

1993 Montezuma County Commissioners' Minutes

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AUTHENTICITY CERTIFICATE

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September 2004

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Minutes 01/04/1993 Regular

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JANUARY 4, 1993**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 4, 1993, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk
Helen McClellan, Commissioner-elect

JAN 12 1993

MINUTES of the previous regular meeting held Monday, December 28, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff Department's report for the month of December 1992 was received.

PAYROLL: General fund payroll vouchers #8738 thru #8849, in the amount of \$124,823.91, #17200 in the amount of \$75,331.99, and #17197 in the amount of \$12,262.24 and Road fund payroll vouchers #8850 thru #8893 in the amount of \$59,068.35 and #6537 in the amount of \$39,433.36 were approved for payment.

COUNTY CLERK Jean DeGraff and Deputy Clerk Betty Davis presented a list of the existing Renewal and Application Fees for Liquor Licenses. Fee increases were discussed. The only fees that can be increased are the application fee, new license fee and transfer of ownership fee. The Clerk's office will compile recommendations for fee increases and present them to the Board.

PERFORMANCE BOND: Comm Brubaker moved to approve a \$10,000 performance bond for Commissioner-Elect Thomas K. Colbert, seconded by Comm Maynes and carried. Comm Colbert abstained.

REGION 9 ECONOMIC DEVELOPMENT DISTRICT: Comm Maynes made a motion to approve the Intergovernment Agreement for the Southwest Transportation Planning Committee, contingent on the approval of the agreement by all other participating entities, seconded by Comm Brubaker and carried. The agreement was not signed. Comm Maynes moved to approve the Executive Director's Contract for a salary increase for Executive Director Ed Morlan, seconded by Comm Brubaker and carried. Comm Brubaker moved to approve Region 9's letter to be sent to the Colorado Transportation Commission and State Legislators stating Region 9 Economic Development District's disapproval of State Highway funds being used to construct a road to the Denver Airport, seconded by Comm Maynes and carried. Comm Maynes moved to approve Region 9 Resolution #8-92 Support of Local Education as an Enterprise Zone Project, Comm Maynes seconded and carried. Comm Maynes moved to approve Montezuma County's part of the 1993 Budget for Region 9 Economic Development District of Southwest Colorado Inc., seconded by Comm Brubaker and carried. Comm Brubaker moved to approve Region 9 Resolution #9-92, Support for the Mary Fisher Medical Center, seconded by Comm Maynes and carried.

1-4-93

SOUTHWEST COMMUNITY RESOURCES (SCR): Chairman Colbert signed the new HOME Statement of Assurances and Certificates. Comm Brubaker moved to approve the contract between Montezuma County and Southwest Community Resources, seconded by Comm Maynes and carried. Comm Brubaker made a motion to accept the Community Development Block Grant (CDBG) Contract #92-740, seconded by Comm Maynes and carried. Comm Brubaker moved to accept the Community Development Block Grant (CDBG) Contract #92-740, seconded by Comm Maynes and carried. Comm Brubaker moved to accept the 1992 Home Investment Partnership Grant (HOME) Repair Contract #93-104, seconded by Comm Maynes and carried. BOARD OF SOCIAL SERVICES was conducted.

PLANNING: Planning resolution P-58-92 was presented whereby Willard Walker, owner of 18 acres, was granted a variance to the subdivision regulations to deed to his son a 3.32 acre parcel in Section 23, T.37N., R.15W. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried. Planning resolution P-59-92 whereby Thomas J. Weaver, owner of 88 acres in Section 33, T.36N., R.13W., was granted a variance to the subdivision regulations to create a 2.51 acres parcel which contains Sally Weaver's residence. Domestic water is available from the Town of Mancos. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Planning resolution P-1-93 whereby Bob Colgan, owner of 400 acres, was granted a variance to the subdivision regulations to create a 4.04 acre tract, seconded by Comm Maynes and carried. This parcel is divided from the rest of Mr. Colgan's property by CR 42 and was awarded to Mr. Colgan by a Court Order.

ROAD DEPARTMENT Supervisor Billy Striegel presented a document from the State of Colorado reinstating William McLaughlin's drivers license. Supv Striegel presented suggestions submitted by the road department employees on how to reduce Road Department expenditures. Engineer Roach's pickup will be assigned to Weed Manager Ron Lanier. The pickup's radio will be removed and installed in a Road Department truck. It was affirmed that Supv Striegel can contact another radio company for service. A report on the cost of maintaining the radios and the ones that are needing the most repairing will be prepared. It was noted that Mancos needs a Base Unit. The need for a general job description that establishes the minimum requirements for a person to be employed by the Road Department was discussed.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the December 7, 1992 minutes.

FAMILY FARM ALLIANCE representative Don Schwindt presented a Statement of Purposes for the non-profit organization, composed of family farmers and those in related industries throughout the Western States dedicated to the preservation of irrigated agriculture. Mike Preston was also present.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented for review, his news article stating that applications will be accepted for anyone interested in serving on the Montezuma County Planning Commission.

FAIRGROUND Manager Dante Sena reported on the special fairgrounds meeting held on December 14th. Extension Office Manager Jan Brandt was present. It was noted that users fees need to generate approximately one-half of the funds needed to operate the fairgrounds. Managers Sena and Brandt will prepare cost figures of last year's operation and submit them to the Board. It was affirmed that the county will take care of stall rentals.

ADJOURNED at 4:00 p.m.

SEAL

Minutes 01/11/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JANUARY 11, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

JAN 19 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 11, 1993, at the County Annex Building in Cortez, Colorado, there were present:

- K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk
- Helen McClellan, Commissioner-elect

MINUTES of the previous regular meeting held Monday, January 4, 1993, were read. Comm Maynes moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The County Clerk's report for the month of December 1992 was received.

ACCOUNTS PAYABLE: General fund vouchers #17196 thru #17370 in the amount, of \$128,796.40 and Road fund vouchers #6535 thru #6601 in the amount of \$44,820.11 were approved for payment.

BOARD OF SOCIAL SERVICES was conducted.

DEPOSITORIES: Comm Brubaker moved to designate the following local depositories for 1993, seconded by Comm Maynes and carried:

- First National Bank of Cortez
- Citizens state Bank of Cortez
- Valley National Bank of Cortez
- The Dolores State Bank
- Mancos Valley Bank
- Centennial Savings and Loan of Cortez
- Basin Industrial Bank of Cortez

TREASURER Bobbie Spore presented the Treasurer's report for the month of December 1992.

RESIDENT Howard Bowen reported that he was involved in an accident at the M&M Truck Stop intersection and asked if a light could be installed to help the traffic situation at the intersection. Several residents in the area are concerned about recent accidents. Suggestions to make the Transportation Department more aware of the problem were to circulate a petition, have a large group show up at the next Transportation meeting, or schedule a meeting with all the concerned entities to meet with the Commissioners. Mr. Bowen will be notified of any meetings.

ABATEMENTS: All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present. A petition for abatement of property tax was presented for First National Bank of Cortez, 1990, erroneous assessment, \$124.59 and 1991, erroneous assessment, \$224.22. First National Bank representative Bill Nittler was present. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for Frederick J. and Elnora L. Muller (5081-323-00-003-K1), 1991, erroneous assessment, \$196.72. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for abatement of property tax was presented for Frederick J. and Elnora L. Muller (5081-323-00-003-K2), 1991,

erroneous assessment, Comm Brubaker moved to approve this petition seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for the Dove Creek State Bank Assessor Cruzan recommended that the petition be tabled. Comm Maynes moved to table the petition until more information is obtained, seconded by Comm Brubaker and carried. A petition for abatement of property tax for Ricketts Investment Company, (5611-252-00-020), 1990, erroneous assessment, \$320.67 and 1992, erroneous assessment, \$335.07. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for abatement of property tax for Ricketts Investment Company, (5611-252-18-002), 1990, erroneous assessment, \$925.61 and 1991, erroneous assessment, \$967.15. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried.

JUSTICE BUILDING TELEPHONE SYSTEM: Cortez Police Chief Roy Lane, Cortez City Manager Billy Ray, City Council members Merrit Carter, Steve Guymon and Maxine Kirk, Distpatcher with the Colorado State Patrol Ronald Zimmerman and Sheriff Tim Wood presented inadequacies of the 12-year old phone system at the Justice Building. A concern about losing calls was expressed. Bids from three companies have been received to replace the whole system. More information will be compiled on costs, etc. A decision was tabled at this time.

PERFORMANCE BOND: Comm Brubaker moved to approve a \$10,000 performance bond for Commissioner-Elect Helen McClellan, seconded by Comm Maynes and carried.

COUNTY CLERK Jean DeGraff and Deputy Clerk Betty Davis presented recommendations for liquor license and 3.2% beer license fee increases (see attached). Comm Brubaker made a motion to accept the Clerk's recommendations for 1993 Liquor License Fees, seconded by Comm Maynes and carried. Deputy Davis noted the receipt of a third request for modification of premises for the Eagle Claw Trading Post, The State Liquor Law officer will be asked to officially check the premises and the walk-up and report to the Clerk's office any problem with either.

PLANNING: A planning resolution P-2-93 was presented whereby Charlie M. Rogers, owner of 51.65 acres, would be granted a variance to the subdivision regulations to sell a 4.93 acre tract to an adjoining landowner in Section 28, T.37N., R.14W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried.

COURT OF APPEALS: Receipt of an order from the Colorado Court of Appeals:, for Case #91CA1950 dated December 31, 1992, regarding the reimbursement of foster care costs was noted. The Court of Appeals affirmed the District. Court's decision ruling against Montezuma County's motion seeking 100% reimbursement for allowable expenditures in the case. Comm Brubaker made a motion not to file a "Motion for Rehearing" in the Court of Appeals or further pursue this case, Comm Maynes seconded and carried.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue an order to the Treasurer to transfer the amount of \$631.53 from the 911 account to U.S. West Communications, Denver, Colorado 80171. Motion seconded by Comm Maynes and carried.

LANDFILL ORDER: Comm Maynes made a motion to direct the Clerk to issue an order to the Treasurer to draw a warrant on the Landfill fund in the amount of \$4,747.46 payable to the Colorado Department of Health, HSRF Accounting Department, Room 400, 4210 East 11th Avenue, Denver, Colorado 80220, as the fourth quarter payment. Motion seconded by Comm Brubaker and carried.

SPECIAL COUNTY ATTORNEY CONTRACT: Proposals were received from Attorney James Beisel, Jr., Attorney Mike Green and Attorney Hazen Brown to provide legal services for Child Protection Services for the Montezuma County Department of Social Services. Chairman Colbert excused Attorney Slough. After considering all the proposals, looking at the whole picture, and what would be in the best interest of Montezuma County, the Board decided to

1-11-93

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make a proposal to Attorney Slough to accept a flat yearly fee of \$60,000 for services as Attorney for the Board and Child Support Enforcement and add to his duties the legal services for the Child Protection Services. The proposal was presented to Attorney Slough and accepted. The attorneys submitting proposals will be notified of the decision.

RESOLUTION #1-93 and a plaque were presented whereby Robert L. "Bob" Maynes has served Montezuma County as a County Commissioner for eight (8) years and his dedicated service and leadership to Montezuma County is recognized officially by the County, and the Montezuma County Board of Commissioners expresses on behalf of Montezuma County and its employees their appreciation. Comm Brubaker moved to adopt this resolution, seconded by Comm Colbert and carried.

ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

STATE OF COLORADO)

)

JAN 26 1993

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 18, 1993, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

ELECTION OF OFFICERS: Comm Brubaker made a motion to elect Comm Colbert as Chairman of the Board of Commissioners for 1993, seconded by Comm McClellan and carried.

Comm McClellan moved to elect Comm Brubaker as Vice-Chairman for 1993, seconded by Comm Colbert and carried.

Comm Colbert moved to elect Comm McClellan as Commissioner of Deeds for 1993, seconded by Comm Brubaker and carried.

MINUTES of the previous regular meeting held Monday, January 11, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. A letter received from the Montezuma County Fire Chiefs Association about addresses in the county will be referred to Assessor Cruzan. Receipt of a proposed Mechanic's Lien filed against Montezuma County by Sherron Spencer was noted, but it is the Board's position that said document has no legal force or effect.

APPOINTMENTS FOR 1993: Comm Brubaker moved to appoint the following persons to the several different offices, seconded by Comm McClellan and carried:

- County Attorney: Bob Slough
- Road Supervisor: Billy Striegel
- Administrator and Budget Officer: Thomas J. Weaver
- Health Officer: Dr. Kent Aiken
- Auditor: Gale Greenlee

LEGAL PUBLICATION: Comm Brubaker moved to continue the rotation system and appoint the Dolores Star Newspaper as the legal publication for 1993, seconded by Comm McClellan and carried.

LODGERS TAX BOARD: Comm McClellan moved to appoint Lynn Hartman and Robert Seney to serve on the board, seconded by Comm Brubaker and carried.

FAIR BOARD: Comm McClellan made a motion to appoint Eldon Simmons, Donna Sullivan and Dave Vigil, as new members to serve three years on the board, seconded by Comm Brubaker and carried.

MONTEZUMA COUNTY HOUSING AUTHORITY BOARD: Comm Colbert moved to appoint Comm Brubaker to serve on the board, seconded by Comm McClellan and carried.

SOUTHWEST COMMUNITY RESOURCES BOARD: Comm Brubaker made a motion to appoint Terry Wheeler to serve on the board, seconded by Comm McClellan and carried.

Board; Comm McClellan was appointed to serve on the Area Agency on Aging (AAA) Board. W. (Bill) C. Bauer will continue to be Montezuma County's representative to Club 20.

EMERGENCY DRAINAGE PROBLEM - MUD CREEK: Vance McCabe, Attorney Kelly McCabe, Frank Norris and Ginny Norris met to report a drainage problem created because of debris etc. in Mud Creek. The lack of maintenance, which is creating blockages in the creek as it crosses property owned by Jerry Jones, is causing the creek to flood other properties. A letter will be written to Mr. Jones stating there is an emergency drainage problem that needs to be corrected. A copy of the letter will be sent to the Corps of Engineers and Attorney McCabe.

SOUTHWEST COMMUNITY RESOURCES (SCR): Peter Tregillus and Joyce Troxel of SCR presented the Home Investment Partnership Grant (HOME) and the Community Development Block Grant (CDBG) contracts for resigning. Modifications were made to take care of changes made by the Board in the original contracts that were signed January 4, 1993. Comm Brubaker made a motion to resign the contracts, seconded by Comm McClellan and carried.

HEALTH DEPARTMENT Nurse Betty Sutter presented the Home Health Care Contract for review. The Health Officer's salary was discussed.

FAIRGROUND Manager Dante Sena, Extension Office Manager Jan Brandt and approximately 20 people representing several entities that use the fairgrounds (see attached list) met about usage fee increases at the fairgrounds. Jan Brandt presented income and expense figures for the last two years and the proposed fee increases. It was noted that there is not a separate budget for the fairgrounds. The proposed fees were discussed and some changes made. The final figures were submitted to the Board for approval. A committee of five (5) members representing all the different entities involved, will be formed to keep a record of monies collected, expenses incurred, and usage of the fairgrounds. A report will be made to the Commissioners on a quarterly basis.

SENIOR NUTRITION Director Sue Fletcher presented proposed fee increases for use of the County Annex facility. Fees were discussed and the final figures submitted to the Board for approval.

1993 RENTAL FEES - FAIRGROUNDS AND ANNEX: Comm Brubaker moved to accept the proposed 1993 Montezuma County Fairgrounds Coliseum Rental Rates (see attached) and the proposed Rental Fees for Montezuma County Annex Building (see attached), seconded by Comm McClellan and carried.

ROAD DEPARTMENT Supervisor Billy Stiegel reported a problem with residents on CR 33 pushing snow into the middle of the road thus creating a danger to traffic. Future problems will be reported to the Sheriff Department. Requests from senior citizens for snow removal for their driveways was noted. Names of private contractors that do snow removal will be posted at all the Senior Centers. The wrecked blade was taken to Durango for repair. Sanding costs may create a budget problem. A few complaints about snow removal have been received, but several compliments on the good job the road department is doing were also received. The cost of parts to have the dozer fixed was mentioned. It was noted that repairs need to be made as needed, and any special projects should not be done until the end of the year.

The Planning Commission approved this split at the December 8, 1992, meeting. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. Planning resolution P-4-93 was presented whereby Dale Murphy, owner of a 150.51 acre tract and a 5 acre tract in Tract 44, T.39N., R.18W., was granted a variance to the subdivision regulations to sell the 150.51 acres and to amend Resolution P-23-77 as it pertains to the legal description of the 5 acres and 5 acres owned by Loretta Murphy. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried.

BOARD OF SOCIAL SERVICES was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston gave a report on Public Lands issues.

ADJOURNED at 2:15 p.m.

Deputy Clerk

Chairman

SEAL

Online Copy

STATE OF COLORADO)

ss.

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 25, 1993, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

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MINUTES of the previous regular meeting held Monday, January 18, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

MONTEZUMA COUNTY LODGING TAX MONIES: Comm Brubaker moved to approve from these monies \$6,000 a piece to cover expenses for Cortez, Dolores and Mancos, Chamber of Commerces, seconded by Comm McClellan and carried.

TRAVEL PER DIEM POLICY: Personnel and Finance Clerk Mary Ann Sanders presented recommendations by the Administration office to change the travel per them policy of \$26.00 per day for meals. The new policy would pay only for receipts turned in for meals for all the departments, except the Sheriff Department. The Sheriff Department will continue to have a flat rate of \$26.00 per day for meals. This was affirmed. The change will be effective February 1, 1993.

RESIDENT Wayne Jones, Jr. presented a verbal request for a variance to the subdivision regulations for Wayne Jones, Sr. to sell 3 acres. The request was approved.

PLANNING: A planning resolution P-14-92 was presented whereby Bill Johnson, owner of 19 acres, would be granted a variance to the subdivision regulations to create an 8.1 acre tract and a 10.25 acre tract in Section 11, T.36N., R.16W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-5-93 was presented whereby Henry and Brenda Siracusan, owners of 4.78 acres, would be granted a variance to the subdivision regulations to create a 2.97 acre tract and a 1.81 acre tract, in Section 1, T.36N., R.16W. The 1.81 acre tract will be restricted from this date to a non-residential tract and will be used for business purposes only. This tract is further restricted to an enclosed septic or aeration septic system. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was approved for Willie Lee to sell 13 1/2 acres to an adjoining landowner.

MONTEZUMA COUNTY LANDFILL: Administrative Assistant Ginger Black reported a problem with overdue accounts at the landfill. After discussion, it was affirmed that to correct this problem a late charge of 1-1/2% will be charged on any balance 30 days overdue, and after 60 days, use of the facility will be denied.

WEED PROGRAM Manager Ron Lanier reported he will be attending a landfill meeting in Grand Junction. The purpose of the meeting is for the Western counties to develop a study of West Slope trash.

Brubaker moved to approve this petition, seconded by Comm McClellan and carried. Raymond N. Samora, 12-5611-064-00-016-A2, erroneous assessment recommended by the Assessor, 1992, \$7.84. Comm McClellan moved to approve this petition, seconded by Comm Brubaker and carried. Carl R. Gaylon, 41-5359-104-07-005-B1, erroneous assessment, recommended by the Assessor, 1992, \$62.05. Comm Brubaker moved to approve this petition, seconded by Comm McClellan and carried. It was noted that all the Commissioners were present.

ASSESSOR Bob Cruzan read the State statute relating to a change in approving Petitions for Abatement of Property Taxes. The statute allows the County Assessor to approve any abatement up to a \$1,000 limit without the approval of the Board of County Commissioners. Assessor Cruzan recommended a limit of \$500 for Montezuma County. Comm Brubaker made a motion to allow the County Assessor to approve abatements up to \$500 without the Board's approval, seconded by Comm McClellan and carried. Assessor Cruzan stated he will submit a monthly report on all the abatements that he approves.

RESOLUTION #2-93: Comm Brubaker made a motion to adopt resolution #2-93 whereas, Montezuma County cooperates with the City of Cortez in the operation of a joint justice facility, and this joint facility includes the jail operated by the Montezuma County Sheriff, and it is necessary to, charge the City of Cortez for the variable costs associated with prisoner care, therefore, it is resolved by the Board that effective January 1, 1993, the cost per day for prisoner care will be \$28.86. Comm McClellan seconded and carried.

SHERIFF Wood reported on the new Contiguous Counties Senate Bill 110.

COUNTY CATEGORY CHANGE: Sheriff Wood presented information about a State bill being introduced to change the category status of counties, especially counties associated with gaming. Also present were County Clerk Jean DeGraff, Assessor Bob Cruzan and Treasurer Bobbie Spore. Montezuma County is now classified as a Category 4 county. In upgrading the county to a Category 3, the only clear change effecting the county would be an increase in salary for elected officials. Sheriff Wood stated that an answer of whether the county wanted to be included in the bill needed to be addressed by the afternoon. Comm Colbert stated more time was needed to find out about the advantages and disadvantages. As a result of the short time frame for any decision, Montezuma County will (1) request to be added to the list of counties interested in a category change, (2) research the advantages and disadvantages, and (3) make a decision then of whether to stay in or drop out.

COUNTY CLERK DeGraff presented the Annual Report for the Clerk's Office. The report showed an 8% increase in revenues. Also submitted were recommendations for modifications of the Clerk's office space, which at this time only includes changes to meet requirements for the Americans With Disabilities Act.

ADVISORY ROAD COMMITTEE current members were reviewed.

AMENDED FAIRGROUND RENTAL RATES submitted by the Fairground Committee formed last week were reviewed. Comm Brubaker moved to accept the amended rates (see attached), Comm McClellan seconded and carried.

TRAPPER'S PROGRAM WORK PLAN FY 1993: Comm Brubaker moved to accept the Work Plan for FY 1993 of the Cooperative Animal Damage Control Program, Agreement #12-34-73-0310-RA, seconded by Comm McClellan and carried.

MERIT SYSTEM statutes were read and discussed.

to the Dolores Cemetery District, Floyd Parker to the Lebanon Cemetery District, Betty Stanley to the Lewis Cemetery District, and Harry Halls and C. J. Weaver to the Mancos Cemetery District, seconded by Comm Brubaker and carried.

ADJOURNED at 12:00 noon.

Deputy Clerk Chairman SEAL

Online Copy

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 1, 1993, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
 Robert D. Brubaker, Vice-Chairman
 Helen McClellan, Commissioner of Deeds
 Bob Slough, County Attorney
 Thomas J. Weaver, Administrator
 Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, January 25, 1993, were read. Comm McClellan moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: General Fund vouchers #8901 thru #9013 in the amount of \$128,708.67, #17373 in the amount of \$16,114.76, #17377 in the amount of \$78,458.26 and Road Fund vouchers #9014 thru #9055 in the amount of \$59,942.91 and #6603 in the amount of \$41,245.11 were approved for payment.

SHERIFF Tim Wood reported on the following: (1) Contiguous Counties Senate Bill 110 problems have been resolved and the hearing for it will start this afternoon. (2) The County Sheriffs have introduced a law suit against the State of Colorado concerning the backlog of prisoners. (3) A meeting with the Department of Corrections resulted in an agreement to change the \$8.31 per day allowed for prisoners back to the amount of \$40.00 per day retroactive to July 1, 1992. It will be taken to the Joint Budget Committee meeting for approval. (4) A Memorandum of Understanding with the Department of Corrections was signed which allows the Sheriff's Department to transport prisoners(s) to Delta where the Department of Corrections' bus will then take them to Denver for diagnostics at 11:00 a.m. The prisoner(s) will be picked up at Delta to be returned to Montezuma County.

ANNEX BUILDING: The amount to be paid to help offset the expenses for using the County Annex facility will be left up to each individual group. A letter from Rose P. Neely about using dance wax on the floor at the Annex was noted.

RESIDENT Charlie F. Donaldson made a request that CR 31 off of CR P be county maintained. Right-of-way access, the steep grade of the road, and lack of monies to do the necessary upgrading were discussed. A suggestion was to close the road off with a gate at the top of the hill and fix a turn around, or put a gate at Mr. Donaldson's house. Road Department Assistant Supervisor Kirk Stauffer was present and will look at the problem. The Board will meet with Mr. Donaldson to look at the road as soon as the snow melts.

scheduled every Monday at 9:15 a.m. Moral was up because of good weather last week and reports have been received from residents and the school system on the good job that the road department is doing. The department has had inquiries about why cinders were only being used at intersections and on icy spots. An article will be submitted to the local paper explaining the policy for using cinders. The department is actively trying to be included on Government Surplus mailing lists in order to be eligible to obtain any equipment needed by the department. They have no final word on the blade being fixed in Durango. The amount needed to fix the blade will be submitted to the Insurance Company for payment.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED FOR LUNCH with the City of Cortez.

CHAPPEL COLLECTION: Anasazi Historical Society representative Ellen Holston presented a request for the Board's support and sponsorship of a grant to obtain monies for the conservation and preservation of the collection. The grant, if approved, would be issued to the Anasazi Historical Society in the amount of \$60,000 from lottery monies. It would not obligate Montezuma County in any way. Ms. Holston will attend a workshop in Grand Junction about applying for the grant and will submit the prepared application for the Board's review before March 1st.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$632.09 from the 911 account to U.S. West Communications, Denver, Colorado 80171. Motion seconded by Comm McClellan and carried unanimously.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a 3.2% beer license for the Mesa Oasis Campground. The Sheriff's Office reported no problems with this outlet. Comm Brubaker moved to approve this application, seconded by Comm Colbert and carried.

OFFICE OF COMMUNITY SERVICE: Mike Preston gave an updated report on the lands issues. He presented an agenda for a meeting in February which he will attend. The meeting will be the initial step in forming a State Rural Development Council which will address removing barriers between all government entities, federal, state and county, He also reported on the GIS mapping project.

ADJOURNED at 2:45 p.m.

Deputy Clerk Chairman

SEAL

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)

FEB 17 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 8, 1993, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
 Robert D. Brubaker, Vice-Chairman
 Helen McClellan, Commissioner of Deeds
 Bob Slough, County Attorney
 Thomas J. Weaver, Administrator
 Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, February 1, 1993, were read. Comm McClellan moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

RESIDENT Howard Bowen asked for an update on the M&M Truck Stop intersection problems. He was invited to attend a noon meeting on February 16th at the Anasazi Restaurant with the State Highway Transportation Department and other interested parties.

ROAD DEPARTMENT Supervisor Billy Stiegel reported on the blade cab which CAT has sent to Denver for repair. CAT will be contacted for more information about the repairs. Trucks have been taken from McElmo to help with the rock slide on the West Fork road. The Forest Service will be contacted to see if they will help with future slides. A meeting will be scheduled with the Bureau of Reclamation about work to be done by the Bureau on the Narraguinnep and Towaoc Canals and the effects it will have on County roads. Kelly Hill is still sliding. The Road Department will inspect the hill with a representative from a private company that might have a solution for the problem. A complaint about damage by trucks on CR BB & CR 10 will be checked. Because of the moisture received this winter, it was noted that roads need to be watched for damage by heavy truck traffic.

SENIOR CITIZENS CENTER ADVISORY BOARD representatives met with the Board about suggested fees to help offset operating expenses for the Senior Center. Spokesperson Levi Garrett recommended the following: (1) Charge \$10.00 per month for groups that helped put the Center together. (2) Charge \$10.00 per hour with a maximum of \$80.00 per day for use of the Senior Center and a \$25.00 flat fee per day for use of the kitchen for special and outside groups. These groups would include Senior sponsored events. (3) Have fund raisers. It was noted that the Senior Citizens Center Advisory Board accepts the responsibility and will endeavor to come up with a suggested amount of \$5,500.

PLEASANT VIEW SCHOOL PLAYGROUND EQUIPMENT: Wes and Chris Wilson and Rodney and Crystal Daves representing the Pleasant View Parents, Teachers Organization (PTO) asked if any funds were available from lottery monies to help purchase playground equipment for the Pleasant View School. They have raised some monies, but not enough. Comm Brubaker moved to approve \$6,000 from the lottery monies if that amount is available after the purchase of the Fairground property, Comm McClellan seconded and carried.

TREASURER Bobbie Spore presented the Treasurer's Six Month Report.

establishing a salary increase for elected County officials. The Board does not feel that a salary increase at this time would be in keeping with Amendment 1. Comm Brubaker made a motion that Montezuma County remain a Category 4 county and that Montezuma County be removed from the proposed Bill changing the County to a Category 3, Comm McClellan seconded and carried.

HEALTH DEPARTMENT Nurse Betty Sutter presented the STD and HIV Testing Contract between the Department of Health and the Montezuma County Commissioners for signature. The contract was signed. Also presented were the department's Annual Budget Summary Report for 1992 and the Yearly Visit Statistics Comparing 1981 and 1991.

GRAVEL PIT PERMITTEE Luther Shields met about canceling his gravel pit permit. He presented a letter from the Bureau of Mined Reclamation requesting that he notify the landowner and the Commissioners by Certified Mail of his intentions. This action was affirmed and he will notify the Board when the snow is gone and the area can be inspected for reclamation.

REALTORS Stan Pierce and John Paquin and Irene Williams, property owner, of 34.1 acres off of CR 30, requested a variance from the subdivision regulations for Ms. Williams. The variance was denied until paperwork to support the easement to the property is complete and the question of whether the landowner can use the access is answered. A meeting will be scheduled with all the interested property owners in the near future and all the records will be looked at. It was noted that a variance can not be approved until access is established.

PLANNING: A planning resolution P-6-93 was presented whereby Thomas M. and Deborah D. Kinney and Jerry L. and Linda R. Tate, owners of 19.44 acres, would be granted a variance to the subdivision regulations to split the acreage into a 9.71 acre tract and a 9.73 acre tract in Section 20, T.35N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-7-93 was presented whereby L. D. Gleeson, owner of 13.41 acres would be granted a variance to the subdivision regulations to create a 3.00 acre tract, a 3.45 acre tract and a 6.96 acre tract in Section 7, T.36N., R.15W. The Planning Commission approved this three way split on December 8, 1992. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations was denied for Clarence Calhoun to trade a variance, Mr. Calhoun will be referred to the Planning Commission. A verbal request for a variance to the subdivision regulations was denied for Robert Longenbaugh to split off .8 acres. The septic system is located across the road on another landowners property. This landowner has expressed a desire to have it moved off of his property.

The request will not be considered until (1) information about whether the septic system is working and meets county requirements is received from the Sanitation Manager, (2) information about whether the septic system will be allowed by the property owner where the system is now located, and (3) the variance for .8 of an acre is increased to 3 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Shawn Murphy to split 20 acres from a 75 acre tract.

RESOLUTION 3-93: Comm Brubaker made a motion to adopt resolution #3-93 whereas, Montezuma County cooperates with the City of Cortez in the operation of a joint justice facility, and this joint facility includes the jail operated by the Montezuma County Sheriff, and Montezuma County has agreed to house prisoners for Dolores County; therefore, it is resolved by the Board that effective January 1, 1993, prisoner care for Dolores County and work release prisoners will be billed at a rate of \$33.72 per day. Comm McClellan seconded and carried.

02-08-93

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 3:45 p.m.

Deputy Clerk Chairman

SEAL

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Minutes 02/16/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 16, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, February 16, 1993, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

FEB 22 1993

MINUTES of the previous regular meeting held Monday, February 8, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The County Clerk's Monthly report for January 1993 was received.

ACCOUNTS PAYABLE: General fund vouchers #17372 thru #17565 in the amount of \$194,275.46 and Road fund vouchers #6610 thru #6670 in the amount of \$147,880.80 were approved for payment.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the ruts will be bladed down on the road under Dunlap Hill. The blade cab will be returned to Durango. OSHA will not approve the cab. A replacement cab for \$5,000 has been located. It will be checked to be sure everything will fit before purchasing it. There is a problem with the bucket on the 966 loader. After some discussion, it was decided that it will be rebuilt at the shop and if the department gets in a bind they can rent a loader. Tibbets Construction, the contractor for the Federal Highway Department, will help with the rock slide problem on the West Fork road. If there is a danger of rock slide, the people it might affect will be moved out until the problem is corrected. The question of paving the one mile of road past the Battle Rock School was tabled. Two miles of work will be done on Lebanon Road from CR T back to CR P. Due to a company leasing the Escalante Lumber property outside of Dolores, there is a problem with what to do with the chips stored at that location, The company leasing the property has expressed that they would like to buy the chips, if the County wants to sell them. It was noted that because of the problem of having to move the chips maybe several times, it would be better to sell the chips and replace them with cleaner chips. If the price for selling and re-purchasing is comparable, the chips will be sold. The Town of Dolores will be contacted about their dump area for storing future acquired chips. Grievances filed by an attorney for two road department employees was noted. This will be checked. At the request of resident Sam Pinkerton, the condition of CR J will be checked on as soon as it dries up.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a retail liquor license and extended hours for the Stoner Lodge. The Sheriff's office reported no problems with this outlet. Comm Brubaker moved to accept the application, seconded by Comm McClellan and carried.

COUNTY CLERK OFFICE MODIFICATIONS: Deputy Clerk Carol Tullis presented proposals from local businesses for the office furniture needed for three new work stations and chairs. She will meet with Administrator Weaver for finalization of the purchases.

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02-16-93

SENIOR CITIZEN George Houghton met to express concerns about Medicare, Medicaid and the Department of Social Services in connection with government spending policies. Later in the day he met with Social Services Director JoAnna Goldenbough with his concerns.

MANCOS HEADSTART Center Supervisor Robin Lunders presented a letter explaining the need for help with funds to make the Headstart facility comply with the Americans With Disabilities Act. They have raised some funds locally and obtained a Headstart grant, but the monies are not enough. Approval of \$1,500 was affirmed to help toward the completion of the project.

ADJOURNED FOR LUNCH with the Colorado Department of Transportation representatives and other persons interested in the problems at the M&M Truck Stop intersection.

COLORADO DEPARTMENT OF TRANSPORTATION representatives Al Shablo, Rich Bechtolt and Hank Piassoli were present for discussion with the public about the problems at the M&M Truck Stop intersection. No public showed up. It was noted that concerned resident Howard Bowen attended the noon meeting. Businesses on CR 24 will be contacted to see if the changes in the routing of traffic proposed at the noon meeting will be acceptable to them.

HEALTH DEPARTMENT Nurse Betty Sutter presented the Home Health Care contract between the State of Colorado and the Montezuma County Board of Commissioners dba the Montezuma County Nursing Services for signature. Comm Brubaker moved to sign the contract, as corrected, seconded by Comm McClellan and carried.

MAP OF SCHEDULE A ROADS was presented. Comm Brubaker made a motion to approve the map, seconded by Comm McClellan and carried.

PLANNING: Planning resolution P-8-93 was presented

Whereby John Stramel, owner of 80 acres, located in Section 28, T37N., R15W, be granted a variance to the subdivision regulations to create a 20.39 acre tract and a 20.59 acre tract. These two lots are to be part of a larger subdivision to be created at a later date. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried.

WEED PROGRAM Manager Ron Lanier presented a news clipping about EPA rules in connection with landfills.

FAIRGROUND Manager Dante Sena gave a report on activities at the fairgrounds. A meeting will be scheduled to meet with the Cutting Association and Manager Sena. He will continue to check on different alternatives for heating the arena. He asked if tables could be loaned out to the upcoming Tri-State Firemen's Meet. This was affirmed. Manager Sena presented figures To back-up his request for part-time help. The request will be looked at.

SOUTHWEST COMMUNITY RESOURCES (SCR) representatives Peter Tregillas and Katy Baglerek explained additional problems with the HOME and CBDG contracts signed January 4, 1993, and after modifications resigned January 18, 1993. Tregillas stated that in the new proposal for revisions in the contracts, the total figures have not changed, but the contract will reflect a change in the bookkeeping of these amounts. Comm Brubaker moved to agree to these revisions in the contracts, Comm McClellan seconded and carried.

CHILD SUPPORT ENFORCEMENT AGREEMENT FOR SERVICES CONTRACT between Attorney Bob D. Slough and the Montezuma County Department of Social Services was presented for signature. Comm

Brubaker moved to accept this contract, Comm McClellan seconded and carried.

02-16-93

FRAUD CONTRACT: Comm McClellan moved to accept the Combined Cooperative Reimbursement Fraud Program Agreement Between the State of Colorado Department of Social Services and the Montezuma County Board of Commissioners, Comm Brubaker seconded and carried.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman SEAL

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Minutes 02/22/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 22, 1993

STATE OF COLORADO)
) ss. MAR 1 1993
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 22, 1993, at the County Annex Building in Cortez, Colorado, there were present.

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Tuesday, February 16, 1993, were read. Comm McClellan moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ROAD DEPARTMENT Supervisor Billy Striegel reported the repaired blade (with the new cab) is ready to be shipped back to Cortez. It was noted that a memo was sent to all road department employees to report any type of accident immediately to the Sheriff Department. An unidentified person reported that CR J was completely washed out. The official county map and the assessor's property map were looked at to determine where county maintenance ends. It was determined that county maintenance will be done to Sam Pinkerton's property. The road will be checked and reported on later. A culvert at CR 22 and CR N will be checked. Reese Malles' road will be checked today.

STATUTES concerning County Lodgers Tax were read.

STATE REGULATIONS were presented for the Beer and Liquor Code in regard to Conduct of Establishment. These regulations only address premises licensed for liquor and/or beer. The County Clerk's office has received a copy of these regulations and will check with the State Liquor License Department for interpretation of the regulations.

ABATEMENT: Assessor Cruzan presented a continuation for a Petition for Abatement for Dove Creek State Bank, 5357-0762-01-001, erroneous assessment, recommended by the Assessor, 1990, \$235.02 and 1991, \$270.04. Comm Brubaker moved to approve this petition, seconded by Comm McClellan and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

MONTEZUMA COUNTY RACE TRACK ASSOCIATION representatives Jim Rodd and Stuart Wayman reported that their respective associations will be partners this year and will jointly manage activities at the race track. The goal is to make the joint partnership work. A request to use the paddle-wheel road scrapper for one to two days before it goes to the dump area was affirmed. Administrator Weaver presented a report of the Montezuma County Race Track Expenditures for 1992, which did not include machinery costs. There was discussion about how the association could come up with at least one-half of the operating expenses for use of the race tract, which would include the cost for machinery and fuel. Other concerns mentioned included use of

machinery and improvements at the track, and proposed agreements with major companies to display advertising at the track. The Board reiterated that liquor would not be served or allowed. All these concerns will be presented to members at the next Race Track Association meeting which is this week. Another meeting will be scheduled with the Board to finalize fees and address the above concerns.

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02-22-93

ADJOURNED FOR LUNCH with the Dolores County Commissioners at Dove Creek.

BOARD OF SOCIAL SERVICES was conducted.

INTERGOVERNMENTAL AGREEMENT FOR THE SOUTHWEST TRANSPORTATION PLANNING COMMISSION: Comm Brubaker moved to sign this agreement, Comm McClellan seconded and carried. Comm Brubaker moved to appoint Chairman Colbert as the representative for Montezuma County to the Commission, seconded by Comm McClellan and carried.

REIMBURSEMENT OF COST OF CARE BY INMATES TO COUNTIES bill was read. The Board will draft a bill proposing legislation to make reimbursement more feasible, and will present it at the CCI Summer Conference. The Sheriff will be notified of this action.

ADJOURNED at 3:10 p.m.

Deputy Clerk Chairman

SEAL

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Minutes 03/01/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 1, 1993

STATE OF COLORADO)

) ss.

MAR 9 1993

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 1, 1993, at the County Annex Building in Cortez, Colorado, there were present:

Robert D. Brubaker, Vice-Chairman

Helen McClellan, Commissioner of Deeds

Thomas J. Weaver, Administrator

Nelda Jenkins, Deputy Clerk

Absent: Thomas K. Colbert, Chairman

MINUTES of the previous regular meeting held Monday, February 22, 1993, were read. Comm McClellan moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

CLUB 20: A copy of the Club 20 by-laws will be requested to clarify future representative appointments.

PAYROLL: General fund payroll vouchers #9063 thru #9175 in the amount of \$131,803.79, #17567 in the amount of \$12,828.86 and #17568 in the amount of \$79,698.26 and Road fund Payroll vouchers #9176 thru #9217 in the amount of \$60,014.49 and #6672 in the amount of \$41,173.53 were approved for payment.

BIDS for the 1987 Jeep Cherokee were opened. The two bids received were from (1) Tom Smith for \$695 and (2) Lillian Orbke for \$50. The bid for \$695 was accepted.

ROAD DEPARTMENT Supervisor Billy Striegel reported a rock slide on the Dunlap hill and noted that the pavement around the first big corner is slipping. The welder will soon be available to do the two months work needed at the fairgrounds with the help of Manager Sena. Supervisor Striegel has contacted Manager Sena to schedule the time. Tibbets Construction has offered to purchase the chips stored at the Escalante Lumber Company property for \$4.50 per ton or trade for asphalt. It was affirmed that the Road Department can trade for asphalt. Paint for stripping will be tried without adding reflector beads. The paint sprayer has been worked on and it should now do a better job. The extra bucket obtained with the purchase of the used track-hoe will either be repaired by the county or put up for auction. Reports of big holes on CR T and CR X will be checked. A resident on CR 21 has been advised to make an appointment with the Board concerning the county gravel policy.

DEPUTY CLERK Betty Davis reported on a phone conversation with State Liquor License inspector concerning the State regulations for the Beer and Liquor Code in regard to Conduct of Establishment. The interpretation from Mr. Bellio was that the only recourse the County has would be the "Wants and Needs of the Neighborhood" survey. Any County ordinance against a request could create a question of First Amendment rights.

HEALTH DEPARTMENT Nurse Betty Sutter presented the San Juan Basin Area Agency on Aging contract for signature. The contract was signed.

PLANNING: An amended planning resolution P-54-92 was presented whereby James Cooley owner of 32.73 acres, would be granted a variance to the subdivision regulations to create three parcels in Section 24, T. 39N,

R. 14W. This four-way split was approved by the Planning Commission on August 12, 1992. Comm McClellan moved to adopt this amended resolution, Comm Brubaker seconded and carried. A planning resolution P-9-93 was presented whereby Kenneth Riley, owner of 40.86 acres, would be granted a

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03-01-93

variance to the subdivision regulations to create a 10.85 acre tract and a 10.01 acre tract in Section 24, T.36N., R.14W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-10-93 was presented whereby Wayne G. Jones, owner of 18.50 acres, would be granted a variance to the subdivision regulations to create a 15.49 acre tract and a 3.01 acre tract in Section 14, T.36N., R.16W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-11-93 was presented whereby Willie Lee, owner of 140 acres, would be granted a variance to the subdivision regulations to sell a 13.08 acre parcel to an adjoining landowner in Section 2, T.37N, R.17W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations was denied for Pat McCarty for a three-way split of 37 acres. Mr. McCarty will be referred to the Planning Commission.

BOARD OF SOCIAL SERVICES was conducted.

SHERIFF Tim Wood presented for signature the Joint Operating and Financial Plan between the U.S. Forest Service and the Montezuma County Sheriff Department. Comm McClellan made a motion to accept this contract, Comm Brubaker seconded and carried.

ADMINISTRATOR Weaver reported that Tibbets Construction, the contractor for the Federal Highway Department, is working on the West Fork road and slide area. He also noted that a public hearing has been scheduled for March 21, 1993, for approval of the official County road map.

ADJOURNED at 11:30 a.m.

LUNCH with the City of Cortez.

Deputy Clerk Chairman

SEAL

Minutes 03/05/1993 Special

MINUTES OF SPECIAL COMMISSIONER'S MEETING

A special Commissioner's meeting was called to convene at 7:30 a.m. on Friday, March 5, 1993, in the Commissioner's Hearing Room at the Montezuma County Courthouse. Notice of the meeting was posted on the County bulletin board and the Cortez Newspaper was informed of the meeting. Those present were County Commissioners; Thomas K. Colbert, Robert D. Brubaker, and Helen McClellan, also present was Thomas J. Weaver; County Administrator, Tim Wood; Montezuma County Sheriff, George Buck; District Attorney, Hazen Brown; Attorney for Citizens State Bank, and Jerome Maag with Cortez Newspapers.

The meeting was called by Commission Chairman Thomas Colbert in order to discuss with Sheriff Wood and District Attorney Buck the problems associated with the Sheriff's act of dumping trash and household belongings on County Road 34 in front of Gilbert Cross's residence. Sheriff Wood informed the Board that he had taken this action at the direction of his legal counsel, District Attorney Buck. After discussion Hazen Brown took the responsibility to pursue a court order directing for the removal, storage, and disposal of the remaining personal property and trash in the county right-of-way. No Commissioners decisions were made at this meeting.

There being no further business to discuss, the meeting was adjourned at approximately 8:15 a.m.

Deputy Clerk Chairman

SEAL

Minutes submitted by Deputy Clerk Tom Weaver

Online Copy

Minutes 03/08/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 8, 1993

STATE OF COLORADO)
)ss.
COUNTY OF MONTEZUMA)

MAR 16 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 8, 1993, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, March 1, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$632.09 out of the 911 account and pay this amount to U.S. West Communications, Denver, CO 80171. Motion seconded by Comm McClellan and carried.

CLUB 20 representative Bill Bauer reported on the recent Club 20 meeting.

ROAD DEPARTMENT Supervisor Billy Striegel reported they are graveling McElmo. Engineer Bud Roach will look at the slip on Dunlap hill. Followup needs to be done on McElmo resident Jimmy Porter's trade with the county for gravel. Supervisor Striegel reported that they will start digging test holes at the dump this week. A Court Order is needed before removing the trash dumped in the barrow ditch on CR 34. A barricade has been installed to close the Cash Canyon road. It was noted that the City will be contacted to work with the County on the water problem at CR L and Mildred Road.

RESIDENT Galen Larson complemented the Board on their action concerning the trash dumped in the bar ditch on CR 34.

WILDLIFE BOARD COMMISSION APPOINTEE: Gene Story stated his desire to be a member of the Wildlife Board Commission and asked for a letter of support from the Board. Comm McClellan moved to write a letter of support for the appointment of Mr. Story as a member of the Wildlife Board Commission, seconded by Comm Brubaker and carried.

REALTOR Dale Ainsworth and property owner Jimmy Porter requested a variance to the subdivision regulations to create a 1.65 acre tract in order to establish an easement to a tract of land being sold by Mr. Porter. The 1.65 acre tract will be purchased from Mr. Wayne Howell and will serve as access for several other property owners in the area. The verbal request will be submitted for approval with a non-residential, non-commercial restriction. Mr. Porter was informed that the trade between the county and him for gravel will be finalized.

FUTURE FARMERS OF AMERICA (FFA): Student representatives for the club, Terry Vigil, Lori Schuster and Shawn Fletcher and teacher Kevin McComb met to express concerns about the new fairground fees for commercial fund raisers by the club. Comm Colbert explained the effect that Amendment 1 has had on the county subsidizing operating expenses for any county facility, and that the new fees are necessary to offset some of the fairground's operating expenses. They were encouraged to work with the Fairgrounds Fee Committee and to contact the Chamber of Commerce for more community involvement to help fund events.

03-08-93

PROPERTY OWNER Theron Story requested a variance to the subdivision regulations to transfer to his daughter approximately two acres. The request was tabled until an on-site inspection is made.

CORTEZ NEWSPAPER reporter Jerome Maag accepted a letter from the Board for publication in the paper as a rebuttal to the editorial in the Saturday, March 6, 1993, paper. The editorial referred to actions taken by the Board concerning the trash that was dumped in the barrow ditch on CR 34.

BOARD ORDINANCES: Comm Brubaker made the recommendation that copies of the two Board ordinances, one for dog control and the other for trash, be sent to the Sheriff, District Attorney and Judges. This was affirmed.

BOARD OF SOCIAL SERVICES was conducted.

DEPUTY CLERK Betty Davis presented an application for a Transfer of Ownership for a retail liquor license for Hilltop and a 3.2% beer license for Skyline Foodmart from Swanners to Lisa Pierce. A public hearing will be scheduled for April 12, 1993.

ELECTED OFFICIALS: Treasurer Bobbie Spore presented the Treasurer's monthly report for the month of February 1993 and a summary report for the Emergency Telephone Assistance, Lodgers Tax, Trappers Fund and Landfill accounts. Assessor Bob Cruzan reported that they have started the reappraisals on agriculture lands. He stated that their goal is to eventually have all county values based on Soil Survey classification, Sheriff Tim Wood gave an updated report on the agreement with the Department of Correction on transporting prisoners to Denver for diagnostics. It was noted that the Court Order for the county to remove the trash in the barrow ditches on CR 34 has not been received. It was affirmed that the Elected Officials will meet with the Board the second Monday of each month at a time designated by the Administration office and the Administration Secretary will notify each official of the scheduled time each month.

M&M TRUCK STOP INTERSECTION: Colorado Department of Transportation representative Al Shablo and several people representing the businesses in the area (see attached) met to discuss suggestions and ideas about how to make the intersection safer. Mr. Shablo presented the Department's overview of the problems and possible solutions. After discussion, everyone agreed that the short-term solution would be signing to slow everyone down and better lighting at the intersection.

RESOLUTION 4-93: Weed Manager Ron Lanier presented Resolution #4-93. Comm McClellan moved to adopt Resolution #4-93, whereas the Montezuma County Comprehensive Weed Management Plan be adopted and become effective immediately, seconded by Comm Brubaker and carried. It was noted that no new noxious weeds were added, therefore, no Public Hearing was needed.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

SEAL

Minutes 03/15/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 15, 1993

STATE OF COLORADO)
)

COUNTY OF MONTEZUMA) MAR 22 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 15, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, March 8, 1993, were read. Comm McClellan moved to approve these minutes as corrected, seconded by Comm Brubaker and carried. MINUTES of the special meeting hold Friday, March 5, 1993, in the Commissioners' Hearing Room at the Montezuma Courthouse were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried. MISCELLANEOUS CORRESPONDENCE was read and contents noted. The County Clerk's report for the month of February 1993 was received.

ACCOUNTS PAYABLE: General fund vouchers #17569 thru #17744 in the amount of \$90,973.44, and Road fund vouchers #6679 thru #6735 in the amount of \$34,900.83 were approved for payment.

ROAD DEPARTMENT: A request from Velma Jennings to extend county maintenance on CR H was discussed. This portion will have to be brought up to county specs. Engineer Bud Roach and Road Supervisor Striegel will meet with her to explain what needs to be done and estimate the cost. Supervisor Billy Striegel reported that the 1993 Road Plan does include changing CR H to go around the hill, if permission is obtained from residents that the change will impact. At the request of the Board, Supervisor Striegel will prepare cost figures for the dust retardant mag chloride program. It was noted that Celsius needs to be contacted to help with road damage from truck traffic on CR BB & CR 10. It was affirmed that the commitment to chip and seal CR N to the intersection of CR 28 will be honored. Supervisor Striegel reported that mowing this year will only be done at intersections. Test holes dug on the Gale Greenlee/county property in the dump area will be filled. They will check stability of the old cars in the river above Spruce Tree bridge, The fiat is ready for use. Reclamation at the Mancos gravel pit will be done with the fiat. After reclamation, the new road will go over the top where the present topsoil is piled.

TELEPHONE SYSTEM BIDS: Bids for the telephone system for the Justice Building were opened. The bids were as follows: Martin Communications, \$15,911.00; Southwest Telephone Systems, \$33,979.10; AT&T, Grand Junction, \$25,272.76; Farmers Telephone Company, \$29,805.81; and, Unitel, \$24,484.00. No decision was made to award the bid. Bids will be checked to be sure they meet specs.

CRS SERVICES, INC.: The study on "Carbon Dioxide - A Commodity Analysis" by Norman was received and reviewed.

PLANNING COMMISSION BOARD: Comm Brubaker made a motion to appoint the following as the Planning Commission Board members with the terms as designated, Comm McClellan seconded and carried. 1 Year: Harvey Young, Joe Arado and Benny Cordova; 2 Years: Jerry Koskie, Cindy Dvergsten and Darrell Veach; and, 3 Years: Vernal Aulston, Allan Whitmer and Dudley Millard.

3-15-93

BOARD OF SOCIAL SERVICES was conducted.

PLANNING: A verbal request for a variance to the subdivision was tentatively approved for Thelma Garwood, Barbara G. Kirk and Marjorie A. Wright, owners of a 200 acre tract to sell 11 acres to a neighbor. A verbal request for a variance to the subdivision was tentatively approved for owners of 50 acres, Bill Rutledge and Dave Kingman, to sell 50 acres and Dave Kingman to retain 5 acres.

ACREAGE adjacent to the County Landfill which includes a 40 acre tract of which Gale Greenlee owns a 3/4 undivided interest and the county owns a 3/4 undivided interest was discussed. A draft contract addressing the use and eventual ownership of the tract will be prepared and presented to Mr. Greenlee.

LANDFILL AND WEED PROGRAM Manager Ron Lanier met to discuss landfill fee, increases needed to cover expenses for compliance of Sub Title D. A public hearing will be scheduled to set new fees at the landfill. Manager Lanier reported that he is ready to apply for a commercial application for a license to do part-time weed spraying on his own time. A possible conflict of interest was discussed and Mr. Lanier was told that if the conflict created a problem he would be responsible for resolving any conflict, which might be a choice of which job he could keep.

ADMINISTRATOR Weaver presented the Federal Mineral Lease distribution formula. This was discussed.

ADJOURNED at 2: 00 p. m.

Chairman

SEAL

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Minutes 03/22/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 22, 1993

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 22, 1993, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert. D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, Attorney

APR 6 1993

Thomas J. Weaver, Administrator

Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, March 15, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the Useful Public Services (U.P.S.) program has people available for work. It was confirmed that these people can be utilized by the department. Cost figures for the dust retardant mag-chloride program were presented. The fee of \$200 for 400 feet was suggested. This amount would cover \$100 for manpower and rental of water truck and blades, and \$100 for the mag-chloride. A fee of \$200 for 400 feet was set for the program and affirmed. There has been another big slide on Dunlap hill. Supervisor Striegel received a call from the Dolores County about cracks on their part of t-he West. Dolores road; so far our section of the road does not have any. The West Fork slide area is repaired and the concrete, barriers are installed. They will continue to check the road for mud slides. Supervisor Striegel reported vandalism at the McElmo gravel pit and asked if it was possible to hire a night watchman. This was affirmed. Engineer Roach met with Velma Jennings, resident on CR H. She was informed that from the cul de sac to the corner is not a county road. He will estimate the cost to bring that section up to county specs and let her know. She will contact neighbors to help with the amount. Fences torn down from snow removal will be checked. It was affirmed that the bridge on CR G will be done this year.

PUBLIC HEARING - OFFICIAL COUNTY ROAD MAP: It being the time set aside, a Public Hearing was conducted to consider changes to the County Road Map adopted June 29, 1987. Present was Josephine Anthony. Engineer Bud Roach presented the proposed changes. The hearing was continued to May 3, 1993.

A Public Hearing for "Notice of Abandonments" will be scheduled for May 3, 1993, at 10:00 a.m. These proceedings were tape recorded, the role was called and the Public Notice was read.

DEPARTMENT OF SOCIAL SERVICES was conducted.

HEALTH DEPARTMENT Nurse Betty Sutter presented her Annual Report which is at summary of all the Health Department programs. The presentation will continue next week.

WEBER CANYON outfitter Jerry Rapp gave an update on activities at the ranch. He thanked the county for road improvements on CR 41. It was affirmed that noxious weeds will be sprayed on CR 41.

03-22-93

TEMPORARY LIQUOR LICENSE: Comm Colbert made a motion to approve a temporary application for a retail liquor license for Hilltop and a temporary 3.2% beer license for Skyline Foodmart for Lisa Pierce, seconded by Comm McClellan and carried.

ADJOURNED at 12:15 p.m. LUNCH with the Mancos Senior Citizens.

Deputy Clerk Chairman SEAL

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Minutes 04/05/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 5, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

APR 13 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 5, 1993, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

Absent: Helen McClellan, Commissioner of Deeds

MINUTES of the previous regular meeting held Monday, March 22, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Colbert and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: General fund payroll vouchers #9225 thru #9338 in the amount of \$131,370.22, #17746 in the amount of \$12,828.86 and #17747 in the amount of \$78,627.47 and Road fund Payroll vouchers #9339 thru #9380 in the amount of \$59,947.71 and #6737 in the amount of \$41,307.09 were approved for payment.

HIGH COUNTRY TRANSPORTATION owners Don and Buzz Crowley requested that CR 24.3 be county maintained. Road Supervisor Billy Striegel will check to see if the road meets county specifications. If it does it will be added to the system for maintenance.

ROAD DEPARTMENT Supervisor Billy Striegel reported that there are approximately 622 tons of chips at the Escalante lot which will be traded to Tibbits Construction for approximately \$2,800 credit for asphalt.

Different methods to chip and seal CR N are still being considered. It was noted that not much can be done about downed fences since most of them are due to just heavy snow this year. Supervisor Striegel presented the proposal for a Seasonal 4-day/10 hour Work Week plan for the Road Department. After discussion, it was affirmed that the plan would be implemented on a trial basis for 60 days, starting Monday, April 12th. At the end of that time, statistics will be compared. Dump problems were discussed. To help with these concerns, the dump area will be open 10 hours a day, 7 days a week; a flexible part-time position will be added; and, the scrapper will be repaired and used at the site. Supervisor Striegel will check with Engineer Roach for cost of installing a guardrail on CR H.

PROPERTY OWNERS Mr. and Mrs. Jim Kidd met to request a variance to the subdivision regulations to retain from a 3.31 acre tract a parcel the size of a city lot and sell the remainder. The tract, which is actually in the county, is on City water and sewage. Tentative approval for the variance was given after the Kidds checked with the City on the required lot size.

REALTORS Stan Pierce, Bob Durant and John Paquin representing property owner Irene Williams and Attorney David Duncan met to clarify access to Ms. Williams' 34.1 acres off of CR 30. Attorney David Duncan stated that the original owner had retained a 75' access "to run with the land" and this access does include the Williams property. A letter will be obtained from Ms. Williams' attorney stating that she has legal access and a survey will be submitted to satisfy the qualifications for the requested variance. The request for a variance to the subdivision regulations was tentatively approved.

HEALTH DEPARTMENT Nurse Betty Sutter reported problems with the department's telephone system. The system will be repaired.

PLANNING: A planning resolution P-12-93 was presented whereby Clarence Calhoun, owner of 32.52 acres, would be granted a variance to the subdivision regulations to create a 3.06 acre tract and a 29.46 acre tract in Tract 63, T.37N., R.17W. Mr. Calhoun will relinquish Resolution P-17-83 in order to obtain Resolution P-12-93. The Planning Commission approved the request on February 25, 1993. There shall be no further variances granted to Mr. Calhoun. Comm Brubaker moved to adopt this resolution, Comm Colbert seconded and carried. A planning resolution P-13-93 was presented whereby Wayne Howell, owner of 23.12 acres, would be granted a variance to the subdivision regulations to sell a 1.65 acre parcel to Betty Ethel Porter in Section 2, T.36N., R.15W. This 1.65 acres is restricted to non residential and non-commercial use only. There is to be no septic system on this tract and does not constitute a separate tract for resale. Comm Brubaker moved to adopt this resolution, Comm Colbert seconded and carried. A planning resolution P-14-93 was presented whereby William Grimes, owner of 163.89 acres, would be granted a variance to the subdivision regulations to sell a 3.48 acre parcel to his daughter in Section 2, T.36N., R.15W. Comm Brubaker moved to adopt this resolution, Comm Colbert seconded and carried. A planning resolution P-15-93 was presented whereby Theron Story, owner of 250 acres, would be granted a variance to the subdivision regulations to deed a 2.00 acre parcel to his daughter in Section 7, T.36N., R.17W. Comm Brubaker moved to adopt this resolution, Comm Colbert seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Vera Franka to sell 10 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Gerald Fisher to sell 150 acres and keep 6 acres with a house. A verbal request for a variance to the subdivision regulations was tentatively approved for Roy McCall to sell 5 acres from a 213 acre tract.

SHERIFF Tim Wood presented the Sheriff's monthly report for the month of March 1993. He also presented a request for an open burn ordinance from the Board. The ordinance will make it mandatory that county residents notify the dispatcher at the Justice Building of any scheduled controlled burns. At this time the Sheriff can only recommend that they report any burning. Cortez Fire Marshal Jack Click gave a report on the city's policy for open burning. Action was tabled until State statutes can be checked.

DEPUTY CLERK Betty Davis presented the request for modification of premises for the Eagle Claw Trading Post. The premises have been inspected and the modification of premises approved by the State Liquor Law officer. Comm Brubaker moved to sign the request, seconded by Comm Colbert and carried.

ADJOURNED for Tour of the Airport and Lunch with the City of Cortez.

BOARD OF SOCIAL SERVICES was conducted.

DEPARTMENT OF SOCIAL SERVICES State representative Tom Graham presented "A Social Services Handbook for County Commissioners" and gave a brief summary on the information in the handbook.

ADMINISTRATOR Weaver reported that Celsius has been contacted about the dust on CR BB. He stated they had offered to pay for dust retardant the first time, if the seven residents on the route would do it the second time. The residents will be contacted.

U.S. WEST SALE OF TOWN OF DOLORES TELEPHONE EXCHANGE: U.S. West representative Bonnie Pehl-Peterson presented U.S. West's plan to sell the 882 exchange to another company. The plan is that a sale will be finalized by the end of the year. Mayor Jim Cattles, Farmers Telephone Company representative John VanCleve, Rocky Bollan, Frederick A. Schaak and Melinda Green were present. After concerns were expressed about future service, Ms. Pehl-Peterson stated that the purchaser will have to demonstrate the ability to give the same service that U.S. West now supplies to Dolores.

04-05-93

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ATTORNEY Cliff Fossum representing Essie Cook and Realtor Stan Pierce presented a request for a variance to the subdivision regulations for a small tract outside the Mountain View Subdivision to be added to Ms. Cook's property. None of the lines of the platted subdivision will be changed. Tentative approval was given. JOB SERVICE Manager Maxine Maestas and retired former Jobs Program employee Ellen Holston presented proposed personnel changes due to Ms. Holston's retirement. The plan for the Jobs Program will be submitted to the State with the proposed salaries and personnel. Any changes in the proposed plan were tabled, until the State Department of Social Service Allocation for jobs is received.

ADJOURNED at. 4:00 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 04/12/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 12, 1993

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA) APR 20 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 12, 1993, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, April 5, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Colbert and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PROCLAMATION declaring April 16, 1993, as Public Health Nursing Day in Montezuma County in honor of the centennial celebration of public health nursing practice in the United States was signed by Chairman Thomas K. Colbert.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue Order Number 0-1-93 to the Treasurer to transfer the amount of \$632.09 from the 911 account to U.S. West Communications, Denver, Colorado 80171. Motion was seconded by Comm McClellan and carried.

ROAD DEPARTMENT Supervisor Billy Striegel reported a request from Fairgrounds Manager Sena for approximately 20 loads of sand and 40 loads of sawdust for the outside arena area. It was noted that sawdust alone will break down clay, while sand tends to make the ground harder. Manager Sena will be notified to rip up the area, put on only the sawdust (which is free), and roto-till the area for this weekend events. The arena area will then be checked to see if this is sufficient. They will check the Ormiston pit this week to see if the snow is gone. Supervisor Striegel will check on buying sandrock from Pleasant View residents. It was noted that a Mined Reclamation permit is needed.

SENIOR NUTRITION Manager Sue Fletcher reported that she had received, from a business that is catering the Senior Prom, a request to borrow 250 plates. The request was denied.

PLANNING: A planning resolution P-16-93 was presented whereby Mike Rosso, owner of 110 acres, would be granted a variance to the subdivision regulations to create three parcels in Section 36, T.36N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-17-93 was presented whereby Tom and Faye Stevenson, owners of 60 acres, would be granted a variance to the subdivision regulations to create a 3.37 acre parcel in Section 33, T.36N., R.14W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-18-93 was presented whereby Gerald Fisher, owner of 159.69 acres, would be granted a variance to the subdivision regulations to create a 6.211 acre parcel in Section 1, T.35N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-19-93 was presented whereby Bill Rutledge and Dave Kingman, owners of 55.73 acres, would be granted a variance to the subdivision regulations to create a 4.22 acre tract in Section 17, T.36N., R.15W. Comm McClellan moved to adopt this resolution,

Comm Brubaker seconded and Carried. A planning resolution P-20-93 was presented whereby David Sanford, owner of 104 acres, would be granted a variance to the subdivision regulations for refinancing a 9.98 acre parcel in Section 2, T.36N., R.15W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively denied for Raymond Samora to do a 4-way split of 38.5 acres. Mr. Samora will be referred to the Planning Commission. A verbal request for a variance to the subdivision regulations tentatively approved for Gerald Fisher to sell 4.111 acres, if there is access. A verbal request for a variance to the subdivision regulations for Mr. and Mrs. Dale Todeschi to acquire a parcel of land within the Fish Subdivision for a Mobile Home Park was referred to the Planning Commission. It was noted that even if the platted lines are not changed, questions about use, septic system, covenants, etc. need to be answered by the parties involved.

CITY OF CORTEZ representative Rick Smith Presented for review, a contract for a 4x4 Plow Truck, specifically called "Specifications and Contract Documents for Improvements to Cortez-Montezuma County Airport, Cortez, CO, Schedule I, AIP Project No. 3-08-0011-10.

PUBLIC HEARING scheduled for the application for a Transfer of Ownership for a retail liquor license for Hilltop and a 3.2% beer license for Skyline Foodmart from Swanners to Lisa Pierce was postponed until Monday, April 26, 1993, at 10:00 a.m. Present for the proposed hearing was owner Lisa L. Pierce, Scott Pierce, John E. Bertoglio, and Sheriff Department Investigator Bob McDonnell. The postponement was necessary since the Public Notice of the proposed hearing was not published in the newspaper. It was noted that the Board has the option of a public hearing for Transfer of Ownership, even tho it is not required by law. It was reaffirmed that the Board does want a public hearing. The access problem to the establishment has been resolved with the business retaining use of both accesses.

COUNTY CLERK Jean DeGraff presented for review, the written procedures for (1) Hearing Procedure Liquor Licensing Authority, Montezuma County, (2) Public Hearing Procedures, Montezuma County, and (3) Instructions - Clerk to the Board. It was affirmed that future letters notifying applicants of the status of their application for a liquor license will be signed by the Chairman of the Board of County Commissioners. If the application is denied the letter will include the reason(s).

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a retail liquor license for Smitty's Liquor. The Sheriff's Department reported 'no problems' with this outlet. Comm Brubaker moved to approve this application, seconded by Comm McClellan and carried.

ASSESSOR Bob Cruzan reported a repaired printer had been totaled while being shipped back to Cortez. It was noted that the item was inadequately insured by the repairing company and shipped back using a different freight company than the County had used. The following recommendations were made – propose to the repairing company that they replace the printer with a new one at a reduced price and waive the repair bill. The insurance covering the item will be collected from the freight company.

HEALTH DEPARTMENT Nurse Bette Sutter finished her presentation of her Annual Report, which is a summary of all the Health Department programs. Most of the programs are getting bigger and as a result the department needs more office space.

ADJOURNED FOR LUNCH with the Dolores Senior Citizens.

04-12-93

ELECTED OFFICIALS: County Clerk Jean DeGraff presented the Clerk's monthly report for the month of March 1993. Clerk DeGraff reported (1) that there have been no complaints about fee increases, (2) that VIN inspections are increasing, (3) that she and Adm Weaver will write an Intergovernment Agreement which will address the distribution of cost for elections between the School District and the County, and (4) that the handicap improvements have been completed for the Clerk's office. Treasurer Bobbie Spore presented (1) the Treasurer's monthly report for the month of March 1993, (2) a summary report for the Emergency Telephone Assistance, Lodgers Tax, Trappers Fund and Landfill accounts for the month of March, and (3) the Public Trustee quarterly report. She reported that the last monies owed from the CRS Audit are being collected and one more payment will be issued to Chuck Norman. The impact of the "Standing Bill" was discussed with Assessor Bob Cruzan.

BOARD OF SOCIAL SERVICES was conducted.

LANDOWNER Mary Jane Millard asked clarification on use of a road in the Pinewood Subdivision. It was explained that any dispute would have to be settled in court. She asked if the county could remove snow at the access to her property off a State Highway. She was referred to people that do snow removal. Other items mentioned were: (1) A problem with a shed that was built many years ago in a roadway in the Lebanon Townsite by a piece of property she has purchased. (2) The dumping of a water heater and old tires along her property at CR 26 and Mildred Road. She will check with Road Supervisor to have them hauled off, and (3) A request to have the stop signs at the intersection of CR L and CR 26 changed to yield signs so the heavy truck traffic could go through without stopping on CR L. The status of Mildred Road as an emergency lane will be checked before any consideration can be given to this request.

SENIOR CITIZENS C. C. Edwards and Alma Duran met to complain about Ms. Duran not being contacted about finalization of a bus tour to South Dakota planned by the Senior Citizens Travel Club. Senior Nutrition Manager Sue Fletcher (volunteer coordinator) commented on the misunderstandings about the sign up of Ms. Duran for the trip. It was explained to Ms. Duran that the County is not connected with the Travel Club or the trip. Chairman Colbert encouraged Ms. Duran to take any future tours, since going on this one was not possible due to the mix up.

MEMORANDUM OF AGREEMENT Between The Region 9 Economic Development District of SW Colorado, Inc., The Office of Community Services, Fort Lewis College and San Juan National Forest, was signed.

ADJOURNED at. 4:00 p.m.

Deputy Clerk Chairman

SEAL

Minutes 04/19/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 19, 1993

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)
APR 27 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 19, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert O. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, April 12, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

CRS SERVICES, INC. representatives Chuck Norman and Randy Fetteroff reported that Shell Western E & P, Inc. has received an extension on reporting their evaluation figures for 1993.

HOUSING CONTRACTS: Home Investment Partnership Program, Contract #93-104 and Community Development Block Grant, Contract #92-740 for the period of January 1, 1993 through March 31, 1993, were signed.

ACCOUNTS PAYABLE: General fund vouchers #17748 thru #17922 in the amount of \$74,138.18, and Road fund vouchers #6744 thru #6813 in the amount of \$56,308.37 have been approved for payment.

TOWN OF MANCOS Mayor Ed Hallam met with the Board about several items. Road Supervisor Billy Striegel was present. The items presented were: (1) He asked for an update on the offer made by the Board two or three years ago to help Mancos with construction of a volley ball court. He requested the use of a county loader and dump truck to haul off what is dug out, and a county truck to haul in the needed sand. The request for a loader and a dump truck for approximately one to two days will be checked on. It was suggested that he check on back-haul with a local business for the sand. (2) He asked about when the 1,500 yards of gravel for maintenance of the streets in Mancos will be available and also made a request to borrow a county roller. (The gravel is to be supplied Mancos in accordance with an agreement with the County in connection with the Mancos gravel Pit which was purchased by the County.) Supervisor Striegel stated that the Mancos gravel pit is still wet. The gravel will be crushed and available as soon as the area dries up. The roller will be available when needed. A recommendation was made to stock pile gravel this fall for use by Mancos in the spring of 1994. (3) He asked if Mancos could get a County dump truck to haul off trash, etc. collected on their Saturday, May 8th clean up day. It was recommended that he contact private businesses in Mancos that have dump trucks. The Board asked if he would take a request made to them for a stop sign on Grand Avenue in Mancos before the Mancos Town Board. This was affirmed.

ROAD DEPARTMENT Supervisor Billy Striegel and Bill McLaughlin presented the Montezuma County Road Department/Patching and Chip Seal Revised Project List for 1993. Due to very sever winter conditions, additional funds are needed to do the necessary repair and maintenance on the county roads this year. \$35,000 from the Emergency Reserve Fund to help with this problem was discussed. At the Board's request, next week the Road Department will present specific information on what the emergency is and exactly where and how any monies from the Emergency Reserve Fund would be spent to take care of the road repair emergency. It was suggested that cost estimates be

obtained for lay-down, any time there is a question of whether to use lay-down instead of blade patching, since the lay-down last longer. A local business that does lay-down has contacted the Road Department. It was affirmed that he should be contacted for cost estimates on any lay-down the county does. A report was received from Dolores County that the West Fork road is slipping. Even tho the road has been accepted, the Federal Highway Department will be told that the road should have lasted longer than one year. Dolores County is hauling gravel from the Ormiston pit, per agreement. It was noted that the old belly dump is not needed, therefore, the sale of it will be advertised for bids. A road tour which will include Dunlap Hill, the West Fork road and Kelly Hill will be scheduled for this afternoon with the Road Department supervisor.

PROPERTY OWNER Dr. Cecil Johnson presented objections to a proposed subdivision which would include his home on three acres, and the use and upgrading of the proposed subdivision road which runs across his land. The property is on the west side of McPhee Lake (off of CR 26 on the way to the Great Cut Dike). He presented a copy of a document with the signatures of other landowners in the area that are in favor of the proposed action. Chairman Colbert in addressing Dr. Johnson's concern that the county would be involved in upgrading the proposed subdivision road assured him that. "the county is not going to do anything to that road." Also present was Edith J. Johnson and Roger Hazlewood and Road Supervisor Billy Striegel. Mrs. Johnson video taped the presentation.

SOUTHWEST OPEN HIGH SCHOOL Teacher Richard Fulton and students, Cody Derrick, Carrie Moore and Rebecca Cole were present until noon.

Explanation of the variance and Planning Commission process was given to the students.

PLANNING: A planning resolution P-22-93 was presented whereby Gerald Fisher, owner of 160 acres, would be granted a variance to the subdivision regulations to create a 4.111 acre parcel to sell in Section 20 and 21, T.36N., R.13W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Roy McCall to sell 20 acres. A verbal request for a variance to the subdivision regulations was denied for Tom Ervien to sell 7 acres, until a 60' easement for access is secured. A verbal request for a variance to the subdivision regulations was tentatively approved for James Slade to create two 8-acre tracts. A verbal request for a variance to the subdivision regulations was tentatively approved for Carlton Wofford to sell 10 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Scott and Lenetta Shull to add a 3 acre parcel to approximately 4 acres - this will not constitute a separate transaction for sale.

SHERIFF Wood explained present procedures involving the Sheriff Department's Forfeiture Fund account monies. After discussion, it was affirmed that all future non-forfeiture funds should be put directly into the General Fund account. A check will be written to the General Fund for all the unauthorized monies now deposited and shown in the forfeiture fund account. The forfeiture account from now on will include only funds from forfeitures.

RESOLUTION #5-93: Comm McClellan made a motion to adopt resolution #5-93 whereas, open burning of fields and ditches occurs in Montezuma County, that henceforth all citizens of Montezuma County are encouraged to call the local Sheriff's Department so that law enforcement personnel will be aware that open burning is taking place in particular areas located with Montezuma County. Comm Brubaker seconded and carried.

BOARD OF SOCIAL SERVICES was conducted.

04-19-93

3

ADJOURNED for Lunch with the Open School representatives.

ADMINISTRATOR Weaver reported that use of the computer program to receive copies and actions on State bills is no longer needed. It was affirmed that other means can be used more effectively to get copies of the bills; therefore, the computer program will be cancelled. Administrator Weaver will inform resident Glen Spencer, by letter, that he needs to meet with Engineer Roach on his request to run pipe down a county road barrow ditch. It was affirmed that this request will be honored if the installation meets with Engineer Roach's approval.

ABATEMENT: A petition for abatement of property tax was presented for AT&T. Assessor Cruzan was present. Due to an electrical power failure which made it impossible to tape the proceedings, the abatement is postponed until next week.

ADJOURNED at 2:00 p.m. for road tour with the Road Department Supervisor.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 04/26/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 26, 1993

MAY 4 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 26, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, April 19, 1993, were read. Comm McClellan moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

FOREST SERVICE ROAD AGREEMENT between the U.S. Department of Agriculture and Montezuma County for Schedule A roads was signed.

ROAD DEPARTMENT Supervisor Billy Striegel and Bill McLaughlin presented the Montezuma County Road Department/Patching and Chip Seal for 1993, Emergency Funds Request for \$35,000. Montezuma Water Company will be contacted to help fix problems on CR 27. This year's dust abatement program will be published in the newspaper for scheduling with the road department. The City of Cortez has located, and will fix the water leak which has caused problems on CR F. They will be approached about helping with the expense of repairing the road. Road Supervisor Striegel stated a need for a place to stock pile gravel.

County employee Jim Sattley has offered additional gravel storage on his land in return for eight loads of gravel. Comm McClellan made a motion to tradecounty employee Jim Sattley eight (8) loads of 3" gravel for the use of stock piling gravel on his land for an indefinite time. Comm Brubaker seconded and carried. Supervisor Striegel will check with Engr Roach about the road at the Mancos gravel pit. Fee monies collected at the dump will be picked up Monday, Wednesday and Friday. Pay checks for road department employees will continue to be picked up at the Road Department office. Bill McLaughlin will check on cost of paving or chip sealing the dump road. Dust and speed problems were reported on several roads. The scraper at the fairgrounds will be used to move brush and then be taken to the dump. Other items mentioned were: (a) will haul 40 loads of sawdust to the fairgrounds, (b) have the materials to do the guardrail on CR H, (c) options for fixing the water over-run problem on the McElmo Road, rather than replacing the bridge, (d) three loaders need repairs, and (e) moving trucks from Ormiston to the Gardner gravel pit.

EMERGENCY RESERVE FUND ORDER: Motion was made by Comm McClellan to direct the Clerk to issue Order Number 0-2-93 to the Treasurer to transfer the amount of \$35,000 from the Emergency Reserve Fund to the Road Department for patching and chip sealing (see attached). Motion was seconded by Comm Brubaker and carried.

PUBLIC HEARING - HILLTOP AND SKYLINE FOODMART: It being past the time set aside, a Public Hearing was conducted for the consideration for a Transfer of Ownership from Mr. and Mrs. Dick Swanner to Lisa Pierce for a retail liquor license for Hilltop and a 3.2% beer license for Skyline Foodmart. The roll was called and proof of publication was read. It was noted that there was no one in the audience against the transfer. Present were Lisa L. Pierce, Scott Pierce, Sheriff Department Investigator Bob McDonnell, and Deputy Clerk Betty Davis. Investigator McDonnell reported that the investigation was done of Ms. Pierce's financial and character background, and the floor plan of the establishment was physically inspected. All were accepted. No polling was done since this action is a transfer of ownership and the needs and the desires of the neighborhood have been met. Comm Brubaker moved to approve this transfer of ownership for both licenses, Comm McClellan seconded and carried.

DEPUTY CLERK Betty Davis presented to the Board a copy of the "Liquor and Beer Licensing Law and Practice."

SHERIFF INVESTIGATOR Bob McDonnell presented the Renewal Application for Registration Under Controlled Substances Act of 1970 for signature. Also presented was the State of Colorado Department of Institutions for Youth Services/Western Region, Letter of Agreement and Exhibit A (Budget for Montezuma County for Intake/Screening, Crisis Intervention for Juveniles) for signature. Both were signed. (The State contract was signed after corrections were made in the text.) There was some discussion about the Montezuma County Sheriff's Department Inmate Financial Disclosure Statement. McDonnell will compile cost figures to support the proposal to collect monies from inmates.

HOBBY SHOW organizer Dr. John Dickson asked that the kitchen fee be waived for the Band Mothers who took care of the food concession for the Hobby Show held April 24th at the Annex Building. He assured the Board that any future activities would include payment for a kitchen fee.

LEBANON ROAD residents Floyd and Edna Parker presented a petition signed by approximately 300 people. The petition stated that they want Lebanon Road to remain paved. It was noted that the county, at this time, plans to chip and seal and blade patch problem areas and build up the shoulders.

4-H HORSE COUNCIL members Ann Humiston and Bobbie Hunter asked the Board to waive the cost for use of the fairgrounds for the June 5th horse show. The horse program requires 2 shows for qualification for the County Fair. It was noted that this is a year of transition for fees. They assured the Board that they will try to work out payment for fees next year.

FEE WAIVERS: Comm Brubaker moved to waive the fee for use of the Annex Building kitchen for the Band Mothers for the April 24th Hobby Show, and fees for use of the 'fairgrounds' arena and kitchen for the 4-H Horse Show on June 5th, Comm Colbert seconded and carried. Votes were as follows: Comm Colbert yea, Comm Brubaker yea, and Comm McClellan nay.

DEFENDANT'S MOTION TO VACATE JUDGMENT, MESA VERDE COMPANY, Case #89CV162 was filed Friday April 23, 1993.

RESIDENT Elvin Vavra met to discuss his concern about possible flooding this year in Dolores and maybe the need for sand bags. He was advised to check with the Town of Dolores.

SOUTHWEST WATER CONSERVATION BOARD: Comm McClellan moved to re-appoint John Porter to the Southwest Water Conservation Board of Directors, seconded by Comm Brubaker and carried.

COUNTY ANNEX BUILDING: Senior Nutrition Manager Sue Fletcher's report that the Hobby Show participants did not clean up the Annex Building after the April 24th show was discussed. It was affirmed that the amount it cost to clean up the building, will be deducted from their \$100 deposit.

04-26-93

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BOARD OF SOCIAL SERVICES was conducted.

PLANNING: A planning resolution P-21-93 was presented whereby Elgin Flott, owner of 2.521 acres, would be granted an "after-the-fact" variance to the subdivision regulations to clear up a boundary dispute between Mr. Flott's property located in Lot 24 Block 1 of the Mountain View Subdivision and the property owned by Billy E. Foster located in Tract 8 of the Merritt Properties. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Bob Durant to take out of Ill acres a 5 acre parcel, if a 60' easement is established that does not include the ditch as part of the easement. A verbal request for a variance to the subdivision regulations was tentatively approved for Ty and Irene Williams, since a letter was received from their attorney verifying that the Williams do have access to 34.1 acres off of CR 30.

RESIDENT Kathy Bohl and Richard Tibbits asked that consideration be made for chip and seal for .7 of a mile on CR L. Road Supervisor Striegel was also present. Ms. Bohl reported that she had contacted some of the private residents and businesses along the road for monies to help with the cost. Most were willing to help. Chairman Colbert noted that there would have to be considerable contributions from the residents and businesses for the project. Mr. Tibbits stated that, as a business on the road, Tibbits Construction Company would like to help the other residents on the road and after he examines the county road specs, he will make a proposal. He requested specs from the county; these will be given to him. Mr. Tibbits and Striegel will inspect the road and cost figures will be prepared. Ms. Bohl will be notified of the cost figures.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented color-coded GIS map and gave a lands and timber report.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

SEAL

Minutes 05/03/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 3, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

MAY 11 1993

At the regular meeting of the Board of Commissioners, Montezuma, County, Colorado, held on Monday, May 3, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, April 26, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The monthly report for the Sheriff's Department for the month of April 1993 was received.

PAYROLL: General fund payroll vouchers #9388 thru #9503 in the amount of \$130,476.77, #17927 in the amount of \$12,828.86, #17929 in the amount of \$78,361.48 and Road fund payroll vouchers #9504 thru #9545 in the amount of \$59,766.44 and #6816 in the amount of \$41,552.14 were approved for payment.

911 AUTHORITY BOARD: Motion was made by Comm McClellan to direct the Clerk to issue Order Number 0-3-93 to the Treasurer to transfer the amount of \$632.09 out of the 911 account and pay this amount to U.S. West Communications, Denver, CO 80171. Motion seconded by Comm Brubaker and carried.

1974 BELLY DUMP TRUCK BIDS were submitted by Adm Weaver for four companies: Norman Utley Construction, \$10,500.00; Triad (Western Construction Company), \$2,525.25; High Country Transportation, \$7,200.00 and William Bridgewater, \$4,175.00. Motion was made by Comm Brubaker to accept the high bid of \$10,500.00 from Norman Utley Construction, Comm McClellan seconded and carried.

ROAD DEPARTMENT Supervisor Billy Striegel reported heavy truck traffic off of the access road to CR 23 by Nielson Construction and the BuRec, due to construction being done on the Reach III project for the Towaoc Canal. He was advised to look at the area and, if needed, get input from Engr Roach for an estimation of any help needed from the two entities for any damages done to the road. He reported an increase of new homes on CR 23 north of CR X. It was noted that the county maintains CR 23 to the bridge. The installation of a gate at the end of CR 24 was affirmed. Supv Striegel reported Loyd Walters on CR S did not want ditching done. Mr. Walters will be notified that ditching needs to be done by the county unless he agrees to take care of the area himself. A letter from Mr. Rich Lee about CR 28 in conjunction with changes proposed on CR H was presented. It was noted that any pipe moving on CR 28 is not a county problem, but that the county will cooperate with the landowners to solve any road problems. Mr. Lee will be encouraged to explore the ASCS option for help with any pipe moving. A request for gravel on CR 18 will be checked.

PUBLIC HEARING - NOTICE OF ABANDONMENT OF CR 29.75: It being the time set aside, a Public Hearing was conducted on the proposed abandonment of County Road 29.76, located in the SE/4N/4 of Section 33, T.37N., R.15W. Present were Clifton Combee, Charles Combee, Sandra (Combee) Bryan and Road Supv Striegel. There were no objections. The Combee's request for maintenance on the upper portion of CR 29.75 will be considered. Road Supv Striegel will meet with them on what needs to be done. Comm McClellan made a motion to abandon the above described portion of CR 29.75, Comm Colbert seconded and carried. These proceedings were tape recorded, the role was called, and the Proof of Publication and the Public Notice were read.

CONTINUATION OF PUBLIC HEARING - OFFICIAL COUNTY ROAD MAP: It being the time set aside for a continuation, a Public Hearing was conducted to consider changes to the County Road Map adopted June 29, 1987. Present were Duane Lanier and Road Supv Striegel. Mr. Lanier expressed that he would like to have a portion of CR CC abandoned. He will check with other residents on the road. If all the residents agree to the abandonment, a Public Hearing will be scheduled. It was noted that the Boone - Anthony corner will remain as shown on the map. Comm McClellan made a motion to adopt the Official County Road Map dated May 3, 1993, Comm Colbert seconded and carried. These proceedings were tape recorded and the role was called.

PUBLIC HEARING - LANDFILL FEE INCREASES: It being the time set aside, a Public Hearing was conducted to fix, modify and collect service charges from users of Montezuma County's solid waste disposal sites and facilities for the purpose of financing solid wastes management in Montezuma County. Present were Bob Moore, a resident on the road, and Road Supv Striegel. Adm Weaver presented the proposed fee increases. Mr. Moore suggested that the road to the dump be paved due to dust. It was noted that the road does need to be improved and dust retardant will continue to be put down by the county. After discussion, it was affirmed that a 25 cent surcharge, which will be added to the proposed landfill fees, will be set aside for future improvements to the road. Comm McClellan made a motion to adopt the new fees (see attached) as adjusted, Comm Colbert seconded and carried. These proceedings were tape recorded, the role was called and the Proof of Publication and the Public Notice were read.

NACO/PEBSCO representatives Burt Burrows and Richard Rodgers presented a Deferred Compensation Plan for County Government Employees. It was affirmed that the County will not endorse the volunteer plan, but that an "interest card" will be put into employee pay check envelopes. If the interest in the plan is considerable, the issue will be addressed at a later time.

RACE TRACK promoter Jim Rodd presented the Fairground Raceway 1993 Schedule and estimates for improvements at the raceway. Marian Rodd was present. Mr. and Mrs. Rodd stated concerns about a misunderstanding for authorization of improvements that they felt need to be done at the facility. Adm Weaver stated that the Board authorizes any work done at the fairgrounds. It was affirmed that gravel will be used to temporarily fix a large hole in the parking lot. The hole was created by the county installing water for the fairgrounds. Statements to clarify the County position on matters concerning the race track are as follows: (1) that the County is not in the position to spend unlimited funds on the facility, (2) that the water truck is county equipment, (3) that the County controls the race track, (4) that it is up to the County where and when equipment is used, (5) that the race track is a totally County owned and operated facility on State land being rented out on a per use basis, (6) that the fairground Manager is working for the County and is paid by the County, and (7) that there should not be personal property left at the premises to be subject to vandalism. A meeting with the Board members of the Raceway Association is scheduled for next week. Mr. Rodd as a Board member of the Raceway Association was requested to present at that time a list of priorities of what is needed to be done and how to come up with at least, one-half of the operating expenses for use of the race track.

05-03-93

ADJOURNED FOR LUNCH with the City of Cortez.

JOB SERVICE Manager Maxine Maestas and retired former Jobs Program employee Ellen Holston asked for an update for proposed personnel changes. Adm Weaver stated that the State Department of Social Service Allocation for jobs has not yet been received.

LIQUOR LICENSES: Deputy Clerk Betty Davis presented an application for renewal of a 3.2% beer license for the Maverick Country Store. The Sheriff's Department reported no problems with this outlet. Comm Brubaker moved to approve this application, seconded by Comm McClellan and carried. Also presented was an application for renewal of a 3.2% beer license for Thriftway Marketing Cooperation dba as Thriftway 228. The Sheriff's Department reported that a liquor license violation occurred on February 20, 1993. The Clerk's office was not notified of the violation until the application for renewal was being researched. Deputy Clerk Davis will get copies of the two tickets written by the Sheriff's Department and copies of records on both of the judgments made by the County Court, and report these findings to the Board. The Health Department check of the establishment reported no problems. No action was taken on the application. A letter will be written to the State Patrol, Sheriff and City Police stating that any liquor license violation should be reported to the Clerk's office immediately.

PLANNING; A planning resolution P-19-93 Amended was presented whereby Bill Rutledge and Dave Kingman, owners of 66.73 acres, would be granted a variance to the subdivision regulations to create a 3.42 acre tract in Section 17, T.36N., R.15W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-21-93 Amended was presented whereby Elgin Flott, owner of 2.521 acres, located in Lot 24 Block 1 of the Mountain View Subdivision, would be granted a variance to the subdivision regulations to not create a new parcel, but to clear up a boundary dispute between Mr. Flott's property and the property owned by Billy E. Foster located in Tract 8 of the Merritt Properties. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-23-93 was presented whereby The Citizens State Bank is applying for an "after-the-fact variance" on property once owned by Charles Gilbert Cross. The property is located in Section 18, T36N., R.14W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Jose Samora, owner of 35 acres, to sell 3 to 4 acres to his Dad. A verbal request for a variance to the subdivision regulations was tentatively approved for Edna Edwards Parker to keep 5 acres out of 50 acres, if the acreage is at least 228' wide.

PHILLIPS 66 SERVICE STATION Manager Randy Millican asked that a large hole on CR G be repaired. It was affirmed that it will be fixed temporarily with gravel. It is on the road schedule to blade patch later in the year.

ASSESSOR Bob Cruzan presented a letter written to Shell Western E & P for signature. The letter, requested by Shell Western E & P, confirmed that Montezuma County has closed the audit of CO2 production and price for production years 1985 thru 1990 (tax years 1986 thru 1991). The letter was signed. Cruzan asked for input concerning the repair bill for the totaled printer, since negotiations to waive the bill have been unsuccessful. Since the repaired printer was received in a totaled condition, a letter will be written stating this as the reason for not paying the repair bill.

BOARD OF SOCIAL SERVICES was conducted.

05-03-93

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COLORADO ACTION FOR HEALTHY PEOPLE (CAHP): Comm McClellan made a motion to sign the CAHP contract #FAAPPG 930919 between the State of Colorado and Montezuma County Commissioners. The contract which has been funded by the Kaiser Family Foundation and The Colorado Trust is to initiate and support community based health activity throughout Colorado. The motion was seconded by Comm Brubaker and carried.

ADJOURNED at 4:15 p.m.

Deputy Clerk Chairman

SEAL

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Minutes 05/10/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 10, 1993

STATE OF COLORADO)
) ss. MAY 18 1993
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 10, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, May 3, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Treasurer's reports for the month of April 1993 were received.

ACCOUNTS PAYABLE: General fund vouchers #17931 thru #18103 in the amount of \$79,780.81 and Road fund vouchers #6817 thru #6891 in the amount of \$71,713.39 were approved for payment.

LANDFILL ORDER: Comm McClellan made a motion to direct the Clerk to issue an order to the Treasurer to draw a warrant on the Landfill fund in the amount of \$7,781.28 payable to the Colorado Department of Health, ASD/AR/BI, 4300 Cherry Creek Drive South, Denver, Colorado 80222-1530, as the first quarter payment. Motion was seconded by Comm Brubaker and carried.

ENGINEER Bud Roach presented the current Bridge Rating report from the State. The report showed 5 bridges under the sufficiency rate and eligible for replacement, and 14 bridges rated for refurbishing. Engr Roach recommended two bridges in the Mancos area as the first priorities for work this year. It was affirmed that the work will be scheduled and prioritized as follows: #1 - Koppenhafer Bridge, #2 - Bridge on CR 44 (Echo Baisn) and #3 - removing gravel from Ismay Bridge (McElmo Canyon). Also noted was the need to remove gravel and do the necessary blading to let water run off of several canal bridges that the county is responsible for maintaining. Engr Roach will get with Road Supv Striegel to schedule the work.

ROAD DEPARTMENT Supervisor Striegel reported that he had inspected CR 29.7. Since there is not a 60' right-of-way, he recommended that the county continue to do only maintenance that has been done in the past, which includes blading and snow removal. They are hauling chips from McElmo. The big trucks are hauling out of the Gardner Pit. The gate was torn off at the Gardner Pit, by persons vandalizing the private company that also uses the area. A watchman has not been put at any of the pits.

FAIRGROUND RACEWAY ASSOCIATION: Jim Rodd, Marian Rodd, Steve Reed, Tom Hall, Gaye Alexander met with the Board. (Association member Stuart Wayman was absent due to illness.) Association member Jim Rodd presented a list of priorities for what is needed to be done at the raceway. Work on the water line, the moving of the electric pole, upgrading of the electricity, fencing of the area, putting one load of gravel around the concession area, and leveling of the area will be considered. It was suggested that an improvement committee be formed and that the committee should work with Fairground Manager Sena. An on-site inspection will be made by the Commissioners, members of the Raceway Association, and Fairground Manager Sena today at 5:00 p.m.

LANDOWNERS Rich Lee and Dick Lee stated they had contacted landowner Russell Hindmarsh and the ASCS office about correcting the problems on CR 20 which include problems with the road, ditch, water, pipe and fences, Road Supervisor Striegel was present. Mr. Lee asked if the Commissioners would write a letter to the ASCS requesting that the project, which includes help from them with the pipe, be moved up on the ASCS priority list. This was affirmed. His proposal was that the County do the basic: excavation which would be across CR 28, Russell Hindmarsh's property and CR N, put in sleeving for the pipe, and move and replace fencing. The length of the project would be approximately 1/2 mile. Mr. Hindmarsh will be contacted to see if his fencing may be moved and replaced and if he agrees to the project. If the ASCS and Mr. Hindmarsh agree to the proposal, the above was affirmed.

MONTEZUMA COUNTY FIRE DISTRICT representatives Graham Nielson (Dolores), Jay Balfour (Cortez) and Dolly Gardner (Lewis-Arriola) expressed a concern with rural road numbering and rural individuals not posting their addresses. Assessor Cruzan was present and reported that his office is doing a grid system which is for identification of properties. It was acknowledged that the current numbering system is not in line with the grid system. Until the system is completed, other means will have to be employed to let the public know the importance of numbering their property for emergency identification. The District representatives will propose to the Fire Chief's Association that an article be published in the newspaper and put on the radio stating the urgency for people to put numbers on their property so emergency vehicles can find them. The cost for the individual to put up the numbers for identification on their property will be researched and put in the article.

RESIDENTS Floyd and Edna Parker met to talk about their request for a variance to the subdivision regulations. The variance was tentatively approved May 3, 1993, with the stipulation that the property be at least 228' wide. They were informed that it would be necessary for them to retain approximately 6 1/4 acres.

ADJOURNED FOR LUNCH with the Dolores County Commissioners.

ELECTED OFFICIALS: Clerk Jean DeGraff asked if there is any problem with her ordering the ballot counter which is included in her 1993 budget for the amount of \$19,800. The only problem mentioned was whether it could do mail-in ballots. It was noted that it would be several years before the mail-in system would be fully implemented. No other problems were noted. Clerk DeGraff reported VIN inspections are increasing. As a result of the increase, the Sheriff's Department will write up field inspections, which will then need to be paid for at the Clerk's office. Other inspections will continue to be done at the Clerk's office. The new work stations in the Clerk's office have been inspected and passed. Assessor Bob Cruzan noted that his office does not have a set "schedule of fees." A schedule will be compiled and be brought to the Board for approval. Adm Weaver presented a new Workman's Compensation "Supervisor incident Report" form to be used by the Department Heads. Also the suggestion of whether to have a designated County physician for Workman's Compensation was mentioned for consideration. It was noted that this would be a Department Head decision.

BOARD OF SOCIAL SERVICES was conducted.

SOUTHWEST COLORADO MENTAL HEALTH representative Meril Amos presented a Proclamation for signature, Proclaiming May 1993 as Mental Health Month. Comm Brubaker made a motion to sign the proclamation, Comm McClellan seconded and carried.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented the findings on the violation in connection with the application for a 3.2% beer license for Thriftway Marketing Cooperation dba Thriftway 228. The application for renewal was tabled. A letter will be written to the parent company, Thriftway Marketing Cooperation, stating that the Board of Commissioners

is holding the application, and that the renewal is pending until a response is received from them concerning the violation. The letter will be sent "Return Receipt Requested." A copy will be filed in the Thriftway 228 file in the Clerk's office.

PLANNING: A planning resolution P-24-93 was presented whereby James and Kathy Kidd, owners of 3.31 acres, would be granted a variance to the subdivision regulations to create a 3.10 acre parcel and a .21 acre parcel, in Section 24. T.36N., R.16W. (See April 5, 1993 minutes.) Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-25-93 was presented whereby Cyril Ty and Irene F. Williams, owners of 34.18 acres in Section 21, T.37N., R15W, would be granted an "after-the-fact" variance to the subdivision regulations. A letter dated April 23, 1993, from Jeffrey Deitch, attorney for the Williams, and a letter dated April 15, 1993, from David W. Duncan, attorney for Coldwell Banker, Western Hills Realty, concerning the access to this property is attached to the Planning Resolution Book copy. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-26-93 was presented whereby Bob and Donna Durant, owners of 111 acres, be granted a variance to the subdivision regulations to make a 4.88 acre parcel in Section 32, T.37N., R15W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations for Roy McCall to sell 10 acres, instead of the original request for 5 acres from a 213 acre tract, was tentatively approved. The original request was tentatively approved on April 5, 1993. A verbal request for an "after-the-fact" variance to the subdivision regulations was tentatively approved for Richard Gavigan to create a 5 acre parcel out of a 41 acre tract. A verbal request for a variance to the subdivision regulations was tentatively approved for Scott and Lenetta Shull to add 2 acres, instead of the original request for 3 acres, to approximately 4 acres - this will not constitute a separate transaction for sale. The original request was tentatively approved April 19, 1993. A verbal request for a variance to the subdivision regulations was tentatively approved for Raymond and Sammie Coulon to deed 3 acres from 210 acres to their son. A problem with planning resolution P-21-93 Amended adopted May 3, 1993, whereby Elgin Flott, owner of 2.521 acres, located in Lot 24 Block 1 of the Mountain View Subdivision, would be granted a variance to the subdivision regulations to not create a new parcel, but to clear up a boundary dispute between Mr. Flott's property and the property owned by Billy E. Foster, located in Tract 8 of the Merritt Properties, was mentioned to the Board. The tract is a part of a parcel that is included in another adjacent platted subdivision. The parties involved will be notified to meet with the Board to discuss the action for clearing up this problem.

KRTZ Radio representative Mark Wondra, requested a recap of the morning meeting with the Raceway Association. The recap was given.

ADMINISTRATIVE Secretary Karen Welch presented cost figures for sand bags. Any need for bags will be directed to the City of Dolores or private businesses in the area. It was affirmed that the county will not purchase sand bags, but if the need arises the county could furnish sand.

REGION 9 representative Ed Morlan presented resolution #6-93. He also reported that a Public Hearing on Block Grant Revolving Loans is scheduled for May 24th in Cortez.

RESOLUTION #6-93: Comm Brubaker made a motion to adopt resolution #6-93 whereas, the Region 9 Economic Development District of Southwest Colorado, Inc., is supported by Montezuma County, and that Montezuma County supports the application of the Region 9 Economic Development District of Southwest Colorado, Inc., to the Economic Development Administration Planning Grant Program. Comm McClellan seconded and carried.

ISBILL ASSOCIATES, INC.: A two-year contract between Isbill Associates, Inc. and Cortez - Montezuma County Airport for engineering services was signed.

06-10-93

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FOREST SERVICE 1993 ANNUAL FIRE OPERATING PLAN FOR MONTEZUMA COUNTY: Comm Brubaker made a motion to sign the Fire Plan, as corrected, seconded by Comm McClellan and carried. A copy of the plan will be kept in the Administration Office.

ADJOURNED at 5:00 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 05/17/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 17, 1993

STATE OF COLORADO)
)
COUNTY OF MONTEZUMA)

MAY 25 1992

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 17, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, May 10, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clark's report for the month of April 1993 was received.

PETTY CASH ORDER: Motion was made by Comm Brubaker to direct the Clerk to issue Order Number 0-5-93 to the Treasurer to increase the Senior Nutrition Petty Cash to \$100.00. Motion was seconded by Comm McClellan and carried.

SHERIFF Tim Wood presented the D.E.A. Grant for Drug Enforcement for Marijuana Eradication in the amount of \$1,800. Also presented was the Assistance Agreement with the Bureau of Land Management (BLM) for signature. Comm Brubaker moved to sign Contract No. 1422 C950-A3-0023. Between The BLM/Colorado State Office and The Montezuma County Sheriff's Department for Law Enforcement Services in the amount of \$1,000, Comm McClellan seconded and carried.

ROAD DEPARTMENT Supervisor Billy Striegel presented a notice for approval that addressed the problem of maintenance of culverts and driveways along county roads. The notice will be put in the paper. Landowners along CR 29.7 will be contacted and told if they want the county to maintain this portion of road, additional ROW is needed and the road brought up to county specs. It was noted that the road needs to be either maintained or taken off the county road system. Supv Striegel presented a request from the Town of Dolores for magnesium chloride for all the streets in Dolores. They will be referred to private businesses. They are still graveling CR N, are moving the chip screening plant from McElmo to the Gardner pit, and have put in culverts on CR 28. Supv Striegel was requested to check on the following: (1) weeds along the road way by the County yard, (2) where a resident on CR 6 may dump rocks, (3) dust problem on CR 23 1/2, (4) spots where people get stuck on CR 23 between CR F and the highway, (5) a new route for the Kelly Hill road, and (6) the request from the Fairview Cemetery Board for help with a new road in the cemetery - they will be notified that they need to build the road, and that the County will furnish gravel if they haul it and maintain the road.

REALTOR Stan Pierce met to discuss the problem with planning resolution P-21-93 Amended adopted May 3, 1993. The problem was discovered after it was noted that there is another platted subdivision involved in the adjusted boundary. He was advised that all the property owners in the adjacent subdivision need to sign off on the change and an Amended Plat be submitted for approval. It was noted that only one lot needs to be replatted.

05-17-93

PLANNING: A planning resolution P-27-93 was presented whereby Sammie and Raymond Coulon, owners of 210 acres, would be granted a variance to the subdivision regulations to deed a 3.004 acre parcel to their son in Section 32, T.37N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-28-93 was presented whereby Jim and Shirley Slade, owners of 16 acres, would be granted a variance to the subdivision regulations to create two 8 acre attracts in Tract 48, T.37N., R.17W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for the wife of the late John Harold to sell 4 acres from a 134 acre tract to a neighbor. It was noted that fees for planning resolution P-40-92 have not been received. A letter will be written to Lloyd Wallace stating that if the fees are not paid the variance will be cancelled.

CHAIRMAN Colbert gave a report on the on-site inspection with the Fairground Raceway Association May 10th. Empire Electric will be contracted by the county to move the electric pole and add a service. A light supplied by the county will be installed on the pole. The county will move the water line and install a stand-up pipe.

BOARD OF SOCIAL SERVICES was conducted.

HEALTH DEPARTMENT Nurse Bette Sutter presented a letter for signature additional monies from the State of Colorado for the Pre-Natal program. The letter was signed. Also presented was the proposed County Nursing Contract, with changes proposed by the Montezuma County Health Department. It will be reviewed.

SUMMIT RIDGE WATER DISTRICT representative Kay Anderson met to ask for a variance to the subdivision regulations to acquire two acres for an office building for the water district. He was referred to Sanitation Manager Mickey Periman for the specs for a septic system. It was noted that the variance as tentatively approved with the restriction that the two acres with the office building will be for commercial use only.

CORTEZ C.U. CENTER representatives Bob Maynes and David Fraley came in to express their thanks for the Board's support of the Center. In appreciation they presented the Board with a framed photo of the mural painted on the outside wall of the Cortez C.U. Center. Also presented was the Updated Statistical Information Report for the Center.

RESIDENT Daniel Ryan asked for a variance to the subdivision regulations to divide approximately 8 acres into two parcels. Since the area might be in a flood plain, he was referred to Sanitation Manager Mickey Periman for the specs for a septic system. He will present the request again after getting the information from Manager Periman.

ADJOURNED at 2:00 p.m. to met with the Town of Dolores.

Deputy Clerk Chairman

SEAL

Minutes 05/24/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 24, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 24, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas. K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

JUN 8 1993

MINUTES of the previous regular meeting held Monday, May 17, 1993, were read. Comm McClellan moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ORMISTON FUND: After review, Comm McClellan made a motion directing the Clerk to issue an order to the Treasurer to pay medical expenses presented for Dylan May, a cancer patient, to Four Corners Radiology in the amount of \$409.81 and San Juan Regional Medical Center in the amount of \$693.25, for a total of \$1,103.06. Motion seconded by Comm Brubaker and carried.

ROAD DEPARTMENT Supervisor Billy Striegel reported that rocks have been hauled to the Stapleton Bridge to stop wash out. The posts have been ordered for the guard rail for CR 25 and H. The installation will probably be the last of June or the first week in July. They are blade patching on CR P. CR F - CR 23 have been ditched and gravelled. All the gravel is on CR N. In order to finish work on the CR N, residents will be notified 3 days before the prime coat is put down so the road can be closed to traffic. The county now has a night watchman. Personnel problems were discussed: (1) need foreman at the Dolores Shop, (2) comp time built up by employees at the dump, and (3) early pick up of checks. Two scrappers will be advertised for sale and be taken to the Beldon Auction. The new tires will be taken off the one in Mancos and others substituted. The request for gravel for the Deer Hill road going to the Deer Trail Cemetery needs to be directed to the Deer Trail Cemetery Board since it is a private road. Supervisor Striegel will check on the request for two culverts for the S&S Farm at the end of CR 10. Concrete will be poured at the fairgrounds.

AIRPORT LAY OUT PLANS were presented for signature and signed.

PLANNING: A planning resolution P-26-93 Amended was presented whereby Bob and Donna Durant, owners of 111 acres, would be granted a variance to the subdivision regulations to make a 5.05 acre parcel in Section 32, T.37N., R.15W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-29-93 was presented whereby Susan Harold, owner of 134 acres, would be granted a variance to the subdivision regulations to sell a 5.17 acre parcel to an adjoining landowner, in Section 33, T.38N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-30-93 was presented whereby David and Kaye Kirk, owners of 41 acres, would be granted a variance to the subdivision regulations and have sold to Richard Gavigan, in Section 24, T.36N., R.14W. This is an after-the-fact variance. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations for Elmer Jones to split approximately 7 acres into two parcels was tabled until State Highway access is checked. A verbal request for a variance to the subdivision regulations was tentatively approved for Glen Minor to sell acreage to an adjoining

landowner with the stipulation that the acreage be tied together and will not constitute a separate parcel. Later it was learned that Mr. Minor's acreage was not going to be sold to an adjoining landowner, therefore, the verbal request for a variance to the subdivision regulations was denied. A verbal request for a variance to the subdivision regulations was tentatively approved for Horton Bumgardner to sell 1.4 acres to an adjoining landowner - this will be tied to that property and will not constitute a separate parcel. A verbal request for Gwen Johnson and Pat Blackmer (Dolores Land Company) to make 3 lots into 2 lots in the Stapleton Subdivision was tentatively approved. An amended plat has been requested. A verbal request for Elvin Roundtree to sell 20 acres to his son was tentatively approved. A verbal request for Mary Fisher, owner of 5.5 acres, to split a small parcel off was denied because the acreage is less than 6 acres.

LONG TERM DISABILITY INSURANCE: Engel Insurance Agency representative Jim Engel presented long term disability insurance plans for consideration by County employees. A letter will be written to the employees for their input on the proposed plan.

EMERGENCY MEDICAL SERVICES (EMS) COUNCIL representative Pat Donnelly presented a report on the EMS Council. He stated that the Council deals with the needed equipment, training and communications in connection with emergency services. The EMS Council membership list was presented for approval (see attached). Comm Brubaker moved to approve this current list of delegates and alternates to the EMS Council, Comm McClellan seconded and carried.

RESIDENT Daniel Ryan telephoned to report that he had received the requirements for a septic system from Sanitation Manager Periman. It was noted that the verbal request for a variance to the subdivision regulations received on May 17, 1993, is tabled until Manager Periman certifies that the requirements of the Sanitation Department are met.

ADMINISTRATOR Weaver reported that free sand bags are available in Montrose, Co. It was affirmed that 2,500 bags may be picked up for use in the County.

WEST FORK ROAD: A letter to the Federal Highway Department from the Montezuma and Dolores County Commissioners was signed. The letter addressed the problems with the recently completed West Fork road.

EMPIRE ELECTRIC'S request for authorization for the location of the electric pole at the fairgrounds was signed.

COMMUNITY DEVELOPMENT PLAN as required under the "small cities" Community Development Block Grant Program (draft) was presented by CDBG representative Ed Morlan. Others present to discuss the different aspects of the plan were SCR representatives Peter Tregillus and Joyce Troxel, Local Affairs representative Ken Charles and Housing Authority representative Terri Wheeler. Support for the plan was affirmed.

REVISED HOME AND CBDG contracts were resigned.

RETIREMENT RESOLUTION #7-93 and a plaque were presented whereby Montezuma County congratulates and expresses appreciation to Irma J. Powell for her 17 years of service to the County. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried.

SUBDIVISION STATUTES were read. Clerk Jean DeGraff was present. It was suggested that the Clerk's office bring any matter concerning a plat that they have a question about to the attention of the Board for their decision. The Clerk will check in the Clerk's laws and regulations, if these actions are appropriate.

05-24-93

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RESOLUTION P-21-93 Amended and adopted May 3, 1993, will stand. A letter will be written to Fossum stating that this is affirmed, but that in the future all subdivision statutes pertaining to platted subdivisions, as written, will be enforced.

ADJOURNED at 4:20 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 06/07/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 7, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 7, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

JUN 15 1993

MINUTES of the previous regular meeting held Monday, May 24, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's report for the month of May 1993 was received.

PAYROLL: General fund payroll vouchers #9554 thru #9669 in the amount of \$135,912.91, #18106 in the amount of \$13,578.46 and #18107 in the amount of \$80,968.29 and Road fund payroll vouchers #9670 thru #9711 in the amount of \$59,766.44 and #6892 in the amount of \$41,552.14 were approved for payment.

911 AUTHORITY BOARD: Motion was made by Comm McClellan to direct the Clerk to issue Order Number 0-7-93 to the Treasurer to transfer the amount of \$632.09 from the 911 account to U.S. West Communications, Denver, CO 80171. Motion was seconded by Comm Brubaker and carried.

CRS SERVICES, INC: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-8-93 to the Treasurer to pay CRS Services, Inc., \$2,474 for resolution of previously issued audits and \$5,000 for audit of 1993 Declaration Schedules for a total of \$7,474.00, out of the monies collected from the CRS audit before distribution. Comm Brubaker seconded and carried.

LANDOWNER Margory Gai met to request a variance to sell 12 acres to the adjoining landowners of the property. She was advised to fill out the necessary variance forms.

ROAD DEPARTMENT Supervisor Billy Striegel reported that there is a time and manpower problem with the Forest Service request for the County to seal cracks on forest service roads as agreed to in the 1993 Schedule A Agreement. It would involve several miles of road. Adm Weaver will contact Forest Service employee John Noland about the request. It was suggested that the item about sealing the cracks be deleted from the agreement. Supervisor Striegel reported that the Town of Dolores was informed about where to procure dust abatement for all the Dolores streets. It was affirmed that dust retardant paid for by private residents needs to be put down as soon as possible. A possible solution was to hire several temporary employees. This was affirmed. A request to dispose of the rocks piled at the old campground on the West Fork road was discussed. The Dolores Foreman position will be posted. A clean-up of the dump road will be done; Baker Sanitation will pick up the bags. CR 39.2 needs to be checked. Comm McClellan complemented the county road department work done on CR 27.

CORTEZ C.U. CENTER Board member Nancy Thomas asked if it would be possible for the Center to apply for some of the lottery monies. It was affirmed that they could apply. An application will be submitted for monies for a specific project.

LANDOWNERS Charles Combee and Sandra Bryan met to talk about the lower portion of CR 29.7. The official 1953 County Road Map showed the road is an unimproved county road (bladed). They would like the road to be maintained as an improved county road or abandoned. Other residents will be contacted for additional right-of-way. If the extra right-of-way can not be obtained, a Public Hearing will be scheduled for abandonment of the approximately 1/4 mile of road.

LIQUORLICENSES: Thriftway Marketing Corporation Vice President R. J. Dalley and Legal Counsel for Thriftway Bob Moss met to express their concern about a liquor license violation in connection with the application for renewal of a 3.2% beer license for Thriftway 228. They explained their sale of alcohol policy training program given to all employees. It was noted that the Manager and Supervisor of Thriftway 228 were aware of the violation; but since the store was not ticketed, the others were not aware of the problem. The employee committing the violation no longer works for the Corporation. Comm Brubaker moved to approve the application for renewal of a 3.2% beer license for Thriftway 228, seconded by Comm McClellan and carried. Deputy Clerk Betty Davis presented an application for renewal for a retail liquor license for the Dawson Lake Store. The Sheriff's Department reported no problems with the outlet. Comm Brubaker moved to approve this application, seconded by Comm McClallan and carried.

LANDOWNER Buford Rule met to request a variance to the subdivision regulations to sell 5 acres. He was advised to complete and submit the appropriate variance forms.

ABATEMENT: Assessor Cruzan being present, a petition for abatement of property tax was presented for AT&T Commercial Finance, #12-8823-000-00-024-P, 1992, erroneous assessment, \$129.47. Assessor Cruzan recommended that the abatement be denied because no personal property declaration schedule was filed with the Assessor's office in 1992. At the recommendation of the Assessor, Comm Brubaker made a motion to deny the abatement, Comm McClellan seconded and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

SOUTHWEST COMMUNITY RESOURCES (scr) REPRESENTATIVE Peter Tregillus presented Home Contract 100892, #93-014-A, Amended #93-014 and CDBG #91-740 Amended for signature. These were signed. Prior original contracts have been approved by the Board.

ADMINISTRATOR Weaver presented a feasible study for a sewage line for the fairgrounds. He reported that the water line has been moved and a stand-up pipe installed at the Raceway. Also the request for a four-day-work week schedule for the Administration Office was discussed. Any further scheduling of the four-day-work week was tabled.

FOUR-DAY-WORK WEEK policy will be reviewed and reevaluated at the end of the 60-day trial period which will be at the end of June.

FIRE EQUIPMENT AGREEMENT: Comm McClellan made a motion to sign the Equipment Agreement Between the Colorado State Forest Service and Pleasant View Fire Protection District and the Equipment Agreement Between Colorado State Forest Service and Lewis-Arriola Fire Protection District effective June 1, 1993, Comm Brubaker seconded and carried.

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for Buford Rule to sell 5 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Dick Kirkpatrick to sell 8 acres to his daughter, contingent on a 60 foot access easement. A verbal request for a variance to the subdivision regulations was tentatively approved for Melvyn Horrocks to sell 4 acres, contingent on State Highway access.

06-07-93

JOB SERVICE Manager Maxine Maestas met to discuss proposed personnel changes involving the Jobs and Food Stamp programs. Social Services employee Kathy Talcott was also present. An option suggested was for the programs to be turned over to the Department of Social Services.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 12:30 p.m. to attend the CCI meeting in Breckenridge, CO.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 06/14/1993 Regular

JUN 22 1993

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 14, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 14, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, June 7, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's report and the Treasurer's reports were received for the month of May 1993.

ACCOUNTS PAYABLE: General fund vouchers #18104 thru #18271 in the amount of \$113,912.92 and Road fund vouchers #6899 thru #6968 in the amount of \$89,036.64 were approved for payment.

STATUTES were read on use of Airport facilities and use of Lottery funds.

CORTEZ C.U. CENTER BOARD will be notified that applications for lottery funds can not be accepted from private organizations.

LANDOWNER Adrian Gibson met to make the Board aware that he and two other landowners have been requested by the Montezuma Water Company to pay for the installation of a 3-inch water pipe to their properties. He feels that the water pipe is larger than they need, and that the request is being made because Lee's Mobile Home Park, which will benefit from the larger line, is expanding. He explained that when he bought the property there was a verbal understanding that a water line was available at no extra cost. It was noted that the County can not solve the problem. The concern will be brought up at the next Planning Commission meeting. Adm Weaver will check Mobile Home Park regulations and do any follow up, if needed, with Lee's Mobile Home Park owner.

NEW VARIANCE POLICY: Variance requests to the subdivision regulations will now have a check list for individuals, which will include written approval for an acceptable water supply source and septic system.

ROAD DEPARTMENT Supervisor Billy Striegel stated that landowner Norm Harder, a resident on CR C, has asked that fences be repaired on his property. Mr. Harder said that the old owners had informed him that they deeded the County land along the property, in exchange for repair of the fences. Adm Weaver checked the file on all the County ROW's that have been deeded to the County. The file reflected no deeds in this area of Section 31. It was noted that the Road Department will be notified to go thru proper channels for Road Department work/personnel decisions. Supervisor Striegel will check on buying the asphalt scheduled to be removed next year from the city streets. If acquired, the asphalt could be stockpiled and reground for use on County roads. The scrapper is at the Mancos pit. It was noted that the Jackson Gulch Dam needs guardrails. It was affirmed that guardrails or some other type of rails will be installed around the elevation points. The question of whether to wait to black top Lebanon Road (CR 25) until the road has settled was mentioned.

Supervisor Striegel stated that after it has all been compacted, it could be checked to see if it can be maintained over the winter by just adding more gravel. Black topping would be done next spring. An article would be put in the paper letting residents know that the road would be black topped at that time.

LANDOWNER Tom Hager asked if the driveways are going to be sloped and widen so there will not be a drop off to properties along CR N. This was affirmed.

REALTOR Ellen Paquin presented a verbal request for a variance to the subdivision regulations for Jim Ervein, owner of 47 acres, to sell 7 acres. It was verified that access to the 7 acres would be off of a public street. The variance was tentatively approved.

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for Margory Gai to sell 12 acres to the adjoining landowners of the property.

NINE-STAR CORPORATION: Stockholders Mike and Geneviva Austen asked about the procedure to install a septic system for a cabin on approximately :3 acres of land. Former owners of the acreage Jim and Dorothy Everly were also present and explained that the acreage is included in a 27acre parcel owned by the Nine-Star Corporation. Problems discussed if the land should go to individual ownerships were: (a) State Highway access, (b) 60-foot access to the properties, and (c) whether each lot is large enough to support a septic system required by the County. It was recommended that the parties research the property with the Clerk's records. It was noted that the stockholders were only buying into a corporation, and not buying a piece of land. It was stated that the County would only be involved if the Corporation divides up ownership of the land. Mr. Austen was referred to Sanitation Manager Mitchell Periman for septic system requirements.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the May 5, 1993 minutes.

ELECTED OFFICIALS: Sheriff Tim Wood presented a Loan Agreement for review. The agreement with Kawasaki through Four Seasons Sports covered the stipulations for a grant for the free use for one year of a Jet Mate Boat by the department. The Sheriff stated that there would not be any additional cost for insurance coverage on the boat. The agreement was affirmed. It was noted that the presented documents should be considered as one and kept together as a complete contract. The "Inmate Financial Disclosure Statement" was discussed. A change in the law for this statement was proposed at the recent CCI meeting. The Sheriff will turn in the financial disclosure documents to the Administrator. Clerk Jean DeGraff asked for an update on the proposal of designating a County physician for Workman's Compensation. Adm Weaver stated that statistics show that this would save money. Sheriff Wood stated that the Sheriff's Department sometimes gets involved with Workman's Comp fraud cases. No decision was made. Clerk DeGraff reported that a mail out ballot system may not be implemented in the county because of Federal bilingual laws.

She noted that she thought it would be cheaper to use the mail out ballots. Treasurer Bobbie Spore presented the Treasurer's reports for the month of May 1993. She also gave a report on monies collected on unreported production, and fees paid to CRS Services, Inc. for their services. Assessor Cruzan reported that his office has received quite a lot of complaints from property owners on issued Notices of Valuation for 1993. He explained that market values are having an effect on property taxes. Administrator Weaver brought up for discussion the proposal for county employees to have Long-term Disability Insurance instead of Life insurance. A letter will be

06-14-93

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sent to all Department Heads explaining the proposal with cost comparison figures. He asked for input on the policy of a four-day-work week for all departments. After discussion, it was noted that the policy will be reviewed the end of June.

INMATE MONIES: At the Sheriff's request, Comm Brubaker made a motion to allow the Sheriff to deposit inmate monies with the Treasurer, and that said monies may be issued to former inmates upon request, Comm McClellan seconded and carried.

SANITATION CONTRACT between the State of Colorado, Department of Health and the Board of County Commissioners, Montezuma County, effective July 1, 1993 was signed.

COMMUNITY SERVICES OFFICE: Mike Preston gave an updated report on timber programs and grazing fee proposals. He reported that BLM is getting ready to do a study on an archeological area south of Cortez. BLM San Juan Resource Area Manager Sally Wisely has proposed to form a partnership between BLM and the County, with the County being responsible for the public involvement meetings. The study will be to implement a multi-use policy for the area.

BOARD OF SOCIAL SERVICES was conducted.

CENTENNIAL CELEBRATION OF WOMEN'S RIGHT TO VOTE RESOLUTION: Comm McClellan read the proposed resolution presented at the recent CCI meeting. Comm Brubaker made a motion to adopt the resolution, seconded by Comm McClellan and carried.

ADJOURNED at 4:00 p.m.

Deputy Clerk

Chairman

SEAL

Online Copy

Minutes 06/21/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 21, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 21, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

JUN 29 1993

MINUTES of the previous regular meeting held Monday, June 14, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

MANCOS VALLEY MULESKINNERS representatives Horace Greer and Bob and Bel Tischmacher met to ask that work promised for the proposed arena area be finished before the upcoming Muleskinners rendezvous the last of July. It was affirmed that Road Department Supervisor Billy Striegel will meet this week with them at the site to discuss what needs to be done. It was noted that, if necessary, the work will be contracted.

LANDOWNER Rilla King called asking for clarification on whether they could collect fees from a gas company that has drilled a well and has proposed a pipeline to run across their land or down the county road right-of-way. Permit policy will be checked. Adm Weaver will contact Ms. King for more information about the situation.

MONTEZUMA WATER COMPANY representative Chris Kramer and Montezuma Water Board President Bill Fulks gave an update on the company's scheduled work. They reported that three moratoriums on water availability will be in-force in the near future in the Lebanon, McElmo, and CR 31 areas. Chris Kramer asked if the county would postpone compaction on the Lebanon Road until, installation of a larger water line is completed. It was recommended that the area be inspected by the Water Company, their contractor and the Road Department to reach an agreement on the postponement. Mr. Kramer will contact the Bureau of Reclamation about the proposal to reestablish the roadway on CR T west of CR 20. He will notify the Board of any proposed action. The Board asked if the water company would submit a letter of water availability for variances to the subdivision regulations. This was affirmed.

MANCOS WATER DISTRICT representative Gary Kennedy presented a report on the Mancos Water Conservancy District. Maps were submitted to compare land ownerships along the canal in 1967 and in 1990. Mr. Kennedy expressed that, now with so many owners, a lot of the land has completely changed use. Safety and access problems are increasing along the canal. Suggestions for solutions to the problems were (1) Before approval of a variance to the subdivision regulations, a "gentleman's agreement" be obtained from the new property owners stating that they would agree to put up a fence for safety purposes, and (2) any access to a subdivision would be required to have another access other than access along the canal. These problems will be brought up at the next Planning Committee meeting.

PLANNING: A planning resolution P-31-93 was presented whereby Roy McCall, owner of 60 acres, would be granted a variance to the subdivision regulations to create a 20 acre parcel to sell in Section 16, T.37N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-32-93 was presented whereby Rilla King, owner of 100 acres, would be granted a variance to the subdivision regulations to sell a 1.003 acre parcel in Section 30, T.37N, R.14W. This property is restricted to commercial use. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-33-93 was presented whereby Buford Rule, owner of 56.48 acres, would be granted a variance to the subdivision regulations to create a 5 acre parcel to sell in Section 16, T37N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-34-93 was presented whereby Roy McCall, owner of 213.93 acres, would be granted a variance to the subdivision regulations to create a 10 acre tract to be sold to Tad Willbanks in Section 17, T.37N., R16W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. It was noted that any further variances requested by Roy McCall should go through the Planning Committee. A planning resolution P-35-93 was presented whereby Horton Bumguardner, owner of 450 acres, would be granted a variance to the subdivision regulations to sell a .36 acre parcel to an adjoining landowner in Section 22, T.37N., R.15W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-36-93 was presented whereby Elvin Roundtree, owner of 74 acres, would be granted a variance to the subdivision regulations to sell a 26.97 acre parcel to an adjoining landowner in Section 36, T37N., R16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations for Albert Campbell to keep 3 acres and deed 19 acres to his daughter was tentatively approved. A second verbal request for a variance to the subdivision regulations for Mary Fisher, owner of 5.5 acres, to split a small parcel off was again denied because the acreage is less than 6 acres. A verbal request for a variance to the subdivision regulations for Lois Carver to deed 10 acres to her son was tentatively approved. A verbal request for a variance to the subdivision regulations for Barbara Boan to sell 38 acres was tentatively approved. A verbal request for a variance to the subdivision regulations for the Leonard Winbourn Estate to sell 21 acres was tentatively approved. A verbal request for a variance to the subdivision regulations for Bobby Wright to sell 13 acres was tentatively approved.

JOB SERVICES Manager Maxine Maestas reported that the Employee First and Jobs contracts are done.

WEED CONTROL PROGRAM Manager Ron Lanier gave an update on the Weed Free Forage program. He is now a certified inspector for the program. He explained that fields are inspected and then special twine is used to identify weed free hay bales. He also reported that the grass suppression program has been very successful.

BOARD OF SOCIAL SERVICES was conducted.

CLERK Jean DeGraff reported that the Clerk's office will notify the Administrative staff of any subdivision plat submitted to the Clerk for recording. Clerk DeGraff stated that it is not too late for the sales tax question to be put on the ballot for vote this fall. The question can go on the bottom of the School District's ballot and costs will be shared. Clerk DeGraff reported that she will contact Towaoc about supplying a translator at Towaoc, if the mail-out ballots are used in the upcoming election.

INMATE FINANCIAL DISCLOSURE STATEMENT: Statutes were read. It was noted that investigative work will have to be done on any submitted statements. It was suggested that the investigative work be done by a Sheriff Department deputy.

06-21-93

3

PUEBLO COMMUNITY COLLEGE President Joe May was introduced to the Board by Levi Garrett.

MANCOS MAYOR Ed Hallan reported that a certified letter had been received from Baker Sanitation giving a 30-day notice that they will no longer take care of the Mancos Transfer Station. The proposed closing will be addressed at the Mancos Town meeting this week.

COLORADO BEEF BOARD: A letter of support for Governor appointee Leslie Malles to the Colorado Beef Board will be written.

Deputy Clerk Chairman

SEAL

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Minutes 06/28/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 28, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 28, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas . Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

JUL 07 1993

MINUTES of the previous regular meeting held Monday, June 21, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents were noted.

ROAD DEPARTMENT Supervisor Billy Striegel reported that they have caught up with scheduled blade patching and chip sealing. The Montezuma Water Company's request for postponement of compaction on Lebanon Road was discussed. It was suggested that a 30-day deadline be set for installation of the water line, Supervisor Striegel will be in contact with the water company this week addressing these concerns. The telephone company will also be in contact with Supervisor Striegel about installing a proposed line in the same area. Supervisor Striegel reported several complaints from residents about the fee increases for the dump. He reported a 24' cattleguard is needed at Cahone Mesa. The cattleguard is on BLM land. They will be contacted. The request from the Muleskinners to move a fence to the east of the work being done was considered. They will be notified that County will furnish the materials if they will furnish the manpower.

The road department is still putting down mag-chloride. The new shoulder machine is doing a good job. Supervisor Striegel reported there is not time to help the Forest Service with filling road cracks.

RESTRUCTURE COMMITTEE: A letter will be written to nominate Comm Bob Brubaker to serve on the Governor's Restructure Committee for the State Social Services Department.

PLANNING: A planning resolution P-37-93 was presented whereby Lois G. Carver, owner of 79.61 acres, would be granted a variance to the subdivision regulations to create a 10 acre parcel for her son, Alvin Carver in Section 10, T.35N., R.16W. Comm McClellan moved to adopt this resolution, seconded and carried. A verbal request for a variance to the subdivision regulations for Gary Nielson to split 40 acres into two 20 acre parcels was tentatively approved.

ASSESSOR Bob Cruzan presented a letter and a check received from the Yellow Freight Company pertaining to the damaged printer. The check was in the amount of \$675.00. The letter stated that the balance of the claim was declined. The check was accepted. It was noted that the repair bill being submitted every month by the Data Products Company to the Assessor will not be paid. It was suggested that the following be done in connection with any further bills from Data Products: (a) that the amount owed to the County be entered on the bill, (b) a copy be retained in the Assessor's files, and (c) the bill be mailed back to the company. A replacement Printer has been procured.

CHAIRMAN Colbert left at noon for a meeting in Durango, CO.

06-28-93

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GENERAL LIABILITY INSURANCE BIDS: Comm Brubaker presided as Chairman.

Wolcott Insurance Services (Penco) representatives Bently Colbert and Cort O. Smith presented a bid for \$93,518.00. A bid was also received from Turner Insurance for \$120,475.00. Comm McClellan moved to accept the Wolcott Insurance bid of \$93,518.00, Comm Brubaker seconded and carried. The insurance policy will be effective July 1, 1993.

ADJOURNED at 2:50 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 07/06/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 6, 1993

STATE OF COLORADO)
)ss.

COUNTY OF MONTEZUMA) 7-13-93

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, July 6, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, June 28, 1993, were read. Comm McClellan moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The monthly report for the Sheriff's Department for the month of June 1993 was received.

PAYROLL: General fund payroll vouchers #9719 thru #9831 in the amount of \$60,785.91, #18272 in the amount of \$13,578.46, #18273 in the amount of \$79,351.06 and Road fund payroll vouchers #9832 thru #9875 in the amount of \$60,788.91 and #6970 in the amount of \$41,761.60 were approved for payment.

911 AUTHORITY BOARD: Motion was made by Comm McClellan to direct the Clerk to issue Order Number 0-9-93 to the Treasurer to transfer the amount of \$632.09 out of the 911 account and pay this amount to U.S. West Communications, Denver, Co. 80171. Motion seconded by Comm Brubaker and carried.

RESIDENT Jeff Painter met to ask if the county would maintain a section of going to his property in the area of CR P.2 in the Summit Lake Subdivision. Assistant Road Supervisor Kirk Stauffer was present. Before the road can be considered, it will have to be brought up to county specs. The road will be checked by County Engineer Bud Roach and Mr. Painter will be informed of the requirements to bring the road up to county specs. It was noted that budget cuts, due to Amendment I, have affected the county's policy of accepting any new roads for county maintenance.

ROAD DEPARTMENT Assistant Supervisor Kirk Stauffer reported they will go ahead with compacting Lebanon Road. The telephone and water company lines will not affect the road. Mag-chloride is being done in the Cortez District. The department is still receiving call, for the dust retardant. Information addressing the pros and cons for the road department 4-day work week will be compiled and presented next week. Blading on CR 24.3 will be checked.

ABATEMENTS: Assessor Cruzan being present, a petition for abatement of property tax was presented for Standby Safety Services, Inc., #11-8801-000-00-485-P, 1992, erroneous assessment, \$1,640.65. Standby Safety representative Jack Click was present. Assessor Cruzan recommended that this petition be approved. Comm Brubaker moved to approve this petition, seconded by Comm McClellan and carried. Petition for abatement of property tax was presented for Safeco Credit Company, Inc., #12-8804-000-00-141-P, 1992, erroneous assessment, \$5,295.27. Assessor Cruzan recommended that this petition be approved. Comm McClellan moved to approve this petition, seconded by Comm Brubaker and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

RESIDENT Dena Kay presented a request for a variance to the subdivision regulations to sell 5 acres. The verbal was tentatively approved, contingent on a 60' road easement.

PLANNING: A planning resolution P-35-93 Amended was presented whereby Horton Bumguardner, owner of 450 acres, would be granted a variance to the subdivision regulations to sell a 1.25 acre parcel in Section 22, T.37N., R.15W. to an adjoining landowner. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-38-93 was presented whereby Dick Kirkpatrick, owner of 15 acres, would be granted a variance to the subdivision regulations to split the parcel into a 5.89 acre tract and a 9.11 acre tract in Section 10, T.37N., R.16W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-39-93 was presented whereby L. Rae and Norma B. Huish, owners of 39 acres, would be granted a variance to the subdivision regulations to split the parcel into 17.97 acres, 5.194 acres and 16.856 acres in Section 20, T.37N., R.16W. At the April 15, 1993 Planning Commission meeting Mr. and Mrs. Huish were given permission to create the three-way split. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. Comm Brubaker moved to revoke, until the time of a court settlement due to divorce procedures, Planning resolution P-32-92 approved August 24, 1992, for Jim and Sally Robertson. Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Tim Lawrence to sell 3 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Tom Davis to give 5 acres to his son. A verbal request for a variance to the subdivision regulations was tentatively approved for Dena Kay to sell 5 acres, contingent on a 60' road easement. A verbal request for a variance to the subdivision regulations was tentatively approved for Harvey Oliver to create a 6 acre parcel and a 5 acre parcel for his daughters. A verbal request for a variance to the subdivision regulations was tentatively approved for Stanley McCabe to create 9 acres for his grandson.

PROPOSED development of 160 acres south of Mancos was discussed. Subdivision statutes were read. It was noted that the Board can look at any proposed land project for compliance with the law, even if it involves an undivided interest type project. Administrator Weaver will contact the developers of the project and let them know they need to meet with the Commissioners about the project.

HEALTH DEPARTMENT Nurse Bette Sutter presented a Physical Therapy Contract between the Montezuma Health Department and Physical Therapist Cindy Kraushaar for signature. Comm Brubaker made a motion to sign the contract.

McClellan seconded and carried. A letter of support for a Wellness Program grant for county employees was requested: The grant will make it possible for county employees to have screenings and evaluations every six months. This was affirmed. The Hanta virus was discussed.

BOARD OF SOCIAL SERVICES was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston introduced Ecologist Linda Adelhart. Ms. Adelhart was interviewed for the Ecosystem Management Project position, made possible by a \$30,000 grant for the pine zone project.

07-06-93

3

FAIRGROUND Manager Dante reported on his workload at the fairgrounds. He stated that he has not had as much help from volunteers as he has had in the past. Administrator Weaver gave a report on fairground operating expenses for 1993. At the Board's request, Manager Sena will compile and present revenue and expense figures for the fairgrounds at the regular July 19th meeting.

ADJOURNED at 3:00 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 07/12/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 12, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 12, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

JUL 20 1993

MINUTES of the previous regular meeting held Tuesday, July 6, 1993, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The monthly report for the Treasurer for the month of June 1993 was received.

ACCOUNTS PAYABLE: General fund vouchers #18274 thru #18445 in the amount of \$161,005.12 and Road fund vouchers #6977 thru #7036 in the amount of \$216,362.56 were approved for payment.

RESIDENT Sandra Bryan asked for an update on the upper portion of CR 29.7. She reiterated that their family would like the road to be either county maintained or abandoned. It was noted that property along the road has recently been sold with the road being presented as a county maintained road. The Realtor will be contacted and asked to meet with the Board

ROAD DEPARTMENT Supervisor Billy Striegel and Assistant Supervisor Kirk Stauffer presented the 1992-1993 Report on Production and Savings -- 8 hour vs. 10 hour working day -- (see attached). The report will be considered, before any decision is made. They reported that they are still doing dust retardant. Since the water company and telephone lines are scheduled to be laid soon, compaction will be held up on Lebanon Road. A county employee will be present when the lines are installed. For safety reasons, the Cahone Mesa cattleguard on BLM land has been removed by the county. BLM will be contacted again. The materials are available for the Mancos gravel pit fence. Mapco has been contacted about Kelly Hill. They will contact Northwest and profile their lines. They have asked for a design of how the county is going to move the road. It was suggested to them that rather than the gas line being moved, the county would like help with moving the road. Cracks on the West Fork road have been temporarily patched by a contractor for the Federal Highway Department. The need for part-time help at the dump was discussed. The employees working at the dump will be put back on a 5-day work week. People are again using the old Lakeview dump area as a dump. The area is located on BLM land. BLM will be contacted. A letter will be written to Rick Lee supporting his project on CR 28. It was noted that if the old ROW is abandoned that portion will revert back to the present landowner.

PRIVATE FAMILY CEMETERY: Attorney Stan Morris, representing the property owners, and Attorney Michael Green, representing the real estate agency, asked for the Commissioners to petition the District Court for an order to remove bodies buried in graves on a parcel of private land. The problem resulted from a Ms. Sanchez coming out to decorate graves on land recently purchased by Ron Kurtz. Mr. Kurtz had no knowledge of the cemetery. Ms. Sanchez has discussed the private family cemetery with the Sheriff's Department. Administrator Weaver will check with the Sheriff for information about the situation. Mr. Kurtz has offered to donate time and equipment for the removal. A suggestion was made that all parties involved should share the cost for removing the graves.

07-12-93

2

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for Wesley and Della Osborn to sell 10 acres, contingent on the septic system. A verbal request for a variance to the subdivision regulations was tentatively approved for Jim and Cyndi Welch to create out of a 40 acre parcel a 3 acre parcel, due to refinancing of the property. A verbal request for a variance to the subdivision regulations was tentatively approved for Bill Watson to create and retain a 3 acre parcel from a 22 acre parcel. The planning resolution will note that any further development of the 19 acres has to be in compliance with the subdivision laws and regulations. The verbal request for a variance to the subdivision regulations tentatively approved for Bill Small on November 16, 1992 been reactivated. Since changes have occurred in the variance policies, a letter will be requested from the property owner stating the type of water system that will be implemented for the parcel.

RESIDENT Galen Larson asked why a county blade was not being used to pull ditches to take care of weeds on on CR 22, while the employee was waiting on a county truck to deliver gravel. It was explained that the weeds are being sprayed instead of being dug under. The Road Supervisor will be informed of the weed problem in the area.

BOARD OF SOCIAL SERVICES was conducted.

RESIDENT Frances Macomber reported that she had a problem with loose dogs. Resolution 2-88 Vicious Dog Ordinance was read. It was noted that the Sheriff's Department can impound such animals. She will contact the Sheriff about the problem. She also reported cattle being near starvation on CR E. She was referred to the State Brand Inspector and the Sheriff Department.

WEED CONTROL PROGRAM Manager Ron Lanier reported that a greenhouse in the area may be selling noxious weeds. Samples will be sent to CSU for identification.

ADJOURNED FOR LUNCH with the City of Cortez Airport Committee approved the June 14, 1993 minutes.

TREASURER Bobbie Spore presented for signature her Semi-Annual report. It was signed. Also presented was the monthly report for the month of June 1993 and Quarterly reports.

LETTER OF AGREEMENT #1 stating an increase of the maximum amount of reimbursement for the WIC Program Contract FAA WIC 930660 covering October 1, 1992 to September 30, 1993 was signed.

HALEY & BREED, CPA FIRM: Comm Brubaker made a motion to enter into and sign an agreement with the CPA firm of Haley & Breed, seconded by Comm McClellan and carried. The monies to be paid for the services will be \$90.00 an hour with a maximum of \$4,500.00. The company will study and present guidelines to strengthen internal controls over cash receipts and expenditures transactions of the County.

ADJOURNED at 2:30 p.m.

Deputy Clerk Chairman

SEAL

Minutes 07/19/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 19, 1993

STATE OF COLORADO)
)ss.
COUNTY OF MONTEZUMA)

JUL 27 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 19, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, July 12, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

COUNTY ROAD 39: It is noted that CR 39, which was thought to be a private road, shows on the official county road map as a county road. The easement for the road is only 40 feet wide. Engineer Roach will be asked to check to be sure where the road ends. In connection with a variance tentatively approved on July 6, 1993, Dena Kay, owner of property along the road, will be contacted.

PLANNING: A planning resolution P-40-93 was presented whereby Michael and Susan Duehrssen, owners of 129 acres, would be granted a variance to the subdivision regulations to create a 10 acre tract in Section 33, T.38N., R.16W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-41-93 was presented whereby Jim Roszko, owner of 390 acres, would be granted a variance to the subdivision regulations to obtain a variance on a 5.87 acre tract and a 8.06 acre tract in Section 31, T.37N., R.14W. Mr. Roszko met with the Planning Commission on May 27, 1993, and received approval for the variance. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-42-93 was presented whereby Margory E. Gai, owner of 135 acres, would be granted a variance to the subdivision regulations to sell a 10.676 acre parcel to Ron Wilson in Section 27, T.38N., R.17W. Comm Brubaker moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Irvin Norton to take 3 acres out of 332 acres, contingent upon a 60' easement. A verbal request for a variance to the subdivision regulations was tentatively approved for Willie Lee to create 30 acres from a 127 acre parcel. It was reiterated that William Small needs to submit a letter stating the type of water system that will be implemented for the parcel he requested a variance for on November 76, 1992. It was noted that Jim Ervein did not obtain a 60' access for the variance tentatively approved on June 14, 1993. It will be put in the planning resolution that any more development of the property will have to have 60' easement to all the properties.

NEW WATER LINE: Summit Ridge Water District representative Kay Anderson, Forest Service Supervisor Paul Peck and several other interested parties (see attached list) met to ask if .2 of a mile of road going to the Joe Moore Reservoir could be added to a Forest Service Special Use Permit. The 1965 Forest Service special use permit gave rights-of-way of some roads in the area to the County. The Forest Service would do an amendment to the original permit to add the .2 of a mile. This would make it possible for the water company to immediately begin installing a planned water line. This was affirmed. It was noted that the water company needs to work with the county road department on the project.

REALTOR Alyne Eakins met to discuss the upper portion of CR 29.75. Road Supervisor Bill Striegel was present. It was mentioned that: (1) the width of the road varies, (2) the Combees have a deed to the road, (3) it is a public road, (4) the road can not be abandoned if one property owner on the road disagrees with it being abandoned, (5) there is a question of whether the road can ever be maintained, (6) power and telephone lines may have to be moved before the road can be widened if extra ROW is obtained, and (7) if it is possible for the road to be a maintained county road, the county will furnish the gravel if the interested parties haul it. Supervisor Striegel will check on moving the lines. Realtor Eakins will contact the new property owners about possibly meeting with the Combees and the power company. It was suggested that maybe a smaller ROW might have to be implemented so lines would not have to be moved.

ROAD DEPARTMENT Supervisor Striegel reported problems at the dump with balancing cash collected and receipts. The situation will be monitored. New signs to identify roads for emergency vehicles and addresses was discussed. Assessor Cruzan will be asked for input later. Supervisor Striegel submitted a letter from the Sheriff requesting approval to change the speed limit to 25 mph on road 24.2 off of CR G. This was agreed. The McElmo Canyon road needs blading. The department will try to do this the first of next week. They are blade patching this week. A compactor has been rented.

MANCOS VALLEY ARTS COUNCIL representative Sally Swift asked for a pledge of support for 1994 to obtain a grant from the Colorado Historical Society to help pay for leasing the VFW building in Mancos for the council. She was told that some lottery funds might be available, but that the request needs to go through the town of Mancos. She was encouraged to obtain as much help as possible from the community and then come back to the Board.

BOARD OF EQUALIZATION: It being 10:40 a.m., the time set aside, the Montezuma County Commissioners convened on Monday, July 19, 1993, to sit as the Board of Equalization. These proceedings were tape recorded and the roll was called. Assessor Bob Cruzan, Appraiser Jim Snow and Jeanne Marlman.

(1) Nelle Jeanne and M. Marlman filed a protest to the Board about taxes assessed on Mobile Home - Ag Parcel 62-5649-092-01-001-B and Parcel 62-5649-092-01-013-A. Assessor Cruzan recommended that these adjustments be denied. Comm McClellan made a motion to deny any adjustment on both parcels, seconded by Comm Brubaker and carried.

The Board of Equalization adjourned at 11:00 a.m.

RESIDENT Galen Larson met to express his support for some type of zoning in the county and suggested a zoning board.

BOARD OF SOCIAL SERVICES was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston reported that Ms. Adelhardt turned down the Ecosystem Management Project position. He also gave an update on the Federal Lands Program.

WEED CONTROL PROGRAM Manager Lanier will research the policy for spraying around bean fields and give the information to Ms. Margory Gai, who has a concern about bindweed on several county roads.

DEPARTMENT HEADS: Road Supervisor Billy Striegel asked what decision had been made on the 8 hour vs. 10 working day. It was affirmed that the Road Department will go back to the 6 day work schedule, effective August 1, 1993. The time to report to work will be determined by Supervisor Striegel. Senior Nutrition Program Manager Sue Fletcher mentioned that if Cortez is being promoted as a retirement community, more funds will probably be needed to fulfill more obligations for senior citizens. She

reported that several issues about the Annex building (carpet vs. no carpet and removal of pool tables) will be addressed at the upcoming Advisory Board Meeting. She also stated the walkway cover at the Annex needs to be done and that they would still like for some type of fencing to be installed around the food program coolers and freezers at the fairgrounds.

Extension Office Manager Jan Brandt reported they are getting ready for the County Fair. The new Director is doing well. The County's position on Maternity leave was discussed. She will meet with the Fair Board tonight and ask for more volunteers or ask that the Fair Board hire someone to help Fairground Manager Sena keep the grounds. She was presented a recap of all the expenditures for the fairgrounds for 1993 which she will present at the Fair Board meeting. A report on income will also be submitted. The possible proposal to the voters for a mill levy to support the fairgrounds was discussed. Health Department representative Theresa Williams reported that the remodeling of the Health Department offices is going well. They have been getting lots of phone calls about the Hanta virus. Assessor have been getting lots of phone calls about the Hanta virus. Assessor Cruzan was presented with the idea of re-signing all roads in the county as Rd instead of CR. New signs would read Rd with the appropriate number and the old signs would be changed as they need to be replaced. Assessor Cruzan will check with the postal service for their input on the proposal. He presented a copy of a spreadsheet, requested by the Colorado Assessors Association, with the estimated total market value for vacant lands. There were several breakdowns on different types of vacant lands.

INMATE FINANCIAL DISCLOSURE STATEMENTS submitted by the Sheriff were presented to the Board. After discussion, it was the Board's opinion that there is no basis for collecting any monies from persons completing the said disclosure statements. A letter will be written by the Board to the Sheriff stating this. Also the letter will state that if the Sheriff believes there is opportunity for collection then, it is proposed that the investigative work be done by a Sheriff Department deputy. The investigation should produce a witness and enough evidence to support a court case. When both of these factors are met, the County Attorney will consider filing the case with the court.

ADMINISTRATOR WEAVER reported that he has checked with Under Sheriff Bob McDonald about any problems with the private family cemetery on Ron Kurtz's property. The Sheriff's department reported no problems. It was noted that the Sheriff will be notified that an audit will be done of the Sheriff Department. A need to activate the Confiscated Property Committee was discussed. Mancos has received a \$37,500 "Healthy Community Grant." It was noted that any money received needs to go through the county.

Administrator Weaver talked to a company representative that has proposed a pipeline be run across Rilla King's property. The company is not a public utility company so they will get permission to cross any private land. If anyone refuses permission, the company will look for another route. They will come in for a permit. Administrator Weaver reported that a proposal will be submitted for waste oil heaters for the fairgrounds.

ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Minutes 07/26/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 26, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 26, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

AUG 3 1993

MINUTES of previous regular meeting held Monday, July 19, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's report for the month of July 1993 was received.

PROPOSED WESTERN TOWN AND MOVIE SET: MCEDC Executive Director Alan Klein

gave a brief report on the proposed western town and movie set south of the fairgrounds. He noted that several films could have been scheduled if the movie set had been in place this year. Blanco Trading Company representative Tony Schweikle gave an updated report on problems with obtaining a lease for the area from the State of Colorado. He also presented a drawing of the proposed town. There was discussion on the type of utilities needed and available.

COUNTY 23: Crow Canyon representatives Richard White and Audrey Coleman and Jimmy Smith a resident on CR K off of CR 23 met with concerns about the condition of CR 23. Road Supervisor Striegel was present. Since traffic is increasing because of Crow Canyon activities, their request was for some type of paving or chip and seal, caution signs, and reflective signing at both ends of a bad corner on the road. Engineer Roach will be asked to do a cost estimate for chip and seal for the approximately two miles of road ending at Crow Canyon. If the project is feasible, it was suggested that if the interested parties would buy the oil, the county would supply the chips and the manpower to do the road. The project would be scheduled for next year. Adm Weaver will check on obtaining a Federal grant to help with the monies needed. Signs will be ordered and installed as soon as possible by the road department.

ROAD DEPARTMENT Supervisor Billy Striegel asked about mowing weeds and grasses along county road problem areas. Weed Control Manager Ron Lanier and Supervisor Striegel will look at the problems and come up with a plan. Manager Lanier stated that they are still developing a weed control program, which at this time is an on-going process. It was determined that mowing should be done at intersections and trouble spots. Both the water, trucks are in need of repair. A used water truck will be looked for. A report of a broken windshield of a car travelling the McElmo road was received. Any repair or replacement will have to be between the driver and their insurance company. A complaint about CR B and CR 21 intersection was received. Nielson's has been made aware of the low spot in the intersection and asked to correct the problem. The narrowing of several county roads, due to blade operators incorrectly pulling the ditches, was discussed. The problem will be brought up again to the operators. Supervisor Striegel will get with the Montezuma Water Company about the Town of Dolores, request that a broken connection under a county road be repaired. It was mentioned that the road department needs to monitor the work being done by the Montezuma Water Company on CR 25 to be sure the shoulders are not being disturbed. Later in the day, Supervisor Striegel and Assistant Kirk Stauffer presented information about a used 1982 water truck available for purchase. This will be considered.

ABATEMENTS: Assessor Cruzan being present, a petition for abatement of property tax was presented for Southwest Petroleum, Inc., #11-88-1-000-00-328-P, 1990, erroneous assessment, \$786.43. Assessor Cruzan recommended that this petition be approved. Comm Brubaker moved to approve this petition, seconded by Comm McClellan and carried. The petition for abatement of property tax for Smith Petroleum was tabled, until the company is notified of the abatement hearing. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

USE OF LOTTERY FUNDS: it was reiterated that lottery monies can only be used for government held entities, not private entities.

MANCOS VALLEY ARTS COUNCIL representative Sally Swift will be notified that it was determined that the council is a private entity and, as such, would not be eligible for any lottery funds.

BOARD OF SOCIAL SERVICES was conducted.

ACZ, INC. CONTRACT: Ron Lanier reported that ACZ, Inc. has completed Phase I of the Montezuma County Municipal Solid Waste Facility contract. He presented Phase II for approval. Comm Brubaker moved to approve Phase II and authorized Administrator Weaver to sign the contract with ACZ, Inc. Comm McClellan seconded and carried.

LANDOWNERS C. E. and Cathy Housinger met to ask for help about an easement on their property. Since no county road is involved and the easement is entirely on private land, they were advised that the board does not have the authority to address the problem. It was suggested they seek legal council.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal for a 3.2% beer license for the ARA Mesa Verde Point Kampark. The Sheriff's Department reported no problems with the outlet. Comm Brubaker moved to approve this application, seconded by Comm McClellan and carried.

ASSESSOR Cruzan presented the report of the preliminary total 1993 assessed valuation for Montezuma County. The total amount was \$193,491,490.

BOARD OF EQUALIZATION: It being 1:45 p.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 26, 1993, to sit as the Board of Equalization. These proceedings were tape recorded and it was noted that all the Commissioners, Assessor Bob Cruzan, and Chief Appraiser Jim Snow were present.

(1) Gary and Nancy Shaw filed a protest to the Board about taxes assessed on Parcel 5361-334-00-0015. Gary and Nancy Shaw were present. A continuance was granted until a later time, pending inspection of the property by the Appraiser.

(2) David and Jean Corlett filed a protest to the Board about taxes assessed on Parcel 5341-061-00-005. David Corlett was present. Assessor Cruzan recommended that this adjustment be denied. Comm McClellan made a motion to deny any adjustment, seconded by Comm Brubaker and carried.

(3) James R. and Laverne Lambert filed a protest to the Board about taxes assessed on Parcel 5341-062-00-022. James Lambert was present. Assessor Cruzan recommended that this adjustment be denied. Comm McClellan made a motion to deny any adjustment, seconded by Comm Brubaker and carried.

(4) H. Jackson Clark filed a protest to the Board about taxes assessed on Parcel 5611-274-09-002. Assessor Cruzan recommended that this adjustment be approved, Comm Brubaker made a motion to adjust the assessment from \$30,010 to \$21,440, seconded by Comm McClellan and carried.

The Board of Equalization adjourned at 3:55 p.m. until August 2, 1993.

07-26-93

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CLERK Jean DeGraffa report on the Mail Ballot Election workshop that she attended last week in Denver. Presented was a draft of the Clerk Mail Ballot Election Plan which will be sent to the Secretary of State office for approval. Several items in the plan were discussed. A sample mail ballot packet was also presented. It was noted that the City and School District can all be involved in the ballot process with the County. In-kind help will be pursued. Clerk DeGraffa asked for approval for a Mail Ballot Election. Comm McClellan made a motion to approve the Mail Ballot Election, Comm Brubaker seconded and carried. Clerk DeGraffa also presented a proposal to purchase a recordation software program for use in the Clerk's office with a five-year pay off. It was noted that provisions of Amendment I prohibit the multi-year credit, unless the request is put to the voters. The proposal was tabled at this time.

ADJOURNED at 5:15 p.m.

Deputy Clerk Chairman SEAL

Online Copy

Minutes 08/02/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 2, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 2, 1993, at the Courthouse in Cortez, Colorado, there were present:

AUG 10 1993

Thomas K. Colbert, Chairman
Robert E. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, July 26, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's Department report for the month of July 1993 was received.

911 AUTHORITY BOARD: Motion was made by Comm McClellan to direct the Clerk to issue Order Number 0-10-93 to the Treasurer to transfer the amount of \$635.73 from the 911 account to U.S. West Communications, Denver, Colorado Motion was seconded by Comm Brubaker and carried.

CRS, INC. ESCROW FUNDS ORDER: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-11-93 to the Treasurer to transfer the amount of \$5,174.00 from escrowed funds per the CRS, Inc. audit to the General fund account, Motion was seconded by Comm Brubaker and carried.

PAYROLL: General fund payroll vouchers #9884 thru #9995 in the amount of \$127,644.55, #18450 in the amount of \$13,445.40 and #18451 in the amount of \$77,160.79 and Road fund payroll vouchers #9996 thru #10039 in the amount of \$61,144.67 and #7039 in the amount of \$41,857.17 were approved for payment.

CLUB 20 representative Bill Bauer asked for approval to represent Montezuma County in Washington D.C. to present the County's concern about Public Lands issues, Department of Social Service Federal mandates, etc. with the County paying the \$695 for the trip. Motion to approve the trip and pay the \$695 was made by Comm Brubaker. Motion was seconded by Comm McClellan and carried.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented two resumes for consideration for the Ecosystem Management Project position. Telephone interviews will be done August 3rd.

ROAD DEPARTMENT SUPERVISOR Billy Striegel asked about resident irrigating on land leased from the Town of Mancos above the Mancos gravel pit. The Board will discuss the problem with the Town of Mancos. It was suggested that the road department dig a ditch around the stock pile in the pit to deter any water getting under the pile. Supervisor Striegel asked for a decision on purchase of the 1982 water truck and noted that others in the department thought the decision had been made. Comm Brubaker moved to purchase the used 1982 water truck. Motion was seconded by Comm McClellan and carried. Deer crossing signs have been ordered for CR 23 to Crow Canyon. Supervisor Striegel reported he checked CR 23 and felt that the condition of the road was not bad. The water leak problem on CR L off Hwy 145 was addressed. It was noted that even tho the City does not claim the water, the City needs to locate their pipe and the road department needs to dig until the leak is located. Administrator Weaver read the letter setting forth the agreements for work on CR 28 and CR N - Russell Hindmarsh, Dick Lee properties. A counter proposal will be submitted. The need for a new tire for the water truck at the Raceway was reported. The county will provide the tire.

BOARD OF EQUALIZATION: It being 10:25 a.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, August 2, 1993, to sit as the Board of Equalization. These proceedings were tape recorded and it was noted that all the Commissioners, Assessor Bob Cruzan, Chief Appraiser Jim Snow, Appraiser Martha Anchando, and Appraiser Kelli Spruell were present.

(1) George and Marjorie Barnett filed a protest to the Board about taxes assessed on Parcel 5611-064-00-024-A. Marjorie Barnett was present. Assessor Cruzan recommended that this adjustment be denied. Comm Brubaker made a motion to adjust the assessment on improvements from \$22,440 to \$20,500, Comm Colbert seconded and carried. Comm McClellan voted against the adjustment.

(2) Sherry Williamson and Michael Hendricks filed a protest to the Board about taxes assessed on Parcel 5637-322-00-063. Attorney Kent Williamson representing the parties was present. Assessor Cruzan recommended that this adjustment be denied. Comm Brubaker made a motion to adjust the assessment on the land from \$2,102 to \$2,092, seconded by Comm McClellan and carried.

(3) James and Charlotte Aiken filed a protest to the Board about taxes assessed on Parcel 5611-271-00-008. Attorney Kent Williamson representing the parties, James Aiken, and Douglas Aiken were present. A continuance was granted until 4:30 p.m., August 2, 1993.

The Board of Equalization adjourned at 12:00 noon until 2:00 p.m., August 2, 1993.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the July 12, 1993 minutes.

SOUTHWEST COMMUNITY RESOURCES (SCR) representative Peter Tregillus reported on the Colorado Division of Housing (rehab) program. Mr. Tregillus presented the application for the Colorado Division of Housing Loan/Grant Assistance 1993 for signature. Comm McClellan made a motion to sign the application for the Housing Grant, Comm Brubaker seconded and motion carried. A letter of support for the program will be written to the Colorado Division of Housing. He stated that he will be asking LaPlata County to be the lead county for 1994. He presented a request for funds to support the rehab program for 1994. Comm Brubaker made a motion to consider an amount up to \$1,500 when the Budget process is completed for 1994, Comm McClellan seconded and motion carried.

BOARD OF EQUALIZATION: It being 2:00 p.m., the time set aside, the Montezuma County Commissioners reconvened. These proceedings were tape recorded and it was noted that all the Commissioners, Assessor Bob Cruzan, Appraiser Jim Snow, Appraiser Martha Anchando, and Appraiser Kelli Spruell were present.

(4) Gary and Nancy Shaw appeared for the Board's decision concerning their protest about taxes assessed on Parcel 5361-334-00-0015. An inspection of the property was made by Chief Appraiser Jim Snow. Assessor Cruzan recommended that the adjustment be approved. Comm McClellan made a motion to adjust the assessment on the land from \$30,690 to \$29,630 and adjust the assessment on the improvements from \$52,520 to \$48,100, Comm Brubaker seconded and carried.

(5) Safeway, Inc. #7855 c/o AVTAX, Inc. filed a protest to the Board about taxes assessed on Parcel 5611-261-00-030. Assessor Cruzan recommended that the adjustment be denied, Comm Brubaker made a motion to deny any adjustment, Comm McClellan seconded and carried.

(6) Charles Brenner filed a protest to the Board about taxes assessed on Parcel 5359-074-01-003. Assessor Cruzan recommended that the adjustment be denied. Comm Brubaker made a motion to deny any adjustment, Comm McClellan seconded and carried.

The Board of Equalization adjourned at 2:45 p.m. until 4:30 p.m. August 2, 1993.

CORONER REFRIGERATION UNIT: Funeral Home Director Keenan Ertel appeared to request that monies budgeted two years ago for a refrigeration unit might now be used to purchase a unit. He presented information on the unit he felt was the best of five bids received. The total amount for the unit, shipping and freight, and installation was \$5,350. Comm Brubaker made a motion to purchase the unit and that the unit, shipping and freight be paid for with the budgeted monies and installation of the unit with monies from the Coroner account, Comm McClellan seconded and motion carried. It was noted that the County will be the actual owners of the unit even tho the unit will be installed at the Ertel Funeral Home, and that the unit will be made accessible for law enforcement and health purposes.

PLANNING: The plat for the May Canyon Trails Subdivision was presented for signature. Comm Brubaker made a motion to sign the plat, Comm McClellan seconded and carried. A planning resolution presented for Tom and Dena Kay to sell 5 acres was tabled until the end of the county road involved is identified in some way. A planning resolution P-43-93 was presented whereby Jim Ervien, owner of 47 acres, would be granted a variance to the subdivision regulations to create a 7 acre parcel in Section 28, T.36N., R13W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-44-93 was presented whereby Harvey Oliver, owner of 360 acres, would be granted a variance to the subdivision regulations to create a 5.106 acre tract and a 6.148 acre tract for his daughters in Section 14, T.37N., R17W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-45-93 was presented whereby James and Cyndi Welch, owners of 40 acres, would be granted a variance to the subdivision regulations for refinancing purposes to create a 3.09 acre parcel in Section 11, T.37N., R17W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Merritt Farms (E. G. Merritt) to create in 8 acre parcel and a 11 acre parcel, contingent on a 60' road easement, A verbal request for a variance to the subdivision regulations was tentatively approved for the preliminary sketch for the Fred Cline Subdivision, contingent on the road being brought up to county specs.

HEALTH DEPARTMENT Nurse Bette Sutter gave a report on the die-off of prairie dogs, perhaps infected with plague, within the city limits. She presented a fact sheet on the Hantavirus and stated that more information is being compiled for public use. She reported that she had been honored as the New Nurse of the Year by the Colorado County Nurses Association and showed the plaque awarded her. She expressed her appreciation for all the support from the Board.

ADMINISTRATOR Weaver reported that Richard Lee has complied with all the necessary regulations to obtain a permit for the expansion of Lee Mobile Home Park. Comm Brubaker moved to approve the expansion, Comm McClellan seconded and carried. Administrator Weaver presented a request from the State Land Board for the county to agree to take a 162' easement as a non-maintained county road easement across State Land to a parcel of landlocked private property. This was agreed. A Financial Assistance award was presented for signature from Region 9 representative Ed Morlan. This award was in response to an application made to the District Planning Assistance Program. It was signed by Comm Colbert.

08-02-93

4

BOARD OF EQUALIZATION: It being 4:30 p.m., the time set aside, the Montezuma County Commissioners reconvened. These proceedings were tape recorded and it was noted that all the Commissioners, Assessor Bob Cruzan, Chief Appraiser Jim Snow, Appraiser Martha Anchando, and Appraiser Kelli Spruell were present. (7) James and Charlotte Aiken protest to the Board about the taxes assessed on Parcel 5611-271-00-008 was continued. Present were Attorney Williamson, James Aiken and Douglas Aiken. Assessor Cruzan recommended that any adjustment be denied. Comm Brubaker made a motion to adjust the assessment on the land from \$21,880 to \$17,500, Comm McClellan seconded and carried, Comm McClellan made a motion to deny any adjustment for the improvements, Comm Brubaker seconded and carried.

(8) James and Charlotte Aiken filed a protest to the Board about, taxes assessed on Parcel 5357-293-00-OI6. Present were Attorney Williamson, James Aiken and Douglas Aiken. Assessor Cruzan recommended that any adjustment be denied. Comm Brubaker made a motion to deny any adjustment on the land and adjust the assessment on the improvements from \$87,220 to \$86,120, Comm McClellan seconded and carried.

(9) Charlotte and Douglas Aiken filed a protest to the Board about taxes assessed on Parcel 5357-184-00-047. Present were Attorney Williamson, Douglas Aiken and James Aiken. Assessor Cruzan recommended that any adjustment be denied. Comm Brubaker made a motion to deny any adjustment on the land and adjust the assessment on the improvements from \$182,100 to \$156,700, Comm McClellan seconded and carried.

The Board of Equalization adjourned at 7:00 p.m. for 1993.

FAIRGROUNDS: The resignation of Fairground Manager Dante Sena was noted and his offer to sell his double wide mobile home at the fairgrounds to the county for \$14,000 will be considered.

ADJOURNED at. '7:05 p.m.

Deputy Clerk Chairman

SEAL

Minutes 08/09/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 9, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 9, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver,
Nelda Jenkins, Deputy Clerk

AUG 17 1993

MINUTES of the previous regular meeting held Monday, August 2, 1993, were read. Comm McClellan moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

RESIDENTS Sandra Bryan and Charles Combee met to request that CR 29.75 be abandoned if nothing is going to be done to widen the easement. Road Department Supervisor Billy Striegel was present and reported that Realtor Alyne Eakins had cancelled a scheduled meeting with him to inspect the site. It was reiterated that the realtor and the other property owners along the road need to be contacted before any further action can be taken. It was suggested that Ms. Bryan contact the property owners if she could. Supervisor Striegel will continue to try and set up an onsite inspection of the road with Realtor Eakins. He will notify Mr. Bryan of the outcome of that meeting.

LANDOWNER John Purvis made a request that a small section of non-maintained county road off of CR 23 be brought up to county specs so that cement can be delivered to the site of his future home. Supervisor Striegel Was present. Mr. Purvis was informed that the county will furnish the gravel, if he arranges for someone to haul it. Engineer Roach will be asked to meet with Mr. Purvis about the required 60' easement for the 21S.12 feet.

CITY OF CORTEZ Manager Bill Ray and other city employees Jerry Wigodsky and Johnny Holaday met to discuss the water problem on CR L off of Hwy 145. After several tests done by the City on their water line, it is the City's belief that the water is not from the city pipeline but is underground water seepage that runs year round. A suggestion was made that a pipe be installed to collect the water on the south side of the road and then drain the water off to the north. Supervisor Striegel will be in contact with the City to arrange an appropriate time for the City to locate their east-west line which is approximately 3 feet deep. The county will then do what is necessary to avert the water from the road.

ROAD DEPARTMENT SUPERVISOR Billy Striegel reported that there is still water draining into the Mancos Gravel pit from a resident irrigating land pit which is leased from the Town of Mancos. A ditch is being dug around the stock pile at the pit. The issue will be brought up at the noon meeting today with the Town of Mancos. It will be suggested that no further irrigating should be allowed on the leased land. A new transmission is being installed, at no extra cost, in the newly acquired water truck. He reported that a blade has been working on the McElmo road. No water truck has been used. Supervisor Striegel was requested to contact Don Tozer about plans that the Road Department have for the McElmo Road. Supervisor Striegel reported that signs are being replaced on Dunlap Hill as needed. Due to the flooding in the mid-eastern U.S. area, the supply of oil to do the last two days of chip and seal has been delayed.

Work by the Montezuma Water Company on Lebanon Road (CR 25) is not done. They have run into lots of rock. An on-site inspection of CR 28 and CR N in connection with the Hindmarsh -Lee properties will be done by Comm Colbert and Supervisor Striegel to decide what needs to be done first and to address a counter proposal to the submitted proposal by the parties. A mail-box on CR 41 hit by county equipment will be replaced. Supervisor Striegel will check with the Post Office for the correct placement. It was noted that if the county widens a road, they will be responsible for moving the mail boxes involved to the proper place.

RESIDENTS Dwain Lively and Marie Lively presented concerns about the confiscation of their personal property from their two separate residences by the Internal Revenue Service (IRS). They felt the need to alert the county of the situation with the Federal Government in connection with this action by the IRS. It was suggested that they go through a legislative inquiry.

COMMUNITY CONNECTIONS, INC.: At the request of the Board, Community Connections, Inc. representatives Lon Erwin, Jackie Morlan and Rodney Carriker met to discuss the Board's concern that Community Connection, Inc. was not functioning properly. The Board's main concern was the failure of Connections to reply to a court order .Procedures to handle referrals were discussed. They agreed that an effort will be made to reply to any future referrals in a more timely manner. Mr. Erwin presented a bill and request for payment of \$8,500 for County budgeted 1993 Local Match Funding, a copy of Senate Bill 92-133 which is the statute covering Community Services, brochures, and a request for \$8,247 for Local Match Funding for 1994. Their request for 1994 will be considered when the 1994 budget is prepared. Comm Brubaker moved to pay the \$8,500 budgeted for the Local Match Funding for 1993, seconded by Comm McClellan and carried.

REGION 9 ECONOMICAL DEVELOPMENT DISTRICT Corporate Report filed on a biennial basis was signed. ADJOURNED FOR LUNCH with the Mancos Town Board.

BOARD OF SOCIAL SERVICES was conducted.

ADMINISTRATOR Weaver reported that a meeting has been scheduled with representatives of the Forest Service and Montezuma County to look at problems with Kelly Hill and Dunlap Hill.

PLANNING: A planning resolution P-46-93 was presented whereby Tom and Dena Kay, owners of 160 acres, would be granted a variance to the subdivision Regulations to create a S acre parcel in Section 19, T.36N., R.13W. it is agreed that there shall be no further subdivision of the Kay property requiring the use of the easements unless the easements are widened to 60 feet. It was noted that the end of the county road has been identified.

Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-47-93 was presented whereby Stanley M. McCabe, owner of 309.82 acres, would be granted a variance to the subdivision regulations to create a 9.18 acre tract for John McHenry in Section 28, T.37N., R.15W. Comm McClellan moved to adopt this resolution seconded by Comm Brubaker and carried. A planning resolution P-48-93 was presented whereby William Small, owner of approximately 28 acres, would be granted a variance to the subdivision regulations to split the property into a 10 acre parcel and a 12.07 acre parcel in Section 2, T.36N., R.17W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Ralph Sellers to sell 9 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Lewis and Nancy Schultz to create two 10 acre tracts from the front of their 71 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Valley National Bank (George LeSatz) to create two 5 acre tracts from a 10 acre parcel; contingent on State Highway access approval.

ASSESSOR Bob Cruzan presented the yearly request to the Treasurer to remove old Mobile Home(s) from the tax rolls. The total tax to be removed from the roll was \$1,358,87. Comm McClellan made a motion to remove these Mobile Home(s) from the tax rolls, seconded by Comm Brubaker and carried.

LANDOWNER Gale Greenlee met to discuss the trade of land agreed to by the county with him in the area of the county landfill. He presented prepared deeds for the trade involving 10 acres of his land for approximately 10 acres of county land. Action was tabled until a variance to the subdivision regulations is approved.

ABATEMENT: Assessor Cruzan being present, a petition for abatement of property tax was presented for Smith Petroleum Company, #12-7707-0001-00055-OG, 1992, erroneous assessment, \$1,292.46. Assessor Cruzan recommended that this petition be approved. Comm Brubaker moved to approve this petition, seconded by Comm McClellan and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

DEPARTMENT HEADS: Sheriff Tim Wood was given a report on the Gaming Impact meeting attended by Comm Brubaker. Comm Brubaker will meet with Sheriff Wood before the next scheduled Gaming Impact meeting. The Sheriff reported he had a list of all the people employed at the Casino who reside in Montezuma County. The Sheriff explained that under the new agreement with the Ute Mountain Ute tribe, deputies are not posted at the Casino, but respond to any need for law enforcement as the occasion arises. Four inmate Financial Statements were looked at for possible reimbursement of costs to the Sheriff. After discussion, it was agreed that the Sheriff will send letters to these four individuals showing the cost for their incarcerations and the request that they reimburse the Sheriff's Department for the amount. Health Department Nurse Bette Sutter presented a Nursing contract between the State of Colorado for use and benefit of the Department of Health and the Board of County Commissioners.

FAACNS 940114 effective July 1, 1993, for signature. Comm Brubaker moved to sign this contract, seconded by Comm McClellan and carried. Assessor Cruzan presented the abatement for Smith Petroleum Company (see above).

County Extension Agent Kenny Smith reported that participation in the County Fair this year was good. It was noted that a meeting with the Fairgrounds Advisory Board to figure out how to help keep the fairgrounds going will be scheduled. Administrator Weaver reported that a bid of \$16,700 to install oil heaters at the fairgrounds has been received. This will be considered. Former Fairground Manager Dante Sena's offer to sell mobile home to the county was discussed. Comm McClellan moved to purchase the mobile home from Sena for \$14,000, seconded by Comm Brubaker and carried.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented the agenda for an upcoming forest and ecosystem concept tour put on by the Colorado Timber Industry Association.

ADJOURNED at 2:50 p.m. for an on-site pipeline meeting at Kelly Hill with and Northwest scheduled for 3:00 p.m.

Deputy Clerk Chairman

SEAL

Minutes 08/16/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 16, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 16, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert O. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

AUG 24 1993

MINUTES of the previous regular meeting held Monday, August 9, 1993, were read, Comm McClellan moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's report and the Treasurer's reports were received for the month of July 1993.

ACCOUNTS PAYABLE: General fund vouchers #18447 thru #18671 in the amount of \$136,542.32 and Road fund vouchers #7038 thru #7117 in the amount of \$81,367.32 were approved for payment.

FAIRGROUNDS: A meeting is tentatively scheduled for Tuesday evening, August 24, 1993, for all interested parties to address the funding problems for the fairgrounds. The agenda for the meeting will include discussion on the past, present, and future funding and use of the fairgrounds. A realistic application of Amendment I and how it applies to funds available for use at the fairgrounds will be presented. The meeting will be publicized several times in the Cortez newspaper.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the rain received over the week-end has helped the dust problem. Road department employees' attitudes and work schedules in connection with comp time were discussed. It was noted that evaluations should reflect any problem that an employee has working within the framework of his/her job description.

Administrator Weaver will check the road department manual for job descriptions, rules on when employees can be sent home due to equipment breakdown or lack of work, and vacation time scheduling. Supervisor Striegel reported that he has inspected CR 23. It was noted that the road needs to be built to county specs with a 601 easement, Striegel will measure for the easement, Engineer Bud Roach will be contacted to inspect.

CR 23, lookat a proposed gravel pit site, and submit any comments on the Colorado Department of Transportation 20-year Plan. Striegel contacted Realtor Eakins about CR 29.75. Realtor Eakins stated she had cancelled any inspection of the road since some of the other property owners have involved a lawyer. Sandy Bryan was notified of this Administrator Weaver will try to contact the attorney % Don Tozer has been given an update on plans for McElmo Road. Both water trucks have been working on McElmo Road. CR 38 will be checked. Supervisor Striegel will see about getting a small cat to do the recommended temporary repair on Dunlap Hill. It was suggested that nothing be done on Kelly Hill until next year. If qualifications are met, monies from URFO for repair of both hills might be available next year.

ABATEMENTS: Assessor Cruzan being present, a petition for abatement of property tax was presented for Henry Antholz, #12-5609-071-00-026, 1993, erroneous actual value assessment. Comm Brubaker moved to approve this petition to remove the actual value assessment of \$4,500 from Mr. Antholz assessment and add this value to Thomas and Emily Antholz's actual value assessment, seconded by Comm McClellan and carried. A petition for

abatement of property tax was presented for the Cortez Trap Club, #12-5641-042-00-034, 1993, erroneous actual value assessment. Assessor Cruzan, Appraiser Kelli Spruell, and Cortez Trap Club representative Jerry McComb were present. Comm Brubaker moved to approve this petition to reduce the actual value assessment from \$87,350 to \$76,660 and to re-classify 5 acres as commercial land and the rest as agriculture land, seconded by Comm McClellan and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

RESIDENT Dave Nichols presented a verbal request for a variance to the subdivision regulations. The variance was tentatively approved for him to create a 3 acre parcel out of a 28 acre parcel. It will be noted on the required survey that the 3 acres is not part of the adjacent subdivision, and that the same covenants required for the subdivision will also apply to this parcel.

LIQUOR LICENSES: Deputy Clerk Betty Davis presented an application for renewal for a retail liquor license for the Eagle Claw Trading Post. The Sheriff's Department reported no problems with this outlet. Comm Brubaker moved to approve this application, seconded by Comm McClellan and carried. Deputy Davis also presented an application for renewal for, a retail liquor license for Last Chance Liquor. The Sheriff's Department reported no problems with this outlet. Comm McClellan moved to approve this application, seconded by Comm Brubaker and carried.

TREASURER Bobbie Spore presented her reports for the month of July 1993. She reported that after paying CRS, Inc. for services for auditing oil and gas Production in the county, the amount before distribution is \$87,214.93. The Assessor has submitted a bill in the amount of \$3,299.50 for his office's work in connect with the audit. The Treasurer will submit a bill in the amount of \$3,916.43 for her office's work. The remaining amount of \$80,000 will be divided between all the involved entities. A request from a resident of Dolores to purchase a county-owned lot sold for taxes was presented. The lot is not adjacent to the resident's property, and does not have a clear title. Therefore, it was suggested that the lot, which has no value to the county due to it being on a hillside, be given to the Town of Dolores. This will be considered.

ADMINISTRATOR Weaver reported that he had talked with a representative of Data Products Company about the outstanding bill for the Assessor office's damaged printer. Data Products made the following offer. They will write off the original \$1,300 bill for repair of the unit, if the county would purchase, for \$3500, a refurbished printer with a warranty. It was noted that \$700 has been received from the freight company and an offer of \$550 for the damaged printer has been received. Therefore, the county could replace the damaged printer, for approximately \$2,050 difference between the cost of \$3500 and reimbursements of \$1,260. This was affirmed. Administrator Weaver reported that Dante Sena's mobile home has been purchased by the county.

OFFICE OF COMMUNITY SERVICES: Mike Preston gave a report on proposed grazing fees and the proposed Federal timber budget. Upcoming Colorado Division of Transportation meetings with the County were mentioned.

ADJOURNED at 2:50 p.m. to do an on-site inspection of the road easement to Lee Mobile Home park.

Deputy Clerk

Chairman

SEAL

Minutes 08/23/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 23, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

SEP 8 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 23, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert O. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator

SEP 8 1993

Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, August 16, 1993, were read. Comm McClellan moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PROPOSED COLORADO DEPARTMENT OF TRANSPORTATION 20-YEAR PLAN: Engineer Bud Roach and Mike Preston made comments on the proposed plan. After discussion, it was agreed that the following items should be addressed before the plan is finalized: (1) higher priority listing for the intersections at Mancos and the M&M Truck Stop, (2) the need to upgrade the Hovenweep and McElmo roads, and (3) find out why there are 55 more miles of road shown in the County inventory than shown in the Department of Transportation inventory.

SUMMIT RIDGE WATER COMPANY representative Kay Anderson met to ask for some type of agreement from the County stating that the county would not ask the water company to move a proposed pumping plant or water line on a county right-of-way where CR P dead ends. The agreement request was made to the water company by Empire Electric. If the agreement is implemented, Empire Electric would eventually refund any deposit made by the Summit Ridge Water Company for the installation of an electric pole. Road Department Supervisor Billy Striegel will do an on-site inspection with Mr. Anderson before any decision is made.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the chip and seal should be completed in two days. The new water truck is doing good. After discussion, it was agreed that the road department comp time policies will stay the same, with the exception of the following change. After 40 hours of regular time worked, time and a half comp time will be only for the exact hours worked. Administrator Weaver reported that the oil burner furnaces for the fairgrounds are here. The installation of the storage tanks for the used oil will be sometime before the end of September. It was noted that the tanks will be attended by someone to make sure only usable oil is received. The road department will extend the roadway turn off to Lee's Mobile Home Park. Administrator Weaver reported that Attorney Stan Morris, representative for the new property owners along CR 29.75, will contact Empire Electric about moving the electric pole so the easement can be widened to the needed 60'. All the property owners will be asked to share in any costs. It was noted that after inspection of CR 23, Engineer Roach recommended that the road South of the bridge be brought up to county specs by the county. Mr. Purvis, whose residence is on the north side of the bridge, needs to move his fence in order to have the needed 30' right-of-way on his side of the road, and bring this section of road up to county specs. As agreed earlier, Mr. Purvis will haul the gravel furnished by the county. Mr. Purvis will be notified that the county will need to construct a turn around for their use in his driveway. After the road to Mr. Purvis' property is brought up to specs, the county will maintain the road to this point. It was noted that the employees working at the landfill will report to Administrator Weaver.

BOARD OF SOCIAL SERVICES was conducted.

PLANNING: A planning resolution P-49-93 was presented whereby Reed Bayless, owner of 768 acres, would be granted a variance to the subdivision regulations to create three tracts, a 6.64 acre tract, 7.13 acre tract and a 6.21 acre tract, in Section 18, T.36N., R.14W. The Planning Commission approved this three way split, Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A planning resolution P51-93 was presented whereby Tim, Ted and Tod Lawrence, owners of 40 acres, would be granted a variance to the subdivision regulations to split the property into a 3.96 acre parcel and a 36.70 acre parcel in Section 28, T.36N., R.13W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-54-93 was presented whereby Ron Porter, owner of 80 acres, would be granted a variance to the subdivision regulation to create a 3.71 acre tract, a 3.29 acre tract and a 4.42 acre tract in Section 17, T.36N., R.16W. The Planning Commission approved this three way split on July 22, 1993. Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A verbal request for a variance to the subdivision regulations was denied for Billy Foster to add a tract from the Mountain View Subdivision to a 2.41 acre parcel in the Merritt Properties Subdivision. Mr. Foster needs permission from all the property owners in the Merritt Properties Subdivision to vary out this 2.41 acre parcel. The McPhee Ridge Subdivision Plat (Fred Cline) approved by the Planning Commission was presented for final approval. Comm Brubaker moved to approve this plat, seconded by Comm McClellan and carried.

ASSESSOR Bob Cruzan presented the final "Abstract of Assessment for 1993" for signature. This was signed.

SCHOOL NURSING CONTRACT: Comm Brubaker made a motion to enter into the School Nursing contract between the Montezuma County Health Department and the Mancos School District (RE-G), seconded by Comm McClellan and carried.

JAIL INSPECTION was conducted.

ADMINISTRATOR Weaver presented a chart showing a loss of revenue for the fairgrounds. The chart will be used at the scheduled Tuesday night meeting. He requested approval to accept a bid of \$5,299 to separate the computer system between the Assessor and Administrative offices. The monies needed would be taken from the Emergency Reserve Fund. The need for separate systems is to take care of a problem with lightning affecting the computers for the last two years. This was affirmed. The policy of recovering revolving loan funds from defaulted businesses was discussed. It was affirmed that persons owing this account will be contacted and notified that they should (a) liquidate any assets, (b) pay what they can from that amount, and (c) make arrangements with the county for a payment plan to repay the balance of the account.

UMBRELLA TOURISM GROUP (LODGERS TAX): Comm Brubaker moved to appoint Tom McFadden to the group, seconded by Comm McClellan and carried.

SENIOR NUTRITION Director Sue Fletcher presented the first six months of 1993 expense and revenue figures for the Title III program for Cortez, Mancos and Dolores. It was noted that there is a need to research the possibility of qualifying for additional Title III funds. The figures reflected that the program, which includes monies from Title III and funds collected by the Centers, is in good shape this year.

ADJOURNED at 2:50 p.m.

Deputy Clerk Chairman



Minutes 09/07/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 7, 1993

STATE OF COLORADO
COUNTY OF MONTEZUMA

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, September 7, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

SEP 1 5 SEP 15 1993

MINUTES of the previous regular meeting held Monday, August 23, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's report for the month of August 1993 was received.

PAYROLL: General fund payroll vouchers #10053 thru #10166 in the amount of \$129,626.28, #18674 in the amount of \$13,445.40, #18675 in the amount of \$77,482.78 and Road fund payroll vouchers #10167 thru #10210 in the amount of \$61,787.55 and #7119 in the amount of \$42,096.65 were approved for payment.

LANDFILL ORDER; Comm McClellan made a motion to direct the Clerk to issue Order Number 0-12-93 to the Treasurer to draw a warrant on the Landfill fund in the amount of \$3,832.04 payable to the Colorado Department of Health, ASD/AR/BI, 4300 Cherry Creek Drive South, Denver, Colorado 80222-1530, as the second quarter payment. Motion was seconded by Comm Brubaker and carried.

CONSERVATION TRUST (LOTTERY FUNDS) ORDER: Comm Brubaker made a motion to direct the Clerk to issue Order Number 0-12-93 to the Treasurer to transfer from the Conservation Trust to the Capitol Reserve fund \$2,500.00 for the Senior Transportation Plan. Motion was seconded by Comm McClellan and carried.

FAIRGROUNDS: Concerned fairground Advisory Board members Liz Tozer and Lenetta Shull and Don Hager appeared to state that they felt that the present Advisory Board did not represent all the groups that use the fairgrounds. Their suggestion was to contact interested people in several different groups and clubs for volunteers to serve on the Board for better representation. The list included: the Barrel Racers Association, Cutter, Association, Llama group, a businessman with no connection with the fairgrounds, the Ute Mountain Ute Tribe, the Pony Club, the Arab Club, 4-H, a Fairboard member, and the Racing Club. People from all these entities will be contacted. Any volunteers from these contacts would be added to the present six members on the Advisory Board. The Fairboard members will individually look at and rate the applications received for the Manager position at the fairgrounds.

ROAD DEPARTMENT: Road Supervisor Billy Striegel and Assistant Kirk Stauffer reported that after considerable digging, the source of the water problem on CR L off Hwy 145 has not been located. Supervisor Striegel will contact Richard Tibbets. It was agreed that a method to drain the water will have to be implemented. A request was made from a resident for the department to check a corner on CR 40 for signing with a lower speed

09-07-93 2

limit. The site will be looked at and the Sheriff will be contacted for a recommendation. Water coming from a culvert and running onto Pete Doerfer's place on CR 41 will be checked. Since materials have been received to start on bridge projects, the county welder will be working on these. Annex work will be done at a later date. A culvert on the Chicken Creek road will be looked at and if necessary a new footer will be poured. The repair of the "slip" on Dunlap Hill above Dolores will be finished this week. The approach on CR 28 from CR N to the Lee's Mobile Home Park needs two loads of hot mix; this will be done. Supervisor Striegel presented a report showing how the Emergency Fund monies were spent by the department. Shoulder on CR S will be checked. Several residents complained about recent blading because of dust problems. No further action has been taken about the Cahone Mesa sandstone pit. Work on widening CR 23 to county specs needs to be started. Problems with use of CR 24 was discussed. Neighbors will be contacted about use and the possibility of having a public hearing to abandon the portion of the road in question. Requests from residents living on CR M and CR 20 for the county to bring up a portion of the non-maintained county road to county specs was discussed. Assistant Stauffer inspected the 400 to 500 feet of road and stated that the road does need work if the school bus or emergency vehicles use this section of road. The residents were informed of the county policy for non-maintained county roads. They will be contacted again, and the current county policy that the county will furnish the gravel if they will pay for the hauling, will be again explained to them. It was noted that anyone purchasing property on a non-maintained county road needs to understand the policy before they purchase any property. This problem will be addressed in the proposed County Land Use Ordinance. It was noted that all road department employees need to know the policy and not deviate from it.

OFFICE OF COMMUNITY SERVICES: Mike Preston introduced Ecologist Suzie Noble. Ms. Noble accepted the Ecosystem Management Project position for the pine zone project, which is covered under a grant.

REALTOR Ann Aulston and property owner R.S. (Slim) Cox presented a verbal request for a variance to the subdivision regulations to split from a 10.41 acre parcel, a 1.7 acre commercial tract. The request was tabled until the septic system is inspected and approval from the Planning Commission is obtained.

PLANNING: Planner Ginger Black presented statistics on Land Development in the county for the past 5 years. A planning resolution P-10-93 Amended was presented whereby Wayne G. Jones, owner of 18.50 acres, would be granted a variance to the subdivision regulations to create a 15.49 acre tract and a 3.01 acre tract in Section 14, T.36N., R.16W. Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A planning resolution P-52-93 was presented whereby Edward G. Merritt, owner of 90.256 acres, would be granted a variance to the subdivision regulations to split the property into a 10.837 acre parcel, a 9.835 acre parcel and a 69.59 acre parcel. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. The Planning Commission approved this three way split. A planning resolution P-55-93 was presented whereby Larry Everett, owner of 200 acres, would be granted a variance to the subdivision regulations to sell a 16 acre tract to an adjoining landowner in Section 7, T.36N., R.13W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-56-93 was presented whereby Floyd and Edna Parker, owners of 50 acres, would be granted a variance to the subdivision regulations to keep 6.52 acres and sell the remainder in Section 23, T.37N., R.16W. Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A planning resolution P-57-93 was presented whereby the Estate of Leonard Winbourn consisting of 18.65 acres, would be granted a variance to the subdivision regulations to divide the property among his children in Section 15, T.36N., R.16W. The Planning Commission approved this three-way split. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-58-93 was presented whereby Kevin and Linda Chelf, owners of 22.51 acres, would be granted a variance to the subdivision regulations to

split the parcel, creating a 10.48 acre tract and a 12.03 acre tract. The 22.51 acre tract was previously split off by variance P-50-92. Comm McClellan moved to adopt this resolution seconded by Comm Brubaker and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Roy Lichliter to sell 10 acres from a 78 acre parcel.

BOARD OF SOCIAL SERVICES was conducted.

SENIOR NUTRITION Director Sue Fletcher requested approval to expand the duties of the Senior Advisory Board to include fund raising. This was affirmed and a letter will be signed stating such. The Senior Transportation Plan was discussed. Fees are being charged for use of the bus and a portion is being put aside to replace the bus at some future time. A request for \$2,500.00 of Lottery monies for the Transportation Fund was affirmed (Order Number 0-13-93). It was noted that the City of Cortez may match any amount raised by the Seniors.

ASSESSOR Cruzan's form for Montezuma County House Number Assignments was submitted for input. It was agreed that the form was acceptable.

STATUTES were read pertaining to (a) if the County wants to terminate or reduce a program, and (b) employment of County prisoners.

PRIVATE FAMILY CEMETERY: Attorney Stan Morris, representing the property owners and Keenan Ertel of Ertel Funeral Home met to discuss a proposed resolution. The resolution would appoint Attorney Morris as the Special County Attorney, and address the process of removal of bodies from the private family cemetery on the parcel of private land. Finalization of the resolution was tabled until all the specifics about who pays for all the costs involved are included in the document. It was noted that the county will not be responsible for any of the costs, and the Sheriff's department will not be involved in the removal of the bodies.

FOURCORNERS TRAIL CLUB representatives Jack Fitzgerald, Lonnie Elliott, and Roy Johnson and Forest Service representative Paul Peck and Sheriff Tim Wood met to ask for a resolution from the Commissioners. The proposed resolution would give operators authorization to operate ATV's, snowmobiles and cycles on certain county and forest service roads in connection with a proposed trail. Mr. Johnson explained the proposed trail loop which would start at and return to Transfer Park. They stated that the use of the county and forest service roads would be minor. At certain places along the trail, it would be necessary to cross the roads to connect back with trail. The hazard of log trucks using the same road was mentioned. Signing and an awareness by the operators was suggested to take care of that problem. The Sheriff stated he did not have a problem with the route. The resolution was tabled until a map showing the proposed route and a list of the involved roads is submitted. A request for help to improve a parking lot up Echo Basin for use at another trail was submitted. It was noted that if the gravel needed can not be supplied by the Forest Service, the county will donate the gravel if the club will haul it. Forest Service representative Paul Peck stated that the partnership agreement will be reworked to include any in-kind services received from the county.

AUDIT for the Year Ended December 31, 1992, prepared by Gale W. Greenlee, Inc. was signed.

ADJOURNED at 3:20 p.m. for a road tour with Bureau of Reclamation representatives Dana Hill and Don Rosbaugh of the roads being used by Nielson in the lower valley.

Deputy Clerk Chairman
SEAL

Minutes 09/13/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 13, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 13, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

SEP 21 1993

MINUTES of the previous regular meeting held Tuesday, September 7, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's report and the Treasurer's reports were received for the month of August 1993.

NOTICE OF CLAIM by Norman J. Cochran pursuant to 24-10-109 C.R.S. was received.

ACCOUNTS PAYABLE: General fund vouchers #18449 thru #18837 in the amount of \$113,414.90 and Road fund vouchers #7126 thru #7198 in the amount of \$138,940.37 were approved for payment.

911 AUTHORITY BOARD: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-14-93 to the Treasurer to transfer the amount of \$634.57 from the 911 account to U.S. West Communications, Denver, Colorado 80171. Motion was seconded by Comm Brubaker and carried.

LANDOWNER Bill Ramsay asked for the reinstatement of an agreement reported in the July 18, 1986 minutes, which stated the county would furnish gravel for one mile of private road in a subdivision on CR 35.93. The agreement was effective until November 1, 1990. It was explained to him that county policy has changed and under the present policy the county can not furnish gravel for a private road. New laws affecting subdivision regulations were also discussed.

LANDOWNER Sandra Kaiser met to ask that the county bring up to county specs one quarter mile of non-maintained county road at CR M and CR 20. She was told that the county would furnish the gravel, if they would pay for the hauling. It was noted that there is a 6' right-of-way. Ms. Kaiser stated that they have sandstone on their property that would be suitable for the road base. Engineer Roach read the Bureau of Mined Reclamation permit requirements for a private landowner to furnish rock for a public road. Copies of a portion of the requirements were given to Ms. Kaiser. The county will start the culvert work etc., and as soon as rock is available at the Gardner pit, coordination will be done for the hauling. The Kaisers will pay for the hauling.

LANDOWNER Charles Mahaffey asked about bringing a one mile section of a nonimproved county road at CR 18 and CR P up to county specs. He would like for it to be included in next year's road plan. Road Supervisor Striegel will look at the road. It will be considered in next year's road department plan. Mr. Mahaffey was told that the county will furnish the gravel, if he takes care of the hauling.

FAIRGROUND RACE TRACK: Marian Rodd reported a broken pipe in the women's restroom at the facility. She stated that the race track shows are all done for the year. She expressed concern about a scheduled "mud bogging" event. Such an event held several years ago in the pit area, resulted in power problems because of buried electrical lines, and a problem with a wall becoming unstable because of the water used in making the pit area boggy. Administrator Weaver will follow up on these concerns.

ROAD DEPARTMENT Supervisor Billy Striegel reported that he met with Richard Tibbets about the water problem on CR L off Hwy 146. Mr. Tibbets suggestion was to put down a porous petro mat between two layers of sandstone to keep the water off the road for the one-half mile. The costs for the porous petro mat would be approximately \$7350 and the needed sandstone if purchased from Mr. Tibbets would be approximately \$12,000. The Board will do an on-site inspection of the area at 3:30 p.m. today. The Cahone Mesa proposed sandstone pit was discussed. The repair of the "slip" on Dunlap Hill above Dolores was completed and then slipped again. They will let the road settle, and will continue to watch the slip.

SENIOR NUTRITION Director Sue Fletcher and Senior Advisory Board member Levi Garrett met to ask for clarification about an article in the Cortez newspaper about lottery funds allocated for the Annex. Clarification was given, Mr. Garrett explained that the Senior Advisory Board needs figures to justify asking the City of Cortez for \$9,500 to match funds raised by the Seniors to help with operating expenses at the Annex. Director Fletcher and Administrator Weaver will furnish Mr. Garrett with the numbers to support the justification.

PLANNING: Landowner Bob Durant requested a variance to the subdivision regulations to make a change in planning resolution P-26-93 Amended. The change will remove an access easement to another area. A verbal request for a variance to the subdivision regulations was tentatively approved for Bob and Donna Durant to amend resolution P-26-93 Amended.

ASSESSOR Bob Cruzan, RE-1 Business Manager Jim Riffey and RE-1 Superintendent Bill Thompson met to discuss a proposed abatement by Shell Western E&P, Inc., which involves school district money. The proposed abatement is due to a mix up after an audit was done by CRS Service, Inc. resulting in tax monies being paid to Montezuma County instead of Dolores County by Shell Western E&P, Inc. Final figures will be compiled and a hearing will be set for the abatement. It was noted that the Treasurer will need to be notified of the scheduled date for the abatement hearing.

DEPARTMENT HEADS: Treasurer Bobbie Spore submitted her reports for the month of August 1993 and gave a report of earnings on deposits. A question about a matured Hospital District Bond in connection with a mill levy will be referred to the Attorney for the Hospital District, Extension Office Manager Jan Brandt reported that that they are temporarily doing scheduling for the fairgrounds.

They received a contract for the "mud bogging" event. Possible problems with the an event were mentioned to her - further checking about it will be done. She asked if anyone had a problem with employee job sharing. The Board expressed that they had no problems with it. Clerk Jean DeGraff reported that her office is in the middle of preparing for the mail ballot. An assembly line work-day is scheduled for Saturday, October 9th to prepare the ballots for mailing by October 12th. The ballots will have candidates for the School Districts and one State question addressing the Tourism Tax. The School Districts will pay pro-rated postage. Administrator Tom Weaver presented copies of the Family and Medical Leave Act of 1993 to all the Department Heads, and a memo of correct mail addressing. Sheriff Tim Wood reported that his department is teaching classes at the area grade schools on Drug Abuse Resistance Education. They are responding to an average of two to three calls from the Casino a week. Assessor Bob Cruzan reported that they are in the Process of changing county road to just "road" on their records. District Attorney George Buck stated all the Judges were out of town and he was

09-13-93

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catching up on paperwork. Health Department Nurse Bette Sutter reported that questions on the Hantavirus and plague were quieting down. Her department is getting ready for the Flu Clinics. The clinic for free flu shots for county employees will be planned for the middle of October. She needs to know how many employees will be interested.

BOARD OF SOCIAL SERVICES was conducted.

FOR PET'S SAKE representatives Nancy Hammack and Jennifer Caveney met to ask that the fees charged for use of the County Annex facility be waived for their organization. They use the facilities approximately three times a year for fund raisers. The request was denied.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented correspondence promoting the proposed Mancos Power Plant project. He gave a Federal Lands report. The method of selecting a Club 20 representative was discussed. The following format was suggested regarding the proposed County Land Use Ordinance: (1) request that the Planning Commission certify its recommendations on the proposed Land Use Ordinance by the end of October; (2) publish the public hearing notice at least 14 days prior to the hearing; (3) hold informal meetings right before the public hearing; (4) introduce and read the proposed ordinance; and, (5) publish the proposed ordinance at least 10 days before voting on it.

ADJOURNED at 4:10 p.m. to meet with Road Supervisor Billy Striegel to do an on-site inspection on CR L (water problem).

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 09/20/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 20, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 20, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

SEP 28 1990

MINUTES of the previous regular meeting held Monday, September 13, 1993, were read. Comm McClellan moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. A "Petition to Proceed Without Cost or Payment With Affidavit of Insolvency" pursuant to Title 28 U.S.C. Section 1746(l) - Jerry Edwin Russell, Plaintiff vs Montezuma County Court et al Defendants was received.

LA PLATA COUNTY COMMISSIONERS Fred Klatt and Shirley Baty and La Plata County Social Services Department Director Joe Thompson met with the Board. Comm Klatt presented a graph showing a comparison of all the County Mill Levies in all the counties in Colorado, and a La Plata County Condensed Budget pamphlet. A similar budget pamphlet will be compiled by Administrator Weaver for Montezuma County. Restructuring plans for the Department of Social Services were discussed and a combined effort of the southwest counties to express the difference between urban and rural needs will be presented at an October 6th meeting with the State Subcommittee on restructuring. The La Plata County Commissioners asked for input and discussion on the following items: Predatory Damage Control Program - Administrator Weaver explained funding sources for Montezuma County. At the request of La Plata County Commissioners these sources will be written down and mailed to them. Contiguous County Gaming - It was noted that the biggest problem was to identify the impacts. Weed Control - The La Plata Commissioners thanked the Board for making Weed Manager Ron Lanier available to La Plata County and expressed an interest in the counties continuing to work together. Landfill - It was noted that La Plata County will be sending their trash to New Mexico in the near future. A private business in Mancos was mentioned that has expressed an interest in using landfill products as a source of power. This will be checked further. The Montezuma landfill is not able to accept any of La Plata County's waste products. Rural Water System - A possible future need for a water source for La Plata County and how Montezuma County's rural water system works was discussed. Available water from the City of Cortez was mentioned as a possible source. The La Plata Commissioners complemented the Board on its involvement in different areas of concern with State programs and mandates.

LANDOWNERS Dwight and Sandra Kaiser and their neighbor Pat Mullane met to further discuss their request for the county to bring up to county specs a one-quarter mile of non-maintained county road at CR M and CR 20. Statutes were re-read regarding the Bureau of Mined Reclamation regulations (September 13th minutes).

Road Supervisor Billy Striegel stated the work on the culverts etc. was being done this week. It was agreed that the road department would take sandrock available in the road bed on CR M and put it on the one-quarter mile of road that the Kaisers were requesting be done in order that the school bus can pick up their daughter. No "shooting" will be done. The Road Department will do what it can with the available

rock and then all the interested parties will meet again with the Board about any further work on the road. It was explained, after Ms. Kaiser's request for a written copy of the "county road policies", that the official record of any policy of Board of the County Commissioners is the minutes.

SOUTH VALLEY NEIGHBORHOOD WATCH: Representatives of the neighborhood watch group Diana Mosher and Merry Freestone met to present a copy of a petition asking for better conditions and signing on the road to the county landfill which is now being circulated for signatures. County employee Duane Christiansen commented on the problems he has with enforcing the double charge on "uncovered loads". It was suggested that the language "uncovered load" be changed to "unsecured load" on the charge sign. This will be done. It was agreed that judgement on whether loads are secured or not will have to be made by Mr. Christiansen and that his only area of jurisdiction is the county landfill property. It was pointed out that any problems with littering on the roads need to be reported to the Sheriff's Department. Sheriff Tim Wood and Undersheriff Bob McDonald stated that there is no penalty or fine that they can easily use to enforce the no littering law. It was agreed that (1) "no littering" signs will be renewed and installed at the top of the hill on CR 26, at CR 26 and CR G, and at CR 27 and CR H, and (2) a sign showing Montezuma County Landfill Charges will be installed at the entrance of the landfill and approximately 50 yards before the entrance, and (3) the magnet will be used once a week on CR 25. Ms. Freestone stated that she had observed a truck marked "hazardous waste materials" on the road to the landfill. Since no waste of this type should be discarded anywhere in the county, anyone observing such a vehicle should report this immediately to the Sheriff's Department and the Board. It was also noted that if a violent situation comes up, the county employees should take down a license number and the situation should be reported to the Sheriff. Ms. Mosher stated that the signed petitions will be submitted to the Sheriff and copies will be given to the Board.

ROAD DEPARTMENT Supervisor Billy Striegel reported that a request for rock was received for that portion of road to Joe Moore Reservoir that the county took over the right-of-way from the Forest Service. Striegel will contact the Forest Service about the rock and work needed to be done. Clarification of the Board's involvement with making road policies was made. It was noted that the Board can make and change any "road policy" at any given time. It was agreed that the present road policy needs to be clarified in the near future. At this time the county's responsibility to bring up a non-maintained county road is that the county will install the culverts, do the blading, furnish the rock for the 3" base if the landowners pay for the hauling, and no maintenance will be done until the 3/4" gravel be put on. The question of who will supply the 3/4" gravel needs to be addressed. A request was received from the Ski Club to have the county discontinue maintaining the two miles to, and the parking area at Chicken Creek, move the ski route to the cattle guard at the Joe Moore Reservoir, and put 3" rock on the side of road for parking for the club. This was agreed to if the Chicken Creek area is no longer maintained by the road department. A suggestion was made that a sign needs to be installed on the Chicken Creek road stating that the road will no longer be maintained.

BOARD OF SOCIAL SERVICES was conducted.

PLANNING: A Previous tentatively approved verbal request for a variance to the subdivision regulations for Bobby Wright was amended to show that the approval is contingent on his obtaining highway access for both parcels, since the 20 acre parcel is split by the highway. A verbal request for a variance to the subdivision regulations for Mr. Bauemel to sell a .81 acre of land cut off by CR 29 was tabled until the Sanitation Department can inspect it for a septic system. A verbal request for a variance to the subdivision regulations was tentatively approved for Jimmy Burton to sell 3 acres from a 8 acre parcel. A verbal request for a variance to the subdivision regulations was tentatively approved for Leonard Thoe to create a 3 acre parcel from a 9.2 acre parcel for mortgage purposes, contingent on a 60' easement to the 3 acre parcel.

09-20-93

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NEW LEGISLATIVE changes were reviewed.

PERSONAL CARE AND HOMEMAKER CONTRACTS between the State of Colorado, for

The use and benefit of the Department of Social Services, and the Montezuma County Commissioners were signed.

SENIOR ADVISORY BOARD member Comm McClellan presented a list of the items that the seniors would like to be done at the Annex. The list included installation of a flag pole, removal and hauling away of the boards between the Annex and the Church, and black topping of the parking area. Consideration will be given to the request.

OTHER ROAD DEPARTMENT ITEMS: A complaint from an employee about unsafe road department equipment, and a complaint from an unidentified person about the use of profanity on the road department mobile radios will be checked into and appropriate action will be taken.

ADJOURNED at 3:15 p.m.

Deputy Clerk

Chairman

SEAL

Online Copy

Minutes 09/27/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 27, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

OCT 05 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 27, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held Monday, September 20, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. A recorded certified Order from District Court in reference to the organization and property within the boundaries of the Summit Ridge Water District was received.

ROAD AND BRIDGE FUND ORDER: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-15-93 to the Treasurer to transfer the amount of \$51,052.73 from the Road and Bridge Fund to the General Fund to correct an insurance payment error found in a recent audit. Motion was seconded by Comm Brubaker and carried.

911 AUTHORITY BOARD ORDER: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-16-93 to the Treasurer to transfer the amount of \$3,456.62 from the Emergency 911 Fund to the General Fund to correct an error found in a recent audit. Motion was seconded by Comm Brubaker and carried.

EMERGENCY RESERVE FUND ORDER: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-17-93 to the Treasurer to transfer the amount, of \$5,680.00 from the Emergency Reserve Fund to the General Fund foireplacement of a computer hit by lightning. Motion was seconded by Comm Brubaker and carried.

NEW GENERAL POLICY FOR NON-MAINTAINED COUNTY ROADS: Comm Brubaker moved to adopt a new policy for non-maintained county roads as follows: Before the county accepts any non-maintained county road for maintenance, the landowners(s) along the respective road must furnish the value of hauling the base rock. The county will prepare the road, grade, install culverts and pipes, furnish the 3" base rock, and furnish, haul, and put on 3/4" gravel for the completion of the road to county specs. Comm McClellan seconded the motion and the motion carried. It was noted that this policy is subject to change.

ROAD DEPARTMENT: Assistant Road Supervisor Kirk Stauffer reported that work has started on CR L. Approval to rent a compactor to use in repairing the road was given. Eventually 3/4" gravel will be put downs no paving will be done until the road has settled. Crack sealing on Forest Service Schedule A roads is taking quite a lot of time. There needs to be a clarification of the wordage "crack seal" as used in the Schedule A Agreement with the Forest Service. A meeting with the Forest Service will be scheduled. Assistant Stauffer will contact Forest Service representative John Noland, as soon as possible, about reimbursement of costs for major crack sealing

being done now by the county. It was noted that there is the option of giving the Schedule A roads back to the Forest Service for maintenance etc. The department is working on widening the Kopenhafer Bridge to 24 feet. The Rock Creek Bridge is on hold. Mr. Purvis has paid for hauling for only two loads of 3" base rock on CR 23 north of CR X. He will be informed that if the county accepts the road for maintenance, the road will have to have a base that meets county specs. When this is done, the county will put on the 3/4" surface gravel. The sandrock on CR M that was to be ripped for the Kaiser's one-quarter mile of nonmaintained county road can not be ripped. If used, it will have to be blasted. Comm Brubaker made a motion to make an offer to the Kaisers, that if they pay half the blasting cost (approximately \$3,500.00), which is equal to hauling costs, the county will do everything else to bring the road up to county specs. The county then will accept this section of road. It was agreed that culverts will be bought and installed at Kelly Hill. The Dunlap Hill is settling good. CR V.8 was discussed as in need of maintenance, and will be included in the 1994 road plan.

ABATEMENT: Deputy Assessor Jim Snow being present, petition for abatement of property tax was presented for Meridian Trust Company c/o Leo Eisenberg & Co., 1991, erroneous assessment, \$2,853.48 and 1992, erroneous assessment, \$2,782.00. Assessor Cruzan recommended approval of this petition. Comm Brubaker moved to approve this petition. Motion seconded by Comm McClellan and carried. All proceedings were taped for the record and it was noted that the Deputy Assessor and all the Commissioners were present.

HEALTH DEPARTMENT Nurse Bette Sutter presented an update on the PreNatal Program for last year and presented the new contract for signature. Comm Brubaker moved to sign the PreNatal Contract between the State of Colorado for use and benefit of the Department of Health, and the Board of County Commissioners, Montezuma County, for October 1, 1993 thru September 30, 1994. Motion seconded by Comm McClellan and carried. She extended an invitation to the Board for the upcoming Advisory Committee Meeting.

PLANNING: It was noted that Leonard Thoe's 9.2 acre parcel is in the Sage Hen Acres subdivision. Comm Brubaker made a motion to rescind the tentatively approved verbal request from Mr. Thoe for a variance to the subdivision regulations (September 20, 1993), since it has been brought to the attention of the Board that this tract is in the Sage Hen Acres subdivision and any change will need signatures from all the other subdivision landowners. Motion was seconded by Comm McClellan and carried. Mr. Thoe will be so informed. The Sanitation Department's onsite inspection of the septic system on the Slim Cox property (see September 7, 1993 minutes) did not reveal any sewage on the ground surface. There was a concern that they did not see an opening for emptying the septic tank. The Pattigean Drive Subdivision is ready for a Public Hearing. There was discussion on the need to come up with a way to determine whether a tract is in a sub-division.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED FOR LUNCH with the Mancos Senior Citizens at Mancos.

ADMINISTRATOR Weaver stated that Interstate Energy will be here at the end of October to install the oil heaters in the fairground's barn.

SUMMIT LAKE WEST SUBDIVISION Developer Glenn Gentry and Attorney Kelly McCabe met for clarification on whether three roads in Phase III of the subdivision had, or would be accepted by the county for maintenance. Colbert explained that the standard is different now than 20 years ago. Attorney McCabe presented a Subdivision Road Inspection Form dated 1984 for the roads. It was noted that just because an inspection is made, it does

not mean that the county accepts the road. The Phase III roads in question have been looked at recently, and were determined not to be up to county specs in accordance with the current standards. The roads in question do not show on the official County Road Map. It was suggested that the minutes could be researched by Attorney McCabe or Mr. Gentry for any proof that these roads were accepted at some past time. Engineer Bud Roach stated that three other roads in the subdivision were added to the Official County Map in 1987 and rebuilt by the county to specs. This was after he was told that the three roads were being maintained by the county. Administrator Weaver reminded Mr. Gentry that Public Hearings held to add or delete roads on the Official County Road Map is the process to go through, if someone feels his road(s) should be included on the county map and maintained. Mr. Gentry requested a vote to determine whether the roads had been or would be accepted. A motion needed to be made. No motion was made. Comm Brubaker and Comm McClellan stated that the county needs to hold to the current standard. Comm Colbert stated that sufficient evidence had not been given to substantiate that the roads had been accepted for county maintenance. If acceptance of the roads is not in past minutes, then they were not accepted as county maintained roads. It was stated that the County is not in the position to accept any other roads, other than recent obligations.

ATTORNEY MCCABE representing landowner Charles Combee stated that his client has requested that the lower portion of CR 29.75 be either county maintained or taken off the county system. The present situation was explained to Attorney McCabe. Nothing can be done about the road until all the landowners respond to the need for more right-of-way to fix the road.

COTTONWOOD SUBDIVISION developer Attorney Kelly McCabe requested that CR 27.5, which is in the subdivision, be accepted for county maintenance, since more than one-half of the lots have been sold and built on. Engineer Roach will inspect the road. If the road is up to county specs, the county will accept the road.

NEW ACCEPTED COUNTY ROADS: A suggestion was made that as new roads are accepted or deleted that these changes be added or deleted from a central map and/or a card file be kept to reflect the changes.

OFFICE OF COMMUNITY SERVICES: Mike Preston gave a Federal Lands Report. He noted that he will be the representative from Montezuma County for Club 20 in Washington D.C. this week, since Bill Bauer is unable to go.

ADJOURNED at 4:20 p.m.

Deputy Clerk Chairman

SEAL

Minutes 10/04/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 4, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 4, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

OCT 12 1993

MINUTES of the previous meeting held Monday, September 27, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: General fund payroll vouchers 010219 thru #10330 in the amount of \$129,542.69, #18840 in the amount of \$13,595.45 and #18841 in the amount of \$77,321.46, and Road fund payroll vouchers #10331 thru #10374 in the amount of \$61,788.38 and #7202 in the amount of \$42,298.53 were approved for payment.

NEW COUNTY ROAD ACCEPTED: Comm McClellan made a motion to accept as a county road, CR P.8 east of CR 36.5. The motion was seconded by Comm Brubaker and carried.

LANDOWNER Dwight Kaiser and Road Supervisor Billy Striegel met to further-discuss the offer made to the Kaisers (see minutes September 27, 1993) on CR M and CR 20. Mr. Kaiser asked if the county would allow him to pay the \$3,500.00 on a time-payment plan. This amount equals hauling the base rock. It was agreed that Mr. Kaiser would check with his bank for a loan in the amount of \$3,500.00. If he can not get a bank loan, then the county will do a promissory note with him, using his 1987 truck as collateral. Administrator Weaver will let Supervisor Striegel know when to start upgrading the road. After discussion, it was agreed that rather than blasting on CR M for base rock, it would be hauled.

JOE MOORE RESERVOIR ROAD: Landowners (see attached list) met with concerns about Forest Service Road 693, from CR 40 to the cattleguard. Road Supervisor Billy Striegel, ForestService representatives John Nolan and Mike Burke were also present. Comm Colbert read the July 19, 1993 minutes, at which time the Forest Service requested the .2 of a mile be added to a Forest Service Special Use Permit giving the right-of-way to the County. The water line, proposed at that time, has been installed by the Summit Ridge Water Company. Spokesperson Carl Wilhite stated that the road now has no barrow ditches and has virtually been destroyed. Comm McClellan stated that she felt it was the responsibility of the Water Company to restore the road to its original condition. John Nolan noted that the Forest Service had included upgrading for the road in their 1994 plan, but since the July 19th change, this action would be affected. He also stated that next year this section of road will not be listed as a Schedule A road, but as a county road. At this time, the Forest Service can only furnish the gravel. It was suggested that a cooperative solution might be worked out after the Water Company has done all they can do to restore this section of road to its original state. The following was proposed: the Forest Service supply the gravel, the County furnish the hauling, and the Water company furnish a blade. An on-site inspection of the road will be done this afternoon by the Commissioners, the Road Supervisor, a representative of the Summit Ridge Water Company, and the concerned landowners.

SCHEDULE "A" ROADS, ETC.: Forest Service representatives John Nolan and Mike Burke talked about maintenance an Forest Service Schedule "A" roads and the wordage "crack seal". Road Supervisor Billy Striegel was present. It was agreed that next year all interested entities need to meet to discuss and clarify what the county's responsibility is on Schedule "A" roads. It was noted that the county may not be able to afford to continue with the agreement. After discussion, it was agreed that the Road Department should submit a bill to the Forest Service for reimbursement of costs for major crack sealing an FS Road 271 to the McPhee Marina. John Nolan stated the costs would have to be reasonable. This had been discussed at an on-site inspection earlier in the summer. Mike Burke stated that they have received information that Federal Highway funding will be available to pay for repairs an Kelly Hill and Dunlap Hill.

ROAD DEPARTMENT Supervisor Billy Striegel reported that someone had gone through the barricades and ruined some of the matting being installed an CR L. The involved vehicle was abandoned when found. The Road Department will check with BLM for the cattleguard needed in Cahone Mesa. A blade and a water truck has been sent to the Lower Valley BuRec roads.

BOARD OF SOCIAL SERVICES was conducted.

COMMUNITY CORRECTIONS BOARD representative Lynn Williams requested that warding be changed in connection with the Corrections Board's appointment. Comm Brubaker made a motion to appoint the 22nd Judicial District Community Corrections Board as a functioning board, with contracting and signing authority. Motion was seconded by Comm McClellan and carried.

PLANNING: A planning resolution P-53-93 was presented whereby Willie Lee, owner of 127 acres, would be granted a variance to the subdivision regulations to split the property into an 27.48 acre parcel and an 99.52 acre parcel in Section 2, T.37N., R.17W. Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A planning resolution P-59-93 was presented whereby Raymond N. Samora, owner of 40.50 acres, would be granted a variance to the subdivision regulations to create three five acre tracts for his daughters and keep 25.28 for himself in Section 6, T.36N., R.16W. The request was approved at the April 12, 1993 Planning Committee meeting. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-60-93 was presented whereby Bobby Wright, owner of 20 acres, would be granted a variance to the subdivision regulations to split the property into a 7.45 acre tract and a 12.96 acre tract in Section 22 and 15, T.38N., R.14W. It was noted that both the tracts have access. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for C. J. Weaver to sell to his son approximately 14 acres from a 21 acres parcel. A verbal request for a variance to the subdivision regulations was tentatively approved for Immogene Spruell to give to her son approximately 5 acres from a 8.5 acre parcel. A 60' easement to the property will be given. A verbal request for a variance to the subdivision regulations was tentatively approved for Mike Young to create a 3+ acre parcel for his daughter from a 55 acre parcel. It was noted that this would include all the acreage between the two roads. A verbal request for a variance to the subdivision regulations was tabled for Frank Boskovich to split acreage into two parcels. An on-site inspection of the road for a 60' easement will be made this afternoon. It was noted that the acreage is not in the Big Pine Lake Subdivision.

NEW VARIANCE POLICY: New wordage in the planning resolution will be as follows and the letter will be attached to the resolution as a permanent record: "Water is available as per attached letter dated such and such from the particular water company."

10-04-93

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MONTEZUMA COUNTY LANDFILL: A request from La Plata County to bring Class I sludge from Durango to the landfill was denied.

SEVERANCE TAX STATUTES were read and discussed in connection with Shell Western E&P, Inc.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the September 13, 1993 minutes.

OFFICE OF COMMUNITY SERVICES: Mike Preston reported on the Club 20 meeting he attended in Washington D.C.

TREASURER Bobbie Spore presented her monthly and quarterly reports. She noted that \$53,295.00 has been received from the Contiguous County Gaming Impact Fund and deposited in a separate Gaming Impact Fund Account.

GAMING IMPACT FUND ACCOUNT: It was noted that the \$53,295.00 is approximately one-half the amount that Montezuma County may receive. The total amount was based on input from the County Court, Fire Department and the Sheriff Department. It was agreed that the County Court and the Fire Department costs will be paid in full, with the balance paid to the Sheriff Department. The remaining one-half \$53,000.00, which has been allocated but not received, will be based on a competitive process and other entities may be eligible for some of this amount. These monies will be put into an account for discretionary use from applications received. All the monies should be dispensed by orders to the Treasurer, since the County is responsible for how the monies are spent.

RESOLUTION 8-93: Comm Brubaker moved to approve the Proclamation to designate Wednesday, October 13, 1993, as Emergency Nurses Day. Motion was seconded by Comm McClellan and carried.

CERTIFIED PUBLIC ACCOUNTANT Tom Breed presented his report on "Montezuma County Sheriff Department, Review of Internal Controls." His recommendations included an automated system for cash receipts, a better check and balance for the Drug Forfeiture Account, Operating Account and Inmate Account, better payroll and purchasing systems, and cooperation between the department and the Board. He suggested a workshop with the Board of County Commissioners, County Administrator, and the Sheriff and Undersheriff to address these recommendations. It was agreed that a workshop will be scheduled.

WEED CONTROL PROGRAM Manager Ron Lanier reported that weeds need to be controlled in the county gravel pits. He will come up with a plan to take care of how to spray the steep and small areas that the big weed truck can not do.

ADJOURNED at 3:30 p.m, for on-site inspection of FS Road 693, Joe Moore Reservoir.

Deputy Clerk

Chairman

SEAL

Minutes 10/11/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 11, 1993

STATE OF COLORADO

OF MONTEZUMA

OCT

At the regular meeting of the Board of Montezuma County, Colorado, held on Monday, October 11, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held Monday, October 4, 1993, were read, Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Treasurer's report for the month of September 1993 was received.

ACCOUNTS PAYABLE: General fund vouchers #18839 thru #19009 in the amount of \$138,211.06 and Road fund vouchers #7209 thru #7281 in the amount of \$62,604.26 were approved for payment.

911 AUTHORITY BOARD: Comm Brubaker made a motion to direct the Clerk to issue Order Number 0-18-93 to the Treasurer to transfer the amount of \$634.57 from the 911 account to U.S. West Communications, Denver, Colorado 80171. Motion was seconded by Comm McClellan and carried.

LANDFILL ORDER: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-19-93 to the Treasurer to draw a warrant on the Landfill fund in the amount of \$5,657.24, payable to the Colorado Department of Health, ASD/AR/BI, 4300 Cherry Creek Drive South, Denver, CO 80222-1530, as the third quarter payment. Motion was seconded by Comm Brubaker and carried.

SHERIFF Tim Wood presented the LEAF contract for approval and signature.

RESOLUTION 9-93: Comm Brubaker moved to adopt Resolution 9-93 approving the Law Enforcement Assistance Fund (LEAF) Contract L-11-94 and sign the contract. Motion was seconded by Comm McClellan and carried.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the county is working on Forest Service Road 693 (Joe Moore Reservoir). The rock from the barrow ditches has been pulled into the road and 16 loads of Forest Service 3" gravel has been put on the road. The Summit Ridge Water Company did not help with any of the work. The county broom equipment which cost, approximately \$3,000 was run into and totaled by a resident. The insurance company representing the individual has offered a settlement of \$1,700. A request was made that the road department get an itemized list from the company of the items considered in the settlement, especially replacement of a brand new tractor tire that was on the equipment. Supervisor Striegel reported that the big drive shaft in the crusher twisted apart. It was agreed that it needs to be fixed. Monies to fix it will be ordered from the Emergency Reserve Fund. Work on CR M and CR 20 for the Kaisers will not start until they hear from Mr. Kaiser, about his arrangement for financing the \$3,500.00. CR 23 to the Purvis residence has been completed

to county specs. Mr. Purvis paid for the hauling. A request was received from Rilla King for gravel for her driveway in connection with a possible trade several years ago. A road that was straightened out using some of her land may be the reason for the request. Supervisor Striegel will contact her and get more information about the possible trade. It was noted that it might have been a one-time trade. Removal of a cedar tree on CR W will be checked. Completion of repairs on the Kopenhafer Bridge will be this week. Administrator Weaver asked that Supervisor Striegel compile and submit the cost of the job on CR L so monies can be transferred between accounts. CR 24.3 (Crowley) will be checked to see if blading has been done. They are still graveling. Entities will be contacted about where the gravel was authorized to be hauled from for the Lower Valley BuRec roads. The gravel has been hauled from the McElmo pit. There was discussion about the Dunlap Hill and Kelly Hill. It was reiterated that any costs for temporary repairs will be reimbursed by the Federal Highway funding. It was suggested that the slide on Dunlap Hill be filled in some more; and on Kelly Hill that more signs be installed, a hole filled, and pipes installed.

PLANNING: A planning resolution P-62-93 was presented whereby Max Jarrett, owner of 36.76 acres, would be granted a variance to the subdivision regulations to create three tracts. Approval for the three-way split was given at the September 23, 1993, Planning Commission meeting.

Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-63-93 was presented whereby Montezuma County, owner of 240 acres in the N/2NE/4SW/4 of Section 12, T.35N., R.16W, desires to trade 10.57 acres to Gale Greenlee, an adjoining landowner for his undivided 1/4 interest in the SW/4SW/4 of Section 12, T.35N., R.16W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A verbal request for a variance to the subdivision regulations was tabled for Lester and Elsie Green to split 30 acres into two or three parcels. Mr. and Mrs. Green will be advised to go to the Planning Commission. A verbal request for a determined "after the fact variance" to the subdivision regulations was tentatively approved for John Gallagher to acquire 9.4 acres. There was discussion about the appropriate time to schedule hearings on proposed subdivisions.

BOARD OF SOCIAL SERVICES was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented the Phase I Map for the GIS Project. Discussion was held on how to prioritize enhancement projects in connection with the Colorado Department of Transportation Plan. A meeting is scheduled for October 20th with the Southwest District Planning Region entities to set priorities. It was noted that BLM is still interested in a cooperative agreement with the County for management of the land west of Cortez. It was agreed that the county is also interested in this and BLM will be so informed.

ADJOURNED FOR LUNCH with the Cortez Senior Citizens.

DEPARTMENT HEADS: Sheriff Tim Wood was given the signed LEAF contract. He reported that a State funded Staff Secure temporary holding facility will be maintained in Cortez. This will alleviate the problem of transporting juveniles to Grand Junction. It was noted that the Ute Mountain Ute Tribe has plans to build a similar facility and would be interested in providing this service to the county. Assessor Bob Cruzan stated that an abatement petition has been received from Shell Western E&P, Inc. The abatement hearing has been tentatively scheduled for October 25th. Severance Tax statutes were discussed. Senior Nutrition Manager Sue Fletcher asked when will the carpet be installed at the Annex, and stated that the offices need to be painted. Administrator Weaver stated that they are still getting estimates. Hopefully, the carpet will help with the acoustics in the

10-11-93

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building. Health Department Nurse Bette Sutter reminded everyone that the free flu shots for county employees are scheduled for this Friday. pneumonia shots will also be given free. County Extension Office Manager Jan Brandt reported that ways to improve agriculture marketing in the County are being studied. Clerk dean DeGraff submitted a voucher for \$4,104.34 to pay all postage for the mail ballot election. This amount will be prorated and paid for by the State of Colorado, the City of Cortez and the three School Districts. Some unfavorable comments have been received from voters about having to pay the return postage. Depositories will be available at different areas. Any areas where fraud might occur are being watched. On Saturday, October 9th, employees from the Clerk's office completed the job of getting the ballots ready to be mailed for the November 2, 1993, election. ***Commissioner Tom Colbert asked the department heads for input about using a purchase order system. Administrator Weaver explained how the system would work. Most were in favor of the system. A question about the use of credit cards was discussed. It was stated that the credit cards give a good paper trail. Budget deadline and the need to maybe research and ask for a sales tax next year was mentioned.

LANDOWNER Gale Greenlee met to trade his undivided 1/4 interest in the SW/4SW/4 of Section 12, T.35N., R.16W., to Montezuma County for 10.57 acres in the N/2NE/4SW/4, Section 12, T.35N., R.16W. A Quit Claim Deed for the 10.57 acre tract was presented. Commissioner of Deeds McCiellan made a motion to sign the Quit Claim Deed. Motion was seconded by Comm Brubaker and carried. Planning resolution P-63-93 for a variance to the subdivision regulations involving this trade was also adopted and signed (see PLANNING).

ADJOURNED at 3:45 p.m.

Deputy Clerk Chairman

SEAL

Minutes 10/18/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 18, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

OCT 26 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 18, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held Monday, October 11, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's report for the month of September 1993 was received.

CONTIGUOUS COUNTIES GAMING IMPACT FUND ORDER: Comm Brubaker made a motion to direct the Clerk to issue Order Number 0-20-93 to the Treasurer to transfer the amount of \$5,250.00 from the Contiguous Counties Gaming Impact Fund to the 22nd Judicial District. Motion was seconded by Comm McClellan and carried.

NEW POLICY FOR SUBDIVISION PUBLIC HEARINGS AND APPROVAL: Public Hearings will be scheduled to certify the final plat. The policy will be amended to include the completion of the subdivision road(s) to County specifications before final approving and signing of any subdivision plat.

ROAD DEPARTMENT Assistant Supervisor Kirk Stauffer reported that the base on Forest Service Road #693 (Joe Moore Reservoir) is solid and will be sufficient until next spring. Assistant Stauffer will contact the Forest Service about the 3/4" gravel that the Forest Service needs to put on next year before the county can accept this .2 of a mile as county maintained. Gravel will be spread on the Koppenhafer Bridge today. The sealing is about done. At the request of the Board, the Road Department will submit, for approval to the Board, an itemized bill showing time and material costs for the crack sealing done by the county on the paved Schedule A roads. After approval, the bill will be submitted to the Forest Service for reimbursement. Assistant Stauffer will contact the Forest Service about sealing roads to the marina. It was suggested that the paved Forest Service roads be deleted next year from the Schedule A road list. Summit West Subdivision resident Mrs. Garcia, reported a problem with a water meter being in a proposed driveway. Assistant Stauffer will notify the Summit Ridge Water Company that they need to set the water meter back. The location of the meter also affects the county snow removal process. It was noted that meters need to be on the fence line, or within the private property itself. Type and length of culvert pipe installed in driveways was discussed. It was reiterated that residents can install plastic pipe, if there is one foot of coverage. But, if any pipe is damaged by the County, the County will only replace metal pipes. The minimal required 20 foot pipe is acceptable to the County. Trees creating a visual problem around stop signs will be checked. Assistant Stauffer stated that road department employees have been asked to turn in any such problems as they

are noticed. The Lower Valley BuRec roads are done to county specs. Next year the BuRec will do any repairs needed for damage done to the roads due to truck traffic. Two pipes on the roads will have to be changed in the spring. A resident wanting to put in a driveway across property that was realigned, at the request of the State Highway Department, on CR W was discussed. Costs will be kept on repairs done on the Dunlap and Kelly Hills. Both areas will need to be continually repaired for safety reasons until permanent repair is done. ABATEMENT: Assessor Cruzan and Deputy Assessor Snow being present, a petition for abatement of property tax assessed valuation for 1993 was presented for Arnold S. and Caroline M. Hampson. Mr. and Mrs. Hampson were present. An on-site inspection of the sprinkler system will be made today. The abatement is continued until next week. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

LANDOWNER Sandy Story appeared to make a verbal request for a variance to the subdivision regulations to split approximately 5 acres into a 3 acre parcel and a 2 acre parcel. The request was tabled until Ms. Story does further checking on access and BuRec right-of-way restrictions to the parcel.

PLANNING: A planning resolution P-54-93 Amended was presented whereby Ron Porter, owner of 80 acres, would be granted a variance to the subdivision regulations to amend P-54-93 to reflect a change on Lot 3 of 3.29 acres instead of 4.42 acres in Section 17, T.36N., R.16W. The Planning Commission approved the first request on July 22, 1993. Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A planning resolution P-63-93 (amended) was presented whereby Montezuma County, owner of 240 acres in the N/2NE/4SW/4 of Section 12, T.35N., R.16W, would be granted a variance to the subdivision regulations to trade 10.57 acres to Gale Greenlee, an adjoining landowner for his undivided 1/4 interest in the SW/4SW/4 of Section 12, T.35N., R.16W. Comm McClellan moved to sign this adopted resolution (see October 11, 1993), seconded by Comm Brubaker and carried. A planning resolution P-64-93 was presented whereby C. J. Weaver, owner of 21 acres, would be granted a variance to the subdivision regulations to add 13 acres to his son's adjoining property, making Kirby Weaver's property total 17.34 acres, in Section 6, T.35N., R.13W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-65-93 was presented whereby John Gallagher, owner of 9.4 acres, would be granted an "after the fact variance" to the subdivision regulations to acquire 9.4 acres in Section 36, T.36N., R.18W. This property was owned by Patrick Harden at the time the 9.4 acre tract was created. Mr. Gallagher was present. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Raymond Keith to split two 3 acre parcels off of 217 acres. A verbal request for a variance to the subdivision regulations, contingent upon approved highway access for both parcels, was tentatively approved for Connie Adams to split 7 acres into two 3 1/2 acre parcels.

ADJOURNED FOR LUNCH with the Dolores Seniors.

DIVISION OF WILDLIFE PREDATOR CONTROL POLICIES: A conference call was made to State Department of Agriculture Commissioner Steve Horn and State Veterinarian Dr. Jim Williams to request assistance with predator control of mountain lions in the Weber Canyon area. The Board expressed frustration with the Division of Wildlife (DOW) policies pertaining to this problem, and stated they feel that these policies need to be changed. Commissioner Horn recommended several entities for them to contact and stated that perhaps more cooperation between the County and local DOW is needed.

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PUBLIC HEARING – PATTIGEAN DRIVE SUBDIVISION: It being the time set aside, a Public Hearing was conducted to certify the final plat for the subdivision. Representative for the subdivision, Pat Krockner and Planning Manager Ginger Black were present. No adverse comments about the subdivision were received. Final approval will be contingent on the completion of the subdivision road to county specs. Comm McClellan made a motion to certify the final plat for the Pattigean Drive Subdivision, subject to the completion of the road to county specifications. The motion was seconded by Comm Brubaker and carried. These proceedings were tape recorded, the role was called, the Proof of Publication was noted, and the Public Notice read.

BOARD OF SOCIAL SERVICES was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston reported on proposed grazing fee legislation.

CITY OF CORTEZ representatives Bill Ray, Cammy Stevens and Chris Burkett met to discuss the upcoming Southwest District Planning Region meeting October 20th. The meeting is scheduled to set priorities for the Enhancement Program projects in connection with the Colorado Department of Transportation Plan. It was agreed that the need to clarify what the State wants accomplished is a concern for everyone.

PROPOSAL TO AMEND COUNTY PRISON INMATE CARE AND CUSTODY REIMBURSEMENT ACT was presented and discussed.

COUNTY LODGERS TAX BOARD member opening will be advertised for anyone interested in serving on the Board.

THE COLORADO-CARE PRELIMINARY HEALTH CARE FEASIBILITY STUDY prepared by the Governor's Office was discussed.

ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Minutes 10/25/1993 Regular

NOV 02 1993

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 25, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

NOV 02 1993

At the regular meeting of the Board of Commissioners, Montezuma County Colorado, held on Monday, October 25, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held Monday, October 18, 1993, were read, Comm McClellan moved to approve these minutes, seconded by Comm Brubaker carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

EMERGENCY RESERVE FUND ORDER: Comm Brubaker made a motion to direct the Clerk to issue Order Number 0-21-93 to the Treasurer to transfer the amount of \$30,000.00 from the Emergency Reserve Fund to the Road Fund to pay for emergency repairs on CR L. Motion was seconded by Comm McClellan and carried.

LANDOWNER Sandra Kaiser appeared to clarify what steps they need to take to sign a promissory note with the County, using their 1987 truck as collateral. Assistant Road Supervisor Kirk Stauffer was present. Ms. Kaiser will obtain bid prices for hauling prices from private companies. She will submit the necessary information for the promissory note to the Administrator this week. Ms. Kaiser offered to volunteer to help with the proposed land use ordinance. She was encouraged to attend future planning meetings.

LANDOWNER Patricia Higgins met to discuss what would need to be done to bring CR 18, an unimproved county road, up to county specs for county maintenance. She asked if sand rack available on their property might be used, instead of paying for hauling the base rock. She was advised that the county will not haul rack from any source other than a county operated gravel pit. It was suggested that she contact landowners along the road, particularly Charles Mahaffey, for help with hauling costs. It was noted that any upgrading of this road needs to be included in the 1994 Road Plan.

ROAD DEPARTMENT Assistant Supervisor Kirk Stauffer reported that all the crack sealing on the House Creek (Forest Service Schedule A) road is done. The cooler weather will affect any further crack sealing. They are in the process of installing the tanks at the Fairgrounds for all recycling. The Koppenhafer Bridge is complete; guardrails will be done today. It was noted that the 24" pipe needs to go in the bottom of Kelly Hill, and needs to be long enough so it will not plug up. Engineer Roach should be contacted if there are any questions about installation. Assistant Supervisor Stauffer presented an itemized bill for repair costs on CR L, which will be paid for out of the Emergency Reserve Fund. He reported that 3/4" rack has been put on the road, and so far the surface is dry. Further discussion about upgrading unimproved county roads was that the county needs to be there when the base rock is put on, improvements should be done all at once, and rock needs to be a uniform size.

CONTINUATION OF ABATEMENT - Assessor Bob Cruzan and Chief Appraiser Jim Snow being present, a continuation of a petition for abatement of property tax assessed valuation for 1993, payable in 1994, was presented for Arnold G. and Caroline M. Hampson. Mr. Hampson was present. Assessor Cruzan stated that he felt the property was under-valued at this point in time. Comm Brubaker made a motion to decrease the property tax assessed valuation for 1993 by \$10,000.00. Motion was seconded by Comm Colbert and carried. Comm McClellan voted no. Assessor Cruzan noted that he will make this adjustment on the records, and Mr. Hampson, the Treasurer, and the Board will be notified of this action. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

ABATEMENT: Assessor Bob Cruzan and Chief Appraiser Jim Snow being present, a petition for abatement of property tax was presented for General Electric Capital Corp., 1992, erroneous assessment, \$7,103.51. Assessor Cruzan recommended approval of this petition. Comm Brubaker made a motion to approve this petition. Motion was seconded by Comm McClellan and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

REGION 9 ECONOMIC DEVELOPMENT DISTRICT OF SOUTHWEST COLORADO: Region 9 Administrator Ed Morlan presented a draft letter addressed to the State Office of Business Development for review. The drafted letter was in answer to the State Office of Business Development not renewing the "Standby Participation Agreement" with the Valley National Bank of Cortez for the benefit of Environmental Liners, Inc.'s loan. Also present was Valley National Bank of Cortez Assistant Vice-President Jim Mahlberg, Valley National Bank Attorney James R. Beisel, Jr. and MCEDC Executive Director Alan Klein. It was noted that the original partnership included Valley National Bank, Region 9, and the State Office of Business Development. After discussion, it was suggested that all the involved entities meet with persons in Staff positions answering to Governor Romer. Region 9 Administrator Ed Morlan will mail the finalized letter, and will schedule the suggested meeting.

ADJOURNED FOR LUNCH with the City of Cortez.

PLANNING: A planning resolution P-23-92 Amended was presented whereby Ken and Barbara Stocks, owners of 96.58 acres, would be granted a variance to the subdivision regulations to sell a 15.68 acre tract in Section 9, T.37N., R.16W. Comm Brubaker moved to adopt this amended resolution, seconded by Comm McClellan and carried. A planning resolution P-26-93 Amended was presented whereby Bob and Donna Durant, owners of 111 acres., would be granted a variance to the subdivision regulations to change from 5.05 acres to 4.74 acres due to a change in the access from County Road 28 in Section 32, T.37N., R.15W. Comm Brubaker moved to adopt this amended resolution, seconded by Comm McClellan and carried. A planning resolution P-66-93 was presented whereby Gary and Carol Harris, owners of 20 acres, would be granted a variance to the subdivision regulations to split the parcel in section 18, T.36N., R.14W. A three-way split was requested at the May 27, 1993 meeting of the Planning Commission. A two-way split was granted. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-67-93 was presented whereby Immogene Spruell, owner of 8.37 acres, would be granted a variance to the subdivision regulations to create a 3.02 acre tract and a 5.35 acre tract in Section 15, T.36N., R.16W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Dennis Beaty to split 9 acres into a 6 acre and a 3 acre parcel. This approval is contingent on a 60' easement for access.

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CSAFE representative Dave Whittholm presented a booklet showing figures on returns from short-term investments with CSAFE, a trust investment company. He will meet with Treasurer Bobbie Spore.

GLOVE FACTORY: Van Willis appeared to explain his involvement with the former owner of the now closed glove factory and his desire to reopen and manage the factory. He will keep in touch with the Board about the reopening.

ARA MESA VERDE: An Order of the Court on the ARA Mesa Verde Case was received and discussed.

ADMINISTRATOR Weaver stated that different alternatives may need to be considered for County Major Medical Insurance. An invitation from the BuRec to tour the MVIC canal lining project at Towaoc was received. The invitation was accepted and the tour will be scheduled. A previously applied for "Energy Audit Grant" for more efficient lighting in the Courthouse in the amount of approximately \$13,000 has been received.

MONTEZUMA COUNTY ECONOMIC DEVELOPMENT COUNCIL (MCEDC) Executive Director Alan Klein stated that a letter from the Board to the Colorado Land Commission is needed outlining the schedule for development of the infrastructure for the proposed western town and movie set east of Cortez. A letter will be sent outlining the development, which is contingent all receipt of a US Department of Commerce/Economic Development Administration grant. Director Klein also mentioned that Colorado Custom Center, a pickup customizing company now doing business in Durango, Colorado, has expressed a desire to relocate in Cortez. The company has stated that they might be interested in the Mobil Oil Company building.

ADJOURNED at 4:15 p.m.

Deputy Clerk Chairman

SEAL

Online Court

Minutes 11/01/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 1, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 1, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas Weaver, Administrator
Nelda Jenkins, Deputy Clerk

NOV 09 1993

MINUTES of the previous meeting held Monday, October 25, 1993, were read. Comm McClellan moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's report for the month of October 1993 was received.

PAYROLL: General fund payroll vouchers #10382 thru #10496 in the amount of \$130,853.99, #19011 in the amount of \$13,595.45, #19012 in the amount of \$78,595.39 and Road fund payroll vouchers #10497 thru #10541 in the amount of \$62,840.79 and 7283 in the amount of \$42,824.06 were approved for payment.

EMPLOYEES HEALTH, LIFE AND ACCIDENT INSURANCE GROUP COVERAGE BIDS were received, opened and made available for inspection. Bids were received from Engle Insurance, Sam Jarvis, Mutual of Omaha, Walcott Insurance and Western Slope Insurance. Jim Engle was present and inspected the bids. Later in the day, Mutual of Omaha representative Judy Roseberry and Sam Jarvis explained their respective bids. Due to conflicts of interest, Chairman Tom Colbert and Attorney Slough were excused.

LANDOWNER Lee Nowlin presented a petition signed by property owners, taxpayers and voters of the 26000 block on CR N requesting this section of road be repaired and surfaced with chip and seal as has been completed on CR N on the east side of Highway 145. Comm Colbert asked if the residents along this section of road would be willing to share the cost of the chip and seal. Mr. Nowlin replied no. Other items mentioned by Mr. Nowlin and discussed were: (1) CR N in front of the Sunset Subdivision, (2) Subdivision regulations, (3) County Road Plan and policies, (4) Road project cost figures, (5) Road Planning Committee, and Organization Chart for the County.

ROAD DEPARTMENT Supervisor Billy Striegel asked for clarification about installing pipes on Kelly Hill. He will contact Engineer Bud Roach. Assistant Supervisor Kirk Stauffer stated that a sign, installed on the right-of-way of CR S for only identification purposes for the Assessor's office and emergency vehicles, has been taken down three times. One resident wants the sign reinstalled. A new sign will be installed and any future problem will be reported to the Sheriff. It was noted that Dwight and Sandra Kaiser did not sign a promissory note with the county for the cost of hauling base rock for CR M. They employed a private contractor to haul the rock and took care of the financial arrangements. This section of CR M is now up to county specs and will be maintained as a county road. A

request to upgrade a section of CR H, which is an unimproved county road, was discussed. A 60' easement is needed before any upgrading. County Road H landowner Jo Ann Riffel has been contacted for the easement. She stated that at this time she is not interested in giving the needed easement. The request was denied.

PUBLIC HEARING - SUNSET SUBDIVISION: It being the time met aside, a Public Hearing was conducted to approve the final plat for the Sunset Subdivision. Subdivision owners and developers Jim Candelaria and Mr. and Mrs. Randy Taylor, former owner of the parcel Lavena E. Saunders, and CR N resident Lee Nowlin were present. The subdivision has met all specifications of the Planning Commission and no adverse comments about the subdivision were received. Former owner Lavena E. Saunders stated that she and her sisters still own the mineral rights. Jim Candelaria stated that they were aware of the ownership. The final approval of the subdivision will be contingent on the completion of the subdivision road(s) to county specs. It was noted that the road is not a county road. The plat will be signed after final approval of the subdivision. Comm Brubaker made a motion to approve the final plat for the Sunset Subdivision, subject to the completion of the road(s) to county specs. The motion was seconded by Comm McClellan and carried. These proceedings were tape recorded, the role was called, the Proof of Publication was noted and the Public Notice read.

LIQUOR LICENSES: Deputy Clark Betty Davis presented an application for renewal of a 3.2% beer license for the Eagle Claw Trading Post. The Sheriff's Office reported no problems with this outlet. Comm Brubaker moved to accept this application, seconded by Comm McClellan and carried. Deputy Clerk Betty Davis presented an application for renewal of a 3.2% beer license for Priest Gulch Campground. The Sheriff's Office reported no problems with this outlet. Comm McClellan moved to accept this application, seconded by Comm Brubaker and carried.

ADJOURNED FOR LUNCH with the City of Cortez.

OFFICE OF COMMUNITY SERVICES: Mike Preston gave an updated report on the proposed grazing fee legislation.

MILLARD FARMS SUBDIVISION: The Millard Farms Subdivision plat was presented for final approval and signing. The three-way split was approved by the Planning Commission. There are no roads involved in the three lot subdivision. Comm Brubaker moved to approve the Millard Farms Subdivision and sign the final plat, since this division of land does not create situations intended to be regulated by the Subdivision Regulations, seconded by Comm McClellan and carried.

PLANNING: A planning resolution P-68-93 was presented whereby Jim Eddy, owner of 9.22 acres, would be granted a variance to the subdivision regulations to create a 3.02 acre tract for his daughter and son-in-law in Section 29, T.37N., R.16W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-69-93 was presented whereby Mike Young, owner of 55 acres, would be granted a variance to the subdivision regulations to give a 3.04 acre tract to his daughter in Section 1, T.35N., R.14W. Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A planning resolution P-70-93 was presented whereby Clifford Fossum and Lynn Patten, owners of 252.63 acres, would be granted a variance to the subdivision regulations to create two 3.42 acre tracts and a 3.93 acre tract in Section 34, T.37N., R.15W. The Planning Commission approved this three-way split September 23, 1993. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-71-93 was presented whereby Jimmie Burton, owner of 10 acres, would be granted a variance to the subdivision regulations to sell a 3.01 acre tract in Section 36, T.36N., R.14W. Comm Brubaker moved to adopt this resolution, seconded by Comm

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McClellan and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Dave Acree and Richard Tibbets, adjoining landowners, to trade less than one acre. A verbal request for a variance to the subdivision regulations was tentatively approved for Warren Sly to split from 215 acres a 20 acre parcel.

ADJOURNED at 2:45 p.m.

Deputy Clerk

Chairman

November 1, 1993

SEAL

Online Copy

Minutes 11/08/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 8, 1993

STATE OF COLORADO)
) ss. NOV 16 1993
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held an Monday, November 8, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chaipman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

CHAIRMAN COLBERT was absent until 2:30 p.m. Vice-Chairman Brubaker presided until that time.

MINUTES of the previous meeting held Monday, November 1, 1993, were read. Comm McClellan moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUSCORRESPONDENCE was read and contents noted. The Treasurer's reports for the month of October 1993 were received.

ROAD DEPARTMENT: Supervisor Billy Striegel reported that the request for more of an adjustment on the insurance quote of \$1700 allowed for the totalled broom equipment was denied by the Insurance Company. Government Surplus lists will be checked for a used broom. It was noted that more negotiations are needed with the Insurance Company an any future adjustments. Budget concerns about projects scheduled for CR 25 and CR L were discussed. The road department will come up with cost figures for work to be done on CR 25. They are laying steel pipe at Kelly Hill and should be finished today. As agreed to last year, more mag-chloride has been put down in front of the Battle Rock School because of the dust problem. They have finished gravelling Goodman Point and are now gravellingon CR P. Unimproved CR 18 was bladed. Finalization of the 1994 RoadPlan is being done. An effort will be made to put together cost figures for all future projects.

COUNTY FAIRGROUND ADVISORY BOARD member Liz Tozer presented the Advisory Board's Proposed Constitution for approval, This was affirmed. After discussion, the following was noted, (1) that the fairgrounds is a County facility, (2) that some Advisory Board members may be appointed by the County Commissioners, and (3) that the Advisory Board will continue making recommendations concerning the fairgrounds to the County Commissioners.

PLANNING: A planning resolution P-72-93 was presented whereby Roy Lichliter, owner of 78 acres, would be granted a variance to the subdivision regulations to create a 10.99 acre tract in Section 14, T.36N., R.16W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-73-93 was presented whereby Raymond Keith, owner of 217 acres, would be granted a variance to the subdivision regulations to record two 3.02 acre tracts in Section 11, T.35N., R.14W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-74-93 was presented whereby Dave Nichols, owner of 16.88 acres, would be granted a variance to the subdivision regulations to record a 3.02 acre split and a 12.60 acre

split. The 3.02 acre tract is not a part of the Knollwood Estates Subdivision, but the covenants of this subdivision will apply to this tract in Section 2, T.36N., R.16W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried. A planning resolution P-75-93 was presented whereby Warren Sly, owner of 215 acres, would be granted a variance to the subdivision regulations to record a 20 acre split in Section 21, T.37N., R.17W. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried.

ADJOURNED FOR LUNCH with State Senator Sam Cassidy at the Red Lion Inn in Durango, Colorado.

Returned by 2:30 p.m.

BOARD OF SOCIAL SERVICES was conducted.

HEALTH DEPARTMENT Nurse Bette Sutter presented the WIC (Women, Infants and Children) Contract for signature. Comm Brubaker made a motion to sign the WIC Contract between the State of Colorado for use and benefit of the Department of Health, and the Montezuma County Board of County Commissioners, Comm McClellan seconded the motion and carried. Changes which are not reflected in the PreNatal Contract, but are being made by the State by letter for the program, were discussed. It was affirmed to continue to do what is included in the PreNatal Contract until further qualification of the proposed changes done by letter. Nurse Sutter reported that the Home Health Care program is very busy. Nurse Sutter also asked for in-put in how to handle the continuing problem of collecting monies which are due from private insurance companies for individuals using the Home Health Cane program. The local agent for Blue Cress and Blue Shield, who is the main offending insurance company, will be contacted. Lots of flu and pneumonia shots have been given this year.

CORTEZ LIBRARIAN Mary Ellen Brubaker explained the need for a microfilm microfish reader-printer for the library. In order to purchase the approximately \$8,000 item, which will get daily use at the library, she asked for \$3,000. She stated that she had budgeted \$5,000 this year for the item, and it must be purchased before the end of the year. The request was affirmed (see below order).

REVENUE SHARING ORDER, Comm McClellan made a motion to direct the Clerk to issue Order Number 0-22-93 to the Treasurer to transfer the amount OF \$3,000.00 from the Revenue Sharing Fund to the Cortez Library to help purchase a microfilm-microfish reader-printer. Motion was seconded by Comm Colbert and carried. Comm Brubaker abstained because of a conflict of interest.

SUNSET SUBDIVISION: A letter was received from Engineer Bud Roach stating that the road(s) in the Sunset Subdivision have been constructed to county specifications. He recommended final approval of the subdivision. The Sunset Subdivision plat was signed.

DEPARTMENT HEADS: Treasurer Bobbie Spare presented her reports for the month of October 1993. A Christmas Party for all county employees was discussed and scheduled. She will do research for a better return on monies now on deposit and report the findings to the Board. Administrator Weaver stated that mail at the central pick-up area in the Courthouse is not picked up until in the afternoon. If any mail needs to go out earlier, it should be taken to the Post Office. Clerk Jean DeGraff reported a 37% turn out for the mail ballot election. A summary report on the election will be prepared and submitted to the Board in the near-future. County Extention Office Manager Jan Brandt reported on recent personnel changes. Sheriff Tim Wood stated they are now using the staff secured temporary Juvenile Detention Center. The center which is a State Division Of Youth facility is staffed with offduty county deputies and city policemen. The personnel is paid through the Cortez Addiction Recovery Service. He reported that the interior cameras purchased with the Contiguous Counties monies are being installed. Senior Nutrition Manager Sue Fletcher invited everyone to the County Senior Center Flag Pole

11-8-93

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dedication on Wednesday. The money to purchase the flag pole was donated by Benny and Agnes Havran and Escalante Lumber donated the bricks. She reported that all the Senior Centers are doing great. The Cortez Seniors are still having fund raisers to help pay for their share of the Center's operating expenses. Assessor Bob Cruzan stated that appropriate fees still need to be set for the Assessor's office. Road Supervisor Billy Striegel was also present.

UNDERSHERIFF Bob McDonnell gave an updated report on use of Contiguous Counties monies received by the Sheriff Department. He presented a priority list for additional Contiguous Counties grant monies that might be available, and the grant applications for signature. The priority list was affirmed. Grant applications were signed by Comm Colbert and Administrator Weaver.

LODGERS TAX BOARD: Comm McClellan moved to appoint Darlene LeBlanc and Jim Maurer to serve on the Lodgers Tax Board, seconded by Comm Brubaker and carried.

ADJOURNED at 4:50 p.m.

Deputy Clerk

Chairman

November 8, 1993

SEAL

Online Copy

Minutes 11/15/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 15, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 15, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas Weaver, Administrator
Nelda Jenkins, Deputy Clerk

NOV 23 1993

MINUTES of the previous meeting held Monday, November 8, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's report for the month of October 1993 was received.

ACCOUNTS PAYABLE: General fund vouchers #19013 thru #19203 in the amount of \$135,034.38 and Road fund vouchers #7290 thru #7358 in the amount of \$71,669.79 were approved for payment.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented a "Change to the Promises" request for Skyline Foodmart/Hilltop Liquor. Owner Lisa L. Pierce and Scott Pierce were present. A drawing was presented showing the proposed change, which would enlarge a window opening between the two businesses. The cash register would remain in the liquor store area. Comm Brubaker made a motion to approve the "change to the premises" for Skyline Foodmart/Hilltop Liquor. Comm McClellan seconded the motion and carried.

CRS Services, Inc. representative Chuck Norman met to clarify issues that might be raised in the Shell Western E&P abatement scheduled for 10:00 a.m. Statutes and the unitization of the McElmo Dome area were discussed.

SUMMIT WATER COMPANY representatives Kay Anderson, Chuck Speer and Gary Shaw met to discuss Forest Service Road #693 (Joe Moore Reservoir). They stated that they wanted the Board to know that there might be a problem with the water line resulting from work recently done on the road by the County. Since no water will be run in the line until spring, they were advised to wait and see if there are any problems. If there are problems, they should come back to the Board at that time. Road Supervisor Billy Striegel was also present.

ROAD DEPARTMENT Supervisor Billy Striegel stated that rack has been hauled for Kelly Hill. A problem with a car being parked in the county right-of-way on CR 40 has been taken care of for now. Any future problems will be referred to the Sheriff. Any future complaints about a Montezuma Water truck parking and creating a dangerous traffic situation on CR N will be referred to the Sheriff. It was reiterated that blade patching must continue to be done next year. An offer to share the cost with the county to chip and seal a section of county road northeast of Mancos was received from Jim Spencer and discussed. Also because of a proposed gravel pit, a cost share situation with the county to chip and seal a section of CR 38 was discussed. Engineer Bud Roach will be contacted to do cost estimates on both requests.

DOLOROS COUNTY Commissioner Louie Bucher asked if the county will be crushing at the Ormiston gravel pit again. This was affirmed by Road Supervisor Striegel. Comm Bucher stated they will submit La Montezuma County the figures for gravel from the pit for use by Dolores County.

ABATEMENT: Assessor Bob Cruzan being present, petitions for abatement of property taxes were presented for SHELL WESTERN E.P. INC. Assessor Cruzan recommended approval of these petitions because a portion of the leasehold production should have been reported, assessed and taxes paid to Dolores County. Petitions were submitted for the following schedule numbers: #7710-000-00-001, #7712-000-00-001, #7723-000-00-001, #7725-000-00-001, #7726-000-00-001 and 7727-000-00-002. Assessor Cruzan read the following for the records 1986 - Original Tax \$6,677,932, Abatement \$332,183; 1987 - Original Tax \$4,539,177, Abatement \$108,686; 1988 - Original Tax \$4,390,184, Abatement \$187,593; 1989 - Original Tax \$4,578,521, Abatement \$199,406; 1990 - Original Tax 5,049,760, Abatement \$226,016; and, 1991 Original Tax \$5,860,301, Abatement \$280,641. The total abatement requested is \$1,424,525.00. Others present were: Shell Western representatives Attorney Randy Durfee, Property Tax Manager Marilyn McEvoy, Public Relations Manager Rich Hansen, and Manager of Marketing of CO2 and Gas Administration Tim Bradley; Dolores County representatives - Attorneys Guy Dyer and Rich Beisel of Dyer & Dilts, Dolores County Commissioners Louie Bucher and Renay Neely; RE-1 School District representatives - Bill Thompson and Jim Riffey; CRS Services, Inc. representative Chuck Norman; and Assessor's Office Chief Appraiser Jim Snow. Issues discussed included: (1) interpretations of State statutes, (2) whether the County can legally do what Shell Western is requesting through this abatement process, and (3) whether the agreement between Shell Western and Montezuma County recorded in the minutes of September 21, 1992, is applicable to this abatement process. It was agreed that several of the entities involved were not represented, therefore, the abatement hearing is continued and a tentative date of December 13, 1993, at 9:00 a.m. is scheduled. Colorado State Property Tax Administrator, Mary Huddleston, Colorado Department of Education representative Dan Stewart and the Dolores School Board will be asked to attend the December 13th continued abatement. All proceedings were taped for the record and the roll was called.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented for signature a letter to BLM Area Manager Sally Wisely about a possible joint agency/county planning agreement for the area west of Cortez. The letter was signed.

HEALTH, LIFE AND ACCIDENT INSURANCE BID, Blue Cross and Blue Shield of Colorado representatives Ken Bates and Jim Engel (Engel Insurance) explained their submitted bid. Chairman Colbert and Attorney Slough were excused, due to conflicts of interest.

CLERK Jean DeGraff presented her "Pros, Cons and Comments Report on the Mail Ballot Election." She noted that even though there were some complaints about paying for the return postage, the 37% turn-out was better than in past years. She stated that the new ballot counter worked great. She submitted the Clerk's office proposed Budget for 1994.

PATTIGEAN DRIVE SUBDIVISION: A letter was received from Engineer Bud Roach stating that the road(s) in the Pattigean Drive Subdivision have been constructed to county specifications. He recommended final approval of the subdivision. The Pattigean Subdivision plat was signed.

PLANNING: A planning resolution P-76-93 was presented whereby David and Nancy Acree, owners of 5.00 acres, would be granted a variance to the subdivision regulations to record an exchange of property with Mountain Gravel, in Section 2, T.36N., R.16W. Comm Brubaker moved to adopt this

11-15-93

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resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Bill Bauer to split off 17 acres including a house from 288 acres for mortgage purposes. A verbal request for a variance to the subdivision regulations was tabled for V.T. Boyd (Four Seasons Sport) to cut off .7 of an acre. The request will be referred to the Planning Commission.

INDIAN CAMP RANCH SUBDIVISION: A request to move a livestock easement, which was previously deeded to the County and now included in the Indian Camp Ranch Subdivision, was discussed. Before any further action, persons who have used the easement in the past will be informed of the proposed relocating of the easement; and, a request will be made for appropriate paperwork showing the location of the new easement.

ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

November 15, 1993 SEAL

Online Copy

Minutes 11/22/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 22, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

DEC 7 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 22, 1993, at the Courthouse in Cortez, Colorado, there were present::

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held Monday, November 15, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Notification was received that the State Office of Business Development will consider reinstating the "Standby Participation Agreement" with the Valley National Bank of Cortez for the benefit of Environmental Liners, Inc. Signed, but not recorded, quit claim deeds, stipulation, order and notice were received on behalf of William Boyer, Fieldstone Limited and Fleming and Fidelity Limited, Paul Long and Michael Fleming. These items cover a transfer of property between William Boyer, Paul Long and Michael Fleming to take care of an access problem.

ENGINEER Bud Roach submitted a chip and seal estimate for a section of CR 42 on which Jim Spencer had made an offer to share the cost with the county. Mr. Spencer will be given the information.

ROAD DEPARTMENT Supervisor Billy Striegel reported that they are gravel patching before the weather gets bad. The crusher is working again. The culvert on the Chicken Creek road is stable and for now will be left alone. At a future time it will need to be fixed. The trouble with the shop furnace has been taken care of. A recommendation was made not to shut it down over weekends. The slide on Kelly Hill has been levelled out. The barricades are still in place and the hill will be watched for any settling. Dunlap Hill has settled some more. A request from Pat and Tracey Mullane to upgrade CR 21 was received. The County policy for upgrading a nonmaintained county road will be sent to them. It was noted that if the Sheriff declared an emergency, then the county would do any emergency maintenance on the road. If the Mullane's notify the county that they will do the hauling for the base rock, any upgrading would have to be done next spring.

LANDOWNER Bill Ramsey met to again ask if Road 35.93 in Summit Lake Unit 2 could be upgraded and accepted as a county road. It was explained to him that present county policy is to accept no new roads on the system. Road Supervisor Striegel was present.

LANDOWNERS Mr. and Mrs. Charles Mahaffey asked that approximately one mile of a nonimproved County road at CR 18 and CR P be bought up to county specs and maintained. It was reiterated to Mr. Mahaffey that the county will furnish the gravel, if he takes care of the hauling costs for the 3" base rack. The Mahaffeyes at this time stated that they felt that this is a public road and, as such, the county is responsible for upgrading it. It was noted that there is a difference between the county asking a resident to do something to a road for the county, and a resident requesting that the county do something to a road for them when the condition of the road is satisfactory to the county. Road Supervisor Striegel was present.

RAPP GUIDES PACKERS INC. - WEBER CANYON RANCH INC. owner Jerry Rapp, thanked the Commissioners for work done on the Weber Canyon road which is an unimproved county road. At a future time, he would like the road to be brought up to county specs and maintained. The county policy that he needs to furnish the hauling for the 3" base rock was explained to him. At this time, he will haul rock for just two northern slopes on the road. Current policies for maintaining unimproved county roads will be applicable to the road. He will work with Road Supervisor Striegel and Engineer Roach about any future plans for upgrading the road. He reported on his present and future business ventures. Road Supervisor Striegel was present.

PUBLIC HEARING - ANASAZI SUN SUBDIVISION: It being the time set aside, a Public Hearing was conducted to approve and sign the final plat for the Anasazi Sun Subdivision. Subdivision owners and developers Cliff Fossum and Bob Durant were present. No public was present. The subdivision has met all the specifications of the Planning Commission and no adverse comments about the subdivision were received. It was noted that there are no roads in the subdivision. Comm Brubaker made a motion to approve and sign the final plat for the Anasazi Sun Subdivision. The motion was seconded by Comm McClellan and carried. Those proceedings were tape recorded, the role was called, the Proof of Publication was noted, and the Public Notice was read.

BOARD OF SOCIAL SERVICES was conducted.

FINANCE OFFICER Mary Ann Sanders reported that due to the Thanksgiving holiday, the November pay checks may not be available until late Tuesday, November 30th.

1994 HOLIDAY SCHEDULE: Comm McClellan made a motion to approve, as submitted, the Official County Holiday Schedule for 1994 (see attached). The motion was seconded by Comm Brubaker and carried.

HEALTH, LIFE AND ACCIDENT INSURANCE BID: Comm McClellan moved to accept the bid received from the Walcott Insurance and keep the annual deduction of \$200.00, seconded by Comm Brubaker and carried. Because of conflicts of interest, Comm Colbert abstained and Attorney Slough was excused.

PLANNING: A planning resolution P-77-93 was presented whereby Connie Adams, owner of 7.6 acres, would be granted a variance to the subdivision regulations to record a 3.79 acre tract and a 3.80 acre tract in Section 17, T.37N., R.15W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A verbal request for a variance to the subdivision regulations was tabled for Everett Sperry to split off two 5 acre Parcels from 37 acres until it is determined if the area is in a subdivision. A verbal request for a variance to the subdivision regulations was denied because of the 5-year rule, for Tim Cooper to take acreage out of a parcel that had a prior split in 1990.

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PROPOSED BUDGETS for 1994 were submitted by District Attorney George Buck, Assessor Bob Cruzan, Extension Office Manager Jan Brandt, Senior Nutrition Manager Sue Fletcher, Health Department Nurse Bette Sutter and Sheriff Tim Wood.

REGION 9 PRIVATE INDUSTRY COUNCIL representative Mark Larson submitted a booklet showing three different options for a new program in connection with the Job Training Program and the Colorado Department of Labor and Employment. He asked that the Board consider supporting the concept of the third option at the upcoming CCI meeting.

ADJOURNED at 5:00 p.m.

Deputy Clerk Chairman

November 22, 1993

SEAL

Online Copy

Minutes 12/06/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 6, 1993

STATE OF COLORADO)
) ss. DEC 14 1993
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 6, 1993, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Helen McClellan, Commissioner of Deeds
- Bob Slough, County Attorney
- Thomas Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held Monday, November 22, 1993, were read. Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUSCORRESPONDENCE was read and contents noted. The Sheriff's report for themonth of November 1993 was received.

PAYROLL: General fund payroll vouchers #10549 thru #10664 in the amount of \$131,686.08, #19205 in the amount of \$13,595.45, #19206 in the amount of \$80,286.75 and Road fund payroll vouchers #10665 thru #10708 in the amount of \$88,968.25 and #7360 in the amount of \$42,876.26 were approved for payment. 911AUTHORITYBOARD:Comm McClellan made a motion to direct the Clerk to issue Order Number 0-23-93 to the Treasurer to transfer the amount of \$634.57 from the 911 account to U.S. West Communications, Denver, Colorado 80171. Motion was seconded by Comm Brubaker and carried.

ROAD DEPARTMENT Supervisor Striegel reported that the intersection at CR F and CR 25 has been bladed. Kelly Hill is still settling. Most of the settling an Dunlap Hill has stopped. Supervisor Striegel submitted a chip and seal estimate for approximately one mile of CR 38. He reported that the platforms for the oil heaters at the fairgrounds seem to be sagging and more bracing will he done. An on-site inspection will be done. Sawdust was hauled for the fairgrounds and ripped. The crusher is at the sandstone pit north of Lewis, CO., and in about two weeks it will be moved to the Ormiston gravel pit. A cellular phone has been purchased for the night watchman. It was noted that the mobile radios do not work in several spots in the county. The blacktop at the intersection to Lee's Mobile Home Park looks good and shows no sign of breaking up. An intercom system has been installed at the county shop and yard. Supervisor Striegel asked if it is feasible for inspections to be done by the District Foremen, instead of by the County Engineer, to determine if proposed subdivision roads meet county specifications. This was discussed. It was noted that the Road Department needs to get copies of all proposed subdivisions. Comment was made that, some roads not classified as county roads on the official county map, might be public roads. Work on CR H has been completed.

FOUR CORNERS TRAIL CLUB representatives Roy Johnson and Dale Slavens submitted for consideration and signing, Amendment #1 to Agreement SJNF No. 110213059327, Challenge Cost Share Agreement between Four Corners Trail Club and San Juan National Forest. The amendment would include Montezuma County as a partner in the agreement (see attached). Comm Brubaker made a motion for Montezuma County to participate in and sign the agreement. The motion was seconded by Comm McClellan and carried. As a result of the agreement, Montezuma County will donate approximately \$1,400.00 worth of gravel to help with the Echo Basin Snowmobile parking lot.

CHICKEN CREEK SKI AREA volunteers for the Town of Mancos Recreational program, Dolph Kuss and Mark Applequist thanked the Board for the continued funding to keep the program's snow cat repaired. They mentioned that the San Juan VoTech also helped by replacing any worn out parts on the snow cat. They reported that the trail head for the cross country ski area has been moved from CR 41 (Chicken Creek Road) to CR 40 (Joe Moore Reservoir). The Forest Service has finished the new parking lot, which is now located on public land. They asked if the County could provide funding for a directional sign showing the new location of the Chicken Creek cross country ski area. The sign would be installed on Highway 184 at the intersection of CR 40. They were referred to the County Lodgers Tax Board. If this entity cannot help, they will come back to the Board with the request. They also expressed a need for a trailer wide enough to transfer the snow cat from VoTech to the trail head parking lot. Several options were mentioned, which included checking with Road Supervisor Striegel for use of a county trailer and using Comm Brubaker's implement trailer.

BOARD OF SOCIAL SERVICES was conducted.

HEALTH DEPARTMENT HIV COUNSELING AND TESTING CONTRACT - AMENDMENT NO. 1 between the State of Colorado for use and benefit of the Department of Health and the Montezuma County Commissioners was signed.

PLANNING: A planning resolution P-78-93 was presented whereby Dennis W. and Shirley Carlene Cline, owners of 19.20 acres, would be granted a variance to the subdivision regulations to record a Three-way split in Section 21, T.37N., R.15W. The Planning Commission approved this request at the October 28, 1993, meeting. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-79-93 was presented whereby George LeSatz, owner of 10 acres, would be granted a variance to the subdivision regulations to record two 5 acre tracts in Section 2, T.37N., R.16W. Comm Brubaker moved to adopt this resolution, seconded by Comm McClellan and carried. A planning resolution P-80-93 was presented whereby Nancy Whitehorn, owner of 12.94 acres, would be granted a variance to the subdivision regulations to record a four-way split. The Planning Commission approved this split at their November 18, 1993, meeting. Comm McClellan moved to adopt this resolution, seconded by Comm Brubaker and carried. A verbal request for a variance to the subdivision regulations was tentatively approved (after checking with the City of Cortez) for Keith Evans to split off and sell a one-half acre parcel from 28.5 acres. The approval was contingent on the fact that the parcel has city water and is connected to the city sewer system. A verbal request for a variance to the subdivision regulations was tabled for Everett Sperry, owner of 37 acres, to split 6 acres into two parcels. Since this results in a three-way split, Mr. Sperry will be referred to the Planning Commission. A verbal request for a variance to the subdivision regulations was tentatively approved for Grady Gardner to combine two parcels to make an 8 acre parcel to sell.

LANDOWNER Brady Gardner requested variance to the subdivision regulations to combine two parcels to make an 8 acre parcel to sell. The request was tentatively approved.

ADJOURNED FOR LUNCH with the City of Cortez.

EXTENSIONOFFICE Director Kenny Smith and Office Manager Jan Brandt met to discuss current fairground policies, fees, and scheduling, and the duties of the Manager of the fairgrounds in connection with the Extension office. The following was also discussed: (1) only the Board of County Commissioners can change fairground policies, (2) the Advisory Board can only make recommendations to the Board, (3) the policy of not allowing any sub-leasing needs to be clarified, (4) any agreement previous to the new fee schedule adopted in February 1992 must be honored, and (5) there is a need to establish procedures for scheduling dates.

12-06-93

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TREASURER Bobbie Spore presented her proposed budget for 1994. She submitted a requested report comparing the differences in amounts earned in investment pools and interest bearing checking accounts. Her request to affirm the use of an investment pool for depositing short-term monies for a period of only 10 to 12 days was discussed.

REGION 9 REVOLVING LOAN FUND Chairman Ed Morlan gave a review of the fund. Mike Preston was present.

OFFICE OF COMMUNITY SERVICES: Mike Preston gave an updated report on the Federal Lands Program.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

December 6, 1993

SEAL

Online Copy

12-13-93

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resulted in a double assessment, (4) the fact that the State will only become involved, if Montezuma County has to pay back any money and is made less than whole, (5) that Shell Western will make the School Districts and Montezuma County whole and waive their rights to any monies. Resident Duane Lanier requested that a decision be postponed until the value of CO2 is clarified. Ms. McEvoy stated that the valuation issue needs to be handled separate and Shell is willing to come back on request to discuss the CO2 price issue. Attorney Dyer suggested that if the abatement is postponed, that the different interpretations of the laws be submitted in writing from each of the concerned entities. Comm McClellan made a motion to postpone the abatement hearing for 30 days and accept the suggestion of Attorney Dyer. Chairman Colbert requested a recess for an executive session to discuss the issues. This time was granted. After the short recess, Comm McClellan made a motion to withdraw the previous motion and to recess, Comm McClellan made a motion to withdraw the previous motion and to approve the abatement for Shell Western E.P. Inc., with the condition that Montezuma County be held harmless. The motion was seconded by Comm Brubaker and carried. All proceedings were taped for the record and it was noted that all the Commissioners were present. Comm Brubaker was excused for one hour to attend a funeral, but was present for the final vote.

FORMER COUNTY EMPLOYEE Bill French asked if the county could reinstate health insurance coverage for his wife, until she reaches the age of 65. Finance Officer Mary Ann Sanders explained that under COBRA, insurance coverage was extended for the allowed time of three years and that time has expired. Administrator Weaver will check into any possible available coverage and notify Mr. French.

RESOLUTION #10-93: Comm McClellan made a motion to adopt Resolution #10-(3, which sets a county cap of \$351,420.56 to operate the County Department of Social Services at the County level. The motion was seconded by Comm Brubaker and carried.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED FOR LUNCH with the Montezuma County Economic Development Council.

MET WITH GOVERNOR ROMER at the Cortez Convention Center.

PLANNING: A planning resolution P-81-93 was presented whereby Bill Bauer, owner of 281.82 acres, would be granted a variance to the subdivision regulations to record a 18.26 acre tract for mortgage purposes in Section 35, T.37N., R.17W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Lee Roy Gray to split 10 acres from 120 acres to sell to an adjoining landowner. A verbal request for a variance to the subdivision regulations was tentatively approved for Dwight Wallace to split and sell 3 acres with a house from approximately 100 acres.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

December 13, 1993

SEAL

Minutes 12/20/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 20, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

DEC 28 1993

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 20, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Helen McClellan, Commissioner of Deeds
Bob Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held Monday, December 13, 1993, were read., Comm Brubaker moved to approve these minutes, seconded by Comm McClellan and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Treasurer's reports for the month of November 1993 were received.

MC ELMO CANYON ROAD: AIRCO INDUSTRIAL BASES representative Mary Lou Hall and Hurst Trucking representatives Reed Hurst and Dennis Johns met to discuss any suggestions to take care of icy spots an the McElmo Canyon Road in order to make the road safer. Road Supervisor Billy Striegel and Assistant Kirk Stauffer were present. Ms. Hall stated that the Airco CO2 being hauled by Hurst Trucking is classified as a hazardous material. They asked for input on how to have more sanding done on the road, since they have trucks coming and going night and day. Several suggestions were discussed to take care of the problem. It was noted that a similar exists with roads used by the school buses. In this situation, the County supplies sand to the School District for their sander. This same offer was made to Reed Hurst of Hurst Trucking. Mr. Hurst will look into any insurance liability problem with the offer and contact Administrator Weaver.

WINGSPREAD SUBDIVISION residents Jan Shepard, Sam and Joan Roth and Bob and Nedra Dils appeared to request that the road department continue to do snow removal on Road U.6 (see December 14, 1992 minutes). It was affirmed that the county road department will plow the additional 1000 feet for the winter of 1993-94, and that the residents will pay \$25 per trip. This action will be reviewed at the end of the 1993-94 season. Road Supervisor Billy Striegel and Assistant Kirk Stauffer were present.

ROAD DEPARTMENT Supervisor Billy Striegel stated policy for sanding is that the sander follows the snow plow an roads such as the McElmo Canyon Road. He stated that extra driving caution also needs to be used when icy conditions exist. Road Supervisor Striegel and Assistant Stauffer presented proposed policy changes for Maintenance and Construction, and Personnel. These were discussed. The Maintenance and Construction Policy change will be revised and considered at a later time. Comm McClellan moved to approve the Personnel Policy Memorandum dated December 20, 1993, to the County Road Department (see attached), seconded by Comm Brubaker and carried. The results generated by this memo will be reported to the Board. The crusher has been moved to the Ormiston gravel pit.

PLANNING: A planning resolution P-81-93 (corrected) was presented whereby Ramsey Ranches, Inc., owner of 281.82 acres, would be granted a variance to the subdivision regulations to record a 18.26 acre tract for mortgage purposes in Section 35, T.37N., R.17W. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-82-93 was presented whereby Lee Roy Gray, owner of 120 acres, would be granted a variance to the subdivision regulations to record a 10.19 acre tract in Section 12, T.37N., R.16W. This property is being sold to an adjoining landowner Floyd Parker. Comm Brubaker moved to adopt this resolution, Comm McClellan seconded and carried. A planning resolution P-83-93 was presented whereby Grady Gardner, owner of two parcels of land located in Section 19, T.37N., R.16W., would be granted a variance to the subdivision regulations to record these two tracts as one 06.92 acre parcel. Comm McClellan moved to adopt this resolution, Comm Brubaker seconded and carried.

BOARD OF SOCIAL SERVICES was conducted.

FAIRGROUND ADVISORY BOARD APPOINTMENTS: Comm Brubaker moved to appoint Lenetta Shaw and Jim Mitchell to serve on the Board for a one year term (1994), seconded by Comm McClellan and carried.

QUIT CLAIM DEED – PUBLIC STOCK DRIVE (INDIAN CAMP RANCH SUBDIVISION): A motion was made by Comm Brubaker to allow County Commissioner of Deeds to Quit Claim a portion of a Public Stock Drive easement from Montezuma County to Archie E. Hanson, Jr. and Mary A. Hanson, husband and wife, in return for a corrected Stock Drive easement to be fenced and platted as part of the Indian Camp Ranch Subdivision. The motion was seconded by Comm McClellan and carried.

DEPARTMENT HEADS: Undersheriff Bob McDonald, Treasurer Bobbie Spore, Health Department Nurse Bette Sutter, Clerk Jean DeGraff, Extension Office Manager Jan Brandt and Assessor Bob Cruzan were present. The 1994 budget proposals and requests for funding from several departments were presented by Administrator Weaver. These were reviewed, discussed, and some changes made. Personnel policy concerning retirement for eligible employees was read.

TREASURER Bobbie Spore presented a request from Bob Berg and Fred Boekel for a re-issuance of a tax certificate that has been lost. Comm McClellan made a motion to allow the Treasurer to replace the said tax certificate for Bob Berg and Fred Boekel. The motion was seconded by Comm Brubaker and carried.

ADJOURNED at 3:30 p.m.

Deputy Clerk Chairman

December 20, 1993

SEAL

Minutes 12/27/1993 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 27, 1993

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

JAN 04 1994

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 27, 1993, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Helen McClellan, Commissioner of Deeds
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk.

MINUTES of the previous meeting hold Monday, December 20, 1993, were read. Comm McClellan moved to approve these minutes, seconded by Comm Colbert and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

RESIDENT Donna Murphy met to discuss the dust problem created by heavy truck traffic on CR N west of Highway 145. She presented a petition signed by residents in the area asking if the county could chip and seal this section of road. Road Supervisor Billy Striegel was present and reported that upgrading the barrow ditches and regraveling this section of road is in the proposed 1994 Road Plan. The use of dust retardant and its effectiveness was discussed. It was noted that the policy has changed, since the east side of CR N was chip and sealed. The county's cost-share policy was discussed and proposed as a solution to the problem. It was agreed that if the residents would purchase the oil, the county would provide everything else for this section of road to eventually be chip and sealed. Ms. Murphy stated she would present this proposal at the next scheduled neighbor meeting in about two weeks. She stated that any upgrading of the road by the county will be appreciated.

ROAD, DEPARTMENT Supervisor Billy Striegel reported that they are still stripping at the Ormiston pit and will start crushing in approximately two days. Trucks are hauling chips from the Ormiston pit to the Gardner pit. There was discussion about the results from the Personnel Policy Memorandum dated December 20, 1993.

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for James and Shirley Jones to sell 20 acres from a 120 acre parcel.

PUBLIC HEARING - 1994 BUDGET: There being no protest against the proposed budget, motion was made by Com McClellan to approve Resolution 11-93 To Appropriate Sums of Money, whereas the Commissioners have adopted the annual budget in accordance with Local Government Budget Law an December 1993, seconded by Comm Colbert and carried. Motion was made by Comm McClellan to approve Resolution 12-93 To Set Mill Levies, seconded by Comm Colbert and carried. It was noted that the mill levy is 16.136, exactly the same amount as set in 1993. Comm McClellan made a motion to approve Resolution 13-93, a resolution summarizing Expenditures \$10,779,574 and Revenues, \$10,779,574 or each fund, and adapting a Budget for Montezuma County, Colorado, for the calendar year beginning on the first day of January 1994 and ending an the last day of December 1994. The motion was seconded by Comm Colbert and carried. It was noted that the difference of approximately \$640,150 will be taken from several different reserves. These proceedings were tape recorded and the roll was called. Comm Brubaker and County Attorney Slough were absent and no public was present.

12-27-93

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COLORADO CUSTOM CENTER owner C. P. Cole and Montezuma County Economic Development Council Executive Director Alan Klein presented a memorandum addressing incentives needed for prospective business recruitment. Mr. Cole gave a presentation on the background of his Durango based company that he wishes to move to Montezuma County. The company does conversions on pickup type vehicles. He explained that he and the Mobil Oil Company are in the process of finalizing a lease agreement for the Mobil Oil building and parking area. He asked if the county could supply any in-kind help. The use of a county tractor-trailer to help with moving the trucks from Durango to Cortez was mentioned and will be checked into for any legal problems. Also mentioned was a low interest loan with the Revolving Loan Fund. It was noted that the pending lease with Mobil Oil needs to be finalized before any thing can be done. They will get back with the Board. WEED CONTROL PROGRAM Manager Ron Lanier gave an update an the Weed Free Forage Program, which is now a law and will have legal enforcement. The program will be administrated by the Colorado Department of Agriculture. He stated that an upcoming Department of Agriculture hearing will address changes being made in the program which may not be in the best interest of Montezuma County. He asked if the Board wanted him to attend the hearing scheduled for January 5, 1994, in Lakewood, CO. This was affirmed. He asked if monies were available from the Road Department fund to pay for the cost of spraying weeds at the designated county gravel pits. This was affirmed. He reported that the final landfill project report is near completion.

FAIR BOARD APPOINTMENT: Comm McClellan moved to appoint Doug Dean to serve on the Board for a one year term (1994), seconded by Comm Colbert and carried.

ADMINISTRATOR Weaver asked if the Board was in favor of a proposed Paddle Wheel Boat to be operated by the McPhee Marina an McPhee Lake. This was affirmed.

LEGAL PUBLICATION: Comm McClellan moved to continue the rotation system and appoint the Cortez papers, the Cortez Sentinel and Montezuma Valley Journal, as the legal publications for 1994, seconded by Comm Colbert and carried.

ADJOURNED at 2:15 p.m.

Deputy Clerk

Chairman

December 27, 1993

SEAL