

# 1997 Montezuma County Commissioners' Minutes

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## **AUTHENTICITY CERTIFICATE**

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September 2004

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**Minutes 01/06/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JANUARY 6, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of THE Board of Commissioners, Montezuma County, Colorado, held on Monday, January 6, 1997, at the courthouse in Cortez, Colorado, there were present:

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

MINUTES of the previous meeting hold on Monday, December 23, 1996, were read. Comm McClellan moved to approve these minutes, seconded by Comm Colbert and carried.

COMMISSIONERS ELECT Glenn E. Wilson and J. Kent Lindsay were present.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: General fund - Payroll vouchers #16744 thru #16870 in the amount of \$147,094.34, District Attorney voucher #26447 in the amount of \$15,816.09, County Treasurer voucher #26448 in the amount of \$91,563.68; Road fund - Payroll vouchers #16871 thru #16901 in the amount \$46,853.02, County Treasurer voucher #9867 in the amount of \$31,187.02; and Landfill fund - Payroll vouchers #16902 thru #16906 in the amount of \$8,186.63, County Treasurer voucher #0587 in the amount of \$5,098.60 were approved for payment.

PROPOSED MONTEZUMA COUNTY COMPREHENSIVE LAND PLAN: Mike Preston presented the proposed Comprehensive Land Use Plan for adoption by the Board. The plan has been adopted by the Planning Commission and certified to the Board. The plan was reviewed. Concerns about a Uniform Building Code (UBC) were discussed. It was affirmed that a UPC is not a part of the proposed Plan but will be addressed at a later time. Three proposed changes were discussed and made. Comm Story moved to adopt the proposed Montezuma County Comprehensive Plan amended with changes, seconded by Comm McClellan and carried. Said plan, as adopted, is attached.

1997 HOLIDAY SCHEDULE: Comm Story moved to approve, as submitted, the "Official County Holiday Schedule for 1997" (see attached), seconded by Comm McClellan and carried.

GAMING IMPACT FUND ORDER: Comm McClellan moved to direct the Clerk to issue Order Number 0-01-97 to the Treasurer to transfer \$15,739.00 from the Gaming Impact Fund to the Road and Bridge account, seconded by Comm Story and carried.

911 AUTHORITY BOARD ORDER: Comm McClellan made a motion to direct the Clerk to issue Order Number 0-02-97 to the Treasurer to pay \$924.16 from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Story and carried.

BOARD OF SOCIAL SERVICES was conducted.

01-06-97

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PLANNING: A planning resolution P-1-97E After-the-Fact was presented whereas Jeffery and Linda Quam, owners of 6.91 acres, would be granted an exemption to the subdivision regulations to record an after-the-fact exemption in Section 32, T.37N., R.16W. This is the only exemption that will be granted this property. Comm Story moved to adopt this resolution, seconded by Comm McClellan and carried. A verbal request for an exemption to the subdivision regulations from Sheldon Zwicker to split 13 acres from 195 acres was tentatively approved.

RESIDENT Lee Nowlin met to discuss the Board's position with the City of Cortez on the three mile zone area. This was discussed.

ADMINISTER Weaver presented a request from Montezuma County Housing Authority representative Terry Wheeler asking if Southwest Community Resources monies might be earmarked for Montezuma County Housing Authority. This was affirmed. Administrator Weaver stated that goals for the Juvenile Crime Task Force have been discussed with the facilitator Nancy Johnston.

SHERIFF Sherman Kennell presented an "Addendum to Law Enforcement Agreement" to renew the Town of Mancos contract for six months. Comm McClellan moved to accept this agreement, seconded by Comm Story and carried.

ADJOURNED at 1:30 p.m.

Deputy Clerk    Chairman

January 6, 1997

SEAL

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**Minutes 01/13/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JANUARY 13, 1997

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioner,, Montezuma County, Colorado, held on Monday, January 13, 1997, at the courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman  
Helen McClellan, Vice-Chairman  
B. Eugene Story, Commissioner of Deeds  
Bob Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy

MINUTES of the previous meeting held on Monday, January 6, 1997, were read. Comm McClellan moved to approve these minutes, seconded by Comm Story and carried.

COMMISSIONERS ELECT Glenn E. Wilson and J. Kent Lindsay were present.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Treasurer, Sheriff and Landfill reports for the month of December 1996 were received.

ACCOUNTS PAYABLE: General fund vouchers #32240 thru #32391 in the amount of \$127,248.26, Road fund vouchers #32392 thru M32435 in the amount of \$33,191.25 and Landfill fund vouchers #32436 thru #32466 in the amount of \$28,054.75 were approved for payment.

CORTEZ CEMETERY DISTRICT BOARD APPOINTMENT: Comm Story moved to re-appoint, to the Cortez Cemetery District Board Duane Neal for a 3-year term - 1997, 1998 and 1999, seconded by Comm McClellan and carried.

RESIDENT Jim Sparks, a licensed plumber, stated that he feels the county should hire a plumbing inspector. This was discussed. He noted that is such a position becomes available, he would like to be considered for it.

BAUMGARTNER MINOR SUBDIVISION: Comm Story moved to approve and sign the final plat for the Baumgartner Minor Subdivision, seconded by Comm McClellan and carried.

WATSON MINOR SUBDIVISION: Comm Story moved to approve and sign the final plat for the Watson Minor Subdivision, seconded by Comm McClellan and carried.

PLANNING: A planning resolution P-2-97E was presented whereas James E. and Veda V. Wilson, owners of 162 acres, would be granted an exemption to the subdivision regulations to record a 10 acre tract in Section 8, T.36N., R.17W. Comm Story moved to adopt this resolution, seconded by Comm McClellan and carried. Other items noted: The pre-sketch for Tim Hawks to create a minor subdivision was presented and tentatively approved. Also presented was J. T. Wilkerson's request that the county consider for public use, a 30" access outside the county Shop fence. This access with his adjoining 30" access would make the necessary 60' access to his subdivision. It was affirmed that the 30' access may be dedicated for use by the public for road way purposes. A survey will be done by Mr. Wilkerson to establish a legal description.

RESIDENT Galen Larson met to discuss the comprehensive land use plan's eventual review of oil and gas regulations in connection with private landowners surface rights.

01-13-97

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CONCERNED residents Jim Youngs and Neva Kindred presented "questions Regarding the Dolores Water Conservancy District's Mill Levies" to the Board. Assessor Bob Cruzan was present. The legal responsibility of the Board of County Commissioners in this particular situation will be researched and submitted to the Board at a later time.

MANCOS RECREATION COMMITTEE: Ed Hallam presented for representative Cathy Hallam the committee's request for monies from the lottery fund to help fund a part-time recreation coordinator position. Comm Story made a motion to give \$3,800.00 to the Mancos Recreation Committee. The motion was seconded by Comm McClellan and carried.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 1:30 p.m.

Deputy Clerk    Chairman

January 13, 1997

SEAL

SEAL

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**Minutes 01/20/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JANUARY 20, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 20, 1997, at the courthouse in Cortez, Colorado, there were present:

B. Eugene Story, Commissioner  
Glenn E. "Kelly" Wilson, Commissioner  
J. Kent Lindsay, Commissioner  
Bob Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

ELECTION OF OFFICIALS FOR 1997: Clerk Evie Ritthaler called the meeting to order and called for the nomination for Chairman. Comm Lindsay moved to elect Comm Story as Chairman of the Board of Commissioners, seconded by Comm Wilson and carried. Comm Lindsay moved to elect Comm Wilson as Vice-Chairman, seconded by Comm Story and carried. Comm Wilson moved to elect Comm Lindsay as Commissioner of Deeds, seconded by Comm Story and carried.

APPOINTMENTS FOR 1997: Comm Lindsay made a motion to appoint the following persons seconded by Comm Wilson and carried.

County Attorney: Bob Slough  
Administrator and Budget Officer: Thomas J. Weaver  
Road Supervisor: Tim McComb  
Director of Social Services: Thomas J. Weaver  
Health Officer: Dr. Gerald Griebel  
Auditor, Gale Greenlee  
Southwest Community Resources Boards Comm Wilson  
Long-term Health Care Board: Comm Lindsay  
Region 9 Economic Development Board: Comm Story  
Area Agency on Aging (AAA): Comm Wilson

Legal Publication, Cortez Newspapers (Sentinel & Montezuma Valley Journal)

MINUTES of the previous meeting held on Monday, January 13, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

MONTEZUMA COUNTY COMPREHENSIVE LAND PLAN: Mike Preston presented a letter formalizing an agreement between Montezuma County and Erin Johnson, Attorney at Law L.L.C. to conduct the services outlined in a proposal dated December 23, 1996, amended January 3, 1997, entitled "Proposal for Montezuma County Comprehensive Plan Implementation Tools." The letter was signed. Also presented was the Implementation Tools document for acceptance. Comm Wilson moved to accept the "Proposal for Montezuma County Comprehensive Plan Implementation Tools" as submitted by Erin Johnson in cooperation with Clarion Associates, L.L.C., seconded by Comm Lindsay and carried. See attached documents.

LANDOWNERS Tom and Gillian Vormittag and Dave Hohn presented concerns about a neighbor's unsightly property along CR E.5 and CR 24. They stated that over the past three years the neighbor has transformed his land into a solid waste disposal facility and a salvage yard with all the attendant environmental problems (see attached letter). Their Concerns were discussed in connection with the comprehensive land use plan and statutes noted. The Board will contact the Department of Public Health and Environment.

The Board encouraged them to continue their efforts to solve the problem with the neighbor. Mike Preston was present.

PLANNING: The Cruzan Moderate Subdivision final plat was presented. Action was tabled until the title and utility easements are clarified. A verbal request for Ted Stearman to create a minor two-lot subdivision was presented. Action was tabled.

CRIMESTOPPERS representative Belmear Brown met to ask for \$2,000 to support the organization. He explained their funding program. Comm Lindsay was excused because of a conflict of interest. Comm Wilson moved to pay \$2,000 from the Commissioners account to Crimestoppers, seconded by Comm Story and carried.

BOARD OF SOCIAL SERVICES was conducted.

DISTRICT ATTORNEY Mike Green met to discuss personnel changes in his department and his budget concerns in connection with hiring a Deputy Attorney to fill a position vacated by the Assistant District Attorney. These were discussed. His request for additional funds were denied. Attorney Green stated he will check into applying for gaming impact monies.

ROAD DEPARTMENT Supervisor Tim McComb was complimented an snow removal by the department during the last storm. The Board stated they would like to schedule the Road Department at 9:30 a.m. each Monday, and asked if this is okay with Supervisor McComb. This was affirmed by Supervisor McComb. Scheduled CDOT classes were discussed. Supervisor McComb stated he is working on the Highway Users Tax -Forest Service Schedule "A" report. The report shows that in 1997, 805 (FS Schedule "A") miles will be taken care of by the county (3+ miles more than last year) according to the agreement. A petition signed by several persons concerned about safety on CR 42 was presented and discussed. Temporary concrete barriers will be placed to avert some of the problem. Discussed West Fork project and rock slides. It was reiterated that landowner Jimmy Rogers would allow the slide rocks to be put on his land. Agreement with Dolores County an plowing the West Fork, etc. roads was discussed. Supervisor McComb stated that CR G (McElmo Canyon Road) still looks good. San Juan County, UT Road Supervisor Dave Fuller will be contacted about gravel exchange to finish the project on the lower portion of CR G.

PROPOSED MONTEZUMA COUNTY CATEGORY CHANGE: Assessor Cruzan, Sheriff Kennell, Treasurer Spore And Clerk Ritthaler met to ask if the Board would support an attempt to got State classification for Montezuma County changed from a category 4 to a category 3. This change would increase the salaries of elected officials. The increase would be effective in 1999. The request was denied.

TREASURER Bobbie Spore presented her list of Depositories and Investment Pools, for review, and the Investment Policy and the Public Trustee Quarterly Report dated December 1996. No action was taken.

SHERIFF Sherman Kennell presented, for signature, a corrected "Addendum to Law Enforcement Agreement" (correction due to a typing error) to renew the Town of Mancos contract for six months (see minutes of January 6, 1997). This was signed. Sheriff Kennell mentioned that there may be a need in the county for someone to contact in case a bomb needs to be detonated. In connection with this, he asked for clarification of the County insurance policy on liability to cover such a Volunteer-Special Deputy. The Insurance Company will be contacted.

DOLORES WATER CONSERVANCY DISTRICT (DWCD) representative John Porter and concerned residents Jim Youngs and Neva Kindred met with the Board to discuss questions regarding the set DWCD mill levy. Statutes were read. Approved 1997 mill levy was discussed and determined to be within the allotted figure.

01-20-97

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OFFICE OF COMMUNITY SERVICES: Mike Preston presented for review the "Draft Intergovernmental Agreement Outline Between Montezuma County and The Town of Dolores (based on Chaffee County IGA)."

ADJOURNED at 4:45 p.m.

Deputy Clerk    Chairman

January 20, 1997

SEAL

Online Copy

**Minutes 01/27/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JANUARY 27, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 27, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, January 20, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ROAD DEPARTMENT Supervisor Tim McComb reported that they plowed snow Sunday. Complaints were taken care of as much as possible. Request from Carl Scheuerman for signage on CR P was discussed. Supervisor McComb will check on installing some type of "caution" signs at the problem area. Concrete barriers for CR 42 were purchased and installed. Discussed re-organization of the Road department and associated meetings. Total miles of road maintained by the County were discussed. Supervisor McComb will compile information showing how many miles are maintained in the winter. Reflectors will be put up on the culvert on CR L to show the edge of the road. Supervisor McComb reported that expenditures for the department in 1995 were 63% personnel and 37% maintenance --- 1996 55% personnel and 45% maintenance. Upcoming Energy Impact meeting and Gaming Impact meetings were discussed. Administrator Weaver will check with Ken Francis for possible grant monies to improve Scenic By-ways - "Trail of the Ancients" (Hovenweep, etc.) roads in the county. They are plowing the Dolores-Norwood Road this week.

REALTOR Don White gave a presentation on the "Overview of Land Sales" in Montezuma and Dolores Counties (growth comparisons - 1995 and 1996). The information was compiled from the computerized Multiple Listing Service (MLS) and released by the Four Corners Board of Realtors. The Board stated they would appreciate another presentation next year. Mike Preston was present.

URBAN INFLUENCE COMMITTEE members Bob Diederich, Shirley Powell and Ed Hallam, and City Manager Bill Ray and John Lyons met with the Board to state that they disagree with the Board's proposal to develop three separate Intergovernmental Agreements (IGAs) with Cortez, Mancos, and Dolores. The Board expressed that they feel they need to meet with the three different boards and then consider the possibility of combining the IGAs. They stated there was no intent to circumvent the Urban Influence Committee, but at this time they want to address issues for all the parties in each community. Mike Preston was present.

EMERGENCY MEDICAL SERVICES (EMS) Coordinator Steve Malarchik and Calvin Woods gave an update on the proposed Area Trauma Advisory Council (ATAC) which includes five counties. Presented was the Southwestern ATAC Membership Ballot listing for proposed candidates (see attached). Comm Wilson moved to approve the entire membership ballot list, as submitted, seconded by Comm Lindsay and carried. Mr. Woods stated that as changes are made they will come back to the Board. Other items discussed were: (1) Dispatch center's \$50,000 grant monies for purchase of a console. Monies

01-27-97

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will be lost, if not used by July 1, 1977. -- Administrator Weaver will check into this. (2) Update of the EMS resolution. They are proposing to have the EMS Council do inspections of ambulances to be sure all (including Towaoc) ambulances are equipped for transporting patients to the hospital. -

- The County has no problem with this.

CRUZAN MODERATE SUBDIVISION PLAT: Comm Lindsay moved to approve and sign the Cruzan Moderate Subdivision Plat, seconded by Comm Wilson and carried.

PLANNING: A planning resolution P-3-97E was presented whereas Lyle James Aulston, owner of 80 acres, would be granted an exemption to the subdivision regulations to record a 4.20 acre parcel in Section 1, T.37N., R.18W. This parcel is to be added to an adjoining landowner (Duncan) property and is not to be considered a separate parcel to be sold. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried..

LIQUOR LICENSE: Deputy Clerk Tammy Neely presented an application for, renewal of a 3.2% Beer license for the McPhee Marina Recreational Complex, Inc. The Sheriff Department reported no problems with the establishment. Since the establishment is closed in the winter, it is noted that the Health Department's last inspection in August 1996 showed no problems. Comm Wilson moved to approve the application, seconded by Comm Lindsay and carried.

STATUTES ON ANNEXATION were read and discussed.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented "Abstract of Chaffee County Intergovernmental Agreement As Beginning Framework for Town of Dolores/Montezuma County Intergovernmental Agreement" for review.

911 AUTHORITY BOARD: Comm Wilson made a motion to direct the Clerk to issue Order Number 0-03-97 to the Treasurer to pay \$924.16 from the 911 account, to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Story and carried.

CAPITAL FUND ORDER: Comm Wilson made a motion to direct the Clerk to issue Order Number 0-04-97 to the Treasurer to transfer \$10,576.00 from the Capital fund to the Landfill fund. The motion was seconded by Comm Story and carried.

CANCELLATION OF COUNTY OF MONTEZUMA WARRANTS: Comm Wilson moved to cancel four warrants (see attached list) issued by Montezuma County, which have not been cashed by said payees, seconded by Comm Lindsay and carried.

ADJOURNED at 12:45 p.m.

Deputy Clerk            Chairman

January 27, 1997

SEAL

**Minutes 02/03/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
FEBRUARY 3, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 3, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman - absent  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator-  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, January 27, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: General fund - Payroll vouchers #16914 thru #17042 in the amount of \$147,400.03, District Attorney voucher #26610 in the amount of \$14,842.00, County Treasurer voucher #26611 in the amount of \$91,441.64, Road fund - Payroll vouchers #17043 thru #17073 in the amount of \$48,223.20, County Treasurer voucher #9922 in the amount of \$31,455.02; and Landfill fund - Payroll vouchers #17074 thru #17078 in the amount of \$6,967.18, County Treasurer voucher #628 in the amount of \$4,468.92 were approved for payment.

BOARD OF SOCIAL SERVICES was conducted.

SUNSHINE LAW was discussed.

COMM Wilson gave a report on his attendance of the CCI meeting last week.

ROAD DEPARTMENT Supervisor Tim McComb stated they have been plowing snow. Chester Tozer's proposed road plans on grades and fills for CR G (McElmo Canyon) were given to Supervisor McComb. Supervisor McComb stated he feels that CR G looks good. Discussed Range Engineering's request to waive workmen's compensation for subcontractor, Ray Ward. Ray Ward will be contacted (see Oak Street Bridge -later in the day). Supervisor McComb presented Nielsons Inc. agreement to reimburse the county for any damages done to CR 38 in regard to the operation of their gravel pit. Comm Wilson moved to accept and sign the "Damage Reimbursement Agreement," seconded by Comm Lindsay and carried. Supervisor McComb reported that his department plows 451 miles of road with 19 plows, (average - 23.8 miles per plow). Road department re-organization meetings were discussed. It was noted that if monies are received to finish the work on the lower end of CR G (McElmo Canyon), a proposal for bid will be advertised for a registered professional engineer.

ADMINISTRATOR Weaver presented the following items which were discussed: (1) Prioritizing of Gaming Impact funds should be mentioned at the upcoming meeting. (2) Chief of Police Ray Lane stated that the purchase of dispatch equipment depends on gaming impact monies awarded this year. It was noted that Comm Lindsay was appointed to attend local meetings

held in regard to the proposed Dispatch Center. (3) Last week employees were invited to meet with a representative from CEBT (Health Insurance) to discuss any problems they have with their coverage. It was noted that a medical insurance company, PEBSCO has stated they wish to come in and meet with the Board about their Post Employment Health Plan (PEMHP). This will be scheduled. Current policy on this type of coverage will be reviewed. (4) A re-cap of JTPA (Job Training Partners Act) was given. A meeting will be schedule with Job Service Manager Maxine Maestas and Mark Larson to discuss JTPA. (5) The Health Department is considering contracting out nursing for Home Health to Southwest Memorial Hospital.

PLANNING: A planning resolution P-4-97E was presented whereas High Country Transportation (Cowley), owner of 41.76 acres, would be granted an exemption to the subdivision regulations to record a 3.53 acre parcel in Section 10, T.35N., R.16W. It is noted that this property is within the Cortez Influence Zone and City of Cortez planner Jeff Reinhart has affirmed there is no problem with this action. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution P5-97E was presented whereas High Country Transportation (Crowley), owner of 41.76 acres, would be granted an exemption to the subdivision regulations to record a 3.09 acres parcel in Section 10, t.35N., R.16W. It is noted that this property is within the Cortez Influence Zone and City of Cortez planner Jeff Reinhart has affirmed there is no problem with this action. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from Richard Tibbets for five exemptions to split 33 acres into five parcels and add them to adjoining landowners was tabled until an on-site inspection is done. A verbal request from Ruth Chesson for an exemption on an isolated 20.8 acre tract to be purchased and added to an adjoining property was tabled.

PLANNING COMMISSION BOARD: Comm Lindsay made a motion to retroactively appoint the following as Planning Commission Board members for the term of three years: Vernal Aulston and Dudley Millard (1996 - 1997 - 1998). The motion was seconded by Comm Wilson and carried. Approval was given to advertise two vacant appointments (Joe Arado and Benny Cordova) effective January 1, 1997.

TREASURER Bobbie Spore met to discuss her list of Depositories and Investment Pools submitted January 20, 1997. Comm Wilson moved to approve the list of Depositories and Investment Pools, dated January 1, 1997 (see attached). The motion was seconded by Comm Lindsay and carried. Montezuma County Investments report, as of 12-31-96, was submitted and discussed. Letter to the Board asking for reinstatement of \$1,700.00 to the "Public Trustee Budget" for related travel was discussed. No action was taken. "Public Trustee" statutes will be reviewed.

LIQUOR LICENSE: Deputy Clerk Bette Davis presented an application for renewal of a Hotel/Restaurant Liquor License for the Roundup Junction Restaurant. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried.

WEED PROGRAM/LANDFILL Manager Ron Lanier presented Colorado Division of Wildlife (DOW) proposed Weed Plan to control weeds on DOW property in accordance with county guidelines. The plan was affirmed and will be signed. Manager Lanier mentioned that CCI has requested information on the Landfill in regard to a bill proposing legislature giving the control of regulations for disposal of solid waste to the State instead of the Counties. He recommends that the County continue to have the control. Janitorial Service costs at the landfill were discussed.

02--03--97

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OAK STREET BRIDGE PROJECT: Subcontractor for Range Engineering, Ray Ward Trucking representatives Guyrene Ward and Mitch Ward met to discuss the request to waive workmen's compensation requirements until employees are hired to work on the Oak Street Bridge project. The Board stated that Workmen's Compensation insurance must be in place before the project is started. After discussion, the Ward's affirmed the Board that proof of workmen's compensation insurance will be submitted to Administrator Weaver and Range Engineering before work on the project begins. Mr. Ward discussed the need for a security fence across the road when the old bridge is removed. Use of concrete barriers was suggested. He stated he will coordinate this with Road Supervisor McComb.

CLERK Evie Ritthaler met to discuss personnel. Also discussed State County Clerk meetings.

ADJOURNED at 3:00 p.m.

Deputy Clerk Chairman

February 3, 1997

Online Copy

**Minutes 02/10/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
FEBRUARY 10, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 10, 1997, at the courthouse in Cortez, Colorado, there were present;

G. Eugene Story, Chairman - Absent  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, February 3, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ACCOUNTS PAYABLE: General fund vouchers #32467 thru #32660 in the amount of \$294,792.50, Road fund vouchers #32662 thru #32718 in the amount of \$101,127.49 and Landfill fund vouchers #32719 thru #32742 in the amount of \$39,952.17 were approved for payment.

BOARD OF SOCIAL SERVICES was conducted.

ROAD DEPARTMENT Supervisor Tim McComb stated that proof of insurance has been received from Ray Ward Trucking and they are in the process of obtaining workmen's compensation insurance. Supervisor McComb presented "Agreement" between Ray Ward Trucking and Montezuma County for signature. Comm Lindsay moved to sign the "Agreement," contingent on clarification of authorized signature/company owner, seconded by Comm Wilson and carried. Later in the day, it was affirmed by Supervisor McComb that Guyrene Ward is a partner and authorized to sign the "Agreement" document. Adm Weaver reported on the Energy Impact meeting in connection with funding for the CR G (McElmo Canyon) project. At this time, work will continue on CR G with gaming impact monies. Proposal to advertise bid for a registered professional engineer for work on the remainder of the CR G project was tabled. Supervisor McComb reported on the "Drainage" Seminar that he and 19 road department employees attended. New approach for road department work was discussed.

HEALTH DEPARTMENT Nurse Bette Anderson presented two contracts. Comm Lindsay moved to sign the following contracts between the Health Department and the San Juan Basin Agency an Aging (AAA): Title III-D Contract (to purchase equipment), and the Title III-F Contract (preventive health program), seconded by Comm Wilson and carried. Discussed possible funding sources for county-wide prevention and screening programs.

FOUTZ MODERATE SUBDIVISION plat was presented. Action was tabled.

PLANNING: Tentative approval was given for Abe Saunders to create a 2-lot subdivision. Tentative approval was given for Billy Sanchez to create a 2 lot subdivision. A verbal request from Ruth Chesson for an exemption on an isolated 20.8 acre tract to be purchased and added to an adjoining property was tentatively approved. City of Cortez Street Plan maps (2) were presented. Maps and statutes were discussed. Adm Weaver will write a letter stating the Board's concerns with the maps. Whether there is any derogatory signage in the county was discussed. It was affirmed that there is none.

02-10-97

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RESIDENT Galen Larson met to discuss a newspaper article about Southwest Memorial Hospital financial reports. The Board affirmed that at this time, none of the tests have triggered any need for county involvement.

PUBLIC TRUSTEE STATUTES were discussed. Treasurer Spore will be informed of the findings.

ANIMAL DAMAGE (PREDATOR) CONTROL PROGRAM: State Department of Agriculture representative Michael A. Yeary, Brent Alexander, Wayne Eppich, Russel Hindmarsh, and Pete Doerfer met to ask for monies to help fund the predator program. Need for more support and funding from other entities was discussed. The below action was taken.

ANIMAL DAMAGE (PREDATOR) CONTROL PROGRAM ORDER: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-05-97 to the Treasurer to transfer \$3,000 from the Federal Revenue Sharing fund and \$3,896 from the Trappers fund to help fund the Animal Damage Control program. The motion was seconded by Comm Wilson and carried.

FAIRGROUNDS: Discussed Fairground Advisory Board.

ADJOURNED at 3:00 p.m.

Deputy Clerk    Chairman

February 10, 1997

Online Copy

**Minutes 02/18/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
FEBRUARY 18, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma Colorado, held on Tuesday, February 18, 1997, at the courthouse in Cortez, Colorado, there were present;

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, February 10, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

BOARD OF SOCIAL SERVICES was conducted.

URBAN INFLUENCE COMMITTEE member Bob Diederich presented "A Synopsis of Objectives and Principles Embodied in the Chaffee County Intergovernmental Agreement as a Foundation for MOM/Montezuma County."

ROAD DEPARTMENT Supervisor Tim McComb and Adm Tom Weaver gave a report on the meeting with LaPlata County in regard to the new approach for the county road department work. The first meeting to discuss this with the road department is scheduled for Thursday, February 27, 1997. The request for the county to snow plow the road to the Emerson Campground was discussed. The area borders Dolores County. Action was tabled until the situation is discussed with Dolores County. Supervisor McComb stated crushing at Hay Camp gravel pit is about done.

LANDOWNERS Charles and Daisy Mahaffey met to discuss CR 18. Road Supervisor Tim McComb was present.

22ND JUDICIAL DISTRICT COMMUNITY CORRECTIONS BOARD APPOINTMENTS: Comm Lindsay moved to appoint Mike Green, 22nd Judicial District Attorney, and Roy Lane, Cortez Chief of Police, to the 22nd Judicial District Community Corrections Board, seconded by Comm Wilson and carried.

MINERAL INTEREST: Comm Lindsay moved to accept D. H. Higgins' offer to donate mineral interests on property owned by him to Montezuma County, seconded by Comm Wilson and carried. A quitclaim will be prepared.

DOLORES WATER CONSERVANCY DISTRICT (DWCD) representative John Porter gave the background information on a proposal to take water from five area projects instead of building the Animas-LaPlata Project. He asked if the Board would write it letter to Governor Romer stating that they disagree with the proposal. This was affirmed. Other items discussed were (a) Towaoc Reservoir, (b) storage of water from Beaver and Plateau Creeks, and (c) property under the service area.

LANDOWNER Richard Tibbets and Planning Manager Karen Welch met to discuss Mr. Tibbets' request for five exemptions to split 33 acres into five parcels and add them to adjoining properties. After discussion, tentative approval was given for Mr. Tibetts to create a moderate Open-Space subdivision (5 lots) with the stipulation that five lots be tied to the adjoining properties. Appearance before the Commission and road impact fees are waived.

02-18-97

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FOUTZ MODERATE SUBDIVISION: Comm Lindsay moved to approve and sign the Foutz Moderate Subdivision plat, seconded by Comm Wilson and carried.

ESPINOZA MINOR SUBDIVISION: Comm Wilson moved to approve and sign Espinoza Minor Subdivision plat, seconded by Comm Lindsay and carried.

PLANNING: Correspondence from subdivision developer Jim Spencer noted. He will be asked, by letter, to meet with the Board next Monday to discuss his subdivision proposal. City of Cortez Street Plan maps were reviewed and discussed.

PROPOSED LEWIS-ARRIOLA COMMUNITY CENTER: Representative Chan Chaffin met to ask for lottery funds to help build a proposed community center. Comm Lindsay moved to give \$4,000.00 to the Lewis-Arriola Community Center, seconded by Comm Wilson and carried. Further discussion revealed that the land for the proposed building site is owned by the Lewis-Arriola Fire District. Comm Lindsay moved to amend the motion to give \$4,000.00 to the Lewis-Arriola Fire District for the purpose of building a Community Center recreational facility, contingent on the submission to the Board (a) the final proposal and (b) proof that all paperwork for the insurance and utilities are in order. The amended motion was seconded by Comm Wilson and carried.

JOB SERVICE representatives Maxine Maestas and Joyce Scharnhorst and Mark Larson met to discuss the proposed One-Stop Career Centers in House Bill 97-1281(Berry Bill). This bill proposes the establishment of a statewide network of One-Stop Career Centers to consolidate Work-Force Development Programs. They stated that they feel the Board has three options of support in connection to the proposed bill - (1) Local control One-Stop Center/Job Service, (2) Regional One-Stop Center, or (3) do nothing. Those were discussed. No action was taken.

TREASURER Bobbie Spore presented the 6-month Trustee funds were discussed, and in Statutes the following has been done. Surplus monies in the amount of \$17,294.00 have been transferred from the Public Trustee Salary Fund (operating account) to the General Fund, and \$12,000 (based on last year's budget) has been reserved in the Special Reserve Fund (emergency account). Comm Lindsay moved to reinstate Salary Fund for related travel, seconded by Comm Wilson and carried.

SENIOR NUTRITION/OUTREACH PROGRAMS: Mary Holladay presented an invitation to the Board for the Navajo Taco Fund Raiser Dinner.

OFFICIAL COUNTY ROAD MAP draft was presented by Lyle Bilberry. Overlays that can be developed to be used with the map (3 mile radius, section lines, etc.) were discussed.

ANIMAL DAMAGE (PREDATOR) CONTROL PROGRAM: Work Plan/Financial Plan for the period of January 1 thru December 31, 1997, Cooperative Agreement between the US Department of Agriculture, Animal and Plant Health Inspection Service, Animal Damage Control and the Montezuma County Commissioners was signed.

ADJOURNED at 4:00 p.m.

Deputy Clerk

Chairman

February 18, 1997

SEAL

**Minutes 02/24/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
FEBRUARY 24, 1997

STATE OF COLORADO     )  
  )ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 24, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Tuesday, February 18, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Treasurer and Sheriff reports for January 1997 were received.

BOARD OF SOCIAL SERVICES was conducted.

LAKEVIEW SCHOOL AREA: Landowner Fred Thomas stated that the residents in the Lakeview School area are concerned about the impacts that a proposed 25-lot subdivision would have on the K-3 Lakeview Grade School. School impact fee statutes will be reviewed. It was suggested that interested persons and representatives from the School District meet with the Planning Commission when the public hearing is scheduled for the proposed subdivision.

ROAD DEPARTMENT Supervisor Tim McComb gave a report on the meeting with the road department employees on the new approach for work. Training for implementation will begin Thursday, February 27th. Other items discussed: (a) Tozer pit and (b) Supervisor McComb will contact San Juan County, Utah about gravel.

CACHE CANYON ROAD: Landowner Charles Donaldson stated that he will not be responsible for pulling any vehicle out of the ditch along the Cache Canyon road. He was told that the county does not expect him to be. He mentioned a concern about his property tax assessment. He was told he needs to address these concerns with the Assessor's office.

REGIONAL ONE-STOP CAREER CENTERS - JOB SERVICE: The following people were present to discuss the proposal to establish a statewide network of One-Stop Career Centers to consolidate Work-Force Development Programs: State of Colorado - Office of Rural Job Training representative Dwight Steele; Archuleta County Commissioner Bob Formwalt; Dolores County Commissioners -Renay Neely, LeRoy Gore and Billy Moffat; Job Service/JTPA representatives - Cortez: Maxine Maestas, Joyce Scharnhorst and Mark Larson, and Durango: Connie Eckerman and Mary Leighton. A flowchart and a map showing the proposed regions were presented (see attached) and discussed. A suggestion that a one day seminar be held by a State representative with all the Commissioners of the 5-County region (Montezuma, LaPlata, Archuleta, San Juan and Dolores) was discussed and affirmed. No other action was taken.

SANITATION Manager Mick Periman presented "Sanitation Requirements Administration and Enforcement" to the Board. He was asked to submit sometime in the near future the monitoring information he has compiled on the Dolores River. He affirmed this will be done.

RESIDENT Galen Larson met to discuss the LaPlata County Resolution No. 1996-36 (oil and gas surface regulations, etc.) and the Southwest Memorial Hospital plan.

02-24-97

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ADJOURNED FOR LUNCH with Dolores County Commissioners Renay Neely, LeRoy Gore and Billy Moffat. Noted for the record: (a) gravel prices will be the same as in the past, (b) road past the Emerson Campground is a private driveway, and (c) the Dolores County Commissioners support any sanitation policies proposed for the Dolores River watershed.

COUNTY LODGERS TAX COMMISSION BOARD: Comm Wilson moved to appoint John Kocourek (Mancos) to serve on the board, seconded by Comm Lindsay and carried.

SENIOR CITIZENS ADVISORY COMMITTEE: Comm Story moved to appoint Comm Wilson to the Senior Citizens Advisory Committee, seconded by Comm Lindsay and carried.

LANDOWNER Jim Spencer met with the Board about his proposed 3-lot moderate subdivision, which will amend his minor 2-lot subdivision approved on November 4, 1996. It was noted that all the property subdivided during the minor subdivision process must be included in the moderate subdivision process. The Planning Commission Public Hearing for his proposal is scheduled for March 27, 1997. He was told that - (a) he or his representative must be in attendance for the public hearing, (b) he will be reminded of the meeting by letter, and (c) he will need to obtain a driveway permit from the Road Department and pay \$1,150.00 in subdivision fees, if approval is given for the amended subdivision. Planning Manager Karen Welch was present.

PLANNING: A verbal request from Jack Akin for an exemption to the subdivision regulations to split 3 acres from a 150 acre parcel was tentatively approved, after length and width concerns were discussed.

LIQUOR LICENSES: Deputy Clerk Betty Davis presented an application for renewal of a 3.2% beer license "on and off premises" for the Wild Wild Rest establishment. The Sheriff's office reported no problems with this outlet. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried. She also presented an application for renewal of a 3.2% beer license for the Mesa Oasis Campgrounds. The Sheriff's office reported no problems with this outlet. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented miscellaneous handouts prepared by Erin Johnson concerning the proposed commercial/industrial standards in connection with the comprehensive land use plan.

ADMINISTRATOR Weaver presented Clerk Evie Ritthaler's proposal to contract with Cherokee Communications, Bayfield, CO, for a new telephone system for the Clerk, Treasurer, and Assessor offices. Action was tabled until the company's service reliability and references are checked.

911 AUTHORITY BOARD - DISPATCH: Communication Supervisor Gordon DeBruin and Sheriff Sherman Kennell asked that 911 emergency monies be used to fund one additional full time dispatcher. Upcoming changes in the Dispatch office that might influence the use of the monies available was discussed. A meeting will be scheduled to meet with the 911 Communication group to discuss monies, timeframes and set priorities in connection with the proposed changes. Sheriff Kennell and Borden DeBruin will be notified of the meeting time and date.

ENERGY IMPACT FUNDS: Use of funds awarded for work on CR G (McElmo Canyon) was discussed.

LANDFILL Manager Ron Lanier gave an update on HB-1272. This bill proposes to give the control of regulations for disposal of solid waste to the State instead of the Counties. He also reported on his meeting with United Waste Systems, who now owns Baker Sanitation. The landfill's projected expenses and revenues were discussed.

ADJOURNED at 3:50 p.m. SEAL

Deputy Clerk                      Chairman

February 24, 1997

**Minutes 03/03/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
MARCH 3, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 3, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, February 24, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Clerk report for January 1997 was received. A follow-up letter received from Melanie Chapman (see Notice of Intent, August 19, 1996 minutes), will be forwarded to the Insurance Company. Administrator Weaver stated that Ms. Chapman has been notified that she should send all correspondence directly to the Insurance Company (see attached letter).

PAYROLL: General fund - Payroll vouchers #17086 thru #17212 in the amount of \$164,940.14, District Attorney voucher #26813 in the amount of \$12,651.78, County Treasurer voucher #26814 in the amount of \$94,261.89; Road fund - Payroll vouchers #17213 thru #17243 in the amount of \$48,092.20, Treasurer voucher #9986 in the amount of \$31,902.70; and Landfill fund - Payroll vouchers #17244 thru #17249 in the amount of \$7,172.75, County Treasurer voucher #658 in the amount of \$4,986.75 were approved for payment.

BOARD OF SOCIAL SERVICES was conducted.

TREASURER Bobbie Spore's six-month report and its reconciliation with the financial report done by Finance Officer Mary Ann Sanders was discussed. It was noted that the Commissioners warrants do not balance with the Treasurer's funds (see attached).

LANDOWNERS Ernest and Bettie Jo Jacques and Shirley Randolph stated that Alvin and Robin Carver have put up a "private road" sign on a section of Road 24.5 that lies 7/10 of a mile south of CR G. (See minutes of December 23, 1996 -Public Hearing Notice of Abandonment.) It was determined that if the sign is in the right-of-way, the Carvers will be asked to remove it. An on-site inspection will be done this afternoon.

STATUTES concerning conflict of interest (deputy coroner position) in regard to the Board of County Commissioners were read and discussed.

CR G - MC ELMO CANYON: Residents Louise Long and Roger Hazelwood met to discuss a steep paved hill on CR G that people cannot get up when there is a heavy snow storm. Road Supervisor McComb was present. He stated that the hill was sanded during the snow storm in question. An on-site inspection will be done this afternoon.

MONTEZUMA WATER COMPANY representatives Mike Bauer and Ron Valdez met to request that the Board review the existing fee schedule for permits to work on Montezuma County roads and right-of-ways. Road Supervisor McComb was present. He was asked to review the fee schedule and come back to the Board with a recommendation to change or not to change the Policy adopted by the Board on May 22, 1995.

ROAD DEPARTMENT Supervisor Tim McComb stated that a letter was received from Wendy Myers with concerns about speeding on CR Y (Yellow Jacket). She stated that she also sent a letter to the Sheriff. Posted speed limits were discussed. Training/implementation meetings were held last week with the Mancos Shop, Dolores Shop and Roundup Shop employees for the new work approach. The meeting with the Cortez Shop is scheduled for this week. Work on the Oak Street Bridge replacement project is scheduled to start on March 10<sup>th</sup>. Insurance and workmens comp insurance problems have been settled, but no paperwork has been received. Discussed working on CR H intersection problems in connection with the bridge project. It was noted that no snow plowing was done this week on CR 18 (Mahaffey). The Mahaffey's will be contated and asked to meet with the Board next Monday, March 10<sup>th</sup>. CR 41 resident Richard Stimler's request for snow removal was discussed and denied. Supervisor McComb stated that on unimproved county roads it is no problem to do occasional summer maintenance, but occasional winter maintenance cannot be done when there is not sufficient gravel. Supervisor McComb reported that the gravel pile in Utah at the end of CR G belongs to the Ismay family. He will check with them about gravel availability. Complaint received from Don Crowley (CR 24.3) was discussed. It was noted that the private road past the Emerson Campground is in Dolores County.

CLERK Evie Ritthaler stated that the Cherokee Communications' service reliability and references were checked. The results were favorable, and the new telephone system was ordered for the Clerk, Treasurer and Assessor offices.

JUVENILE CRIME TASK FORCE Deputy Nancy Johnston presented plans for a "Safety Camp" to be held during the summer. The proposed area for the activity is the Justice Building/City Police (common area) parking lot. Administrator Weaver will contact City Manager Bill Ray about the proposal. Use of orange web fencing was affirmed.

REGIONAL ONE-STOP CAREER CENTERS – JOB SERVICE: Cortez Job Service representatives Maxine Maestas and Joyce Scharnhorst met to discuss the agenda for the scheduled March 19, 1997 regional meeting.

PLANNING COMMISSION BOARD APPOINTMENTS: Applications have been received from Joe Arado, Ben Cordova and Robert Baxtrom for the two advertised vacancies on the planning board. Action was tabled until the three applicants are interviewed.

PLANNING: A verbal request from L.D. Gleeson for an exemption to the subdivision regulations was tentatively approved, contingent on a 30' access with a road built to county specs to his property. A 2-lot minor subdivision proposed by Kelly Cowan was tentatively approved. \*\*\*\* Planning Manager Karen Welch and Assessor Bob Cruzan discussed with the Board the current policy on notifying mineral rights owners of proposed subdivisions developments. CRS 30-28-133 and 31-23-215 were cited. It was affirmed that the developers of all subdivisions and persons asking for exemptions will be responsible for: (a) a title search to determine the name and address of mineral rights owners, and (b) notification to the mineral rights owners of the development. Acknowledgement of the notification will then become a part of the county application.

HENNRICH MODERATE SUBDIVISION: Comm Lindsay moved to approve and sign the Henrich Moderate Subdivision (Curtis and Marie Henrich), seconded by Comm Wilson and carried.

911 AUTHORITY BOARD - DISPATCH: Dispatch center representative Chief of Police Roy Lane gave an update on grant monies for the proposed dispatch center. Monies for personnel and equipment were discussed. He asked that the 911 emergency monies be used to fund communication equipment. Comm Lindsay moved to dedicate 911 funds up to \$120,000.00 to purchase communication equipment, seconded by Comm Wilson and carried. Letter stating this action will be sent to Chief Lane. Chief Lane stated he will keep the Board updated on the Center.

03-03-97

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STATUTES on funding for School Districts were read (impact fees).

ADJOURNED FOR LUNCH with Clairon representative Don Elliott (comprehensive land use plan). On-site inspections of Road 24.5 and CR G were done.

911 AUTHORITY BOARD: Comm Wilson made a motion to direct the Clerk to issue Order Number 0-06-97 to the Treasurer to pay \$924.39 from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Lindsay and carried.

LANDFILL Manager Ron Lanier discussed the purchase of baling wire for landfill operation. It was affirmed that a 1/2 truck load of wire will be purchased.

ADJOURNED at 4:50 p.m.

Deputy Clerk    Chairman

March 3, 1997

SEAL

Online Copy

**Minutes 03/10/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
MARCH 10, 1997

STATE OF COLORADO     )  
  )ss.

COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 10, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, March 3, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Clark and Treasurer reports for February 1997 were received.

ACCOUNTS PAYABLE: General fund vouchers #26811 thru #26996 in the amount of \$190,625.83, Road fund vouchers #9993 thru #10049 in the amount of \$22,277.18 and Landfill fund vouchers #659 thru #689 in the amount of \$28,150.53 were approved for payment.

BOARD OF SOCIAL SERVICES was conducted.

PLANNING COMMISSION BOARD APPOINTMENTS: Robert Baxtrom and Joe Arado were interviewed for the two vacancies on the Board. Comm Lindsay made a motion to appoint Robert Baxtrom and Joe Arado to the Planning Commission Board effective January 1, 1997 -- each for a three-year term (1997-1998-1999).

ROAD DEPARTMENT Supervisor Tim McComb reported that the Oak Street Bridge closure is scheduled for today. Signs are being posted. Lack of paperwork to show sufficient workmens comp insurance for Range Engineer sub-contractor Ray Ward was discussed. It was noted that there will be a meeting at the bridge site tomorrow with a Range Engineer representative. Removal of the bridge will be stopped until the insurance problem is resolved. The on-site inspection of unimproved CR 24.5 was discussed. Supervisor McComb will contact the Carvers to determine if the "private road" sign was posted by them. If it was, he will ask them to remove it. They will be told that if they want a "dead end" road sign put up, this can be done by the county. Discussed the on-site inspection of the steep hill on CR G (McElmo Canyon). Supervisor. McComb will check on the cost to cut down the hill (drill and blast). Also it was affirmed by the Board that snow removal on this section should be made a high priority and barrels of sand should be put along the road side for use by the public if needed. Training/implementation meeting was held last Thursday with the Cortez Shop employees on the new work approach. Supervisor McComb contacted the Ismay brothers about gravel availability. They have a pit south of their Trading Post that was approved in 1993, but not permitted. Supervisor McComb will check an obtaining a permit and will continue to discuss the possibility of obtaining gravel for work on CR G from this pit (price, etc). Purchase versus rental of a screening plant was discussed. It was affirmed that a screening plant will be rented for the CR G project. Reported that the road department is patching pot holes. Discussed Montezuma Water request for reduced permit fees to work in roads and rights-of-way (emergency leaks). Action was tabled until Supervisor McComb prepares figures. Future use of gaming impact monies for CR G (McElmo Canyon) was discussed.

HOUSING AUTHORITY OF MONTEZUMA COUNTY representative Terri Wheeler presented a payment in lieu of taxes (PILOT) check to the County. Discussed: Revolving Loan funds/5-county Regional projects, proposed housing project for Mancos, CO, and request for support from the Board that Montezuma County's portion of the Revolving Loan Fund be transferred to the Housing Authority. Comm Lindsay moved to sign a letter asking that the Revolving Loan Fund monies be transferred to the Housing Authority, seconded by Comm Wilson and carried.

CLERK Evie Ritthaler submitted her February 1997 monthly report. Comparisons of state sales taxes collected in Colorado, Utah and New Mexico on motor vehicles were discussed.

M&M TRUCK STOP INTERSECTION: Wilson & Company representatives Senior Civil Engineer John C. Shonsey and Helen Peiker and Colorado Division of Transportation representative Steven W. Chapman presented proposed preliminary designs for the improvement of the M&M Truck Stop intersection. Engineer Shonsey stated that these proposals will be presented at the public meeting scheduled for tonight. Frontage road business owners Charles and Wanda Martin stated their concerns about the proposed designs.

DISTRICT AND COUNTY COURTS – SPACE AND SECURITY: District Court Judge Sharon Hanson, County Court Judge Chris LeRoi, and District Court Clerk Sandy Weaver met to discuss their need for more storage space, space for conference/settlement rooms, and security for the District Courtroom. Sheriff Sherman Kennell and Undersheriff Bob McDonnell were also present. Proposal to use the front of the law library in the Courthouse for a conference/settlement room was affirmed. Request for more storage space and space for a County Court conference/settlement room was tabled until an on-site inspection of the Justice Building next week. Hiring of a part-time security officer to be present, as needed, for the District Court security system was discussed. Sheriff Kennell will check on filling the position with a certified deputy sheriff. Sheriff Kennell stated that there will be an on-going commitment to request gaming impact monies to fund the position through the Sheriff's department.

PLANNING: A planning resolution P-6-97E was presented whereas John E. Akin, owner of 150 acres, would be granted an exemption to the subdivision regulations to record a 3.07 acre parcel in Section 27, T.38N., R.14W. This is the only exemption that will be granted this property. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried.

EVENING SKY MINOR SUBDIVISION: Comm Wilson moved to approve and sign the Evening Sky Minor Subdivision final plat, seconded by Comm Lindsay and carried.

HEALTH DEPARTMENT Nurse Bette Anderson presented the Montezuma County Health Department 1996 Annual Report. This was discussed. Also presented was the Women, Infants, and Children (WIC) Contract. Comm Lindsay moved to sign the Contract, seconded by Comm Wilson and carried. She stated that a "Health Fair" is planned for April 5, 1997.

STATUTES were read about the role of the Planning Commission in regard to the implementation of the Comprehensive Land Use Plan.

DISPATCH CENTER: City Manager Bill Ray, Rick Smith, Chief of Police Roy Lane and Bill Lemons thanked the Board for the 911 monies allocated to purchase equipment for the Center. The following items were discussed: (a) equipment needs – purchase and installation, (b) timeframes for completion, (c) operating costs, (d) allocation to entities, (e) grant monies, and (f) proposal for intergovernmental agreement. An invitation was extended to the Board for an on-site tour of the proposed dispatch center area. This was affirmed.

03-10-97

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MONTEZUMA COUNTY ECONOMIC DEVELOPMENT COUNCIL'S new Director Will Williams presented an update on proposed business development in the County. This was discussed.

TSOSIE SUBDIVISION: Comm Lindsay moved to approve and sign the Tsosie Subdivision final plat, seconded by Comm Wilson and carried.

LANDFILL/WEED MANAGER Ron Lanier reported he is working on a request for a one year delay for closure of the old landfill area. The weed program was discussed.

ADJOURNED at 4:30 p.m.

Deputy Clerk    Chairman

March 10, 1997

Online Copy

**Minutes 03/17/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY COLORADO  
MARCH 17, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 17, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, March 10, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The **Sheriff** report for **February** 1997 was received.

**ROAD DEPARTMENT** Supervisor Tim **McComb** reported that he talked with the Carvers (CR 24.5). They stated they would remove the "private road" sign. The county has put up "dead end" signs at applicable places on CR 24.5 and CR G. Letter from Attorney McCabe for client Glen Osterfeld about condition of CR H was discussed. Adm Weaver will respond by letter to the concerns. Complaint from Walter Jones about work done by the county on driveways along CR 41. Supervisor McComb stated it was done to stop water from running into and across the county road. He will contact Mr. Jones with the explanation. Screening plant information was presented. Oak Street Bridge has been removed. Contractor Ray Ward has obtained the necessary workmen's comp coverage. The policy covers all workers except the concrete contractor workers, who will have their own coverage. Comm Lindsay moved to sign the "Notice to Proceed" for the Oak Street Bridge project, seconded by Comm Wilson and carried. No new information about the Ismay gravel pit has been received. Supervisor McComb will continue to check on the permit. BLM is now in the process of making available a 10 Year - Free Use Permit to Montezuma County for a gravel pit (access through the Tozer property). Discussed Giant Transportation's request to the County to allow super-tanker trucks from Utah to use CR BB. They will be asked to meet with the Board. Supervisor McComb reported estimate cost figures to drill and blast the steep hill on CR G (McElmo) - tabled until more information is obtained.

**SANITATION DEPARTMENT - DOLORES RIVER WATERSHED:** Manager Mick Periman presented information on the Oak Creek Canyon, AZ area for comparison with the Dolores watershed area. This was discussed. He stated that at this time the Dolores River is a good clean river, but if growth increases along the river there could eventually be a need for more control. He proposed that the sanitation department be given the option to have a set of alternate systems for different situations. Interested persons Pete and Cheri Robinson and Mike VanHemelryck expressed their concerns about the proposed extension of the Town of Dolores sewer lines and the required annexation if they elect to hook into the system. Manager Periman was told that Dolores County will work with Montezuma County on any proposals for area. He stated he will keep both Montezuma and Dolores County Commissioners informed about on-going information. Tentative plans are to have new regulations in place within 30 days.

RESIDENTS Robert and Carolyn Laitsch stated they believe that raw sewage is being run into a pile of trash. The pile is located close to a trailer that is parked by their neighbor's residence on one acre of land. Photos were presented. They stated that the trash pile is close to their pond. This was discussed. Sanitation Manager Periman was present. Comm Story will contact the owners of the property.

OFFICE OF COMMUNITY SERVICES: Mike Preston met with the Board. In regard to the Planning Commission workshop meetings, the Board stated that they feel that priority should be given to the commercial/industrial regulations process. It was noted that these workshops should be attended by all the members, if possible. Letter will be sent encouraging attendance.

COLUMBINE GARDENS: Owner Byron Fish and Sandra Shepherd met to ask for a letter of endorsement from the Board for a U.S.D.A. grant application. The monies from the grant will be used to purchase equipment to process premixed salads. This was tentatively affirmed. The suggestion was made that Mr. Fish contact Montezuma County Economic Development Council Director Will Williams for information and help with the grant application.

COLORADO DIVISION OF WILDLIFE IMPACT ASSISTANCE GRANT APPLICATION was signed.

LANDOWNER L.D. Glesson met to discuss his request for an exemption to the subdivision regulations to combine two parcels into one lot and then split the one lot into two different parcels. He was told that he will have to have a 30' easement with an 18' road surface built to county specs. He will contact the adjoining property owner for more road easement. Planning Manager Karen Welch was present.

LANDOWNER Mike Spencer met to discuss a fence boundary dispute with an adjoining landowner, Jim Spencer, who is in the process of creating a subdivision. The proposed subdivision includes the disputed area. The recommendation was made that the proposed subdivision not be approved until the property line dispute is resolved. Mr. Spencer was told that he or a representative needs to attend the March 27, 1997, Planning Commission Public Hearing scheduled for the subdivision and present the appropriate documents supporting his property boundary. Planning Manager Karen Welch was present.

PLANNING: Pre-sketch for a two lot minor subdivision by Audrey Allmon was presented and tentatively **approved**. A verbal request for an exemption to the subdivision regulations for Frankie Lopez to split 3.3 acres from 19.71. acres was tentatively approved. Statutes on mineral rights owner notification were read. It was noted that at this time, all individuals and developers are being informed of the statute requirements and this is being noted in the subdivision application packet.

SAUNDERS MINOR SUBDIVISION: Comm Lindsay moved to approve and sign the Saunders Minor Subdivision final plat, seconded by Comm Wilson and carried.

ADJOURNED FOR LUNCH and a tour of the Justice Building (new location proposed for Dispatch Center). The jail was inspected.

COUNTY COURT - SPACE: Proposal was made that some of the present Dispatch Center space can be used by the County Court for storage when the Center is moved to a new location. This was affirmed.

22ND JUDICIAL DISTRICT COMMUNITY CORRECTIONS BOARD APPOINTMENTS: Comm Lindsay made a motion to appoint **Will Herringer**, Public Defender's Office, and reappoint Sherman Kennell, Montezuma County Sheriff, to the 22<sup>nd</sup> Judicial District Community Corrections Board along with appointees Mike Green and Roy Lane (see February 18, 1997 minutes). The motion was seconded by Comm Wilson and carried.

ADJOURNED at 3:00 p.m.

Deputy Clerk                      Chairman

March 17, 1997

SEAL

**Minutes 03/31/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY COLORADO  
MARCH 31, 1997

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 31, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, March 17, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

**PAYROLL: General** fund - Payroll vouchers #17257 thru #17386 in the amount of \$205,578.33, District Attorney voucher #26998 in the amount of \$12,651.78, County Treasurer voucher #26999 in the amount of \$93,410.56; Road fund - Payroll vouchers #17387 thru #17417 in the amount of \$67,301.40, County Treasurer voucher #10050 in the amount of \$31,925.51; and Landfill fund - Payroll vouchers #17418 thru #17423 in the amount of \$10,587.13, County Treasurer voucher #691 in the amount of \$5,013.30 were approved for payment.

**BOARD OF SOCIAL SERVICES** was conducted.

**MONTEZUMA WATER COMPANY** representatives Mike Bauer and Jim Youngs asked if the Board would sponsor an Industrial Revenue Bond to upgrade their water treatment plant. This was discussed. Action was tabled until more information is presented and statutes are reviewed. An invitation was extended to anyone from the water company to attend scheduled Planning Commission workshops. Road Department fee structure for emergency repair of water lines was discussed. Action was tabled. A meeting is scheduled for next Monday, April 7th, at 8:00 a.m. with all the water companies. Road Supervisor Tim McComb was present.

**SUBDIVISION PLATS - CITY OF CORTEZ STREET PLANS** City Manager Bill Ray and council member Bill Lemons met with the Board. City Planning Commission requirements for approval of subdivisions in regard to the City Street Plan were discussed. It was affirmed that a workshop will be scheduled to discuss timely sign off of plats, etc.

**E-911 AUTHORITY BOARD - DISPATCH CENTER:** City Manager Bill Ray and council member Bill Lemons discussed the proposed "Letter Agreement Between Montezuma Board of County Commissioners and the City of Cortez" in connection with monies to purchase the equipment, etc. for the Dispatch Center. Action was tabled. \*\*\*Later in the day, the Board reviewed the agreement and made revisions. The revised agreement will be presented to the City for their comments.

**GIANT TRANSPORTATION** representatives Steve Rogers and Joe Stevens met to discuss their request for permission from the County to allow their supertanker trucks to use CR BB, Road 10, CR 12, CR Z and CR Y. They stated that the semi-trucks with pups would cut the approximately 14 loads a day down to 9 to 10 loads a day and that the weight axle would be less. The suggestion that Giant purchase more mag-chloride for these roads was discussed. Lyle Bilberry presented a report on a 7-day truck/vehicle traffic count. Statutes were read in regard to Vehicle and Traffic permits. The Board asked Giant representatives to submit a written request for a permit, which includes figures and data. Road Supervisor Tim McComb was present. A Public Hearing is scheduled for Monday, April 21, 1997, at 10:00 a.m.

**ROAD DEPARTMENT** Supervisor **Tim McComb** reported that work is progressing on the Oak Street Bridge. They are through crushing at the Hay Camp gravel pit and will be moving to the McElmo gravel pit. A copy of the permit for the Ismay gravel pit has been obtained. Grant monies have been received for replacement of the bridge south of the Radio Station on CR 27. Applications are being prepared for grant funds to do two other bridges.

**LANDOWNERS L. D. Gleeson** and **John Kelly** explained their request for an exemption to the subdivision regulations. It was noted that Mr. Gleeson owns three separate adjoining parcels. The request is to combine one parcel owned by Mr. Gleeson with a parcel owned by adjoining landowner Mr. Kelly, and to leave the two remaining tracts as two separate parcels. The required 60' easement for Mr. Gleeson's two parcels was discussed.

**LANDOWNER Jack Hamilton** and **Buddy Hamilton's** request for a two-lot commercial subdivision was tentatively **approved**, contingent on plat restrictions stating that the property is commercial and not residential.

**GRAFFIS (MAJOR) SUBDIVISION** representative **Scott Wallace** met to discuss mineral rights notifications. Date and time of the Planning Commission Public Hearing for the subdivision was inadvertently not included in information to one mineral rights owner. The Board scheduled a Public Hearing for Monday, April 14, 1997, at 1:30 p.m., to address this particular issue with this mineral rights owner.

**PLANNING:** A verbal request for an exemption to the subdivision regulations for **Jim and Martha Sharp**, owners of 27 acres, to sell 8-1/2 acres to an adjoining landowner was discussed. Tentative **approval** was given, contingent on the parcel being surveyed together with the adjoining landowner's 200 acre parcel.

**CLUB 20** meeting in Washington, D.C. April 23rd will be attended by Comm Wilson.

**LANDFILL** Manager **Ron Lanier** presented a proposed change in fee structure at the landfill. Comm Wilson moved to **approve the change** in fee structure from measurable loads to weight loads (see attached), seconded by Comm Lindsay and carried. A notice of the change will be put in the local newspaper.

**COUNTY LODGERS TAX COMMISSION BOARD:** Comm Lindsay moved to appoint **Juli Ghere** to serve on the board, seconded by Comm Wilson and carried.

**ADJOURNED FOR LUNCH** with the Sanitation Department.

**EXTENSION** Agent **Kenny Smith** gave an update on San Juan Forum activities and presented the copies of the Four Corners Business Journal.

**UNDERSHERIFF** Bob **McDonnell** gave an update on the contiguous Gaming Impact Advisory Board meeting.

**LIQUOR LICENSES:** Deputy **Betty Davis** presented an application for renewal of a **3.2% beer** license for **the Maverik Country Store**. The Sheriff and Health Departments reported no problems. Comm Lindsay moved to **approve the application**, seconded by Comm Wilson and carried. Deputy Davis also presented applications for renewal of a retail **liquor** license for **Hilltop Liquor**, and a renewal of a **3.2% beer** license for **Skyline Foodmart**. The Sheriff Department reported no problems with these outlets. Comm Lindsay **moved to approve the applications**, seconded by Comm Wilson and carried.

**LOTTERY FUNDS:** Motelores Babe Ruth representative **Roy Lane** made a request for **lottery** funds. Comm Wilson made a motion to give **\$2,500.00** to the Babe Ruth league program and two loads of gravel for the parking area. The motion was seconded by Comm Lindsay and carried.

03-31-97

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911 AUTHORITY BOARD: Comm Wilson made a motion to direct the Clerk to issue Order Number 0-06-97 to the Treasurer to pay \$925.27 from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Lindsay and carried.

JUVENILE CRIME: A document the City of Cortez Police Department establishment of a county wide "Serious Habitual Offender Directed Intervention Program" was signed.

ARA MESA VERDE COURT CASE: Assessor Cruzan asked if the Board wants the Assessor's office to prepare and send out special "Notices of Valuation" for the intervening years of 1991, 1992, 1993, 1994, 1995. At this time, the Board postpones any decision on sending out the special "Notices of Valuation" because of pending litigation.

ADJOURNED at 3:45 p.m.

Deputy Clerk Chairman

March 31, 1997

Online Copy

**Minutes 04/07/1997 Regular**

PROCEEDINGS OF **THE BOARD** OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
APRIL 7, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 7, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman -- Absent  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, March 31, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Story and carried.

**MISCELLANEOUS** CORRESPONDENCE was read and contents noted. Sheriff's report for March 1997 was received.

NOTICE OF INTENT to file claim by David M. Seymour of Seymour Ranches was received. The claim was forwarded to the insurance company.

**WATER COMPANIES - ROAD PERMIT FEES:** Water company representatives: Montezuma Water Company - **Mike Bauer**, Mancos Rural Water District - Eldon Simmons, and Summit Ridge Water District - Jerry Potter met to discuss county road permit fees. Road Supervisor Tim McComb was present. He explained the present system and stated that he feels that it works.. Current policy was discussed. Comm Lindsay moved to modify the application attached as part of Resolution 11-95 to decrease the \$500.00 permit fee for repair of gravel roads to \$250.00 and leave all other fees status quo, seconded by Comm Story and carried. Road Supervisor McComb stated that there is sometimes a problem with companies obtaining permits an time. He asked if all fees for permits could be doubled if the permit is not obtained before or within two working days after the road cut is made. This was discussed. Comm Lindsay moved to **modify** the application attached as part of Resolution 11-95 to double the road permit fees, excepting the driveway permit, if the permit is not obtained before or within two working days after the road cut is made, seconded by Comm Story and carried. Supervisor McComb will prepare new specs reflecting the two changes in the application and notify the utility companies. Tap fees were discussed. \*\*\* Later in the morning - Montezuma County Rural Water District No. 1 representative Chuck Martin met with the Board. He was informed of the changes. Reasons for charging public/private companies road permit fees were discussed.

**MONTEZUMA WATER COMPANY** representative **Mike Bauer** discussed their proposed Industrial Revenue Bond to expand their water treatment plant (see minutes March 21, 1997). Information on Industrial Revenue Bonds for Nielsons, Inc., see minutes of March 16, 1981 and TRIAD Western Constructors, Inc., see minutes of December 27, 1984, was presented and discussed. Statutes were read and Amendment I was reviewed. Mr. Bauer will keep the Board informed on the project.

**ROAD DEPARTMENT** Supervisor Tim McComb stated that the department recommends Engineer. Bud Roach for the CR G (McElmo Canyon) project. Action was **tabled** until next week. In connection with the CR G project, a 1/4 mile easement offered by landowner Lester Wallace to move the road because of all irrigation ditch was discussed. Supervisor McComb stated that at this time the proposed work plan for road department crews is to split time between the Oak Street Bridge and CR G projects, until both are done. Supervisor McComb was asked to prepare figures on maintenance cooperation in regard to the Public Hearing scheduled with Giant Transportation on April 21st. Complaint from Steve Maxwell that belly dump trucks are hauling gravel on CR CC, a "No Truck Traffic" signed road was discussed. Supervisor McComb will check. They are blading roads today. Inspection of proposed gravel

pits/sites will be done Wednesday, with Southwest Land Services representative. Twenty road department employees attended "Soil, Gravel & Compaction" seminar in Durango, CO last week.

**PLANNING:** A planning resolution **P-7-97E** was presented **whereas Charles W. Hinton, Jr. and Anne Hinton**, owners of 69.56 acres, would be granted an exemption to the subdivision regulations to record a 3 acre parcel in Section 6, T.35N., R.15W. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Story and carried. A planning resolution **P-8-97E** was presented **whereas Zane and Dale Wright**, owners of 8.88 acres, would be granted an exemption to the subdivision regulations to record an "after-the-fact" exemption in Section 9, T.36N., R.13W. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Story and carried. A planning resolution **P-9-97E** was presented **whereas Steve D. and Terry A. Chappell**, owners of 155.17 acres, would be granted an exemption to the subdivision regulations to record a 10.01 acre parcel in Section 32, T.37N., R.17W. Comm Lindsay **moved to adopt** this resolution, seconded by Comm Story and carried. Planning Manager Karen Welch discussed adjoining parcels policy. It was affirmed that (1) a parcel being attached to an adjoining parcel should be surveyed to include the additional parcel, and (2) a variance should be obtained for the remaining parcel, if less than 35 acres.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** met to discuss (a) upcoming Planning Commission meetings, (b) scheduled "Communities, Land Use, and Conflict" meeting in Reserve, NM, (c) update on Pine Zone Project, and (d) available "Funds for Rural American" grants."

**PROPOSED LEWIS-ARRIOLA COMMUNITY CENTER:** Representative Chan Chaffin reported that a Board has been appointed for the proposed center. An update was given on the utilities and insurance. It was affirmed that the county will supply gravel for the parking area, if they do the hauling. Mr. Chaffin was asked to contact Road Supervisor McComb about the gravel. The lottery monies approved February 18, 1997, for the project can now be dispersed.

**FORFEITURE BOARD:** Comm Kent Lindsay is appointed as a member of the Forfeiture Board to replace former Comm Tom Colbert.

**UNDERSHERIFF** Bob **McDonnell** and newly appointed Undersheriff **Sam Hager** met with the Board. Order Number 0-24-96 was discussed. A security guard is now employed for the District Court. Undersheriff McDonnell presented two Forfeiture Account expenditures for approval and signature in accordance with Forfeiture Board policy. Comm Lindsay signed the two requests (\$618.75 to the DA and \$8,230.00 to pay for vehicles). Sheriff Department vehicle program was discussed.

**DOLORES FIRE PROTECTION DISTRICT** representative **David Doudy** asked if the Board would waive the septic system permit for the new Summit Ridge sub-station and supply gravel for the parking area. He asked that any action taken by the Board be submitted to them in writing. The two requests were discussed. It was **affirmed** that the county can help with the gravel, if they do the hauling. Mr. Doudy was asked to submit figures on how much gravel is needed so a value can be include in the letter. Request to waive the septic system permit was **denied**. Adm Weaver will send the letter, after the value for the gravel is established.

**SOUTHWEST COMMUNITY RESOURCES:** Comm Lindsay moved to sign **supporting** the application of Southwest Community Resources for the contract to administer Comprehensive Weatherization Services in our area for 1997-1998, seconded by Comm Story and carried.

**E-911 AUTHORITY BOARD - DISPATCH CENTER:** Comm Lindsay moved to **sign** the revised "Letter of Agreement Between Montezuma Board of County Commissioners and The City of Cortez," seconded by Comm Story and carried. The document (see attached) will be submitted to the City of Cortez.

04-07-97

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CORTEZ COMMUNICATIONS & ELECTRONICS owner Joe Brunner stated that he and other local merchants would like the chance to bid on any goods and services that the county uses, when possible. Administrator Weaver will check the files for a Purchasing Policy. If no policy is found, a policy will be drafted for consideration.

ADJOURNED at 1:30 p.m.

Deputy Clerk    Chairman

April 7, 1997

SEAL

Online Copy

**Minutes 04/14/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
APRIL 14, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 14, 1997, at the courthouse in Cortez, Colorado, there were present:

- B. Eugene Story, Chairman
- Glenn E. " Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on Monday, April 7, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted. **Clerk's report for March 1997** was received.

**OPEN SCHOOL** Teacher **Scott Sidner** and students (see attached list) met with the Board until 11:00 a.m. Introductions were made and Comm Story explained the role of the Board and issues as they were discussed. **FOUR STATES JUNIOR RODEO ASSOCIATION** representative Louis Caughey thanked the Board for monies donated to the association and gave a report on participation in the rodeos.

**RETIREMENT:** A plaque was presented to **Joan** White for her 13 years employment with the County in the Treasurer's Office.

**RESIDENT** Charles Martin met to discuss Colorado Department of Transportation (CDOT) meeting in Durango, CO which he attended. Also discussed were the proposals for the M&M Truck Stop intersection and the Port of Entry, and the Port's expenditures and revenues.

**ROAD DEPARTMENT** Supervisor Tim **McComb** gave a report on the meeting pertaining to the new organization of the road department. In connection with work on CR G (McElmo Canyon) they - (a) started today, (b) will be working 4-10 hour days, and (c) will not have to pursue Ismay gravel pit since gravel is available from the area. Engineer position was discussed and it was affirmed that Engineer Bud Roach will be the designated engineer for the project. Supervisor McComb stated he will not be at the Giant Transportation Public Hearing next week, but there will be a representative from the Road Department.

**PINON PROJECT - COMMUNITY INDEX PROJECT** representatives **Dennis Prather** and **Jane Anderson** explained the projects. A "Statement of Vision" and a draft copy of the "Community Index" were presented and discussed. Grant monies from the Colorado Trust were discussed. They were asked to keep the Board informed of action resulting from the projects.

**BOARD OF SOCIAL SERVICES** was conducted.

**ABATEMENTS:** Assessor Bob Cruzan being present, a petition for abatement of property tax was presented for **Don N. and Sarah L. Crowley, Parcel #12 5637-104-00-001**, 1996, erroneous assessment, \$1,426.33.

**Dan Crowley** was present. Assessor Cruzan recommended approval of the petition. Comm Lindsay moved to **approve** this petition, seconded by Comm Wilson and carried. Petition for abatement of property **tax was presented for Terry J. Starr**, Parcel #42 5359-172-00-039, 1996, erroneous assessment, \$3,396.56. **Terry Starr and Jennifer Meadows** were present. Assessor Cruzan recommended approval of the petition. Comm Lindsay moved to **approve** this petition,

seconded by Comm Wilson and carried. Petition for abatement of property tax was presented for William F. and Patricia A. Gallegos, Parcel 12 5609-112-00-006, 1996, erroneous assessment, \$1,551.88. Assessor Cruzan recommended approval of the petition. Comm Wilson moved to approve this petition, seconded by Comm Lindsay and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

RESIDENT Don Crowley stated that he feels there is not sufficient maintenance on CR 24.3. He was asked to come back April 28<sup>th</sup> and discuss the problem with Supervisor McComb and the Board.

LEWIS-ARRIOLA ELEMENTARY SCHOOL principal Cindy Smart gave an update on the Playground and Outdoor Science Park. She stated that they are applying for a GoCO Grant to establish walking paths around the area. She asked if the County would sponsor the project, sign the grant application, and donate \$600 of matching funds or in-kind material. It was affirmed that the County will sponsor the project and, if they take care of the hauling, will furnish in-kind material (crusher fines) in the amount of \$600.

PLANNING: A planning resolution P-58-86 Amended was presented, whereas William T. Bailey, III, et al, are owners of 60 acres, would be granted an exemption to the subdivision regulations in Section 9, T.37N., R.16W. Previously deeded was a 20.0 acre parcel, Resolution P-58-86, and they now desire to record an amended variance for an additional 11.14 acres (total 31.14 acres), that will adjoin the existing property and will not create a separate parcel for sale. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution P-10-97E was presented, whereas Daniel Tripp and LaReta Ashbaugh, owners of 30 acres, would be granted an exemption to the subdivision regulations to record a 5 acre parcel and a 25 acre parcel to be sold to the adjoining landowner in Section 3, T.37N., R.15W. This will be the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request for an exemption to the subdivision regulations was tentatively approved for Piute, Inc. (Bob Leighton – Glenn Leighton), to split from a larger parcel a 20 acre parcel for commercial use only. Mr. Bob Leighton and Glenn Leighton were present. A verbal request for an exemption to the subdivision regulations was tentatively approved for Gary Mahaffey to increase a ½ acre parcel (pre-1972) with a house to approximately 1 acre to include the well and septic system used by the house.

PUBLIC HEARING – GRAFFIS SUBDIVISION (MINERAL OWNERS): It being the time set aside, a Public Hearing was conducted regarding mineral owners on the proposed Graffis subdivision consisting of 22.91 acres located in Section 9, T.36N., R.16W., N.M.P.M., Montezuma County, approximately ¼ mile east of Highway 666 on the south side of CR N. The roll was called and proof of publication was read. Present were Paul Graffis, Scott Wallace, and J.T. and Joy Wilkerson. Mr. and Mrs. Wilkerson stated they have no concerns with the mineral interests. The original protest letter from Damien Richards was noted. He nor any representative was present and no response was received from the “Certified Return Receipt” letter that was sent notifying him of the Public Hearing. Suggestion that a note be added to all subdivision plats that there may be outstanding mineral interests was discussed. No action taken. Comm Wilson made a motion to approve the subdivision. After discussion, the motion was withdrawn. Comm Lindsay made a motion that, since the Board found no unresolved mineral interest issues, that the proposed subdivision be sent back to the Planning Commission for consideration. The motion was seconded by Comm Wilson and carried.

LIQUOR LICENSE: Deputy Tammy Neely presented an application for renewal of a retail liquor store license for Smitty's Liquor. The Sheriff Department reported no problems with the establishment. Comm Lindsay moved to approve the application, seconded by Comm Wilson.

WEED ADVISORY COMMITTEE to work with the county weed program was suggested and discussed.

**M & M TRUCK STOP INTERSECTION:** Mark Larson met to discuss CDOT's proposals for the intersection and the need for support from the community and the Board. Also discussed were concerns about the proposals in regard to safety and the impact on businesses. It was noted that there will be a CDOT meeting on Friday, April 18th.

**MC RESOURCE FAIR representative Holly Brown** presented a bulletin about the proposed fair in May 1997. She stated that the goal of the Fair is to present a network of information from several public and private entities about available resources supporting the "Healthy Communities Program." She asked for a \$300 donation to buy refreshments and promotional tee shirts. The request was **denied**.

**CORTEZ, MANCOS, AND DOLORES CLEAN-UP DAYS:** After discussion, the following was affirmed: (a) there will be no county-wide free day at the dump and (b) any clean-up day sponsored by the city and towns will need to be paid for by them.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston, Carla Garrison and CSU Department of Forest Science Dr. Denny Lunch met with the Board. Timber sales in connection with the Pine Zone project were discussed. Repair/replacement of the Beaver Bridge was discussed – at this time no timber truck traffic is allowed. Letters will be written to appropriate entities asking that the repair/replacement will be expedited so the bridge will be safe for all types of traffic. Issue will be mentioned to the Dolores County Board of Commissioners. Dr. Lynch stated he is completing an analysis of data collected from Pine Zone project timber sales which will be available in the near future.

**ADJOURNED at 4:45 p.m.**

Deputy Clerk  
April 14, 1997  
SEAL

Chairman

Online COPY

**Minutes 04/21/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
APRIL 21, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 21, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, April 14, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Treasurer's report for March 1997 was received.

UNDERSHERIFF Bob McDonnell and Sam Hager met with the Board. The Gaming Impact meeting in Denver, CO was discussed. Proposed Gaming Impact Funds disbursement memo (see attached) was presented. The proposal was affirmed. It was noted that a meeting with appropriate persons and Tribal members to discuss items of mutual concerns will be scheduled, if possible. Security guard program was discussed.

EMERGENCY FUND CONTRACT AGREEMENT FOR FOREST AND WATERSHED FIRE CONTROL  
**AMENDMENT 1:** Comm Lindsay moved to sign the amendment, seconded by Comm Wilson and carried.

OAK STREET BRIDGE - BEAM BID: Comm Lindsay moved to accept the bid of \$1,000 from R T Recycle, Inc. for the old Oak Street Bridge beams, seconded by Comm Wilson and carried.

**PUBLIC HEARING - GIANT TRANSPORTATION:** It being the time set aside, A Public Hearing was conducted to consider authorizing Giant Transportation to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified for Montezuma County Roads. The permit would be for County Roads BB, 12, 10 and 9 located in the northwest part of Montezuma County. The roll was called and proof of publication was read. Present were representatives of Giant Transportation **Joe Stevens**, **Steve Rogers** and **Barry Holman**, Road Department Foreman Jim Beecher, and several landowners/residents of the area (see attached list). Giant representatives presented handouts showing the long vehicle combination proposal. Issues mentioned and discussed by the landowners/residents included; (a) speed - law enforcement, (b) dust - magchloride/distribution of cost, (c) blind corner on CR 10 - ability of trucks to navigate the corner safely while meeting traffic, (d) whether county roads are built for this type of traffic, and (e) "Trail of the Ancients" tourist traffic. Solutions proposed and discussed by Giant included: (a) Giant driver awareness workshops to address speed - 25 mph on roads and 15 mph on area in front of residences, (b) 1/3 less trips with longer vehicles, (c) put mag-chloride an area between CR 15-1/2 and CR 14-1/2, (d) increase contract with County for more mag-chloride on CR BB, 12, 10 and 9, and (d) donate Giant water truck to the County to help water the roads in the area. Discussed, as a separate issue, that there are other truck users, etc. which might need to be contacted to help with the mag-chloride and reduction of speed on the road. It was affirmed that Giant will pay \$6,340 (billed monthly for five months) this year for mag-chloride for CR BB, 12, 10 and 9. This verbal agreement was stated with the understanding that if other users contribute, then any excess will be rebated to Giant for the following year. These proceedings were taped for the record. (See below Resolution 1-97.)

**RESOLUTION 1-97:** Comm Lindsay made a motion to **approve** the application dated April 7, 1997 requesting that Montezuma County issue a permit to allow Giant Transportation to operate excess weight and length vehicle combinations as per Exhibit "A" attached hereto and made a part hereof, oil County Roads *BB*, 9, 10, and 12, from April 15, 1997 to October 15, 1997. The motion was seconded by Comm Wilson and carried.

**DISTRICT ATTORNEY Michael Green** expressed thanks for his office's new phone system. He reported on grant applications for monies to hire additional personnel.

**CORTEZ, MANCOS AND DOLORES CLEAN-UP DAYS:** Mancos Mayor **Ed Hallam**, Dolores representative **John Cullinane** and City of Cortez Parks and Recreation **Manager Chris Burkett** asked that there be some landfill fee adjustment for their planned clean-up days. Discussed cost to the county for previous years free day at the dump and last week's action denying it this year. After discussion, it was affirmed that (a) scheduled clean-up days will be staggered: Mancos - April 26; City of Cortez and rural - June 7; Dolores -, will let Board know date at a later time, and, (b) there will be a 10% off for these entities as scheduled for designated dates.

**MOSQUITO CONTROL SPECIAL DISTRICT:** **Arlene Allen, West Allen and Dolores Allen** presented a letter stating their employment problems with the Mosquito Control Special District Board. It was noted that members are elected by the people. Statutes will be reviewed.

**PLANNING:** A planning resolution **P-7-93 Amended** was presented, whereas **L. D. Gleeson** owner of 6.96 acres, Tract 3 and owner of a previously deeded 3.45 acre parcel, Tract 2, Resolution P-7-93, would be granted an exemption to the subdivision regulations to record an amended variance for an additional 2.94 acres that will adjoin the existing Tract 2, see Resolution P-7-93, and will not create a separate parcel for sale in Section 7, T.36N., R.15W. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt this** resolution, seconded by Comm Wilson and carried. A planning resolution **P-11-97E** was presented, whereas **Ramsey Ranches**, owners of an isolated tract containing 3.10 acres, would be granted an exemption to the subdivision regulations to record an exemption in Section 35, T.37N., R.17W. This is the only exemption that will be granted this property. Comm Wilson moved to **adopt** this resolution, seconded by Comm Lindsay and carried. Presketch was presented and tentative **approval** given for **Lester Shearston's** proposed two lot minor subdivision. Discussed tentatively approved verbal for **Gary Mahaffey** (see April 14, 1997 minutes) - clarified that the request was to adjoin property of approximately 1/2 acre (from 29 acres) to a 1/2 acre homesite - both parcels will have surveyed legal descriptions.

**AMENDMENT TO CEBT EMPLOYEE PARTICIPATING AGREEMENT** (Health Insurance) effective July 1, 1997 between Montezuma County (the Employee) and the Board of Trustees (the Trustees) of the CEBT (the Trust) was presented. Comm Lindsay moved to **accept** and **sign** the agreement, seconded by Comm Wilson and carried.

**ADMINISTRATION OFFICE, Lyle Bilberry** asked if monies from the sale of a digitizer and plotter, which were bid out, can be used to purchase updated GIS software. This was affirmed. He presented a "GIS Support Conservation Design Subdivisions" report, maps, etc., and explained his goals for the GIS program. The Board stated that there is a need to implement this type of information and technology more in County operations. It was *affirmed* that this will be done.

**ELMWOOD PARK** owners **Ed and Barbara Cowan** asked if there were regulations for mobile home parks in the county. They were given a copy of the county regulations.

04-21-97

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LIQUOR LICENSE: Deputy Clerk Tammy Neely presented an application for renewal of a Hotel/Restaurant Liquor License for the Stoner Creek establishment. The Sheriff and Health Departments reported no problems with the establishment. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried.

ADJOURNED at 3:45 p.m.

Deputy Clerk    Chairman

April 21, 1997

SEAL

Online Copy

**Minutes 04/28/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
APRIL 28, 1997

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 28, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, April 21, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-08-97 to the Treasurer to pay \$924.12 from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**COLORADO DEPARTMENT OF TRANSPORTATION (CDOT):** CDOT Director Al Shablo and Transportation Commissioner Castelar "Cas" Garcia met with Town of Mancos Manager John Lyons, City of Cortez Manager Bill Ray and the Board to discuss the recent Southwest Transportation Regional Meeting. Proposed projects - intersections, resurfacing, long-term projects - and access codes were discussed. CDOT representatives requested that a letter be submitted from the Board stating their priority on proposed intersection projects in the county. This will be done.

**ARRIOLA CEMETERY** representative Tom Comisky asked if the county would furnish about five loads of gravel to re-do the driveway at the cemetery, if they take care of the hauling. This was affirmed. Mr. Comisky will contact the Road Department for the time schedule. He also asked if a section of road off of CR K.6 (Highland Terrace) is considered a part of the county maintenance system. Road Department employee Lloyd Everett was present. The section was discussed and it was affirmed that their homeowners association needs to take care of this section of the subdivision road.

**ROAD DEPARTMENT: Lloyd Everett** stated a concern about unattended equipment parked along CR G (McElmo) at night, and asked about hiring a night watchman. Under the new road department team concept, he was referred back to the team with the concern for any action.

CLUB 20: Comm Wilson gave a report on his attendance at the Club 20 1997 Washington D.C. Conference. A proposal at the conference to designate Montezuma County as a National Monument was mentioned.

**COUNTY CLERK'S OFFICE** Chief Deputy Carol Tullis presented a proposal to purchase new election equipment to replace the 20 year old punch card system. If replacement is approved, the suggestion was made to use the new system before any monies are paid for it. The Board asked that a 5-year projection report showing costs to the county and other users be prepared and submitted by the Clerk's office.

**BOARD OF SOCIAL SERVICES** was conducted.

\_\_\_\_\_)  
          ) ss.  
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SANITATION DEPARTMENT - DOLORES RIVER WATERSHED: Sanitation Manager Mick Periman presented proposed "Alternate Wastewater Systems" report (see attached) for the Dolores River Watershed area. Others present were Dolores County Commissioners, Renay Neely, LeRoy Gore and Billy Moffat, and **Glenn Leighton**, Mike Preston, and Lyle Bilberry. Manager Periman stated that data was compiled from FEMA and BOR maps. His recommendation, at this time, for parcels that need an alternate wastewater system is: "Do not increase density of systems in the area - approve only one septic system per one house on 3 acres of bottom land with less than a 30% slope." His recommendation was the same to Dolores County. Discussed was the need to address the responsibility to future generations and perhaps have standards stricter than the State standards, especially for this area. Suggestion was made that, if county standards are proposed above those of the State, that a Public Hearing be held to address all the issues. State standard statutes will be reviewed. Discussed and affirmed digitizing of information on a public information map. Manager Periman was asked to compile a more comprehensive plan by expanding on the above document. He affirmed this will be done.

**LANDOWNER** Vic Hodges asked that 4-way stop signage be installed at the intersection of CR S and CR 24. The Board will recommend to the Road Department that this be done. He also asked if a five-acre parcel jointly owned by he and another party could be split off of a 35 acre parcel and sold to an adjoining landowner. Planning Manager Karen Welch was present. Tentative approval was given, contingent on surveys for both parcels.

**LANDOWNER** Michael "**Mick**" Treinen asked for a variance on subdivision road requirements on his proposed 5-lot moderate subdivision (52 acres). The Planning Commission earlier denied the proposal, because the proposed access, which would serve more than 4 residences, does not have a recorded 60' easement. A recorded 60' easement through a wildlife refuge, which could be used to access the property was discussed. The Board stated that access into the proposed subdivision needs to be a recorded 60' easement with a 24' county spec road; therefore, they support the Planning Commission's denial. Planning Manager Karen Welch was present.

HEALTH DEPARTMENT Director Bette Anderson presented the "Single Entry Point Contract" for signature. The contract was reviewed. Comm Lindsay moved to **sign** the contract, seconded by Comm Wilson and carried. Other items discussed were: (a) local plague case - State will do a field investigation, (b) personnel, (c) Hospital Home Health Care, (d) prioritization of Health Department programs - Health Department needs to make recommendation to the Board, and (e) immunizations for county employees (ordering, billing, etc).

**MOSQUITO CONTROL SPECIAL DISTRICT:** West Allen and Arlene Allen stated their concern that they feel that the tax payers will not be properly served this summer. It was noted that Special District statutes have been reviewed. 1966 Resolution adopted June 10, 1968 will be reviewed. A need for information defining the role of the Commissioners was discussed. The Board stated that they would be willing to meet with the Special District Board and the Allens.

**ENERGY IMPACT GRANT** EIAF #3330 - Montezuma County Road - Phase II was signed.

**GRANT APPLICATIONS:** Bridge No. 083000G09.00013 (1st priority) and Bridge No. 083000G25.80015 (2nd priority) grant applications were signed.

**BARTELS MODERATE SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the Bartels Moderate Subdivision, seconded by Comm Wilson and carried.

**TED'S MINOR SUBDIVISION:** Comm Wilson moved to approve and sign the final plat for Ted's Minor Subdivision, seconded by Comm Lindsay and carried.

04-28-97

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PLANNING: A planning resolution P-12-97E After-the-Fact was presented, whereas Preston S. Dillon, owner of 4 acres, would be granted an exemption to the subdivision regulations to record an after-the-fact exemption in Section 4, T.36N., R.15W. Comm Lindsay abstained because of a conflict of interest. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. A verbal request for an exemption to the subdivision regulations for Florella Oakes to split 8.5 acres from 60 acres was tentatively approved with a 30' easement, contingent on this being the only split of this property. A verbal request for an exemption to the subdivision regulations for Leon Risenhoover to split 3 acres from 71 acres was tentatively approved. Presketch was presented and discussed for Richard (Dick) Edwards to create a 2-lot moderate subdivision with only a 30' easement. After discussion, it was determined that since the road will serve more than 4 residences, the subdivision needs a recorded 60' easement with a 24' county spec road. The Board supported the previous denial of this request by the Planning Commission.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented and discussed Erin Johnson's "Proposed Heavy Impact Permit Regulatory" document (waiver/permit process). Other items discussed were: Pine Zone field review and Habitat partnership.

ADJOURNED at 4:30 p.m.

Deputy Clerk      Chairman

April 28, 1997

SEAL

Online Copy

**Minutes 05/05/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
MAY 5, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 5, 1997, at the courthouse in Cortez, Colorado, there were present;

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, April 28, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

GAMING IMPACT FUND ORDER: Comm Lindsay moved to direct the Clerk to issue Order Number 0-09-97 to the Treasurer to transfer \$3,118.50 from the Gaming Impact Fund to the General Fund to pay for Ranger Security Detectors, seconded by Comm Wilson and carried.

PAYROLL: General fund - Payroll vouchers #17432 thru #17563 in the amount of \$213,660.77, District Attorney voucher #27207 in the amount of \$12,726.48, County Treasurer voucher #27208 in the amount of \$96,118.67, Road fund - Payroll vouchers #17564 thru #17594 in the amount of \$67,359.00, County Treasurer voucher #10120 in the amount of \$31,823.83; and Landfill fund - Payroll vouchers #17595 thru #17600 in the amount of \$7,948.00, County Treasurer voucher #726 in the amount of \$3,791.84 were approved for payment.

CLERK Evie Ritthaler reported that it is not feasible to compile accurate projection costs, since election costs, types, and entities involved are different for each election. She stated that new election equipment needs to be paid for before any usage. She invited the Board to a demonstration of the equipment when the time can be scheduled. It was suggested that a simulated election be done with county employees at that time to evaluate the system. The Board affirmed that they will attend any scheduled demonstration.

LANDOWNER Mick Treinen presented maps showing his proposed subdivision lots (see minutes of April 20, 1997). He submitted a proposal to use both access roads, with no road connecting the two. With this proposal the 60' easement, with a less than 24' road surface, would be access to 2 residences, and the 40' easement, with a less than 24' road surface, would be access to the rest of subdivision. Planning Manager Karen Welch was present. The proposal was discussed. Tentative **approval** was given **contingent** on (a) connection of the two roads, (b) county spec 24' road surface on the 60' easement, and (c) county spec 18' road surface on the 40" easement.

CU/CORTEZ CULTURAL CENTER representative **Fred Blackburn** met to ask if the County would support and sign a grant application for monies from the State Historical Society. The monies would fund the "Weatherill Archive Planning Project." Comm Lindsay moved to support and sign the grant application, seconded by Comm Wilson and carried.

BOARD OF SOCIAL SERVICES was conducted.

05-05-97

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ANASAZI HERITAGE CENTER (AHC) Director Lou Ann Jacobson met to ask if the County would support and sign a grant application for monies from the State Historical Society. The monies would fund the "Exhibit and Interpretation Improvements Project" for the Southwest Natural and Cultural Heritage Association. Comm Lindsay moved to support and sign the grant application, seconded by Comm Wilson and carried.

CU/CORTEZ CULTURAL CENTER representative Dough Bowman met to ask if the County would support and sign a grant application for monies from the State Historical Society. The monies would fund the "Report on 1928-29 Archeological Expedition of the State Historical Society of Colorado." Comm Lindsay moved to support and sign the mini-grant application, seconded by Comm Wilson and carried.

GAMING IMPACT FUND: Social Services representative Kathy Talcott presented the application for discretionary monies from the Gaming Impact funds. The application was signed. Adm Weaver was asked to arrange a meeting, if possible, with the Board, appropriate persons, and Ute Mountain Ute Tribal members to discuss gaming impact issues, etc.

EXTENSION OFFICE Agent Kenny Smith presented a draft copy of "Rural Living In Southwest Colorado" booklet. The proposed publication, which was compiled by several entities and addresses small acreage usages, was discussed. Suggestion was made that a general idea of land use in Montezuma County be added. This will be done. It was affirmed that the Board will contribute \$1,000 toward costs for the first printing.

LANDOWNER Wade Mortenson and Road Department Foreman Tim McComb met to discuss the status of a (800' of unimproved county road) section of CR K.6. Mr. Mortenson was told that if this section is brought up to county specs, the county will maintain it. It was affirmed that the road surface width can be the same as the two county maintained sections that it will be connecting. Mr. Mortenson will check with other landowners in the area and contact Foreman McComb about road specs, etc.

ROAD FOREMAN Tim McComb asked for clarification about some aspects of his new position. These were discussed. Discussed funding for proposed bridge projects.

CONFERENCE CALL was conducted with Public Relations representative (Elizabeth) for Wilson & Co. regarding the Colorado Department of Transportation's proposal for the M&M Truck Stop Intersection/Port of Entry. Comments by the Board to questions asked by the representative will be used in a news letter. The Board asked that notification of future meetings be relayed to Bob Leighton – this was affirmed.

ADJOURNED at noon.

Deputy Clerk    Chairman

May 5, 1997

SEAL

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
MAY 12, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 12, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, May 5, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Clerk's and Treasurer's reports for April 1997 were received.

**ACCOUNTS PAYABLE:** General fund vouchers #33290 thru #33487 in the amount of \$140,995.47, Road fund vouchers #33488 thru #33548 in the amount of \$126,268.23, and Landfill fund vouchers #33549 thru #33581 in the amount of \$51,830.62 were approved for payment.

SHERIFF Sherman Kennell met to update and discuss the following items: (a) Dispatch Center, (b) jail inmate count, (c) Mancos Contract, (d) remaining cars to be sold, and (e) COPS grant: The first graduation of local citizens from the Police Academy was last week. The Sheriff asked to be appointed as regulator of the Justice Building parking lot. The request was in regard to parked cars (residents, employees, etc.) with displayed "for sale" signs. It was noted that if there is a need to appoint a regulator, a draft document should be prepared for consideration and approval by both the Sheriff and the Cortez Chief of Police.

CLERK Evie Ritthaler stated that the demonstration for the election equipment will be given on Thursday, May 29, 1997 at 10:00 a.m. As part of the demonstration, a mock election will be held. Democratic and Republican chairpersons will also be invited. The Board affirmed that they would be there.

CROW CANYON representative Ricky Lightfoot met to ask if the County would support and sign a grant application for funds from the State Historical Society. The monies would fund "A computer program to teach prehistory and history of Southwest Colorado" in the schools. Comm Wilson moved to support and sign the grant application, seconded by Comm Lindsay and carried. Mr. Lightfoot was asked to let the Board know if the grant is disapproved or approved. This was affirmed.

**GAMING IMPACT FUND:** Comm Wilson moved to sign the Road and Bridge Department application for discretionary gaming impact monies to be used for work on CR G (McElmo Canyon), seconded by Comm Lindsay and carried.

LANDOWNERS Susie Phillips and Dean Phillips met to discuss removal and replacement of a fence and corner post at the intersection of CR X and CR 21. They stated that last year they took out the old fence and cornerpost. Recently when they started to replace them, they were told they needed to install them 30" from the center of the county road. An on-site inspection was scheduled for 1:30 p.m. today. After the inspection, it was noted that the District Foreman will work with the Phillips' to realign the intersection and install the corner post.

**BOARD OF SOCIAL SERVICES** was conducted.

ENGINEER Bud Roach gave an update on the work on CR G (McElmo Canyon). Deadline of June 15th for oil applications discussed and changed to a later date. West Fork slide was discussed. Engineer Roach will check with the Forest Service/Federal Highway Commission for funds/help with repair.

ANNUAL JOINT OPERATING AND FINANCIAL PLAN, ATTACHMENT 1 between the Montezuma County Sheriff, the Board of County Commissioners and the USDA, San Juan and Rio Grande National Forest from January 1, 1997, thru December 31, 1997 was signed.

**SANITATION DEPARTMENT - DOLORES RIVER WATERSHED:** Manager Mick Periman presented a draft copy of the "Dolores River Valley Waste Water Systems" report. After review and discussion, it was noted that the following will be done in regard to the report: (a) add more flood plain information, (b) add more information about availability of technology on waste watersystems, and (c) send final draft to interested engineers for comments. A public hearing is scheduled for Monday, July 7, 1997, at 10:00 a.m. to discuss the proposed septic regulations/waste water systems. Mike Preston was present. Resolution 86-1, approved February 3, 1986 will be reviewed. \*\*\*\* A sewage problem reported by Robert and Carolyn Laitsch (see March 17, 1997 minutes) was discussed. Comm Story and Adm Weaver made an on-site inspection last week. It was noted that the family has secured another residence and the mobile home will be removed from the site.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston discussed a letter from the National Association of Home Builders, Senior Land Planner, Debra L. Bassert. Draft of LIZ was affirmed. Suggestion that the Board have informal regularly scheduled meetings with Forest Service representatives in the future was discussed and affirmed.

**MESA VERDE NATIONAL PARK/MUSEUM** representative Kathleen Fiero met to ask if the County would support and sign a application for a mini grant from the State Historical Society. The monies would fund the "Edit Balcony House Manuscript" project. Comm Lindsay moved to support and sign the grant application, seconded by Comm Wilson and carried.

**PLANNING:** A verbal request for an exemption to the subdivision regulations was tentatively approved for Ken Todd, Sr. to split from 153 acre a 3 acre parcel for his son.

**GATZKE MINOR SUBDIVISION:** Comm Lindsay moved to approve and sign the Gatzke Minor Subdivision final plat, seconded by Comm Wilson and carried.

**HEALTH DEPARTMENT:** Comm Wilson moved to sign the 1997-1998 School Nursing Contract between the Montezuma County Health Department and the Mancos School District (RE-6) for \$6,400.00, seconded by Comm Lindsay and carried.

**BOARD OF COUNTY COMMISSIONERS** long-term goals to address future planning and growth in connection with budget funds were discussed. A meeting with Department heads will be scheduled for their input.

ADJOURNED at 3:30 p.m.

Deputy Clerk Chairman

May 12, 1997

**Minutes 05/19/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
MAY 19, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 19, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator – Absent
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, May 12, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Sheriff's report for April 1997 was received.

SOUTHWEST MEMORIAL HOSPITAL: Sheila Wilson met to discuss concerns about Southwest Health System, Inc. (SHS) (private entity), and Montezuma County Hospital District (MCHD) (government entity). Joe Reed was also present.

**M&M TRUCK STOP INTERSECTION AND CR G:** Proposed newsletter (see attached) written by Wilson & Company was critiqued and affirmed.

**PLANNING:** A planning resolution P-13-97E was presented, whereas **Willie Ann Lee Leonard**, owner of 116.30 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 11.51 acre parcel in Tract 48, T.37N., R.17W. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Wilson and carried. A **verbal** request for an exemption to the subdivision regulations for **John and Wanda Cannon** to split 14 acres from 76 acres was tentatively **approved**, contingent an access approval by CDOT. A **verbal** request for the Board to vary the subdivision regulations was tentatively **approved** for **Jack and Nadene Hamilton** to create, from a 3-1/2 acre tract, 2-lots for commercial use only. A **verbal** request for an exemption to the subdivision regulations for **Frank Paxton** to split a 2.1 acre tract from 4.2 acres and add it to adjoining property owned by Richard Tibbets was **tabled**. Sanitation Manager Mick Periman will be asked to look at the request in lieu of septic regulations. Also discussed was **Richard Tibbets** proposed moderate **Green Belt Subdivision** (see February 18, 1997 minutes). It was noted that the Public Hearing is waived and deed restrictions will be included on the final plat. Before finalization, all the information on this proposed subdivision will be presented to the Planning Commission. Mike Preston was present.

**AMENDED ROLLING HILLS SUBDIVISION PLAT:** Comm Wilson moved to **approve and sign** the Amended Rolling Hills Subdivision (John Anderson) final plat, seconded by Comm Lindsay and carried.

**DISCUSSED:** (1) Intergovernmental 911 Agreement and (2) responsibility of the Sheriff in connection with Wildfire Suppression. No action was taken on either.

**BOARD OF SOCIAL SERVICES** was conducted.

05-19-97

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**LAKESIDE ESTATES/MOBILE HOME PARK:** Lot owners and residents **Bruce and Marla Boller** and **Robert Tucker** met to discuss problems related to further development of the park. Colorado Department of Health, Water Quality Control Division, District Engineer **Greg Brand**, **Sanitation Manager Mick Periman**, **Mike Preston** and **Karen Welch** were present. Plats of Phase I, Phase II, and Phase III approved and signed by the Board of County Commissioners on June 4, 1984 were presented and discussed. It was noted that if any property lines (lots or common area) are changed, an amended plat needs to be prepared and submitted for approval by the Board. Engineer Brand gave information from the Water Quality Control State files. Sanitation Manager Mick Periman stated he recommends a **moratorium on** any more sewer taps being added to the system.

**REGION 9 representative Sam Bangs** gave an updated report on the Hazardous Substance Board organization, budget, and purpose. He asked that Montezuma County contribute past and present monies due to help support this Region 9 activity. No action was taken. Mr. Bangs stated he would discuss billing, etc. with Region 9, and come back to the Board with more information.

**ADJOURNED FOR LUNCH** and an on-site inspection of the **Oak Street Bridge**.

**PROPOSED REGULATIONS FOR JUSTICE BUILDING PARKING AREAS:** Letter (see attached) was received and reviewed. No action was taken. Chief of Police **Ray Lane** was present; **Sherrif Kennell** was informed by phone that no action was taken.

**LANDFILL - WEED MANAGER Ron Lanier** gave an updated report on landfill costs and revenues. He stated that there are lots of weeds this year and the weed program personnel are busy.

**ADJOURNED** at 4:15 p.m.

Deputy Clerk    Chairman

**May 19, 1997**

SEAL

**Minutes 05/27/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
MAY 27, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, May 27, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Monday, May 19, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

BOARD OF SOCIAL SERVICES was conducted.

MANCOS STATE PARK representatives for the Colorado Division of Parks and Outdoor Recreation, Duain **Morton and Hugh** Richards, Colorado State Parks representative Doug Secrist, and Mancos Road Foreman Dan Yeomans met with the Board. Ranger Secrist presented an overview slide show of the park, and "A Plan for Responsible Management for Mancos State Park." Safety issues were discussed in regard to parking on CR N, which goes across the dam. An on-site inspection of the area is scheduled for next Monday, June 2nd at 2:00 p.m. with park personnel, road department representative, Sheriff department representative and the Board.

MANCOS ROAD FOREMAN Dan Yeomans gave an updated report of work on CR G (McElmo Canyon). Also discussed the Oak Street Bridge and the West Fork slide.

LITTLE BUCKAROO RODEO founder Kim Show asked for lottery funds to help with the non-profit rodeos held at a private arena. The request was denied. She was told that there might be some help available for any activities she scheduled at the fairgrounds.

**JUVENILE CRIME TASK FORCE** representative **Nancy Johnston** gave an update on the different Task Force programs, including the Safety Town project. She was asked to get formal critiques from entities that are involved with the programs. She stated that a computer would be helpful and asked if a used one could be obtained for her office. This was affirmed and one will be located.

CITY OF CORTEZ Manager Bill Ray met to discuss the proposed Southern Bluffs Subdivision. The subdivision will include 40 acres in Cortez and 100 acres in the County, which will be annexed by the City. He asked if the Board wants the City to file an "Annexation Impact Report" for approval or waive such a report. Statutes were read and noted. It was affirmed that the Board wants the "Annexation Impact Report" from the City of Cortez. Public Hearing dates and time schedules were also discussed.

LANDOWNERS J.T. and Ann Bennett met to discuss their property tax evaluation for 1997. They were informed of the formal protest process and options. They were told they need to fill out a protest form with the Assessor's office. State legislature representatives for Montezuma County will be invited to be present during any of the Board of Equalization protest sessions scheduled to start in July.

05-27-97

2

PLANNING: A planning resolution P-14-97E was presented, whereas Leon Risenhoover, owner of 71 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 3.24 acre parcel in Section 36, T.37n., R.16W. This is the only exemption that will be granted this property. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried.

ADJOURNED FOR LUNCH with MCEDC at the Elks.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for a temporary 3.2% beer license for Giant Four Corners, Inc. (formerly Thriftway 228). She stated that an application for a "Transfer of Ownership" was received by the Clerk's office between Giant Four Corners, Inc. and Thriftway Marketing Cooperation dba Thriftway 228. The requirement for a Public Hearing for Giant Four Corners, Inc. was waived since the wants and needs of the neighborhood have been met. Comm Lindsay moved to approve the temporary 3.2% beer license application, contingent on completion of the "Transfer of Ownership," seconded by Comm Wilson and carried.

DISCUSSED: (1) Fairgrounds: Fair Board; Legion – Comm Lindsay will set up a meeting with the Legion in regard to rodeo, etc. (2) Region 9 – hazardous voucher will be sent and paid by the County (see minutes May 19, 1997). (3) Comm Wilson reported on AAA meeting. (4) Comm Lindsay reported on EMS council meeting.

ADJOURNED at 3:00 p.m. to attend Clerk's office demonstration of election equipment now in use.

Deputy Clerk     Chairman

May 27, 1997

SEAL

**Minutes 06/02/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JUNE 2, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 2, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on Tuesday, May 27, 1997 were read. Comm Lindsay moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's report for May 27, 1997 was received.

PAYROLL: General fund - Payroll vouchers #17608 thru #17735 in the amount of \$199,245.25, District Attorney voucher #27421 in the amount of \$13,147.42 County Treasurer voucher #27422 in the amount of \$90,745.94; Road fund - Payroll vouchers #17736 thru #17767 in the amount of \$66,657.54, County Treasurer voucher #10186 in the amount of \$31,403.81; and Landfill fund - Payroll vouchers #17768 thru #17775 in the amount of \$9,913.00, County Treasurer voucher #766 in the amount of \$4,232.56 were approved for payment.

OFFICE OF COMMUNITY SERVICES: Mike Preston stated that the re-draft of the commercial/industrial regulations is completed. The next meeting with the Planning Commission in regard to the land use plan was scheduled.

BOARD OF SOCIAL SERVICES was conducted.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-10-97 to the Treasurer to pay \$926.22 from the 911 account #766 to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

SAN JUAN RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL representatives Gary Jennings and Joe Arado met with the Board to ask that another member from this area be appointed to the council. Mr. Jennings gave a presentation on the 5-county organization, which is supported by private and government grant monies. The council's goal is to identify and be involved in regional projects that help the communities be better places to live. It was suggested that a representative be appointed from Dolores County. The Dolores County Commissioners will be contacted.

REGIONAL ONE-STOP CAREER CENTERS - JOB SERVICE: Maxine Maestes and Joyce Scharnhorst met to discuss progress of the proposed One-Stop Career program. In connection with jobs, welfare reform was also discussed.

PLANNING Manager Karen Welch presented the final plat for the Green Belt Subdivision - Richard Tibbits (see minutes of February 18, 1997 and May 19, 1997). A letter from the Town of Dolores with concerns about the subdivision in regard to problems with the taxing district was discussed. Action was tabled until Town Clerk Debbie Rantz is contacted by Administrator Weaver.

06-02-97

2

**M&M TRUCK STOP INTERSECTION/PORT OF ENTRY:** Wilson & Company representatives **John Shonsey, Steven Watt and Helen Peiker and Chuck and Wanda Martin** met to discuss tonight's scheduled meeting. Mr. Shonsey presented the June 2, 1997, Public Meeting Agenda on the State Highway 160/County Road G and issues and concerns for the State Highway 160/County Road G/Port-Of-Entry (see attached). These were discussed. The Martin's expressed their concerns about acquisition of their property by CDOT and mentioned their proposal to exchange accesses. CDOT representatives will be contacted and asked to attend the scheduled meeting tonight.

ADJOURNED FOR LUNCH with at the Mancos Senior Citizen center and an on-site inspection of the Mancos State Park (Jackson Lake/Lake Mancos) at 2:00 p.m.

**LIQUOR LICENSES:** Deputy Clerk Betty Davis presented an application for renewal of a 3.2% beer license for the **McPhee Marina Recreational Complex, Inc.** The Sheriff Department verbally reported no problems with the establishment. Comm Lindsay moved to **approve** the application, seconded by Comm Wilson and carried. Deputy Davis also presented an application for of a **retail liquor** license for the **Dawson Lake Store.** The Sheriff Department verbally reported no problems with the establishment. Comm Wilson moved to **approve** the application, seconded by Comm Lindsay and carried.

**MANCOS STATE PARK (JACKSON LAKE/MANCOS LAKE):** The on-site inspection was discussed. Action was **tabled** about parking on CR N, which goes across the dam, until more information is provided about how the area is/can be patrolled.

**ADJOURNED** at 4:20 p.m.

Deputy Clerk                      Chairman

June 2, 1997

SEAL

Online Copy

**Minutes 06/09/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JUNE 9, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 9, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk.

MINUTES of the previous meeting held on Monday, June 2, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Story and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

**FAIR BOARD** representatives Jim **Mitchell and Darline Hamilton** presented two requests: (1) They asked that the barbecue for the County Fair be put out for bid to vendors within the County, instead of being done by the County. Fairgrounds Manager **Dante** Sena was contacted and came in to discuss the request. The Fair Board representatives reiterated all the complaints that they have received. Manager Sena addressed all the concerns. He asked that the County be given another chance this year, with the understanding that a re-evaluation be done for next year. Action was **tabled** until the issue is discussed at the next Fair Board meeting on Monday, June 16, 1997. The Board stated they would be glad to attend this meeting along with Manager Sena. (2) They asked if they could charge \$1.00 a car for the "Country Showdown" program, to generate monies for Fair Board activities. This was affirmed.

**DOLORES FIRE DEPARTMENT** representative **Lloyd Johnson** asked if the County could supply water trucks for use by the fire department. The trucks would be listed as a "third level" use for wildfire or structure fires. He was asked to present the request to the Road Department Foremen's meeting on Wednesday, June 11th. It was noted that, if approved, pagers would be issued to appropriate road department persons. Trucks will need to be inspected to be sure they can be used or equipped to be used.

**CENTURY 21** Realtor Bryan Heroux asked for clarification on county road designations and the policy for accepting new roads as county maintained. Green and red road signage was explained and he was told that no roads at this time are being accepted by the County for maintenance. CR K.6 in the Highland Terrace Subdivision was discussed. He was told that a small section of road connecting two parts of CR K.6 will be maintained, if brought up to county specs by the landowners (see minutes of May 7, 1997).

**PLANNING:** A planning resolution P-15-97E was presented, **whereas Steve and Barbara Chappell**, owners of 160 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 5 acre parcel in Section 21, T.37N., R.17W. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Other items discussed were; (a) Comments from the City of Cortez in regard to their Major Street Plan and the proposed Arrowpointe Subdivision - time was scheduled this afternoon to talk with the City about the comments. (b) "Annexation Impact Report" from the City of Cortez in regard to the Southern Bluffs Subdivision was received and is on file in the Administration office.

**DOLORES GREEN BELT SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the Dolores Green Belt Subdivision (Tibbits), seconded by Comm Wilson and carried.

SHERIFF Sherman Kennell met to discuss the following issues: (a) Inmate increase (overcrowding) - submitted "Inmate Jail Report." (b) Proposal that the State Highway Patrol will eventually not take care of any traffic enforcement or accident reports on county roads. (c) Uniform Traffic Code. (e) Sale of the remaining van and car. (f) Mancos State Park --recommended that Mancos State Park employee Hugh Richards be allowed to write tickets for any violations, if CR N (section crossing dam) is posted as a "no parking" area. (g) Goff lawsuit. (h) Contract signed with Mancos for the rest of the year - including animal control. (i) Requested reactivation of the canine program. Asked if a private group could put on a Golf Tournament and donate the monies collected to purchase a dog and implement the program. This was affirmed. (j) Phoenix, AZ inmate program discussed -Comm Story and Sheriff Kennell plan to met with Phoenix law enforcement personnel to learn more about the program.

CLERK Evie **Ritthaler** presented the "Global Election Systems, Inc" Purchase Agreement for review. She stated that two deputy clerks will be attending the Clerks Summer Conference.

RESIDENT Carla Santiago met to discuss several issues about the property she is renting on a 1/2 acre lot (Stoner area) which also has another residence. Her concern about the other residence's sewer system was discussed. Sanitation Manager Periman will be asked to inspect the system. She asked if the county has a policy on outside home lighting. She was told that there is none at this time.

COMM Wilson left at noon to attend the CCI meeting in Steamboat Springs, CO.

CITY OF CORTEZ Manager Bill Ray, Planning and Zoning representative **Chris Eastin, Mike** Preston, and Planning Manager **Karen Welch** met to discuss comments submitted by the City concerning the proposed Arrowpointe Subdivision. The comments, asking that the proposed subdivision include a public road easement, were discussed. The Board stated that they feel there is a need for the City to define urban growth areas with a comprehensive road plan so developers know about these areas in a timely manner. After discussion, it was noted that a meeting will be scheduled with the developer, Glenn Luchies, and the City next Monday to talk about the City's comments.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented the first draft of the "Introduction" for the commercial/industrial standards for review. He stated that a draft of the "road show" is done and copies will be mailed to the Board.

BOARD OF SOCIAL SERVICES was conducted.

SOUTHWEST EMERGENCY MEDICAL SERVICE (SWEMS) COUNCIL: Comm Lindsay moved to **appoint Liz Palmer** as a representative to the SWEMS Council, seconded by Comm Story and carried.

ADJOURNED at 3:00 p.m.

Deputy Clerk     Chairman

June 9, 1997

SEAL

**Minutes 06/16/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JUNE 16, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 16, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on Monday, June 9, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted. The Clerk's report for May 1997 was received.

**ACCOUNTS PAYABLE:** General fund vouchers #33582 thru #33763 of \$121,976.38, Road fund vouchers #33764 thru #33830 in \$230,693.42 and Landfill fund vouchers #33831 thru #33858 in the amount of \$29,337.76 were approved for payment.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston and Lyle Bilberry review the proposed "Heavy Impact Permit Regulations" permit commercial and industrial parcels. The document was discussed.

**RESIDENT Kenneth Willis** stated he was being harassed by an ex-neighbor. He stated that this has been reported to law enforcement agencies and he feels that nothing has been done. He asked for help from the Board. Sheriff Kennell was contacted and scheduled to come in later in the day to discuss the situation.

**FAIRGROUNDS** Manager Dante Sena reported on improvements and activities at the fairgrounds. The barbecue issue (see minutes of June 9, 1997) was discussed. Comm Wilson, Comm Lindsay and Manager Sena will attend the scheduled Fair Board meeting tonight with the recommendation that the county be allowed to take care of the barbecue this year. Accurate cost figures for the county fair will be compiled.

**HEALTH DEPARTMENT** Director **Bette Anderson** submitted the Single-Entry Point Agency Contract for long-term care for review. Comm Lindsay moved to **approve** and sign the contract, seconded by Comm Wilson and carried. Other discussed were, (a) Home Health Care/SW Memorial Hospital, (b) Community Health Clinic/Montezuma County Hospital District Board, (c) need for part-time physical therapist, and (d) suggestion that the county appoint a specific doctor to handle county workmen camp cases.

**LANDFILL/NEED PROGRAM** Manager Ron Lanier presented **Resolution 2-97**, "Equipment Lease/Purchase Agreement" between JINCO Leasing Corp and Montezuma County for a Kubota Front End Loader to be used at the landfill. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Wilson and carried. The weed program was discussed. A meeting will be scheduled with the State Weed Coordinator in July.

**RESIDENT Shirley Percell** (12641 CR 26, Cortez, CO) asked if the county sprayed weeds along CR 26 in May 1997, and if so, what chemical was used. Manager Lanier was present and stated that he would check the records and report this information to Ms. Percell.

**ADJOURNED FOR LUNCH** with Forest Service representative Cal Joyner.

06-16-97

2

**SHERIFF Sherman Kennell** discussed scheduling date of meeting with Phoenix, AZ law enforcement about inmate program. Resident Kenneth Willis harassment complaint was discussed. Sheriff Kennell stated he will check with Sheriff personnel for any new information about the situation.

**CLERK Evie Ritthaler** reported on the Clerks Summer Conference. Lease/ purchase agreement for election equipment was reviewed. Action was **tabled** until June 30th.

**LIQUOR LICENSE:** Deputy Clerk **Tammy Neely** presented an application for a 3.2% **beer** license for **Giant Four Corners, Inc. dba Thriftway 228**. It was noted that the "Transfer of Ownership" between Giant Four Corners, Inc. and Thriftway Marketing Cooperation dba Thriftway 228 has been completed. Comm Wilson moved to **approve** the 3.2% beer license application, seconded by Comm Story and carried.

**ADJOURNED** at 3:00 p.m.

Deputy Clerk Chairman

June 16, 1997

SEAL

Online Copy

**Minutes 06/30/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JUNE 30, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held 'on Monday, June 30, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on Monday, June 16, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted. The **Treasurer** report for May 1997 was received.

**911 AUTHORITY BOARD:** Comm Wilson made a motion to direct the Clerk to issue **Order Number 0-11-97** to the Treasurer to pay **\$925.19** from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Story and carried.

**PAYROLL: General fund** - Payroll vouchers **#17787 thru #17920** in the amount of \$207,984.13, District Attorney voucher **#27608** in the amount of \$11,866.88, Treasurer voucher **#27609** in the amount of \$93,255.13; **Road fund** - Payroll vouchers **#17921 thru #17955** in the amount of \$68,780.14, Treasurer voucher **#10260** in the amount of \$32,143.20; and **Landfill fund** – Payroll vouchers **#17956 thru #17963** in the amount of \$11,720.75, Treasurer voucher **#0804** in the amount of \$4,678.40 were approved for payment.

**REALTOR Bob Durant** stated that a client of his is considering buying a parcel of land on an unimproved county road. He asked what would the person need to do before the county would maintain it. He was told that if the person wants the county to maintain the road he will need to bring it up the county specs. Realtor **Ted Saunders** was present.

**CLERK Evie Ritthaler**, Chief Deputy Clerk **Carol Tullis**, and **John Paulsen representative** for LEDS, a subcontractor for Global Election Systems, Inc., met with the Board. Purchase Agreements for the election equipment were reviewed. The Board's proposed changes in the agreements and the request that the three agreements be combined into one agreement were discussed. Action was **tabled** until these concerns are addressed by LEDS and Global, and the information is submitted to the Board.

**PLANNING:** A **verbal** request for an exemption to the subdivision regulations for **Merle Wilson** to split 49 acres into 3 parcels was **tabled**. A **verbal** request for an exemption to the subdivision regulations for **Gary Schwarzkopf** to split 54 acres into 3 parcels was **tabled**. A **verbal request** for an exemption to the subdivision regulations for **Kenneth and Trudie Ward** to sell a small adjoining parcel to **Gerald and JoAnn Cauley** was **tentatively approved**.

**GENERAL LIABILITY INSURANCE BID FOR 1997-1998:** Attorney Slough was excused because of a conflict of interest. The **following three** bids were received: (1) Wolcott Insurance Services, Inc. (Penco) for \$90,059.00; Mountain West Insurance, Durango, CO for \$96,644.00; and County Technical Services, Inc. (CTSI) - Colorado Counties Casualty and property Pool (CAPP) for \$110,046.00. Comm Lindsay moved to **accept** the Wolcott Insurance Services bid of \$90,059.00, seconded by Comm Wilson and carried.

LANDFILL/WEED MANAGER Ron Lanier gave an update on the landfill and the weed control program. Need for a Weed Advisory Committee was mentioned. The noxious weed program in connection with other entities (forest service, state highway, etc.) was discussed. Information on weed spraying along CR 26 has been compiled and will be relayed to Ms. Percell (see minutes of June 16, 1997).

SHERIFF Sherman Kennell and Detention Officer Lieutenant Jim Keen met to discuss Lieutenant Keen and Comm Story's on-site inspection of the Phoenix, AZ law enforcement facilities and their inmate program. Overcrowded conditions at the Montezuma County jail and possible solutions were discussed. Sheriff Kennell will get information from other counties that have had the same problems and have leased new facility from private entities.

OFFICE of U.S. Senator Ben Campbell, representative Tom Compton reported on the progress being made on the proposed land transfers from the Forest Service to the Mancos Visitor Center and Dolores Joe Rowell Park. He stated that it will be taken to the Federal level as a request for transfer of ownership to the two entities. "Fund for Rural America" grant monies to expand the pine zone project to include range lands was discussed. Mancos Mayor Ed Hallem and Carla Garrison were present.

ADJOURNED FOR LUNCH with Tom Compton.

LANDOWNER Mick Trienen and Fred Thomas, who has adjoining land to Mick Trienen's proposed subdivision, met to discuss the Planning Commission's denial for the proposed subdivision until certain road/access requirements are met. Due to these requirements, the Board suggested that Mr. Trienen consider a 4-lot subdivision instead of the proposed 7-lot subdivision. If he decides to create a 4-lot subdivision and agrees to chip-seal Road L.8 with the required three layers, the Board will consider varying the easement requirement on road L.8. It was noted that a 4-lot subdivision would only require an 18' road surface. Mr. Trienen stated he would consider the proposal and try to come back next Monday. Planning Manager Karen Welch was present.

BOARD OF SOCIAL SERVICES was conducted.

DISPATCH CENTER: Chief of Police Roy Lane gave an updated report on the Center. Tentative plans are to have the new system working around August 15<sup>th</sup>.

ADMINISTRATOR Tom Weaver reported on the Road Department foreman meeting. The need to let the public know who to contact in the respective districts with complaints, etc. was discussed.

MONTEZUMA COUNTY WARRANTS: Financial Officer Mary Ann Sanders presented a list of warrants for cancellation (see attached). Comm Wilson moved to cancel these warrants as of June 30, 1997, seconded by Comm Story and carried.

ADJOURNED at 4:30 p.m.

Deputy Clerk     Chairman

June 30, 1997

SEAL

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JULY 7, 1997

STATE OF COLORADO ]

ss.]

COUNTY OF MONTEZUMA ]

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 7, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Betty Davis, Deputy Clerk

**MINUTES** of the previous meeting held June 30, 1997 were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson, motion carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted.

**DISPATCH CENTER:** City Police Chief Roy Lane and Bill Ray met with the commissioners to discuss the dispatch contract. It is understood, that the State Patrol will cease dispatching on January 2, 1998. The commissioners will consider the agreement, and act at a future date. Roy Lane reported on the progress of the dispatch center at the Justice Building. It should be completed by August 1, and operational by October or November.

**FIRE BAN:** Jay Balfour met with the commissioners to report that last week they responded to 20 fires, seven in one day. Most were grass and brush fires and most were caused by fireworks. The County is close to extreme fire danger due to no precipitation. He asked the commissioners to ban open fires. McElmo Canyon is extremely dry. Sheriff Kennell recommended a ban on open fires also. He reported that Mesa Verde has had 2 fires and the Forest Service has had 2, up to 5 acres. Both agencies have the fire danger at high, and it will most likely go up in a week to very high. Attorney Slough explained that based upon competent evidence, may by resolution suspend the ban on open fires from time to time to the degree and manner consistent with existing wildfire dangers. He then read the proposed **RESOLUTION #97-5**, a resolution canceling the suspension of the ban on open fires. Comm Lindsay moved to adopt **RESOLUTION #97-5**, seconded by Comm Wilson, motion carried.

**FAIRGROUNDS:** Dante Sena met with the commissioners and gave a report for the racetrack. Kim Show and Louann Myers also met to discuss the Little Buckaroos Rodeo that is held at the fairgrounds arena. They asked that Montezuma County donate the rent for the arena as they are non-profit. The commissioners denied the request and after discussion, the commissioners recommended they charge \$1.00 entrance fee to cover the rental of the arena.

**PUBLIC HEARING - DOLORES RIVER VALLEY WASTE WATER SYSTEMS:** It being the time set aside, a Public Hearing was conducted to consider sewage disposal systems within the 100 year flood plain to sixteen (16) feet above said flood plain along the Dolores River and the West Fork of the Dolores River. The roll was called and proof of publication was read. Present were Mick Periman, John Hutchison and several landowners/residents of the area, (see attached list). These proceedings were taped for the record.

**RESOLUTION #4-97** was presented whereas the Board of County Commissioners finds that maintaining the water quality in the Dolores River and the West Fork of the Dolores River is

necessary for the preservation of the public health and safety. **RESOLUTION #4-97** will amend **RESOLUTION #86-1**. Comm Wilson moved to adopt **RESOLUTION #4-97**, seconded by Comm Lindsay, motion carried.

**GIANT TRANSPORTATION:** Administrator Weaver reported to the board that he had received a request from Joe Stevens requesting a truck be added to the existing permit to allow Giant Transportation to operate a vehicle that has a GVW of 126,000# with 10 axles on County Roads BB, 9, 10, and 12 from April 15, 1997 to October 15, 1997. The commissioners approved the request.

**ACCOUNTS PAYABLE:** General fund vouchers #27612, #27613 and #27615 in the amount of \$38,443.60, Road fund vouchers #10261 and #10262 in the amount of \$86,449.22 and Landfill voucher #805 for \$250.00 were approved for payment.

**PLANNING: RESOLUTION P-16-97-E** was presented whereby Kenneth Todd Sr is the owner of a tract of land containing 153.00 acres, more or less, located in Montezuma County, Colorado and would like to record an exemption for a 3.00 acre parcel. Comm Lindsay moved to approve the resolution, seconded by Comm Wilson, motion carried. Vic Hodges Jr. is buying 48.9 acres, and requested an exemption to split 4 acres for an existing home, and 6 acres for an orchard and garden, with a stipulation the parcels be sold back to Vic and Jeannie Hodges. Verbal approval was given, as 38.9 acres separate the two parcels.

**DISTRICT ATTORNEY:** District Attorney Mike Green met with the board to request an increase in his budget to fund insurance for the victims assistance coordinator. He also requested unexpected expenses be considered for the Cochran trial. The board informed him that he should anticipate the budget for next year to be the same amount with no increases expected.

**ADDENDUM TO LAW ENFORCEMENT AGREEMENT:** A contract between the Town of Mancos and the Montezuma County Sheriff's Department for the provision of law enforcement protection within the corporate limits of the town was presented. The agreement was approved and signed, renewing the contract for a period of six months, beginning July 1st and ending December 31st, 1997.

**ENVIRONMENTAL HEALTH CONTRACTS:** Environmental health contracts for 1997/98 were presented for approval. Comm Lindsay moved to approve the contracts, seconded by Comm Wilson.

**ADJOURNED:** at 2:00 p.m.

Deputy Clerk                      Chairman

July 7, 1997

SEAL

**Minutes 07/14/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JULY 14, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, hold on Monday, July 14, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held July 7, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk and Sheriff reports were received for the month of June 1997. The Treasurer report for the month of June 1997 and the quarterly Trustee report were received.

VACATION time policy was reviewed. No changes were made.

**ROAD DEPARTMENT:** CR G (McElmo Canyon) chip/seal will be done this week. Noland, Inc. has put mag-chloride in front of all the houses on CR 38. Rough condition of CR BB was discussed.

**LANDOWNER Mick Trienen** stated that it is not feasible for him to create a 4- lot subdivision, instead of his proposed 7-lot subdivision. Unless an additional 20' easement can be obtained from landowners on road L.8, a road will be built through the wildlife reserve. He asked for a variance to the road department's requirement of a 5" diameter culvert in this road. His proposal is to install a 3" diameter culvert. The road is in a 50 year flood plain. Action was **tabled** until the continued Planning Commission hearing is held on July 24, 1997. Planning Manager Karen Welch was, present.

**LANDOWNER** Marty Robbins representing himself and others met with the Board to discuss the rough condition of CR BB. He was assured that the road will be graded, etc. next week. Adjudicated water taken for road work on CR G (McElmo Canyon) was discussed. It was noted that any future adjudicated water taken for use by the road department will be reported to the respective water district.

**WEED PROGRAM MANAGER** Ron Lanier stated that the State Weed Program coordinator can meet with the Board on August 18, 1997. The meeting was scheduled for 9:00 a.m. He reported there have been lots of requests for weed removal enforcement.

**HAMILTON INDUSTRIAL SUBDIVISION:** Comm Lindsay moved to approve and sign the Hamilton Industrial Subdivision final plat, seconded by Comm Wilson and carried.

**PLANNING:** A planning resolution P-9-89 Amended was presented, whereas **Loraine Shippy**, owner of 10.10 acres, would be granted an exemption to the subdivision regulations to record an amended variance for a boundary adjustment in Section 15, T.35N., R.16W. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution P17-97E was presented, whereas Kenneth and Trudie Ward, owners of a tract of land containing 3.65 acres, would be granted an exemption to the subdivision regulations to record a 0.39 acre tract in Section 22, T.36N., R.16W. This tract is to be added to an adjoining landowner's property and

does not create a separate tract for sale. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Wilson and carried. A verbal request for an exemption to the subdivision regulations was tentatively **approved for Piute Inc.** (Leighton) to split 20 acres from a 212 acre parcel, contingent on CDOT access and water availability. A verbal request for an exemption to the subdivision regulations was tentatively **approved for Andrew Lowry to split** 70 acres, minus the county road, into a 35 acre parcel and a 33 acre parcel.

**LIQUOR LICENSE:** Deputy Clerk **Betty Davis** presented an application for renewal of a 3.2% beer license for **ARA Mesa Verde Company**. The Sheriff Department reported no problems with the establishment. Comm Wilson moved to **approve** the application, seconded by Comm Lindsay and carried. Deputy Davis stated that the State has rewritten the Liquor License Code Book regulations. She presented the changes and these were discussed.

**GAMING IMPACT ADVISORY COMMITTEE:** Comm Wilson made a motion to **adopt RESOLUTION #3-97** to appoint Wayne M. Bedor, La Plata County Director Finance/Central Services, as the representative of Montezuma, Archuleta and La Plata Counties to the limited Gaming Impact Advisory Committee for a Period of four (4) years as required by C.R.S. 12-47.1-1062 (1) (C) (III). The motion was seconded by Comm Lindsay and carried. It was noted that Comm Wilson will continue to attend gaming impact meetings.

**OLDER AMERICAN'S ACT (OAA) TITLE III SERVICE CONTRACT FOR FY 1995-98:** Comm Wilson moved to **sign** the 1996 budget page in compliance with an audit of the contract, seconded by Comm Lindsay and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

**ADJOURNED FOR LUNCH** and an on-site inspection of the Oak Street Bridge.

**BOARD OF EQUALIZATION:** It being 1930 p.m. the time set aside, the Montezuma County Commissioners convened on Monday, July 14, 1997, to sit as the Board of Equalization. These proceedings were taped, the Proof of Publication was read and the roll was called. Assessor **Bob Cruzan**, Chief **Appraiser Mary Zummach** and Field Appraiser **Scott Davis** were in attendance.

Assessor Cruzan presented an appeal from **Kimberly and Kelly Belt** concerning their "Notice of Valuation" for 1997 by the Assessor's office on parcel #5611-274-00-007-C033. The Belts requested that the value be increased. Comm Lindsay made a motion to **increase** the actual value to \$6,000, their original purchase price -including the porch. The motion was seconded by Comm Wilson and carried.

**Mark and Karen Tuttle** appeared before the Board for a decision concerning their appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5607-061-01-010. Comm Lindsay made a **motion to reduce** the actual value to \$370,000 - the Tuttle's June 1996 purchase price of the property. The motion was seconded by Comm Wilson and carried.

The Board of Equalization **recessed** at 2:30 p.m. until July 21, 1997.

**ADMINISTRATION:** Lyle **Bilberry** presented a map showing the boundaries, miles of road and homes in each of the road department's districts.

**LEWIS-ARRIOLA SCIENCE LAB AND WILDLIFE SANCTUARY** awarded mini-grant GOCO Contract 7721 for \$3,500 was signed.

Deputy Clerk     Chairman

July 14, 1997

SEAL

**Minutes 07/21/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JULY 21, 1997**

STATE OF COLORADO     )  
  ) ss.  
**COUNTY OF MONTEZUMA** )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 21, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held July 14, 1997 were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted.

**BEAR CREEK BRIDGE:** Landowner **Kevin Toman** met to discuss the condition of the Bear Creek Bridge, located on a Forest Service easement which is the only access to his property. The Forest Service, because of their-determination of the condition of the bridge, has set the weight limit at 5 tons. He stated that he was informed by the Dolores Fire Protection District that they would not cross the bridge. He asked if the Board would talk **with the** Forest Service about a possible solution to the problem. The Board will contact the Forest Service.

**MONTEZUMA COUNTY** Auditor **Gale Greenlee** gave a report on the preliminary **audit for 1996**.

**FAIRGROUNDS:** Call from a concerned citizen worried about alcohol use at some activities at the Fairgrounds was noted. Fairgrounds Manager Sena **will** be informed of the problem.

**COMM Story** gave a report on the meeting in Catron County, NM concerning citizens conflict resolution of Federal Lands issues. Montezuma County's "Pine Zone Project" was discussed. **Mike Preston** also attended the meeting.

**SOUTHWEST COMMUNITY RESOURCES:** Erin **Johnson** met with the Board to **introduce Tim Nader**, the new Director for Southwest Community Resources.

**BOARD OF SOCIAL SERVICES** was conducted.

**SHEARSTON MINOR SUBDIVISION:** Comm Lindsay moved to **approve and sign** the final plat for the Shearston Minor Subdivision (Lester Shearston), seconded by Comm Wilson and carried.

**PLANNING:** A planning resolution **P-18-97E After-The-Fact** was presented, **whereas William McCarter and Bernadette Hrabak, owners of 9.50 acres**, would be granted an exemption to the subdivision regulations to record an After-The-Fact exemption in Section 34 and 27, T.38N., R.16W. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Wilson and carried. **A verbal** request for an exemption to the subdivision regulations was tentatively **approved** for **Joe Mahaffey** to split 5.2 acres from 302 acres. Pre-sketch for a two lot minor subdivision by **Art and Margaret Nielson** was presented and tentatively **approved**. Pre-sketch for a two lot minor subdivision by **Hans and Jan Koppri** was presented and tentatively **approved**. **A verbal** request for an exemption to the subdivision regulations was presented for the **Church of the First Born** (Ken Todd) to split off a part of Lot B (approximately 1.9 acres) in the Butler Subdivision. Ken Todd was contacted. The request as presented was denied. Tentative **approval** was given if the tract is sold to adjoining neighbors.

**BOARD OF EQUALIZATION** scheduling for appeals was discussed with **Karen Welch** and Assessor **Bob Cruzan**.

**MOSQUITO CONTROL DISTRICT:** Call from the Mosquito Control District Board member Buddy Leonard for permission to add to their building an 18'x 24' covered pad for mining chemicals outdoors was discussed. A meeting will be scheduled with the Mosquito Control District Board.

**LANDOWNER George LeSatz** stated that next to his hay field is a field of thistles. He asked if there is any enforcement being done about this type of noxious weed problem. Weed Program Manager **Ron Lanier** stated that because of a lack of time and money, he is handling enforcement on a complaint basis - one on one. He will check on Mr. LeSatz's concern.

**SHERIFF Sherman Kennell** presented a preliminary proposal received from CiviGenics through Fenton Security Inc. The proposal is for the design, finance, construction and operation of a Montezuma County jail facility. The Sheriff will continue to pursue more information. He will schedule a meeting with the Board and a representative of the company in approximately a month.

**CLERK Evie Ritthaler** presented the final purchase agreements for election equipment from Global Election Systems, Inc. (subcontractor LEDS). Comm Wilson moved to **sign** the purchase agreements, as amended, seconded by Comm Lindsay and carried.

**BOARD OF EQUALIZATION:** It being 1:30 p.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 21, 1997, to sit as the Board of Equalization. These proceedings were tape recorded and the roll was called. Assessor Bob Cruzan, Chief Appraiser **Mary Zummach**, Field Appraiser **Scott Davis** and **Samanth Sunseri** were in attendance. Also interested citizens **Dick Stacey** and **Thomas Kurpius** were present and made comments about the current approach to valuation for assessments. State Representative Kay Alexander was in attendance at the Jack Willett appeal.

**William B. and Juanita Clark** (William B. Clark, et al) appeared for the Board's decision concerning their appeal on their "Notice of Valuation" for 1997 by the Assessor's office on Parcel **#5611-341-01-001**. Comm Lindsay made a motion to **award** a \$6,860 adjustment on the property. The motion was seconded by Comm Wilson and carried.

**Robert C. Conner** appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor office on Parcel **#5359-324-00-033**. Comm Wilson made a motion to **leave the valuation for** assessment of the house at \$76,990, the same as the 1996 adjustment. The motion was seconded by Comm Lindsay and carried.

**Jerome Katz** appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel **#5637-073-02-006**. Comm Lindsay made a motion to **leave the land** valuation for assessment at \$21,210, the same as 1996. The motion was seconded by Comm Wilson and carried.

McPhee Marina **Recreational Complex, Inc.**, owner **Herb Heroux** appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel **#5339-364-00-063-PI** (possessory interest at McPhee Reservoir). Comm Lindsay made a motion to **leave the** possessory interest on the 1997 roll, pending a decision by the Courts. The motion was seconded by Comm Wilson and carried.

Board of Equalization recessed at 3:00 p.m.

07-21-97

3

WELFARE REFORM: State Senator Mike Coffman, State Representative Kay Alexander, Gordon Crouse, Judi Lichliter and Virginia Howey discussed the newly enacted Welfare Reform Policies with the Board and Social Services Director Tom Weaver.

Board of Equalization reconvened at 3:20 p.m.

Jack Willett, owner of a commercial building in the Town of Dolores, appeared for the Board's decision concerning his appeal on the "Notice of Valuation" on Parcel #5359-094-16-001. Comm Lindsay made a motion to award a \$20,280 adjustment on the valuation for assessment. The motion was seconded by Comm Wilson and carried.

Assessor Cruzan presented an appeal from Eddie and Janice Baumgardner concerning their "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5611-262-97-008. Comm Wilson made a motion to deny an adjustment. The motion was seconded by Comm Lindsay and carried.

Mike VanHemelryck asked what he needed to do to appeal his valuation for assessment. He was directed to the Assessor's office.

The Board of Equalization recessed at 4:45 p.m. until July 28, 1997.

ADJOURNED at 4:46 p.m.

Deputy Clerk    Chairman

July 21, 1997

SEAL

Online Copy

**Minutes 07/28/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JULY 28, 1997

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 28, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on July 21, 1997 were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-12-97 to the Treasurer to pay \$1,059.56 from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

ROAD IMPACT FEES: Larry Mahaffey and Gary Mahaffey asked that road impact fees be waived for an exemption on a 3 acre parcel that Gary created for Larry to buy. Larry Mahaffey felt that there would not be an impact, since he was just moving down the road from his present residence. Since his old residence can still be occupied, the request was denied. Karen Welch was present. Gary Mahaffey also mentioned concerns about Shell Western E&P CO2 production in connection with county revenues.

KN ENERGY's Community Affairs Representative Gail Hutchinson and Operation Leader for the Western Slope Thomas Boita and Krohe & Associates, Inc. right-of-way Specialist Jim Krohe met with the Board. They informed the Board that they are starting to build the pipeline that was previously approved in 1992 (TransColorado). They gave an updated report on the project. San Juan National Forest Service representative **John Reidinger** was also present.

OFFICE OF COMMUNITY SERVICES: Mike Preston and Carla Garrison presented information on proposed timber sales. Later in the day, **Mike Preston** presented information in connection with the comprehensive land use plan.

MAHAFFEY: Daisy Mahaffey stated that they have done some improvements on unimproved CR 18, south of CR P and CR L.5. She asked that two culverts be installed and that the unimproved county road be graveled and maintained by the County. Past gravel policy for unimproved county roads was discussed. No further action was taken.

LANDOWNER Mick Trienen met to discuss issues not resolved at the Planning Commission Public Hearing held July 24, 1997, in connection with his proposed subdivision. Landowners Lloyd Gallion and Mark **Allen** were present and expressed their concerns with use of Road L.8. Planning Manager Karen Welch stated that the Planning Commission gave approval with unresolved issues. A Public Hearing was scheduled for August 11, 1997 at 10:00 a.m. to address these issues. The Board stated that they will do an on-site inspection of Road L.8 and the proposed south access before the public hearing.

BOARD OF EQUALIZATION: It being 11:30 a.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 28, 1997 to sit as the Board of Equalization. These proceedings were tape recorded and the roll was called. Assessor Bob Cruzan, Chief Appraiser Mary Zummach, Field Appraiser Scott Davis and Samanth Sunseri were in attendance.

Ruth Hansen appeared for the Board's decision concerning her appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5359-094-03-005. Comm Lindsay made a motion to award a \$50,820 adjustment on the property. The motion was seconded by Comm Wilson and carried.

Robert Baxtrom appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5611-263-13-009. Comm Lindsay made a motion to award a \$2,250 adjustment on the property. The motion was seconded by Comm Wilson and carried.

McPhee Marina Recreational Complex, Inc., owner Herb Heroux appeared to ask for clarification of last week's action. It was reiterated that the action was to leave the possessory interest on the 1997 roll, pending a decision by the Courts.

Thomas and Sharon Kurpius appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5359-124-00-011. Comm Lindsay made a motion to adjust the valuation for assessment of the property to \$92,500, the 1995 sale price. The motion was seconded by Comm Wilson and carried.

Dolores River, Inc. owners Thomas and Sharon Kurpius appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5359-124-00-028. Comm Lindsay made a motion to adjust the valuation for assessment of the property to \$362,750.

Rick Johnson appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5359-183-01-015. Comm Story made a motion to award a \$3,100 adjustment on the house. The motion was seconded by Comm Lindsay and carried.

Ruth Slickman appeared for the Board's decision concerning her appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5611-222-05-020. Comm Lindsay made a motion to award a \$2,000 adjustment on the property. The motion was seconded by Comm Wilson and carried.

Abe and Alice Saunders appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5605-283-12-001. Comm Lindsay made a motion to adjust the assessed property valuation for assessment to \$336,830. The motion was seconded by Comm Wilson and carried.

Assessor Cruzan presented an appeal from Thomas and Gillian Vormittag concerning their "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5637-152-00-014. Comm Lindsay made a motion to deny an adjustment. The motion was seconded by Comm Wilson and carried.

Assessor Cruzan presented an appeal from City Market, Inc. – Patrick C. McMahon concerning the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5611-261-23-001. Comm Wilson made a motion to accept the Assessor's recommended valuation of \$2,953,440. The motion was seconded by Comm Lindsay and carried.

The Board of Equalization recessed at 3:55 p.m. until August 4, 1997.

ADJOURNED at 4:00 p.m.

Deputy Clerk     Chairman

July 28, 1997

SEAL

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
AUGUST 4, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 4, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting hold on July 28, 1997 were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted.

**PAYROLL:** **General fund** - Payroll vouchers #17971 thru #18096 in the amount of \$148,151.60, District Attorney voucher #27805 in the amount of \$13,827.80, Treasurer voucher #27806 in the amount \$90,249.87; **Road fund** - Payroll vouchers #18097 thru #18130 in the amount \$51,007.35, Treasurer voucher #10342 in the amount of \$32,234.11; and **Landfill fund – Payroll** vouchers #18131 thru #18138 in the amount of \$7,877.94, Treasurer voucher #831 in the amount of \$4,323.29 were approved for payment.

**FIRE BAN:** Sheriff Sherman **Kennell** and Undersheriff **Sam Hager** met to request that the Board lift the fire ban. Resolution #6-97, a resolution suspending the ban on open fires in Montezuma County, was presented. Comm Lindsay moved to **adopt Resolution #6-97**, seconded by Comm Wilson and carried.

**DISPATCH CENTER:** Sheriff **Kennell** presented information on proposed shared costs by all the entities. He stated that the canine portion of Search and Rescue will not be involved with the dispatch service. \*\*\* Later in the morning, Chief of Police Ray **Lane**, Fire Chief **Jay Balfour** and **Jim Sparks** met with the Board. Proposed agreement between entities sharing costs and services of the Dispatch Center was presented for review. Suggested changes to the agreement were discussed. Mancos and Dolores use will be documented for cost sharing. \*\*\* City of Cortez Attorney **Cliff Fossum** was contacted and came in later in the day to discuss the proposed changes.

**HEALTH DEPARTMENT** Director **Bette Anderson** discussed State Legislature Public Health Footnote 151. The document asked that each county Health Department submit a summary of their funding, function requirements, personnel, etc. Director Anderson also presented her proposal sent to the Montezuma Hospital District outlining community health needs.

**LANDOWNERS** **Jerry Evans** and **Ken Evans** met to discuss their proposed 3 lot subdivision. Three items were addressed: (a) request for a variance of a 60' easement an the south side of the bridge - tentative approval was given to vary the easement to 40' beginning on the south side of the bridge, continuing through the three lots; (b) request to waive the planning commission's designation of land on the north side of the bridge as a "no build zone" for a building to house snow removal equipment -- denied at this time, with the option that it may be discussed in the future if there is year round residence; (c) request for clarification of condition of bridge - bridge has been inspected and deemed adequate and no rails are necessary due to the 8" step along each side. Planning Manager, **Karen Welch**, **Kathy Evans** and **Dolores Evans** were also present.

PLANNING: A planning resolution P-19-97E was presented whereas **Joe L. Mahaffey**, owner of 302 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 5.25 acre parcel in Section 19, T.38N., R.17W. This is the only exemption that will be granted this property. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. A verbal request for an exemption to the subdivision regulations for Nate Porter to split 4.5 acres from 388 acres was tentatively approved, with Comm Lindsay excused because of a conflict of interest.

RESIDENT Scott **Mahaffey** asked that his impact fees be his graveling  $\frac{1}{4}$  mile of unimproved CR 15 to the 5.25 acre parcel created by Resolution P-19-97E (see above). This was affirmed.

BOARD OF SOCIAL SERVICES was conducted.

BOARD OF EQUALIZATION: It being 10:30 a.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, August 4, 1997, to sit as the Board of Equalization. These proceedings were tape recorded and the roll was called. Assessor Bob Cruzan, Chief Appraiser Mary Zummach, Field Appraiser Scott Davis were in attendance.

King Family Trust representative Jack King appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for by the Assessor's office on Parcel #5335-012-01-003. Comm Lindsay made a motion to deny an adjustment. The motion was seconded by Comm Wilson and carried.

Otto Carlos McClain (Corky) and Shawna Valdez appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5359-094-09-005. Comm Lindsay made a motion to award an adjustment of \$15,000 (Land - from \$40,500 to \$40,000; Improvements - from \$48,190 to \$40,690). The motion was seconded by Comm Wilson and carried.

Otto Carlos McClain (Corky) and Shawna Valdez appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5359-094-09-006. Comm Wilson made a motion to award an adjustment of \$79,790 (Improvements - from \$247,890 to \$168,100). The motion was seconded by Comm Lindsay and carried.

**Michael VanHemelryck** appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor office on Parcel #5359-123-00-021. Comm Lindsay made a motion to **award** an adjustment of \$51,440 (Land - from \$107,560 to \$56,120) for only one year. The motion was seconded by Comm Wilson and carried.

Melvin Evans appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5637-162-00-085. Comm Lindsay made a motion to award an adjustment of \$4,880 (Land - from \$9,130 to \$4,250). The motion was seconded by Comm Wilson and carried.

Gerald Evans appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5331-063-00-012. Comm Wilson made a motion to accept the Assessor's recommendation to make an adjustment of \$167,260 (Land - from Res Land \$135,300 to Ag Land \$1,290; Improvements - from \$183,470 to \$150,220). The motion was seconded by Comm Lindsay and carried.

Ron Volz's representative **Galen Larson** appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5611-173-00-002. Comm Lindsay made a motion to award an adjustment of \$2,320 (Land - from \$22,320 to \$20,000). The motion was seconded by Comm Wilson and carried.

Ross Watkins appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5609-122-00-050. Comm Wilson made a motion to award an adjustment of \$2,440 (Improvements – from \$203,580 to \$201,140). The motion was seconded by Comm Lindsay and carried.

Children's Kiva representatives Peter Robinson and Donna Livengood appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5611-261-00-030. Comm Lindsay made a motion to accept the Assessor's recommendation to award an adjustment of \$197,030 (Land – from \$90,850 to \$88,170; Improvements – from \$681,820 to \$487,470) for only one year. The motion was seconded by Comm Wilson and carried.

Gerald Stansbury – Front Row Seat representative Wendy Murray appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by Assessor's office on Parcel #5609-302-02-021. Comm Lindsay made a motion to deny an adjustment. The motion was seconded by Comm Wilson and carried.

Louis Katz's representative Jerome Katz appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5637-073-02-003. Comm Lindsay made a motion to award an adjustment of \$21,380 (Land – from \$31,240 to \$9,860). The motion was seconded by Comm Wilson and carried.

Assessor Cruzan presented an appeal from John G. and Patricia A. Pingitore concerning their "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5361-344-00-030. Comm Lindsay made a motion to award an adjustment of \$21,380 (Land from \$31,240 to \$9,860). The motion was seconded by Comm Wilson and carried.

Assessor Cruzan presented an appeal from John G. and Patricia A. Pingitore concerning their "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5361-344-00-030. Comm Lindsay made a motion to accept the Assessor's recommendation to award an adjustment of \$40,580 (Land – from \$76,090 to \$35,510). The motion was seconded by Comm Wilson and carried.

Ron Kotarski appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5609-183-04-009. Comm Lindsay made a motion to award an adjustment of \$3,460 (Land – from \$41,400 to \$37,940). The motion was seconded by Comm Wilson and carried.

Assessor Cruzan presented an appeal from Charles Cole and Gina Aspromonte concerning their "Notice of Valuation" for 1997 by the Assessor's office on Parcel #5605-182-01-004. Comm Wilson made a motion to deny an adjustment. The motion was seconded by Comm Lindsay and carried.

Assessor Cruzan presented an appeal from Coors Brewing Company for the Board's decision concerning the appeal on the "Notice of Valuation" for 1997 by the Assessor's office on Parcel #8801-000-00-071P. Comm Wilson made a motion to deny an adjustment. The motion was seconded by Comm Lindsay and carried.

The Board of Equalization for 1997 recessed at 5:55 p.m.

ADJOURNED at 6:00 p.m.

Deputy Clerk Chairman

August 5, 1997

SEAL

**Minutes 08/11/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
AUGUST 11, 1997**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 11, 1997, at the courthouse in Cortez, Colorado there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on August 4, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ACCOUNTS PAYABLE: General fund vouchers #34139 thru #34346 in the \$151,386.33, Road fund vouchers #34347 thru #34424 in the amount of \$165,525.75 and Landfill fund vouchers #34425 thru #34456 in the \$28,389.95 were approved for payment.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-13-97 to the Treasurer to pay \$60.00 (clean console) from the 911 account to Farmers Telephone Company, Inc., P. O. Box 369, Pleasant View, CO 81331-0369. The motion was seconded by Comm Wilson and carried.

SHERIFF Sherman Kennell presented memos sent to the Mancos Town Board and Dolores Town Board by the Sheriff's department average percentage of dispatch usage based on figures from 1996 and 1997. Other items discussed: (a) Western Corrections Group, a company interested in building a new jail facility in Montezuma County, is scheduled to meet with the Board in the near future, (b) need for a Detox Center, (c) Bondman's fees now being assessed by the Sheriff's office, (d) proposed Dispatch Center Agreement, and (e) Jackson Lake signage, etc.

**RESIDENT Shelia** Wilson gave a report on information she has about 1994 over billing to Medicare by former Southwest Memorial Hospital. The possibility that Southwest Health Systems may bill Montezuma County Hospital District for repayment of the amount was discussed.

PUBLIC HEARING - TOTTEN LAKE ESTATES (MICHAEL TREINEN) SUBDIVISION: It being the time set aside, a Public Hearing was conducted to consider unresolved issues from the Planning Commission regarding the proposed subdivision. The roll was called and proof of publication was read. **Michael** Treinen and other interested persons (see attached list) were present. Road Department representative Jay **Palmer** presented Montezuma County Road and Bridge Standard Specs with reference to the required size of the culvert and sight vision at the south access. Safety, drainage, easements, septic, dust, cattleguards, gates, and mail box locations were discussed. After discussion, developer Michael Treinen stated he would reduce the 7-lot subdivision to a 6-lot subdivision and the following items were agreed on: (1) 2 lots will use Road L.8 as access with 2 mail boxes at that location - 4 lots will use the south access off of CR 29 with 4 mail boxes at that location. Width of both access roads will have 18' road surfaces - 60' easement on road L.8 road was varied to 40'. The subdivision road will not be a through road. (2) Installation of 60" culvert. (3) Side by side 8' cattleguards/8' gates will be installed where needed instead of fencing. (4) Large tree at the south access will be trimmed, with the understanding that it will have to be removed if there is a hazard to traffic in the future. Tentative approval to proceed with the development was given by the Board, contingent on the above items. These proceedings were taped for the record.

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08-11-97

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CU CENTER: New Director Ann Chambers introduced herself to the Board. She gave an update on new and old projects planned for the Center. She asked for information on the procedure to apply for lottery monies to help with the projects. Information was given.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented a draft copy of "Tools for A Good Neighbor Policy" in connection with commercial/industrial land use issues.

ADMINISTRATION: Lyle Bilberry gave an update on entities and commitments made for monies to pay for a survey about cost, usage, etc. for installation of a fiber optics line in the county. He asked the Board for a commitment. Action was tabled.

WEED PROGRAM Manager Ron Lanier stated that a State Weed Program representative and other entities interested in weed control are scheduled to meet with the Board next week. The weed program was discussed.

BIDS FOR DRY VAN SEMI TRAILER were opened. Four bids were received. Comm Lindsay made a motion to accept the high bid of \$801 from 4-Corners Auto Electric. The motion was seconded by Comm Wilson and carried.

ADMINISTRATOR Tom Weaver reported that he met with Jim Krohe of Krohe & Associates, Inc. about the KN Energy (TransColorado) pipeline. He stated that in 1992 objections had been filed, but were resolved with the acceptance of Alternative E. Krohe & Associates, Inc. will be notified by letter that the county has no further objections to the pipeline, with the understanding that satisfactory resolution with the landowners involved has been obtained. Suggestion by the Road Department to hire Wayne Eppich to research information for grant monies to upgrade Jackson Lake Road and/or CR BB was affirmed.

BOARD OF SOCIAL SERVICES was conducted.

MAIL BALLOT: Comm Wilson made a motion to adopt Resolution #7-97 to conduct the Election of November 4, 1997, by Mail Ballot for issues from the State of Colorado, School Districts and the Dolores Public Library. The motion was seconded by Comm Lindsay and carried.

SENATE BILL 94: At the request of District Court Chief Judge Sharon L. Hansen, the Board appointed Nancy Johnson as a representative to serve as a member of the Senate Bill 94 planning committee.

ADJOURNED at 4:20 p.m.

Deputy Clerk Chairman – Vice

August 11, 1997

SEAL

**Minutes 08/18/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
AUGUST 18, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 18, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman -- **Absent**  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on August 11, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted. The Treasurer's six month report and report for July, and the Clerk's report for July were received.

**TREASURER** Bobbie Spore's six-month report and its reconciliation with the financial report done by Finance Officer **Mary Ann Sanders** was discussed. It was noted that the Commissioners warrants do not balance with the Treasurer's funds (see attached).

**MIDWEST LIMITED** representative **Ed Novotny** presented a letter in regard to his appeal on the "Notice of Valuation" and adjustment on Parcel #5611-233-01-012, addressed to Comm Story as Chairman of the County Board of Equalization. The contents were discussed and at the request of Mr. Novotny, the discussion was taped.

**WEED CONTROL PROGRAM:** State Weed Control Program Coordinator **Eric Lane**, Manager **Ron Lanier**, Extension Agent **Kenny Smith**, and Soil Conservation representatives **Dalton Montgomery** and Bob **Wright** met to discuss the program. Items discussed were: (a) available grant monies from different sources and cost sharing, (b) weed control enforcement, (c) weed inventory, which would include volunteer public participation, and (d) personnel to implement the program. Reorganization of the Weed Control Program Advisory Committee was affirmed.

**BOARD OF SOCIAL SERVICES** was conducted.

**LANDOWNERS** Ron and Kit **Cressler** presented a pre-sketch of their proposed 3 lot minor subdivision. Tentative **approval** was given. Acting Planning Manager **Loretta Murphy** was present.

**PLANNING:** A planning resolution **P-20-97** was presented for **Nathan Porter**. Comm Lindsay was excused because of a conflict of interest. Action was **tabled** until all the Board members are present. A **verbal** request for an exemption to the subdivision regulations for **Dan Davis** to split 5 acres from 333 acres was tentatively approved. \*\*\*\* Later in the day, the Board discussed proposed changes still being petitioned by Totten Lake Estates developer Michael Treinen.

**NIELSON MINOR SUBDIVISION:** Comm Lindsay moved to **approve and sign** the final plat for the Nielson Minor Subdivision (Art and Margaret Nielson), seconded by Comm Wilson and carried.

**REGIONAL ONE-STOP CAREER CENTERS - JOB SERVICE:** Cortez Job Service representatives **Maxine Maestas** and **Joyce Scharnhorst** met to discuss the proposed centers. Administrator Weaver gave a report on the workshop he attended last week. Ms. Maestas asked that a request be made to One-Stop Career Center Chairman Bob Formwalt that pertinent updated information be sent to their office. This was affirmed.

08-18-97

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CLERK Evie Ritthaler reminded the Board that any ballot items for the November election have to be submitted by September 9<sup>th</sup>.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a liquor license for the Last Chance Liquor Store. The Sheriff's department reported no problems with this establishment. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried.

ADJOURNED FOR LUNCH with the Dolores County Commissioners.

RABIES ORDER: Veterinary Jim McNeill asked for clarification of the Rabies Order dated August 2, 1996 (see August 5, 1996 minutes). The order was discussed. A reminder will be put in the newspaper that the Order is in effect indefinitely and all vaccinations should be kept current.

MEETINGS: Comm Wilson gave a report on the CDOT meeting in connection with the M&M intersection project, and the Tourism Board meeting.

JAIL CHARGES: Administrator Weaver presented the Sheriff's request to increase the daily jail charge. Comm Lindsay moved to raise the daily jail charge from \$45.06 to \$47.02 effective January 1, 1998, seconded by Comm Wilson and carried.

911 AUTHORITY BOARD: Proposed increase for emergency 911 charges from 50 cents to 70 cents a month was discussed and tabled.

LOTTERY FUNDS: The need to purchase a pickup for use at the Fairgrounds was discussed. Comm Lindsay made a motion to purchase a 1992 pickup from Keese Motors for \$5,500 with lottery funds. The motion was seconded by Comm Wilson and carried.

ADJOURNED at 3:30 p.m.

Deputy Clerk    Chairman

August 18, 1997

SEAL

**Minutes 08/25/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
AUGUST 25, 1997

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 25, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on August 18, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number **0-14-97** to the Treasurer to pay \$1,016.44 from the 911 account to U.S. West Communications, Denver, CO 8244-0001. The motion was seconded by Comm Wilson and carried.

SHERIFF Sherman **Kennell** met with the Board. The Colorado Office of Emergency Management Annual Program Paper was signed. The Dispatch Agreement was discussed changes were made in the draft proposal and will be submitted to the City.

TOTEN LAKE ESTATES SUBDIVISION: Developer Michael Treinen submitted a letter from Fire Chief Jay Balfour. Other items presented by Developer Treinen, which would change the conclusions made on August 11th, were discussed. The Board affirmed that the determinations made at the August 11, 1997, Public Hearing are still applicable. Developer Treinen stated that he accepts that action. No further action was taken. Planning Manager Karen Welch and others (see attached list) were present.

RACE TRACK: Driver Mark Snead stated he feels that the race track needs: (a) a better check and balance protest system, (b) qualified flagmen, and (c) better management. A meeting with the Board will be scheduled with Fairground Manager Sena, drivers and any other interested persons to discuss these concerns.

**INDUSTRIAL PARK** developer Glenn Leighton and Montezuma County Economical Development Council (MCEDC) representative Will Williams met with the Board about the proposed "light" industrial park east of Cortez. Phase I was presented and discussed.

DISPATCH CENTER: Chief of Police Roy Lane met to discuss the signing of the proposed Dispatch Agreement between the City of Cortez and Montezuma County. A copy with changes was given to him to submit to City Attorney Cliff Fossum for review. \*\*\* Later in the day, Chief Lane brought the agreement back. He stated that the changes were accepted by the City. Comm Wilson, acting as chairman, was still present and signed the agreement.

**PLANNING:** A planning resolution P-20-97E was presented whereas **Nathan Porter**, owner of 388 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 4.53 acre parcel in Section 36, T.38N., R.17W. This is the only exemption that will be granted this property. Comm Lindsay was excused because of a conflict of interest. Comm Wilson moved to **adopt** this resolution, seconded by Comm Story and carried. A planning resolution P-21-97E was presented whereas John M. and Ruth A. Jennings, owners of 70 acres, would be granted an

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exemption to the subdivision regulations to record an exemption for a 2.17 acre parcel in Section 21, T.37N., R.16W. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution P-22-97E was presented whereas **Albert Mahaffey**, owner of 293 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 3.21 acre parcel in Section 6, T.37N., R.17W. Comm Wilson moved to **adopt** this resolution, seconded by Comm Lindsay and carried. A planning resolution P-28-97E was presented whereas **Merle E. and Carmen E. Wilson, owners of 49 acres**, would be granted an exemption to the subdivision regulations to record exemptions for a 6 acre parcel to be used for agricultural purposes only and a 4 acre parcel with an existing residence in Section 22, T.37N., R.16W. Comm Wilson was **excused** because of a conflict of interest. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Story and carried. A verbal request for an exemption to the subdivision regulations for **Ricky Neely** to split 24 acres, created by a canal, from 160 acres was tentatively approved. A verbal request for exemptions to the subdivision regulations for the **Gaylord Gardner property** to be split and sold to four adjoining property owners was tentatively **approved**, contingent on the agreement that they will not create separate parcels but will add them to their perspective properties. Other actions will be looked at as they are presented to the Planning Manager. Pre-sketch for **Alvin Johnson's** proposed 2-lot moderate subdivision was presented. The Board feels that the following conditions need to be met: 60' access, highway access approval, and that both lots be connected to the Town of Dolores water and sewer systems.

**STATE BOARD OF EQUALIZATION ORDER:** Assessor Bob Cruzan reported to the Board that in regard to possessory interests, the District Court of Denver, CO has ruled against Montezuma County in favor of the State Board of Equalization Order. Comm Lindsay made a motion that the Board **authorizes** the filing of appropriate action to appeal the recent District Court decision. The motion was seconded by Comm Wilson and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

**ROAD DEPARTMENT:** Administrator Weaver gave a report on the Road Department's weekly meeting which included the following: (a) did not re-district - more equipment was moved to the Cortez Shop, (b) will lease purchase two new blades, (c) West Fork rock slide is cleaned up, (d) are ready to do more work on Kelly Hill, (e) road department will replace the Ute Creek Bridge, (f) replacement of CR 27 bridge is out for bids, (g) purchased weed mowing tractor and repaired weed mower, and (h) blading county and Forest Service roads. **Jimmy Sattley** gave input on the Forest Service's proposal to close off a portion of the old McPhee road. Asphalt problem on the Oak Street Bridge was discussed.

**1997 ABSTRACT OF ASSESSMENT** for Montezuma County taxable valuation of \$195,335,490.00 was signed.

**FIBER OPTICS:** Rick Smith and **Lyle Bilberry** gave an update on community participation for monies to pay for a survey about cost, usage, etc. for installation of a fiber optics line in the county. Action **was tabled** until Montezuma County Economics Development Council is contacted for participation, as representation for the County. **Nick Lewis** was also present.

**MAYOR MEETING:** Comm Wilson and Comm Lindsay reported on items discussed, which included the City of Cortez's proposal to purchase the County Shop.

**ADJOURNED** at 2:00 p.m.

Deputy Clerk    Chairman

August 25, 1997

SEAL

**Minutes 09/08/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
SEPTEMBER 8, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 8, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on August 25, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

**PAYROLL: General fund** - Payroll vouchers #18146 thru #18271 in the amount of \$150,503.10, District Attorney voucher #28024 in the amount of \$14,429.48, Treasurer voucher #28025 in the amount of \$92,205.93; **Road fund** - Payroll vouchers #18272 thru #18305 in the amount of \$50,938.19, Treasurer voucher #10427 in the amount of \$32,986.60; and **Landfill fund** -- Payroll vouchers #18306 thru #18313 in the amount of \$12,342.23, Treasurer voucher #0871 in the amount of \$6,879.99 were approved for payment. DEVELOPER Glenn Leighton and MCEDC representative **Will Williams** asked for an exemption to the subdivision regulations to split a 3 acre parcel from 160 acres. Tentative **approval was** given, contingent on access. Planning Manager **Karen Welch** was present.

**LOTTERY FUNDS:** CU Center Director **Ann Chambers** presented a letter asking for lottery funds to support two recreational projects. Comm Lindsay moved to give \$2,500.00, seconded by Comm Wilson and carried.

**COUNTY ROAD 42:** Spokesperson Clay Bader and other residents (see attached) along CR 42 met to discuss the condition of the road. A petition (see attached) signed by 73 persons "requesting that the Montezuma County Commissioners pave CR 42 from Highway 184 to CR N, a distance of approximately five miles" was presented. Mancos Road Foreman Don Yeomans was present. He stated that chip/seal is scheduled for next year for CR 42 from Highway 184 to the Clay Bader property (approximately 1-1/2 miles). The remaining section from Clay Bader's property to the Forest Service access is approximately 4.2 miles. The following items were mentioned and discussed in regard to the remaining 4.2 miles: (a) creation of a Paving District – cost figures will be submitted to them by the Road Department, and (b) soliciting help from the Forest Service since this is a major access to national forest land – counters will be placed at the access to show impact of recreational use.

**ROAD DEPARTMENT:** Mancos Foreman **Dan Yeomans** met to discuss a problem with beavers on private property. The beavers are plugging up a natural drainage and water is flowing over CR J (Spruce Street). Statutes in regard to water on county roads were read. An on-site inspection is scheduled for today at noon.

**SHERIFF Sherman Kennell**, Detention Officer Lieutenant **Jim Keen**, CiviGenics Senior Vice-President **Tom Rapone** and Littleton representative **Gary Corlien** met with the Board. CiviGenics' preliminary proposal for the design, finance, construction and operation of a Montezuma County criminal justice complex was presented and discussed. No action was taken.

**DISPATCH CENTER:** Cortez City Manager **Bill Ray** presented an Agreement with the Colorado State Patrol to use the Dispatch Center on a month to month basis. Comm Lindsay moved to sign this agreement, seconded by Comm Wilson and carried.

**PLANNING:** A planning resolution P-22-85 **Amended** was presented whereas **Keith Tucker** would be granted an amended variance to adjust the boundary between Tract 2 and Tract 3 by .66 acres in Section 11, T.36N., R.14W. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Wilson and carried. A verbal request for an exemption to the subdivision regulations for **Don Story, Jr.** to split 9 acres from 40 acres was tentatively **approved, with** Comm Story excused because of a conflict of interest. Presketch for **Dennis Boon** to divide his 4.88 acre lot into a 3 acre and 1.88 acre lot with the smaller lot being obtained by the Archeological Conservancy was presented and discussed. Action **was tabled**.

**EVANS SUBDIVISION:** Comm Wilson moved to **approve and sign** the final plot for the Evans Subdivision, seconded by Comm Lindsay and carried.

**KOPPRI MINOR SUBDIVISION:** Comm Lindsay moved to **approve and sign** the final plat for the Koppri Minor Subdivision (Hans and Jan Koppri), seconded by Comm Wilson and carried.

**OAKVIEW SUBDIVISION - PHASE 2:** Comm Wilson moved to **approve and sign** the final plat for the Oakview Subdivision - Phase 2 (Larry Everett), seconded by Comm Lindsay and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

**REGION 9** representative Ed **Morlan** gave an update on **Cannon Forest Products, Inc.'s** revolving loan fund account (see minutes of September 9, 1996). The company's request for approval to restructure their financing was discussed. Comm Lindsay moved to **sign** the "Assignment of Certificate of Deposit for \$15,000," seconded by Comm Wilson and carried. **Mike Preston** was present.

**DIRECT DEPOSIT - PAYROLL:** Auditor **Gale Greenlee**, Treasurer **Bobbie Spore** and Finance Officer **Mary Ann Sanders** presented a request to change the county payroll to a direct deposit system. The Board affirmed the change and asked that procedures to accomplish this be agreed on and implemented.

**HEALTH DEPARTMENT** Director **Bette Anderson** presented the 1997-98 County Nursing Contract for review. Comm Wilson moved to **sign the Nursing Contract** between the State of Colorado, Department of Health and the Montezuma County Board of County Commissioners, seconded by Comm Lindsay and carried. She reported that she has met with Southwest Memorial Hospital about the Home Health Care program. Her recommendation is to form a partnership between the Health Department and the Hospital for Home Health Care. Free flu shots will be available for county employees each Monday in October.

**LIQUOR LICENSES:** Deputy Clerk **Betty Davis** presented a summary of the recent liquor and beer codes license changes and fees. This was discussed. An application to "Change the Premises" was presented for the **Roundup Junction Restaurant** (Dean Hansen). **Comm Lindsay moved to approve** this application, seconded by Comm Wilson and carried. An application for renewal of a retail liquor license for **Log Cabin Liquors** was presented. The Sheriff's department reported no problems with this establishment. Comm Lindsay moved to **approve** the application, seconded by Comm Wilson and carried. An application for a "Transfer of Ownership" for the **Skyline Foodmart & Gas**, 3.2% beer license, and **Hilltop Liquor**, retail liquor license, by the **Norbell Corporation** was presented. Deputy Davis stated that there is an option to have or not to have a Public Hearing. It was affirmed that there would not be a public hearing since the needs and desires of the neighborhood have been met. Action was **tabled** until "Certificate of Good Standing" is received and lease is signed by an officer of the Corporation.

09-08-97

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DISTRICT ATTORNEY Mike Green reported that a change of venue was issued for a current trial. Extra expenses were discussed.

POLICY – CHANGE IN COUNTY ROAD SPECS: Comm Lindsay made a motion to revoke the County road spec policy dated September 9, 1996 and adopt the following road specs – (a) minimum 6" (compacted) of 3" minus covered with minimum 4" (compacted) of ¾" minus, and (b) Cul de sac or hammerhead. The motion was seconded by Comm Wilson and carried.

OFFICE OF COMMUNITY SERVICES: Mike Preston met to discuss (a) proposed timber sale, (b) plans by Forest Service to start repairs on the Beaver Creek Bridge this fall, and (c) commercial/industrial land use issues.

WEED CONTROL PROGRAM/LANDFILL MANAGER Ron Lanier reported on the weed control program and the need for a cost share program with other government entities – Forest Service, BLM, Park Service, etc. – for weed control. Reported that the landfill passed on inspection done by the State.

ADJOURNED at 4:30 p.m.

Deputy Clerk    Chairman

September 8, 1997

SEAL

Online Copy

**Minutes 09/15/1997 Regular**

PROCEEDINGS OF THE **BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**SEPTEMBER 15, 1997**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 15, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on September 8, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's report for August 1997 was received. It was affirmed that a letter of support will be written for the expansion of a water treatment plant by the Montezuma Water Company.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-15-97 to the Treasurer to pay \$9,432.47 for the third quarterly payment (lease purchase of equipment for the Dispatch Center) from the 911 account to the City of Cortez. The motion was seconded by Comm Wilson and carried.

MADISON HOUSE TEN YEAR ANNIVERSARY: Manager Jim Dyess, Judy Englehart, Jean Winbourn and Bill Bauer met with the Board. A proclamation stating that September 26, 1997 be the date honoring the ten year anniversary for Alternative Care Facility, which opened with the support of the 1987 Board of Commissioners was presented. Comm Lindsay moved to sign this proclamation in the form of **Resolution 8-97**, seconded by Comm Wilson and carried. The Board was invited to the celebration.

ANASAZI HERITAGE CENTER representative for Director Lou Ann Jacobson, Victoria Atkins asked the County to support and sign a mini-grant application for monies from the Colorado Historical Society. The monies would fund the "Archaeology of the Great Sage Plain Film Project" for the Southwest Natural and Cultural Heritage Association. Ms. Atkins mentioned that the request may be combined with another project, thus changing the requested amount. Action was **tabled** until the exact amount of monies needed is presented.

SOUTHWEST MEMORIAL HOSPITAL: **Sheila Wilson** met to discuss concerns about Southwest Health System, Inc.'s (SHS) (private entity) proposal to build a Doctors' Medical Professional Building (private entity) on land owned by the Montezuma County Hospital District (MCHD) (government entity). She stated that she felt a private for profit building should not be built on public owned land. She asked if there had been any formal notification to the Board about the proposal. The Board stated they had not received any information pertaining to the proposal.

**EXTENSION OFFICE** Director **Jan Sennhen** introduced CSU Regional Director **Dale Edwards** to the Board. Director Edwards gave an update on the Cooperative Extension (CE 2000) re-organization. He complimented the work being done by the Montezuma County extension office personnel. He mentioned that a new regional horticulture position may be established and stated that funding would need to come from each county in the region. No action was taken. Satellite capability for the Montezuma County extension office was discussed and will be pursued.

**LANDOWNER** Wade Wilson stated that some of the barrow ditches around his farm land have lots of jointed-goat grass which is now showing up in his fields. He asked if the County would spray it. He was told to contact Weed Control Manager Ron Lanier. The condition of CR 21 was discussed. He stated that deep ruts are created when the road is used when it is in a muddy condition. Possible solutions were discussed. Administrator will discuss the road's condition with the Foreman at the next Road Foremen meeting. In this same area, a problem with cows getting out was discussed. Mr. Wilson mentioned that a cattleguard would help the situation. He was asked to contract Foreman Jim Becher about the installation of a cattleguard.

**PLANNING:** A memo from the City of Cortez in regard to the proposed **Cressler Subdivision** (Ron and Kit Cressler), which was tentatively approved on August 18, 1997, was discussed. The tentative **approval was affirmed**. A **verbal** request for Paul **Chappell** to split 4.8 acres from 39.8 acres was tentatively approved. Planning Manager Karen Welch presented a proposal to charge an initial application fee for proposed subdivisions. The fee would be reduced from the final fees when the subdivision is approved. No action was taken. Letters from persons interested in serving as a member of the Planning Commission were presented. Interviews will be scheduled.

**ABATEMENT:** Assessor Bob Cruzan being present, a petition for abatement of property tax was presented for **Mischel's LLC**, Parcel #5611-264-08-004, 1996, erroneous assessment, \$2,456.12. Assessor Cruzan recommended approval of the petition. Comm Lindsay moved to **approve** this petition, seconded by Comm Wilson and carried. The roll was called and all proceedings were taped for the record.

**BOARD OF SOCIAL SERVICES** was conducted.

**DISPATCH CENTER:** Comm Lindsay moved to sign the Agreement with the Colorado State Patrol to use the Dispatch Center on a month to month basis, seconded by Comm Wilson and carried.

**COMM** Story was absent in the afternoon.

**HEALTH DEPARTMENT** Director Bette Anderson gave a presentation of the "Baby Think It Over" program. She demonstrated with a lifelike baby doll used in the program. The program has acquired 15 dolls at the cost of \$250 each. The goal is to have a total of 40 dolls for the junior high school student program. Comm Lindsay moved to contribute \$5,000 from the Juvenile Crime Task Force account to the Health Department to purchase dolls, seconded by Comm Wilson and carried. Director Anderson stated that the City of Cortez will be asked for a matching contribution. She also said that reports on the program will be submitted to the Board, periodically.

**ARCHAEOLOGICAL CONSERVANCY** representative Jim Walker from Albuquerque, New Mexico, met with the Board about the conservancy's acquisition of ruins on private lands. He gave a report on the existing preserves in Montezuma County. He presented a proposed acquisition in connection with a request from Dennis Boon to divide a 4.88 acre lot into a 2.94 acre parcel and a 1.88 acre parcel, with the smaller lot being obtained by the Conservancy (see minutes of September 9, 1997). Tentative approval was given contingent on the following: (a) the larger parcel must be 3.00 acres, (b) a 60' easement to the small parcel, and (c) deed restrictions on the final plat stating that no permanent building is to be put on the small parcel. Mr. Walker stated he will work with these conditions and come back to the Board. Also discussed and agreed to was the need for a designation that the conservancy parcel is in an archaeological preserve category, **which** specifies that there is no other use but archaeological research, and that this is the only reason this size parcel is being established. Planning Manager Karen Welch was present.

09-15-97

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LANDFILL Manager Ron Lanier reported there has been a problem with bees swarming at the landfill. Control of the problem was discussed.

STATUTES on the formation of Special Districts were read and discussed. The application of Amendment I in connection with these statutes was also discussed.

ADJOURNED at 3:30 p.m.

Deputy Clerk    Chairman

September 15, 1997

Online Copy

**Minutes 09/22/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
SEPTEMBER 22, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 22, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator,
- Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on September 15, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted. The Treasurer for August 1997 was received. A letter will be written to the Division of Wildlife asking that the Board have a position as an advisory member on the Habitat Partnership Program Board.

**NOTICE OF CLAIM** from **Gary Muff** was received and will be sent to the Insurance Company.

**NOTICE OF CLAIM** from Melvin and Ruth Skaggs was received and will be sent to the Insurance Company.

**ACCOUNTS PAYABLE: General** fund vouchers **#34457 thru #34642** of \$141,275.24, **Road** fund vouchers **#34643 thru #34716** in \$102,6B9.26 and **Landfill** fund vouchers **#34717 thru #34745** in \$26,422.99 were approved for payment.

**OFFICE OF COMMUNITY SERVICES: Mike Preston** and **Carla Garrison** met to discuss public lands issues and the scheduled meeting with the Landowners Association about threshold standards.

**JUVENILE CRIME TASK FORCE** Deputy **Nancy Johnston** gave an update on the summer activities and programs. Use of dissolved ACT program was discussed. Deputy Johnston stated she would like to see the monies used for preventive materials. She will contact, by letter, all the entities involved with the program for their input. She also asked if her position could be paid by the hour. Action was tabled until the yearly evaluation of the Juvenile Crime program is done.

**PLANNING:** A planning resolution **P-24-97E** was presented whereas the **Estate of Gaylord N. Gardner**, personal representative, is the owner of 172.73 acres, would be granted an exemption to the subdivision regulations in Section 35, T.37N., R.16W. Exemptions are: Tract 1: 21.97 acres; Tract 2: 18.02 acres, Tract 3: 6.42 acres; Tract 4: 9.84 acres; Tract 5: 10 acres and Tract 6: 15.91 acres. It is noted that Tracts 2, 3, and 4 will be added to adjoining landowners property and do not create separate tracts for sell. Tract 1 cannot be further subdivided without obtaining the required 60' easement. This is the only exemption that will be granted this property. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried.

**LANDOWNER Galen Larson** met to discuss a bad corner an CR 22.

**ADMINISTRATOR Tom Weaver** was asked to report at the next Foremen Meeting that complaints have been received about gravel, etc., which has been cleaned out of barrow ditches and piled on the side of CR BB roadway. Safety issue when meeting trucks was discussed. Administrator Weaver reported on the last Foremen's meeting which included discussion of the following: (a) bid on highway department blade, (b) whether to get rid of old blades, (c) preparation of roads for snow plowing, (d) how much gravel to re-do with, (e) policy for snow plowing driveways, (f) cost of oil for CR G, (g) trade - county gravel for highway department hot mix, (h) repair of crusher, and (i) suggestion to buy gravel - cost effectiveness.

**ANASAZI HERITAGE CENTER** representative **Victoria Atkins** stated that the application for monies from the Colorado Historical Society to fund the "Archeology of the Great Sage Plain Film Project" (see minutes of September 15, 1997) will not be combined with another project. The amount for the mini-grant is be \$5,000. Comm Lindsay moved to **support and sign** the application, seconded by Comm Wilson and carried.

**COMM Wilson** gave a report on the CCI meeting he attended.

**COMMUNITY CONNECTIONS** representative Lon **Edwin** gave an update on the organization's programs and financial support. **Rodney Carriker** was also present. They asked that the County contribute again to the organization. After discussion, it was determined that any funding would have to be from the Social Services budget; therefore, they would need to work with Director Weaver for any available monies.

**ABATEMENT:** Assessor **Bob Cruzan** being present, a petition for abatement of property tax was presented for **Virginia Roberts**, Parcel #42-5335-221-00-026, 1996, erroneous assessment, \$2,937.28. Assessor Cruzan recommended approval of the petition. Comm Lindsay moved to **approve** this petition, seconded by Comm Wilson and carried. The roll was called and all proceedings were taped for the record. \*\*\* Assessor Cruzan gave an update on the interpretation by the Division of Property Taxation on a new statute in regard to exempting some personal property accounts. The Board **affirmed** their denial to Coors Brewing Company's appeal to the Board of Equalization on August 4, 1997.

**MONTEZUMA COUNTY CRIMINAL JUSTICE COMPLEX:** Two entities met (at separate times) with the Board, Sheriff **Sherman Kennell** and Detention Officer, Lieutenant Jim Keen, and presented their preliminary proposals for the design, finance, construction and operation for a justice complex. Both proposals were discussed. They were (1) Mitcham Associates representative **Ray Mitcham** and **Michael Harling** of Municipal Capital Markets Group, Inc. and (2) Western Corrections Group Managing Partner **Wesley Box** and Project **Director Patrick Jones**. No action was taken.

**CLERK Evie Ritthaler** reported on the upcoming election progress.

**BOARD OF SOCIAL SERVICES** was conducted.

**NOTICE OF AWARD - BRIDGE REPLACEMENT ON COUNTY ROAD 27:** Road Department representative **Lloyd Everett** stated that seven bids were received. These were reviewed. Comm Lindsay made a motion to **award** the bid to replace the Bridge on CR 27 to **Southwest Contracting, Inc.** in the amount of \$226,088.00. The motion was seconded by Comm Wilson and carried.

**ADJOURNED** at 4:00 p.m.

Deputy Clerk    Chairman

September 22, 1997

SEAL

**Minutes 09/29/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
SEPTEMBER 29, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County Colorado, held on Monday, September 29, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on September 22, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted.

**911 AUTHORITY BOARD:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-16-97** to the Treasurer to pay **\$1,016.44** from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**LOTTERY FUNDS:** Mancos Opera House representative **Wayne Eppich** asked for monies from the lottery fund to help fund the **Mancos Opera House** project and a resolution to support the concept of the project. The request for monies was denied. Comm Wilson moved to adopt **Resolution 9-97**, supporting the concept of the project, seconded by Comm Lindsay and carried. \*\*\* Other item discussed with the Board was excessive signage at the intersection of Highways 184 and 160 in Mancos. The Board will schedule an on-site inspection of the area.

**MESA VERDE MUSEUM ASSOCIATION, INC.** representatives Tracey **Hobson** and **Rovilla Ellis** asked the Board to support and sign a mini-grant application for \$5,000 from the Colorado Historical Society. The monies would fund the **"Mesa Verde Centennial Project - Phase I."** Comm Lindsay moved to **support and sign the** application, seconded by Comm Wilson and carried.

**CROW CANYON ARCHAEOLOGICAL CENTER** representative **Ricky Lightfoot** asked the **Board** to support and sign a grant application for \$87,358 from the Colorado Historical Society. The monies would help fund the **"Archaeology Connects Project."** Comm Wilson moved to **support and sign** the application, seconded by Comm Lindsay and carried.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** met to discuss the presentation of Land Use Threshold Standards at the noon meeting at the Anasazi with the Economic Development Council.

**COMM Lindsay** was absent from 9:30 a.m. to 10:45 a.m.

**FOUR CORNERS SCHOOL** representative **Janet Ross** asked the Board to sign a letter of support and a grant application for \$5,000 from the Colorado Historical Society. The monies would help fund the **"Service Learning for Colorado Youth Project."** Comm Wilson moved to **sign the letter and application, seconded** by Comm Story and carried.

**MONTEZUMA WATER COMPANY:** Comm Wilson moved to **sign a letter** supporting the **proposed Montezuma Water Treatment Plant**, seconded by Comm Story and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

09-29-97

UNIMPROVED COUNTY ROAD 18: Request from a landowner that the road be graded a second time this year was discussed. The request will be brought up at the Road Department Foremen's weekly meeting.

PLANNING: A planning resolution P-25-97E was presented whereas Rick Neely, owner of 163.41 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 24.89 acre parcel in Section 5, T.38N., R.17W. This is the only exemption that will be granted this property. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried.

HAWKS SUBDIVISION: Comm Wilson moved to approve and sign the final plat for the Hawks Subdivision (Tim Hawks), seconded by Comm Story and carried.

PLANNING COMMISSION BOARD APPOINTMENT INTERVIEWS: The following persons were interviewed for the Planning Commission Board member appointment created by the resignation of John Hutchison: (1) Eric Welsch, (2) Bill McCarter, (3) Gary Schwarzkopf, and (4) Mike Bauer. Comm Lindsay moved to appoint Mike Bauer for the remainder of 1997 and a three year term (1998, 1999, 2000), seconded by Comm Wilson and carried.

RIGHT WATER ENGINEERS representative Eric Bikis asked that the Board support and sign a grant application for \$17,060 from the Colorado Historical Society. The monies would be to fund the "Mummy Lake Paleohydrologic Study at Mesa Verde National Park." Comm Wilson moved to support and sign the application, seconded by Comm Lindsay and carried.

ADJOURNED FOR LUNCH at the Anasazi with the Economic Development Council.

WATER/SANITATION: Mountain Gravel/Developer Richard Tibbits, David King and Montezuma Water Company representative Mike Bauer met to discuss options for a water/sanitation project especially for the area north of Dolores, Co. Options included a collective system or a proposal to form a special district. These were discussed and statutes were read. It was stated that further research will be done before a final proposal is prepared. The Board affirmed their support.

REGIONAL ONE-STOP CAREER CENTERS: Mark Larson met to discuss the proposed centers. His recommendation for the initial step is to form the "Work Force Development Board." Administrator Weaver will contact One-Stop Career Center Chairman Formwalt for updated information.

HEALTH DEPARTMENT Director Bette Anderson presented the Amended Women, Infant and Children (WIC) Contract for signature. The amended contract increases funding for the program. Comm Wilson moved to sign the amended contract, seconded by Comm Lindsay and carried. Director Anderson also mentioned new State legislation for Septic Systems, County employees "United Way" programs, and meetings with the Hospital Board in regard to Home Health Care.

SHERIFF Sherman Kennell met to discuss the overcrowding at the jail. Options for a proposed new jail facility were discussed. Plans were discussed to look at new facilities in other counties in Colorado.

ADJOURNED at 4:30 p.m.

Deputy Clerk    Chairman

September 29, 1997

SEAL

**Minutes 10/06/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
OCTOBER 6, 1997

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 6, 1997, at the courthouse in Cortez, Colorado, there were present:

B. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on September 29, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: General fund - Payroll vouchers #18323 thru #18451 in the amount of \$148,289.12, District Attorney voucher #28216 in the amount of \$13,635.27, Treasurer voucher #28217 in the amount of \$91,266.01; Road fund - Payroll vouchers #18452 thru #18485 in the amount of \$52,437.99, Treasurer voucher #10511 in the amount of \$33,655.86; and Landfill fund Payroll vouchers #18486 thru #18493 in the amount of \$8,583.19, Treasurer voucher #908 in the amount of \$4,609.23 were approved for payment.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-17-97 to the Treasurer to pay \$9,432.47 for the fourth quarterly payment (lease purchase of equipment for the Dispatch Center) from the 911 account to the City of Cortez. The motion was seconded by Comm Wilson and carried.

CORTEZ MIDDLE SCHOOL seventh grade teacher Karen Ragland explained that she is scheduling a day for her classes to discuss planning and other county issues. She asked if the Board would consider attending the classes as guest speakers on Thursday, October 16, 1997. This was affirmed.

BOARD OF SOCIAL SERVICES was conducted.

**ROAD DEPARTMENT** Foreman Jim Sattley reported to the Board items discussed at the weekly foremen's meeting, (a) report to the Board of items discussed at weekly meetings (foremen will rotate), (b) program to get input from the public to determine if there is interest in public cost sharing of expenses to chip/seal county roads, (c) keep to minimum any emergency snow plowing, (d) notify Board about major purchases, (e) need for new gravel pits, (f) response to Commissioners' requests, and (g) creation of lists and cost estimates before going to auctions. Wear on CR G (McElmo Canyon) curves was discussed.

**BRIDGE REPLACEMENT** - CR 27: Road Department Foreman Jay Palmer presented the schedule, letter for signature to start the project, and the Agreement between Montezuma County and Southwest Contracting, Inc. for review. The project start letter was signed. \*\*\*\* Later in the day, Comm Lindsay made a motion to **pre-sign** the Agreement, contingent on clarification of some wordage before the document is transferred. The motion was seconded by Comm Wilson and carried.

**LIQUOR LICENSES:** Deputy Clerk Betty Davis presented the final documents needed for the application for a "Transfer of Ownership" for the **Skyline Foodmart & Gas**, 3.2% beer license, and Hilltop Liquor, retail liquor license, by the Norbell Corporation (see September 8, 1997 minutes). Comm Lindsay moved to **approve** the application, seconded by Comm Wilson and carried.

**MANCOS OPERA HOUSE** representative Wayne Eppich met to finalize Resolution 9-97 (see September 29, 1997 minutes).

**WEED CONTROL PROGRAM - WEED ADVISORY COMMITTEE:** Manager Ron Lanier, Extension Agent Kenny Smith, Soil Conservation Service (SCS) representative **Bob Wright**, Natural Resource Conservation Service (NRCS) representative **Dalton Montgomery**, Realtor Bob Durant, Dolores Soil Conservation District (DSCD) representative Gayel Alexander, and Carla Garrison met with the Board. They presented a "1998 Montezuma County Weed Advisory Commission Project Application" for review. Bob Wright explained the availability of Soil Conservation (State) grant monies for the control of weeds. He asked for matching funds from the County in the amount of \$15,000. The proposal was discussed. It was affirmed that the monies will be budgeted in the 1998 budget. Manager Ron Lanier gave a summary of former qualifications and guidelines for the appointment of members to a Weed Advisory Board. \*\*\* Later in the day, Manager Lanier presented the proposed advertisement for release to the newspaper for prospective Weed Advisory Board members. This was affirmed.

**REGIONAL ONE-STOP CAREER CENTERS - JOB SERVICE:** Cortez Job Service representatives Maxine Maestas and Joyce Scharnhorst met to discuss the proposed centers. Maxine Maestas' recommendation for the initial step is to develop a plan which needs to be done by July 1999, then form the "Work Force Development Board." Administrator Weaver will continue to try and contact One-Stop Career Chairman Bob Formwalt for updated information.

**FAIR BOARD APPOINTMENTS:** Fair Board representatives Jim Mitchell and **Darline Hamilton** presented four applications for the two openings on the Fair Board. Comm Lindsay moved to appoint Dave Manning and Bob Whitcomb, seconded by Comm Wilson and carried. Jim Mitchell noted that new appointments will be effective after the County Fair each time, instead of January 1st.

**PLANNING:** A planning resolution P-26-97E After-the-Fact was presented whereas Amy Kraham and Rob Morrow, owners of 4 acres, would be granted an exemption to the subdivision regulations to record an after-the-fact exemption in Section 27, T.36N., R.13W. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request for Rex Olin to split 3 to 4 acres from 40 acres was tentatively approved. A verbal request for Gerald and Nancy Goodall to split 5 acres from 80 acres was tentatively approved.

**SAMORA SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the Samara (Minor) Subdivision, seconded by Comm Wilson and carried.

**JAIL ADVISORY BOARD:** Proposal to form an advisory board to consider the best way to serve the county in regard to building a new jail facility was affirmed. Persons will be contacted and Sheriff Kennell will be informed of this action.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston met to discuss comprehensive land planning issues. Comm Story reported on the meeting with the City of Cortez in regard to the proposed Inter-Governmental Agreement (IGA).

**PROPOSED INDUSTRIAL PARK:** Developers Bob Leighton and Glenn Leighton and Cortez Cemetery District representative George Wickstrom met to discuss the need for an easement from the Cemetery district to widen a road to the park. It was noted that a public entity can not give land to a private entity. Therefore, if an easement is acquired, the developers need to make compensation to the District for it.

ADJOURNED at 3:25 p.m.

SEAL

Deputy Clerk

Chairman

October 6, 1997

**Minutes 10/13/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
OCTOBER 13, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 13, 1997, at the courthouse in Cortez, Colorado, there were present:

G. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator - absent  
Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on October 6, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Clerk's, Sheriff's and Treasurer's reports for the month of September 1997 were received. The Treasurer's quarterly report was also received.

HOUSING AUTHORITY representative Terri Wheeler gave an update on housing projects. "Public Approval Certificate \$915,000 Note By Housing Authority of the County of Montezuma County" contract was presented. It was reviewed and discussed. Comm Lindsay moved to sign the contract, seconded by Comm Wilson and carried.

UNDERSHERIFF Sam Hager gave a report on the break-out at the jail this weekend. The Board affirmed that the outside wall of the jail needs reinforcement and asked Undersheriff Hager to check on getting bids for the work. He stated he would.

PIUTE, INC. - INDUSTRIAL PARK developer Glenn Leighton met to discuss the proposed plan for sales of blocks/lots in Unit I, Phase I of the subdivision. Mr. Leighton asked if temporary sewer systems (with minimal use) might be permitted, if the Sanitation District's permanent system is not in place at the time of the sales. It was noted that as soon as the permanent sewer system is in place, all the temporary permits shall expire and said users shall connect to the District's sewer system. It was affirmed that each request should be brought before the Board to be considered one at a time. Planning Manager Karen Welch was present.

DEVELOPER **Wayne** Lee asked for an exemption to the subdivision regulations to split 10 acres from a 65 acre parcel adjoining The Views Subdivision, which he developed. Tentative **approval** was given, since the 10 acre exemption will abide by the covenants. Planning Manager Karen Welch was present.

**PLANNING:** A planning resolution P-27-97E was presented whereas **Paul and Edith Chappell**, owners of 40 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 4.83 acre parcel in Section 20, T.37N., R.17W. This will be the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution P-28-97E was presented whereas **Don Story, Jr. and Clasandra Jo Story**, owners of 113.61 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 9.283 acre parcel in Section 6, T.36N., R.15W. This will be the only exemption that will be granted this property. Comm Story was excused because of a conflict of interest. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried.

10-13-97

2

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a 3.2% beer license for the Priest Gulch Campground. The Sheriff' department reported no problems with the outlet. Comm Wilson moved to approve the application, seconded by Comm Lindsay and carried.

MEETING – PROPOSED LAND USE PLAN: It was affirmed that the Board will schedule and facilitate a meeting to present the proposed land use plan to representatives from the three municipalities, Cortez, Mancos, and Dolores. The County Planning Commission will also be invited to attend.

REGIONAL ONE-STOP CAREER CENTERS: Job Service representative Maxine Maestes and Mark Larson met with the Board. Comm Story reported on a phone call with One-Stop Chairman Bob Formwalt. He stated that Mr. Formwalt expressed a desire to have JTPA apply for the \$25,000 planning grant. All options to apply for the grant were discussed. The Board's recommendation that the Research, Conservation and Development, Inc. (RC&D) be the entity to apply for the grant monies was affirmed. Mr. Formwalt was informed of this recommendation.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at lunch for pictures with Nancy Johnston in front of the Justice Building followed by a luncheon inspection of the jail was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston and Carla Garrison gave an update on a current timber sale. In connection with this sale, a contract was presented for signature. The contract was reviewed and discussed. No action was taken. Cooperation in regard to wildlife, etc. issues with other government agencies was also discussed.

STATE OF COLORADO: Senator Representative Ben Alexander and House Representative Kay Alexander met with the Board. Representative Alexander asked for representation from the Board at the "Summit of Aid," (international trade – agriculture products). She was referred to Extension Agent Kenny Smith. Other items discussed with both were: tax reform, tourism, volunteer firemen retirement fund, State Patrol – HAZMAT, dispatch center, urban vs rural area problems, jail facility, city/county-distribution of monies according to needs, regional one-stop career centers, and education.

MOUNTAIN GRAVEL & CONSTRUCTION CO: David King asked if there is borrow dirt available for purchase at the landfill. They are preparing a bid for the M&M Intersection project. He was referred to Landfill Manager Ron Lanier.

ADJOURNED at 4:15 p.m.

Deputy Clerk    Chairman

October 13, 1997

SEAL

**Minutes 10/20/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY COLORADO  
OCTOBER 20, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 20, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator - absent
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on October 13, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Cortez Middle School student letters were noted in regard to the Commissioners' attending October 16th classes (see minutes of October 6, 1997).

ACCOUNTS PAYABLE: General fund vouchers **#34746 thru #34900** in the amount of \$96,145.72, Road fund vouchers **#34901 thru #34970** in the amount of \$123,662.74 and Landfill fund vouchers #34971 thru #35002 in the amount of \$29,206.76 were approved for payment.

**FAIRGROUNDS:** Wally Byam Caravan Club (Air Stream RVs) representatives **Charlie Hill**, Earl and Rose **Mullen** met to discuss using the fairground facility for an authorized rally in 1999. Parking for approximately 80-100 air streams, use of the fairground building for meetings, electricity and sewage needs were discussed. They were referred to Fairground Manager, Dante Sena. \*\*\*\* Later in the day, Manager Sena met with Comm Story and Comm Wilson. He gave an update on the proposed use of the facility by different large organizations. Need for a longterm plan for use of the fairgrounds was discussed. An on-site inspection of the fairgrounds was tentatively scheduled for Monday, November 3, 1997.

JAIL FACILITY: Sheriff Sherman Kennell, District Attorney Mike Green and Undersheriff Sam Hager met with the Board. The following items were discussed: (a) statute for keeping some *sheriff fees* - will be researched further, (b) count report on inmates over the weekend, (c) plans for reinforcement of exterior walls, (d) public safety, (e) increase in violent crimes, (f) jail conditions, (g) need for more jail personnel, and (h) temporary housing options. Sheriff Kennell also presented for review the Contract with the Town of Mancos to provide law enforcement. Changes were made - Sheriff Kennell will review these with the Mancos Town Board.

WEED CONTROL PROGRAM - WEED ADVISORY COMMITTEE: Extension Agent Kenny **Smith** presented a project description, between the Dolores and the Mancos Sail Conservation Districts, and Montezuma County for the Montezuma County Noxious Weed Control Program. Also included in the description was budget information and outside budget sources for the project. A Memorandum of Understanding (MOU) between the entities was presented for review and signature. MOU wordage was discussed and changes made. Comm Lindsay moved to sign the revised MOU (see attached), seconded by Comm Wilson and carried.

DEER RUN RANCHETTWS SUBDIVISION: Comm Lindsay moved to approve and sign the Deer Run Ranchetts Subdivision (Cressler) final plat, seconded by Comm Wilson and carried.

**PLANNING:** A verbal request was tentatively approved for exemptions to the subdivision regulations for Adolph Hoehn to (a) split 27 acres from 73 acres and (b) recognize as a separate parcel a 1.61 acre tract, which is split from the rest of the property by a road. A verbal request for an exemption to the subdivision regulations for the Estate of Gaylord N. Gardner to amend P-24-97E – Tract 5, to add an adjoining 3 acres to the 10 acre parcel was tentatively approved.

**PIUTE, INC. – INDUSTRIAL PARK** developer Bob Leighton and MCEDC Director Will Williams asked for a letter of support from the Board in regard to accesses to the park off Highways 145 and 160. This was affirmed and a letter to the park off Highways 145 and 160. This was affirmed and a letter to the Colorado Department of Transportation (CDOT) was written and signed. Discussed changes in State access codes. Mr. Williams presented a Federal grant (EDA) application for review. No action was taken. Planning Manager Karen Welch was present.

**SOUTHWEST MEMORIAL HOSPITAL:** Sheila Wilson, representing the Landowners Association, met with the Board about the proposed Doctors' Medical Professional Building (see September 15, 1997). She asked if the Board has received any further information about the proposal. The Board stated that they have not.

**PRIEST GULCH CAMPGROUND** owner Ernie Allsup and Sanitation Manager Mick Periman met to discuss a 40 acre parcel that Mr. Allsup owns, which is across the river from the campground. Approximately a year ago, Mr. Allsup submitted applications for septic permits for four cabins on the 40 acre parcel. The applications were submitted before the "Public Hearing-Dolores River Valley Waste Water Systems" held on July 7, 1997 and the adoption of Resolution #4-97. Mr. Allsup noted that Engineer Steve Harris has determined that the new proposed development does not impact the Priest Gulch Campground sewer system. The Board asked Mr. Allsup to work with Manager Periman.

**COMM** Wilson gave a report on the CCI meeting he attended in Denver, Co last week.

**REGIONAL ONE-STOP CAREER CENTERS – JOB SERVICE:** Maxine Maestes submitted the name of a person qualified to do implementation of the proposed plan.

**JAIL ADVISORY BOARD** members Bradley Wayt, Phyllis Snyder, Joe Keck, Bill Rutledge, and Slim McWilliams (Bill Lewis – absent) met with the Board. The Jail Assessment Team goals (see attached) were presented to the Advisory Board. It was noted that Sheriff Kennell will be asked to supply any information requested by the Advisory Board. Options and alternatives to address the issues were discussed.

**GAMING IMPACT FUND ORDERS:** Comm Wilson made a motion to direct the Clerk to issue the below Orders to the Treasurer to pay the amounts from the Gaming Impact Fund to the different entities, seconded by Comm Lindsay and carried:

- Jail (officer), #0-19-97, \$21,407.00
- District Attorney (computer equipment), #0-20-97, \$10,338.00
- Cortez Police Department (dispatcher), #0-21-97, \$23,596.00
- Cortez Fire Department (EMS fire gear & radio), #0-22-97, \$3,771.00
- Lewis-Arriola Fire Protection District (bunker gear), #0-24-97, \$365.00
- Social Services (automation equipment), #0-25-97, \$4,500.00
- Road and Bridge (CR G and 21), #0-26-97, \$22,745.00

**GENERAL FUND ORDER:** Comm Wilson made a motion to direct the Clerk to issue Order Number 0-27-97 to the Treasurer to transfer \$58,094.00 from the General Fund to Social Services (see attached for explanation).

The motion was seconded by Comm Lindsay and carried.

**ADJOURNED** at 3:45 p.m.

Deputy Clerk    Chairman

October 21, 1997

SEAL

**Minutes 10/27/1997 Regular**

PROCEEDINGS OF **THE BOARD** OF COMMISSIONERS  
MONTEZUMA COUNTY COLORADO  
OCTOBER 27, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 27, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on October 20, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ROAD DEPARTMENT: Mancos Foreman Don Yeomans met to report and discuss the following items with the Board: (a) bought 2 conveyer belts at the auction, (b) gravel crushing at the Mancos pit is near completion (3 years supply) - moving to Gardner pit, (c) long distance gravel hauling (CR 15) --, need for all foremen to be involved in the decision of which gravel pit to obtain gravel from to cut down on travel time, (d) Road P.2 to Puett Lake off of CR 23 - DOW has requested a letter from the county supporting an increase of a ROW between DOW and Frankie Lopez to acquire additional ROW so the road can be brought up to county specs, (a) county water truck accident (Narroguinnep Lake), (f) Laura Kennedy's concern about barrow ditch clean-out creating ridges on CR X and CR Y has been taken care of ... retriever will not be used any more to pull ditches, (g) availability of sandstone -Wilbanks/Simmons, (h) CR 42 repairs, (i) intersection by the Mike Young property - discussed signage and possible need for 4-way stop, and (j) resident on CR 22 request for "Children at Play" signage - signs for sale at the county shops - county will install.

**SOUTHWEST MEMORIAL HOSPITAL**, Homeowners Association representatives **Sheila Wilson, Charles Dement and Neva Kindred** met with the Board about the Cortez Sentinel newspaper article in regard to the proposed Doctors' Medical Professional Building. They asked if the Board has been contacted with any further information regarding the proposed building. The Board stated they have not.

**RESIDENT Neva Kindred** asked about the purchase of the new voting equipment by the Clerk's office. The new equipment was explained to her and she was referred to the Clerk's office for a demonstration.

**PIUTE, INC. - INDUSTRIAL PARK** developer Glenn Leighton and MCEDC Director **Williams** met to discuss the proposed park. They asked if the County would apply to CDOT for the access off Highway 160, and if Leighton Street (north-south) could be accepted by the County as a dedicated County Road with the developer responsible for maintenance. After discussion, the Board suggested that the developer apply for access, with a letter of support from the Board. The Economic Development Administration (EDA) grant application was discussed. It was affirmed that since the grant would fund government infrastructure in the Park, the Board would support a joint grant application with the MCEDC. The type of infrastructure would be specified and would be responsible for distribution of the monies. Planning Manager Karen Welch was present.

**PLANNING:** A planning resolution **P-29-97E** was presented whereas **Gerald M. and Nancy R. Goodall**, owners of 80 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 5 acre parcel in Section 1, T.37N., R.17W. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Wilson and carried. A planning resolution **P-24-97E Amended (P-24-97)** adopted September 22, 1997) was presented whereas the **Estate of Gaylord N. Gardner**, would be granted an exemption to the subdivision regulations to adjust the boundary of Tract 5 (10 acres) by 3.58 acres in Section 35, T.37N., R.16W. This acreage is added to Tract 5 and does not create a separate parcel for sale. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A **verbal** request for Jim **Kingery** to split 5 acres, with an existing house, from 119 acres was tabled contingent on condition of the road. Planning Manager Welch contacted the road department which stated the road is gravelled past the house. Tentative **approval** was given. A letter from **Jim Spencer**, developer of the Spencer. Minor Subdivision, was read. It was noted that Mr. Spencer did not attend a scheduled Planning Commission meeting with proof that a disputed fence and property line had been settled (Glen Spencer). Administrator Weaver will write a letter to Mr. Spencer stating what is needed to clarify the matter.

**JAIL FACILITY:** Sheriff **Sherman Kennell** and District **Attorney Mike Green met** with the Board. The weekend inmate count was reported. Sheriff Kennell presented a memo "Amendment to the 1997 jail budget - additional deputies to staff the county jail." After discussion, it was agreed that there be an amendment to the 1997 jail budget, with the understanding there is no guarantee of additional funding for next year. Another attempted jail breakout was discussed. Steel to reinforce a wall at the jail has been ordered. It was noted that it is a priority to get it installed as soon as it is received. The Board was assured that this would be done. Ballot election statutes were read in regard to voting for a new jail facility.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston presented a map showing the proposed construction of the Trans-Colorado Pipeline scheduled for construction of the Trans-Colorado Pipeline scheduled for construction next spring. Mike stated that a draft of the Land Use Code is near completion. Other land use items were discussed and a "Community Public Lands Partnership" brochure was presented.

**EMERGENCY MEDICAL SYSTEM (EMS) CONTRACT:** EMS statutes were read and the contract reviewed. Comm Lindsay moved to sign the contract between the State of Colorado Department of Public Health, Environment, Medical Service & Prevention Division and Montezuma County, seconded by Comm Wilson and carried.

**911 AUTHORITY BOARD:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-28-97 to the Treasurer to pay \$1,016.44 from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**GAMING IMPACT STUDY** to be done jointly with LaPlata County (see November 13, 1995 minutes) was discussed. Names were reviewed for the appointment of a representative for Montezuma County to the Technical Advisory Committee. No action was taken.

**EXTENSION OFFICE** request for \$1,750 as a cost share to provide a satellite downline for Montezuma County was affirmed.

**STATE BOARD OF EQUALIZATION (SBOE):** It was affirmed that the SBOE 1997 order is to be appealed in the same manner as the 1996 order.

ADJOURNED at 12:30 p.m.

SEAL

Deputy Clerk    Chairman

October 27, 1997

**Minutes 11/03/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY COLORADO  
NOVEMBER 3, 1997

STATE OF COLORADO     )  
  ) ss.

COUNTY OF MONTEZUMA

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 3, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator,
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on October 27, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Sheriff's report for October 1997 was received.

PAYROLL: General fund in the amount of \$149,797.96, District Attorney voucher #28382 in the amount of \$16,089.57, Treasurer voucher #28383 in the amount of \$91,895.87; Road fund in the amount of \$52,236.93, Treasurer-voucher #10587 in the amount of \$33,426.31, and Landfill fund in the amount of 47,962.76, Treasurer voucher #948 in the amount of \$4,349.09 were approved for payment.

ROAD DEPARTMENT Foreman Jay Palmer met with the Board. He reported on items discussed at their weekly meeting: (a) haul gravel from appropriate pits, (b) evaluations, (c) compile 1998 Road Plan for each District, (e) new hours – 7:00 a.m. thru 3:30 p.m. five days a week, (f) keep two part-time employees instead of hiring one full-time, and (g) possibility of obtaining grant monies for CR 25 (to Hwy 184). Reported on department's activities: signs being redone – Chache Canyon road is about completed – working on culverts – cleaning out brush – pouring concrete on CR 27 Bridge – graveling CR 21 – chock blocks ordered for all the water trucks – picked up seal machine to fill cracks on chip/seal roads. Following items were discussed with the Board: (a) personnel, (b) the need to have foremen meetings every week regardless of attendance, (c) gaming impact monies to do chip/seal of CR 21, (d) need for barrels of sand for CR G (McElmo Canyon) for ice, and (e) need for shoulders on some roads.

SAN JUAN-RIO GRANDE NATIONAL FOREST SERVICE - DOLORES DISTRICT Office Manager Alex Cine **Napolitano** met with the Board in regard to a proposed regional noxious weed program. She presented a written summary of the "Coordinated Southwest Colorado Noxious Weed Control Program." Montezuma County was invited to be one of the partners with other federal and non-federal entities. Cash matching monies are being solicited in applying for grants from three different funds. A meeting will be scheduled with Weed Control Manager Ron Lanier, representatives of the Weed Advisory Board, and if possible representatives from the Forest Service to discuss the proposed program.

**LANDOWNER** Galen Larson asked if any work is planned to take care of the bad corner at the intersection of CR L and CR 22. He was asked to meet with the Road Department at the Foremen's weekly meeting on Wednesday.

**BOARD OF SOCIAL SERVICES** was conducted.

)  
)  
) ss.

11-03-97

2

PLANNING: A planning resolution P-30-97E was presented whereas Stephen Rexford and Trudy Jeanne Olin, owners of 40 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 3 acre parcel in Section 34, T.36N., R.15W. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Discussed Glenn Leighton's (Piute, Inc. – Industrial Park), request that the County apply to CDOT for access of Highway 160. CDOT requirements were discussed. More information will be obtained from CDOT. A verbal request for an exemption to the subdivision regulations for Lorene O'Brien to split 7.7 acres from 64 acres was tentatively approved. A verbal request for an amendment to P-41-87 for Johnny Garcia to increase a 6.88 acre parcel by 2.91 acres was tentatively approved. A verbal request for an exemption to the subdivision regulations for Garcia Farms to record a 4.87 acre tract which is to be added to an adjoining landowner's property was tentatively approved. In regard to the Spencer Moderate Subdivision, a letter from James Spencer was noted. He will be informed by letter that finalization of the subdivision will proceed, if he submits a copy of the Court Decision that resolves the problem with the disputed fence and property line. Proposals about Bear Creek Ranch Subdivision – Conservation Easement were discussed.

AMENDED PLAT OF LOT 1, VALLEY VIEW ESTATES SUBDIVISION: Comm Wilson moved to approve and sign the amended plat (Dennis Boon), seconded by Comm Lindsay and carried.

SHILO SUBDIVISION: Comm Lindsay moved to approve and sign the Shilo Subdivision, (Randolph) seconded by Comm Wilson and carried.

BOARD OF SOCIAL SERVICES was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston gave a report on the meeting with representatives from the municipalities and the Planning Commission at which the proposed land use plan was presented. He also presented a draft copy of the "Introduction and Overview of the Montezuma County Land Use Code" for review. Lyle Bilberry was present.

ADMINISTRATOR Weaver gave a report on the Region 9 Meeting.

ADJOURNED for Lunch and an on-site of the Fairgrounds at 12:15 a.m.

Deputy Clerk    Chairman

November 3, 1997

SEAL

**Minutes 11/10/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
NOVEMBER 10, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 10, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator - absent/morning
- Nelda Jenkins, Deputy Clerk.

**MINUTES** of the previous meeting held on November 3, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted.

**SAN JUAN-RIO GRANDE NATIONAL FOREST SERVICE** representative **Mark Tucker** met to discuss forest service funding for and issues related to the control of weeds in Montezuma and Dolores counties. It was affirmed that there is a need for a longterm solution to the weed problem. A cooperative meeting with all entities will be scheduled early in 1998. \*\*\* Later in the morning, **Mark Tucker** discussed forest service grazing allotment planning and management in connection with other multiple use. Weed Control Program Manager **Ron Lanier**, **Carla Garrison** and **Mike Preston** were present both times.

**TOTTEN LAKE ESTATES SUBDIVISION:** In regard to his proposed subdivision, Developer **Michael Treinen** met to discuss two items with the Board. (1) He asked if the trimming of the large tree was sufficient and removal not necessary. This was affirmed. (2) He asked for a variance from county specs on the design of the required two hammerheads within the subdivision for emergency vehicle turn arounds. This was affirmed. **Fred Thomas, Road Department Foreman Jay Palmer, Fire Inspector Jay Balfour** and Planning Manager **Karen Welch** were present.

**ROAD DEPARTMENT** Foreman **Jay Palmer** reported on items discussed at their meeting: (a) installation of stop signs in the Yellow Jacket area, (b) trade with Dolores County -- gravel for two blades, (c) conveyors to Ormiston, (d) chip/seal with cooperation of landowners, (e) gravel CR 21 south of CR G to Hwy 666, (f) work on CR L and CR 22 intersection, and (g) required subdivision signage needs to be paid for by the developer with installation by the county. (Later in the day, it was noted that clarification needs to be made as to where installation of the signs are done by the county. Administrator Weaver will check on this.) Discussed that the Ormiston gravel pit permit needs to be renewed.

**BEAR CREEK SUBDIVISION - CONSERVATION EASEMENT:** Owner **Kevin Toman** met to discuss an amendment to the Bear Creek Subdivision plat. Also discussed was the possible transfer of the Conservation Easement to the La Plata Open Space Conservancy, Durango, CO. Planning Manager **Karen Welch** was present.

**PLANNING:** A planning resolution **P-41-B7 Amended** was presented whereas it becomes necessary to adjust the boundary on the 6.88 tract in Section 6, T.35N., R.13W. by 2.91 acres by means of an amended variance. This acreage is added to the existing tract owned by **Johnny Garcia** and does not create a separate parcel for sale. Comm Wilson moved to **adopt** this resolution, seconded by Comm Lindsay and carried. A planning resolution **P-31-97E** was

presented whereas Garcia Farms, owner of 241 acres, would be granted an exemption to the subdivision regulations to record a 4.87 acre tract in Section 7, T.35N., R.13W. This tract is to be added to an adjoining landowner's property and does not create a separate tract for sale. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution P-32-97E was presented whereas Jim and Cathy Kingery, owners of 119 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 5 acre parcel in Section 13, T.36N., R.17W. This is the only exemption that will be granted this property. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request for an exemption to the subdivision regulations for Roberta Moser to split 15 acres from 61 platted acres was tentatively approved, contingent on the fees being paid in 60 days. A verbal request for an amendment to planning resolution P-6-93 (Thomas M. and Deborah D. Kinney and Jerry L. and Linda R. Tate) to change a lot line was tabled. REGION 9 Director Ed Morlan presented an updated "Community Development Action Plan for Montezuma County" for review and signature. No action was taken.

JAIL ADVISORY BOARD: Member Slim McWilliams presented the Jail Advisory Board's "Mission Statement" for review and gave an update on their progress in gathering information, etc. Comm Wilson moved to accept the statement, seconded by Comm Lindsay and carried. The document will be given to the newspaper for publication (see attached). \*\*\* Later in the day, Administrator Weaver was asked to locate a copy of the 1989 Jail Study and Sheriff monthly reports and budgets for the last two years for use by the Advisory Board.

OFFICE OF COMMUNITY SERVICES: Mike Preston, Karen Welch, Loretta Murphy and Lyle Bilberry met with the Board to review the "Introduction and Overview of Montezuma County Land Use Code" presented last week. Further review time was scheduled for next Monday.

ADJOURNED FOR LUNCH with Jail Advisory Board.

BOARD OF SOCIAL SERVICES was conducted.

911 AUTHORITY BOARD: Comm Lindsay made a motion to adopt Resolution 10-97, whereas Colorado Legislature passed Senate Bill 97-132, which allows governmental entities providing 911 emergency services, to collect a charge for each wireless phone in use within the 911 service providers territory, and whereas it is resolved by the Board that there shall be a charge of \$.50 (fifty cents) per month on all wireless telephones operating within Montezuma County. The motion was seconded by Comm Wilson and carried.

BUDGET FOR 1998 was discussed.

ADJOURNED at 2:30 p.m.

Deputy Clerk                      Chairman

November 10, 1997

SEAL

**Minutes 11/17/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
NOVEMBER 17, 1997

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 17, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on November 10, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Treasurer report for October 1997 was received.

**ACCOUNTS PAYABLE:** General fund vouchers #35003 thru #35177 in the amount of \$121,471.07; Road fund vouchers #35178 thru #35244 in the amount of \$52,203.94; and, Landfill fund vouchers #35245 thru #35280 in the amount of \$27,829.41 were approved for payment.

ROAD DEPARTMENT Foreman Jim Sattley reported on items discussed at their weekly meeting: (a) bid made to Dolores County for 2 blades, 2 snow wings and 1 front end plow (trade gravel and cash) -- will sell old blades, (b) charge (1) subdivision developers for red road signs and (2) residents requesting emergency road signs -- amount to charge was discussed with the Board, (c) edges of older chip/seal on CR G (McElmo Canyon) chipping off, (d) chloride on CR BB Hovenweep Road), (e) need to locate other gravel pits.

\*\*\*Reported on department's activities: (a) Oak Street Bridge - - put on sanding schedule, signage installed and will install guardrails as soon as possible, (b) sealing cracks down CR G (McElmo Canyon), and (c) crusher at Gardner pit.

RETIREMENT: A plaque was presented to Elanor Tozer for her 15 years employment with the County in the Treasurer's Office.

WELFORM REFORM progress was discussed.

HEALTH DEPARTMENT Nurse Linda Bouet presented the Women, Infant and Children (WIC) contract for review, and a brochure about the program. She explained the program. Comm Lindsay moved to sign the WIC contract effective October 1, 1997 thru September 30, 1998, seconded by Comm Wilson and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

**PLANNING:** A **verbal** request for an exemption to the subdivision regulations for **Gary Mahaffey** to split 4.17 acres from 519 acres was tentatively **approved**. Tentative **approval** was reiterated for **Roberta Moser** to split 15 acres from a 61 acre parcel --- it was determined that the 61 acre parcel is not platted (see November 10, 1997 minutes). Pre-sketch for **Warren Sly's** proposed 3 lot minor subdivision was discussed and tentatively **approved**. \*\*\* Other items discussed were: (1) Administration/application fees (see new policy below), (2) Subdivision road access allowed in regard to how many and emergency vehicles, (3) Subdivision utilities -- easements in place but utilities not to the properties. Need to attend a utility meeting and clarify sign offs on plats with them..

**POLICY - ADMINISTRATION FEES:** Comm Lindsay made a motion for the Administration/Planning Office to collect a **non-refundable** amount of **\$100 per lot** of the **set administration fee** when an application is filed for a subdivision or an exemption. The motion was seconded by Comm Wilson and carried. It was noted that the Administration/Planning Office will continue to show justification for such fees.

**SHILO SUBDIVISION:** In connection with the Shilo Subdivision (Randolph) access, the Board discussed the January 19, 1994, right-of-way granted to Montezuma County for a public road across state trust lands and a proposed amendment to this right-of-way. Comm Lindsay moved to **sign** the Amendment, to Right-Of-Way 2941, Book 29, seconded by Comm Wilson and carried.

**DEPARTMENT OF LOCAL AFFAIRS** representative Ken **Charles** met to discuss energy impact and gaming impact grants for CR G (McElmo Canyon). The **proposed** Gaming Study was discussed. The Board stated that Alan Kline has **been** appointed as Montezuma County's representative to the Gaming Study Technical Advisory Committee.

**ADJOURNED FOR LUNCH** with the Jail Advisory Board members.

**GENERAL FUND ORDER:** Comm Lindsay moved to direct the Clerk to issue Order Number 0-29-97 to the Treasurer to transfer **\$5,792.36** from the Airport Fund to the **General Fund**, seconded by Comm Wilson and carried.

**CONTIGUOUS COUNTY GAMING IMPACT DISCRETIONARY CONTRACT F7GA9665:** Comm Wilson moved to **sign the Change Letter #1 for Contract F7GA9665** to change the ending date of the contract to December 31, 1997, seconded by Comic, Lindsay and carried.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston, Karen Welch, and Loretta Murphy met to continue the review and note changes made to the "Introduction and Overview of Montezuma County Land Use Code (LIZ)."

**ADJOURNED at 4:00** p.m.

Deputy Clerk                      Chairman

November 17, 1997

**Minutes 11/24/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
NOVEMBER 24, 1997

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 24, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous meeting held on November 17, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Clerk's report for **October** 1997 was received.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue **Order** Number 0-30-97 to the Treasurer to pay \$1,016.44 from the 911 account to U.S. West Communications Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**RESIDENT Scott Mahaffey** met to observe procedures of the Board. He was given an agenda showing the structure of county government in Colorado. He left at 11:00 a.m.

REGION 9: Reviewed the "Community Development Action Plan for Montezuma County." No action was taken.

BOARD OF SOCIAL SERVICES was conducted.

ROAD DEPARTMENT Foreman Jim **Sattley** reported on items discussed at their meetings (a) proposed Hindmarsh gravel pit, (b) maintenance of equipment with present personnel, (c) source for used equipment, (d) scales on loaders - need to train more personnel (one in each district), and (e) need for newer pickups, gravel truck and generator. \*\*\* Following items were discussed with the Boards (a) Oak Street Bridge project scheduling -- Board suggested that the Road Foreman for any project assume the responsibility of timely scheduling of work, (b) bid trade agreement with Dolores County for 1 blade and 1 snow wing for gravel, (c) condition of Graneth Mesa road, (d) meeting scheduled with Forest Service representative Mark Tucker - Ormiston Pit permit, (d) section of unimproved CR 24 between Road P and S - residents will gravel section of road to satisfy their use -- county may install culvert, (e) good condition of Cache Canyon road, and (d) road department doing good job with reorganization program communication good. \*\*\* Department's activities: (a) sealing cracks on chip/seal roads, and (b) guardrails installed on Oak Street Bridge.

BEAR CREEK RANCH SUBDIVISION! Owner Kevin Toman presented, for review and signature, the amended Bear Creek Ranch Subdivision plat showing a boundary line adjustment. Comm Lindsay made a motion to sign the amended plat with the following language entered on the plat. "The amended portion of Tract #1 and all of Tract #2 will continue in their present condition unless and until said property is included in a conservation easement." The motion was seconded by Comm Wilson and carried. Planning Manager Karen Welch was present.

11-24-97

**GOOD SAMARITAN CENTER** representative **Cindy Irwin** presented information on the "Emergency Food and Shelter Program." The program and entities involved were discussed.

**1998 PROPOSED BUDGET:** The following Department Heads met to discuss the proposed budget: District Attorney Mike Green, Sheriff Sherman Kennell, Health Department Director Bette Anderson, Extension Office Director Jan Sennhenn, Senior Nutrition Center Director Sue Fletcher, Finance Officer Mary Ann Sanders, Treasurer Bobbie Spore, Fairground Manager Dante Sena, Assessor Bob Cruzan, and Landfill Manager Ron Lanier. Administrator Tom Weaver presented projected revenue and expenditure figures. Number of employees, proposed raises and equipment needs in each department were discussed. No action was taken.

**M&M TRUCK STOP INTERSECTION:** Colorado Department of Transportation (CDOT) representative **Steven W. Chapman**, Wilson and Company representatives - Project Manager **John Shonsey**, **Steven Watt** and **Helen Peiker** met with the Board. They presented and discussed the items changed, modifications made, and items staying the same for the proposed improvements at the intersection. These will also be presented at tonight's scheduled Public Meeting. Phase I has been let for bid. Plans are to have completion of Phase II (ROW) by late February or early March 1998 with construction starting in the spring of 1998. Cost share for chip/seal on CR 24.2 was discussed. No action was taken. Road Department representative **Lloyd Everett** was present.

**TRADE AGREEMENT - MONTEZUMA AND DOLORES COUNTIES:** Comm Wilson made a **motion to sign** the agreement for Montezuma County to trade gravel to Dolores County for one blade and one snow wing. The motion was seconded by Comm Lindsay and carried.

**PLANNING:** A planning resolution **P-33-97E** was presented whereas **Adolph F. and Diana J. Hoehn**, owners of 73.76 acres, would be granted an exemption to the **subdivision** regulations to record exemptions for a 27.05 acre a parcel and a 1.55 acre parcel in Section 35, T.37N., R.16W. This is the only **exemption** that will be granted this property. Comm Lindsay moved to **adopt this resolution**, seconded by Comm Wilson and carried. A **verbal** request for an exemption to the subdivision regulations from **Raymond and Jesse Pound** to split off a 2-3 acre parcel (Lynn Toews) and a 1 acre parcel (David Reineke) with both parcels being added to respective adjoining landowners was tentatively **approved**. A **verbal** request from **Dale Ainsworth** to split 12 acres into 3 tracts was received. Availability of water was discussed -- tentative **approval** was given for 2 of the tracts. Discussed utilities not brought to properties. A meeting will be scheduled with all the utility entities.

**COLORADO HOOFBEATS DRILL TEAM** request that fairground fees be waived for their scheduled January 17, 1998, Fund Day was **denied**.

**CONTIGUOUS COUNTY GAMING IMPACT DISCRETIONARY CONTRACT F8GA9784:** Comm Lindsay moved to **sign** the contract for the 1997-98 discretionary award made to the County from the Contiguous County Limited Gaming Impact Fund, seconded by Comm Wilson and carried.

**JAIL ADVISORY BOARD** member **Phyllis Snyder** gave an update on their The suggestion to employ a consulting firm to research the possibility of renovating the present jail was discussed with her.

**ADJOURNED** at 2:50 p.m.

**Deputy Clerk      Chairman**

**November 24, 1997**

**SEAL**

**Minutes 12/08/1997 Regular**

PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
DECEMBER 8, 1997

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 8, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator Jenkins, Deputy Clerk

MINUTES of the previous meeting held on November 24, 1997, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

NOTICE OF CLAIMS: The following claims were received and will be sent to the insurance company: (1) Richard Jay Jackson, Andrew Jackson, and Benjamin Jackson; (2) Stanley W. Goodall; and (3) Muriel S. Pope.

**PAYROLLS General** Fund in the amount of \$152,453.31, District Attorney voucher #28565 in the amount of \$16,476.88, Treasurer voucher #28566 in the amount of \$93,143.44; Road Fund in the amount of \$52,162.76, Treasurer voucher #10663 in the amount of \$33,189.17; and Landfill Fund in the amount of \$8,211.71, Treasurer voucher #992 in the amount of \$4,502.49 were approved for payment.

**SOUTHWEST MEMORIAL HOSPITAL:** Sheila Wilson met to discuss tax exempt bonds, proposed Doctors' Building construction and financing, and question about the future of the nursing home. She also expressed concern about the County Health Department's proposal to contract with Southwest Memorial Hospital for Home Health Care. A meeting will be scheduled to meet with representatives from the Hospital District and Southwest Memorial Hospital to clarify the issues discussed with Ms. Wilson.

**UTILITIES MEETING:** Representatives from water, electric, gas, and telephone utility companies, SW Livestock Association and other interested persons (see attached list) met with the Board to discuss utilities for land parcels in regard to planning requirements. After discussion, it was proposed that any subdivision's final plat submitted for approval and signature by the Board needs to reflect easements, and whether the utility services are or are not to the parcel(s). A letter will be prepared by Planning for presentation at the Utility and Realtor Board meetings for discussion, input, and finalization. Planning Manager **Karen Welch, Loretta Murphy, and Lyle Bilberry** were also present.

**ROAD DEPARTMENT:** Foreman Jay Palmer reported on department activities: (a) purchase of four small trailers for light hauling - one for each district and gooseneck trailer for hauling backhoe, (b) decking done on CR 27 bridge - scheduled completion in next two weeks, (c) finished gravel on small section of CR 21-CR 20, (d) cleaning Cortez shop area, (e) bumps knocked down on CR 22, and (f) roads graded last week. \*\*\*\* Following requests and items were discussed with the Board: (a) request for county to build driveway for Cortez Fire Department on Hwy 145 - denied (\*\* Later in the day, Cortez Fire Department representative **Shannan Harrison** was informed that, since they are a government entity, the county will furnish the gravel if they do the hauling), (b) request for sand barrels on CR G (McElmo Canyon) - affirmed -- the county will do maintenance on the barrels and keep them supplied with sand throughout the winter, (c) bridge replacement update, (d) renting vs purchase of machine to seal cracks, and (e) equipment priority list which will be compiled by the foreman.

**MONTEZUMA COUNTY WORKERS COMPENSATION INSURANCE PLAN:** County Tech Services, Inc. representatives **Jon Wagner and Allen Chapman** presented the "Loss Analysis Report Summary for Montezuma County" as of September 30, 1997, "Loss Prevention Unit Tape Library" list and a list of available "Prepared Classes." This information and claims management were discussed.

**SENIOR NUTRITION CENTER:** Director Sue Fletcher and Mary Holladay presented "Montezuma County Annex Contract For Use" with fee changes. Comm Lindsay moved to **approve** the Contract For Use, seconded by Comm Wilson and carried. \*\*\* Later in the day, Director Fletcher presented an activity (category use and utility cost) summary report for January thru November 1997 for the Annex. The AAA contract was reviewed. Comm Wilson moved to **re-sign** the San Juan Basin AAA contract for 1997 (signature page was misplaced), seconded by Comm Lindsay and carried.

**HEALTH DEPARTMENT,** Director **Bette Anderson** explained the proposed Home Health Care merger with Southwest Memorial Hospital. She stated the following is the breakdown of responsibilities: (1) the Health Department will continue doing the Department's Home Health Care Program, (2) the Hospital will be contracted to do all the administration work billing, etc.) for the Department's Home Health Care Program and continue to do therapy. Private vs. governmental care was discussed. Representatives from Basin Home Health, Kathie Meinrod and C.J. Davis stated that they feel there is plenty of work for private and government home health care providers in the county.

**COUNTY ROAD L** resident **Joan Aarons** stated that a section of CR L off the Totten Lake turnoff was rough. She asked if speed bumps could be installed to slow the traffic. This was denied. It was suggested that she speak with the Sheriff department in regard to the speed issue. She was invited to attend a road department foremen's meeting. Traffic counts were given to her by Lyle Bilberry.

**ABATEMENT:** Assessor **Bob Cruzan** being present, a petition for abatement of property tax was presented for **General Tire Co. of Phoenix AKA Redburn Tire Company (lessee - Cortez Fire Protection District)**, 1995, erroneous assessment, \$3,388.94 and 1996, erroneous assessment, \$3,481.25. Comm Lindsay was excused because of a conflict of interest. Comm Wilson moved to approve this petition, seconded by Comm Story and carried. Cortez Fire Protection District representative Shannan Harrison was present. All proceedings were taped for the record and the roll was called.

**ASSESSOR Bob Cruzan** discussed the personnel property under \$2,500.00. Discussed question of equal and uniform taxation. Statutes were read.

**PROPOSED 1998 BUDGET:** Administrator Tom Weaver and Finance Officer Mary Ann Sanders discussed the proposed 1998 General Fund budget. Sheriff Sherman Kennel presented his request and justification for an increase in the Sheriff Department's budget. The Board supported the proposed increase. Proposed raises for employees were discussed. The following raises for county employees were tentatively affirmed: (a) employees with benefits will receive a 2% raise and the county contribution for their retirement will be increased 2%, effective January 1, 1998; (b) hourly employees will receive a 4% raise, effective January 1, 1998. Administrator Weaver also presented Road Budget Revenue Projections.

**SHERIFF DEPARTMENT - TOWN OF MANCOS AGREEMENTS** Comm the Agreement made and entered into effective January County of Montezuma and the Montezuma County Sheriff Town of Mancos, seconded by Comm Lindsay and carried.

**CLERK Evie Ritthaler** presented a summary of the ballot and election costs to the County and other entities for the November election.

12-08-97

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JUVENILE CRIME TASK FORCE Deputy **Nancy Johnson** presented an application for Juvenile Crime Prevention grant monies. Comm Lindsay moved to sign the application, seconded by Comm Wilson and carried. She gave an update on juvenile programs and discussed other available grant monies.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** gave a report on the progress to finalize the comprehensive land use plan.

PLANNING: A planning resolution P-34-97E was presented whereas **Roberta L. Moser**, owner of 199 acres, would be granted an exemption to the subdivision regulations to record an exemption for a 14.99 acre parcel in Section 34, T.36N., R.17W. This is the only exemption that will be granted this property. Comm Lindsay moved to **adopt** this resolution, seconded by Comm Wilson and carried.

BOARD OF SOCIAL SERVICES: The Board of County Commissioners also acting as the Board of Social Services considered the following: (1) Amendment to the Employee Handbook -- Comm Lindsay made a motion to amend the Count/ Employee Handbook by deleting the introductory Paso, inserting the Preamble, and adopting the handbook as amended. The motion was seconded by Comm Wilson and carried. (2) Sign certification -- Comm Wilson made a motion to sign the certification that pursuant to 26-1-129(1), C.R.S., the Montezuma County Department of Social Services hereby certifies that the successor merit system of personnel administration used by Montezuma County is in conformance with Federal standards. The motion was seconded by Comm Lindsay and carried. (3) Adoption of Resolution 11-97 -- Comm Lindsay made a motion to adopt Resolution No. 11-97 establishing a transition plan for Montezuma Count Department of Social Services Employees to the Montezuma County personnel system, effective January 1, 1998, upon approval by the State Department. The motion was seconded by Comm Wilson and carried.

GAMING IMPACT FUND ORDER: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-31-97 to the Treasurer to pay \$200.00 from the Montezuma District Court's Gaming Impact Fund monies to Ranger Security Detectors, 10001 Carnegie Street, El Paso, TX 79925 (wheel kit for the walk thru metal detector). The motion was seconded by Comm Wilson and carried.

ADJOURNED at 5:00 p.m.

Deputy Clerk                      Chairman

December 8, 1997

**SEAL**

**Minutes 12/15/1997 Regular**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
DECEMBER 15, 1997**

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 15, 1997, at the courthouse in Cortez, Colorado, there were present:

- G. Eugene Story, Chairman
- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Bob D. Slough, County Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

**MINUTES** of the previous meeting held on December 8, 1997, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**MISCELLANEOUS CORRESPONDENCE** was read and contents noted. The **Treasurer's report for November 1997** was received.

**OFFICE OF COMMUNITY SERVICES: Mike Preston and Carla Garrison** met with the Board to discuss letters for signature about the following: (1) invitation to a meeting with various entities to discuss a proposed "Montezuma County Camp Plan Implementation: Agricultural Viability, Federal Lands, and Wildlife Objectives" and (2) proposed exchange of USFS Ormiston Gravel Pit royalties for completing repair work on the West Fork Road. The letters were signed. They reported on a meeting with TransColo where maintenance of roads (West Fork, CR 41, 42, 44 and S) were discussed in connection with TransColo's proposed pipeline.

**SPENCER MODERATE SUBDIVISION:** Attorney **Jon Kelly**, representing Jim Spencer stated that the adjacent landowner Mike Spencer has withdrawn his objections to the proposed subdivision and moved the fence to the disputed boundary line. After discussion, it was determined that Attorney Kelly will inform Jim Spencer that the following need to be submitted: (1) a survey showing the fence on the boundary line, and (b) letters from Mike Spencer and Jim Spencer stating that the issue is resolved. An objection from Glenn Spencer was discussed; no action was taken at this time since he has no titled interest in either parcel of land.

**DOLORES VFW POST** representative **Joe Juarez** stated that arrangements have been made for the mobile Viet Nam Memorial Wall to be on display at the Joe Rowell Park in Dolores on July 9-12, 1998. He asked for a contribution to defray some of the expenses. Comm Lindsay moved to contribute \$500.00, seconded by Comm Wilson and carried.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported on department activities: (a) through sealing cracks, (b) have received new generator for the crusher, (c) will try to buy conveyors at auction, (d) have two new blades at the Cortez Shop, and (e) continue to clean out Cortez Shop. Discussed inventory control.

**TOWN OF DOLORES** "Addendum To Law Enforcement Agreement" was presented. Action was tabled.

**BOARD OF SOCIAL SERVICES** was conducted.

**PROPOSED COMPREHENSIVE LAND USE PLAN:** **Mike Preston, Karen Welch, Lyle Bilberry and Loretta Murphy** met to continue finalizing the proposed plan.

**PUBLIC HEARING - AMENDED BUDGET 1997**, It being the time set aside, a Public Hearing was conducted regarding the amended budget for 1997. The roll was called and the Proof of Publication was read. Budget Officer **Tom Weaver** presented and explained the unanticipated revenues and expenditures of such funds that created the need for the amended budget. Finance Officer **Mary Ann Sanders**, Landfill Manager **Ron Lanier** and Extension Office Director **Jan Sennhenn** were present. There being no protest against the proposed amended budget, a motion was made by Comm Lindsay to **adopt Resolution 12-97**, authorizing the **Supplemental Budget and Appropriation**. The motion was seconded by Comm Wilson and carried. These proceedings were taped for the record.

**PUBLIC HEARING - 1998 BUDGET**: It being the time set aside, a Public Hearing was held in regard to the proposed 1998 budget. The roll was called and the Proof of Publication was read. The proposed budget was presented by Budget Officer **Tom Weaver**. Finance Officer **Mary Ann Sanders**, Landfill Manager **Ron Lanier** and Extension Office Director **Jan Sennhenn** were present. No protest was made against the proposed resolutions. Comm Wilson made a motion to **adopt Resolution 13-97, To Adopt a Budget** for Montezuma County, Colorado, for the calendar year beginning on the first day of January 1998 and ending on the last day of December 1998. Motion was seconded by Comm Lindsay and carried. Comm Lindsay made a motion to **adopt Resolution 14-97, To Appropriate Sums of Money**, whereas the Commissioners have adopted the annual budget (\$9,540,732) in accordance with Local Government Budget Law on December 15, 1997. The motion was seconded by Comm Wilson and carried. Comm Wilson made a motion to **adopt Resolution 15-97, To Set Mill Levies**. The motion was seconded by Comm Lindsay and carried. The mill levy is set at 15.271, which is less than the 16.060 mill levy set in 1997. these proceedings were taped for the record.

**COLORADO COUNTY OFFICIALS & EMPLOYEES RETIREMENT ASSOCIATION**: County contribution will be increased 2% for a total of 5%, effective January 1, 1998.

**WEED CONTROL PROGRAM** Manager **Ron Lanier** presented and read eleven letters from persons applying for appointment to the Weed Advisory Board. Comm Wilson made a motion to **appoint** the following: **Eddy Lewis, Richard G. Cover, Sherry Fuller, Bob Durant, Steve Miles, Tom Beck and Rudy Baeumel**. The **motion was** seconded by Comm Lindsay and carried. It was noted that the State Soil Conservation did not approve the grant application by the Dolores/Mancos Soil Conservation Districts for funds to contribute to a landowner cost share program to control noxious weeds in the county.

ADJOURNED at 4:00 p.m.

Deputy Clerk                      Chairman  
December 15, 1997

**Minutes 12/19/1997 Special**

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
DECEMBER 19, 1997**

STATE OF COLORADO     )  
                                  ) ss.  
COUNTY OF MONTEZUMA )

At the special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Friday, December 19, 1997, at the courthouse in Cortez, Colorado, there were present:

- Glenn E. "Kelly" Wilson, Vice-Chairman
- J. Kent Lindsay, Commissioner of Deeds
- Thomas J. Weaver, Administrator - Deputy Clerk.

**1997 CERTIFICATION OF MILL LEVIES AND REVENUES REPORT:** Comm Lindsay moved to **sign** the report by the Montezuma County Commissioners, seconded by Comm Wilson and carried.

**ADJOURNED**

Deputy Clerk                   Chairman  
December 19, 1997  
SEAL

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