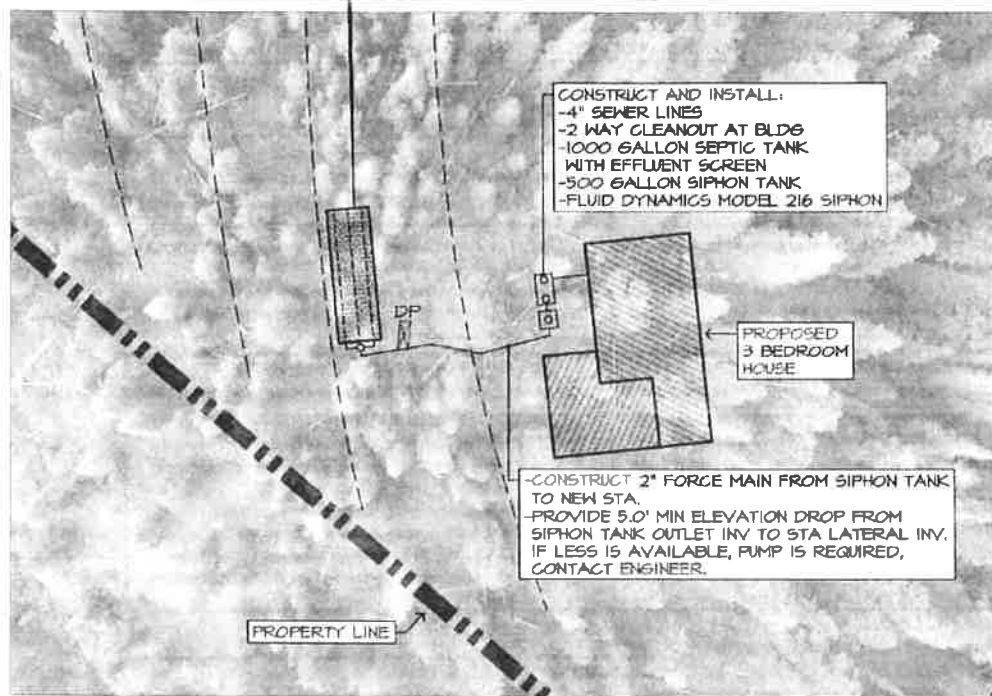
1961 thunderbird road - hesperus - co - 81328
970 903 9611 dudley.ashwood@gmail.com

PRELIMINARY OWTS LOCATION PLAN

PROPERTY OF REX ADAM
CR 33 - MS 18463 - FORST
SILVERTON, CO

DECEMBER 7, 2022
SCALE 1" = 200'

- CONSTRUCT NEW SOIL TREATMENT AREA (STA) (UNLINED SAND FILTER BED WITH PRESSURE DISTRIBUTION)
- EXCAVATE 12' X 38' BED INTO FRACTURED BEDROCK, MIN 60" DEEP
- THOROUGHLY FRACTURE BEDROCK BY MECHANICAL/BLASTING MEANS TO RESULT IN FREE DRAINING CONDITIONS BELOW BED
- FILL BED WITH 36" MIN OF "SAND FILTER TREATMENT MEDIA" (SEE SAND SPECIFICATIONS ELSEWHERE)
- PLACE 8" LIFT OF 3/4" WASHED CRUSHED OR SCREENED STONE
- CONSTRUCT PRESSURE DISTRIBUTION SYSTEM (SEE NOTES ELSEWHERE)
- PLACE 4" LIFT OF 3/4" WASHED CRUSHED OR SCREENED STONE COVER
- COVER BED WITH GEOTEXTILE FABRIC
- COVER WITH 12" MIN SANDY LOAM / TOPSOIL. GRADE SYSTEM AREA TO DRAIN, AND ESTABLISH FINAL VEGETATIVE COVER (ALPINE MIX)



ALL LOCATIONS MAY VARY

LOCATE WELL/CISTERN
MIN 50' FROM SEPTIC TANK
MIN 100' FROM STA

WATER SUPPLY: TO BE DETERMINED
EXISTING DATA FROM SAN JUAN COUNTY GIS
OR 8/27/22 AERIAL PHOTOGRAPHY
ALL LOCATIONS ARE APPROXIMATE ONLY



dudley ashwood, p.e.

civil engineer

1961 Thunderbolt Road, Durango, CO 81329
970.903.9811 dudley.ashwood@gmail.com

PRELIMINARY OWTS SITE PLAN

PROPERTY OF REX ADAM
CR 33 - MS 18463 - FORST
SILVERTON, CO

DECEMBER 1, 2022
SCALE 1" = 40'



On-Site Wastewater Treatment System (OWTS) Permit Application

Owner: Adam Rex Phone: 435-618-1119
 Project Address (street, town/city, zip): County Rd 33 TBD, Silverton Colorado 81433
 Assessor's Parcel #* 48290000010452 Subdivision: _____ Lot#: _____
 Lot Size: 14.74 (acres) # of Dwellings: 1 # of Bedrooms: 3 Water Supply: Spring
 List Commercial Uses (e.g., office, factory, event venue) None
 Owner's Mailing Address: PO Box 178, Escalante Utah 84726
 Owner's Email Address: rexexcavation@gmail.com
 For detailed parcel information please visit your county assessor's website or see your property tax statement

On-site Wastewater Treatment System (OWTS) Permit Types

Choose the most applicable permit type from the list below and check the box in upper-left corner

<input checked="" type="checkbox"/> New Construction - (\$1023.00) <i>For new OWTS and complete system replacement</i> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to SJBPB. SJBPB must have payment and application to review designs for permit issuance. 	<input type="checkbox"/> Alteration - (\$973.00) <i>For changes/additions to existing permitted OWTS</i> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to SJBPB. SJBPB must have payment and application to review designs for permit issuance.
<input type="checkbox"/> Change Of Use - (\$473.00) <i>For expanded use (e.g., bedroom count) of an existing permit without system modifications, OR new service connections (e.g., garages, shops) added to an existing permit</i> <ul style="list-style-type: none"> For expanded use, provide a certification report from a Professional Engineer (PE) or system designer. For new service connections, provide a proposed site plan and describe scope of work below. Change of Use does NOT allow for connection of new uses (e.g., second dwellings, ADUs) unless the system was originally designed for it – use Alteration instead. 	<input type="checkbox"/> Minor Repair - (\$373.00) <i>For replacement of OWTS components with no change to permitted use</i> <ul style="list-style-type: none"> Submit application with payment, transfer of title inspection report (if available) and a simple site plan showing location of repairs. List repairs/scope of work below (e.g., tank replacement, aerators, pipe repairs, etc.) A permit is NOT required for repair of components that do not provide treatment (e.g., fencing, tank lids, inspection ports)

Please describe in detail work to be completed: _____
 Construction of a OWTS for a 3 bed, 2 bath house on the Forst Lode claim.

I acknowledge: (1) This application does not guarantee that an On-site Wastewater Treatment System ("OWTS") can be installed or a building permit issued; (2) The issuance of the OWTS permit does not imply any warranty by San Juan Basin Public Health as to the operation of the OWTS; (3) The OWTS must be constructed in accordance with the San Juan Basin Public Health On-site Wastewater Treatment System Regulations and any Conditions of Approval set by SJBPB; and (4) The owner of the property assumes the responsibility and liability for the proper maintenance of the OWTS.

Owner's Signature: [Signature] Date: 3-6-23
 Submit completed application to info@sjbpb.health.org or at one of our office locations.

This is NOT a permit; this application does not authorize construction or repairs.
All OWTS construction/repair work must be performed by an installer licensed by SJBPB.

I plan on submitting this application once my "San Juan County Application for Improvement" is accepted so that I don't incur the fee without being able to build. The email below states that SJBPB sees no reason why my application would be rejected.

RE: Feasibility Comments San Juan County Due 03/07/2023 FW: Soil Test for Kendall Mountain House County Permit Application

From: Brian Devine (bdevine@sjbpublichealth.org)

To: rextiama@yahoo.com

Date: Friday, February 17, 2023 at 01:39 PM CST

Spencer, as we discussed, obtaining an OWTS permit requires submission of a permit application, site and soil evaluation, and design document. Based on the available information, SJBPH has no reason to believe that a permit could not be issued for the parcel in question, MS 18463, subject to the completion of the aforementioned requirements.

Please let me know if we can provide additional information. The above does not guarantee issuance of an OWTS permit or favorable comment on a future land use application.

Have a good weekend,

Brian Devine, MS
Environmental Health Director
970-335-2030

Adequate Water Source

Notice of Intent to Make Absolute

N.O.I. # _____
(Assigned by SWCD)

The below identified applicant hereby notices its intent to make absolute an increment of the Animas Service Area conditional water right decreed in Case No. 06CW127 consistent with the terms and conditions decreed therein. Use additional pages as needed.

Applicant Information:

Name: Adam Rex Telephone: 435-618-1119
Email Address: rexexcavation@gmail.com
Mailing Address: PO Box 178 Escalante Utah 84726
(The approved NOI will be mailed to this address)

Prospective Water Right Increment Information:

Proposed Use of Water (e.g. domestic, irrigation, commercial):

Domestic

Proposed Source (groundwater, surface water):

Surface Water

Proposed Place of Use (include parcel # if possible):

48290000010452

Anticipated Amount of Depletions (number of acres irrigated, stock use, domestic surface area, and pond evaporation, etc. in the time periods per the 06CW127 decree). Please carry out to the 6th decimal place:

We want to use the water from a spring on my property for a 4 bedroom, 2 bathroom home on said property.

The applicant is advised and recognizes that the execution of this Notice of Intent to Make Absolute confers no right, title, or interest in water beyond the right to perfect an increment of the Animas Service Area conditional water right consistent with the decree in Case No. 06CW127.

Applicant is hereby given authority by Southwestern Water Conservation District and La Plata County to file an application to make the conditional water right absolute pursuant to the terms and conditions in Case No. 06CW127. The Southwestern Water Conservation District and La Plata County reserve the right to file opposition to such claim if deemed necessary.


Signed for the Applicant, (Title)

3-6-23
(Date)

Adam Rex

Printed Name

Governmental Endorsements:

La Plata County

(Date)

Printed Name

SWCD

(Date)

Printed Name

MEMORANDUM

September 13, 2023

TO: San Juan County Commissioners

FR: William A. Tookey

RE: Mineral King MS 2051 Improvement Permit Preliminary/Final

Feeney Architect has submitted an Improvement Permit application on behalf of David Cole, Mineral King LLC for the development of a 1000 sf cabin and associated utility improvements on the Mineral King MS 2051. The property is located in Prospect Gulch and will be accessed by Country Road 35.

The property is currently owned by David Cole, Mineral King LLC and the taxes are current.

The application fees have been paid.

The adjacent landowners have been notified via US Mail of the proposed Improvement Permit application.

The Planning Commission previously reviewed the Sketch Plan for this project and recommended conditional approval. The County Commissioners reviewed and conditionally approved the project.

The applicant has provided an Addendum to the original application that clarifies some avalanche concerns that were raised by the County Commissioners and modified the site plan. Also included is the Cumulative Impact Report.

Mountain Zoning District requires a minimum parcel or lot area of 5 acres with a setback of 20 feet from public lands and 30 feet from private property lines. Mineral King is 10.14 acres. The proposed cabin would exceed the setback requirements.

The elevation of the cabin is 11,200 ft. Because the elevation is above 11,000 ft. the maximum square footage allowed for the cabin is 1,000 sf and a maximum of 200 sf for the shed.

Residential development of any sort within the alpine tundra ecosystem is prohibited.

The applicant has substantially met the requirements for application submittals as required by 3-102 Requirements for Uses and Improvements.

All applications for review will be examined initially to determine whether the proposal is consistent with the County's Master Plan.

Master Plan Strategy LU-2.1 Encourages future development in the economic corridors which include the upper Animas Valley from Silverton to Eureka, Cement Creek from Silverton to Gladstone and the South County Line to just above the Mill Creek Subdivision. And Strategy LU-2.2 Identify

areas in the growth corridors that are suitable for residential use considering natural hazards, habitat resources, scenic impacts and sensitivity to residential land uses. The proposed development is not located in the identified growth corridors. However, the Master Plan notes that private property rights are respected in San Juan County. The Plan also states that residential development on mining claims are to be built in low-visibility places outside of environmentally sensitive areas, leaving visible ridgelines and other scenic resources undeveloped and minimizing the impacts on the environment. I believe this application is attempting to meet the intent of the Master Plan.

- a. Adequate potable water is available or can be developed to safely support the proposed use.

The applicant plans to deliver potable water to be stored in a 2000-gallon on-site cistern.

- b. Adequate sewage disposal can be provided to support the proposed use.

The applicant plans on installing a septic system. Trautner GeoTech has completed 3 test holes on site.

- c. Will the proposed use have any adverse impact on public or private property in the vicinity of the development?

The proposed improvements should have minimal impact on the adjoining properties. Adjoining property owners have been notified and at this time I have not received any comments from them.

- d. Will the proposed use have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife, erosion or other geological conditions?

The applicant has included a scenic quality report. It appears that the cabin has been located to minimize the visual impact.

There are historic structures and artifacts located on the property. However, the improvements are located so that they will not impact any historic structure or artifacts. If any artifacts are discovered during excavation the project should be shut down until the Historic Review Committee or qualified archeologist can examine the site.

The improvements should create minimal adverse impacts upon wildlife. All solid waste, garbage and refuse must be kept within the building, in a separate secure enclosed area or in wildlife/bear-resistant containers until it is properly disposed of at the Transfer station. The applicant plans on constructing a 173 SF storage shed in which solid waste would be secured.

Mine-related remediation has occurred on the property and is subject to the requirements of Ordinance 2020-01. As required by Ordinance the application is subject to review by CDPHE. They have reviewed the application and have authorized it to proceed.

- e. Adequate road access exists or can be developed to ensure access appropriate to the use.

The applicant will access the property via CR 35.

- f. The design and development of the site shall preserve, insofar as possible, the natural terrain and drainage of the land, the existing topsoil and existing vegetation. Disturbed areas shall be revegetated with native plant species certified weed free as soon as possible after disturbance in order to prevent the establishment and dominance of non-native invasive species.

The proposed improvement will preserve, insofar as possible, the natural terrain and drainage of the land. All disturbances will be revegetated with native plant species certified to be weed free.

- g. Sites subject to hazardous conditions, for example avalanche, flood, land slide, rock fall, mud flow, open mine shaft, corrosive water, etc, shall be identified and shall not be built upon or used until satisfactory plans have been approved by the County for eliminating or appropriately mitigating such hazards. The provisions of Chapters 8, 9, 10 and 11 shall govern the evaluation of those natural hazards covered by such provisions.

This site is located in an avalanche hazard area. An Avalanche Hazard Assessment was prepared by Wilbur Engineering, Inc and is included in the application. The building site would be located within the area identified as the yellow zone. The yellow zone is considered a low avalanche hazard zone. While it appears that the cabin could be designed and constructed to mitigate any avalanche danger the ingress and egress of the occupants could still be at risk. Access to the site would require crossing avalanche paths that could put emergency responders at risk.

The County Geohazards Map identifies that the cabin will be built on a talus slope. Trautner Geotech has provided an initial review of the property and would complete a full geotechnical engineering study prior to development.

- h. The applicant shall permit continued public access to any historic public trails that cross the property.
It does not appear that there are any public trails located on the property. However, there are historic roads that provide access to the historic structures located on the property.
- i. Individual building sites shall be placed on the Town of Silverton's utility billing system for water and refuse when water is hauled to the site., Any applicant who

shows that it is obtaining water from an approved permitted well or is purchasing water from an acceptable source of potable water other than the Town of Silverton may be permitted to be placed on the Town of Silverton's billing system for refuse only.

The applicant will be required to be placed on the Town's utility billing system for water and refuse.

The San Juan Regional Planning Commission has reviewed the Preliminary/Final Plan and recommend that the application be approved with the conditions as listed below.

The Commissioners have the option to approve as submitted, deny, or approve with condition.

Should the Commissioners choose to approve the application, they should do so with the following conditions prior to the issuance of an Improvement Permit:

1. That the applicant acknowledges that emergency services will not be available in a timely manner and perhaps not at all.
2. All improvements to the Mineral King shall fully and completely comply with, and strictly conform to, all terms, conditions and restrictions contained in the San Juan County Zoning and Land Use Regulation, all permits issued, and all applicable State and Federal rules and regulations.
3. The applicant shall fully and completely comply with the San Juan County Zoning and Land Use Regulation 4-110 Design and Development Standards for all Improvement and Use Permits.
4. If any historic artifacts are discovered on site during the excavation or construction, all work on the project will be stopped immediately until the Historic Review Committee or qualified archeologist can visit the site to document and preserve those artifacts.
5. The Mineral King has had remediation work done on the property and is subject to the requirements of Ordinance 2020-01.
6. That the septic system be engineered and permitted.
7. That the applicant be placed on the Town of Silverton's Utility billing system for water and refuse.
8. The failure to comply with these conditions shall be grounds for the revocation of this Land Use Permit.
9. Any other conditions that the County Commissioners deems necessary.





**San Juan Regional
Planning Commission**
SAN JUAN COUNTY TOWN OF SILVERTON
Silverton, Colorado 81433
P.O. Box 223

August 15, 2023

Board of County Commissioners
San Juan County
Silverton, CO 81433

Members of the Commission:

RE: Improvement Permit Application:
 David Cole, Mineral King MS 2051
 Preliminary/Final Application for the
 Development of a Single-Family Dwelling
 and Associated Utility Improvements
 Located in Prospect Gulch Adjacent to
 CR 35

At a regular meeting of the San Juan Regional Planning Commission on August 15, 2023, members of that Commission discussed the Preliminary/Final Plan Application for the development of a single-family dwelling and associated utility improvements on Mineral King MS 2051 located in Prospect Gulch adjacent to CR 35. Feeney Architect has submitted the application. The property is owned by David Cole, Mineral King LLC.

After discussion the members made a motion to recommend that the San Juan County Commissioners approve the Preliminary/Final Plan Application for the development of a single-family dwelling and associated utility improvements located in Prospect Gulch adjacent to CR35 with the 8 conditions as presented by staff. The motion passed unanimously.

Thank you for considering this recommendation.

Sincerely,
Jim Weller, Chairman
and the Planning Commission Members



COLORADO
Department of Public
Health & Environment

July 21, 2023

Mr. Willy Tookey
San Juan County Administrator
1557 Greene Street, PO Box 466
Silverton, CO 81433

RE: Mineral King MS 2051 - Ordinance 2020-01 CDPHE Improvement Plan Review, San Juan County, Colorado

Dear Mr. Tookey:

The Colorado Department of Public Health and Environment (the "Department") has reviewed the Mineral King MS 2051 Improvement Plan submitted to San Juan County on June 20, 2023, by David Cole (the "Applicant"). Pursuant to section 5(C)(1) of San Juan County Ordinance 2020-01, the Department authorizes the Applicant and County to proceed with the permit as described in the application.

Based on the Department review, if fully and properly implemented, the Improvement Plan will not affect remediation efforts, including engineered components, previously completed on the Mineral King MS 2051 or adjacent properties. The Department review of the Improvement Plan and the Department's conclusions and opinions relating thereto, apply only to conditions on the property that exist at the time of submission and which were addressed in the Improvement Plan application. The submission of any materially misleading information by the applicant in the Improvement Plan shall render the Department's conclusions of the plan void. Likewise, failure of the Applicant to materially comply with the Improvement Plan shall render the Department's conclusions of the Improvement Plan void.

The Department's review requires the Applicant to comply with all applicable federal, state, and local laws or regulations, and the Applicant shall obtain all necessary approvals or permits to conduct the activities required by the Improvement Plan. The Department makes no representation with respect to approvals or permits required by federal or local laws or regulations or state laws or regulations.

Further, the Department shall not be liable for any injuries or damages to persons or property resulting from acts or omissions of the Applicant or those acting for or on behalf of the Applicant, including its officers, employees, agents, successors, representatives, contractors, or consultants in carrying out the activities identified in the Improvement Plan. Nothing in the Department's conclusions on the Improvement Plan, or opinions relating thereto, shall constitute an express or implied waiver of sovereign immunity otherwise applicable to the Department, its employees, agents, or representatives.

Nothing in this letter shall be construed to limit the Department's authority, and the Department reserves all rights and authorities to bring any action pursuant to applicable state laws or regulations.

If you have any questions, please contact me at (303) 692-3311 or mark.rudolph@state.co.us

Sincerely,

Mark Rudolph
CDPHE Bonita Peak Remedial Project Manager

File: Mineral King MS 2051, BPMD, CON000802497, CDPHERM HAZ SF - Covenant/Use Restrict



**ADDENDUM TO THE ORIGINAL APPLICATION FOR
IMPROVEMENT PERMIT for:**

08/04/2023

**COLE CABIN
TBD County Road 35
Prospect Gulch
Mineral King Lode
USMS No. 2051 San Juan County, Colorado**

NOTE:

Below is further explanation of the avalanche
Flow Directions & Areas of Coverage
from the Wilbur Engineering
"Avalanche Assessment & Mapping Study"

05/19/2021

FROM PAGE #11 of the Wilbur Study...

Avalanche Hazard Map - (See next page)

Figure 12 presents an Avalanche Hazard Zone Map for the site. The Moderate Hazard Zone (or Blue Zone) represents an area of low frequency avalanches and low to moderate impact pressures. The pressures generally decrease towards the outer limits of the Blue Zone. The High Hazard (or Red Zone) is also shown in Figure 12. This represents an area that includes frequent avalanches (less than 30-year average return periods) and areas where the design-magnitude avalanche impact pressures exceed 30 kPa (600 pounds per square foot (psf)) on a flat surface normal to the flow direction. An optional Low Hazard Zone (Yellow Zone) is shown for the purpose of indicating relative hazards across the site in the areas of greatest uncertainty. This zone is often used to indicate powder avalanche impacts, but at this site, it represents very low probability and energy areas for dense flowing avalanches.

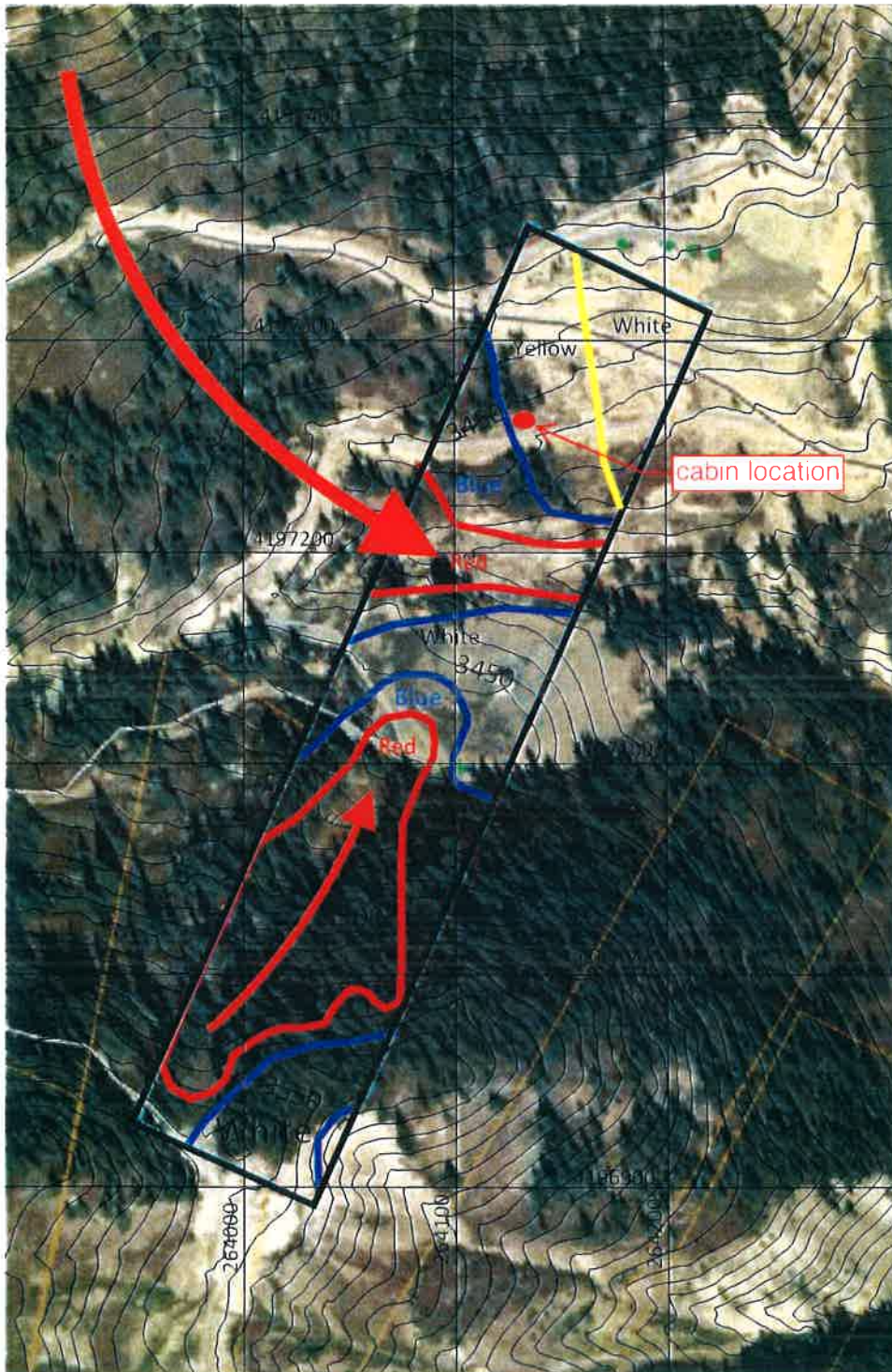
NOTE: The proposed site is located at the edge of the BLUE Zone.

11. Recommendations

Based on the methods and findings described above, we offer the following recommendations:

1. Avoidance of avalanche hazards is the most reliable form of mitigation. No permanent structures should be placed in High Avalanche Hazard (Red) Zones.
2. We recommend placing all permanent structures outside of Moderate (Blue) Avalanche Hazard Zones.
3. If structures or portions of structures must be located in Blue Zones, they should be designed for avalanche impact loads. Avalanche impact loads cannot be determined until the location, geometry and orientation of the structures are known.

*NOTE: structural engineer will design the concrete
"wedge"- See revised Hut design drawings, attached
below.*



LEGEND

1. High (Red) hazard zone - area where avalanches can be destructive *and/or* frequent; these are areas where avalanches have average return periods of 30 years or less *and/or* can produce impact pressures of 600 pounds per square ft (psf) or more on flat surfaces normal to the flow
2. Moderate (Blue) hazard zone - area where avalanches are not as frequent and are less destructive than in the high-hazard zone; these are areas where avalanches have average return periods of 30 to 100 years *and* produce impact pressures of less than 600 pounds per square ft (psf)
3. Low (Yellow) hazard zone - area where avalanches are possible but very low probability and energy. Estimated return periods greater than 100-years and impact pressures less than 200 psf.
4. White zone - areas outside the avalanche hazards zones defined above

NOTES

1. Avalanche Hazard Zones are subject to limitations described in the accompanying report.
2. The avalanche hazard zones are based on LIDAR topography projected onto UTM Zone 8N
3. The parcel boundaries are based on San Juan County GIS maps and are approximate. The UTM coordinates of the corners shown on this map are:

NW - 2634135, 4197354
 NE - 2634221, 4197313
 SE - 2634033, 4196892
 SW - 2633947, 4196930

4. Prior to selecting a building site, the parcel boundaries should be surveyed and compared with this avalanche zone map to confirm the avalanche zone of the building site.

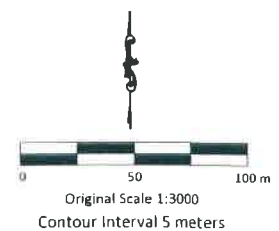


Figure 12 - Avalanche Hazard Map
 Mineral King Claim, San Juan County, Colorado

Wilbur Engineering, Inc.
 May 19, 2021

avalanches in Colorado, including well-documented historic avalanches and regional runout statistics. Model assumptions and parameters for the design magnitude avalanche are presented in Appendix A.

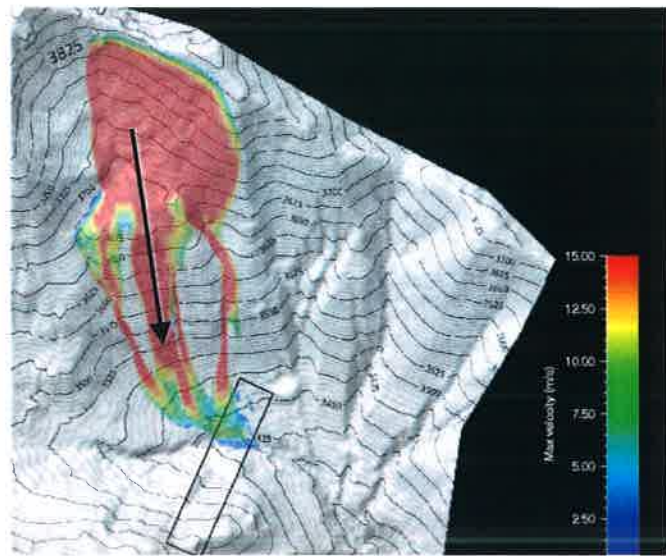


Figure 10 – RAMMS Predicted Maximum Flow Heights

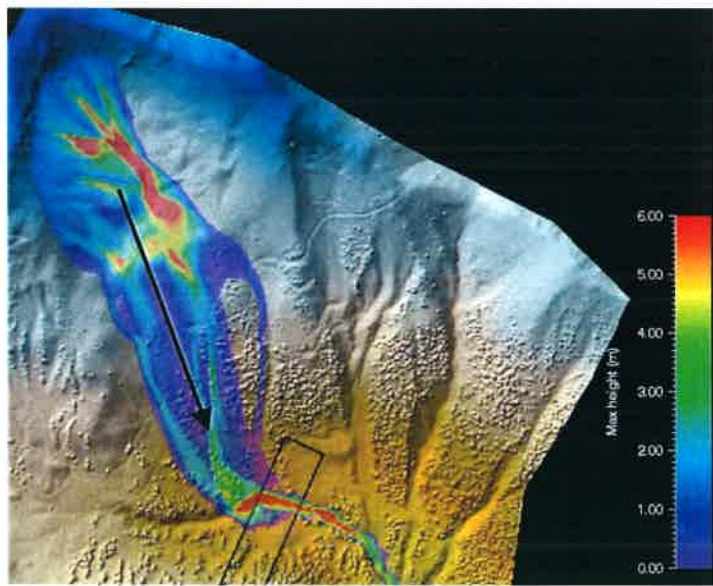


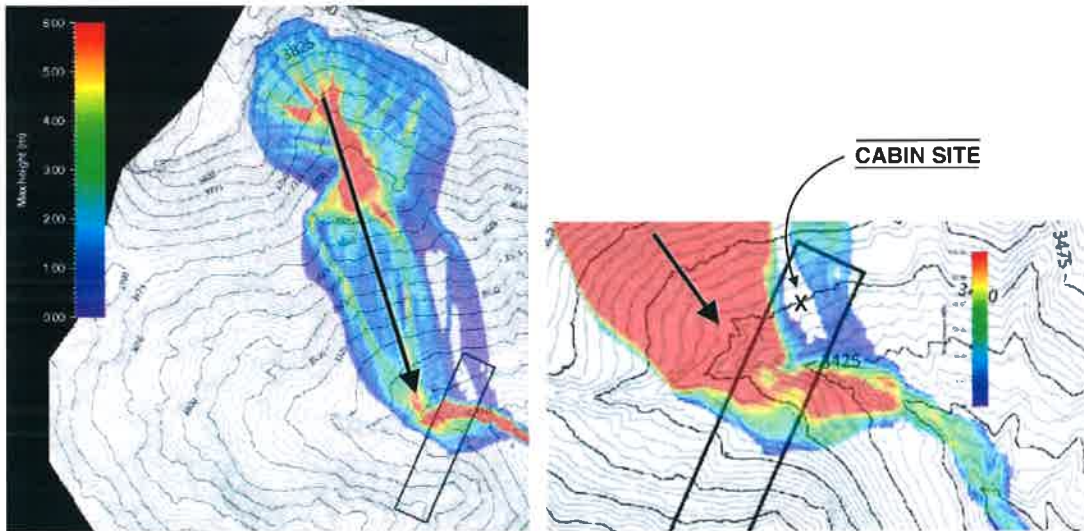
Figure 11 – RAMMS Predicted Maximum Flow Heights

Appendix C RAMMS Parameters & Results

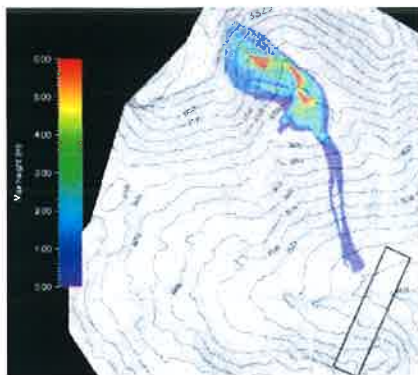
*** Important Note: ***

Interpretation of avalanche dynamics model results requires an understanding of the model assumptions, simplifications and limitations of the underlying equations of motion. The models do not accurately show wet avalanche runouts, flow heights or impact pressures, nor the variations in avalanche properties with depth, including density and velocity.

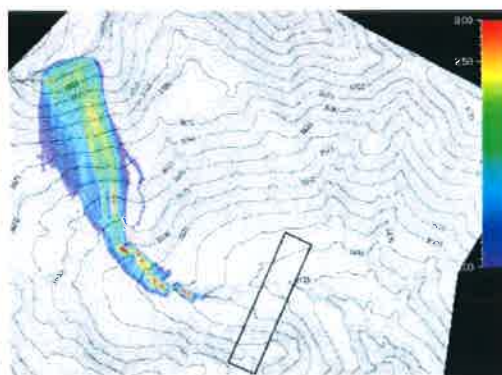
run	res.	Release			Friction	cohesion (Pa)	Comments
		name	ht. (m)	vol. (m3)			
run1	1.8	R1	1.2	144,200	L100	0	Entire S-facing bowl; v large
run2	3.6	R1	1.2	144,200	L100	0	reduce resolution
run3	3.6	R2	1.2	31,500	M100	0	W part of bowl, smaller rel.
run4	3.6	R3	1.2	18,100	M100	0	further W S-facing rel.
run5	3.6	R4	1.0	3,400	S100	0	small N-facing rel.
run6	3.6	R5	0.9	14,500	S100	0	bigger N-facing rel
run7	3.6	R6	0.9-1.0	8,000	S100	0	isolated N rel.
run9	3.6	R7	1.2	71,200	L100	0	medium size S-facing bowl; reas. Calib
run10	3.6	R8	1.0	48,300	M100	0	SSW-facing upper SZ



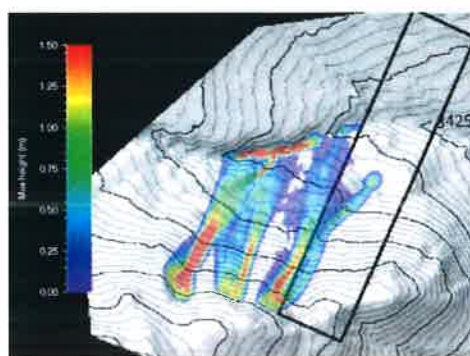
Run 2



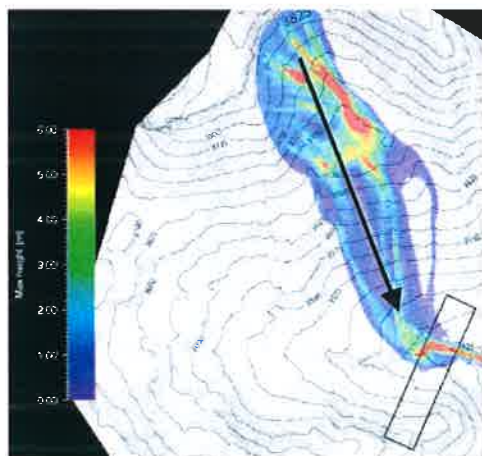
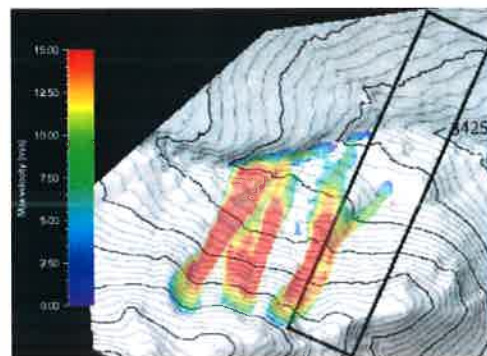
Run 3



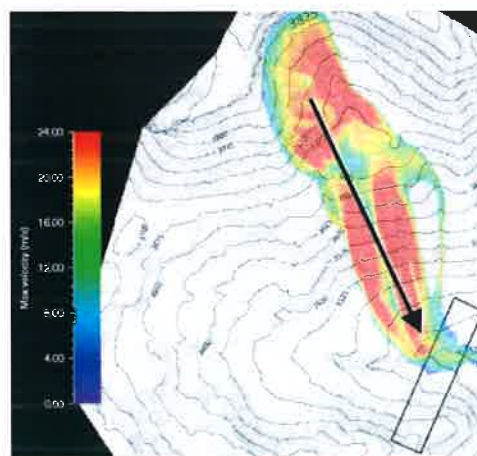
Run 4

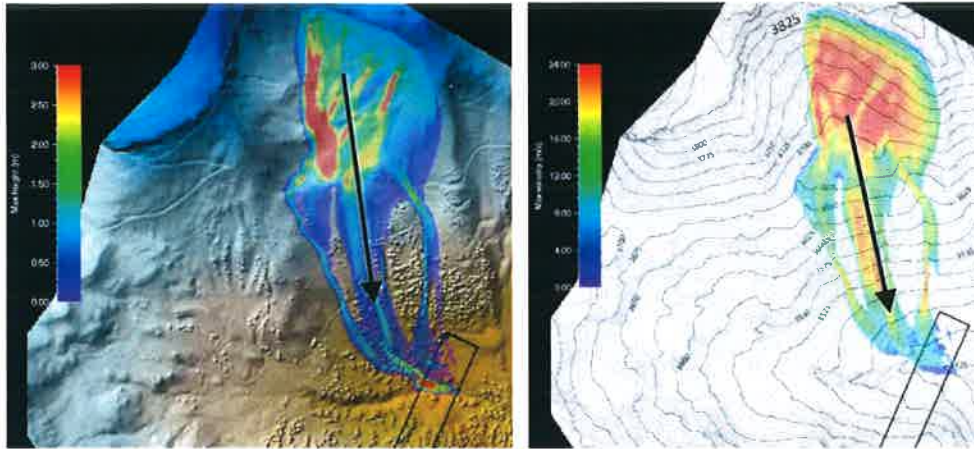


Run 5



Run 9





Run 10

NOTE: the angle of the “Wedge” of the Floor Plan points toward the Direction of any avalanche flow, and is full height and made of steel reinforced poured in place concrete.

REVISED SITE LAYOUT
SHOWING RELOCATED LEACH
FIELD LOCATION
08.04.2023



Feeney Architect

300 Main Avenue, Suite 200
Beverly Hills, CA 90210
Tel: 310.274.1111

DAVID COLE

FOR
NEW CABIN

10000 W. 10th Street, Suite 100
Beverly Hills, CA 90210
Tel: 310.274.1111

SD.1

SHEET NORTH

DATE: 08.04.2023
BY: DAVID COLE
CHECKED BY: DAVID COLE
SCALE: 1"=100'-0"

WASTE WATER TREATMENT DESIGN...:

TRAUTNER GEOTECH LLC

GEOTECHNICAL ENGINEERING, MATERIAL TESTING
AND ENGINEERING GEOLOGY

August 3, 2023

Dave Cole

dcole20@me.com

Project No. 57564PE

Subject: Onsite Wastewater Treatment System Feasibility Evaluation
Mineral King, MS 2051 – Cole Ski Hut
Silverton, San Juan County, Colorado

Dear Mr. Cole:

As requested, Trautner Geotech performed a limited Onsite Wastewater Treatment System (OWTS) feasibility assessment for the proposed residence at the subject property. Our observations and findings are discussed in greater detail below.

Project Site and Geomorphology

The approximate 10.14-acre project site is located approximately 1 mile northwest of the Silverton Mountain Ski Area on County Road 35, which cuts through the northern end of the property. The project site location is shown below.



Figure 1: Project Site Location. Adapted from Google Earth (Image Date 9/11/2019).

There is an access road that cuts off of County Road 35 down to the southwest to an existing cabin and historic mine workings near the center of the property. We understand the proposed cabin site will be located between County Road 35 and the site access road. An unnamed tributary to Cement Creek flows through site roughly 250 feet south of the proposed building site. A concept site plan provided by Feeney Architect is provided below.

649 TECH CENTER DR DURANGO, CO
970-259-5095

95 N HENRY ST, CORTEZ, CO
970-529-2020



Figure 2: Concept Site Plan provided by Feeney Architect.

The ground surface at the building site and location of the proposed onsite wastewater treatment system (OWTS) is moderately to steeply sloping down to the south-southeast. Vegetation consists primarily of grasses and scattered coniferous.

OWTS Feasibility

We observed two exploratory test pits adjacent to the proposed OWTS soil treatment area (STA) on August 2, 2023. The logs of the pits are provided below.

Log of Profile Pit 1

Depth	USDA Classification
0-8'	SANDY CLAY LOAM; with gravel and cobbles (~50% rock), structureless, medium dense, very moist, reddish brown. (Soil Type 3A/R-1).
<ul style="list-style-type: none"> No free water or redoximorphic features were observed during excavation. Disturbed bulk sample obtained from 2-4 feet. 	

Log of Profile Pit 2

Depth	USDA Classification
0-3'	LOAM; strong granular texture, medium stiff, slightly moist, dark brown. (Soil Type 2).
3-8'	SANDY CLAY LOAM; with gravel and cobbles (~50% rock), structureless, medium dense, very moist, reddish brown. (Soil Type 3A/R-1).
<ul style="list-style-type: none"> No free water or redoximorphic features were observed during excavation. 	

The soils at the anticipated infiltrative surface consisted of sandy clay loam which was considered unsuitable. Due to the rock content a sand filter treatment system will be required. Although the soil may not be suitable per Regulation #43, we feel a conforming OWTS is feasible for the site given the relatively large size of the property and relatively moderate slopes. We will design an OWTS for the site, pending laboratory confirmation of the soil type.

There is an existing culvert above the proposed STA that flows beneath County Road 35 that will be redirected. The future flowline of the culvert discharge must be at least 25 feet from the STA. There is also drainage along the access road below the proposed STA that has seasonal water flows. This should be redirected at least 50 feet from the proposed STA.

Limitations

This limited feasibility assessment was completed in accordance with generally accepted principles and practices in this area at this time. We make no warranty either express or implied. The opinions outlined in this letter are based on limited data and do not include detailed field reconnaissance or subsurface exploration. We will prepare a design that meets the requirements of the San Juan Basin Health Department at a later date.

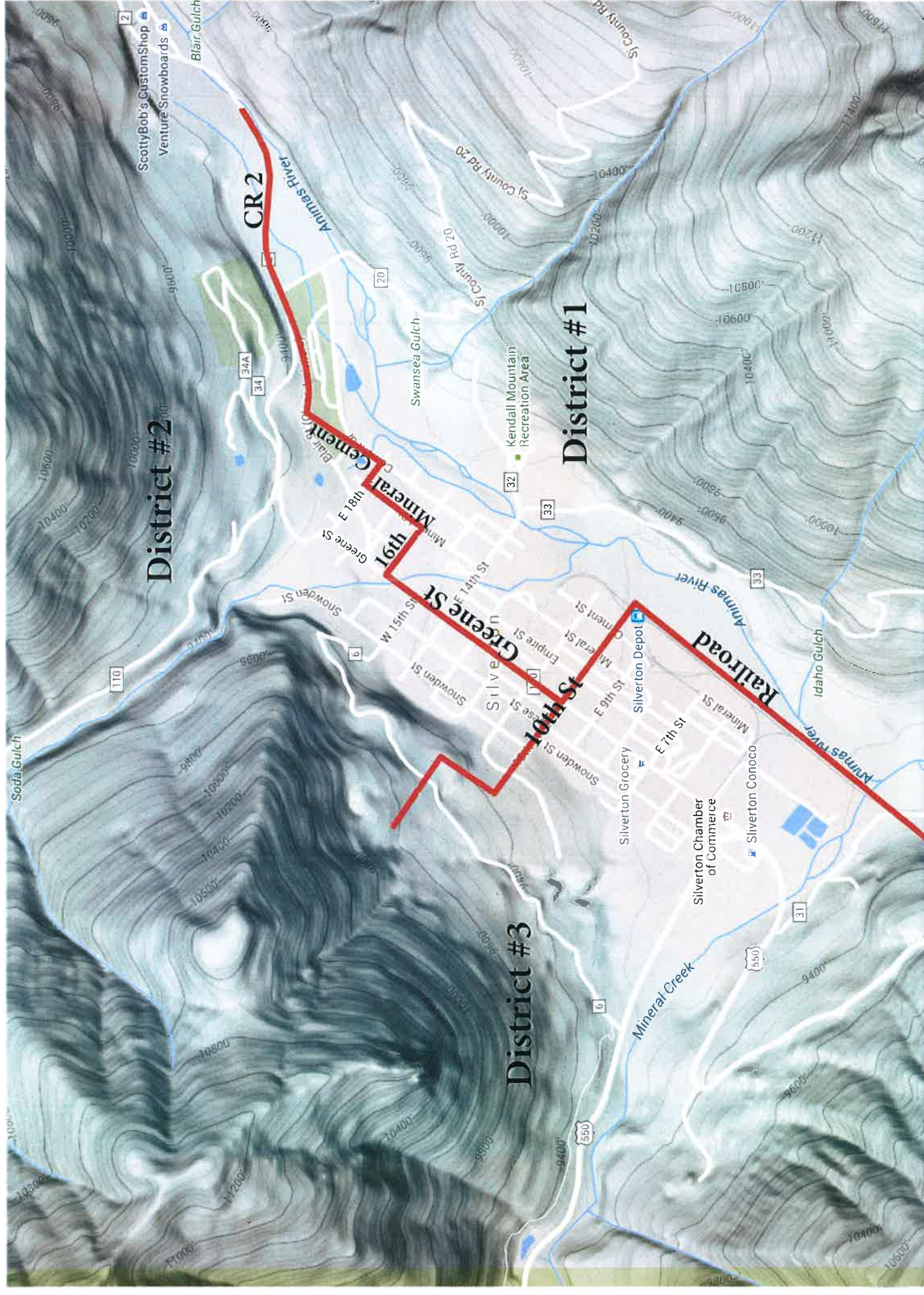
If you have any questions or need additional information, please feel free to contact us.

Respectfully submitted,
TRAUTNER GEOTECH

A handwritten signature in blue ink, appearing to read 'J.A. Deem', with a horizontal line extending to the right.

Jason A. Deem, P.G.
Principal Engineering Geologist

San Juan County CO Commissioner District Map



CUMULATIVE IMPACTS REPORT

**Proposed Cole Cabin
Mineral King Lode USMS No. 2051
County Road 35
Prospect Gulch
San Juan County, Colorado**

Applicant/Owner:
Mineral King LLC
Attn: David Cole
4610 Homestead Street
Bow Mar, Colorado 80123
(806) 445-9448

Prepared By:
Engineer Mountain, Inc.
Attn: Lisa Adair PE
962 Reese Street
PO Box 526
Silverton, Colorado 81433
(970) 387-0500
Job No. 2023-104

Prepared On:
August 6, 2023

CUMULATIVE IMPACTS REPORT

Proposed Cole Cabin, Mineral King Lode USMS No. 2051 County Road 35, Prospect Gulch, San Juan County, Colorado Engineer Mountain, Inc.

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CUMULATIVE IMPACTS REPORT
Proposed Cole Cabin, Mineral King Lode
Engineer Mountain, Inc.

1. Introduction

This is a Cumulative Impacts Report for the proposed Cole Cabin, located on the Mineral King Lode, County Road 35, Prospect Gulch, in San Juan County, Colorado.

A letter to the Project Architects (Richard and Keegan Feeney of Durango) from County Administrator Willy Tookey noted that a Cumulative Impacts Report is required for this County Improvement Permit Application.

County Zoning and Land Use Regulations Section 4-103

We have prepared this report in accordance with the County Zoning and Land Use Regulations Section 4-103.

A Cumulative Impacts Report is required for this project, according to the County regulations. The range of area to be considered was changed in recent years from all properties within a two-mile radius to a “relevant area.”

Section 4-103, regarding cumulative impacts, is on the following two pages for your review.

CUMULATIVE IMPACTS REPORT

Proposed Cole Cabin, Mineral King Lode

Engineer Mountain, Inc.

STANDARDS FOR REVIEW

The following general standards will be applied to any proposed development in the County.

1. The County recognizes that development or use of individual properties may have impacts on other properties, including County roads. Further, the County recognizes that the cumulative impact of individual development or use of properties within an area may create impacts and service demands different from or greater than the impacts and service demands of an individual development proposal. Finally, the County recognizes that unless the potential cumulative effects of development are considered in connection with each development or use proposal, future development and use of properties may be adversely affected or precluded because of effects caused by development or uses that are approved without consideration of cumulative impacts. For these reasons, the review process described herein requires the consideration of cumulative impacts of all potential development and uses within an area in connection with any proposal being reviewed under this Chapter.
2. In conducting a review under Chapter 4 of the Code, the County shall consider all proposals in the context of all existing or potential uses of other properties in the vicinity of the proposed use. Unless a greater or lesser distance is required by the unique characteristics of a particular area, the vicinity of a proposed use shall be defined to be within a two mile radius of the proposed use or development. This shall require consideration of each of the factors listed herein not just for the proposed use in isolation but rather in conjunction with all existing and potential uses of other properties in the vicinity so as to permit the County to assess the overall impacts of development in the general area of the proposed use.
3. All applications for review under this Chapter will be examined initially to determine whether the proposal is consistent with the County's Master Plan. If consistent with the Master Plan, all applications will be reviewed to determine whether, based upon the objective facts contained within the record before the reviewing body:
 - (a) The proposal will have any adverse impact on public health, safety, morals or welfare.
 - (b) Adequate potable water is available or can be developed to safely support the proposed use, including fire control and suppression.
 - (c) Adequate sewage disposal can be provided to support the proposed use.
 - (d) The proposed use will have any adverse effect on public or private property in the vicinity of the development.

CUMULATIVE IMPACTS REPORT
Proposed Cole Cabin, Mineral King Lode
Engineer Mountain, Inc.

- (e) The proposed use will have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife (including habitat, food sources, migration routes, hunting, etc.), erosion or other geological condition.
 - (f) Adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services.
 - (g) Adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical.
 - (h) Adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical.
 - (i) There are natural hazards which may adversely affect the site or the proposed use of the site. (see Chapters 8 – 11 of this Code)
- 4 In addition to all other powers which the County may have with regard to review under this Chapter, the County shall have the authority to:
- (a) Require the applicant to provide evaluations, studies, reports, designs or opinions from qualified experts, approved by the County, with regard to any of the factors listed above or with regard to the design or siting of any proposed development or use.
 - (b) Require the proponent to provide additional information with regard to any factor listed above to permit the County to make an informed decision regarding the application.
 - (c) Condition approval of a proposal on the elimination of any hazard, condition or effect identified by the review process or in Sections 1 – 113 through Section 1 – 116 of this Code.
 - (d) Require as a condition of approval the mitigation (either on the property where the use is proposed or on public or private property, with the consent of the owner) of any hazard, condition or effect identified by the review process or in Sections 1 – 113 through Section 1 – 116 of this Code.
 - (e) Reject the application because of hazards, conditions or effects identified in the review process or in Sections 1 – 113 through Section 1 – 116 of this Code. In the event the County denies approval after review, the denial of an application pursuant to this provision shall identify the hazard, condition or effect on which the denial is based.
- 5 A Land Use or Improvement Permit must be issued by the County when the County finds that the applicant has sustained the burden of proof that the proposed development, activity or use, including best management practices, if any, does not present or create an adverse effect to the resources sought to be protected or

utilized within the overlay district, or districts. Such a permit will be denied when the County determines that the applicant has not sustained such burden of proof.

Scope of Report

The County regulations above (section 4-103) requires:

... the County shall consider all proposals in the context of all existing or potential uses of other properties in the vicinity of the proposed use. Unless a greater or lesser distance is required by

CUMULATIVE IMPACTS REPORT
Proposed Cole Cabin, Mineral King Lode
Engineer Mountain, Inc.

the unique characteristics of a particular area, the vicinity of a proposed use shall be defined to be within the relevant area of the proposed use or development. ...

The “proposal” currently being reviewed by the County is a proposed cabin on the Mineral King Lode, owned by David Cole of Mineral King LLC.

This report contains information on the existing and potential development in the vicinity of the project site.

For this report we initially planned to evaluate the Adjacent Land Owner properties within 1500 feet of the exterior boundaries of the project site. However, after visiting the site, we amended the “relevant area” to include the private land within the Prospect Gulch basin, generally located along County Road 35.

For the purposes of this report we first have an overview of the “proposal.” Then we have attempted to evaluate existing, proposed, and potential development of the properties in the “relevant area” vicinity of the project site. Then the criteria listed in the County regulations were used to evaluate the proposal and potential impacts.

The scope of this report is to allow the County to review this proposal ... *in the context of all existing or potential uses of other properties in the vicinity of the proposed use.*

2. The “Proposal”

The “Proposal,” as described in County regulations section 4-103 above, is the proposed Cole Cabin, to be located on the Mineral King Lode, on County Road 35, in Prospect Gulch, near Gladstone, in San Juan County, Colorado.

A Preliminary-Final Improvement Permit Application has been prepared by the Project Architects which is being submitted to the County Administrator on August 7, along with this report.

For additional information please refer to the Sketch Plan Application binder, and the Preliminary-Final Plan Application attachments.

A summary of the “Proposal” is construction of one proposed single family residential cabin, accessed via an existing road on County Road 35 in Prospect Gulch, with a proposed “engineered” septic system, a proposed shed, and a cistern for domestic water. The site is approximately ten acres and has been evaluated by an avalanche expert.

Please refer to the previously submitted documents and attached documents for additional information regarding the “Proposal.”

CUMULATIVE IMPACTS REPORT
Proposed Cole Cabin, Mineral King Lode
Engineer Mountain, Inc.

3. The “Vicinity”

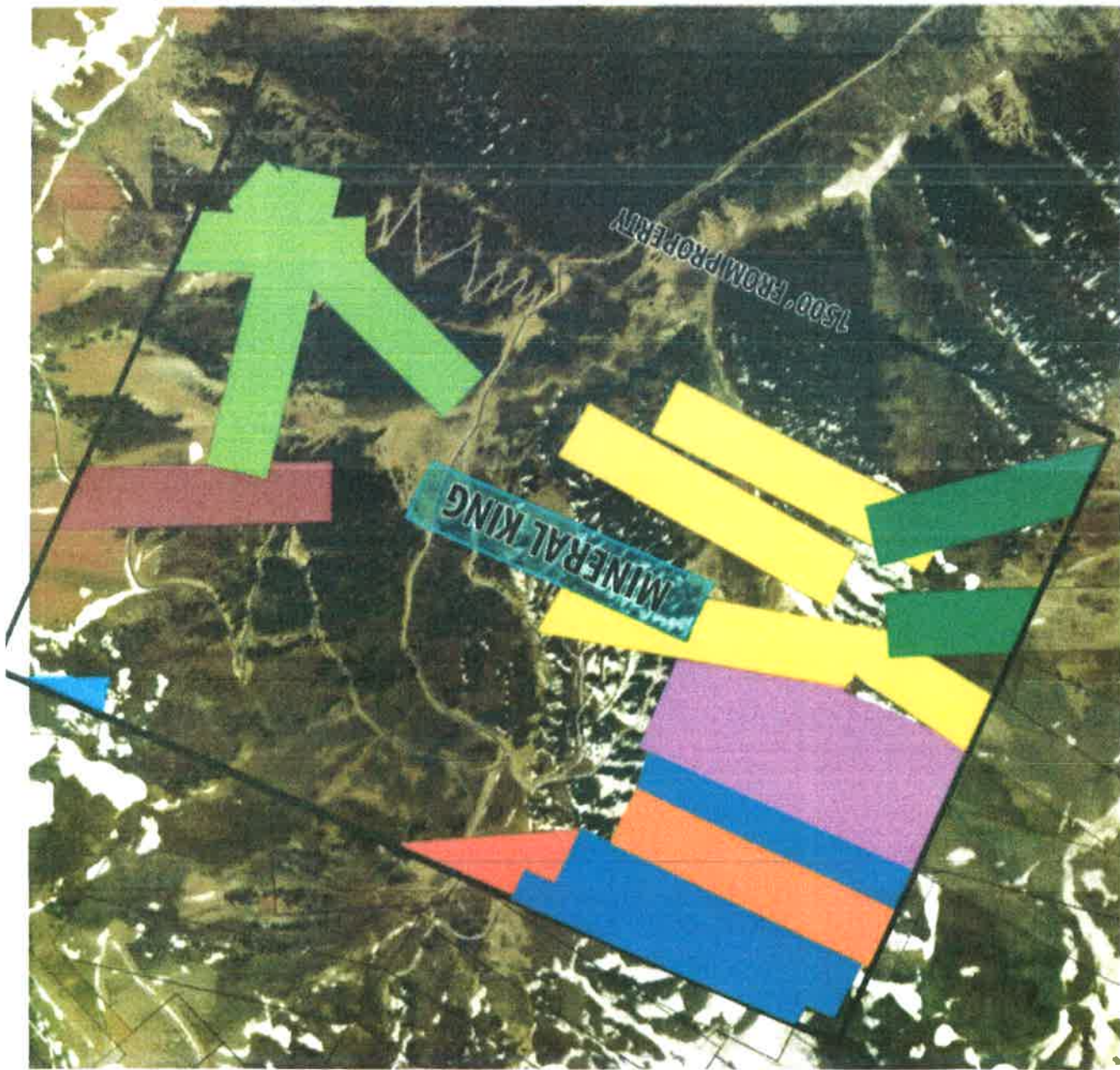
The “relevant area” we have selected for the “vicinity,” in order to evaluate development potential surrounding the project site, includes the properties located within the Prospect Gulch drainage basin generally accessed from County Road 35.










The “relevant area” or the “vicinity” includes the private properties in Prospect Gulch, from County Road 110, and along/accessed via County Road 35, to the far upper reaches of the relatively compact Prospect Gulch drainage basin.

As an overview of the properties in the vicinity of the project site, we have included some maps and plans on the following five pages. Maps and plans for your reference on the following pages include the following:

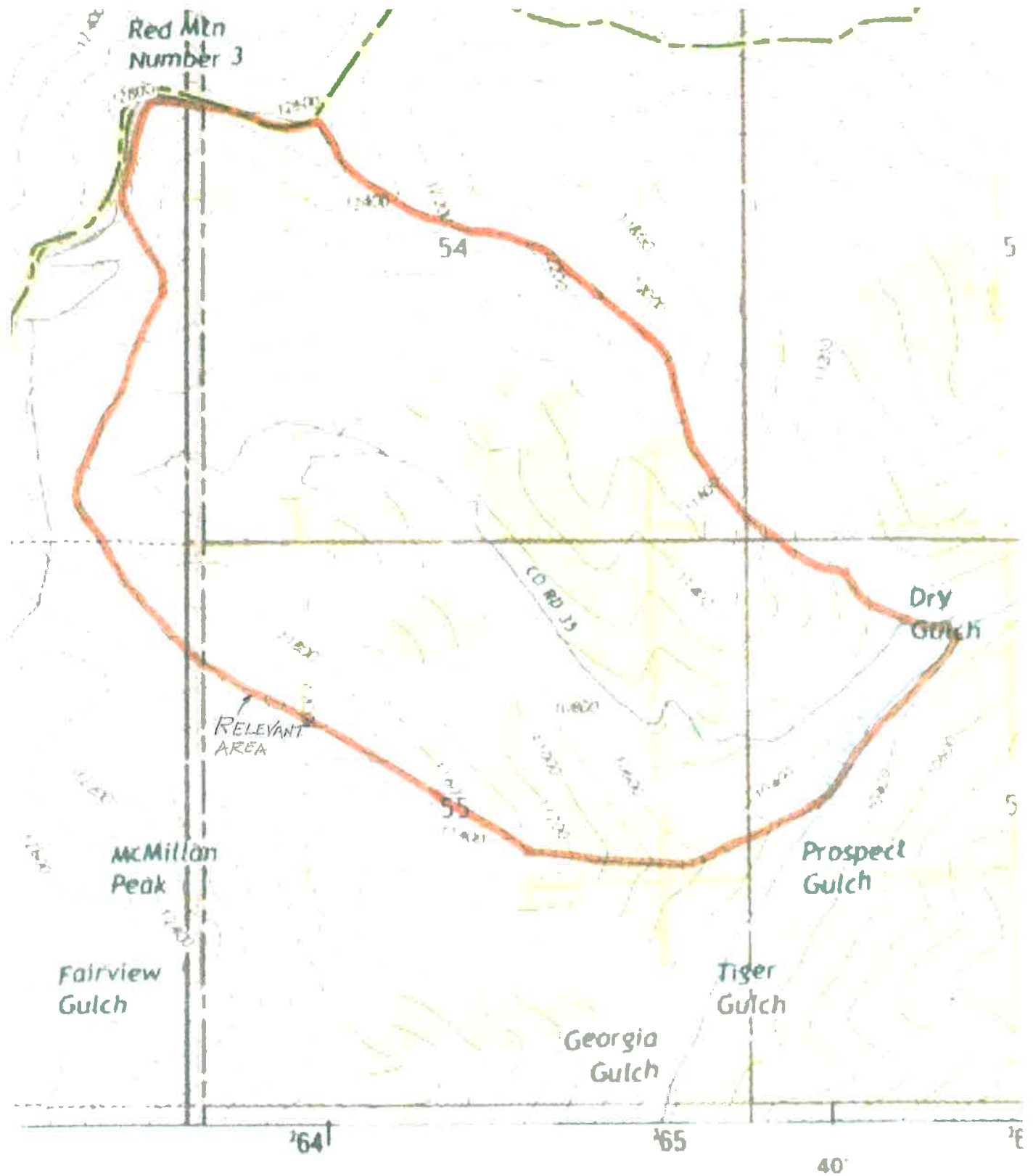
- Adjacent Land Owner Map Prepared by Feeney Architects
- USGS Topo Quad Map with Relevant Area Marked
- Prospect Gulch Property Map with Topographic Contours
- Prospect Gulch Property Map on Aerial Photo
- Prospect Gulch County Avalanche Hazards Map
- Prospect Gulch County Geohazards Map
- Map from Assessor Website showing Prospect Gulch Road System
- County Roads Map
- County/CDPHE Environmental Remediation Documents

The plans and documents following this page were used to evaluate the approximate existing and potential development of properties in the “relevant area” or vicinity of the project site.

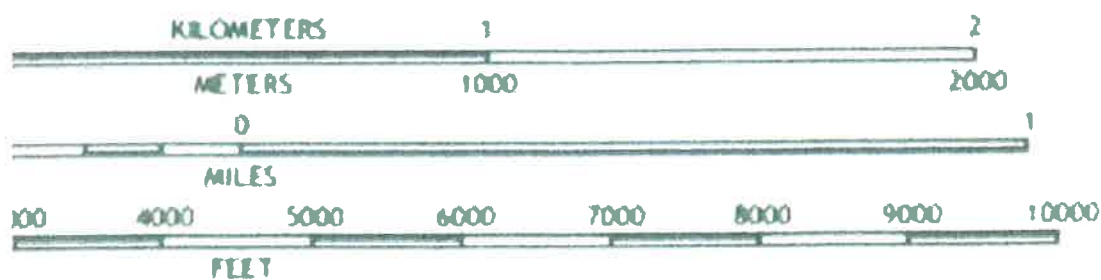


	BLUE BIRD MINING & MILLING CO C/O CAROLYN MOODIE SCHADEN, 5565 JAGUAR WAY - HIGHLANDS RANCH, CO 80130
	SALEM MINERALS INC, 15100 FOOTHILL RD - GOLDEN, CO 80401-2064
	BROWN MARK D & D ELIZABETH, 35505 ROAD H.S - MANCOS, CO 81328-9323
	GREENFIELD ENVIRONMENTAL MULTISTATE TRUST LLC / GALU- SHA, HIGGINS & GALUSHA, PO BOX 1189 - HELENA, MT 59624- 1189
	FIELD MICHAEL F & JAMES R / KEEFE FAMILY REVOCABLE TRUST, 6219 SADOLETREE LN - YORBA LINDA, CA 92866
	MC INTOSH THOMAS E, 815 SAGE RD - MONTROSE, CO 81403
	BOY MINING CO, 20 TIMBER LN - DURANGO, CO 81303-3826
	MORRIS RICH MINES INC C/O DAVID LANDAU, 559 N CENTRAL AVE - SAINT LOUIS, MO 63130-3907
	BAUMGARTNER F / OSIRIS GOLD INC / SIAL EXPLORATION INC / CARIBOU RESOURCES, 4155 E JEWELL AVE STE 1001 - DENVER, CO 80222-4514

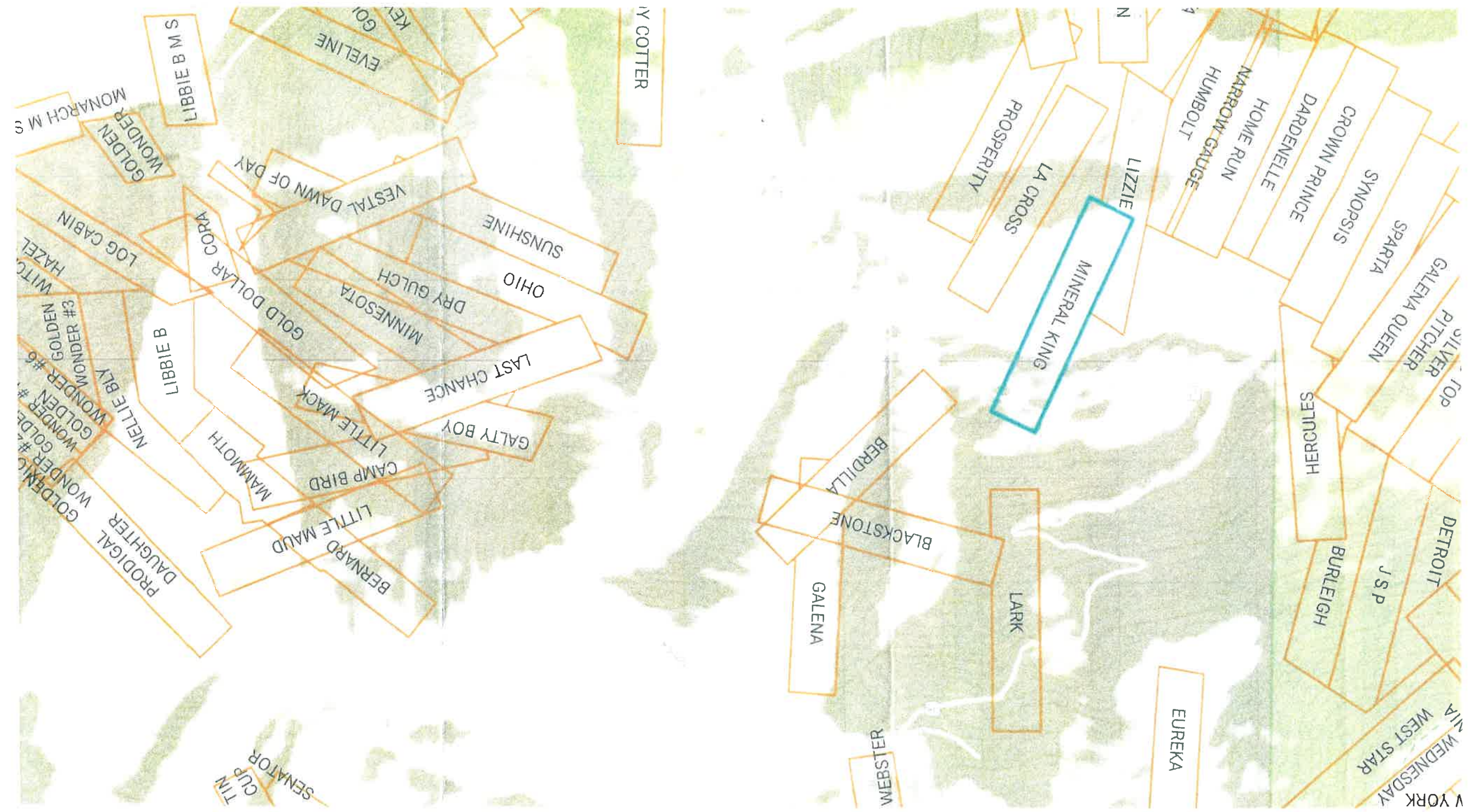
Map and List of Adjacent Landowners

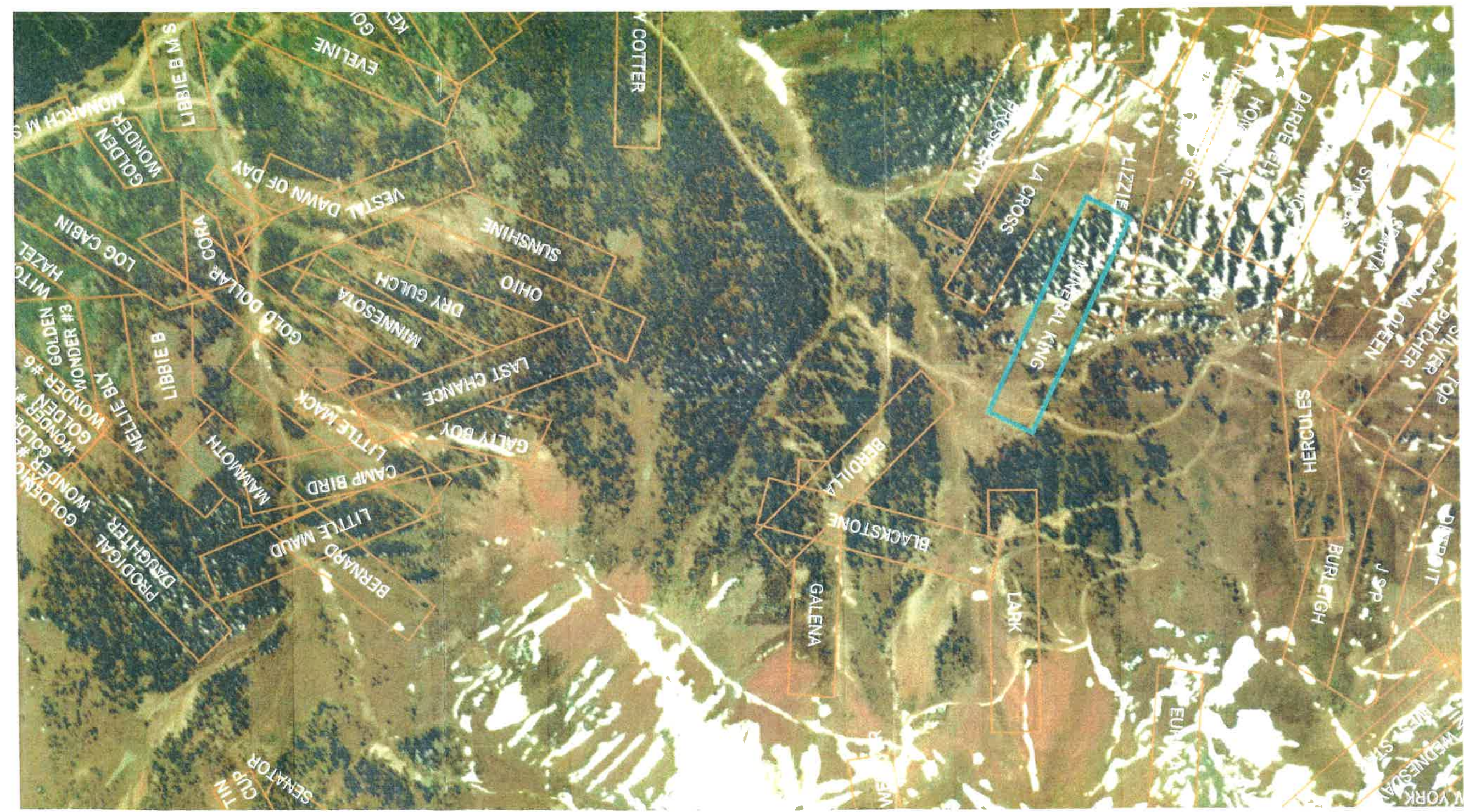


SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

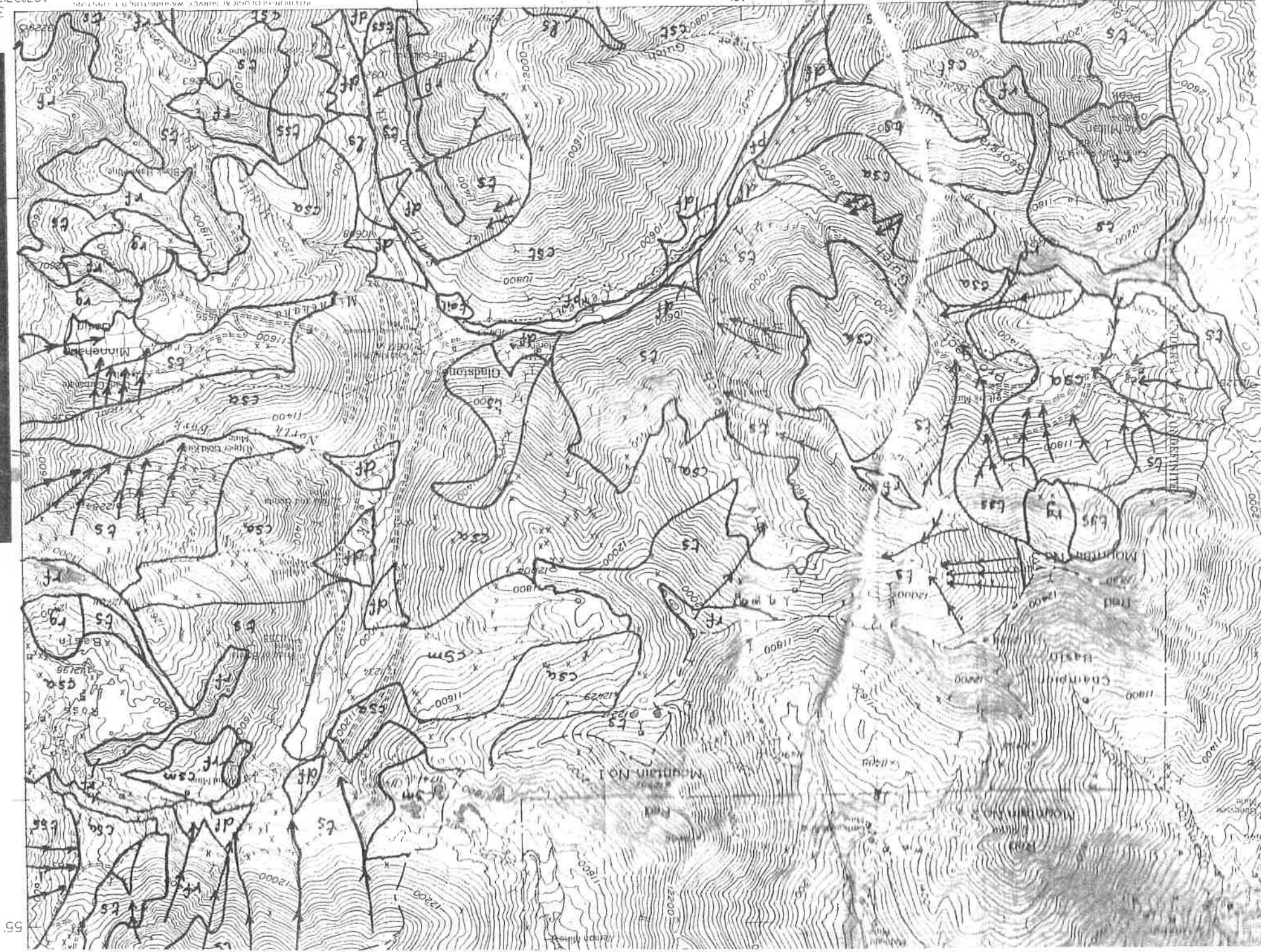




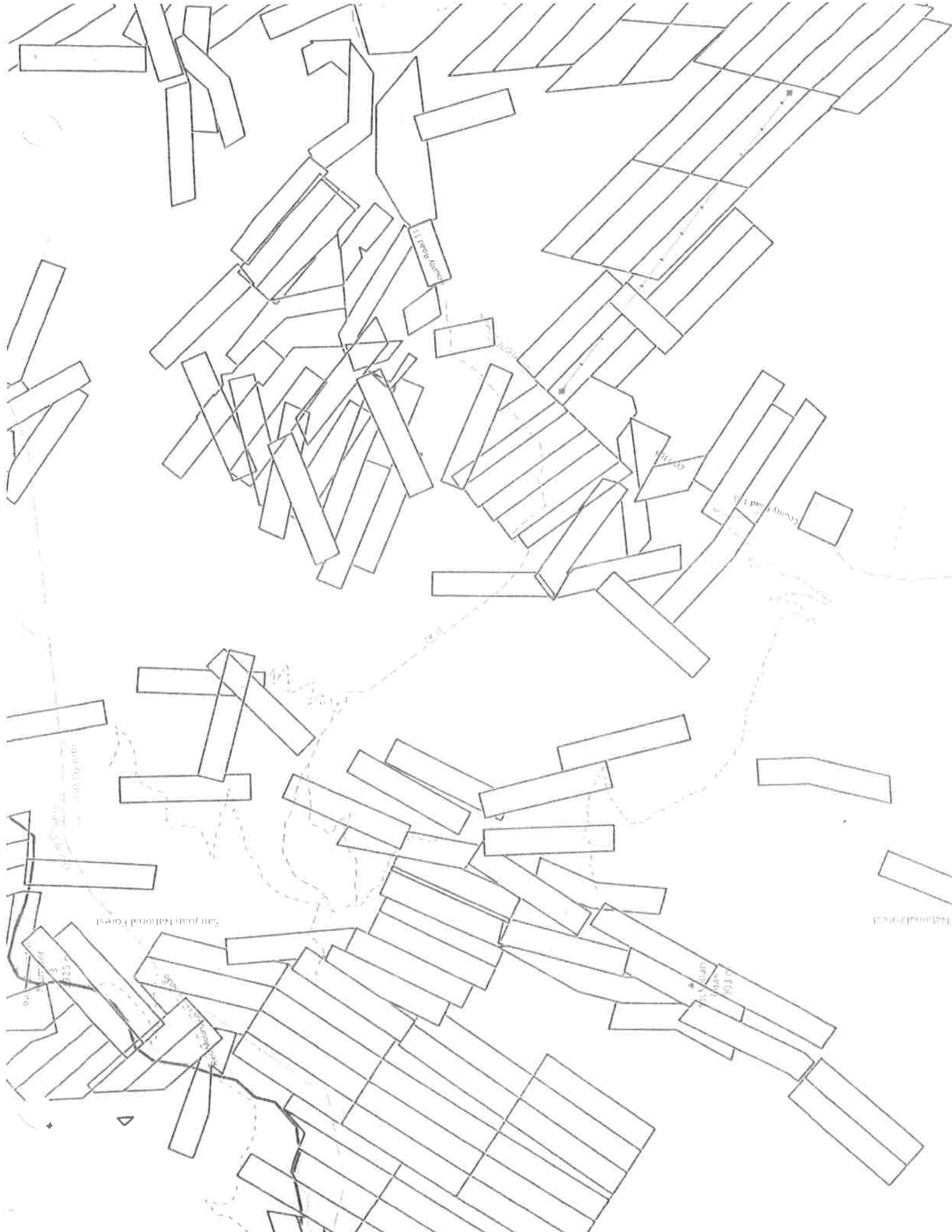


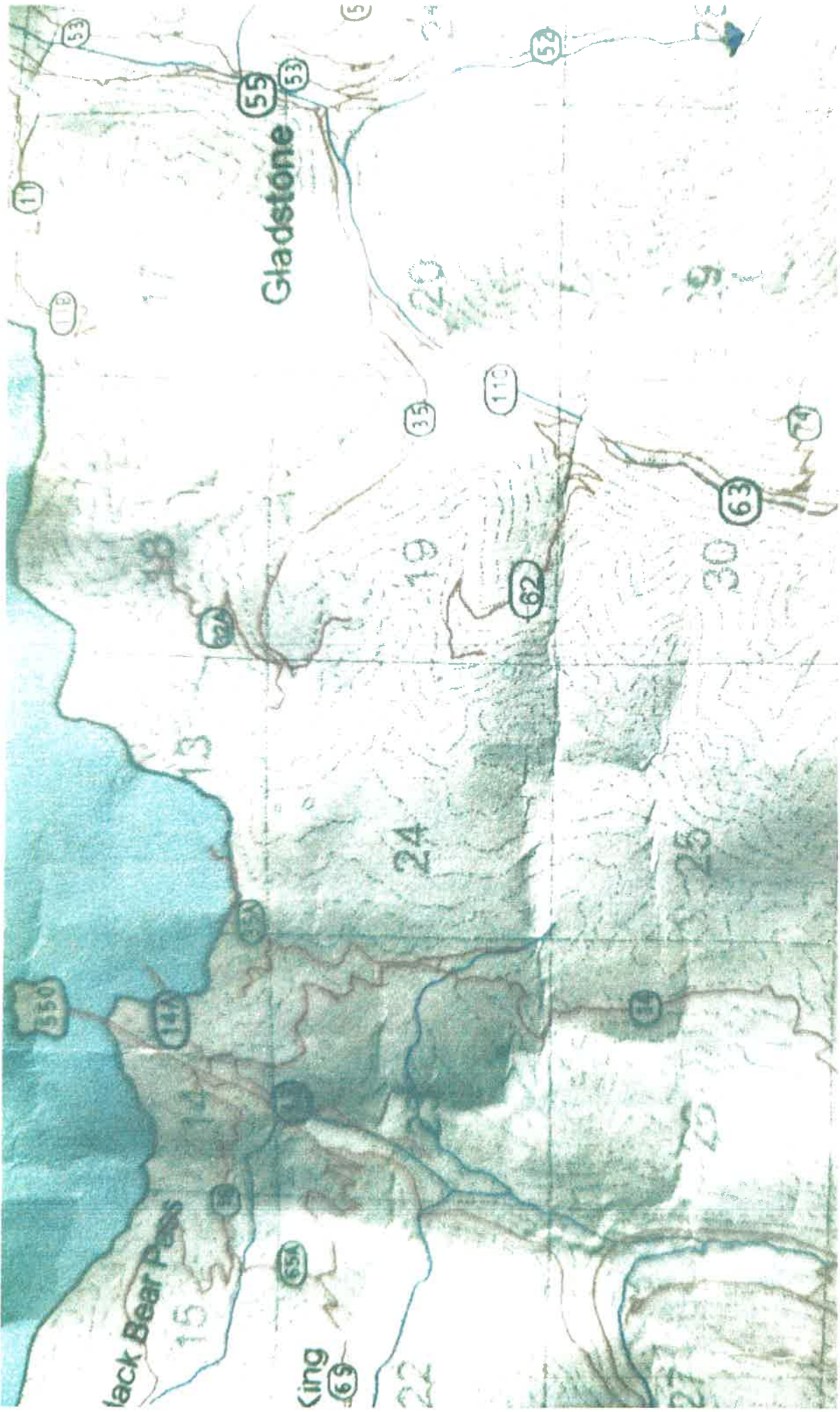
State of Colorado } ss. INDEXED
County of San Juan
Filed for record the 22nd day of
June, A.D. 1976, at 9:00 a.m.
Reception No. 116122
Book 212, Page 21

May L. Anderson Recorder



37°52'30"
107°37'30"





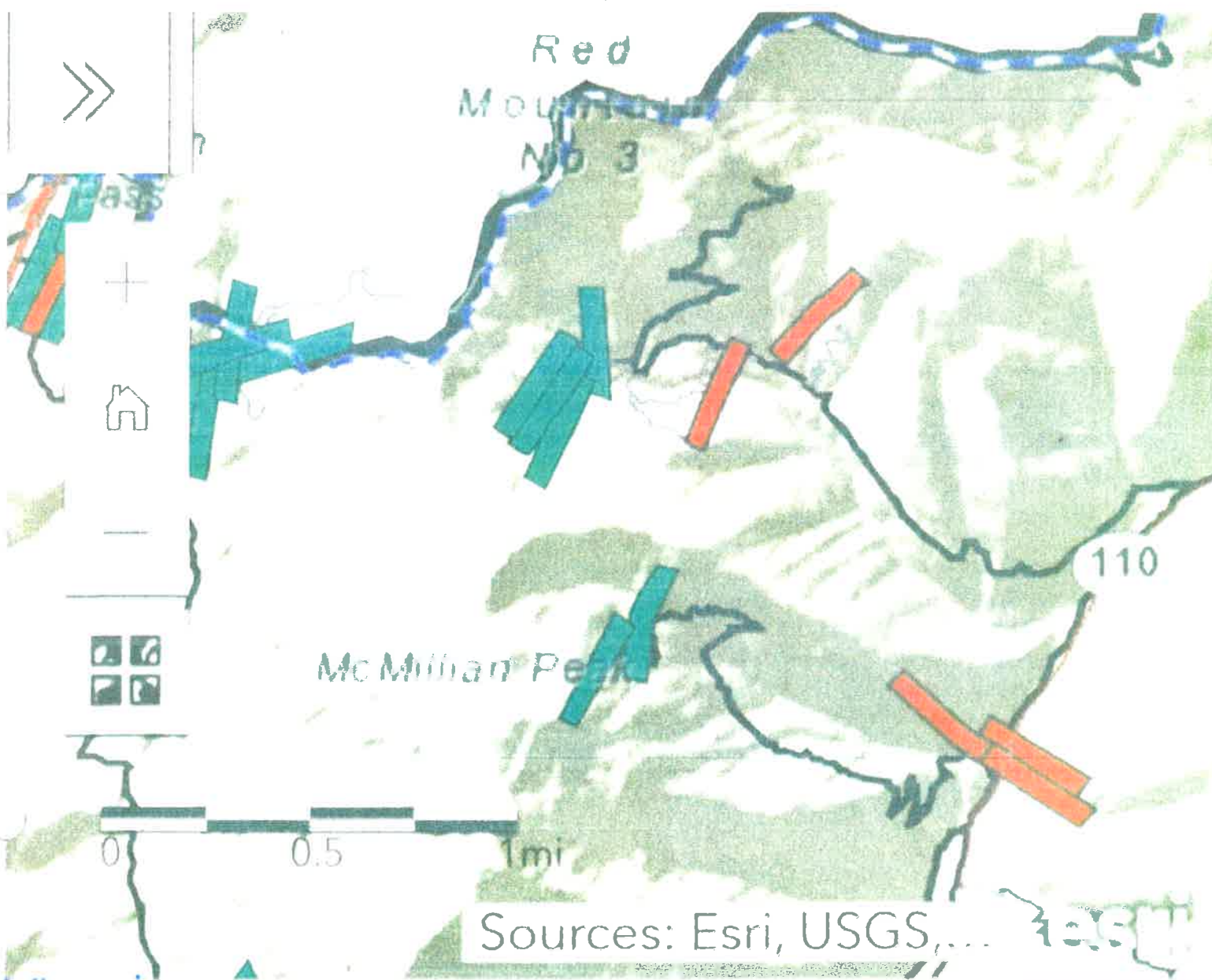
- Parcels impacted by Environmental

- Remediation County Ordinance 2020-1

Areas in **Green** have been remediated at least to some extent

Areas in **Orange** have yet to be remediated

See [full text of County Ordinance 2020-1](#) for details on land use impact



ORDINANCE NO. 2020-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO FOR THE REGULATION OF LAND USE, DEVELOPMENT AND ACTIVITIES UPON ANY PROPERTY WITHIN UNINCORPORATED SAN JUAN COUNTY CONTAINING MINE WASTE SOURCE AREAS WHERE RESIDUAL MINE WASTES AND REMEDIATION COMPONENTS EXIST, SPECIFICALLY INCLUDING THE BONITA PEAK MINING DISTRICT SUPERFUND SITE

WHEREAS, San Juan County (the “County”) has jurisdiction over Mine Waste Source Areas, as defined herein, where residual mine wastes and remediation components exist, and the Board of County Commissioners adopts this Ordinance to control and regulate land use at all such Mine Waste Source Areas within unincorporated San Juan County, specifically including, but not limited to, the Bonita Peak Mining District Superfund site, pursuant to authority granted in C.R.S. § 29-20-104 and C.R.S. § 30-11-101, *et seq.*; and

WHEREAS, the United States Environmental Protection Agency (“EPA”) and the Colorado Department of Public Health and Environment (“CDPHE”) have and will conduct Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) response actions including, but not limited to, response actions selected in the Interim Record of Decision dated May 20, 2019 (“IROD”) and possible other future CERCLA response actions, at portions of the Bonita Peak Mining District Superfund Site (collectively referred to as “CERCLA response actions”), in San Juan County; and

WHEREAS, properties where CERCLA response actions have occurred within the Bonita Peak Mining District (“BPMD” or “Site”) are more fully described in the inventory of Remediated Mine Waste Source Areas, **attached hereto as Attachment A** (“Inventory”), and as may be modified from time to time and maintained within the Office of the San Juan County Clerk and Recorder for public viewing. Specifically, the subject CERCLA response actions may include: managing acidic water discharging from mine portals with diversion trenches; diverting storm water around mine waste piles; maintaining existing mine portal sediment ponds; excavating in-stream mine wastes; and containing and isolating contaminated soils at mine-impacted recreation staging areas using covers; and

WHEREAS, prior to the BPMD Superfund site listing, non-CERCLA reclamation measures were implemented on other Mine Waste Source Areas in San Juan County within and beyond the BPMD. These sites may be more fully described in the Inventory, as may be modified from time to time and maintained within the Office of the San Juan County Clerk and Recorder for public viewing. Specifically, the subject non-CERCLA reclamation measures may include: managing acidic water discharging from mine portals with diversion trenches; diverting storm water around mine waste piles; maintaining existing mine portal sediment ponds; excavating in-stream mine wastes; and containing and isolating contaminated soils at mine impacted recreation staging areas using covers; and

ATTACHMENT A

Claim Name	Parcel ID Number	Mineral Survey Number	Patent
A J BRILEY	47770000040003	7600	15955
A P HILL	47750160050027	1922	12437
ACHILLES	48310180010102	2580	17219
ADVENTURE	47750140050004; 47750140050044	14443	36006
ALICE	47750160050027	17371	43397
AMERICAN EAGLE	47750160050013	13270	32580
AMERICAN EAGLE M S	47750160050012	13270	32580
ANGLO SAXON	47750160050028	14875	40966
ANGLO SAXON PLACER	47750310040007	16687	41909
ANIMAS BELLE	47750110050006	4854	17904
ANN HARRIS PLACER (PARCEL C of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010039	11596	28491
AQUILA	48310180010102	42	1834
BANDORA	48270000030023	7416	23280
BASTILE	47750160050017; 47750160050172; 47750160050173	15680	46082
BELCHER	47750160050013	2044	14878
BEN BUTLER	45690250050006	1291	25653
BEND PLACER	48290090010033	11596	28491
BENJAMIN FRANKLIN	47750140050004; 47750140050044	1011	7817
BERDILLA	47750180040005	1524	11398
BLAIR MOUNTAIN PLACER	48290100010012	16469	43704
BLAIR PLACER (part)	48290090010043	841	7983
BOSTON	45690360050004	54	3294
BREWSTER	47770240040002	15697	36439
BROOKLYN	47750190040007; 47750190040071	18982	298380
BROOKLYN	47750310010009	19125	258712
BUENA VISTA	48290000010013	14012	34052
BULLION KING	47770000040003	2604	16060
BURROWS #2	45690360050006	107	3910
BYRON	47730170050013	419	6471
BYRON M S	47730170050010	419	6471
C H MILL SITE	48290090010033	20594	1126475
CARBON LAKE	47770130040019	1177	9128
CATARACT	48270000030023	20459	1050666
CLIPPER	47750140050002	1680	14301
COMET	47750120050005	17034	41816
CONGRESS	47770240040006; 47770240040111	1259	10127
CYNIC	47730170050001	126	2981
DEAN B	47750160050016	16795	40581
DEWITT	45690360050004	52	3271
DODGY	47750190040009; 47750200040007	18624	149242
E PLURIBUS	47750090050008	520	6060
EDWARD	47730170050001	210	5944
EUREKA POWER M S	47730190050014	16977	42149
EVENING STAR	47750120050004; 47750120050041; 48290120010111	17034	41816
FAMILY	45690360060002	4801	17907
FATFED CAIF	47750100050001	18247	110836
Forest Lily MS	47730080050002	4835	18679
FOREST QUEEN #10	47730310050001	18843	156409
FRANKLIN	45690360050006	1739	11030
GALENA QUEEN	47770130040005; 47770130040053; 47770130040054; 47770130040055; 47770130040056; 47770130040057	2061	15364
GEM	48270040040005	13249	32742
GOLD	48290090010043	14012	34052
GORILLA	47750010010001	17549	43631
GOVERNOR	47750160050027	17371	43397
GOVERNOR	48270040040006	13249	32742
GRAND MOGUL	47750100050009	521	5970
GRAY COPPER	47750090050018	20377	1035597
GREENFIELD	45690360050018	49	3143
H M MILL SITE	48290090010010	20595	1120728
H V B MILL SITE	48290090010043	20594	1126475
HARRISON M S	47750160050028	14710	37311
HERBERT PLACER	47750210050011	13562	35681
HERCULES	47750180040044	18626	149274
HIDDEN HAND	47750140050004; 47750140050045	1658	14262
HIDDEN TREASURE	47750110050121	5010	17563
HIGH JACK	45710300050005	20470	1062852
Howardsville MS	48290020010022	9883	27301
HOWARDSVILLE PLACER (buildable portion)	48290010010091; 48290010010091	942	6908
I X L	47750160050027	1923	37468

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IRON MASH	47750140050004, 47750140050044	14443	36006
IRON SHIVER	47770230040012, 47770230040125	4599	16219
JEANNETTE ROCK PLACER (Tailings Pond Part)	48290090010043	11596	28491
JOHN FRENCH PLACER	47730310050022	45	2490
JOHN FRENCH PLACER	47730310050021	45	2490
JUNCTION	47770140040008	19335	365180
JUNCTION #1	47770140040008	19335	365180
JUNCTION #2	47770140040008	19335	365180
JUPITER	47750120050061	17034	41816
KANSAS CITY	47750190040006, 47750190040062, 47750190040063	18494	125561
Katy MS	48290110010001	797	7488
KILLARNEY	47770140040007, 47770140040009	2690	17339
L. L. MILL SITE	47750210050006	20726	1131333
LACARITA	47730060050016, 47730060050161	18221	0
LAST CHARGE	47750140050002	17901	110023
LETTER B	47750160050013	2045	14901
LIBBE BAUDER EXT	47750160050027	17371	43397
LITTLE MARY	47750140050002	2038	15010
LITTLE HODD	48270000030023	7416	23280
LONDON	45690360050018	5961	22971
LONG PERRY	47770140040008	5341	17914
LUCKY JACK	45710300050005	17907	45542
M B MILL SITE	48290100010006	20595	1120728
M D THATCHER (PARCEL D of Sunnyside Gold Corporation Permit Boundary Adjustment)	48290090010040	17699	45664
MAY	47750310010009	19125	258712
MINERAL KING	47750180040005	2051	11816
MORNING STAR	47770230040012, 47770230040124	6793	21105
MORNING STAR	47750120050061	17034	41816
MOUNTAIN OVERSEER	47750100050001	792	8979
M R MILL SITE	48290100010006	20595	1120728
MADAME PLACER	47750280050004	15171	39983
MOREL	48270000030023	7416	23280
MOORE SADDLES	48290020010023	1864	23894
MORETON	47750150050001	17233	42968
ORIENTAL	47770230040012, 47770230040125	16099	39190
ORIFANS RES	47750210050021	15061	38352
PANACHE	47770130040110	19343	377099
PANACHE	45690350000016	18152	240272
PANACHE (PARCEL A of Sunnyside Gold Corporation - Permit Boundary Adjustment)	48290090010042	11596	0
PANACHE	48290090010035	15112	37830
POLAR STAR M (PARCEL E of Sunnyside Gold Corporation Permit Boundary Adjustment)	48290090010041	7608	0
PRIER OF THE ROCKS	47750110050121	7628	31534
PRINCE OF THE WEST	48310190010005	41	2250
PRINCE OF THE WEST	45690360060012	1215	9385
RED CLOUD	45690360050006	120	3909
REGULATOR MS (E of Cunningham Creek)	48310180010030, 48310180010031	154	4295
REPTHER	47750140050002	12724	31197
RICHMOND	48310190010005	678	8313
RIVER	48290090010035	15112	37830
RIVER	47730170050001	499	7784
ROBERT L RANCHER	47750090050014	778	8834
ROYAL CHARTER	48290110010004	1710	11359
SACRED	47770130040109	1178	15951
SADSVORNA'S	47750160050014	1618	11520
SAN JUAN	48290100010004	15112	37830
SELMA #1	47770130040006	19343	377099
SENATOR	47730190050014	16804	40898
SHAMROCK	47750010010002	17549	43631
SILVER LUGL	47770230040012, 47770230040127	1523	17456
SILVER PITCHER	47770130040005, 47770130040053, 47770130040054, 47770130040055, 47770130040056, 47770130040057	2062	15365
SPARTA	47770240040003	18626	139274
SUCCESS PLACER	47750160050014	1914	11521
T H W MILL SITE (TRACT A)	48290100010006	20595	1120728
T H W MILL SITE (TRACT B)	48290100010006	20595	1120728
THELSEA	47750090050008	15968	40372
THERESA M S	47750090050033	15968	40372
THUNDERBERG	47750140050002	1395	9388
TRACT A1 (PARCEL A of Sunnyside Gold Corporation - Permit Boundary Adjustment)	48290090010037	0	186140

ATTACHMENT A

TRACT BB (PARCEL B of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010038	0	186140
TRAIL S 500 FT	48310180010030	130	3096
TURKOIS	47770230040128; 47770230040129	1496	9589
VENUS	47750120050061	17034	41816
Vienna Placer	48290110010005	14057	34524
W M G L	47730060050005	19931	898231
WALKYRIE	47730060050005	19931	898231
WASHINGTON	45690250060015	104	4042
WINNING	47770000040121; 47770000040123	11560	29635
YOUNG	47750090050008	16523	39991
ZOO	47770000040121; 47770000040123	11560	29635

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4. Existing and Potential Development of “Vicinity” Properties

The County regulations require that we include within this report a description of the existing and potential development in the Vicinity of the project site.

List of Criteria Used to Evaluate the Development Potential of Prospect Gulch Properties

We have prepared a table listing in alphabetical order the properties in the “relevant area” vicinity of the project site. The table includes the following property information and criteria used to provide a cursory evaluation of the existing and potential development of the properties.

- **Property Name**

The names of the claims were determined using the County Assessor website. The property cards on the Assessor website were used to review each parcel. A copy of the applicable Assessor property cards are available upon request from Engineer Mountain Inc. Mining claim ownership corporations listed on the Assessor website were also briefly researched using the Colorado Secretary of State website.

- **United States Mineral Survey Number**

All available US Mineral Survey Plats associated with these claims in Prospect Gulch were obtained and reviewed, using the BLM GLO website. These USMS Plats are the original surveys from approximately 100 years ago. They were reviewed in order to fill in the names of the mining claims. A copy of the applicable USMS “original mineral surveys” are available upon request from Engineer Mountain Inc.

- **Owner(s)**

Ownership of the mining claims in Prospect Gulch is somewhat unusual and of interest because many of the claims are currently held en masse by mining companies and/or managed by legal firms as environmental trusts. That affects the likelihood of the claims re-selling individually for any future potential development.

- **Acreage**

Some of the properties have less than five acres. According to the interpretation of current County regulations requiring a minimum of five acres, these claims under five acres can be considered unlikely to be developed.

- **Access**

Our cursory evaluation of the mining claims in Prospect Gulch included a check to see if each property appears to have a County Road pass through its property boundaries, indicating the property currently appears to have legal written access. The County Roads Map shows

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County Road 35 (Prospect Gulch Road), County Road 32A (in upper Prospect Gulch), and also depicts several additional County/private roads. Several of the Prospect Gulch property owners would need to prepare a legal written access easement for their adjacent claim, or obtain an easement deed from an adjacent landowner, or apply for access to cross Public Lands administered by the BLM. There is one known instance of an existing, County-approved, pedestrian access to a cabin on a group of mining claims in Prospect Gulch, and there is one possible incoming County Application which may propose a similar pedestrian access.

- **Tundra**

Many of the mining claims in the upper part of Prospect Gulch consist primarily of tundra, above treeline, and/or relatively treeless. According to the interpretation of current County regulations, requiring adequate screening of new structures, and prohibiting almost all development occurring on ridgelines and/or located on alpine tundra, these claims which are mostly tundra can be considered unlikely to be developed.

- **CDPHE Sign Off**

Several of the mining claims in Prospect Gulch have existing or proposed mining reclamation work. The County has a Mining Remediation Ordinance, along with a list of mining claims called the Inventory. Mining claims which are listed on the Inventory require an additional review process and approval from the Colorado Department of Public Health and Environment (CDPHE). Although proposed development is not prohibited on the Inventory claims, it is another step to the review process which slightly reduces the likelihood of development occurring. If a mining claim is listed on the Inventory, it can also indicate that there could be an environmental issue on that land causing the claim to not be financially feasible to develop.

- **Potential Avalanche and Geologic Hazards**

We have utilized the County's adopted Avalanche Hazard Map and the County's adopted Geologic Hazards Map to provide cursory information regarding potential hazards for each of the mining claims in Prospect Gulch. Most of the Prospect Gulch private properties would be required to obtain a site-specific avalanche and geohazards study, prepared by a qualified expert. Properties that appear to be located almost entirely in probable avalanche red zone areas, properties that are located almost entirely in the floodplain, directly below rockfall areas, and/or in known debris flow (mudslide) areas, can generally be considered unlikely to be developed.

- **Cursory Evaluation of Reasons a Property Is or Is Not Likely to be Developed**

A cursory evaluation is provided on the table, listing the reason(s) likely to allow for, or limit, future potential development of a property, such as the following: acreage, type of ownership,

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lack of access, likely to be almost entirely located above treeline, and/or within a very high hazard avalanche zone.

- **Development Potential**

We have summarized the likely overall potential for development on each property.

Table of Vicinity Properties and Cursory Evaluation of Development Potential

The table on the following page summarizes the existing and potential likely future development in the “vicinity” of the project site.

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The table on the preceding page lists the properties included in the “relevant area” or vicinity of the project site.

Many of the mining claims in Prospect Gulch are owned as big groups of claims by mining companies, or environmental trusts managed by lawyers. These mining claims are unlikely to be listed either as a group or individually for sale. It can be assumed that the mining companies and the environmental trusts will probably retain ownership of their mining claims, and historically will be unlikely to sell those claims. However, in order to envision the full possible future development potential of the private land within the Prospect Gulch drainage basin, we have evaluated each claim individually, regardless of the ownership type, just to get the estimated full picture of what the development potential could be, if each and every claim in Prospect Gulch were to become available individually for sale, and proposed for development.

Here is a summary of the cursory evaluation of the existing and potential development.

Existing Cabins

The following 1 property is known to have an existing residential cabin structure:

- Last Chance Lode, Existing Blatter Cabin, owned by Arden and Chris Blatter of Montrose, approved with pedestrian/snowcat access, with the structure completed in approximately 2017, with the Blatter’s multiple overlapping mining claims located above County Road 35, between Prospect Gulch and the adjacent Dry Gulch.
- There are several additional existing structures in Prospect Gulch, none of which are known to be occupied, or to specifically generate traffic/cumulative impacts; generally these are historic wooden mining structures, unfortunately most are in various states of decay. The existing historic structures were not evaluated in this report because they are not believed to create significant impacts to the air/water quality, County Road traffic congestion, etc.

Vacant But Likely to Be Approved

- Mineral King Lode, Proposed Cole Cabin, owned by David Cole of Mineral King LLC of Colorado, which is likely to be approved by the County in the next few months. This is the Project Site.

Properties Which Could Be Developable

The following 2 properties appear to be potentially “buildable,” and could be approved in the future for proposed residential use:

- The Berdilla Lode, owned by Boy Mining Company of Durango, which could be buildable, pending expert avalanche study.
- The Sunshine Lode, which would probably need to gain County approval of pedestrian access, or would require a BLM access permit to construct a driveway.

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Possibly Developable, But Unlikely to be Listed for Sale

The following 4 properties could possibly be developable, depending on results of closer site evaluation; however, they are unlikely to be sold individually for residential development, because they are currently owned by a mining environmental trust agency managed by lawyers. These four claims are held by an ownership type which is historically unlikely to sell, and they are located on lower Prospect Gulch Road (County Road 35):

- Boycotter Lode
- Gold Standard Lode
- Sibley Lode
- Wetzel Lode

Properties Which Appear to Be Unbuildable/Unable to Comply with County Regulations

The following properties appear unlikely to be developed, based on cursory evaluation, due to lack of feasible access, apparent significant avalanche and/or geologic hazards, lack of acreage, predominantly located above treeline on alpine tundra, etc. Additionally, the Project Applicant (David Cole of Mineral King LLC) recently purchased four mining claims adjacent to the Project Site (the Mineral King Lode), and it is assumed the County will require the Applicant to relinquish the possibility of future proposed development rights on those four claims. The following properties appear unlikely to ever be developed:

- Blackstone Lode
- Boycotter Extension Lode
- Burleigh Lode
- Climax Lode
- Crown Prince Lode
- Dardenelle Lode
- Dawn of Day Lode
- Del Mino Lode
- Dry Gulch Lode
- Eureka Lode
- Eveline Lode
- Galena Lode
- Galena Queen Lode
- Galtie Boy Lode
- Hercules Lode
- Home Run Lode
- Humbolt Lode
- JC Bell Lode
- J S P Lode
- Keystone Lode

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- La Cross Lode
- Lark Lode
- Libbie B Mill Site
- Lost Boy Lode
- Little Mack Lode
- Little Maud Lode
- Lizzie Lode
- Mill Lode
- Mineral Queen Lode
- Minnesota Lode
- Narrow Gauge Lode
- Ohio Lode
- Prosperity Lode
- Silver Pitcher Lode
- Sparta Lode
- Synopsis Lode
- Vestal Lode
- Webster Lode
- WSB Lode

Summary of Development Potential of Vicinity Properties

In summary, the vicinity has the following estimated development potential:

- | | |
|----|---|
| 1 | Property Known to Have an Existing Cabin |
| 1 | Property Likely to Be Approved for a Proposed Cabin |
| 2 | Possible Future Cabins |
| 4 | Probably Buildable But Unlikely to Be Sold |
| 39 | Probably Not Developable Claims |
| | |
| 47 | Total Vicinity Properties Evaluated (Including One Project Site). |

Therefore, based on a cursory evaluation of the 47 properties in the Prospect Gulch drainage basin, which was the selected “relevant area” or “vicinity,” we would foresee a total of perhaps three cabins being constructed in the future, in addition to the one known existing cabin in the area.

The County regulations (on page 2 of this report for your reference) state that “*the County shall consider all proposals in the context of all existing or potential uses of other properties in the vicinity of the proposed use.*”

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Engineer Mountain, Inc.

5. Evaluation of the “Proposal” Using the Criteria Listed in the County Regulations

The County regulations (included on pages 2 and 3 of this report) require the County to evaluate the “proposal” (the Proposed Cole Cabin on the Mineral King Lode) *“in the context of all existing or potential uses of other properties in the vicinity of the proposed use.”*

The individual factors listed in the County regulations to be evaluated for the “proposal” (in the context of the existing and potential vicinity development) are the following:

- *if the proposal will have any adverse impact on public health, safety, morals or welfare*
- *if adequate potable water is available or can be developed to safely support the proposed use, including fire control and suppression*
- *if adequate sewage disposal can be provided to support the proposed use*
- *if the proposed use will have any adverse effect on public or private property in the vicinity*
- *if the proposed use will have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife (including habitat, food sources, migration routes, hunting, etc.), erosion or other geological condition*
- *if adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services*
- *if adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical*
- *if adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical*
- *if there are natural hazards which may adversely affect the site or the proposed use of the site*

The County regulations state that

An ...Improvement Permit must be issued by the County when the County finds that the applicant has sustained the burden of proof that the proposed development, activity or use, including best management practices, if any, does not present or create an adverse effect to the resources sought to be protected or utilized...

This section of the report includes evaluation of the above listed criteria.

Impact of the Proposal on Public Health, Safety, Morals, and Welfare

The County regulations require that you consider the following:

...in the context of all existing or potential uses of other properties in the vicinity of the proposed use ...

...if the proposal will have any adverse impact on public health, safety, morals or welfare.

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Proposed Cole Cabin, Mineral King Lode
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The “proposal” is the Proposed Cole Cabin on the Mineral King Lode. The overall impacts to public health, safety, morals and welfare which could be caused by approval of this project are expected to be negligible. The septic system for the proposed cabin will be designed in accordance with the State and local regulations. It can be assumed that there will be very little traffic generated by the owner of the proposed cabin. We do not expect that the Applicant will be doing anything in the proposed cabin which would negatively affect the morals or welfare of the public. The proposed cabin if approved could generate some local jobs, and an increase in sales tax/County taxes, which could positively affect the public welfare. We believe that all proposed activities and uses will have some impact or effects. For the purposes of the County review process, we believe the County could consider if a project is relatively modest and reasonable, and if the Applicant has taken steps to minimize all of the impacts which are possible to control. Overall this project can probably be expected to have a negligible impact on public health, safety, morals, and welfare.

Adequate Water

The County regulations require that you consider the following:

...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...

... if adequate potable water is available or can be developed to safely support the proposed use, including fire control and suppression

The “proposal” includes utilizing hauling water to be placed into a proposed on-site cistern. There is a limited amount of existing tree cover on the site, which slightly reduces the potential on-site fire danger. Overall, it appears that the Applicant is attempting to provide *adequate potable water to safely support the proposed use.*

Adequate Sewage Disposal

The County regulations require that you consider the following:

...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...

...if adequate sewage disposal can be provided to support the proposed use.

The proposal includes a proposed “engineered” septic system, including a below-grade septic leachfield. Overall, it appears that *adequate sewage disposal can be provided to support the proposed use.*

Effect of the Proposal on Public or Private Property in the Vicinity

The County regulations require that you consider the following:

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...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...

...if the proposed use will have any adverse effect on ... wildlife (including habitat, food sources, migration routes, hunting, etc.), erosion or other geological condition.

All existing/proposed activities/uses have some sort of impact. The effects of this project, however, on wildlife, hunting, migration routes, habitat, and animal food sources are expected to be minimal. There is not any significant tree clearing proposed for this project, which is expected to keep effects on wildlife to a minimum. Proposed imported tree planting used for screening may offset or negate any cabin impacts on wildlife habitat. Erosion is not expected, as the proposed cabin is located on an existing road, and has been designed to avoid proposed grading.

Adequate Road Access

The County regulations require that you consider the following:

...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...

...if adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services.

County Road 35 passes through the project site. The site has legal access via the existing County Road system. The proposed cabin will be accessed from an existing road which crosses BLM with no proposed road grading/improvements. It appears that *adequate road access exists to ensure access appropriate to the use.*

Adequate Utilities

The County regulations require that you consider the following:

...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...

...if adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical.

Water will be hauled and placed into a proposed cistern, and a proposed septic system is being designed by a Licensed Professional Engineer. Overall it appears that *adequate utilities ... can be made available for the proposed use.*

Adequate Emergency Services

The County regulations require that you consider the following:

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...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...

...if adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical.

Access for emergency services is comparable with most other developed claims, and appears relatively adequate for the proposed use. There will be times of no vehicular access, due to avalanche/debris flow related County Road closures of County Road 110, and non-plowing of County Road 35.

Natural Hazards

The County regulations require that you consider the following:

...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...

...if there are natural hazards which may adversely affect the site or the proposed use of the site.

There are natural hazards at the site, including avalanche hazard, which has been deemed able to be mitigated by a qualified expert, such that the nearby avalanche area is not expected to preclude development or adversely affect the proposed structure.

6. Summary

This is a Cumulative Impacts Report for the proposed Cole Cabin, located on the Mineral King Lode, on County Road 35, Prospect Gulch, near Gladstone, in San Juan County, Colorado.

The Sketch Plan application for a San Juan County Improvement Permit Application was prepared by Feeney Architects. A Preliminary-Final Plan application for a San Juan County Improvement Permit Application is being submitted to the County Administrator on August 7 by Feeney Architects. An Improvement Permit is required in order to use a mining claim for residential use. This Cumulative Impacts Report has been prepared by Engineer Mountain Inc. to accompany the information prepared by the Applicant David Cole of Mineral King LLC and the Project Architects.

County Zoning and Land Use Regulations Section 4-103 requires that all proposals be reviewed *...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

The properties in the vicinity of the project site have been evaluated for development potential. We evaluated 47 properties in Prospect Gulch. Our evaluation was cursory based on Assessor information, original mineral surveys available on the BLM GLO website, and available maps. Closer evaluation of an individual property including a survey could produce different results.

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We found that one nearby property is known to have an existing cabin, one property (the project site) is likely to be approved for residential use, two additional properties could possibly support a cabin sometime in the future, four properties appear possibly buildable but are unlikely to be sold individually by the mining environmental trust legal firm, and the remainder of the properties in prospect Gulch appear to be unbuildable. Development evaluation criteria generally included: access, avalanche hazards, acreage, prevalence of treeless tundra, and the ownership. In summary, we would anticipate that perhaps only three cabins are likely to be constructed in the future in Prospect Gulch, one of which would be the Proposed Cole Cabin on the Mineral King Lode, the Project Site. The majority of the parcels near the project site appear unlikely to ever be developed, mostly due to a combination of obstacles such as avalanche, tundra, ownership, and lack of access.

We then evaluated the "proposal" using the factors listed in the County regulations, which are to be considered *...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...* These factors included impacts of the proposal to: public health, safety, morals, and welfare, public and private properties, scenic values, historic sites and structures, air, water, and environmental quality; adequate site access, water, sewer, utilities, and emergency services; and presence of natural hazards - when considered in the context of nearby existing and potential development. Overall, although we believe that all uses and activities of any kind cause some impact, it appears that the proposal has been thoughtfully designed by the Applicant and the Project Architects to create as little as possible impact on the public health, safety, and welfare, and surrounding properties.

The County regulations state that

An ...Improvement Permit must be issued by the County when the County finds that the applicant has sustained the burden of proof that the proposed development, activity or use, including best management practices, if any, does not present or create an adverse effect to the resources sought to be protected or utilized...

It appears that the Applicant *has sustained the burden of proof* that the anticipated impacts will be relatively minimal, and that efforts have been taken to limit any impacts. We suggest that the Preliminary-Final Plan for the proposed Cole Cabin on the Mineral King Lode in Prospect Gulch can be approved by the County, in accordance with the San Juan County Zoning and Land Use Regulations Section 4-103.

Please contact Engineer Mountain, Inc., Project Architects Rick and Keegan Feeney, or Applicant/Owner David Cole if you have any questions.

Thank you,



Lisa M. Adair PE
Engineer Mountain Inc.

2023 Commissioner Redistricting

Redistricting is the process of redrawing county commissioner district boundaries so they accurately reflect population changes in Colorado counties. In San Juan County, all three commissioners are elected by the voters of the entire county, but each commissioner must reside in a separate district.

By law, all counties must review their commissioner district boundaries after each federal census to ensure the districts are as equal in population as possible. Traditionally, this review occurred in the year following the federal census and had to be completed by September 30. However, significant delays in the availability of population data from the 2020 Census due to the COVID-19 pandemic made it impossible for counties to conduct the mandated review by the statutory deadline in 2021. [House Bill 21-1047](#) enacted in the legislative session attempted to correct this issue by making a number of important changes to the county redistricting statute - including the timing of the mandated review. The new deadline to review and complete redistricting is **September 30, 2023**.

The 2020 Census Bureau data reflects San Juan County's population at **705**, only slightly up from 699 in 2010. However, the three districts must be re-drawn **due to shifts in the population of individual Census Blocks within the County**. Revised Statutory Requirements for County Redistricting CRS 30-10-306(1): "In no event shall there be more than **five percent deviation** between the most populous and the least populous district in each county, at the time such district boundaries are adopted." Previously, the statute merely stated that the commissioner districts had to be "as nearly equal in population as possible," but no specific requirements were given.

Public hearings proposing changes to the district boundaries will be held at the [regularly scheduled Board of County Commissioner meetings](#) on **September 13th** and **September 27th, 2023**.

Changes by Census Block

Census Blocks are the smallest level of geography for which basic demographic data is available from the US Census Bureau. Two particular Census Blocks were the starting point for the proposed district boundary changes.

The most populous Census Block within San Juan County (Block #1081) has 80 people. It is irregular in shape and includes portions of current Districts 2 and 3 on either side of 10th Street on the West side of Silverton. **The redistricting process must put this block into a single district**, which then requires further boundary changes to keep the districts in balance.

The Census Block that includes Cascade Village in the most southern portion of the county (Block #1157) has a population of 39. In order to keep districts contiguous and in balance, Cascade Village likely needs to be in a different district than the most populous block described above. [Map to be available soon]

Proposed Option A

[Interactive Map Link](#) | [Map with Census Block Population](#) (pdf) | [Map with Aerial Imagery](#) (pdf)

Retains the 10th Street and Greene Street boundary lines as much as possible; Moves Cascade Village from District 3 to District 1.

District 1: Population 234

- Within Silverton: remains generally North of 10th Street and East of Greene Street
- North of Silverton: includes all Blocks East of County Road 2 (unchanged)
- South of Silverton: includes all Blocks East of Highway 550 (the Animas River was the previous dividing line)
- South County: Adds the Census Block that includes Cascade Village West of Highway 550

District 2: Population 231

- Within Silverton: remains generally North of 10th Street and West of Greene Street, EXCEPT for Block #1081
- Northwest of Silverton: bounded by County Road 2 and Highway 550, which includes Anvil Mountain Subdivision

District 3: Population 240

- Within Silverton: remains generally South of 10th Street, but also includes Block #1081 that extends northward on the West side of Town
- Outside of Silverton: Includes all Census Blocks South and West of Highway 550, EXCEPT for Block #1157 which includes Cascade Village

Proposed Option B

[Interactive Map Link](#) | [Map with Census Block Population](#) (pdf) | [Map with Aerial Imagery](#) (pdf)

On the interactive map, after clicking on map link, uncheck Option A and check Option B

Retains Cascade Village in District 3; Largely does away with the existing 10th Street boundary line

District 1: Population 234

- Within Silverton: remains generally North of 10th Street and East of Greene Street, with several exceptions listed from North to South:
 - EXCEPT: the 2 blocks bounded by Greene St, 11th St, and Mineral Street
 - INCLUDES: South of 10th Street and East of Cement Street
 - INCLUDES: South of 9th Street and East of Mineral Street
 - INCLUDES: South of 8th Street and East of Empire Street

- INCLUDES: South of 7th Street and East of Greene Street
- Outside of Silverton: includes all Census Blocks East of Highway 550 (the Animas River was the previous dividing line)

District 2: Population 236

- Within Silverton: all blocks West of Greene Street and North of County Road 2 and North of Highway 550 with the following exceptions:
 - EXCEPT: the six blocks South of 13th Street and East of Snowden Street and North of 10th Street
 - EXCEPT: the block South of 11th Street, East of Bluff Street and North of 10th Street
 - EXCEPT: the four blocks South of 10th Street, East of Reese Street and North of 6th Street
- Outside of Silverton: bounded by County Road 2 and Highway 550, which includes Anvil Mountain Subdivision

District 3: Population 235

- Within Silverton: adds nine blocks North of the current 10th Street dividing line, and subtracts several blocks on the south end of Town as described above in Option B, District 1.
- Outside of Silverton: Includes all Census Blocks South and West of Highway 550

Prior Commissioner Districts (2011-2023)

Prior Commissioner District Map

District 1 - Generally East of Greene Street and North of 10th Street

District 2 - Generally West of Greene Street and North of 10th Street

District 3 - Generally South of 10th Street

Files

[Prior Commissioner District Map \(2011-2023\)](#) 1.69 MB

[Option A Map with Census Block Population](#) 1.3 MB





[Option B Map with Census Block Population](#) 1.3 MB

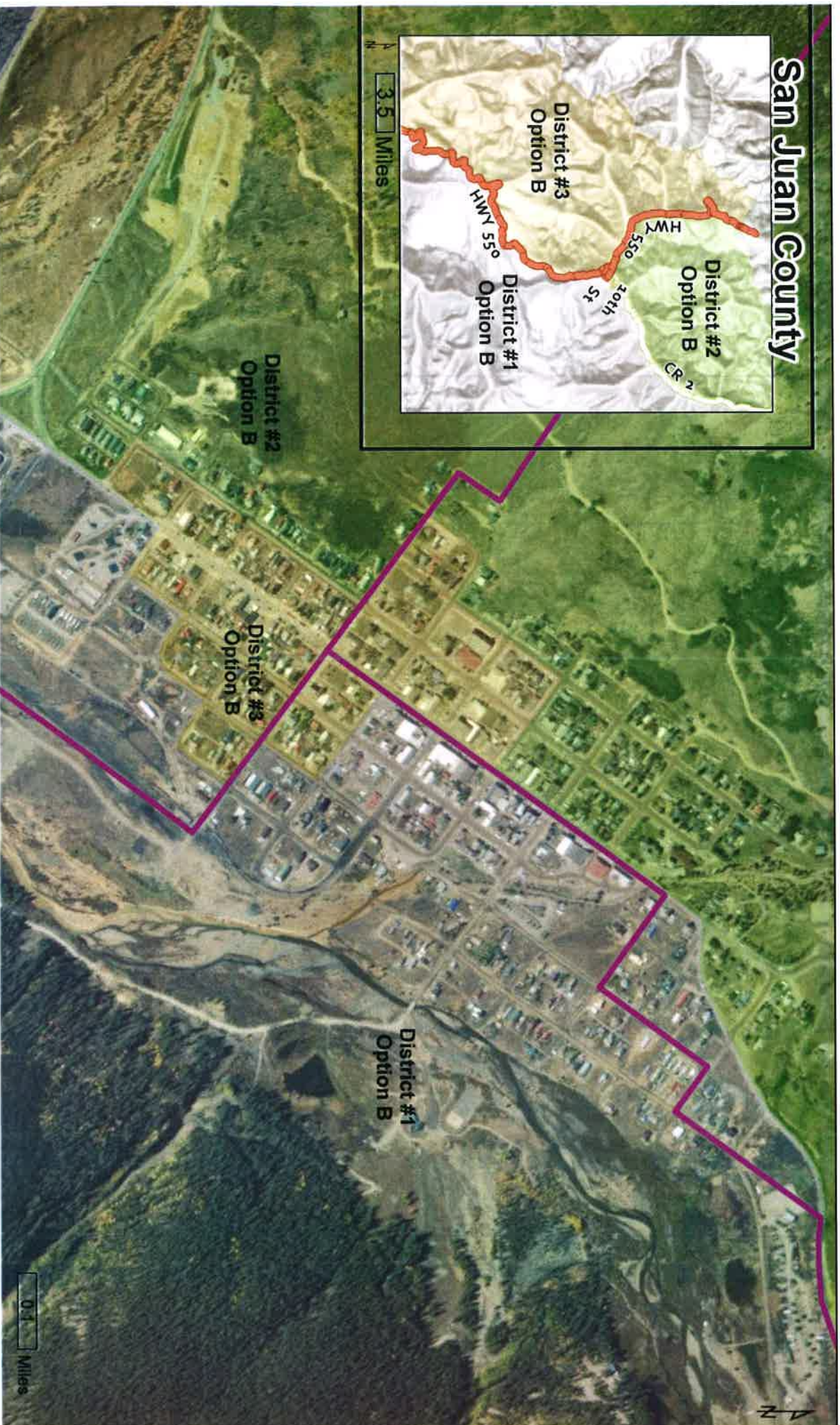
[Option A Map with Aerial Imagery](#) 1.38 MB

[Option B Map with Aerial Imagery](#) 1.38 MB



San Juan County Proposed Districts *Option B*

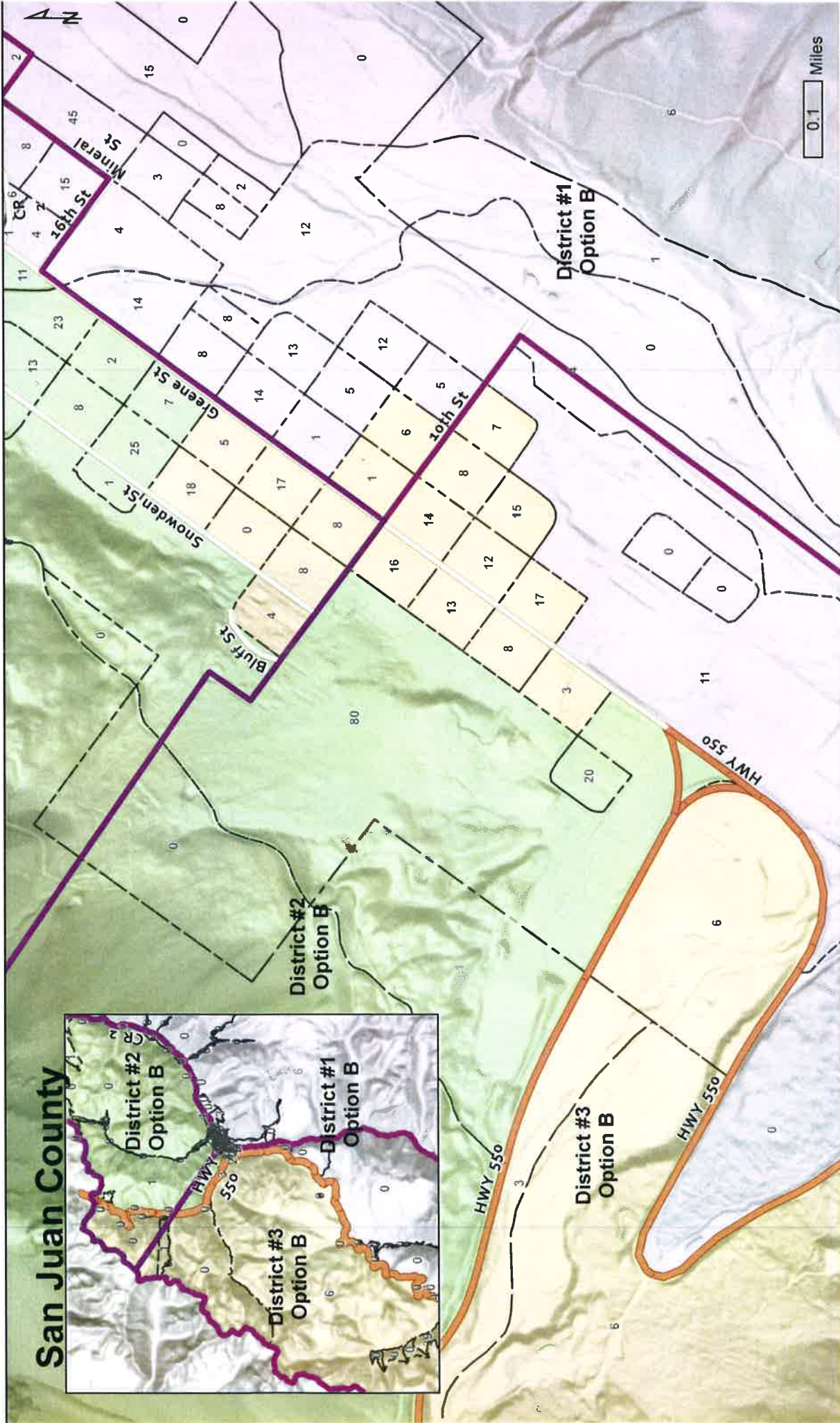
-  Prior Commissioner Boundaries
-  District #1 Option B
-  District #2 Option B
-  District #3 Option B





San Juan County Proposed Districts Option B

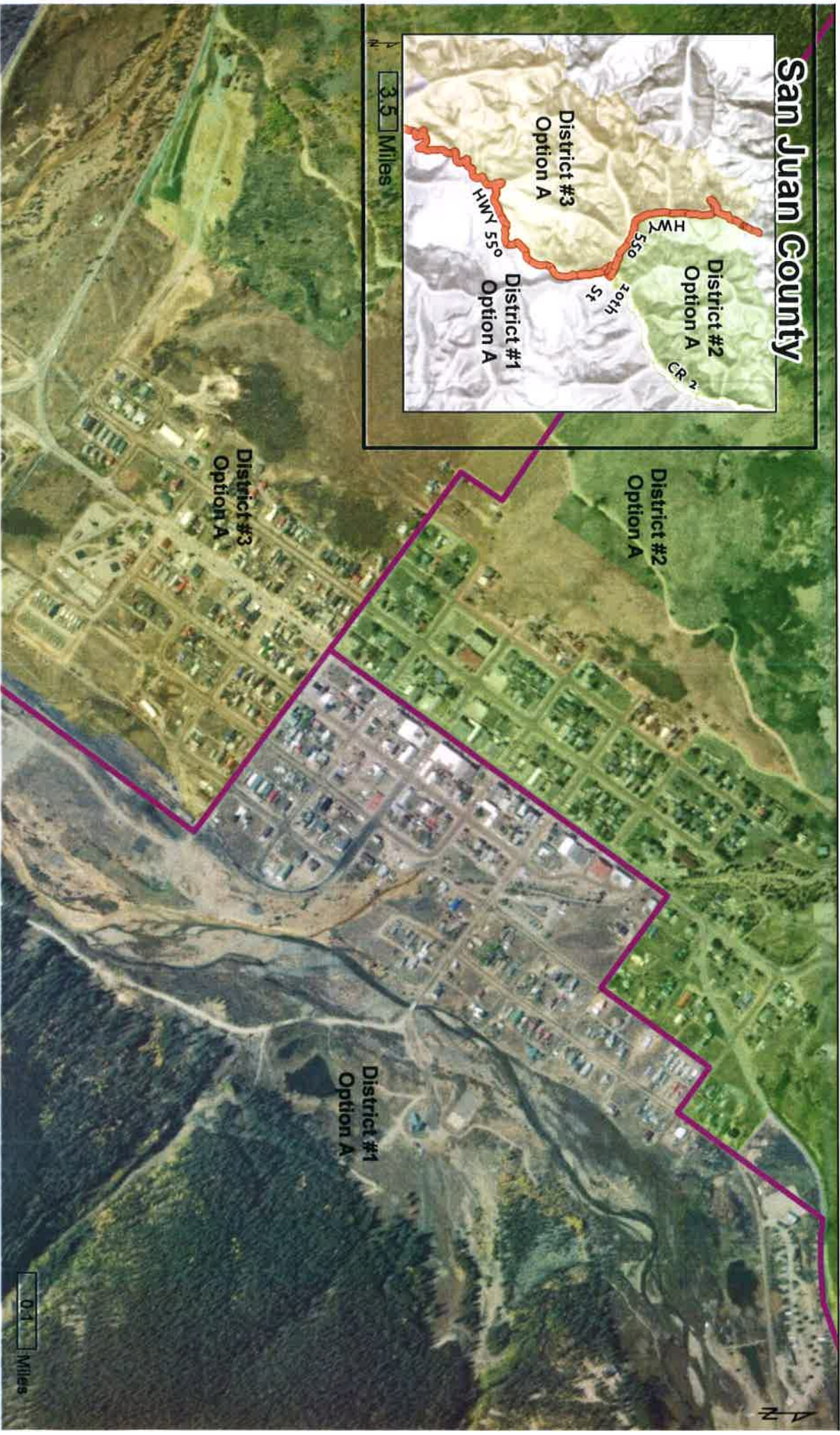
- Census Blocks Labeled by Population Count
- Prior Commissioner Boundaries
- Roads
 - Road
 - Highway
- District #1 Option B
- District #2 Option B
- District #3 Option B





San Juan County Proposed Districts *Option A*

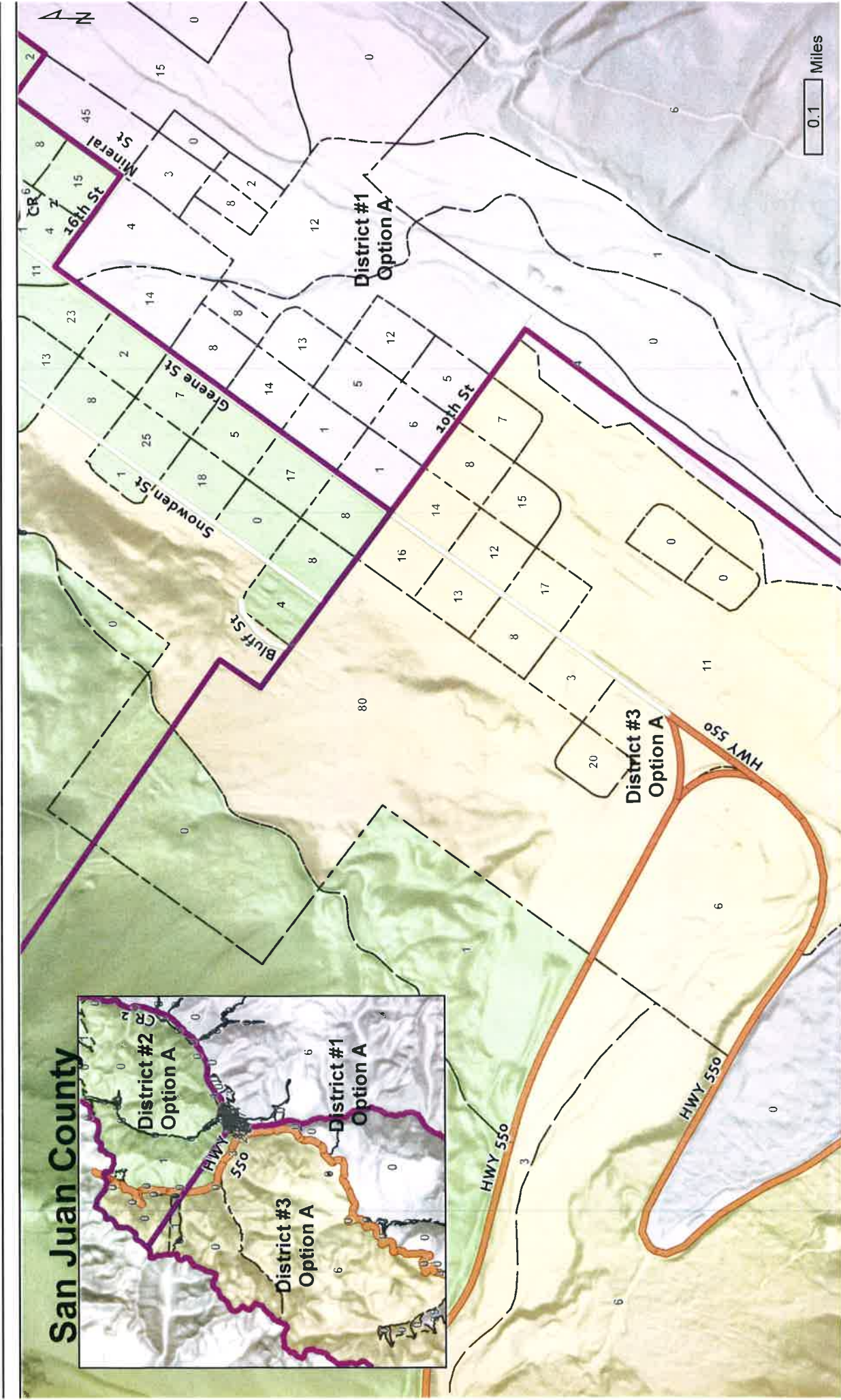
-  Prior Commissioner Boundaries
-  District #1 Option A
-  District #2 Option A
-  District #3 Option A





San Juan County Proposed Districts Option A

- Census Blocks Labeled by Population Count
- Prior Commissioner Boundaries
- Roads
 - Road
 - Highway
- District #1 Option A
- District #2 Option A
- District #3 Option A



SAN JUAN COUNTY PUBLIC HEALTH ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS 2024

1. Title and Authority

These requirements will be known as the "San Juan County Public Health (SJCPH) On-site Wastewater Treatment Systems Regulations 2024."

These requirements have been adopted by the San Juan County Public Health Board of Health (SJCPH or "Board of Health") pursuant to and under authority contained in the On-site Wastewater Treatment System Act, 25-10-101, *et seq.* C.R.S. ("OWTS Act").

Unless otherwise partially or fully designated to a different entity, the Board of Health designates San Juan County Public Health (SJCPH) to implement these Regulations on behalf of the Board of Health. In the event of a partial or full designation to an entity other than SJCPH, said designation shall be effectuated through the execution of an IGA or MOU, setting forth, *inter alia*, the scope of the designation. In the event of a partial designation, SJCPH shall take any implementation action beyond the scope otherwise delegated to another entity.

2. Scope and Purpose

A. Declaration

1. This regulation applies to On-site Wastewater Treatment Systems (OWTS) as defined in section 25-10-103(12), C.R.S.

B. Purpose

1. The purpose of these Regulations is to establish the minimum standards for the location, design, construction, performance, installation, alteration and use of OWTS with a design capacity equal to or less than 2,000 gallons per day within the Jurisdiction defined below.

C. Jurisdiction

1. These Regulations apply to all OWTS in the unincorporated areas of San Juan County and over all municipal corporations within the territorial limits of San Juan County, Colorado.

D. Prohibition of OWTS Where Public Sewer Service is Available and Feasible

1. An OWTS permit must not be issued to any person when the subject property is located within a municipality or special district that provides public sewer service, except where such sewer service to the property is not feasible according to the determination of the municipality or special district, or the permit is otherwise authorized by the municipality or special district. [43.4(B)(11)]

E. Severability

1. Should any section, clause, or provision of these Regulations be declared by a court of competent jurisdiction to be invalid, such decision will not affect the validity of these Regulations as a whole, or any part thereof other than the part declared to be invalid.

F. Access to Site [43.4(D)]

1. For the purpose of inspecting and enforcing applicable regulations and the terms and conditions of any permit issued and responding to complaints, SJCPH and SJCPH may enter upon private property at reasonable times and upon reasonable notice for the purpose of determining whether or not an operating OWTS is functioning in compliance with the OWTS Act and applicable regulations adopted pursuant thereto and the terms and conditions of any permit issued and to inspect and conduct tests in evaluating any permit application.
2. The owner or occupant of every property having an OWTS must permit SJCPH and SJCPH access to the property to make inspections, conduct required tests, take samples, and monitor compliance.

G. Enforcement [43.4(P) and 43.4(Q)]

1. SJCPH may issue an order to cease and desist from the use of any OWTS or sewage treatment works which is found by the Public Health Director or Interim Public Health Director not to be functioning in compliance with the OWTS Act or with applicable regulations or is found to constitute a hazard to public health, or has not otherwise received timely repairs, as provided for in Section 43.4(P) of Regulation 43. Such an order may be issued only after a hearing which shall be conducted by the health officer not less than 48 hours after written notice thereof is given to the owner or occupant of the property on which the system is located. The order shall require that the owner or occupant bring the system into compliance or eliminate the health hazard within thirty days, or thereafter cease and desist from the use of the system. A cease and desist order issued by the health officer shall be reviewable in the district court for the county wherein the system is located and upon a petition filed not more than ten days after the order was issued.
2. The Board of Health may issue penalties for violations as provided for in Section 43.4(Q) of Regulation 43.

3. **Incorporation of Regulation 43**

A. Included By Reference

1. The requirements of the Colorado Water Quality Control Commission's "On-site Wastewater Treatment System Regulation, Regulation 43, 5 CCR 1002-43, Effective date, April, 30, 2018" (hereafter, "Regulation 43"), as amended, are made a part of these Regulations and will apply except where identified as an option of the local public health agency or where these regulations are more stringent than Regulation 43. All aspects of an On-site Wastewater Treatment System including, but not limited to, permits, design, performance, location, construction, alteration, inspection, maintenance and use must be as provided in Regulation 43 and any additional requirements contained in these Regulations.
2. Allowable local options identified in Regulation 43 and the designated decisions for these Regulations are identified in the attached "Appendix A to OWTS Regulations for San Juan County Public Health." Appendix A is made a part of these Regulations.

4. **Permits and Fees**

A. Permits [43.4(B)]

1. Prior to installing, altering, expanding or repairing an OWTS, the applicant must obtain a permit from SJCPH.
2. The permit application shall be on forms acceptable to SJCPH, and shall include information identified in section 43.4(B)(3) of Regulation 43. The following additional information shall be provided, unless waived in writing by SJCPH:
 - a. County parcel number.
 - b. Number of dwellings and bedrooms served by the OWTS.
 - c. Type of water supply.
 - d. Owner's signature.
 - e. Contact information for owner or designated agent.
3. An OWTS permit expires one year after the date of issuance if construction has not commenced. After expiration, a new application must be required to begin construction. Failure to complete installation of an authorized OWTS within two years of permit issuance shall render the permit void, unless extended in writing by SJCPH.
4. Any change in plans or specifications of the OWTS after the permit has been issued invalidates the permit unless the permittee receives written approval from SJCPH of the

proposed changes or specifications. After a permit is invalidated, a new application and subsequent permit is required to begin or complete construction.

5. Repair permits must identify a reasonable period of time in which the owner must make repairs prior to expiration of the permit.
6. Application for a product development permit may be approved by the Board of Health consistent with requirements of section 43.4(l) of Regulation 43.

B. Board of Health Review [43.4(B)(9)]

1. When an application is denied by SJCPH, an applicant may appeal the denial to the Board of Health.
2. The appeal shall be made to the Board of Health within 30 days after denial of an OWTS permit application by SJCPH.
3. The applicant's appeal shall include a written statement explaining the basis of the appeal. The burden of proof is on the applicant to demonstrate that SJCPH's denial of a permit was both arbitrary and capricious and not in accordance with these Regulations.
4. The appeal shall be accompanied by all required appeal fees.
5. The appeal shall be heard by the Board of Health at the next available agenda following an adequate notice period.
6. After hearing the appeal, the Board of Health will issue its written opinion concerning the appeal which shall include the following:
 - a. Findings of the Board of Health.
 - b. Facts upon which the findings were based.
 - c. Reference to laws or regulations upon which the Board of Health decision was based.

C. Fees [43.4(B)(4)]

1. Permit fees and fees for other services and tests associated with OWTS will be set by the Board of Health, in conformance with section 43.4(B)(4) and (5) of Regulation 43 and 25-10-107, C.R.S.
2. Waiver of fees [43.4(B)(4)(c)]:
 - a. The Board of Health may adopt a procedure for waiving permit fees and fees for other services and tests associated with OWTS for cases of financial hardship.

D. Surcharge [43.4(B)(5)]

1. A surcharge of \$23.00 will be collected for each permit issued by SJCPH. Of that fee, SJCPH will retain three dollars to cover administrative costs and twenty dollars must be transmitted to the Colorado Department of Public Health for use in funding the State's OWTS program.

5. Inspections [43.4(E)]

A. Septic Tank [43.9(B)(3)(c)], Soil Treatment Area and Related Components [43.4(F)(3)]

1. The applicant, their agent, a licensed System Contractor or Professional Engineer must notify SJCPH at least two business days prior to the requested time of inspection so SJCPH can conduct a field inspection of the septic tank, the soil treatment area and all related components of the OWTS before backfilling. The septic tank and soil treatment area installation shall be substantially complete prior to the requested inspection. SJCPH may, at its own initiative, perform an inspection at any time during the construction process.
2. Availability of Soil Profile Pit for Inspection

- a. The applicant, their agent, a licensed System Contractor, registered Soil Technician, or Professional Engineer shall notify SJCPH at time of soil profile test pit evaluation as described in section 43.5.D of Regulation 43.
- b. Following the soil profile test pit evaluation and notification to SJCPH, the soil profile pit shall remain unfilled until inspected by SJCPH, unless SJCPH provides notification to applicant, agent, licensed System Contractor, registered Soil Technician, or Professional Engineer that the pit may be filled sooner. The test pit shall be protected from public access as described in section 43.5.E.1 of Regulation 43.

B. Re-Inspection

1. If the field inspection described in 5.A is unsatisfactory or reveals construction errors or deviations from the authorized design or information contained within the permit application, SJCPH shall provide notification of any deficiencies to the Systems Contractor or Owner. SJCPH may, at its discretion, require and perform a re-inspection following notification that the deficiencies have been corrected. If a re-inspection is required, backfilling the OWTS prior to re-inspection is prohibited.

6. Licensing of Systems Contractors and Cleaners and Registration of Competent Technicians

A. Systems Contractors [43.4(K)(1)]

1. No person shall excavate, install, construct, alter, or repair an OWTS unless he/she holds a valid Systems Contractor License issued by SJCPH. Licenses shall expire on December 31st of each year and are subject to an annual renewal. Fees for licensure and renewal shall be set by the Board of Health.
2. Obtaining a License
 - a. All Systems Contractors seeking a license shall be required to attend a designated training course and to demonstrate adequate knowledge of these Regulations, based upon passing a written test or such other means as determined by SJCPH.
 - b. System Contractors renewing a license from the previous year are exempt from the requirement to complete a training course, unless changes to Regulation 43 have occurred.
 - c. System Contractors holding a current license from another local public health agency in Colorado are exempt from the requirement to complete a SJCPH-designated training course but must still obtain a license from SJCPH.
 - d. Applications for Systems Contractors licenses or renewals shall be made on forms acceptable to or provided by SJCPH.
 - e. System Contractors who held a San Juan Basin Public Health license in good standing on December 30, 2023, can obtain a 2024 license from SJCPH without completing an SJCPH-provided training course or passing a written test.
3. Standards of Performance
 - a. The Systems Contractor shall have the authorized OWTS permit in his/her possession at the time construction begins, and at time of SJCPH inspection and re-inspection.
4. Revocation of a Systems Contractor's License
 - a. A Systems Contractor's license may be suspended or revoked by the Board of Health for failure to comply with the OWTS Act or these Regulations. Examples of failure to comply with the OWTS Act or these Regulations include but are not limited to the following:

- (1) Installation, construction, alteration, or repair of an OWTS without an OWTS permit that has been authorized for construction.
 - (2) Failure to obtain approval of an OWTS, via an inspection by SJCPH, prior to backfill.
 - (3) Misrepresentation of facts or data in order to secure an OWTS permit or construction authorization.
 - (4) Failure to notify SJCPH of failed or malfunctioning systems identified within their care or work.
 - b. Such a suspension or revocation shall be made only after a hearing before the Board of Health. The Systems Contractor shall be given at least 20 days' written notice of such hearing, via hand delivery or certified mail, return receipt requested. The Systems Contractor may be present with counsel and be heard at the hearing.
 - c. Should the Board of Health hearing result in a decision to suspend or revoke a Systems Contractor's license, such decision, including a listing of violations and any conditions set forth by the Board of Health, shall be forwarded in writing to the Systems Contractor, either by hand delivery or certified mail, return receipt requested.
- B. Systems Cleaners [43.4(K)(3)]
 1. No person shall engage in the cleaning of On-Site Wastewater Treatment Systems or the transportation of septage to a disposal site unless he/she holds a valid Systems Cleaner License issued by SJCPH, or is employed by a valid licensed Systems Cleaner. Employees of a valid licensed Systems Cleaner shall not be required to be licensed as individuals. Licenses shall expire on December 31st of each year, and be subject to annual renewal. Fees for licensure and renewal shall be set by the Board of Health.
 2. Obtaining a License
 - a. All Systems Cleaners seeking a license or renewal shall be required to demonstrate adequate knowledge of these Regulations, based upon passing a written test or such other means as determined by SJCPH.
 - b. Obtaining a Systems Cleaner license shall be contingent on an inspection of the System Cleaner's equipment, unless waived by SJCPH staff.
 - c. Applications for Systems Cleaner license or renewal shall be made on forms acceptable to or provided by SJCPH.
 3. Standards of Performance
 - a. The Systems Cleaner, when cleaning a septic tank or other tank, shall remove the liquid, sludge, and scum, leaving no more than three inches of sewage of effluent in the septic tank or other tank.
 - b. The Systems Cleaner shall maintain his/her equipment to ensure that no spillage of septage will occur during transportation of the septage, and that his/her employees are not subjected to undue health hazards.
 - c. The Systems Cleaner shall dispose of the collected septage only at a Domestic Wastewater Treatment Works permitted by the Colorado Water Quality Control Division.
 - d. All Systems Cleaners shall mark the vehicles which transport septage with their business name in 6 inch letters or larger.
 - e. When in the normal course of work, a Systems Cleaner observes damaged or metal septic tanks, cesspools, failed or malfunctioning systems, or sewage being discharged onto the ground or beyond the normal area of confinement, the

Systems Cleaner shall notify the property owner and SJCPH of any such condition within 72 hours.

- f. A Systems Cleaner who performs work on systems known to be failed or malfunctioning must notify SJCPH prior to initiating work.
- g. The Systems Cleaner shall provide to the property owner or their designee a receipt listing the name, address, date, activity(s) performed, septic tank volume, number of chambers in the septic tank, and any system deficiency, malfunction, or broken equipment observed, such as cracks, infiltration, overflows, or non-standard equipment. A copy of this receipt shall be provided to SJCPH, upon request of SJCPH.

4. Revocation of a Systems Cleaner's License

- a. A Systems Cleaner's license may be suspended or revoked by the Board of Health for failure to comply with the OWTS Act, Regulation 43, or these Regulations. Examples of failure to comply with the OWTS Act or these Regulations, include but are not limited to, the following:
 - (1) Failure to maintain his/her equipment.
 - (2) Allowing spillage of septage to occur during transportation of septage.
 - (3) Subjecting his/her employees to undue health hazards.
 - (4) Disposing of septage at a site or location other than a Domestic Wastewater Treatment Works permitted by the Colorado Water Quality Control Division.
 - (5) Failure to notify SJCPH of failed or malfunctioning systems identified within their care or work.
- b. Such a suspension or revocation shall be made only after a hearing before the Board of Health. The Systems Cleaner shall be given at least 20 days' written notice of such hearing, via certified mail or hand delivery. The Systems Cleaner may be present with counsel and be heard at the hearing.
- c. Should the Board of Health hearing result in a decision to suspend a System Cleaner's license, such decision, including a listing of violations and any conditions set forth by the Board of Health, shall be forwarded in writing to the Systems Cleaner, either by hand delivery or certified mail, return receipt requested.

C. Competent Technicians

- 1. SJCPH will only accept Site and Soil Evaluations from Competent Technicians registered with SJCPH. Fees for registration shall be set by the Board of Health.
- 2. Persons wishing to register as Competent Technicians shall submit their qualifications to SJCPH. SJCPH shall register those technicians whose qualifications match the competence requirements specified in Section 43.5(l) of Regulation 43.
 - a. Submission of qualifications may occur prior to or concurrently with submission of a Site and Soil Evaluation.
- 3. Registration as a Competent Technician shall not expire, but may be suspended or revoked by SJCPH. Registered Competent Technicians are required to notify SJCPH of any changes in qualifications and changes to address, phone number, or email.
 - a. The technician shall be notified of the suspension or revocation in writing, via hand delivery or certified mail, return receipt requested, at the address on file with SJCPH.
 - b. The technician shall have the right to appeal to the Board of Health at a hearing. Appeals shall be made in writing. The technician shall be given at least 20 days'

notice of such hearing, via certified mail or hand delivery. The technician may be present with counsel and be heard at the hearing.

- c. Should the Board of Health hearing result in a decision to uphold the suspension or revocation, such decision, including a list of any violations and any conditions set forth by the Board of Health, shall be forwarded in writing to the technician, either by hand delivery or certified mail, return receipt requested.
4. Suspension or revocation of registration may occur upon, but are not limited to, the following:
 - a. Misrepresentation of facts or data contained within a Site and Soil Evaluation.
 - b. Misrepresentation of qualifications.
 - c. Failure to notify SJCPH of failed or malfunctioning systems identified within their care or work.

7. Variances [43.4(N)]

A. Variances

1. The Board of Health may approve a variance from a requirement of this Regulation. Variances are generally governed by the procedures as set forth in Regulation 43.4(N).
2. Approval of a variance must be based upon evidence presented by the applicant, or their designee, showing that the variance is justified and will pose no greater risk to public health and the environment than would a system meeting the requirements of these Regulations. Evidence and opinion from SJCPH shall be considered in making such a determination.
3. Variances shall not be granted for the situations identified in section 43.4(N)(5) of Regulation 43.

B. Variance Procedure

1. Variance requests must be provided to SJCPH, in writing, by the property owner or his/her designee. The hearing of variance requests will take place according to the following timeline:
 - a. Variance requests not requiring a public hearing, as provided for in section 7.C of these Regulations, will be heard by the Board of Health at the next regularly scheduled meeting, a minimum of fourteen days following the receipt of the request by SJCPH.
 - b. Variance requests requiring a public hearing, as provided for in section 7.C of these Regulations will be heard at the next regularly scheduled Board of Health meeting, a minimum of twenty-one days following the receipt of the request by SJCPH.
2. Variance requests must include all items identified in section 43.4(N)(2)(d) of Regulation 43.
3. The applicant has the burden of proof to demonstrate that the variance is justified and will pose no greater risk to public health and the environment than would a system meeting these Regulations. The Board of Health must determine if these standards are met prior to granting a variance. Evidence and opinion from SJCPH shall be considered in making such a determination.
4. The Board of Health has the authority to impose site-specific requirements and conditions on any variance granted.

C. Variances Requiring Public Hearings

1. A variance request may be granted only following a public hearing as provided for in section 43.5(N) of Regulation 43, with the following exceptions, which may be considered at a regularly scheduled Board of Health meeting:
 - a. A request to reduce the setback between any component of an OWTS and structures (with or without basement), as provided for in Table 7-1 of Regulation 43, if the structures involved are located on the same lot as the OWTS.
 - b. A request to reduce the setback between any component of an OWTS and a cistern not connected to a well, if the cistern and the well are on the same lot as the OWTS.
2. Public hearings for variance requests must follow the notice requirements of section 43.4(N)(2)(c) of Regulation 43.

8. Transfer of Title Inspections [43.4(L)]

- A. Property owners of a residence or other building or facility served by an OWTS shall have an inspection performed to demonstrate that the system is functioning according to design prior to the sale or transfer of title of the property. Prior to the sale or transfer of title of the property, the owners of the property shall obtain a complete Transfer of Title Acceptance Document from SJCPH, unless exempt or waived as noted by these Regulations. The Board of Health may adopt fees for issuing a Transfer of Title Acceptance Document.
- B. The following properties and situations are exempt from the requirement to obtain a Transfer of Title Acceptance Document:
 1. The property is served by an OWTS that was installed and given final approval by SJCPH or San Juan Basin Public Health within four years of the current closing date of the property. This includes finalized repair and alteration permits with components older than four years.
 2. The change in ownership is not an arm's length transaction. Examples of non-arm's length transactions include, but are not limited to, transfers between family members, parents and children and estate transactions between a spouse, parent, or child.
 3. The change in ownership is creating or ending a joint ownership if at least one person is an original owner of the property and/or the spouse, parent or child of an original property owner.
 4. The transfer of property is to a trust in the same name as the original owner, or to a limited liability company, if the original owner is one of the directors of the limited liability company.
 5. The transfer of property is a result of foreclosure or forfeiture of real property.
 6. The property owner has obtained a repair or alteration permit for the OWTS which has not expired, and the requirement to complete the repairs has been disclosed to the person acquiring title to the property.
- C. Obtaining a Transfer of Title Acceptance Document
 1. Transfer of Title Acceptance Documents will only be issued for properties served by a permitted OWTS, unless the OWTS on the property clearly predates the OWTS permitting program adopted by the Board of Health having jurisdictional authority in 1967. Property owners with an unpermitted OWTS must apply for a permit for the system prior to applying for a Transfer of Title Acceptance Document.
 2. Applications for Transfer of Title Acceptance Documents, and inspection reports for such a purpose, must be made on forms provided by SJCPH, and include the following information:
 - a. All information required by section 43.4(L)(3) of Regulation 43.
 - b. Size of the property.

- c. Type of water supply.
 - d. Number of dwellings and number of bedrooms served by the OWTS.
 - e. Where required by Section 9 of these Regulations, a copy of a current service contract with a qualified service provider.
 - f. A record drawing showing the layout of the OWTS and all relevant setbacks. This requirement is waived if such a drawing is already on file with SJCPH and the system as inspected matches the plan on file.
 - 3. Inspections for transfer of title purposes shall be performed only by inspectors certified by the National Association of Wastewater Technicians (NAWT). Inspectors for higher-level treatment systems must have training relevant to the specific system, if public domain, or certification from the equipment manufacturer.
 - 4. A Transfer of Title Acceptance Document may be issued provided the following criteria are met:
 - a. The Minimum Criteria specified by section 43.4(L)(5) of Regulation 43.
 - b. If a wastewater pond (lagoon) exists, its configuration and the configuration of all components must match the terms of the original permit, and it must meet all of the requirements of section 43.10(I)(7) of Regulation 43.
- D. Conditional Transfer of Title Acceptance Document
- 1. If SJCPH determines that the OWTS does not meet the requirements for issuance of a Transfer of Title Acceptance Document, SJCPH may issue a Conditional Transfer of Title Acceptance Document if any of the following conditions are met:
 - a. The person acquiring title to the property agrees in writing to obtain a repair or alteration permit and complete all necessary repairs or alterations to the OWTS within 90 days of occupying the property or, at SJCPH's discretion, the date of closing.
 - b. Weather conditions, such as frozen ground, prevent the property owner from completing the necessary repairs or alterations. In this case, the property owner or person acquiring title to the property shall agree in writing to obtain a repair or alteration permit and complete necessary repairs within a reasonable time limit set by SJCPH.
 - c. Weather conditions, such as snow cover, prevent access to the property for performing an inspection. In this case, both of the following are required for SJCPH to issue a Conditional Transfer of Title Acceptance Document:
 - (1) A NAWT-certified inspector certifies, in writing, that the property was inaccessible and that payment has been made up front for an inspection to be performed when conditions allow.
 - (2) The person acquiring title to the property agrees in writing to have the inspection completed when conditions allow and, if needed, to obtain a repair or alteration permit and complete all necessary repairs within 90 days of the inspection.
- E. Revocation of a Transfer of Title Acceptance Document
- 1. SJCPH shall revoke a Transfer of Title Acceptance Document if it is determined that the system is no longer functioning in accordance with this regulation or that false or misleading material statements were made on the application or inspection reports.
 - 2. Upon revoking a Transfer of Title Acceptance Document, SJCPH shall notify the current property owner of the revocation.

9. Oversight program of inspections, maintenance, recordkeeping and enforcement for higher level treatment systems. [43.14(D)]

- A. The oversight of higher-level treatment systems with size or setback reductions will be administered and enforced by SJCPH. The Board of Health may adopt additional fees for the administration of this oversight program.
- B. Application and Permitting Requirements
 - 1. Before permitting systems with reduced soil treatment area sizes or reduced setbacks as a result of higher-level treatment, SJCPH requires recurring inspections, maintenance, recordkeeping and enforcement to ensure that the systems are meeting the designed higher-level treatment standards.
 - 2. Applications to utilize higher-level treatment with size or setback reductions shall be made to SJCPH in accordance with section 4.A of these Regulations and section 43.4(B)(3) of Regulation 43. Such application shall be accompanied by the following additional information [43.14(D)(4)(a)]:
 - a. Location and configuration of higher-level treatment system(s).
 - b. Level of treatment to be provided.
 - c. Copy of a current contract with a service provider qualified to provide maintenance and inspection of the proposed higher-level treatment system. The contract shall have a minimum duration of one year.
- C. Inspection, Maintenance and Reporting Requirements
 - 1. The property owner is responsible for having the OWTS containing a higher-level treatment system with size or setback reductions inspected and maintained by a qualified service provider.
 - a. Property owners shall maintain an active service contract with a qualified service provider at all times.
 - b. Each time his/her contract with a qualified service provider is renewed or replaced, the property owner shall submit a copy to SJCPH within 30 days of signing.
 - 2. Inspections and maintenance of higher-level treatment systems shall be performed according to the intervals specified in section 43.14(D)(4)(b) of Regulation 43.
 - 3. Service providers shall provide a copy of their inspection report and sampling results, if any, to the owner, and to SJCPH.
 - a. Inspection reports must include, at a minimum, the information specified in Section 43.14(D)(4)(a)(7) of Regulation 43, and any information the manufacturer recommends recording at time of inspection.
 - 4. Service providers must notify SJCPH when a service contract is terminated prior to the expiration date on the original contract kept on file at SJCPH.
 - 5. Service providers must obtain appropriate training and/or certification for specific proprietary treatment products as provided by the manufacturer necessary to provide the required operation and maintenance for the relevant product.

10. Existing Wastewater Ponds (Lagoons) [43.10(I)(7)]

- A. Any unpermitted, unauthorized wastewater pond or lagoon is illegal unless it clearly predates the OWTS permit program adopted by the Board of Health having jurisdictional authority in 1967 and is otherwise compliant with the criteria of section 43.10(I)(7)(b) of Regulation 43 and these Regulations. Illegal wastewater ponds or lagoons must be replaced with a permitted OWTS utilizing subsurface disposal.

- B. For requests to alter the design flow of an OWTS utilizing a lagoon, the potential risk to public health and water quality shall be evaluated by SJCPH. If SJCPH determines the risk is low, the alteration of design flow may be permitted, subject to the following requirements:
1. A professional engineer or system inspector certified by the National Association of Wastewater Technicians shall inspect the system.
 2. The professional engineer or certified inspector shall certify to SJCPH that the lagoon will meet all the requirements of section 43.10(I)(7) of Regulation 43 following the increase in design flows. SJCPH may require the professional engineer or certified inspector to provide calculations, design schematics, or a site plan documenting compliance with this Regulation.

11. Vaults [43.12(C)] and Vault Privies [43.12(D)(1)]

- A. Vaults
1. Vaults are permitted for full-time use where the property cannot accommodate an OWTS with a soil treatment area.
 2. Vaults shall conform to the design criteria specified in Section 43.12(C) of Regulation 43.
- B. Vault Privies
1. Vault Privies may be considered for approval by SJCPH if all other options are determined by SJCPH to be infeasible.
 2. Vault privies shall conform to the design criteria specified in Section 43.12(D)(1) of Regulation 43.

12. Remediation Systems [43.10(I)(10)]

- A. The use of remediation systems, as defined in Section 43.10(I)(10) of Regulation 43, is allowed with a permit from SJCPH.
1. The Board of Health shall set fees for the issuance of a remediation permit.
 2. Remediation permits shall require re-inspection of any OWTS treated with a remediation process or technology, at reasonable intervals to be set by SJCPH.

Appendix A to OWTS Regulations for San Juan County Public Health

Attached

Adopted by the Board of Health _____

Effective Date January 1, 2024

Appendix A to 2024 OWTS Regulations

Local Public Health Agency:		San Juan County Public Health		
ITEM	REQUIREMENTS See Check Box for Decision Chosen.	CROSSWALK		
		Citation Reg #43	Citation Local Reg	
Occupancy – Residential	Bedrooms 1 through 3: 2 people per bedroom	<input checked="" type="checkbox"/>	43.6.A.2e	
	All additional Bedrooms: 1 person per bedroom	<input type="checkbox"/>	43.6.A.2.f	
How the number of bedrooms in a home will be defined for flow requirements	All bedrooms: 2 persons per bedroom	<input type="checkbox"/>		
	Bedrooms: flow estimates will be determined from the number of bedrooms originally finished.	<input checked="" type="checkbox"/>		
Effluent Screen	If unfinished area is present in house, system must also be sized for 1 or 2 more bedrooms based on an assumption that 150 square feet of unfinished space can be converted into a bedroom, if the space can meet applicable code requirements for a bedroom.	<input type="checkbox"/>	43.6.A.2.h	
	May be used (<i>owner's option</i>)	<input type="checkbox"/>	43.9.J.1	
Length of Distribution Laterals (e.g., trenches or beds)	Required in all new septic tanks	<input checked="" type="checkbox"/>	43.9.J.1	
	Limit the length of distribution lines to a maximum of 100 feet.	<input type="checkbox"/>	43.10.E.2.c	
Inspection ports at initial (front) end of distribution line (e.g., lateral or chamber)	100 feet maximum for gravity fed from one end, and up to 150 feet if pressure dosed or effluent applied at center of lateral or chamber	<input checked="" type="checkbox"/>	43.10.E.2.b & c	
	Not required	<input type="checkbox"/>		
Vault Privies – new	Required	<input checked="" type="checkbox"/>	43.10.F.6.d	
	Allow new vault privies	<input checked="" type="checkbox"/>	43.12.D.1.a	11.B
Vault Privies - existing	Prohibit new vault privies	<input type="checkbox"/>	43.12.D.1.a	
	Allow continued use of existing vault privies	<input checked="" type="checkbox"/>	43.12.D.1.b	
Pit Privies - new	Require abandonment of existing vault privies	<input type="checkbox"/>	43.12.D.1.b	
	Allow new pit privies	<input type="checkbox"/>	43.12.D.2.c	
Pit Privies - existing	Prohibit new pit privies	<input checked="" type="checkbox"/>	43.12.D.2.a	
	Allow continued use of existing pit privies	<input type="checkbox"/>	43.12.D.2.c	
Slit trenches	Require abandonment of existing pit privies	<input checked="" type="checkbox"/>	43.12.D.2.b	
	Allow slit trenches	<input type="checkbox"/>	43.12.F	
Reductions in STA size or separation distances for higher level treatment systems; OWTS O/M and LPHA oversight required	Prohibit slit trenches	<input checked="" type="checkbox"/>	43.12.F	
	Allow reductions for higher level treatment.	<input checked="" type="checkbox"/>	43.14.D.2	9
Transfer of Title inspections	Reductions for higher level treatment not allowed	<input type="checkbox"/>	43.14.D.3	
	Inspection of OWTS required prior to transfer of title	<input checked="" type="checkbox"/>	43.4.L.1	8
	Inspection of OWTS NOT required	<input type="checkbox"/>	43.4.L.1	

San Juan County, Colorado

Financial Statements
and
Independent Auditor's Report

December 31, 2022

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INDEPENDENT AUDITOR'S REPORT

To the Board of County Commissioners
San Juan County, Colorado

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of San Juan County, Colorado, as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise San Juan County, Colorado's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of San Juan County, Colorado, as of December 31, 2022, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of San Juan County, Colorado, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about San Juan County, Colorado's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of San Juan County, Colorado's internal control. Accordingly, no such opinion is expressed.

Certified Public Accountants

- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about San Juan County, Colorado's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information, on pages 3 through 10 and pages 35 through 38, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise San Juan County, Colorado's basic financial statements. The combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Blair and Associates, P.C.

Cedaredge, Colorado

August 14, 2023

SAN JUAN COUNTY
Management's Discussion and Analysis
Fiscal Year Ended December 31, 2022

As management of the San Juan County (the "County"), we offer readers of the County's basic financial statements this narrative overview and analysis of the financial activities of the County for the fiscal year ended December 31, 2022. We encourage readers to consider the information presented here in conjunction with additional information provided in the financial statements.

FINANCIAL HIGHLIGHTS

- The County's assets exceeded its liabilities by \$ 10,048,186 (i.e. net position) as of December 31, 2022, an increase of \$ 979,769 in comparison to the prior year.
- Governmental funds reported combined ending fund balances of \$ 4,180,093 an increase of \$ 1,115,599 in comparison with the prior year.
- The County's fund balance for the General Fund was \$ 1,435,109, an increase of \$ 842,214 in comparison to the prior year.
- Total long-term liabilities decreased by \$ 28,406 during the 2022 fiscal year with one new debt issued in the amount of \$117,816.
- General property tax, sales tax, and other tax totaled \$ 2,474,698 or 65% of general revenues.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the County's basic financial statements. The basic statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements.

Government-wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the County's finances in a manner similar to a private-sector business.

The **statement of net position** presents information on all the County's assets, liabilities and deferred inflow of resources, with the difference reported as net position. Over time, the increases or decreases in net position may serve as a useful indicator of whether the financial position of the County is improving or deteriorating.

The **statement of activities** presents information showing how the County's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*.

Thus, revenues and expenses reported in this statement for some items will result in cash flows in future periods (e.g. uncollected taxes and earned but unused personal time).

The government-wide financial statements distinguish functions of the County that are principally supported by taxes and intergovernmental revenues (*Governmental Activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*Business-type Activities*). The Governmental Activities of the County include general government administration, police, fire, public works, and tourism.

Fund Financial Statements

A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Fund accounting is used to ensure and demonstrate compliance with finance-related legal requirements. The County's funds can be divided into two categories: Governmental Funds and Fiduciary Funds.

Governmental Funds – *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *short-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's short-term financing requirements. The accounting method is called *modified accrual* accounting.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental activities in the *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's short-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The County maintains four major government funds, the General, Road and Bridge, Social Services and Emergency Services Sales Tax Funds. Information is presented separately in the governmental fund balance sheets and in the governmental fund statement of revenues, expenditures, and changes in fund balances for those funds.

Fiduciary Funds-The County maintains one type of fiduciary fund.

Notes to Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Net Position

As noted previously, net position may serve over time as a useful indicator of the County's financial position. For the year ended December 31, 2022, the County's combined assets exceeded liabilities and deferred inflow of resources by \$ 10,048,186. Of this amount, \$ 2,226,047 is unrestricted and available to meet the County's ongoing financial obligations.

By far the largest portion of net position is the investment in capital assets (net of related debt) of \$ 5,561,402 (55% of net position). This amount reflects the investment in all capital assets (e.g. infrastructure, land, buildings, and equipment) less any related debt used to acquire those assets that are still outstanding. These capital assets are used to provide services to citizens; consequently, these assets are not available for future spending. Although the investment in capital assets is reported net of debt, it should be noted that the resources needed to repay this debt must be provided from other sources since capital assets themselves cannot be used to liquidate these liabilities.

The following table summarizes the County's governmental and business-type net positions for 2022 and 2021:

	Governmental Activities		Business-Type Activities	
Assets	2021	2022	2021	2022
Current and other assets	\$ 4,558,875	\$ 5,555,344	\$ 204,810	\$ 332,410
Capital assets	5,537,962	5,316,509	1,955,008	1,884,625
Total assets	10,096,837	10,871,853	2,159,818	2,217,035
Current Liabilities	587,750	468,910	24,700	25,719
Non-current liabilities				
Leases payable	411,714	412,300	1,106,758	1,079,013
Total liabilities	999,464	881,210	1,131,458	1,104,732
Deferred Inflow of Resources				
Deferred revenues	1,057,316	1,054,760	-	-
Net Position				
Investment in capital assets, net of related debt	4,974,979	4,755,790	848,250	805,612
Restricted	2,020,405	2,260,737	-	-
Unrestricted	1,044,673	1,919,356	180,110	306,691
Total net position	\$ 8,040,057	\$ 8,935,883	\$ 1,028,360	\$ 1,112,303

An additional portion of net position, \$ 2,260,737, represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position, \$ 2,226,047 (22% of net position), may be used to meet the government's ongoing obligations to citizens and creditors.

Change in Net Position

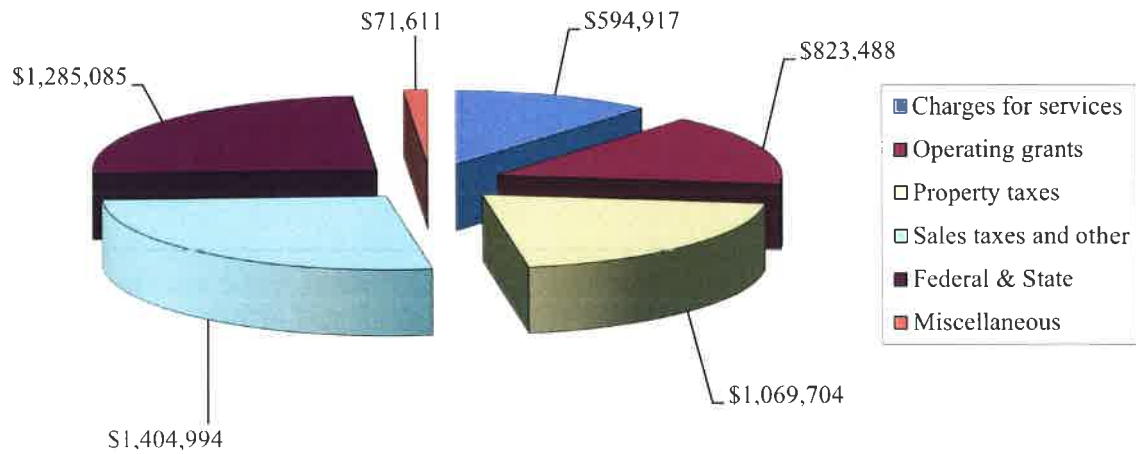
Governmental and business-type activities increased the County's net position by \$ 979,769 in 2022.

	Governmental Activities		Business-Type Activities	
	2021	2022	2021	2022
Revenues				
Program revenues				
Charges for services	\$ 487,443	\$ 594,917	\$ 155,069	\$ 132,051
Operating grants	868,199	823,488	-	-
Capital grants	-	-	-	-
General revenues				
Property taxes	914,781	1,069,704	-	-
Sales taxes and other	1,323,176	1,404,994	-	-
Federal and State	820,145	1,285,085	-	-
Gain on sale of assets	-	-	-	120,810
Miscellaneous	40,711	71,611	127	203
Totals	<u>4,454,455</u>	<u>5,249,799</u>	<u>155,196</u>	<u>253,064</u>
Expenses				
General Government	1,624,889	1,673,562	-	-
Judicial	25,366	25,220	-	-
Public safety	1,269,573	1,259,657	-	-
Health and welfare	530,441	673,281	-	-
Public works	600,006	613,123	-	-
Tourism	53,155	109,130	-	-
Affordable housing			151,396	169,121
Total expenses	<u>4,103,430</u>	<u>4,353,973</u>	<u>151,396</u>	<u>169,121</u>
Increase in net position	351,025	895,826	3,800	83,943
Beginning	<u>7,689,032</u>	<u>8,040,057</u>	<u>1,024,560</u>	<u>1,028,360</u>
Ending	<u>\$ 8,040,057</u>	<u>\$ 8,935,883</u>	<u>\$ 1,028,360</u>	<u>\$ 1,112,303</u>

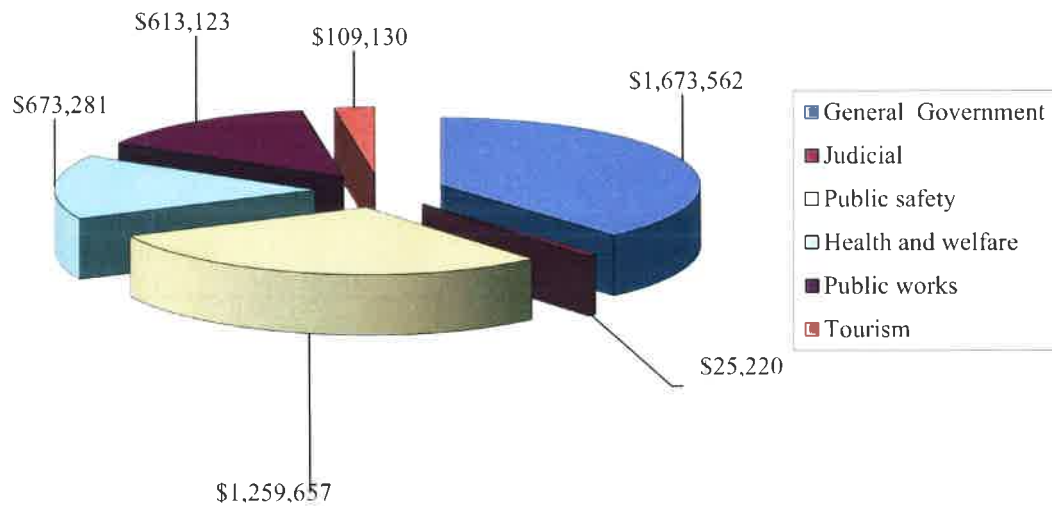
Governmental Activities

Governmental activities increased the County's net position by \$ 895,826.

Revenues by Source-Governmental Activities



Expenses by Department-Governmental Activities



FINANCIAL ANALYSIS OF GOVERNMENT'S FUNDS

Governmental funds. The focus of the County's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the County's financing requirements. In particular, unreserved fund balance may serve as a useful measure of the County's net resources available for spending at the end of the fiscal year.

As of the end of 2022 the County's governmental funds reported combined ending fund balances of \$ 4,180,093, an increase of \$ 1,115,599 in comparison with the prior year. Of the combined ending fund balances for all governmental funds 24% of this total amount, \$ 990,052, constitutes unassigned fund balance, which is available for appropriation at the County's discretion. The remainder of the fund balance is reserved to indicate that it is not available for new spending because it is already committed to meet other obligations.

The County has four major governmental funds, the General, Road and Bridge, Social Services and Emergency Services Sales Tax Funds. At the end of 2022, unassigned fund balance of the General Fund was \$ 990,052, while the total fund balance was \$ 1,435,109. As a measure of the General Fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. The fund balance of the County's General Fund increased by \$ 842,214 during 2022.

GENERAL FUND BUDGETARY HIGHLIGHTS

The County budgeted \$ 3,029,896 for 2022 expenditures. Actual expenditures were \$ 3,168,497.

Long-term Debt

	Balance January 1, 2022	Additions	Reductions	Balance December 31, 2022	Due within one year
Governmental Activities					
Leases payable	\$ 562,399	\$ 117,816	\$ (119,496)	\$ 560,719	\$ 148,419
Total	<u>\$ 562,399</u>	<u>\$ 117,816</u>	<u>\$ (119,496)</u>	<u>\$ 560,719</u>	<u>\$ 148,419</u>
Enterprise Activities					
Loan payable	\$ 1,131,458	\$ -	\$ (26,726)	\$ 1,104,732	\$ 25,719
Total	<u>\$ 1,131,458</u>	<u>\$ -</u>	<u>\$ (26,726)</u>	<u>\$ 1,104,732</u>	<u>\$ 25,719</u>

CAPITAL ASSET AND DEBT ADMINISTRATION

The County's investment in capital assets for its governmental and business-type activities as of December 31, 2022, was \$ 7,201,134. The investment in capital assets includes land, buildings, building improvements, and equipment.

	Balance January 1, 2022	Additions	Dispositions	Balance December 31, 2022
Governmental Activities				
Capital assets not being depreciated				
Land	\$ 148,584	\$ -	\$ -	\$ 148,584
	<u>148,584</u>	<u>-</u>	<u>-</u>	<u>148,584</u>
Capital assets being depreciated				
Buildings	4,743,047	-	-	4,743,047
Infrastructure	1,360,063	-	-	1,360,063
Leased equipment (Intangible Assets)	246,682	-	-	246,682
Equipment and vehicles	3,088,413	117,816	-	3,206,229
	<u>9,438,205</u>	<u>117,816</u>	<u>-</u>	<u>9,556,021</u>
Less accumulated depreciation/amortization				
Buildings	(1,203,266)	(89,265)	-	(1,292,531)
Infrastructure	(578,228)	(44,503)	-	(622,731)
Leased equipment (Intangible Assets)	(71,046)	(71,046)	-	(142,092)
Equipment and vehicles	(2,196,287)	(134,455)	-	(2,330,742)
Total	<u>(4,048,827)</u>	<u>(339,269)</u>	<u>-</u>	<u>(4,388,096)</u>
Capital assets being depreciated, net	<u>5,389,378</u>	<u>(221,453)</u>	<u>-</u>	<u>5,167,925</u>
Total governmental Activities capital assets	<u>\$ 5,537,962</u>	<u>\$ (221,453)</u>	<u>\$ -</u>	<u>\$ 5,316,509</u>
 Business-Type Activities				
Capital assets not being depreciated				
Land	\$ 406,570	\$ -	\$ -	\$ 406,570
Total	<u>406,570</u>	<u>-</u>	<u>-</u>	<u>406,570</u>
Capital assets being depreciated				
Buildings	1,759,587	-	-	1,759,587
Less accumulated depreciation	(211,149)	(70,383)	-	(281,532)
Total	<u>1,548,438</u>	<u>(70,383)</u>	<u>-</u>	<u>1,478,055</u>
Total Business-Type Activities Capital Assets	<u>\$ 1,955,008</u>	<u>\$ (70,383)</u>	<u>\$ -</u>	<u>\$ 1,884,625</u>

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

- The County's General fund has a fund balance that will cover three months of normal operations.
- The Assessed Value for San Juan County increased from 53,479,692 to 76,114,517.
- The Assessed Values for San Juan County has increased substantially.
- Overall revenues for San Juan County are projected to remain stable.
- It is anticipated that sales tax and lodging tax revenues may decrease slightly in part because of high fuel costs, Off Highway Vehicles prohibited from driving in Silverton, and a substantial decrease from visitors seeking an outdoor recreational vacation to minimize COVID risks.
- Public Health continues to realize increased state and federal grant funds.
- The Secure Rural Schools and Payment in Lieu of Taxes Federal Programs continue to provide necessary revenues for the Road and Bridge Fund.
- An Emergency Services Fund was created to fund the Ambulance Association, Fire Authority, and other Emergency Services. This fund is supported by a 2.5% sales tax approved by the voters of San Juan County and should generate more than \$980,000 in 2023.
- The Gold King Incident of 2015 has resulted in portions of San Juan County being designated as a Superfund Site by EPA. The results of this designation could have an impact on San Juan County's finances for the next 25 years.
- The Anvil Mountain Subdivision located on the former Walsh Smelter Site has been approved to allow for the development of up to 53 affordable and attainable housing units. Currently there are 10 single family homes that have been constructed on site and a 12 unit apartment has also been constructed and is currently at capacity.
- The County has an intergovernmental agreement with the Town of Silverton to provide ambulance, law enforcement, planning, code enforcement and building inspector services.
- The Town and County will fund the operation of the Fire Authority.

REQUEST FOR INFORMATION

The financial report is designed to provide a general overview of the County's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in the report or request for additional financial information should be addressed to:

County Administrator
San Juan County
PO Box 466
Silverton, CO 81433

SAN JUAN COUNTY, COLORADO
STATEMENT OF NET POSITION
December 31, 2022

	Governmental Activities	Business-Type Activities	Total
ASSETS			
Cash and cash equivalents	\$ 3,524,456	\$ 332,410	\$ 3,856,866
Restricted cash	864,833	-	864,833
Property taxes receivable	1,054,760	-	1,054,760
Accrued interest receivable	694	-	694
Accounts receivable	60,824	-	60,824
Due from other governmental units	49,777	-	49,777
Capital assets, net	5,316,509	1,884,625	7,201,134
Total assets	<u>10,871,853</u>	<u>2,217,035</u>	<u>13,088,888</u>
LIABILITIES			
Accounts payable	320,491	-	320,491
Current portion of long term debt	148,419	25,719	174,138
Long-term liabilities			
Due more than one year:			
Leases payable	412,300	-	412,300
Loan payable	-	1,079,013	1,079,013
Total liabilities	<u>881,210</u>	<u>1,104,732</u>	<u>1,985,942</u>
Deferred Inflows of Resources			
Deferred revenue	<u>1,054,760</u>	<u>-</u>	<u>1,054,760</u>
NET POSITION			
Invested in capital assets	4,755,790	805,612	5,561,402
Restricted for:			
Emergencies	112,700	-	112,700
Capital purchases	299,876	-	299,876
Gravel	144,546	-	144,546
Other purposes	1,703,615	-	1,703,615
Unrestricted	1,919,356	306,691	2,226,047
Total net position	<u>\$ 8,935,883</u>	<u>\$ 1,112,303</u>	<u>\$ 10,048,186</u>

See accompanying notes to the basic financial statements

SAN JUAN COUNTY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2022

	Program Revenues					
	Charges for		Operating		Capital	
	Service and	Fees	Contributions	Grants and	Contributions	
Functions/Programs	Expenses					
Primary government:						
Governmental activities:						
General government	\$ 1,673,562	\$ 528,767	\$ -	\$ -	\$ -	\$ (1,144,795)
Judicial	25,220	-	-	-	-	(25,220)
Public Safety	1,259,657	-	-	-	-	(1,259,657)
Health and welfare	673,281	-	135,764	-	-	(537,517)
Culture and recreation	-	-	-	-	-	-
Tourism	109,130	-	170,563	-	-	61,433
Public Works	613,123	66,150	517,161	-	-	(29,812)
Total governmental activities	4,353,973	594,917	823,488	-	(2,935,568)	(2,935,568)
Affordable Housing	\$ 169,121	\$ 132,051	\$ -	\$ -	-	(37,070)
General Revenues						
Taxes:						
Property taxes						1,069,704
Sales taxes and miscellaneous						1,404,994
Federal and state						1,285,085
Gain on sale of assets						120,810
Miscellaneous						71,814
Total General Revenues						3,952,407
Changes in Net Position						
Net Position-January 1						9,068,417
Net Position-December 31						\$ 10,048,186

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2022

	<u>General</u>	<u>Road and Bridge</u>	<u>Social Services</u>
ASSETS			
Cash and cash equivalents	\$ 1,191,454	\$ 302,949	\$ 40,882
Restricted Cash	488,523	359,403	
Property taxes receivable	1,020,500	18,700	15,560
Accrued interest receivable	694	-	
Accounts receivable	18,816	-	
Due from other funds	-	-	5,742
Due from state	-	29,808	19,969
Total assets	<u><u>2,719,987</u></u>	<u><u>710,860</u></u>	<u><u>82,153</u></u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	258,636	58,174	3,681
Due to other funds	5,742	-	-
Total liabilities	<u><u>264,378</u></u>	<u><u>58,174</u></u>	<u><u>3,681</u></u>
Deferred Inflows of Resources			
Deferred revenue	<u><u>1,020,500</u></u>	<u><u>18,700</u></u>	<u><u>15,560</u></u>
Fund balances:			
Restricted			
Emergencies	28,145	-	-
Parks and recreation	-	-	-
E-911	-	-	-
Committed			
Capital purchases	222,050	77,826	-
Gravel	-	144,546	-
Other purposes	194,862	80,974	-
Tourism	-	-	-
Health and human services	-		62,912
Assigned			
Highway and streets	-	330,640	-
Unassigned	<u><u>990,052</u></u>	<u><u>-</u></u>	<u><u>-</u></u>
Total fund balances	<u><u>1,435,109</u></u>	<u><u>633,986</u></u>	<u><u>62,912</u></u>
Total liabilities and fund balances	<u><u>\$ 2,719,987</u></u>	<u><u>\$ 710,860</u></u>	<u><u>\$ 82,153</u></u>

See accompanying notes to the basic financial statements

Emergency Services Sales Tax	Other Governmental Funds	Total Governmental Funds
\$ 1,383,783	\$ 605,388	\$ 3,524,456
-	16,907	864,833
-	-	1,054,760
-	-	694
42,008	-	60,824
-	-	5,742
-	-	49,777
<u>1,425,791</u>	<u>622,295</u>	<u>5,561,086</u>
-	-	320,491
-	-	5,742
-	-	<u>326,233</u>
-	-	1,054,760
-	84,555	112,700
-	11,840	11,840
-	59,236	59,236
-	-	299,876
-	-	144,546
1,425,791	1,988	1,703,615
-	464,676	464,676
-	-	62,912
-	-	330,640
-	-	990,052
<u>1,425,791</u>	<u>622,295</u>	<u>4,180,093</u>
<u>\$ 1,425,791</u>	<u>\$ 622,295</u>	<u>\$ 5,561,086</u>

SAN JUAN COUNTY, COLORADO
RECONCILIATION OF TOTAL GOVERNMENTAL FUND BALANCES TO THE STATEMENT OF NET POSITION
December 31, 2022

Total governmental fund balances	\$ 4,180,093
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**Amounts reported for governmental activities in the statement of activities
are different because:**

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.	5,316,509
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Long-term liabilities, including leases payable and compensated absences, are not due and payable in the current period and therefore are not reported in the funds.	
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Leases payable	(560,719)
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Net position of governmental activities	<u><u>\$ 8,935,883</u></u>
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SAN JUAN COUNTY, COLORADO
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
Year Ended December 31, 2022

	<u>General</u>	<u>Road and Bridge</u>	<u>Social Services</u>
REVENUES			
Property Taxes	\$ 1,037,897	\$ 13,626	\$ 17,119
Sales Taxes	399,998	-	-
Intergovernmental	1,285,085	517,161	135,764
Licenses and permits	1,225	-	-
Charges for services	19,277	-	-
Fees	528,767	-	-
Miscellaneous	49,866	20,415	-
Total revenues	<u>3,322,115</u>	<u>551,202</u>	<u>152,883</u>
EXPENDITURES			
Current:			
General government	1,569,392	-	-
Judicial	25,220	-	-
Public safety	1,133,794	-	-
Health and welfare	440,091	-	153,190
Tourism	-	-	-
Public Works	-	449,311	-
Debt Service	-	145,051	-
Capital outlay	-	117,816	-
Total expenditures	<u>3,168,497</u>	<u>712,178</u>	<u>153,190</u>
Excess (deficiency) of revenues over expenditures	<u>153,618</u>	<u>(160,976)</u>	<u>(307)</u>
OTHER FINANCING SOURCES (USES)			
Loan Proceeds	-	117,816	-
Transfers in (out)	688,596	-	-
Total other financing sources (uses)	<u>688,596</u>	<u>117,816</u>	<u>-</u>
Net change to fund balance	842,214	(43,160)	(307)
Fund balance, January 1	592,895	677,146	63,219
Fund balance, December 31	<u>\$ 1,435,109</u>	<u>\$ 633,986</u>	<u>\$ 62,912</u>

See accompanying notes to the basic financial statements

Emergency Services Sales Tax	Other Governmental Funds	Total Governmental Funds
\$ -	\$ 1,062	\$ 1,069,704
1,004,996	-	1,404,994
-	170,563	2,108,573
-	-	1,225
-	46,873	66,150
-	-	528,767
-	105	70,386
<u>1,004,996</u>	<u>218,603</u>	<u>5,249,799</u>
-	29,021	1,598,413
-	-	25,220
-	-	1,133,794
80,000	-	673,281
-	109,130	109,130
-	-	449,311
-	-	145,051
-	-	117,816
<u>80,000</u>	<u>138,151</u>	<u>4,252,016</u>
<u>924,996</u>	<u>80,452</u>	<u>997,783</u>
-	-	117,816
<u>(684,664)</u>	<u>(3,932)</u>	<u>-</u>
<u>(684,664)</u>	<u>(3,932)</u>	<u>117,816</u>
240,332	76,520	1,115,599
<u>1,185,459</u>	<u>545,775</u>	<u>3,064,494</u>
<u>\$ 1,425,791</u>	<u>\$ 622,295</u>	<u>\$ 4,180,093</u>

SAN JUAN COUNTY, COLORADO
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
Year Ended December 31, 2022

Net change in fund balances - total governmental funds	\$ 1,115,599
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Amounts reported for governmental activities in the statement of activities are different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period.

Capital Outlay	\$ 117,816	
Depreciation expense	<u>(339,269)</u>	(221,453)

The issuance of long-term debt provides current resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of the governmental funds. Neither transaction, however, has any effect on net position. This is the amount by which issuance of long-term debt exceeded principal payments on debt in the current period.

Loan Proceeds		(117,816)
Principal payment on long-term debt		<u>119,496</u>

Change in net position of governmental funds	<u><u>\$ 895,826</u></u>
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SAN JUAN COUNTY, COLORADO
STATEMENT OF NET POSITION-PROPRIETARY FUND
December 31, 2022

ASSETS	Affordable Housing
Current assets	
Cash and Investments	\$ 332,410
	<u>332,410</u>
Noncurrent assets	
Capital assets, net	<u>1,884,625</u>
Total Assets	<u><u>\$ 2,217,035</u></u>
Current Liabilities	
Current portion of debt	\$ 25,719
	<u>25,719</u>
Noncurrent liabilities	
Loan payable	<u>1,079,013</u>
Total Liabilities	<u>1,104,732</u>
Net Position	
Invested in capital assets net of related debt	805,612
Unrestricted	<u>306,691</u>
Total Net Position	<u><u>1,112,303</u></u>
TOTAL LIABILITIES AND NET POSITON	<u><u>\$ 2,217,035</u></u>

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
PROPRIETARY FUND
December 31, 2022

	<u>Affordable Housing</u>
Operating Revenues	
Charges for Services	\$ 132,051
Interest income	<u>203</u>
	132,254
Operating expenses	
Operating costs	58,757
Depreciation expense	<u>70,383</u>
Total Operating expenses	<u>129,140</u>
Operating Income	3,114
Other revenues (expenses)	
Interest expense	(39,981)
Lot sales	<u>120,810</u>
Total Other revenues (expenses)	<u>80,829</u>
Net Income	83,943
Net Position, beginning of year	<u>1,028,360</u>
Net Position, end of year	<u><u>\$ 1,112,303</u></u>

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
STATEMENT OF CASH FLOWS
PROPRIETARY FUND
December 31, 2022

	Affordable Housing
Cash Flows From Operating Activities	
Cash received from charges for services	\$ 132,254
Cash payments for goods and services	(58,757)
Net cash provided (used) by operating activities	<u>73,497</u>
Cash Flows from Capital and Related Financing Activities	
Interest expense	(39,981)
Principal paid on loan	(26,726)
Lot sales	120,810
Net cash provided (used) by capital and related financing activities	<u>54,103</u>
Net increase (decrease) in cash and equivalents	127,600
Cash balances, January 1	204,810
Cash balances, December 31	<u><u>\$ 332,410</u></u>
Reconciling of operating income (loss) to net cash provided (used) by operating activities:	
Operating income (loss)	3,114
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:	
Depreciation expense	70,383
Total adjustments	70,383
Net cash provided (used) by operating activities	<u><u>\$ 73,497</u></u>

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
STATEMENT OF FIDUCIARY NET POSITION
FIDUCIARY FUNDS
December 31, 2022

	<u>Treasurer's</u> <u>Agency Fund</u>
Cash and investments	<u>\$ 175,471</u>
Due to other governments	<u>\$ 175,471</u>

See accompanying notes to the basic financial statements

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting and reporting policies of San Juan County, Colorado conform to generally accepted accounting principles (GAAP) as applicable to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The following summary of significant accounting policies is presented to assist the reader in evaluating the County's financial statements.

A. Reporting Entity

San Juan County is in western Colorado, located in Silverton, Colorado. San Juan County is a political subdivision of the State of Colorado, governed by an elected three-member Board of County Commissioners. The County provides the following services directly: general government, health and human services, public safety and protection, and road and bridge services. The County provides several additional services through other governmental organizations, which are excluded or included in this report, as detailed below.

Related Entities

Public Trustee

The Public Trustee is a state statutorily mandated position, whose financial transactions are independent of the County. However, all expenditures and associated funding transactions relating to the operations of the County Office of the Public Trustee are included in the General Fund.

Jointly Funded Organization

The County, in conjunction with other counties, shares the financial support of the District Attorney of the Ninth Judicial District of the State of Colorado. In 2021, the County contributed \$22,665 for the operation of the District Attorney.

Other

The Emergency Telephone 911 board is appointed by the County Commissioners. The County has financial responsibility over the Emergency Telephone 911. The Emergency Telephone 911 is a component unit of the County and is included in the financial statements at December 31, 2022 as a special revenue fund.

B. Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all the nonfiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and user charges for support. Likewise, the *primary government* is reported separately from certain legally separate *component units* for which the primary government is financially accountable. The statement of activities demonstrates the degree to which the direct expenses of a given function or segments are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported as *general revenues*.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

B. Government-wide and Fund Financial Statements – continued

Separate financial statements are provided for governmental funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements.

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting* as are the proprietary fund and fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenues as soon as eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. The County considers revenues to be available if they are collectible within 60 days after the year end. Property taxes, sales taxes, licenses, and interest are considered to be susceptible to accrual. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing sources. When both restricted and unrestricted resources are available for use, it is the County's policy to use restricted revenues first, then unrestricted resources as they are needed.

The government reports the following major governmental funds:

General Fund: is the County's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Special Revenue Funds: are used to account for the proceeds of specific revenue sources that are restricted or committed to expenditures for specific purposes other than debt service or capital projects. The following are the County's major special revenue funds:

Road and Bridge Fund: This fund accounts for the maintenance and construction of County roads. The sources of funds include property taxes, highway users' fees, and other revenue sources.

Social Services Fund: This fund accounts for the administration and operations of the County's public health and welfare system. Financing is provided by grants, allotments, and property tax revenues.

Emergency Services Sales Tax Fund accounts for the administration and operations of the County's emergency services system. The sources of funds include sales taxes.

Proprietary fund financial statements are used to account for activities which are similar to those often found in the private sector. The measurement focus is dependent upon determination of net income, financial position, and cash flows. The County's proprietary fund is as follows:

The *Affordable Housing fund* is an enterprise fund used to provide affordable housing in the Town of Silverton.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation–continued

The proprietary funds are accounted for using the accrual basis of accounting as follows:

- Revenues are recognized when earned and expenses are recognized when the liabilities are incurred.
- Current-year contributions, administrative expenses, and premium payments, which are not received or paid until the subsequent year, are accrued.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

The County reports the following fiduciary fund type:

Agency Funds: This fund accounts for the monies held on behalf of other governments and agencies that use the County as a depository or for property taxes collected on behalf of the other governments or agencies.

As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are certain charges between the County's funds and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

D. Assets, Liabilities, and Net Position or Equity

Cash and Investments

The County considers cash and cash equivalents in funds to be cash on hand and demand deposits. In addition, because the treasury pool is sufficiently liquid to permit withdrawal of cash at any time without prior notice or penalty, equity in the pool is also deemed to be a cash equivalent.

Investments

Investments at December 31, 2022, consisted of money market mutual funds and certificate of deposits stated at fair market value and COLOTRUST stated at net asset value.

Receivable and Payable Balances

Significant components of receivables and payables are disaggregated in the financial statements. All receivables are expected to be collected within one year. All material payables are expected to be paid within one year with the exception of the amounts for the accrual for capital leases.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

D. Assets, Liabilities, and Net Position or Equity

Property Taxes

Property taxes are levied in December and attach as an enforceable lien on property as of January 1 of the following year. Taxes are payable either in two installments due on February 28 and June 15 or in full on April 30. The County, through the San Juan County Treasurer, bills and collects its own property taxes as well as property taxes of all other taxing authorities within the County. Taxes levied in 2022 for collection in 2023 are recorded in governmental funds as taxes receivable and deferred inflows of resources as of December 31, 2022 since the amount is measurable but not available until 2023. An allowance for uncollectible taxes is not provided as the uncollectible amounts were determined to be negligible based upon an analysis of historical trends.

Interfund Transactions

Transactions between funds that would be treated as revenues, expenditures, or expenses if they involved organizations external to the County are accounted for as revenues, expenditures, or expenses in the funds involved. Transactions which constitute reimbursements of a fund for expenditures or expenses initially made from that fund which are properly applicable to another fund are recorded as expenditures or expenses in the reimbursing fund and as reductions of the expenditure or expense in the fund that is reimbursed. At year end, outstanding balances between funds are reported as “due to/from other funds.” Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as “internal balances.” These amounts are eliminated in the Total Column on the “statement of net position” column. Any residual balances outstanding between “discrete presented component units” and the “primary government” are reported on a separate line.

Capital Assets

Capital assets, which include property, plant equipment, and infrastructure assets (e.g., roads, bridges and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the County as assets with an initial, individual cost of more than \$5,000 and a useful life of more than one year. All capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Donated capital assets are recorded at fair market value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Depreciation on capital assets, with the exception of infrastructure, is provided on the straight-line basis over the following estimated useful lives:

Buildings and improvements	50 Years
Equipment and Furniture	7 to 10 Years

Long-term Obligations

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, statement of net position. At December 31, 2022, the only long-term debt that San Juan County had was from the accrual of capital leases.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

D. Assets, Liabilities, and Net Position or Equity

Fund Equity

In the governmental fund financial statements, governmental funds report the following classifications of fund balance:

Non-spendable: includes amounts that are not in spendable form (such as inventory) or are required to be maintained intact.

Restricted: includes amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions or by enabling legislation.

Committed: includes amounts constrained to specific purposes by a government itself, using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest-level action to remove or change the constraint.

Assigned: includes amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority.

Unassigned: includes amounts that are available for any purpose; positive amounts are reported only in the general fund.

For the General Fund, in the event that an expenditure can be considered restricted or unrestricted (committed, assigned, or unassigned) and both categories have available amounts, the funds will be first applied against the most restrictive fund balance classification.

The order of use of funds for special revenues funds will be from the least constrained to most constrained (i.e., unassigned, assigned, committed, restricted, and then nonspendable).

Net Position

Net position represents the difference between assets and liabilities. Net position invested in capital assets consists of capital assets, net of accumulated depreciation. Net position is reported as restricted when there are constraints placed on their use either by law through constitutional provisions or enabling legislation or through restrictions externally imposed by creditors, grantors, laws, or regulations of other governments.

The reserve for emergencies as required by Section 20 to Article X of the Colorado Constitution, also known as the Taxpayer's Bill of Rights (TABOR) is classified as restricted net position on the entity-wide statements.

As provided for in the amendment the voters of San Juan County approved in November 1995 a resolution authorizing the County to collect, retain and expend revenues collected from taxes and other sources in excess of these limits.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

D. Assets, Liabilities, and Net Position or Equity

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

Contraband Proceeds

The Colorado Contraband Forfeiture Act requires the proceeds from the seizure of contraband be audited although they are not subject to the appropriations process. During 2021, the County had no proceeds from the seizures of contraband.

NOTE 2- STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

A. Budgetary Information

Annual budgets are adopted for all funds, except agency funds, of the County. The Budget Office submits a proposed operating budget for the following calendar year to the County Commissioners prior to October 15 of each year. The budget is prepared using the modified accrual basis of accounting. The operating budget includes proposed expenditures/expenses and the anticipated revenues. As required by statute, public hearings are conducted to obtain citizen's comments. Prior to the levy of property tax, the budget is legally adopted through the passage of a budget adoption and appropriation resolution.

B. Budgeted Level of Expenditures

The budgetary control is maintained at the department level for the general fund and at specific fund level for all other funds. Although the budget shows various classifications by object and by function, the department directors are authorized to transfer budgeted amounts within each of the object classifications. All annual appropriations lapse at year end. During 2022 no supplemental appropriations were made. The county could be in violation of Colorado budget law because actual expenditures exceeded budgetary amounts in the general fund.

All budget amounts presented in the accompanying supplementary information reflect the original budget and the final amended budget.

NOTE 3- CASH AND INVESTMENTS

A. Deposits

Title II, Article 10.5 of the Colorado Revised Statutes, (the Public Deposit Protection Act of 1989); require all public monies to be deposited in financial institutions that have been designated as eligible public depositories. Eligible public depositories must pledge eligible collateral, as promulgated by the State banking board, having a market value in excess of 102% of the aggregate uninsured public deposits.

NOTE 3- CASH AND INVESTMENTS – continued

A. Deposits

Eligible collateral must be held in a single financial institution collateral pool in the custody of any federal reserve bank or any branch thereof or of any depository trust company which is a member of the federal reserve system, and which is supervised by the State banking board.

The Statutes further restrict such deposits to eligible public depositories having their principal offices within the State of Colorado. Collateral in the pool is considered to be held in the County's name under custodial credit risk category by pursuant to a private letter ruling from GASB regarding public deposits in the state of Colorado. At year end the carrying amount of the County's deposits was \$3,618,736 and the bank balance was \$3,624,404. Of the bank balance \$250,000 was covered by FDIC insurance. The remaining \$3,374,404 was collateralized under the above referenced statute.

B. Investments

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local government entities may invest. Authorized investments include obligations of the United States and certain U.S. government agency securities; certain international agency securities; general obligation and revenue bonds of U.S. local government entities; bankers' acceptances of certain banks; commercial paper; written repurchase agreements collateralized by certain authorized securities; certain money market funds; guaranteed investments contracts and local government investment pools. The local government investment pool is the Colorado Government Liquid Asset Trust (COLOTRUST). This pooled investment vehicle was established by local government entities in Colorado to pool surplus funds for investment purposes. This pool is overseen by the State Securities Commission. COLOTRUST operate similarly to money market funds and each share valued at \$1.00. The investment pool is routinely monitored by the Colorado Division of Securities with regard to operations and investments. Investments consist of U.S. Treasury bills, notes and note strips, and repurchase agreements collateralized by U.S. Treasury Notes. The designated custodial bank provides safekeeping and depository services in connection with the direct investment and withdrawal functions of each pooled investment. All securities owned by each pooled investment are held by the Federal Reserve Bank in the account maintained for the custodial bank. The custodian's internal records identify the investments owned by each pool investor. These pools are not required to and are not registered with the SEC. COLOTRUST's funds are rated AAAm by Standard and Poor's, Fitch's and Moody's rating services.

Custodial Credit Risk - Investments

The County's investment policy calls for investment diversification within the portfolio to avoid unreasonable risks inherent in over investing in specific instruments, individual financial institutions or maturities. The policy allows for the investment in local government investment pools.

Interest Rate Risk

Colorado Revised Statutes and the County's investment policy limit investment maturities to five years or less from the date of purchase. This limit on investment maturities is a means of limiting exposure to fair values arising from increasing interest rates.

San Juan County
Notes to the Financial Statements
December 31, 2022

NOTE 3- CASH AND INVESTMENTS – continued

Fair Value

Fair value investments classified at Level 1 of the fair value hierarchy are valued using prices quoted in active markets for those securities. Fair value investments classified as Level 2 of the fair value hierarchy are valued using the active market rates for the underlying securities. Fair value investments classified as Level 3 of the fair value hierarchy are valued using non-observable inputs.

The County's investments carried at fair market value or amortized costs as of December 31, 2022 are:

	Fair Value Level 2	
Money Market Funds-SIGMA	\$ 96,205	N/R
Certificate of Deposits	197,683	N/R
Total	<u>\$ 293,888</u>	
	<u>Net Asset Value</u>	<u>Credit Risk</u>
Colotrust	<u>\$ 1,022,465</u>	AAA

Summary of Combined Cash and Investments Held By County.

Description	Cost
Cash on hand	\$ 200
Demand deposits	1,460,066
Colotrust	1,022,465
Certificates of deposit and savings	2,158,670
Investments	293,888
Outstanding checks and accrued interest	(38,119)
Agency Funds	(175,471)
Total	<u>\$ 4,721,699</u>

NOTE 4- LONG-TERM LIABILITIES

	Balance January 1, 2022	Additions	Reductions	Balance December 31, 2022	Due within one year
Governmental Activities					
Leases payable	\$ 562,399	\$ 117,816	\$ (119,496)	\$ 560,719	\$ 148,419
Total	<u>\$ 562,399</u>	<u>\$ 117,816</u>	<u>\$ (119,496)</u>	<u>\$ 560,719</u>	<u>\$ 148,419</u>
Enterprise Activities					
Loan payable	\$ 1,131,458		\$ (26,726)	\$ 1,104,732	\$ 25,719
Total	<u>\$ 1,131,458</u>	<u>\$ -</u>	<u>\$ (26,726)</u>	<u>\$ 1,104,732</u>	<u>\$ 25,719</u>

San Juan County
Notes to the Financial Statements
December 31, 2022

NOTE 4- LONG-TERM LIABILITIES – continued

New Shop Building – The County entered into a lease purchase agreement on March 29, 2012, with Citizens State Bank to purchase Lots 16 through 19 of block 32 in the Town of Silverton, Colorado. The amount of the lease was \$ 262,711.49 with \$ 82,711.49 paid up front. The remaining principal was \$ 180,000 payable in 15 annual \$ 12,000 principal payments plus interest paid at 4.750%. Payments are due April 1st of each year below.

Date	Principal	Interest	Total
2023	\$ 12,156	\$ 2,878	\$ 15,034
2024	12,733	2,301	15,034
2025	13,338	1,696	15,034
2026	13,972	1,062	15,034
2027	8,390	400	8,790
Total	\$ 60,589	\$ 8,337	\$ 68,926

Fire Authority Building – The County entered into a lease purchase agreement with Bank of San Juans in 2014 to finance the construction of fire authority building. The amount of the lease was \$ 292,875, which is payable in 15 annual payments of \$ 25,677, which includes principal payments plus interest paid at 3.75%. The following is a schedule of the lease payments.

Date	Principal	Interest	Total
2023	\$ 20,514	\$ 5,163	\$ 25,677
2024	21,283	4,394	25,677
2025	22,081	3,596	25,677
2026	22,909	2,768	25,677
2027	23,768	1,909	25,677
2028-2029	27,135	1,110	28,245
Total	\$ 137,690	\$ 18,940	\$ 156,630

DA Courthouse Remodel – The County entered into a lease purchase agreement to finance the DA Courthouse remodel. The amount of the lease was \$ 21,990, which is payable in 10 annual payments of \$ 2,700.69, which includes principal payments plus interest paid at 2.00%. The following is a schedule of the lease payments.

Date	Principal	Interest	Total
2023	\$ 2,495	\$ 206	\$ 2,701
2024	2,545	156	2,701
2025	2,596	105	2,701
2026	2,647	53	2,700
Total	\$ 10,283	\$ 520	\$ 10,803

San Juan County
Notes to the Financial Statements
December 31, 2022

NOTE 4- LONG-TERM LIABILITIES – continued

Anvil Apartments – The County entered into a loan agreement with Citizens State Bank to finance the construction of Anvil Apartments. The amount of the loan was \$ 1,200,000, which is payable in monthly payments of \$ 5,558.98, which includes principal payments plus interest paid at 3.75%. The following is a schedule of the lease payments.

Date	Principal	Interest	Total
2023	\$ 25,719	\$ 40,988	\$ 66,707
2024	26,701	40,007	66,708
2025	27,719	38,989	66,708
2026	28,777	37,931	66,708
2027	29,875	36,833	66,708
2028-2032	167,365	166,174	333,539
2033-2037	201,821	131,718	333,539
2038-2042	243,372	90,167	333,539
2043-2047	293,476	40,062	333,538
2048-2049	59,907	1,127	61,034
Total	<u>\$ 1,104,732</u>	<u>\$ 623,996</u>	<u>\$1,728,728</u>

Fire Truck – The County entered into a lease purchase agreement with Citizens State Bank of Ouray in 2020 to finance the fire truck. The amount of the lease was \$ 137,500, which is payable in 8 annual payments of \$ 19,713.06, which includes principal payments plus interest paid at 3.15%. The following is a schedule of the lease payments.

Date	Principal	Interest	Total
2023	16,368	3,345	19,713
2024	16,884	2,829	19,713
2025	17,416	2,297	19,713
2026	17,964	1,749	19,713
2027	18,530	1,183	19,713
2028-2029	19,023	599	19,622
Total	<u>\$ 106,185</u>	<u>\$ 12,002</u>	<u>\$ 118,187</u>

Computers and Software – The County entered into a lease purchase agreement with Citizens State Bank of Ouray in 2021 to finance computers and software for the Assessor and Clerk. The amount of the lease was \$ 39,395, which is payable in 5 annual payments of \$ 9,987.89, which includes principal payments plus interest paid at 6.45%. The following is a schedule of the lease payments.

Date	Principal	Interest	Total
2023	\$ 8,114	\$ 1,874	\$ 9,988
2024	8,637	1,350	9,987
2025	9,195	793	9,988
2026	3,105	200	3,305
Total	<u>\$ 29,051</u>	<u>\$ 4,217</u>	<u>\$ 33,268</u>

San Juan County
Notes to the Financial Statements
December 31, 2022

NOTE 4- LONG-TERM LIABILITIES – continued

Leases Payable-Road Equipment

The County entered into a lease purchase agreement with Caterpillar Financial, to finance two motor graders, in 2020. The amount of the lease was \$ 209,181, which is payable in 6 annual payments of \$ 40,926, which includes principal payments plus interest paid at 4.75%. The following is a schedule of the lease payments.

Date	Principal	Interest	Total
2023	\$ 31,594	\$ 9,332	\$ 40,926
2024	34,437	6,489	40,926
2025	37,661	3,265	40,926
Total	<u>\$ 103,692</u>	<u>\$ 19,086</u>	<u>\$ 122,778</u>

The County entered into a lease purchase agreement with Caterpillar Financial, to finance 2015 D6TVP Tractor, in 2022. The amount of the lease was \$ 117,816, which is payable in 24 monthly payments of \$ 5,274.36, which includes principal payments plus interest paid at 7.00%. The following is a schedule of the lease payments.

Date	Principal	Interest	Total
2023	\$ 57,178	\$ 6,115	\$ 63,293
2024	56,051	1,981	58,032
Total	<u>\$ 113,229</u>	<u>\$ 8,096</u>	<u>\$ 121,325</u>

NOTE 5- CAPITAL ASSETS

	Balance January 1, 2022	Additions	Dispositions	Balance December 31, 2022
Governmental Activities				
Capital assets not being depreciated				
Land	\$ 148,584	\$ -	\$ -	\$ 148,584
	<u>148,584</u>	<u>-</u>	<u>-</u>	<u>148,584</u>
Capital assets being depreciated				
Buildings	4,743,047	-	-	4,743,047
Infrastructure	1,360,063	-	-	1,360,063
Leased equipment (Intangible Assets)	246,682	-	-	246,682
Equipment and vehicles	3,088,413	117,816	-	3,206,229
	<u>9,438,205</u>	<u>117,816</u>	<u>-</u>	<u>9,556,021</u>
Less accumulated depreciation/amortization				
Buildings	(1,203,266)	(89,265)	-	(1,292,531)
Infrastructure	(578,228)	(44,503)	-	(622,731)
Leased equipment (Intangible Assets)	(71,046)	(71,046)	-	(142,092)
Equipment and vehicles	(2,196,287)	(134,455)	-	(2,330,742)
	<u>(4,048,827)</u>	<u>(339,269)</u>	<u>-</u>	<u>(4,388,096)</u>
Capital assets being depreciated, net	<u>5,389,378</u>	<u>(221,453)</u>	<u>-</u>	<u>5,167,925</u>
Total governmental Activities capital assets	<u>\$ 5,537,962</u>	<u>\$ (221,453)</u>	<u>\$ -</u>	<u>\$ 5,316,509</u>

San Juan County
Notes to the Financial Statements
December 31, 2022

NOTE 5- CAPITAL ASSETS – continued

Depreciation expense was charged to functions/programs of the primary government as follows:

<i>Governmental activities:</i>	
General government	\$ 67,801
Public safety	116,226
Public works	<u>155,242</u>
Total depreciation expense-Governmental Activities	<u>\$ 339,269</u>

	Balance January 1, 2022	Additions	Dispositions	Balance December 31, 2022
Business - Type Activities				
Capital assets not being depreciated				
Land	\$ 406,570	\$ -		\$ 406,570
Total	<u>406,570</u>	<u>-</u>	<u>-</u>	<u>406,570</u>
Capital assets being depreciated				
Building	1,759,587		-	1,759,587
Less accumulated depreciation	<u>(211,149)</u>	<u>(70,383)</u>	<u>-</u>	<u>(281,532)</u>
Total	<u>1,548,438</u>	<u>(70,383)</u>	<u>-</u>	<u>1,478,055</u>
Total Business-Type Activities Capital Assets	<u>\$ 1,955,008</u>	<u>\$ (70,383)</u>	<u>\$ -</u>	<u>\$ 1,884,625</u>

Total depreciation for Anvil Apartments in 2021 was \$70,383.

NOTE 6- DEFINED CONTRIBUTION PLAN

All eligible employees participate in the Colorado Retirement Association (CRA) (the Plan), a defined contribution plan, authorized by state statute. The Plan is a tax qualified plan under Section 401(a) of the Internal Revenue Code and all contributions by or on behalf of employees are tax deferred until time of withdrawal.

Employees are eligible after completing twelve months of service with San Juan County, and participation is mandatory after one year of employment. Employee contributions are 100% vested immediately upon employee participation in the plan and employer contributions are 100% vested after five years.

The County must contribute 3% of the compensation of each participant. Each participant contributes a minimum amount equal to the County's contribution and is permitted to make additional contributions not to exceed 10% of their compensation. For the year ended December 31, 2022, employee contributions totaled \$31,780 and the County recognized pension expense of \$31,780. The County recognized \$0 of forfeitures in retirement expense during 2022.

San Juan County
Notes to the Financial Statements
December 31, 2022

NOTE 6- DEFINED CONTRIBUTION PLAN – continued

Plan benefits depend solely on amounts contributed to the plan plus investment earnings, less administrative expenses. The Plan may be amended by resolution of the Board of County Commissioners, but it may not be amended beyond the limits established by state statute.

Complete financial statements for the retirement plans may be obtained from the CRA, 4949 S. Syracuse St., Suite 400, Denver, Colorado, 80237.

NOTE 7- DEFERRED COMPENSATION PLAN

The County also offers its employees an additional voluntary deferred compensation plan created in accordance with Internal Revenue Code 457(f), administered by Colorado Retirement Association (CRA) (the Plan).

The Plan permits the employees to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergencies. The County has no other liability other than to make the required monthly contribution.

NOTE 8- RISK MANAGEMENT

Colorado Counties Casualty and Property Pool

The County is exposed to various risks of loss related to property and casualty losses. The County has joined with other Counties in the State of Colorado to form the Colorado Counties Casualty and Property Pool (CAPP), a public entity risk pool currently operating as a common risk management and insurance program for member counties.

The Pool provides the County with general property, vehicle comprehensive and collision, and other liability insurance coverage. The County pays an annual contribution to CAPP for its property and casualty insurance coverage and the County Workers Compensation Pool (CWCP) for its general and workmen's compensation insurance coverage. The intergovernmental agreement of formation of CAPP and CWCP provides that the pool will be financially self-sustaining through member contributions and additional assessments, if necessary, and that the Pool will purchase insurance through commercial companies for members' claims in excess of a specified self-insured retention, which is determined each policy year.

NOTE 9- INTERFUND TRANSFERS

The County reports interfund transfers between many of its funds. The sum of all transfers presented in this table agrees with the sum of interfund transfers presented in the balance sheets for governmental.

Interfund transfers at December 31, 2022 were as follows:

Fund	Transfer In	Transfer Out
General	\$ 688,596	\$ -
Tourism	\$ -	\$ 3,932
Emergency Services Sales Tax	\$ -	\$ 684,664

San Juan County
Notes to the Financial Statements
December 31, 2022

Note 10 – CONTINGENCIES

Grant Programs – The County participates in a number of federal and state grant programs. These programs are subject to program compliance audits by the grantors or their representatives. The amount of expenditures, if any, which may be disallowed by the granting agencies cannot be determined at this time although the County expects any such amounts to be immaterial.

Supplementary Information

SAN JUAN COUNTY, COLORADO
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted			
	Original	Final	Actual	Variance
REVENUES				
Taxes:				
Property	\$ 1,027,767	\$ 1,027,767	\$ 1,037,897	\$ 10,130
Other	328,500	328,500	399,998	71,498
Intergovernmental	717,238	717,238	592,487	(124,751)
Licenses and permits	2,500	2,500	1,225	(1,275)
Charges for services	23,200	23,200	19,277	(3,923)
Fees	160,200	160,200	528,767	368,567
Grants	641,118	641,118	692,598	51,480
Miscellaneous	19,500	19,500	49,866	30,366
Total revenues	2,920,023	2,920,023	3,322,115	402,092
EXPENDITURES				
Assessor	147,500	147,500	135,819	11,681
Administrator	127,000	127,000	110,175	16,825
Board of County Commissioners	144,128	144,128	143,396	732
Clerk and Recorder	126,000	126,000	144,830	(18,830)
County Attorney	40,000	40,000	30,009	9,991
County Coroner	28,118	28,118	25,130	2,988
County Jail	20,000	20,000	910	19,090
District Attorney	27,490	27,490	25,220	2,270
Elections	11,000	11,000	14,543	(3,543)
Emergency Medical Services	-	-	546,400	(546,400)
Emergency Office	56,372	56,372	116,009	(59,637)
Veterans Officer	5,331	5,331	5,321	10
Fire department	-	-	191,499	(191,499)
Intergovernmental	722,356	722,356	620,114	102,242
Courthouse	108,000	108,000	118,329	(10,329)
Public Health	809,321	809,321	440,091	369,230
Miscellaneous	-	-	-	-
Treasurer's fees	60,000	60,000	30,950	29,050
Sheriff	475,280	475,280	369,855	105,425
Surveyor	2,500	2,500	2,500	-
Treasurer	119,500	119,500	97,397	22,103
Total department expenses	3,029,896	3,029,896	3,168,497	(138,601)
OTHER FINANCING SOURCES (USES)				
Loan proceeds	-	-	-	-
Transfers in	-	-	731,797	731,797
Transfers out	(51,200)	(51,200)	(43,200)	8,000
Total other financing sources and uses	(51,200)	(51,200)	688,597	739,797
Net change to fund balance	(161,073)	(161,073)	842,215	1,003,288
Fund balance, January 1	950,589	950,589	592,895	(357,694)
Fund balance, December 31	789,516	789,516	1,435,110	645,594

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
ROAD AND BRIDGE FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted			
	Original	Final	Actual	Variance
REVENUES				
Property taxes	\$ 13,824	\$ 13,824	\$ 13,626	\$ (198)
Intergovernmental:				
Federal shared revenues	90,000	90,000	101,786	11,786
State shared revenues	417,776	417,776	415,375	(2,401)
Total intergovernmental revenues	507,776	507,776	517,161	9,385
Miscellaneous:				
Refund of expenditures	3,500	3,500	585	(2,915)
Other miscellaneous revenues	10,900	10,900	19,830	8,930
Total miscellaneous revenues	14,400	14,400	20,415	6,015
Total revenues	536,000	536,000	551,202	15,202
EXPENDITURES				
Public works	511,646	511,646	443,490	68,156
Debt service	139,000	139,000	145,051	(6,051)
Treasurer's fees	5,000	5,000	5,821	(821)
Total expenditures	655,646	655,646	594,362	61,284
Excess (deficiency) of revenues over expenditures	(119,646)	(119,646)	(43,160)	76,486
OTHER FINANCING SOURCES (USES)				
Transfers in/(out)	(155,000)	(155,000)	-	155,000
Total other financing sources (uses)	(155,000)	(155,000)	-	155,000
Net change to fund balance	(274,646)	(274,646)	(43,160)	231,486
Fund balance, January 1	643,181	643,181	677,146	33,965
Fund balance, December 31	\$ 368,535	\$ 368,535	\$ 633,986	\$ 265,451

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
SOCIAL SERVICES FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted		Actual	Variance
	Original	Final		
REVENUES				
Taxes	\$ 16,699	\$ 16,699	\$ 17,119	\$ 420
Intergovernmental	160,238	160,238	135,764	(24,474)
Total revenues	<u>176,937</u>	<u>176,937</u>	<u>152,883</u>	<u>(24,054)</u>
EXPENDITURES				
Health and welfare	189,020	189,020	153,190	35,830
Total expenditures	<u>189,020</u>	<u>189,020</u>	<u>153,190</u>	<u>35,830</u>
Excess (deficiency) of revenues over expenditures	(12,083)	(12,083)	(307)	11,776
Fund balance, January 1	78,474	78,474	63,219	15,255
Fund balance, December 31	<u>\$ 66,391</u>	<u>\$ 66,391</u>	<u>\$ 62,912</u>	<u>\$ (3,479)</u>

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
EMERGENCY SERVICES SALES TAX FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted			
	Original	Final	Actual	Variance
REVENUES				
Taxes	\$ 800,000	\$ 800,000	\$ 1,004,996	\$ 204,996
Total revenues	<u>800,000</u>	<u>800,000</u>	<u>1,004,996</u>	<u>204,996</u>
EXPENDITURES				
Health and welfare	80,000	80,000	80,000	-
Total expenditures	<u>80,000</u>	<u>80,000</u>	<u>80,000</u>	<u>-</u>
Excess (deficiency) of revenues over expenditures	720,000	720,000	924,996	204,996
OTHER FINANCING SOURCES (USES)				
Transfer in	43,200	43,200	43,200	-
Transfer out	(787,178)	(787,178)	(727,864)	59,314
	<u>(743,978)</u>	<u>(743,978)</u>	<u>(684,664)</u>	<u>59,314</u>
Total other financing sources (uses) over expenditures	(23,978)	(23,978)	240,332	264,310
Fund balance, January 1	<u>995,465</u>	<u>995,465</u>	<u>1,185,459</u>	<u>189,994</u>
Fund balance, December 31	<u>\$ 971,487</u>	<u>\$ 971,487</u>	<u>\$ 1,425,791</u>	<u>\$ 454,304</u>

See accompanying notes to the basic financial statements

SAN JUAN COUNTY, COLORADO
COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS - SPECIAL REVENUE FUNDS
December 31, 2022

	Conservation Trust	Contingent	Tourism	Noxious Weeds	E-911	Total Nonmajor Governmental Funds
ASSETS						
Cash and cash equivalents	\$ 11,840	\$ 84,555	\$ 447,769	\$ 1,988	\$ 59,236	\$ 605,388
Restricted cash	-	-	16,907	-	-	16,907
Total assets	<u>\$ 11,840</u>	<u>\$ 84,555</u>	<u>\$ 464,676</u>	<u>\$ 1,988</u>	<u>\$ 59,236</u>	<u>\$ 622,295</u>
LIABILITIES AND FUND BALANCES						
Liabilities:						
Accounts payable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total liabilities	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Fund balances						
Reserved for:						
Emergencies	11,840	84,555	-	-	-	84,555
Unreserved:			464,676	1,988	59,236	537,740
Total fund balances	<u>11,840</u>	<u>84,555</u>	<u>464,676</u>	<u>1,988</u>	<u>59,236</u>	<u>622,295</u>
Total liabilities and fund balances	<u>\$ 11,840</u>	<u>\$ 84,555</u>	<u>\$ 464,676</u>	<u>\$ 1,988</u>	<u>\$ 59,236</u>	<u>\$ 622,295</u>

SAN JUAN COUNTY, COLORADO
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS - SPECIAL REVENUE FUNDS
Year Ended December 31, 2022

	Conservation Trust	Contingent	Tourism	Noxious Weeds	E-911	Total Nonmajor Governmental Funds
REVENUES						
Taxes	1,062	\$ -	\$ -	\$ -	-	\$ 1,062
Intergovernmental	-	-	170,563	-	-	170,563
Charges for services	-	-	-	-	46,873	46,873
Interest earnings	103	-	2	-	-	105
Total revenues	<u>1,165</u>	<u>-</u>	<u>170,565</u>	<u>-</u>	<u>46,873</u>	<u>218,603</u>
EXPENDITURES						
Current:						
General government	-	-	-	-	29,021	29,021
Tourism	-	-	109,130	-	-	109,130
Total expenditures	<u>-</u>	<u>-</u>	<u>109,130</u>	<u>-</u>	<u>29,021</u>	<u>138,151</u>
Excess (deficiency) of revenues over expenditures	1,165	-	61,435	-	-	80,452
OTHER FINANCING SOURCES (USES)						
Transfer out	-	-	(3,932)	-	-	(3,932)
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>(3,932)</u>	<u>-</u>	<u>-</u>	<u>(3,932)</u>
Net change to fund balance	1,165	-	57,503	-	17,852	76,520
Fund balance, January 1	10,675	84,555	407,173	1,988	41,384	545,775
Fund balance, December 31	<u>\$ 11,840</u>	<u>\$ 84,555</u>	<u>\$ 464,676</u>	<u>\$ 1,988</u>	<u>\$ 59,236</u>	<u>\$ 622,295</u>

SAN JUAN COUNTY, COLORADO
CONSERVATION TRUST FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted			
	Original	Final	Actual	Variance
REVENUES				
Intergovernmental	\$ 740	\$ 740	\$ 1,062	\$ 322
Interest Income	-	-	103	103
Total revenues	<u>740</u>	<u>740</u>	<u>1,165</u>	<u>425</u>
EXPENDITURES				
General Government	<u>6,000</u>	<u>6,000</u>	-	6,000
Total expenditures	<u>6,000</u>	<u>6,000</u>	<u>-</u>	<u>6,000</u>
Excess (deficiency) of revenues over expenditures	(5,260)	(5,260)	1,165	6,425
Fund balance, January 1	<u>10,611</u>	<u>10,611</u>	<u>10,675</u>	<u>64</u>
Fund balance, December 31	<u>\$ 5,351</u>	<u>\$ 5,351</u>	<u>\$ 11,840</u>	<u>\$ 6,489</u>

SAN JUAN COUNTY, COLORADO
CONTINGENT FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted			
	Original	Final	Actual	Variance
REVENUES				
Taxes	\$ -	\$ -	\$ -	\$ -
EXPENDITURES	10,000	10,000	-	10,000
Net change to fund balance	(10,000)	(10,000)	-	10,000
Fund balance, January 1	74,554	74,554	84,555	10,001
Fund balance, December 31	<u>\$ 64,554</u>	<u>\$ 64,554</u>	<u>\$ 84,555</u>	<u>\$ 20,001</u>

SAN JUAN COUNTY, COLORADO
TOURISM FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted		Actual	Variance
	Original	Final		
REVENUES				
Intergovernmental	\$ 155,000	\$ 155,000	\$ 170,563	\$ 15,563
Interest income	-	-	2	2
Total revenues	<u>155,000</u>	<u>155,000</u>	<u>170,565</u>	<u>15,565</u>
EXPENDITURES				
Tourism	<u>150,000</u>	<u>150,000</u>	<u>109,130</u>	<u>40,870</u>
Total expenditures	<u>150,000</u>	<u>150,000</u>	<u>109,130</u>	<u>40,870</u>
Excess (deficiency) of revenues over expenditures	5,000	5,000	61,435	56,433
OTHER FINANCING SOURCES (USES)				
Transfers out	<u>-</u>	<u>-</u>	<u>(3,932)</u>	<u>(3,932)</u>
Net change to fund balance	5,000	5,000	57,503	52,503
Fund balance, January 1	<u>196,583</u>	<u>196,583</u>	<u>407,173</u>	<u>210,590</u>
Fund balance, December 31	<u>\$ 201,583</u>	<u>\$ 201,583</u>	<u>\$ 464,676</u>	<u>\$ 263,093</u>

SAN JUAN COUNTY, COLORADO
NOXIOUS WEEDS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
Year Ended December 31, 2022

	Budgeted			
	Original	Final	Actual	Variance
REVENUES				
Intergovernmental	\$ -	\$ -	\$ -	\$ -
EXPENDITURES				
General Government	-	-	-	-
Total expenditures	-	-	-	-
Net change to fund balance	-	-	-	-
Fund balance, January 1	1,988	1,988	1,988	1,988
Fund balance, December 31	<u>\$ 1,988</u>	<u>\$ 1,988</u>	<u>\$ 1,988</u>	<u>\$ -</u>

LOCAL HIGHWAY FINANCE REPORT

STATE

CALIFORNIA

YEAR ENDING (mm/yy)

12/02

This Information From The Records Of

County of Los Angeles

Prepared By

William A. Busky

I. DISPOSITION OF HIGHWAY-USER REVENUES AVAILABLE FOR LOCAL GOVERNMENT EXPENDITURE

ITEM	A. Local Motor-Fuel Taxes	B. Local Motor-Vehicle Taxes	C. Receipts from State Highway-User Taxes	D. Receipts from Federal Highway Administration
1 Total receipts available				
2 Minus amount used for collection expenses				
3 Minus amount used for nonhighway purposes				
4 Minus amount used for mass transit				
5 Remainder used for highway purposes				

II. RECEIPTS FOR ROAD AND STREET PURPOSES

ITEM	AMOUNT
A. Receipts from local sources:	
1 Local highway-user taxes	
a Motor Fuel (from Item I A 5)	
b Motor Vehicle (from Item I B 5)	
c Total (a + b)	
2 General fund appropriations	
3 Other local imposts (from page 2)	\$ 15,159.89
4 Miscellaneous local receipts (from page 2)	\$ 16,000.00
5 Transfers from toll facilities	
6 Proceeds of sale of bonds and notes	
a Bonds - Original Issues	
b Bonds - Refunding Issues	
c Notes	
d Total (a + b + c)	\$
7 Total (1 through 6)	\$ 210,783.97
B. Private Contributions	
C. Receipts from State government (from page 2)	\$ 354,338.45
D. Receipts from Federal Government (from page 2)	\$ 157,842.85
E. Total receipts (A.7 + B + C + D)	\$ 722,965.27

III. EXPENDITURES FOR ROAD AND STREET PURPOSES

ITEM	AMOUNT
A. Local highway expenditures:	
1 Capital outlay (from page 2)	\$
2 Maintenance	
3 Road and street services	
a Traffic control operations	
b Snow and ice removal	
c Other	
d Total (a through c)	\$ 245,600.48
4 General administration & miscellaneous	
5 Highway law enforcement and safety	
6 Total (1 through 5)	\$ 703,262.89
B. Debt service on local obligations:	
1 Bonds	
a Interest	
b Redemption	
c Total (a + b)	\$
2 Notes	
a Interest	
b Redemption	
c Total (a + b)	\$ 3,420.00
3 Total (1 c + 2 c)	\$ 3,420.00
C. Payments to State for highways	
D. Payments to toll facilities	
E. Total expenditures (A.6 + B.3 + C + D)	\$ 706,682.89

IV. LOCAL HIGHWAY DEBT STATUS

(Show all entries at par)

	Opening Debt	Amount Issued	Redemptions	Closing Debt
A. Bonds (Total)				\$
1 Bonds (Refunding Portion)				\$
B. Notes (Total)				\$

V. LOCAL ROAD AND STREET FUND BALANCE (RECEIPTS AND DISBURSEMENTS ONLY)

	A. Beginning Balance	B. Total Receipts	C. Total Disbursements	D. Ending Balance	E. Reconciliation
		\$ 722,965.27	\$ 706,682.89		\$

Notes and Comments:

LOCAL HIGHWAY FINANCE REPORT

STATE
COLORADO
YEAR ENDING (mm/yy)
12/22

II. RECEIPTS FOR ROAD AND STREET PURPOSES - DETAIL

ITEM	AMOUNT	ITEM	AMOUNT
A.3. Other local imposts:		A.4. Miscellaneous local receipts:	
a Property Taxes and Assesments	\$	a Interest on investments	
b Other local imposts		b Traffic Fines & Penalties	
1 Sales Taxes		c Parking Garage Fees	
2 Infrastructure & Impact Fees		d Parking Meter Fees	
3 Liens		e Sale of Surplus Property	
4 Licenses		f Charges for Services	
5 Specific Ownership &/or Other	\$	g Other Misc Receipts	\$
6 Total (1 through 5)	\$ 1,533.93	h Other	
c Total (a + b)	\$ 15,159.89	i Total (a through h)	\$ 16,000.00
(Carry forward to page 1)		(Carry forward to page 1)	

ITEM	AMOUNT	ITEM	AMOUNT
C. Receipts from State Government		D. Receipts from Federal Government	
1 Highway-user taxes (from Item I C 5)		1 FHWA (from Item I D 5)	
2 State general funds		2 Other Federal agencies	
3 Other State funds		a Forest Service	
a State bond proceeds		b FEMA	
b Project Match		c HUD	
c Motor Vehicle Registrations		d Federal Transit Administration	
d DOLA Grant		e U.S. Corps of Engineers	
e Other		f Other Federal ARPA	
f Total (a through e)	\$	g Total (a through f)	\$ 157,842.85
4 Total (1 + 2 + 3 f)	\$ 354,338.45	3 Total (1 + 2 g)	\$ 157,842.85
(Carry forward to page 1)		(Carry forward to page 1)	

III. EXPENDITURES FOR ROAD AND STREET PURPOSES - DETAIL

	ON NATIONAL HIGHWAY SYSTEM (a)	OFF NATIONAL HIGHWAY SYSTEM (b)	TOTAL (c)
A.1. Capital outlay:			
a Right-Of-Way Costs			\$
b Engineering Costs			\$
c Construction			
(1) New Facilities			\$
(2) Capacity Improvements			\$
(3) System Preservation			\$
(4) System Enhancement And Operation			\$
(5) Total Construction (1)+(2)+(3)+(4)	\$	\$	\$
d Total Capital Outlay (Lines 1 a + 1 b + 1 c 4)	\$	\$	\$
(Carry forward to page 1)			

Notes and Comments:

Fund Status Report

San Juan County

Report Selection Criteria:

Selected Fund Type: ALL
 Include Encumbrances? NO
 Include Pri Yr Liabilities? NO
 Printed in Alpha by Fund Name? NO
 Exclude Additional Cash? NO
 Selected Funds :

Fiscal Year: 2023
 From Period: 8
 To Period: 8

From Date: 8/1/2023
 Thru Date: 8/31/2023
 Option: Period

	Beginning Balance	Receipts	Disbursements	Transfers	Ending Balance
General Fund (01)					
010 - COUNTY GENERAL FUND	\$1,758,911.85	\$387,329.05	(\$504,043.36)	\$0.00	\$1,642,197.54
020 - COUNTY ROAD & BRIDGE	\$112,000.82	\$49,788.87	(\$58,630.90)	\$0.00	\$103,158.79
030 - CONTINGENT FUND	\$54,554.94	\$0.00	\$0.00	\$0.00	\$54,554.94
035 - AMENDMENT 1-EMERGENCY FUN	\$30,000.00	\$0.00	\$0.00	\$0.00	\$30,000.00
040 - SOCIAL SERVICE FUND	\$83,737.87	\$14,200.78	(\$17,708.17)	\$0.00	\$80,230.48
045 - AFFORDABLE HOUSING FUND	\$419,722.42	\$10,357.67	\$0.00	\$0.00	\$430,080.09
050 - CONSERVATION TRUST	\$12,699.98	\$35.92	\$0.00	\$0.00	\$12,735.90
051 - LODGING TAX FUND	\$433,704.15	\$26,017.87	\$0.00	\$0.00	\$459,722.02
052 - TOURISM BOARD FUND	\$17,328.18	\$0.20	(\$147.00)	\$0.00	\$17,181.38
055 - NOXIOUS WEED FUND	\$1,988.18	\$0.00	\$0.00	\$0.00	\$1,988.18
060 - TOWN OF SILVERTON	\$13,962.16	\$26,065.80	(\$38,638.99)	\$0.00	\$1,388.97
070 - DURANGO FIRE PROTECTION DIS	\$0.00	\$2,119.18	(\$2,119.18)	\$0.00	\$0.00
080 - SOUTHWEST WATER CONSERVAT	\$59.60	\$1,391.97	(\$1,451.57)	\$0.00	\$0.00
090 - ADVERTISING FEES	\$10,668.40	\$0.00	\$0.00	\$0.00	\$10,668.40
100 - REDEMPTION	\$312.30	\$5,579.44	(\$5,579.44)	\$0.00	\$312.30
110 - SCHOOL GENERAL	\$0.00	\$46,776.70	(\$46,776.70)	\$0.00	\$0.00
116 - SCHOOL BOND	\$0.00	\$5,472.16	(\$5,472.16)	\$0.00	\$0.00
200 - SPECIAL ASSESSMENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
210 - 911 AUTHORITY	\$66,644.62	\$4,066.31	(\$1,504.44)	\$0.00	\$69,206.49
220 - TREASURER'S FEES	\$19,738.05	\$500.00	\$0.00	\$0.00	\$20,238.05
230 - ASSESSOR'S PENALTY	\$5,548.41	\$0.00	\$0.00	\$0.00	\$5,548.41
240 - TREASURER'S DEEDS/FORECLOS	\$10,921.78	\$288.02	(\$15.00)	\$0.00	\$11,194.80
250 - CLERK TECHNOLOGY FEES	\$5,071.40	\$37.00	\$0.00	\$0.00	\$5,108.40
260 - ADMIN FEE	\$2,698.42	\$0.00	\$0.00	\$0.00	\$2,698.42
270 - PEAK INVESTMENTS	\$33,822.27	\$238.54	\$0.00	\$0.00	\$34,060.81
280 - ABATEMENTS	(\$2,333.91)	\$0.00	\$0.00	\$0.00	(\$2,333.91)

Fund Status Report

San Juan County

Report Selection Criteria:

Selected Fund Type: ALL
Include Encumbrances? NO
Include Pri Yr Liabilities? NO
Printed in Alpha by Fund Name? NO
Exclude Additional Cash? NO

Fiscal Year: 2023
From Period: 8
To Period: 8

From Date: 8/1/2023
Thru Date: 8/31/2023
Option: Period

Selected Funds :

	Beginning Balance	Receipts	Disbursements	Transfers	Ending Balance
300 - ESCROW-AMBULANCE	\$83,264.50	\$104.24	\$0.00	\$0.00	\$83,368.74
350 - ESCROW-COMPUTER EQUIP	\$4,281.37	\$20.94	\$0.00	\$0.00	\$4,302.31
360 - ASSESSOR/TREASURER ESCROW	\$3,427.44	\$29.51	\$0.00	\$0.00	\$3,456.95
400 - ESCROW-GRAVEL	\$144,957.01	\$47.12	\$0.00	\$0.00	\$145,004.13
410 - COUNTY BARN ESCROW	\$53,127.76	\$218.48	\$0.00	\$0.00	\$53,346.24
420 - ROAD EQUIP PURCHASE ESCROW	\$73,503.08	\$233.71	\$0.00	\$0.00	\$73,736.79
430 - LOST 4-WHEELERS ESCROW	\$4,041.66	\$15.71	\$0.00	\$0.00	\$4,057.37
440 - SEARCH & RESCUE ESCROW	\$15,311.26	\$68.82	\$0.00	\$0.00	\$15,380.08
450 - COURTHOUSE ESCROW	\$70,160.98	\$2,110.24	\$0.00	\$0.00	\$72,271.22
460 - MSI ESCROW	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
470 - EMERGENCY PREPAREDNESS	\$2,541.61	\$33.79	\$0.00	\$0.00	\$2,575.40
500 - HISTORICAL ARCHIVES ESCROW	\$441.50	\$10.00	\$0.00	\$0.00	\$451.50
550 - ASPHALT ESCROW	\$89,007.62	\$347.47	\$0.00	\$0.00	\$89,355.09
570 - FOREST RESERVE ESCROW	\$125,648.18	\$0.00	\$0.00	\$0.00	\$125,648.18
590 - EMERGENCY SERVICES SALES TA	\$1,746,884.09	\$131,561.66	\$0.00	\$0.00	\$1,878,445.75
600 - FIRE TRUCK FUND	\$88,428.71	\$300.35	\$0.00	\$0.00	\$88,729.06
650 - LAND USE ESCROW	\$60,669.57	\$131.37	\$0.00	\$0.00	\$60,800.94
700 - WORKFORCE HOUSING ESCROW	\$3,305.84	\$72.83	\$0.00	\$0.00	\$3,378.67
750 - ESCROW-SHERIFF VEHICLE	\$43,902.56	\$34.27	\$0.00	\$0.00	\$43,936.83
800 - PUBLIC TRUSTEE	\$95.00	\$60.00	(\$95.00)	\$0.00	\$60.00
810 - SPECIFIC OWNERSHIP TAX	\$18,312.58	\$16,301.75	(\$18,312.59)	\$0.00	\$16,301.74
820 - TAX HOLDING FUND	\$132,021.61	\$68,756.50	(\$128,390.39)	\$0.00	\$72,387.72
900 - ADVANCED COLLECTIONS	\$121.67	\$0.00	\$0.00	\$0.00	\$121.67
950 - WEST SIDE SPECIAL IMP. DISTRIC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
960 - HOSPITAL GRANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
* Fund Type Total *	\$5,865,217.49	\$800,724.24	(\$828,884.89)	\$0.00	\$5,827,056.84

Report Selection Criteria:

Selected Fund Type: ALL
Include Encumbrances? NO
Include Pri Yr Liabilities? NO
Printed in Alpha by Fund Name? ☒ NO
Exclude Additional Cash? NO

Fiscal Year: 2023
From Period: 8
To Period: 8

From Date: 8/1/2023
Thru Date: 8/31/2023
☒ Option: Period

Selected Funds :

	Beginning Balance	Receipts	Disbursements	Transfers	Ending Balance
* Report Total *	\$5,855,217.49	\$800,724.24	(\$828,884.89)	\$0.00	\$5,827,056.84

San Juan County

Composition of Cash Balances and Investments

As Of: 8/31/2023 Including Account Details

	Net Bank Balance		Cash on Hand/		Total
		Investments	In Transit		
Cash and Cash Items					
Cash on Hand	Cash on Hand	\$0.00	\$0.00	\$200.00	\$200.00
	Cash on Hand:	\$0.00	\$0.00	\$200.00	\$200.00
Demand and Time Deposits					
Citizens State Bank					
	Tourism Fund Checking	\$17,303.77	\$0.00	\$0.00	\$17,303.77
	Affordable Housing Checking	\$448,696.52	\$0.00	\$0.00	\$448,696.52
911 Authority Checking	Checking	\$69,550.56	\$0.00	\$0.00	\$69,550.56
General Checking	Checking	\$2,881,009.89	\$0.00	\$0.00	\$2,881,009.89
	Citizens State Bank:	\$3,416,560.74	\$0.00	\$0.00	\$3,416,560.74

Investment Pool

		Cash on Hand/			
		Net Bank Balance	Investments	In Transit	Total
Citizens State Bank					
	100120367	\$0.00	\$1,062,531.85	\$0.00	\$1,062,531.85
Citizens State Bank:		\$0.00	\$1,062,531.85	\$0.00	\$1,062,531.85
COLOTRUST					
	CO-01-0646-8001	\$0.00	\$1,052,462.54	\$0.00	\$1,052,462.54
COLOTRUST:		\$0.00	\$1,052,462.54	\$0.00	\$1,052,462.54
Sigma Financial Corporation					
	GTR-041850	\$0.00	\$295,301.71	\$0.00	\$295,301.71
Sigma Financial Corporation:		\$0.00	\$295,301.71	\$0.00	\$295,301.71
		<u>\$3,416,560.74</u>	<u>\$2,410,296.10</u>	<u>\$200.00</u>	<u>\$5,827,056.84</u>

	County Sales Tax						2023 % Change	5yr. Average
	2018	2019	2020	2021	2022	2023		
January	4,970.71	7,799.87	6,854.79	16,723.50	18,815.24	18,426.92	-2.11%	11,032.82
February	13,859.09	12,885.86	22,860.78	19,987.28	25,634.49	29,745.98	13.82%	19,045.50
March	11,861.72	11,246.33	14,595.18	16,402.87	20,922.98	20,542.77	-1.85%	15,005.82
April	10,399.61	8,857.05	15,280.29	15,820.09	26,540.36	21,934.71	-21.00%	15,379.48
May	16,321.32	19,708.91	12,778.47	24,773.54	43,984.48	41,544.42	-5.87%	23,513.34
June	4,601.13	5,827.74	9,946.40	17,549.36	10,146.13	17,053.96	40.51%	9,614.15
July	5,985.49	6,206.92	17,737.22	13,668.65	21,647.93	14,730.22	-46.96%	13,049.24
August	6,568.03	13,486.95	10,921.79	32,028.49	26,943.45	25,208.63	-6.88%	17,989.74
September	9,579.78	22,429.05	21,745.79	30,048.75	29,774.28	61,264.92	51.40%	22,715.53
October	11,057.45	13,774.16	18,726.14	29,953.36	34,135.62		12.25%	21,529.35
November	11,187.78	15,070.58	17,785.19	29,182.27	30,541.07		4.45%	20,753.38
December	5,273.24	7,547.72	17,476.46	19,698.95	17,991.84		-9.49%	13,597.64
Total	111,665.35	144,841.14	186,708.50	265,837.11	307,077.87	250,452.53	13.43%	203,225.99
Year to Date	84,146.88	108,448.68	132,720.71	187,002.53	224,409.34	250,452.53	10.40%	

Lodging Tax Revenue

	2018	2019	2020	2021	2022	2023	% Change	5 yr. Average
January	126.80	885.93	3,729.44	543.94	1,034.65	8,688.65	88.09%	2,976.52
February	8,318.23	10,816.00	14,088.47	20,282.97	17,982.00	21,651.33	16.95%	16,964.15
March	3,097.25	145.07	454.00	660.00	11,775.69	5,698.15	-106.66%	3,746.58
April	2,002.98	33.00	-	1,489.56	1,091.00	68.78	-1486.22%	536.47
May	11,375.54	17,612.98	14,069.00	30,651.70	31,766.09	30,512.00	-4.11%	24,922.35
June	1,356.34	952.07	300.40	1,007.32	1,525.85	3,654.58	58.25%	1,488.04
July	2,702.84	170.21	573.00	11,854.90	2,241.00	663.85	-237.58%	3,100.59
August	11,477.00	14,372.43	13,978.56	57,659.81	31,076.00	26,017.87	-19.44%	28,620.93
September	7,956.78	2,738.12	139.00	248.50	718.26	1,596.58	55.01%	1,088.09
October	666.79	2,848.73	780.48	1,346.59	1,473.79		8.63%	1,423.28
November	43,574.04	47,263.00	58,396.70	76,493.41	71,800.28		-6.54%	59,505.49
December	2,029.95	1,790.37	1,918.52	3,364.85	2,534.04		-32.79%	2,327.55
Total	\$ 94,684.54	\$ 99,627.91	\$108,427.57	\$205,603.55	\$175,018.65	\$ 98,551.79	-17.48%	136,672.44

Emergency Services Sales Tax

	2018	2019	2020	2021	2022	2023	% Change	5-Year Ave.
January	5,693.58	22,652.17	22,081.29	35,673.96	42,007.94	38,798.45	(0.08)	32,242.76
February	9,500.78	20,193.73	38,888.47	40,698.37	51,602.55	49,470.71	(0.04)	40,170.77
March	8,924.66	28,148.22	30,899.33	39,142.28	64,129.75	50,505.67	(0.27)	42,565.05
April	22,040.87	52,719.27	32,992.58	39,017.29	54,305.90	50,263.76	(0.08)	45,859.76
May	23,915.42	32,415.46	28,328.62	53,200.16	64,390.89	66,881.55	0.04	49,043.34
June	13,364.73	17,201.80	20,323.77	38,209.24	36,187.24	74,396.48	0.51	37,263.71
July	36,977.68	35,279.36	29,408.23	54,965.11	58,069.60	36,858.14	(0.58)	42,916.09
August	54,297.30	74,723.11	62,795.11	139,369.81	119,039.47	131,561.66	0.10	105,497.83
September	100,795.88	126,269.99	120,650.92	164,773.79	154,524.58	198,918.58	0.22	153,027.57
October	82,850.46	103,635.85	108,852.60	139,222.51	142,140.85		0.02	115,340.45
November	88,859.04	101,380.60	107,416.93	136,598.38	133,850.03		(0.02)	113,621.00
December	34,697.06	45,399.97	63,130.77	93,550.49	84,746.99		(0.10)	64,305.06
Total	481,917.46	660,019.53	665,768.62	974,421.39	1,004,995.79	697,655.00	0.03	757,424.56
Year to Date	275,510.90	409,603.11	386,368.32	605,050.01	644,257.92	697,655.00	0.08	

	Town Sales Tax						2023 % Change	5-Year Ave.
	2018	2019	2020	2021	2022			
January	17,803.62	17,777.51	28,417.92	40,358.55	48,401.82	43,654.63	(0.11)	35,722.09
February	24,144.03	26,379.98	39,259.76	45,122.36	56,934.96	49,412.31	(0.15)	43,421.87
March	23,836.90	33,717.73	34,763.49	46,228.85	81,691.27	56,271.57	(0.45)	50,534.58
April	24,868.07	75,356.86	37,422.14	46,611.62	60,354.74	58,492.54	(0.03)	55,647.58
May	21,945.84	32,071.64	24,839.85	60,352.89	59,047.63	65,473.02	0.10	48,357.01
June	17,527.63	21,650.46	22,518.84	43,589.40	41,669.35	95,511.31	0.56	44,987.87
July	53,182.66	50,243.72	29,239.56	74,281.24	71,269.47	44,246.65	(0.61)	53,856.13
August	80,166.62	105,875.94	90,106.11	190,977.70	163,532.09	185,303.71	0.12	147,159.11
September	151,431.83	179,274.96	170,982.30	233,606.46	217,481.13	257,025.50	0.15	211,674.07
October	121,288.07	151,774.01	155,155.28	192,817.13	193,304.52		0.00	162,867.80
November	130,755.88	146,395.83	153,802.89	189,389.35	183,632.90		(0.03)	160,795.37
December	50,151.94	64,974.75	83,368.79	129,991.56	117,612.17		(0.11)	89,219.84
TOTAL	717,103.10	905,493.39	869,876.93	1,293,327.11	1,294,932.05	855,391.24	0.00	1,016,146.51

Year to Date	414,907.21	542,348.80	477,549.97	781,129.07	800,382.46	855,391.24	0.06
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Remote Town Sales Tax - Month Collected					
	2019	2020	2021	2022	2023
January	226.94	2,665.41	7,137.41	18,727.85	6,501.09
February	49,386.28	5,252.72	6,744.78	7,164.49	9,212.54
March	894.21	4,049.16	10,221.18	9,734.40	10,861.19
April	852.39	5,391.71	6,870.33	7,026.64	13,421.87
May	2,696.78	4,983.35	9,701.78	7,962.66	10,946.74
June	3,444.00	7,827.11	13,826.19	17,869.99	11,026.74
July	2,981.52	11,801.24	16,736.42	14,542.52	17,609.67
August	2,652.50	12,441.45	14,756.06	12,933.86	
September	2,286.57	10,544.18	12,717.24	10,280.87	
October	2,018.43	8,487.00	27,347.76	17,708.75	
November	2,827.77	5,994.61	9,195.92	7,803.27	
December	4,688.76	7,310.95	12,788.01	8,628.52	
TOTAL	74,956.15	86,748.89	148,043.08	140,383.82	79,579.84
YTD	60,482.12	41,970.70	71,238.09	83,028.55	79,579.84

Remote County Sales Tax - Month Collected					
	2019	2020	2021	2022	2023
January	41.21	3,806.85	3,628.40	5,753.99	7,165.10
February	84.44	4,410.17	2,876.38	5,470.91	6,625.40
March	398.52	3,226.13	4,696.12	20,226.35	8,333.13
April	151.91	3,304.40	5,449.37	3,221.41	7,054.33
May	325.95	2,775.50	6,212.46	5,873.38	6,677.71
June	661.74	2,510.43	7,899.27	7,016.18	9,251.92
July	861.00	4,350.51	8,226.05	5,981.69	
August	1,050.42	4,023.33	6,509.70	6,176.77	
September	1,028.90	4,221.36	6,365.70	7,226.03	
October	825.95	3,659.87	5,435.83	6,589.09	
November	924.35	2,933.00	7,277.72	7,730.04	
December	9,228.08	4,317.03	6,835.25	8,003.28	
TOTAL	15,582.47	43,548.58	71,412.25	89,269.12	45,107.59
YTD	1,663.77	20,043.48	30,762.00	47,562.22	45,107.59

Remote Emergency Services Sales Tax - Month Collected					
	2019	2020	2021	2022	2023
January	167.86	4,051.74	6,735.19	15,300.16	8,540.81
February	30,969.48	6,049.12	6,019.09	7,896.61	9,898.07
March	809.27	4,560.71	9,322.30	18,724.25	11,995.67
April	628.71	5,443.90	7,699.31	7,612.23	12,796.80
May	1,892.28	4,857.16	9,945.76	8,646.96	11,014.56
June	2,570.26	6,471.47	13,577.53	15,552.84	12,673.34
July	2,405.48	10,111.26	15,600.53	12,826.79	18,240.81
August	3,702.92	10,307.22	13,290.24	11,943.37	
September	2,075.54	9,243.47	11,926.06	10,941.10	
October	1,780.63	7,604.14	20,488.41	15,185.16	
November	2,348.89	5,585.20	10,295.36	9,707.69	
December	8,712.17	7,274.58	12,263.74	10,394.20	
TOTAL	58,063.49	81,559.97	137,163.52	144,731.36	85,160.06
YTD	39,443.34	41,545.36	68,899.71	86,559.84	85,160.06

Total Remote Sales Tax - Month Collected					
	2019	2020	2021	2022	2023
January	436.01	10,524.00	17,501.00	39,782.00	22,207.00
February	80,440.20	15,712.01	15,640.25	20,532.01	25,736.01
March	2,102.00	11,846.00	24,239.60	48,685.00	31,189.99
April	1,633.01	14,140.01	20,019.01	17,860.28	33,273.00
May	4,915.01	12,616.01	25,860.00	22,483.00	28,639.01
June	6,676.00	16,809.01	35,302.99	40,439.01	32,952.00
July	6,248.00	26,263.01	40,563.00	33,351.00	11,577.52
August	7,405.84	26,772.00	34,556.00	31,054.00	
September	5,391.01	24,009.01	31,009.00	28,448.00	
October	4,625.01	19,751.01	53,272.00	39,483.00	
November	6,101.01	14,512.81	26,769.00	25,241.00	
December	22,629.01	18,902.56	31,887.00	27,026.00	
TOTAL	148,602.11	211,857.44	356,618.85	374,384.30	185,574.53
YTD	102,450.23	107,910.05	179,125.85	223,132.30	185,574.53

Town Sales Tax (month collected)																				
	2018			2019			2020			2021			2022			2023			% Change	5-Year Ave.
	Local	Remote	Total	Local	Remote	Total	Local	Remote	Total	Local	Remote	Total	Local	Remote	Total					
January	23,836.90	33,491.06	226.94	33,718.00	32,098.08	2,665.41	34,763.49	39,091.44	7,137.41	46,228.85	62,963.42	18,727.85	81,691.27	49,770.48	6,501.09	56,271.57	(0.31)	50,534.64		
February	24,868.07	25,970.59	49,386.28	75,356.87	32,169.42	5,252.72	37,422.14	39,866.84	6,744.78	46,611.62	53,190.25	7,164.49	60,354.74	49,280.00	9,212.54	58,492.54	(0.03)	55,647.58		
March	21,945.84	31,177.43	894.21	32,071.64	20,790.69	4,049.16	24,839.85	50,131.71	10,221.18	60,352.89	49,313.23	9,734.40	59,047.63	54,611.83	10,861.19	65,473.02	0.11	48,357.01		
April	17,527.63	20,798.07	852.39	21,650.46	17,127.14	5,391.71	22,518.85	36,719.07	6,870.33	43,589.40	34,642.71	7,026.64	41,669.35	82,089.44	13,421.87	95,511.31	1.29	44,987.87		
May	53,182.66	47,514.29	2,696.78	50,211.07	24,256.22	4,983.35	29,239.57	64,579.46	9,701.78	74,281.24	63,306.81	7,962.66	71,269.47	33,299.91	10,946.74	44,246.65	(0.38)	53,849.60		
June	80,166.62	102,431.94	3,444.00	105,875.94	82,279.01	7,827.11	90,106.12	177,151.51	13,826.19	190,977.70	145,662.10	17,869.99	163,532.09	174,276.97	11,026.74	185,303.71	(0.14)	122,763.54		
July	151,431.83	176,293.44	2,981.52	179,274.96	159,181.07	11,801.24	170,982.31	216,870.04	16,736.42	233,606.46	202,938.61	14,542.52	217,481.13	239,415.83	17,609.67	257,025.50	(0.07)	185,508.86		
August	121,288.07	149,121.51	2,652.50	151,774.01	142,713.83	12,441.45	155,155.28	178,061.07	14,756.06	192,817.13	180,370.66	12,933.86	193,304.52	-	-	-	0.00	155,184.65		
September	130,755.88	144,109.26	2,286.57	146,395.83	143,258.72	10,544.18	153,802.90	176,672.11	12,717.24	189,389.35	173,352.03	10,280.87	183,632.90	-	-	-	(0.03)	161,238.96		
October	50,151.94	62,956.32	2,018.43	64,974.75	74,881.79	8,487.00	83,368.79	102,643.80	27,347.76	129,991.56	99,903.42	17,708.75	117,612.17	-	-	-	(0.10)	83,145.00		
November	17,777.51	25,590.15	2,827.77	28,417.92	34,363.94	5,994.61	40,358.55	39,205.90	9,195.92	48,401.82	35,851.36	7,803.27	43,654.63	-	-	-	(0.10)	32,735.68		
December	26,379.98	34,571.00	4,688.76	39,259.76	37,811.41	7,310.95	45,122.36	44,146.95	12,788.01	56,934.96	40,783.79	8,628.52	49,412.31	-	-	-	(0.13)	40,208.90		
TOTAL	719,312.94	854,025.06	74,956.15	928,981.21	800,931.32	86,748.89	887,680.21	1,165,139.90	148,043.08	1,313,182.98	1,142,278.39	140,383.82	1,282,662.21	682,744.46	79,579.84	762,324.30	-	-		
YTD	372,959.56			498,158.94			409,872.33			695,648.16			695,045.68			762,324.30	0.10	612,209.88		

