

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JANUARY 4, 1999**

STATE OF COLORADO        )  
  )    ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 4, 1999, at the courthouse in Cortez, Colorado, there were present:

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

MINUTES of the regular meeting held on Monday, December 21, 1998, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

PAYROLL: General fund payroll in the amount of \$164,344.40, Treasurer warrant #31239 in the amount of \$117,802.61, District Attorney warrant #31240 in the amount of \$19,976.81; Road fund payroll in the amount of \$49,193.35, Treasurer warrant #11882 in the amount of \$38,884.11; and Landfill fund payroll in the amount of \$7,176.08, Treasurer warrant #1480 in the amount of \$4,153.56 were approved for payment.

COLORADO COURT OF APPEALS, No. 97CA1642 dated December 24, 1998, sundry plaintiffs-appellants v Colorado State Board of Equalization defendant-appellee (see attached) was received and noted.

911 AUTHORITY BOARD: Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-01-99 to the Treasurer to pay \$877.29 from the 911 account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

ROAD DEPARTMENT: Lloyd Everett reported on the department activities: (a) working at fairgrounds on sewer, and (b) plan to pour concrete (decking) on Ute Bridge this week. Discussed: (1) rock slide in McElmo Canyon - checked on, and (2) condition of recent mag-chlorided roads CR 31 and 32 and CR BB and 10 - they look good.

CORTEZ CEMETERY BOARD APPOINTMENT: Comm Lindsay moved to appoint George Wickstrom at the recommendation of the other Cortez Cemetery Board members, since the third ad was inadvertently run and Mr. Wickstrom was the only applicant for the first ad. The motion was seconded by Comm Wilson and carried.

LANDOWNER Audrey Allmon and son's property line dispute with the Bureau of Land Management was presented by Carla Garrison and discussed. It was noted that the county may be available as a mediator, if necessary.

REGION 9 representative Tim Nader gave a summary of the SCR and CDBG programs -- funding and benefits available to the region and Montezuma County residents. The Board asked for a breakdown on funding, and how these monies are distributed to the qualifying entities. Mr. Nader stated this will be done.

RESIDENT Jack Niemann met to discuss his ideas on the future goals for the fairgrounds. Since he is a member of the Fair Board, he was advised to share these ideas with other members for their consideration.

CLERK Evie Ritthaller met to discuss whether the Clerk's office needs to swear in Sheriff Deputies. It was noted that each elected official may have employees sworn in if they desire. Also discussed were mail ballots and recall action costs.

SURVEYOR Wayne Lee asked for clarification on an easement that the Cortez Fire Department gave to the County for a roadway. He was told that the agreement states that the easement boundary is 60' off the fence line.

MODERATE SUBDIVISION: Comm Lindsay moved to approve and sign the final plat for the Frazier Moderate subdivision, seconded by Comm Wilson and carried.

PLANNING Manager Karen Welch presented a "Letter Permit" filed by Larry Riggott on his 7.15 acre parcel. She was asked to check on a report of 5-6 mobile homes that have been moved in on a parcel of land on Highway 184. "Year End Planning Report" (see attached) was presented by Lyle Bilberry. Also present were Mike Preston, and Loretta Murphy. The Board requested data on (a) how many lots have been created and of these how many have been built on, and (b) growth information from La Plata County.

COLORADO DIVISION OF WILDLIFE (CDOW) Western Regional Manager Bob Caskay gave an update on regional changes. He presented and discussed the CDOW "1997 Annual Report." Others present were Carla Garrison, Mike Preston, and Ron Lanier. He asked if the Board had any issues that they wanted to discuss. The Board stated that they did, but would like to schedule a time in the near future to address the issues with him, the Director and other interested persons. It was tentatively agreed that a meeting will be scheduled.

ENERGY IMPACT: Comm Lindsay made a motion to sign Contract EIAF 3595 between the State of Colorado Local Affairs and the Board of County Commissioners, for the receipt of \$10,000 for Montezuma County Courthouse/Annex Improvements. The motion was seconded by Comm Wilson and carried.

HEALTH DEPARTMENT Director Lori Cooper presented the HIV Testing contract for review. Comm Lindsay moved to sign the HIV Testing contract between the Department of Public Health and the Montezuma County Public Health Nursing Service, seconded by Comm Wilson and carried.

ADJOURNED at 3:00 p.m.

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Deputy Clerk  
January 4, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JANUARY 11, 1999**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 11, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, January 4, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**ROAD DEPARTMENT** Foreman Jim Sattley reported on department activities: (a) working on: fairgrounds sewer; Ute Bridge; CR 25 (widening); CR 21 (widening and culverts); and Hindmarsh gravel pit permit. Discussed purchase of track-hoe and roads that were mag-chlorided in connection with the Trans-Colorado pipeline.

**SOUTHWEST COLORADO LANDOWNERS ASSOCIATION** representatives **Chester Tozer** and **Marvin Smith** presented the draft USDA-EPA Draft Unified National Strategy for Animal Feeding Operations document and their written comments on the draft strategy. These were discussed. Also mentioned and discussed were the "Skyway and Heritage" and "Clean Water" proposals.

**PETITION** signed by residents and landowners opposed to the Town of Mancos planning a "zone of influence" was received and noted (see attached). **Elvin Vaura** asked for the petition to be read. Comm Wilson read the petition. Comm Lindsay moved to accept the petition as part of these minutes, seconded by Comm Wilson and carried.

**PLANNING** Manager Karen Welch, **Buzz Crowley** and **Don Crowley** met with the Board. The Crowleys asked that the southern portion of the road off of CR 24.3, south of CR G, be graveled and maintained as a county road. They stated that there is a lot of traffic on the road since the construction around the M&M Truckstop intersection and closure of a section of CR 24 (see minutes of August 31, 1998). Also discussed was the use and designation of road F.5, which is in the same general area. No action was taken. The Board will do an on-site inspection of the roads after lunch. A planning resolution P-38-98E Amended was presented whereas resolution P-38-98E (**Helen Knight**) was adopted on the 14<sup>th</sup> day of December 1998 and it becomes necessary to amend the exemption in Section 11, 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 planning resolution P-01-99E was presented whereas **Clyde Howard**, owner of three contiguous parcels containing 32.78 acres, would be granted an exemption to consolidate the parcels and record a 5.13 acre exemption for his son and retain the remaining 27.65 acres in Section 31, T.39N., R.17W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. A planning resolution P-02-99E was presented whereas **Douglas J. Aiken**, owner of 126.39 acres, would like to record a 14.312 acre exemption in Section 18, T.37N., R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from **James and Teresa Malcom** for a exemption to the subdivision regulations to spilt 3 acres from 40 acres was tentatively approved. A verbal request from **Leon Risenhoover** for an exemption to the subdivision regulations to record a 3.564 acre parcel was tentatively approved. Receipt of the "Landowner Initiated Zoning" (industrial) sign-up form from Western Excelsior Corp (**Charles Mitchell**) was noted.

**AMENDMENT TO AGREEMENT BETWEEN MONTEZUMA COUNTY ROAD DEPARTMENT AND MID-AMERICA PIPELINE COMPANY ATTACHED AS EXHIBIT 'B' TO MID-AMERICA PIPELINE COMPANY HIGH IMPACT PERMIT** was submitted (see attached). Comm Lindsay moved to adopt and sign the agreement, seconded by Comm Wilson and carried.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston met to discuss the tentatively scheduled field trip or conference call (see December 7, 1998 minutes) with Montrose, CO entities on January 21<sup>st</sup> in regard to their Inter-Governmental Agreement (IGA). No action was taken. A meeting with the mayors will be scheduled before the January 21<sup>st</sup> meeting. \*\*\*\* Comm Wilson moved to sign the "Letter of Agreement" between the Office of Community Services, Fort Lewis College, and Montezuma County to authorize the requested technical assistance of Mike Preston, seconded by Comm Lindsay and carried.

**M&M TRUCKSTOP INTERSECTION:** A need for traffic control at the intersection, due to CDOT construction was discussed. CDOT will be contacted.

**ADJOURNED** at 11:30 a.m.

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Deputy Clerk  
January 11, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JANUARY 18, 1999**

STATE OF COLORADO        )  
  )  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 18, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**ELECTION OF OFFICIALS FOR 1999:** Comm Wilson moved to elect Comm Story as Chairman of the Board of Commissioners, seconded by Comm Lindsay 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 1999:** Comm Wilson moved to appoint Bob Slough as County Attorney, seconded by Comm Lindsay and carried. Comm Lindsay moved to appoint Thomas J. Weaver, County Administrator and Budget Officer, seconded by Comm Wilson and carried. Comm Lindsay made a motion to appoint the following persons to the several different offices and boards. The motion was seconded by Comm Wilson and carried.

Director of Social Services: Dennis Story  
Health Officer: Dr. Gerald Griebel  
Southwest Community Resources Board: Comm Wilson  
Long-term Health Care Board: Comm Lindsay  
Region 9 Economic Development Board: Comm Story  
Area Agency on Aging (AAA) Board: Comm Wilson  
Legal Publication: Dolores Star - 1999  
Veteran's Officer: W. (Bud) Carriere - 3 years (1999, 2000, 2001)  
Auditor: Kuenzler, Boysen & Gibson, P.C.

**MINUTES** of the regular meeting held on Monday, January 11, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**ACCOUNTS PAYABLE:** General fund warrants #31237 thru #31396 in the amount of \$99,995.30, Road fund warrants #11878 thru #11964 in the amount of \$99,272.57, and Landfill warrants #1481 thru #1518 in the amount of \$27,906.05 were approved for payment.

**OFFICE OF COMMUNITY SERVICES:** Mike Preston discussed upcoming events and meetings. A conference call with Montrose, CO entities is scheduled for Thursday, January 21<sup>st</sup> in regard to their IGA.

**ROAD DEPARTMENT** Foreman Jay Palmer reported on department activities: (a) Working on: CR 21 (pipe in); Ute Bridge - plans are to have it open this week (McElmo Canyon); signs; equipment; fairgrounds sewer system; CR 25 - continuing to widen; and crushing at Mancos gravel pit. Discussed the following: (a) part-time position; (b) complaint about ditches full on CR 26.5 - will be checked; (c) on-site inspection in regard to roads F.5 and 24.3 and request made by Buss and Don Crowley (see minutes of January 11, 1999) - --The Board stated that the county will supply the gravel and maintain the entire section of road F.5 and 24.3, if the Crowleys bring it up to county specs and remove the cottonwood trees on F.5. The Board asked if the Road Department would have a problem with that --- Foreman Palmer stated he didn't think they would.

**FAIR BOARD** President **Ron Kimmi** presented the resignation letter from member Bob Witcomb, who served on the Publicity Committee. The policy for replacing a member that resigns before their term is completed was discussed. Comm Lindsay made a motion to adopt the following **POLICY** for the appointment of Fair Board members: (1) Replacement of a member who does not complete their term: The Fair Board may make recommendations to the Board of County Commissioners for the appointment of a new member for the remainder of the term from a list of applicants

who have applied to other advertised openings, and (2) Yearly rotation vacancies: The Board of County Commissioners will place ads for applicants and appoint persons to fill these vacancies. The motion was seconded by Comm Wilson and carried. President Kimmi recommended that Jana Belcher be appointed to finish the 2-year term appointment left vacant by Bob Witcomb's resignation. Comm Lindsay moved to accept the recommendation to appoint Jana Belcher to the Fair Board, seconded by Comm Wilson and carried.

**TREASURER** Bobbie Spore presented the following reports: monthly report for month of December 1998, quarterly report for Montezuma County Public Trustees, and a resolution regarding the deposit of funds by the County Treasurer. Comm Wilson moved to adopt **Resolution 1-99** "Regarding Deposit of Funds By County Treasurer" (see attached), seconded by Comm Lindsay and carried.

**U.S. DISTRICT COURT** for the District of Colorado, Civil Action File No. 98-2387 Summons dated October 30, 1998 - -- plaintiff, **Gwen A. Bankston** v defendant, Montezuma County Board of Commissioners and Evie Ritthaler as Montezuma County Clerk and Recorder was received and noted. It will be sent to the Insurance Company.

**BOARD OF SOCIAL SERVICES** was conducted.

**TRI-CORNERS TELECOMMUNICATIONS** representative **Raymond Keith** presented information, purpose and goals of the for-profit company founded by LaPlata Electric and Empire Electric Associations. He stated that Tri-Corners will be working to bring two projects to the Cortez area: (1) fiber optic cable and (2) a wireless platform for use by customers in a 4-mile radius in conjunction with the cable. Different locations proposed for a centralized site for a 90-100' tower were discussed. The Board asked for plans/diagram of the proposed wireless platform. Lyle Bilberry was present.

**PLANNING** Manager Karen Welch presented resolution **P-24-1973 Amended (Jerry McComb)**, whereas resolution P-24-73 was adopted on the 2<sup>nd</sup> day of July 1973, and it become necessary to amend the variance by adjoining 6.604 acres to create an 11.565 acre tract. The remaining acreage is 37.029 acres. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from **Troy and Lynn Lichliter** to split 5 acres from a 80 acre parcel was tentatively approved. Two planning commission appointments have expired and will be advertised.

**STATE OF COLORADO, DIVISION OF GAMING:** Comm Wilson made a motion to sign the "Memorandum of Understanding Between the Colorado Division of Gaming, Ute Mountain Ute Indian Tribe and Montezuma County (Study Sponsors) and approve (with amendments) and sign the "Letter of Agreement Between Montezuma County and Deloitte & Touche LLP (Contractor) in regard to Contract RFP Number TGA 98007 (see attached). The motion was seconded by Comm Wilson and carried.

**LETTER OF AGREEMENT BETWEEN OPERATION HEALTHY COMMUNITIES (OHC) AND MONTEZUMA COUNTY** was signed (see attached).

**PROPOSED HINDMARSH GRAVEL PIT:** Carla Garrison reported that the alternative route is now not feasible, therefore the original route on CR W will be used.

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

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Deputy Clerk  
January 18, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JANUARY 25, 1999**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 25, 1999, at the courthouse in Cortez, Colorado there were present:

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

**MINUTES** of the regular meeting held on Monday, January 18, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**GENERAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-02-99 to the Treasurer to transfer \$88,387.00 from the General fund to the Social Services fund - quarterly HCBS (see attached). The motion was seconded by Comm Wilson and carried.

**STATIONERY BID:** One bid was submitted by Pleasant Press. Comm Lindsay moved to accept the bid from Pleasant Press, Dolores, CO for printing and stationery for 1999, seconded by Comm Wilson and carried.

**ROAD DEPARTMENT:** Lloyd Everett reported on items discussed at their weekly meeting and department activities: (a) request from Montezuma Water Company that the county pay for the water company having to move equipment in the county right-of-way because of re-alignment work on CR 21 --- reference was made to Resolution 11-95 adopted June 26, 1995 (see attached); (b) working on: CR 21 - widening (will chip/seal eventually); CR 25 ; and Ute Bridge. Discussed: (1) signage on F.1 west off of Hwy 666 - will check on; (2) Crowleys' request for maintenance on roads F.5 and 24.3 - tabled; and (3) number of county road crossings made by MAPCO - Engr Bud Roach has the statistics. Colorado Department of Transportation - Montezuma County certified mileage report was signed.

**HOMEOWNER George Compton** stated he feels that the evaluation he received from the Assessor's office on his property is too high. Assessor Bob Cruzan told Mr. Compton that a hearing is being scheduled in approximately two weeks and he will be notified.

**PLANNING** Manager Karen Welch presented planning resolution **P-03-99E**, whereas **John L. Troy Lichliter, et al**, owners of 80 acres, would be granted an exemption to the subdivision regulations to record a 4.7 acre exemption in Section 11, T.36N., R.16W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. A planning resolution **P-04-99E** was presented, whereas **Robb Enterprises**, owner of 144.4 acres, would be granted an exemption to the subdivision regulations to record a 3.1 acre exemption in Section 5, T.35N., R.13W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution **P-05-99E** was presented, whereas **Nora Riley and Gip Hudson**, owners of 215 acres, would be granted an exemption to the subdivision regulations to record a 5.113 acre exemption in Section 21, T.37n., R.17W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried.

**STATE OF COLORADO, DIVISION OF GAMING:** A revised MOU and document replacing the Letter of Agreement with Deloitte & Touche were reviewed and discussed. Comm Wilson made a motion to cancel the previously signed MOU and Letter of Agreement (see January 18, 1999 minutes), and sign the Memorandum of Understanding Between Colorado Division of Gaming, Ute Mountain Ute Tribe and Montezuma County, with attachment of a document replacing the Letter of Agreement with Deloitte & Touche (see attached) . The motion was seconded by Comm Lindsay and carried.

**SENIOR NUTRITION** Director Sue Fletcher presented income and expense reports for 1998.

**HEALTH DEPARTMENT:** John Godbey presented an amendment to the Women, Infant and Children (WIC) for review. Comm Lindsay moved to sign the WIC Contract Change Order Letter #1, Contract #99-01378, which increases funding for the program, between the Department of Health and Environment and the Montezuma County Board of Commissioners, seconded by Comm Wilson and carried.

**SALES TAX STATUTES** were reviewed.

**DOLORES COUNTY** Commissioner LeRoy Gore met with the Board and Social Services Director Dennis Story to discuss a proposal for both counties to pool Social Services program resources. Liability, personnel, etc. were discussed. Dolores County will submit their social services department 1999 budget figures to Director Story.

**M & M TRUCKSTOP INTERSECTION:** Colorado Division of Transportation (CDOT) representatives **Mike McVaugh** and **Steve Lewis** and Project Manager **Cliff Stephens** for Nielsons, Inc. gave an update on the project. Safety issues, scheduling for concrete, temporary signals, and chip/seal were discussed. Road department needs to contact Nielsons, Inc. for oil when the department is ready to chip/seal in accordance with their 1999 road plan.

**ADJOURNED** at 2:15 p.m.

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Deputy Clerk  
January 25, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**FEBRUARY 1, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 1, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, January 25, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**911 AUTHORITY BOARD:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-03-99 to the Treasurer to pay \$1,018.47 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**PAYROLL:** General fund payroll in the amount of \$164,379.58, District Attorney warrant #31401 in the amount of \$16,447.99, Treasurer warrant #31402 in the amount of \$210,622.19; Road fund payroll in the amount of \$51,002.15, Treasurer warrant #11966 in the amount of \$39,976.05; and Landfill payroll fund in the amount of \$10,318.89, Treasurer warrant #1521 in the amount of \$5,854.35 were approved for payment.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported on department activities: (a) Ute Bridge (McElmo Canyon) is open for traffic . It was noted that any signage problem in the area needs to be taken care of by Foreman Palmer. (b) Working on CR 25. Affirmed that the surface, which the road department plans to chip/seal later this year, will be a width of 24' in accordance with county specs; (c) Foreman Palmer and Engr Roach have checked CR N and determined that -- a ¾ mile of chip/seal (Hwy 145 to crest of Ertel Hill) needs to be taken out, a section of this area widened, a new culvert installed and the moisture problem needs to be taken care of before the chip/seal is redone. (e) About done with work on sewer system at the Fairgrounds. (f) Working on CR 21 - will meet with the Water Company (see 1-25-99 minutes); and, (g) Have received loader. Foreman **Jim Sattley** was present and the Board discussed the following with him: (a) complaint from a resident that had an accident on CR P - will check on. (b) Dolores School District complaint about a curve at the end of CR P. They will be informed that the county has been unable to obtain more right-of-way to correct the problem.

**STATE PATROL OFFICE SPACE:** Comm Lindsay made a motion to sign the Lease Agreement between Montezuma County (lessor) and The State of Colorado, acting by and through the Department of Public Safety (lessee) for space in the Justice Building. The motion was seconded by Comm Wilson and carried.

**VISTA VERDE VILLAGE MOBILE HOME PARK** - tenants **Carla Green, Tabatha Sackett, Bill Cooper and Patty Smith** met to discuss issues with the mobile home park. They presented a petition (see attached) which stated they have concerns with the damage to their homes because of the unstable (soil) lot conditions and concerns about the quality of the park's water supply. They were advised to contact the Montezuma Water Company and the Cortez Sanitation Department about the water concern. No action taken at this time.

**LIQUOR LICENSE:** Deputy Clerk **Betty Davis** and Attorney **Todd Starr** representing Sue Hansen, owner of the Roundup Junction Restaurant, Inc. met with the Board. Ms. Hansen has filed an "Application for Transfer of Ownership" for a "Hotel/Restaurant Liquor License." Deputy Davis stated that all the appropriate paperwork has been received except the copy of stamped "Articles of Incorporation" and fingerprint approval. Attorney Starr asked that the Board approve the application contingent on receipt of these two items. Comm Lindsay made a motion to approve the "Hotel/Restaurant Liquor License" for the **Roundup Junction Restaurant, Inc.**, contingent on receipt of the stamped "Articles of Incorporation" and fingerprint approval from the State within 10 business days. The motion was seconded by Comm Wilson and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

**CLUB 20:** Attorney **Todd Starr** asked to be appointed as the Club 20 alternate member replacing Mark Larson, who has stepped down. The Board affirmed the appointment.

**LANDOWNER Andy Gatzke** met to visit about his concerns on landowner initiated zoning (LIZ).

**PLANNING: Loretta Murphy** presented planning resolution **P-21-1992 Amended**, whereas resolution P-21-92 (**Morrill/Conway**) was adopted on the 13<sup>th</sup> day of July 1992, and it becomes necessary to amend the variance by mutual request of the landowners of Parcel B and Parcel C. The acreage of Parcel C would decrease by .24 acres leaving 26.86 acres and the acreage of Parcel B would increase by .24 acres creating a 3.26 acre tract in Section 9, T.36N., R.15W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from **David Hancock** for an exemption to the subdivision regulations to split a 2 to 3 acres from 166 acres and adjoin it to a neighboring 160 acres parcel was tentatively approved. A verbal request from **Hamilton Bros. Farm, Inc.** for an exemption to the subdivision regulations to split a 10 acre parcel from 90 acres was tentatively approved.

**PROPOSED JAIL FACILITY: Sheriff Joey Chavez, Undersheriff Sam Hager, Sheriff Deputy Jim Keen, and District Attorney Mike Green** met with the Board about the proposed jail facility. Sheriff Chavez stated that he has contacted several companies for information on modular jail facility buildings. He presented this information and stated that the buildings may be leased with an option to buy. A meeting with a representative from one company, the Sheriff Department and the Board was tentatively scheduled for February 16<sup>th</sup>. Current number of inmates and liability was discussed. \*\*\*\*\* At 11:30 a.m. George K. Bauer & Company (investment bankers, Denver, CO) representatives **Alan Matlosz** and **Rick Reiter** met with the Board. Also present were Sheriff **Chavez**, Undersheriff **Hager**, Deputy **Keen**, **Amy Ball**, **Lyle Bilberry**, **James Dietrich** and **Bill Rutledge**. Mr. Matlosz and Mr. Reiter did a presentation on financing and presenting elective issues for jail projects. Booklets on "Presentation to Montezuma County" and "The Challenges of Financing Criminal Justice Facilities, February 1997" were submitted. Sales Tax statutes were discussed.

**SENIOR NUTRITION CENTER** Director **Sue Fletcher** presented the proposed Area Agency on Aging (AAA) budget for 1999. No action was taken. She stated that the AAA office in Durango, CO has again misplaced the signature page for the 1997-1998 contract (see 12-8-97 minutes). They asked that another one be signed. After consideration, the Board denied the request, since the page has been re-signed twice.

**TRI-CORNERS TELECOMMUNICATIONS** representative **Raymond Keith** gave an update on the proposed location of a tower on county property (see minutes of 1-18-99). Discussed pros and cons for lease of the property to Tri-Corners or county owned tower for joint users - private and government. More information will be obtained on use by county and other entities. **Lyle Bilberry** was present.

**FAIRGROUNDS:** The policy that there is no boarding of horses at the Fairgrounds was reaffirmed.

**ADJOURNED** at 3:15 p.m.

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Deputy Clerk  
February 1, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
FEBRUARY 8, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 8, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, February 1, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-04-99 to the Treasurer to pay \$63,389.97 (first quarterly payment for lease purchase of equipment, Dispatch center - \$9,432.47 and 1/2 of the annual Dispatch fees - \$53,957.50, see attached) from the 911 Account to the City of Cortez. The motion was seconded by Comm Wilson and carried.

**CLERK'S OFFICE:** Monthly report for January 1999 was presented by Clerk **Evie Ritthaler**.

**TREASURER'S OFFICE:** Monthly report for January 1999 was presented by Treasurer **Bobbie Spore**.

**VISTA VERDE VILLAGE MOBILE HOME PARK** - tenants **Jim and Lorene Hackett** and **Lyndell and Carla Green** met to discuss issues with the park. They have checked with several entities about the water quality and will continue to check with the State Board of Health. Possible funding through the Department of Housing to help with costs to relocate, etc. was discussed. State statutes were read. No action was taken.

**ROAD DEPARTMENT** Foreman Jim Sattley reported on department activities: (a) met with Corp of Engineers about Stapleton Bridge; (b) still working on fairgrounds, CR 21 and CR 25; and (c) blading roads. Discussed: (a) Hindmarsh pit - signed lease from property owner has not been received - no work to improve CR W will be done until lease is received. (b) Predator control - agreement between La Plata and Montezuma County has been completed. (c) Personnel - hired a person for part-time position. (d) Dolores/Norwood road repairs - will be in contact with the forest service.

**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. Deputy Davis reported that the appropriate paperwork was received from the State in connection with the liquor license approval for **Roundup Junction Restaurant, Inc.** (see 2-1-99 minutes).

**BOARD OF SOCIAL SERVICES** was conducted.

**PLANNING** Manager **Karen Welch** presented planning resolution **P-06-99E**, whereas **Christine Applin**, owner of 60 acres, would be granted an exemption to the subdivision regulations to record a 14.98 acre exemption in Section 21, T.36N., R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from **Ken Duncan** for an exemption to the subdivision regulations to split a 4.5 acre parcel from 156 acres was denied. A verbal request from **Henry James Antholz** for an exemption to the subdivision regulations to split a 20 acre parcel from 100 acres was tentatively approved. Discussed whether Nielsons, Inc. needs a "Letter Permit" to establish a supply yard on private property (Red Rock Ranch) to stack materials, etc. for projects in the area. It was affirmed that a "Letter Permit" is needed with both the landowner and company's signatures and an expiration date for use.

**PLANNING COMMISSION BOARD APPOINTMENTS:** Planning Manager Karen Welch presented three letters for the two advertised vacant appointments. Comm Lindsay made a motion to appoint **Vernal Aulston** for a 3-year term (1999-2001), **Dudley Millard** for a 3-year term (1999-2001) and **Andrew Logan** as an associate member for a 1-year term (1999). The motion was seconded by Comm Wilson and carried. Discussed term limits for the appointments. Action tabled.

**ABATEMENT:** Assessor **Bob Cruzan**, appraisers **Mary Zummach** and **Scott Davis** and **George Compton** being present, a petition for abatement of property tax was presented for **George and Mildred Compton**, 1998, erroneous assessment. Assessor Cruzan recommended denial of the petition. Comm Wilson moved to set the full value of the property at \$97,500.00 for the 1998 tax roll (see attached), seconded by Comm Lindsay and carried. The roll was called and the proceedings were taped for the record.

**PROPOSED JAIL AND COMMUNITY CORRECTIONS FACILITIES:** Sheriff **Joey Chavez** and Undersheriff **Sam Hager** met discuss the proposed facilities. **Lyle Bilberry** was present. Sheriff Chavez stated that last week his comments referred to the proposed Community Corrections facility, not the proposed jail facility (see 2-1-99 minutes). The Board presented and discussed a "Montezuma County Jail Site Plan" map and pictures of the area. In the near future, Sheriff Chavez will schedule a meeting with all interested entities to discuss the proposed facilities. Sheriff Chavez reported that the State Department of Corrections has increased reimbursement to counties for holding inmates at a daily rate of \$48.43 for the fiscal year July 1, 1998 through June 30, 1999.

**BOARD OF EQUALIZATION APPEAL:** Assessor **Bob Cruzan** and Attorney **Hazen Brown** representing Rock Sales Company (Pete Ballode) met to discuss the Rock Sales Company's appeal. Acceptance by the client of a net stipulated valuation on the property of \$195,000.00 was discussed. Comm Lindsay made a motion to agree to a net stipulated valuation on the property of \$195,000.00 for 1998 and the stipulations to the Board of Assessment of Appeals. The motion was seconded by Comm Wilson and carried.

**TRI-CORNERS TELECOMMUNICATIONS** representative **Raymond Keith** gave an update on the proposed location of a fiber-optic tower on county property. It was noted that information should be presented to the City Council and other interested entities for input about their needs and whether or not they support such a service.

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

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Deputy Clerk  
February 8, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**FEBRUARY 16, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, February 16, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, February 8, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**ACCOUNTS PAYABLE:** General fund warrants #31397 thru #31605 in the amount of \$337,272.86; Road fund warrants #11965 thru #12056 in the amount of \$255,109.42; and, Landfill fund warrants #1519 thru #1557 in the amount of \$38,308.23 were approved for payment.

**DEPARTMENT OF SOCIAL SERVICES:** Comm Wilson made a motion to sign the "Memorandum of Understanding" by and between the Board of County Commissioners of Dolores County, Colorado and the Board of County Commissioners of Montezuma County, Colorado wherein the Department of Social Services of Montezuma County, Colorado, would forthwith furnish a case worker to render services on behalf of the Department of Social Services of Dolores County, Colorado with mutual promises and covenants (see attached). The motion was seconded by Comm Lindsay and carried.

**COUNTY LODGERS TAX COMMISSION BOARD:** Comm Wilson moved to appoint Cathy Green (Dolores) and Dale McFarland (Mancos) to serve on the Lodgers Tax Board., seconded by Comm Wilson and carried.

**SHERIFF Joey Chavez** and Undersheriff **Sam Hager** presented contracts between the Sheriff's office and the towns of Mancos and Dolores, CO for review. Action was tabled. They reported that the Juvenile and Drug Task Force programs are set up and active.

**PLANNING Manager Karen Welch** presented planning resolution **P-07-99E**, whereas **James R. Malcolm, Jr. and Teresa M. Malcolm**, owners of 180 acres would be granted an exemption to the subdivision regulations to record a 3.01 acre exemption in Section 17, T.36N. R.14W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Presented a planning resolution **P-08-99E**, whereas **Norman and Michaela Smith**, owners of 65 acres, would be granted an exemption to the subdivision regulations to record a 3 acre exemption in Section 5, T.36N., R.15W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. A verbal request from **Eugene and Jane Zubrzcki** for an exemption to the subdivision regulations to split a 31.8 acre tract from 72 acres was tentatively approved. Presented for signature, the Nielsons, Inc./ Red Rock Ranch permit. Comm Lindsay moved to sign the "Letter Permit" from **Nielsons, Inc./Red Rock Ranch**, seconded by Comm Wilson and carried. Discussed whether **Northwest Pipeline** needs a "Letter Permit" to replace approximately one mile of old pipe because of a safety concern. It was affirmed that a permit is needed with accountability for reclamation. Presented for signature, Kenneth and Susan Saunders permit to board animals. Comm Wilson moved to sign the **Saunders** "Letter Permit" to board animals. Discussed possible need for permitting in regard to mobile homes being set up on 56 acres by **Dewey and Peggy Plumb** - no action taken. Presented "High Impact Permit" for the proposed **Baumgartner Gravel Pit**. The permit has been presented to the Planning Commission and they recommend approval. A Public Hearing for the proposed gravel pit was tentatively set for March 8, 1999, at 10:00 a.m. **Mike Preston** was present.

**LIQUOR LICENSE:** Deputy Clerk **Bette Davis** 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.

**CANCELLATION OF MONTEZUMA COUNTY WARRANT:** Comm Lindsay moved to cancel one warrant (see attached) issued by Montezuma County which has not been cashed by said payee, seconded by Comm Wilson and carried.

**ADJOURNED** for the scheduled Landowners Initiated Zoning (LIZ) meeting at the Cortez Conference Center.

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Deputy Clerk  
February 16, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**FEBRUARY 22, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 22, 1999, at the courthouse in Cortez, Colorado, there were present:

E. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Jr., 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 regular meeting held on Monday, February 16, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** met to discuss the Federal Lands program (endangered species, wilderness designation, etc.). The landowner initiated zoning (LIZ) meeting held last week was discussed. More LIZ meetings will be scheduled with different entities.

**PLANNING** Manager **Karen Welch** presented a verbal request from **Clarence Williams** for an exemption to the subdivision regulations to split a 15 acre tract from 113 acres. The request was tentatively approved.

**CITY OF CORTEZ** Parks and Recreation Director **Chris Burkett** presented a map showing the City's proposed trail, which is along a section of the recently acquired land for the proposed jail. He asked that the county grant a 15' permanent right-of-way easement on the county property. This was tentatively affirmed. Also discussed was the long-term development of the area.

**COLORADO DIVISION OF GAMING** - "Memorandum of Understanding" and "Contract" were reviewed. Comm Wilson made a motion to sign the **Memorandum of Understanding** Between the Colorado Division of Gaming, Ute Mountain Ute Tribe, and Montezuma County Board of Commissioners (Study Sponsors) to enter into an intergovernmental agreement to provide for a gaming impact study to determine and document the positive and negative economic and social impacts of the Tribe's gaming operation on the tribal reservation and surrounding communities, whereas the Study Sponsors have selected Deloitte & Touche LLP to conduct the gaming impact study as the result of RFP Number TGA98008; **and** the **Contract** between the State of Colorado for the use and benefit of the Department of Revenue, Division of Gaming, Deloitte & Touche LLP, the Ute Mountain Ute Tribe, and the Montezuma County Board of County Commissioners to finance a comprehensive study of the positive and negative economic and social impacts of the Tribal Gaming Operation on the surrounding communities. The motion was seconded by Comm Lindsay and carried.

**"REINVENTING CIVIC RESPONSIBILITY"** research project information packet was presented by **Lou Erwin and Alex-Cine Napolitano** and discussed. The project is an undertaking as a part of their graduate degree program through the University of Colorado at Denver, CO. They asked for interviews, at some point, from the Board as a jurisdiction governance body along with the administrator. All comments from interviews of jurisdiction's governance bodies and citizens of the jurisdiction will be compiled and a copy of the final written report will be presented to the perspective jurisdiction's governance body. Adm Weaver will be the contact person.

**VISTA VERDE VILLAGE MOBILE HOME PARK:** USDA/Natural Resources Conservation Service, Soil Survey Office representative **Doug Ramsey** presented background survey information on the soil in the Park. USDA/RD representative **Sue Jamison** and residents of the Park, **Lyndell Green, and Jim and Lorene Hackett** were also present. It was noted that both the owner and the residents of the park have retained counsel.

**REGION 9 - ECONOMIC DEVELOPMENT DISTRICT OF SW COLORADO** Director **Ed Morlan** presented a packet for improvement of telecommunications for the region and the state. He asked the Board to consider becoming a member of a consortium of public and private telecommunications consumers. He stated that, as a member, the county would need to pledge \$752.88 for matching funds for an application for an Energy Impact Assistance Fund grant for the "Telecommunications Consumer Consortium" to apply for funding under H.B. 99-1102. No action was taken. Comm Story (an alternate member on the Tri-Corners Telecommunications Board, a for-profit company founded by LaPlata and Empire Electric Associations), stated that Tri-Corners will be bringing fiber optic capability to the county and feels that this needs to be taken into account. Local and long mile service was discussed. **Lyle Bilberry** was present.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented the department's "Annual Budget Summary Report for 1998" for review. Personnel changes and fees scales were discussed.

**SHERIFF Joey Chavez** and Undersheriff **Sam Hager** presented corrected contracts between the Sheriff's office and the towns of Mancos and Dolores, CO for review. Action was tabled on the Mancos contract. Comm Lindsay moved to sign "Resolution #155, 1999 Series Law Enforcement Contract between Montezuma County, Montezuma County Sheriff's Office and the Town of Dolores," seconded by Comm Wilson and carried. Also presented for review was a Memorandum of Understanding (MOU) Between the United Search and Rescue of Montezuma County, Inc. and the Montezuma County Sheriff's office. Comm Lindsay moved to sign the MOU, seconded by Comm Wilson and carried.

**AVAILABLE COUNTY OFFICE SPACE:** Sheriff **Chavez**, Undersheriff **Hager**, Judge **Sharon Hansen**, and Probation Office representative **Lynn Williams** met to discuss expanded programs and space needs. A walk through inspection was done of the Court and Probation office spaces in the courthouse and other county office spaces (District Attorney, etc.) in the Annex and Justice Building.

**ADJOURNED** at 3:30 p.m. for the Jail Inspection.

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Deputy Clerk  
February 22, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**MARCH 1, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 1, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, February 22, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**911 AUTHORITY BOARD:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-05-99 to the Treasurer to pay \$1,018.47 from the 911 Account to U.S. West Communications, Denver, Co 80244-0001. The motion was seconded by Comm Wilson and carried.

**PAYROLL:** General fund payroll in the amount of \$168,369.87, Treasurer warrant #31608 in the amount of \$122,296.06, District Attorney warrant #31610 in the amount of \$17,075.59; Road fund payroll in the amount of \$53,359.89, Treasurer warrant #12058 in the amount of \$40,483.91; and Landfill fund payroll in the amount of \$10,123.23, Treasurer warrant #1560 in the amount of \$5,842.05 were approved for payment.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported that they are working on unimproved roads and CR 25. Discussed: (a) need to maintain CR 18 all the way, (b) need to check on settling around new bridges, and (c) proposed gravel pits.

**FAIRGROUNDS:** Agreement to install new transformer at the fairgrounds was presented for review. Comm Wilson moved to sign the "Agreement for Electric Service Large Power" contract between Empire Electric Association, and Montezuma County, seconded by Comm Story and carried. Discussed current information on the Barrel Racers Association's proposed use of the fairgrounds.

**TOWN OF MANCOS** Recreational Coordinator **Sharon Christensen** asked for monies to help buy new playground equipment for the park in Mancos. Comm Lindsay moved to give \$2,500.00 of lottery funds, with the stipulation that the check will not be released until the project is started, seconded by Comm Wilson and carried.

**PLANNING** Manager **Karen Welch** presented an amendment to the **MAPCO** agreement with the Road Department. Comm Wilson made a motion to sign the amendment to the agreement between Montezuma County Road Department and Mid-American Pipeline Company (MAPCO), attached as Exhibit "B" to MAPCO' High Impact Permit. The motion was seconded by Comm Lindsay and carried. Discussed the proposal to have term limits for members serving on the Planning Commission Board. Action was tabled. \*\*\*\* Scheduling for Landowners Initiated Zoning (LIZ) meetings was discussed. **Mike Preston, Lyle Bilberry, and Loretta Murphy** were present. Information on a post-card mail out to inform residents of the meetings was presented, discussed, and affirmed. \*\*\*\* Planning Manager **Karen Welch**, Surveyor **Ernest Maness** and landowner **Susan Burnet** met to discuss a proposed split of land on Road K.4 and the need for the road to be brought up to county specs because of the increased capacity. After discussion the Board, affirmed that the road needs to be brought up to county specs which will include a 24' width with a 60' easement.

**LANDFILL AND WEED CONTROL PROGRAM** Manager **Ron Lanier** presented the "Weed Control Cost-Share Program" report (participants) for 1998. Also presented and discussed was information on promoting the weed control program in 1999 and the 1999 weed control calendar. Discussed the need to eventually include the City of Cortez in the program. Presented the landfill expenses and income 1998 report. A landfill budget work-study meeting was tentatively scheduled for March 31<sup>st</sup> at 10:00 a.m.

**TRI-CORNERS TELECOMMUNICATIONS** representative **Raymond Keith** presented a sample contract. The items of the contract were discussed in regard to a contract between Tri-Corners and entities in Montezuma County. He asked for a "good faith" letter from the Board stating that the county supports the company's interest in leasing county property and installing fiber optic capability in the area. Comm Lindsay moved to prepare a "good faith" letter subject to approval of the plan for fiber optics in the area by the City and other interested entities, seconded by Comm Wilson and carried. **Lyle Bilberry** was present.

**PROPOSED JAIL FACILITY: Don Diones**, Executive Director for Bigelow & Co. a bonding company, presented a “Municipal Financing” booklet and did a presentation on available financing for a new jail facility. Sheriff **Joey Chavez** and **Amy Ball** were present. Action was tabled.

**SHERIFF Joey Chavez** presented a proclamation for signature. Comm Lindsay moved to sign the “Honorary Proclamation Law Enforcement Week” proclamation declaring May 16-23, 1999 as Law Enforcement Week in Montezuma County, seconded by Comm Wilson and carried. **Amy Ball** gave an update on securing a Community Correction facility. Action was tabled. State Patrol lease for office space in the Justice Building was discussed.

**ONE-STOP CENTER - JOB SERVICE:** Comm Wilson moved to approve the Study Plan and the appointed Board members, seconded by Comm Lindsay and carried.

**ADJOURNED** at 1:00 p.m.

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Deputy Clerk  
March 1, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**MARCH 8, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 8, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, March 1, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**CLERKS OFFICE:** Monthly report for February 1999 was presented by Clerk **Evie Ritthaler**. Also noted was request for more space. No action taken.

**TREASURERS OFFICE:** Monthly report for February 1999 was received. Treasurer's six month report was received and it was noted that the Commissioners warrants balanced with the Treasurer's funds.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported CR 34 to CR M and CR 33 to CR P are being graveled. Work on sewer and entry way at the Fairgrounds are done. One of the water trucks has been painted. Sealing of cracks on chip/sealed county roads was discussed. "1999 Road Plan" was presented and discussed. Resident complaint of dust and request that truck traffic be restricted on CR F was discussed. No action taken. Working on CR 21. Engineer **Bud Roach** reported that the dust problem on Stone's gravel pit road off of CR 21 has been taken care of. Chip/seal is scheduled for second week of June for CR 21. Engr Roach also reported that he is still checking on MAPCO's pipeline work in connection with the county roads.

**VISITOR Elvin Vaura** asked who paid expenses for rental and refreshments for the last Landowners Initiated Zoning (LIZ) meeting. He was told the county paid for the room rental and the San Juan Farm Bureau and Dolores Soil Conservation, as sponsors, paid for the refreshments. Also discussed the courthouse parking lot.

**PUBLIC HEARING - PROPOSED BAUMGARTNER GRAVEL (SANDSTONE) PIT:** It being the time set aside, a Public Hearing was conducted to consider a High Impact Permit with respect to a gravel mining operation to be conducted by Montezuma County on the Baumgartner property, lying on the east side of CR 10 approximately 11 miles south of CR BB. The roll was called, the Public Notice was read, and the proceedings were taped for the record. **Bryan Baumgartner and Charles Baumgartner**, road department representatives Foreman **Jim Becher and Randy Smith** were present. Adm Weaver presented and explained the proposed "mitigation measures." A letter from Tim Kerns stating his concerns was presented and discussed. Comm Wilson moved to approve the High Impact Permit No. 13 for the Baumgartner Gravel Pit, seconded by Comm Lindsay and carried.

**PLANNING:** **Loretta Murphy** presented a "Letter Permit" for **Ellen Ragsdale** (Bed and Breakfast) and a "Letter Permit" for **John Hicks** (storage unit). Discussed LIZ designations in connection with animals.

**E911 AUTHORITY BOARD:** Chief of Police **Roy Lane** presented a resolution to impose an E911 surcharge of fifty cents (\$.50) per month on wireless communication users. Comm Wilson moved to sign **Resolution 2-99** (see attached), seconded by Comm Lindsay and carried.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** presented a draft letter to U.S. Senator Allard stating opposition to the Colorado Wilderness Act of 1999, introduced by Congresswoman DeGette. Comm Lindsay moved to sign the final letter, seconded by Comm Wilson and carried. **Carla Garrison** was present and endangered species issues were discussed.

**BOARD OF SOCIAL SERVICES** was conducted.

**SOUTHWEST COLORADO LANDOWNERS ASSOCIATION** representatives **Chester Tozer and Gary Shaw** invited the Board to attend the “States of the Southern Rockies Conference and Overview of Southwest Wildlands Initiative “ meeting hosted by Rio Arriba County in Alcalde, NM on March 12<sup>th</sup>. \*\*\*\*\* Other items discussed were need for guard rail (sluice-way area on CR G (McElmo Canyon) and question about permitting for a proposed Youth Rehab Center in the county. It was noted that the center would need a high impact permit.

**SHERIFF Joey Chavez** submitted the Colorado State Forest Service **1999 Annual Fire Operating Plan for Montezuma County** for review. Comm Wilson moved to sign the plan, seconded by Comm Lindsay and carried. Undersheriff **Sam Hager** presented information on their old copier maintenance contract, costs, etc. They feel that the office needs a new copier and bids have been put out.

**ADJOURNED** at 3:10 p.m.

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Deputy Clerk  
March 8, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**MARCH 15 - 16, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 15, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, March 8, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**VISTA VERDE VILLAGE MOBILE HOME PARK** tenants **Carla Green and Lorene Hackett** asked if the Board had told the Montezuma County Health Department not to be involved in any illnesses at the Park. The Board stated they had not. It was reiterated that unless a doctor is involved with a reported health hazard, the Health Department cannot be involved. The determination that there is no health hazard involving the water and sewer systems in the Park was noted.

**GENERAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-06-99 to the Treasurer to transfer \$50,762.08 from the General Fund to the Social Services fund - Cost Allocation 7/97 - 6/98 (see attached). The motion was seconded by Comm Wilson and carried.

**STATE PATROL OFFICE SPACE:** Comm Lindsay moved to ratify the Board's letter effective February 23, 1999, to the Department of Public Safety (see attached) to revoke the previous offer (see minutes of February 1, 1999), seconded by Comm Wilson and carried. A request by the State Patrol for an extension of the time to vacate until June 30, 1999, was granted.

**ROAD DEPARTMENT** Foreman Jim Sattley reported on department activities: (a) graveling CR 34, (b) working on water trucks, (c) blading roads, and (d) working on CR 21. Discussed: proposed Hindmarsh Gravel Pit and personnel. Offer from Dolores Fire Department to store county water truck inside their facility next winter will be addressed at the weekly foremen meeting.

**LANDOWNERS Don and Buzz Crowley** met to discuss their plans for a subdivision and asked if the Board would waive the impact fees if they hauled gravel supplied by the county to bring unimproved CR 24.5 up to county specs. Also present were Road Foreman **Jim Sattley** and Planning Manager **Karen Welch**. Plans for Road F.5 to Road F.3 were discussed. It was affirmed that the impact fees will not be waived. Action was tabled until road department foremen discuss the situation at their Wednesday meeting and an on-site inspection is done.

**PLANNING MANAGER Karen Welch** presented planning resolution **P-09-99E**, whereas **Terrill Graf and Gary Graf**, owners of 4.94 acres, would be granted an exemption to the subdivision regulations to record a 4.94 acres exemption in Section 8, T.38N., R.17W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried.

**UNAPPROVED MOBILE HOME PARK** owner **Joe DiGiacomo**, Sanitation Manager **Mick Periman** and Planning Manager **Karen Welch** met to discuss the sewer system in the park. Manager Periman presented the only document on file - a 1984 repair permit and stated that the park is not in compliance with county regulations. The recent health hazard of sewage on top of the ground was discussed. Mr. DiGiacomo presented his short-term solution for the problem and asked for time to implement it. The Board requested that Mr. DiGiacomo and his engineer meet with them March 16, 1999, at 3:00 p.m. to consider his request. Action was tabled until tomorrow. County requirements for a Mobile Home Park will be furnished to Mr. DiGiacomo again.

**SHERIFF Joey Chavez** presented information and the budget for the proposed "Inmate Community Program." Comm Lindsay moved to approve the program (May 1 thru Sept 31), seconded by Comm Wilson and carried. Lease Agreement for a copier to be used only by the Sheriff's department was discussed. Personal and advertised bids were sought. One bid was received. The "Opinion of the Counsel" document required by the leasing company was discussed. Comm Lindsay moved to authorize Counsel to sign the opinion document and the Sheriff's department to enter into the lease agreement, seconded by Comm Wilson and carried. Application for "Cops to Kids" grant funding for equipment was presented. Comm Lindsay moved to sign the application, seconded by Comm Wilson and carried.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented the Contract 99-01438 to renew the Abstinence grant signed between the Public Health Department and Montezuma Health Department (see March 9, 1998 minutes). Comm Lindsay moved to sign the contract , seconded by Comm Wilson and carried.

**COMMUNITY CORRECTIONS - JAIL FACILITY:** **Amy Ball** presented information and a contract on the proposed Community Corrections facility for review. The need for a budget for the facility and last week's Jail Advisory meeting were discussed. Sheriff **Chavez** was present. Comm Wilson made a motion to sign the contract between the Public Safety Division of Criminal Justice and Montezuma County Community Corrections Board, Montezuma Sheriff Department effective July 1, 1999. The motion was seconded by Comm Lindsay and carried.

**LANDOWNERS INITIATED ZONING (LIZ)** scheduled meeting at the Lewis-Arriola Grange Hall was attended in the afternoon.

**RECESSED** until 3:00 p.m. Tuesday, March 16, 1999.

### MARCH 16, 1999

**UNAPPROVED MOBIL HOME PARK** owner **Joe DiGiacomo**, Engineer **Michael Hannigan**, Attorney **Nancy Agro** (Dyer & Dilts), and Sanitation Manager **Mick Periman** met to discuss options to address the park's sewage disposal problem. Also present were **Karen Welch**, **Loretta Murphy** and **Lyle Bilberry**. Mr. Hannigan presented his recommendation for a short-term solution. The number of mobiles exceeding the 1984 repair permit was noted and discussed. After discussion the following was affirmed: (1) approval for a temporary solution -- dig a second hole and install evaporators to take care of excess sewage and submit the plan to Manager Periman with an engineer's stamp and a time limit for use; (2) a 30-day extension of time for Mr. DiGiacomo to present a long-term plan for the property to the Board; (3) if the long-term solution is installation of a septic in accordance with State regulations, Mr. DiGiacomo will not have to go through the permitting process (grandfather clause), if the park remains the same as it is with no additional spaces, (4) Manager Periman will issue a repair permit with verbal permit to start tomorrow, March 17<sup>th</sup>; and (5) an eviction notice will not be issued until the end of the 30-day grace period, if a long-term plan has not been presented. Cease and desist Statute #25-10-106 was noted.

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

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Deputy Clerk  
March 15-16, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY COLORADO**  
**MARCH 29, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 29, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, March 15, 1999 and Tuesday, March 16, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported the crusher is being moved to the Hay Camp gravel pit this week and noted that the roads are very dry. Discussed the Crowleys' request (see March 15, 1999 minutes). It was affirmed that (a) the Crowleys will remove the trees and bring Road F.5 and Road 24.3 up to county specs, (b) the county will furnish the gravel, and (c) the roads will be reclassified and maintained as county roads.

**MESA VERDE NATIONAL PARK:** Representative **Linda Towle** asked the Board to support and sign two grant applications for monies from the Colorado Historical Society. The monies would fund the Mesa Verde Museum Association project, "Rehabilitate the Jack Gray Warehouse" and the Mesa Verde National Park project, "Archeological Documentation and Assessment of Rock Art in Mesa Verde National Park." Comm Lindsay moved to support and sign the applications, seconded by Comm Wilson and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston and Carla Garrison** gave a progress report on the lynx reintroduction. Listing of different species as endangered or threatened was discussed.

**ABATEMENT:** Assessor **Bob Cruzan and Scott Davis** being present, petition for abatement of property tax was presented for **Theodore and Paula Stearman**, 1998, erroneous assessment, \$2,077.70. **Paula Stearman** was present. After discussion it was affirmed that more information is needed before any action is taken and this abatement is continued until the Board of Equalization Board meets in July 1999. The roll was called and the proceedings were taped for the record.

**SOUTHWEST COLORADO LANDOWNERS ASSOCIATION** representatives **Chester Tozer and Marvin Smith** reported on the State of the Rockies Conference held in Alcalde, NM. They presented the "U.S. Department of Agriculture - U.S. Environmental Protection Agency, United National Strategy for Animal Feeding Operations, March 9, 1999" document which passed and is now in effect. Other items in the "Clean Water Act" were discussed. \*\*\*\*\* Also discussed were the problems that were brought to the Landowners Association's attention by residents living in the State permitted mobile home park, Vista Verde Village (see minutes of February 8 and March 15, 1999). Present were **Lyndell and Carla Green, Jim and Lorene Hackett, Lisa Walker and Cynthia Hernandez**, residents of the park. Results from water samples analyzed by the State and a private company were discussed. Pictures showing sewage disposal were presented. No action was taken. Representatives from all the entities involved will be contacted and asked to meet with the Board next Monday to discuss the problems.

**MOBILE HOME PARK** owner **Joe DiGiacomo** gave an update on bringing his park's sewer system into compliance with county regulations. He stated that Sanitation Manager Mick Periman has approved the proposed emergency compliance procedure. He said compliance for a larger park may not be feasible for him. He is interested in a mixed-use plan for the park and was informed that he will need to apply for a permit.

**PROPOSED JAIL FACILITY:** Bigelow & Co. Executive Director **Don Diones** presented their "Municipal Finance" booklet and discussed election strategies. **Amy Ball** was present. No action was taken.

**LANDOWNERS INITIATED ZONING (LIZ)** scheduled meeting at the Mancos Community Center was attended in the afternoon.

**ADJOURNED** at 12:00 noon.

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Deputy Clerk  
March 29, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**APRIL 5, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 5, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, March 29, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**PAYROLL:** General fund payroll in the amount of \$168,302.82, Treasurer warrant #31794 in the amount of \$123,856.30, District Attorney warrant #31793 in the amount of \$17,187.43; Road fund payroll in the amount of \$53,515.60, Treasurer warrant #12154 in the amount of \$40,598.21; and, Landfill fund payroll in the amount of \$9,981.45, Treasurer warrant #1594 in amount of \$5,724.11 were approved for payment.

**ACCOUNTS PAYABLE:** General fund warrants #31609 thru #31791 in the amount of \$164,606.47, Road fund warrants #12065 thru #12152 in the amount of \$109,683.33, and Landfill fund warrants #1567 thru #1592 in the amount of \$30,554.82 were approved for payment.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-07-99 to the Treasurer to pay \$1,018.47 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**HINDMARSH GRAVEL PIT** lease was presented for review. Comm Wilson made a motion to sign the lease (see attached), seconded by Comm Lindsay and carried. Owners **Russell and Ann Hindmarsh** were present.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported on department activities: (a) working on CR 21, (b) the crusher is shut down for repairs and then will be moved to Wilbanks sandstone pit, (c ) plowed snow, (d) grading roads, and (e) straightening a section of CR J (Mancos area). Mentioned cooperation proposal by Chuck McAfee, resident of CR 20, with the county.

**LANDOWNERS Don and Buzz Crowley** met to discuss their proposed subdivision, requirement to bring the road to the proposed subdivision up to county specs before approval can be granted, and zoning preference of the area. They were told to contact the Road Department foreman for spec regulations and approval. Planning Manager **Karen Welch** was present.

**PLANNING** Manager **Karen Welch** presented two subdivision plats - Highline Mesa Commercial Park and Wagon Wheel Estates for review. **Mike McCaffey** was present. Action was tabled. Noted that "Letter Permit #20" from Mark and Cora Parsons was received.

**HIGHLINE MESA COMMERCIAL PARK SUBDIVISION:** Later in the day, Planning Manager **Karen Welch** presented the final plat. Comm Wilson moved to approve and sign the final plat for the Highline Mesa Commercial Park, seconded by Comm Lindsay and carried. **Mike McCaffey** was present.

**COMMUNITY CORRECTION:** **Amy Ball** presented a "Change Order Letter" amending Contract #99000000128 (see March 15, 1999 minutes). Comm Lindsay made a motion to sign the amended contract between the Public Safety Division of Criminal Justice and Montezuma County Community Corrections Board, Montezuma Sheriff Department. The motion was seconded by Comm Wilson and carried.

**LIQUOR LICENSES:** Deputy Clerk **Betty Davis** presented an application for renewal of a retail liquor license for **Smitty's Liquor**. The Sheriff reported no problems with the establishment. Comm Wilson moved to approve the application, seconded by Comm Lindsay and carried. Also presented was an application for renewal of a 3.2% beer license for **ARAMARK Sports and Entertainment Services, Inc.** The Sheriff reported no problems with the establishment. Comm Wilson moved to approve the application, seconded by Comm Lindsay and carried.

**SENIOR NUTRITION CENTER** Director **Sue Fletcher** presented information on the purchase of a freezer for the Center. She stated monies to buy the freezer would come from fund raisers. Comm Wilson moved to approve the purchase of the freezer, seconded by Comm Lindsay and carried.

**FINANCE OFFICER Mary Ann Sanders** presented quotes from CEBT Insurance for 1999. It was affirmed that the health insurance will be put out for bid.

**BOARD OF SOCIAL SERVICES** Director **Dennis Story** presented a "Memorandum of Understanding" (MOU) Agreement for review. Comm Wilson moved to sign the MOU between the State of Colorado Department of Human Services and The Board of County Commissioners, Montezuma County, CO, seconded by Comm Lindsay and carried.

**SANITATION** Manager **Mick Periman** met to discuss recent actions pertaining to Joe DiGiacomo's sewer system for his non-compliant mobile home park. After discussion, a letter to Mr. DiGiacomo was composed addressing the mobile home park issues (see attached). Comm Lindsay moved to sign the letter, seconded by Comm Wilson and carried. Also discussed were problems with the sewer system at Vista Verde Village, a State permitted mobile home park. It was noted that State personnel have stated that the owner has until May 15, 1999, to come into compliance with the State regulations. The Board requested that Manager Periman (a) monitor five to six sites along the McElmo Creek to check for stream pollution, (b) prepare and present to the Board a quarterly data report on every septic and discharge system in the county, and (c) in the future put a completion deadline date on permits. **Karen Welch, Loretta Murphy and Lyle Bilberry** were present.

**ADJOURNED** at 3:30 p.m.

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Deputy Clerk  
April 5, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**APRIL 12, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 12, 1999, at the courthouse in Cortez, Colorado, there were present:

E. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Jr., Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk - absent after 10:30 a.m.

**MINUTES** of the regular meeting held on Monday, April 5, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried..

**GENERAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-08-99 to the Treasurer to transfer \$79,293.00 from the General Fund to the Social Services/HCBS fund (see attached). The motion was seconded by Comm Wilson and carried.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on department activities: (a) installing culvert at leased Hay Camp gravel pit area, (b) CR W: talking with landowners for permission to change road and round up a bad corner - noted that what easement widths the county has is what there is to work with - will start working on extending culverts, etc., (c) widening CR J, (d) graveling CR 21, and (e) still working on crusher repair. Other items discussed: (1) gravel possibilities at Wilbanks sandstone pit needs to be checked on, (2) Allan Whitmer's complaint about CR 21, (3) Foreman Palmer will be talking with Crowley's on roads into/in their proposed subdivision, (4) counters will be placed on CR F at a later time, (5) work around Stapleton Bridge - delayed till August, (6) county's vacation and comp policy, (7) need for newer trucks and loader, and (8) residents complaints about Dunton road maintenance shared with Dolores County - meeting will be scheduled with the Dolores County Commissioners.

**LIQUOR LICENSES:** Deputy Clerk **Tammy Neely** presented applications for renewal of a 3.2% beer license and a Hotel/Restaurant liquor license for the **McPhee Marina Recreation Complex, Inc.** The Sheriff's department reported no problems with this outlet. The Health Department submits a letter of approval for this establishment. Comm Wilson moved to approve the two applications, seconded by Comm Lindsay and carried. Deputy Clerk **Betty Davis** presented an application for renewal of a Hotel/Restaurant liquor license for the **E. B. Dude and Guest Ranch LLC**, a Recreational Complex, (formerly Echo Basin Ranch). The Sheriff's department reported no problems with this outlet. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried.

**SHERIFF DEPARTMENT:** Undersheriff **Sam Hager** presented the corrected contract between the Sheriff's office and the town of Mancos, CO for review. Comm Wilson moved to sign the "1999 Series Law Enforcement Contract between Montezuma County, Montezuma County Sheriff's office and the Town of Mancos," seconded by Comm Lindsay and carried.

**OFFICE OF COMMUNITY SERVICES:** Carla Garrison presented, for review, letters written (with attached fact sheets) to several entities expressing the Board's stand on the reintroduction of the lynx to Southwest Colorado. The letters were signed.

**BOARD OF SOCIAL SERVICES** was conducted.

**SOUTHWEST COLORADO LANDOWNERS ASSOCIATION** representative **Chester Tozer** met to discuss the sewage discharge from the State permitted mobile home park, Vista Verde Village. **Lorene Hackett and Lyndell and Carla Green** were present. They were told that a letter has been written to the State about the situation.

**MOBILE HOME PARK** owner **Joe DiGiacomo** appeared before the Board to discuss the sewage problem at his park. The Board reminded him of the 60-day deadline date of May 28<sup>th</sup> which is outlined in the letter sent to him last week (see minutes of April 5, 1999). No other action was taken. Also present were, **Mick Periman, Karen Welch, and Loretta Murphy.**

**LANDOWNERS INITIATED ZONING (LIZ)** scheduled meeting at the Dolores Community Center was attended in the afternoon.

**ADJOURNED** at 11:30 a.m.

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Deputy Clerk  
April 12, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**APRIL 19, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 19, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, April 12, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**ACCOUNTS PAYABLE:** General fund warrants #31795 thru #31968 in the amount of \$149,075.34; Road fund warrants #12155 thru #12256 in the amount of \$328,671.54; and, Landfill warrants #1601 thru #1625 in the amount of \$20,526.39 were approved for payment (March).

**CLERK'S** report for March 1999 was received.

**ROAD DEPARTMENT** Foreman **Jay Palmer** reported on department activities: (a) doing catch-up work, (b) putting in cattleguard at Hay Camp gravel pit, (c ) will work on CR W and CR J this week, (d) about through with crusher work at Mancos gravel pit, (d) will move chips from Nielsons to Stone gravel pit, (e) working on driveway pipe, etc. on CR 21 - oil scheduled for June, and (f) in answer to complaints on CR 31, will take water trucks to area to re-saturate - noted that CR 32 needs to be done too. Other items discussed: (1) CR G past CR 25 - will check on complaint by resident, (2) CR 25 - chew up chip/seal or patch - will get exact costs for chew up and reuse - scheduled to be chip/sealed late summer, (3) use of fill around Pleasant View fire house from work on Hwy 666 - affirmed - Jay will contact James Lambert about arrangements, and (4) Jay reported he has been unable to contact the Crowley's but has left messages and specs with their office. Comm Story mentioned that at a recent meeting CDOT stated they would like input on changing Hwy 666 name.

**RESIDENTS Don and Judy Jolovich, Shelia Wilson and John Gomez** met to state their displeasure with the resolution passed at last week's Montezuma County Hospital District (MCHD) Board meeting. Responsibilities, etc. of the MCHD board were discussed.

**PLANNING:** **Loretta Murphy** presented planning resolution **P-10-99E**, whereas **Clarence and Shirley Williams**, owners of 113.9 acres, would be granted an exemption to the subdivision regulations to record an exemption for 12.35 acres in Section 3, T.35N., R.16W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. A verbal request for an exemption to the subdivision regulations for land swaps between **Cecilia Berry, Lorene O'Brien and Ann Melinda Bronson** was tentatively approved.

**SOUTHWEST COLORADO LANDOWNERS ASSOCIATION** representatives **Chester Tozer, Marvin Smith, Gary Shaw, Shelia Wilson, and John Gomez** met to discuss the resolution passed by the MCHD Board. Presented was maintenance of facility information and information on the health facility in Monticillo, UT. Discussed: (a) request by representatives for a complete audit of Southwest Hospital Systems, (b) desire that the reserve required by the county commissioners be upheld, (c) need to evaluate whether it is necessary to have two boards (SHS and MCHD), and (d) issues about Quorum management.

**ABATEMENT:** Assessor **Bob Cruzan** being present, petition for abatement of property tax was presented for **Frank T. Chavez**, 1997, erroneous assessment, \$1,906.92 and 1998, erroneous assessment, \$1,796.97. **Frank T. Chavez** was present. Assessor Cruzan recommended approval. Comm Lindsay moved to approve this petition, seconded by Comm Wilson and carried. It was noted that all the Commissioners were present and the proceedings were taped for the record.

**BOARD OF SOCIAL SERVICES** Director **Dennis Story** presented for review the Colorado Department of Human Services, "Children, Youth, & Families" Automation Project contract. Comm Lindsay moved to sign the contract, seconded by Comm Wilson and carried.

**RECESSED FOR LUNCH** at Dove Creek with the Dolores County Commissioners. The Board reported that they discussed maintenance on the lower West Fork road, and snow plowing of (Schedule A Forest Service) Norwood/Cottonwood road - Dolores County will be the lead to contact the Forest Service.

**ASSESSOR Bob Cruzan and** appraiser **Scott Davis** presented commercial re-evaluation informational packets. The information was discussed.

**ADJOURNED** at 3:30 p.m.

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Deputy Clerk  
April 19, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**APRIL 26, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 26, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, April 19, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported on department activities: (a) blading roads, (b) moving crusher, (c) bought compactor in Albuquerque, NM, and (d) will start mag-chloride program two weeks early. Discussed: (1) CR 25 & P is muddy, (2) Petition for chip/seal on CR 28 (north of CR N), (3) scheduled chip/seal for 1999, and (4) request for chip/seal on CR L.

**FIRE DEPARTMENT - OPEN BURNING:** Cortez Fire Chief **Jay Balfour**, and Sheriff **Joey Chavez** met to discuss their request for a formal on-going announcement/guidelines for open burning. Also present were representatives from other fire districts: Lewis Arriola - **Bill Garland**, and Dolores - **David Doudy**. No action was taken. The Board will talk with Mike Preston about a public-awareness campaign for safe controlled burns when the open fire ban is suspended.

**VISTA VERDE VILLAGE (VVV) MOBILE HOME PARK:** State of Colorado, Department of Health District Engineer, **Greg Brand** and VVV owner **John Dosh** met to discuss the park's problems. Greg Brand reported on three items. (1) Drinking water: He met with Montezuma Water Company - took samples and checked for water and sewer breaks - none found. (2) "Discharge Permit:" Presented Mr. Dosh's State "Discharge Permit" and discussed standards. (3) Improvements: Presented drawing showing proposed improvements which are under construction to comply with the May 15<sup>th</sup> deadline. At the request of the Board, Mr. Brand presented a list of State Permitted Discharge Systems (lagoon) in Montezuma County.

**MERRITT PROPERTIES SUBDIVISION:** **James Adams**, owner of a 35 acre parcel within the subdivision, stated he would like to divide his parcel into a 3-lot minor subdivision because of physical and financial hardships. He asked that the county requirement, that all the landowners within the subdivision sign off on an amended plat, be waived. Planning Manager **Karen Welch** was present. 1999 Statutes and the Board's requirement were discussed. Request for waiver was denied.

**PLANNING** Manager **Karen Welch** presented planning resolution **P-11-99E**, whereas **Tern and Debra Colyer**, owners of 41 acres would be granted an exemption to the subdivision regulations to record an exemption for 3.08 acres in Section 28, T.36N., R.13W, and planning resolution **P-25-96E**, adopted on the 17<sup>th</sup> day of June 1996 is hereby vacated with the adoption of this resolution. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Discussed vacate request for a 35+ acre 3-lot subdivision. Suggestion was made that the owners need to seek legal counsel to vacate the subdivision, since the Board was not involved with creation of the subdivision.

**LIQUOR LICENSES:** Deputy Clerk **Betty Davis** presented an application for renewal of a Hotel/Restaurant liquor license for **Stoner Creek**. The Sheriff and Health Departments reported no problems with the establishment. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried. Deputy Davis stated that the new owner of **Skyline Foodmart and Hilltop Liquor, Rodney Lloyd** has submitted a "Transfer of Ownership" which will be processed this week. Applications for temporary renewal for the Skyline Foodmart, 3.2% beer license and Hilltop Liquor retail liquor license were presented. Comm Lindsay moved to approve the applications, seconded by Comm Wilson and carried. **Rodney Lloyd** was present.

**PROPOSED JAIL/COMMUNITY CORRECTIONS FACILITIES:** Amy Ball gave an update on the two proposed facilities.

**FINANCE OFFICER Mary Ann Sanders** reported on status of bids for the health insurance.

**STATE PATROL OFFICE SPACE/JUSTICE BUILDING:** Comm Lindsay moved to sign the State Patrol Encumbrance Number RAA 99-181 Contract effective January 1998 through June 1999 between Montezuma County and the State of Colorado, Department of Public Safety, Colorado State Patrol, seconded by Comm Wilson and carried.

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

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Deputy Clerk  
April 26, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**MAY 3, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 3, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, April 26, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**PAYROLL:** General fund payroll in the amount of \$170,115.07, District Attorney warrant #31971 in the amount of \$16,883.77, Treasurer warrant #31972 in the amount of \$123,956.41; Road fund payroll in the amount of \$54,502.41, Treasurer warrant #12258 in the amount of \$41,851.91; and, Landfill fund payroll in the amount of \$10,382.62, Treasurer warrant #1627 in the amount of \$5,459.05 were approved for payment.

**KUENZLER, BOYSEN, GIBSON, PC** Auditor Laine Gibson met to discuss availability of previous audit information. He was advised to contact former county auditor Gale Greenlee.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported on department activities: (a) because of rain - mag-chloride application is postponed, (b) still discussing road surface for CR 25, (c) have purchased two air-conditioners for trucks, (d) bought conveyor at Albuquerque auction, (e) ready to install culvert in CR 23 (elk ranch area), (f) widening CR J, and (g) crusher moved to Wilbanks sandstone pit. Discussed: (1) Crushing report data, (2) request from Crowleys to use cinders instead of base rock - denied by Road Department, and (3) need for school bus turn-around (Koppenhafer).

**CITY OF CORTEZ** Parks and Recreation Director **Chris Burkett and Ed Hallam** presented a map showing the City's proposed trail, along a section of county land acquired for the proposed jail site. He stated that they plan to remove a barrow ditch and install a drain pipe. He asked if the City could use, for coverage of the pipe, some soil from a berm which is outside the City's 15' easement. This was affirmed. He also stated that they are preparing the necessary inter-governmental agreements and he would keep the Board informed of the starting date.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-44-81 Amended**, whereas resolution P-4-81 was adopted on August 24, 1981 and it becomes necessary to amend the variance by adjoining 5 acres to create an 8 acre tract - remaining acreage is over 35 acres, in Section 7, T.38N., R.18W. (**Brad and Pam White**). Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from **Gary and Virginia Bane** for an exemption to the subdivision regulations to split a 5 acre tract from 40 acres was tentatively approved.

**WAGON WHEEL ESTATES SUBDIVISION:** Comm Wilson moved to approve and sign the final plat for the Wagon Wheel Estates Subdivision, seconded by Comm Lindsay and carried.

**FOREST SERVICE AGREEMENT - DOLORES/NORWOOD ROAD:** Comm Wilson made a motion to sign the "Project Agreement between Montezuma County Commissioners, Montezuma County and San Juan National Forest, USDA Forest Service," - Dolores/Norwood Road FDR 526. The motion was seconded by Comm Lindsay and carried.

**ANNUAL JOINT OPERATING AND FINANCIAL PLAN, ATTACHMENT 1 (McPhee Lake)** between the Montezuma County Sheriff, the Board of County Commissioners and the USDA, San Juan and Rio Grande National Forest from January 1, 1999 thru December 31, 1999, was presented by Sheriff **Joey Chavez**. Comm Lindsay moved to sign the contract, seconded by Comm Wilson and carried.

**BLM SOUTHWEST RESOURCE ADVISORY COUNCIL APPOINTMENT:** A letter endorsing the nomination of Comm Wilson to serve as a member on the Council was signed.

**COUNTY HEALTH/DENTAL/LIFE INSURANCE** bid was awarded to **CEBT**. Finance Officer **Mary Ann Sanders** presented information that effective July 1, 1999 the new rates are as follows: **Indemnity Plan:** There is a change in contribution that the County pays for the individuals on the Indemnity Plan. The County has always paid the full employee contribution. Due to the difference in premium cost and a \$250 deductible the employee will be required to pay the difference in premium of \$21.06. **PPO Plan:** There is a change in coverage as follows for the PPO Plan: \$500/Deductible and \$20/Office Visit - \$20/ Prescription CoPay.

**ONE STOP/JOB SERVICE OFFICE SPACE:** **Maxine Maestes** and Colorado Work Force Board representative **Paul W. Herrick** reported on their search for a new location for the combined offices. They asked for additional interim space until another location is found. Action was tabled.

**CITIZENS POLICE ACADEMY** representative **Leslie Dunn** presented an acceptance document for grant money from the Division of Criminal Justice, Colorado Policing Division of Safety for signature. Comm Lindsay moved to sign Grant #99-L0-114, seconded by Comm Wilson and carried.

**PROPOSED JAIL FACILITY:** For the design and financing of the proposed facility, the Board interviewed representatives from the following companies: **Ray Mitcham & Associates; DLR; Fiberbond; and Western Corrections**. It was noted that an interview with **Blythe Design** is scheduled later this week. Also present were Sheriff Joey Chavez, Undersheriff Sam Hager, Deputy Jim Keen, Amy Ball, Jo Tipton, Bill Rutledge, Billy Swope and Sandy Weaver.

**ADJOURNED** at 5:30 p.m.

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Deputy Clerk  
May 3, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**MAY, 11, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, May 11, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, May 3, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-09-99 to the Treasurer to pay \$1,018.47 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**GAMING FUND ORDER:** Comm Wilson made a motion to direct the Clerk to issue Order Number 0-10-99 to the Treasurer to transfer from the Gaming Fund to the General Fund \$3,600.00 for the Impact Study. The motion was seconded by Comm Lindsay and carried.

**UNIMPROVED COUNTY ROAD 38:** Road Department Foreman **Don Yeomans** met to discuss three options for a school bus turn-around (Koppenhafer). An on-site inspection was done last week with school and county personnel and Comm Wilson. The options are as follows: (1) status quo, (2) build it 1/2 mile further down the non-maintained county road at the base of hill, or (3) build it at the top of the hill. After discussion, it was affirmed that #3 is not an option. Action was tabled, until Foreman Yeomans contacts school bus personnel for their input on which option - #1 or #2 - they would prefer and use. Adm Tom Weaver will inform landowner V.J. Koppenhafer of the two available options. Foreman Jim Sattley was present.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on department activities: (a) graveling CR 38, (b) blading, and (c) working on CR 21. Discussed: (1) a request by Gary Donahoo for new culvert on CR 23 & CR M and (2) a letter from a landowner (Arizona resident) in regard to request for more right-of-way to straighten a corner on CR 28. Also noted that approval was given to the Crowleys to use cinder instead of base rock within their proposed subdivision with the understanding that if the road base deteriorates, it will have to be redone with base rock. Foreman Don Yeomans was present.

**DOLORES/NORWOOD ROAD:** In a telephone conference call, Trans-Colorado representative **Paul Gayer** discussed Trans-Colorado's desire to have year-round access to their Dolores/Norwood compressor facility on the Schedule "A" Forest Service road. He stated that snow removal will be for the entire width of the road. The Board expressed that the Forest Service should be brought into the process - public hearings, etc. and if the year-round access is approved, the county will have to have some way to cover costs for damages incurred from use. Mr. Gayer stated he will continue to work with the Forest Service and asked the Board to communicate to him any issues that may come to their attention. This was affirmed. Foremen **Sattley and Yeomans** were present.

**COUNTY ROAD 21** resident **Jim Turner** presented a suggestion signed by most of the residents on CR 21 asking that the road be shut down to all commercial traffic, due to wear and tear on the road, and a noise factor when jack-brakes are used. Foremen **Sattley and Yeomans** were present. The suggestion was referred to the road department and will be discussed at their weekly meeting for consideration of signage.

**LIQUOR LICENSES:** Deputy Clerk **Betty Davis** presented an application for renewal for a 3.2% beer license for the **Eagle Claw Trading Post**. The Sheriff’s department reported no problems with this establishment. Comm Wilson moved to approve the application, seconded by Comm Lindsay and carried. An application for renewal of a retail liquor license for the **Eagle Claw Trading Post Retail Liquor Store was presented**. The Sheriff’s department reported no problems with this establishment. Comm Wilson moved to approve the application, seconded by Comm Lindsay and carried. An application for “Transfer of Ownership” for **Hilltop Liquor**, 3.2% beer license and the **Skyline Foodmart**, retail liquor license by Rodney A. Lloyd was presented. The Health Department reported no problems with the establishments. Comm Lindsay moved to approve the application for the Skyline Foodmart, contingent on receipt of fingerprint approval, seconded by Comm Wilson and carried. Comm Wilson moved to approve the application for the Hilltop Liquor, contingent on receipt of fingerprint approval, seconded by Comm Lindsay and carried.

**VOLUNTEERS FOR OUTDOOR COLORADO (VOC) -- SOUTHWEST OUTDOOR VOLUNTEER PROGRAM (SWOV)** representative **Brad Finch** presented an informational booklet and catalog on the programs. He invited the Board to contact him if any county project needed volunteers.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-12-99E**, whereas **Hamilton Brothers Farm, Inc.**, owners of 90 acres, would be granted an exemption to the subdivision regulations to record an exemption for 10.91 acres in Section 2, T.37N., R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from **Louis Garon** for an exemption to the subdivision regulations to split 20.99 acres from 120 acres was tentatively approved. Presented a “Letter Permit” for **Four Corners PreCast (Wayne Lyons)**. Montezuma County Gravel Lease Contract for the **Baumgartner Gravel (sandstone) Pit** was presented (see attached). Comm Lindsay moved to sign the contract, seconded by Comm Wilson and carried.

**STATUTE H.B. 99-1122** “An Act Concerning the Imposition of Limitation on The Authority of Governing Bodies of Municipalities to Regulate Agricultural Business” was presented and discussed.

**LANDFILL MANAGER INTERVIEWS** were conducted in the afternoon.

**ADJOURNED.**

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Deputy Clerk  
May 11, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**MAY 17, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 17, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Tuesday, May 11, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**TREASURERS REPORT** for the month of April 1999 was received.

**ACCOUNTS PAYABLE:** General fund warrants #31973 thru #32145 in the amount of \$112,278.35; Road fund warrants #12259 thru #12347 in the amount of \$74,175.30; and Landfill warrants #1634 thru #1664 in the amount of \$27,528.95 were approved for payment.

**UNIMPROVED COUNTY ROAD 38:** Road Department Foreman **Don Yeomans**, and landowners **Vance Koppenhafer and Blake Mitchell** met to discuss the options for location of a school bus turn-around and improvements to the road. Minutes of August 24, 1998 and September 8, 1998 were discussed in connection with a 1/2 mile point, in question. Vance Koppenhafer stated that if the road department extended the unimproved CR 38 past the cattleguard for the 1/2 mile, then they will improve the road from that point on. Action was tabled until an on-site inspection is done by Foreman Don Yeomans, Comm Wilson and Blake Mitchell to measure and determine the ending point of the 1/2 mile that the county will improve. The Board stated that the 1/2 mile is the only area that the county will improve (18' running surface).

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported on department activities: (a) gravelling CR 21, (b) widening CR 24.5 - paid for with road impact fees, (c) patching with cold mix, (d) blading roads (landfill, etc.), (e) building up and blading CR 25, (f) sealing cracks on Norwood/Dolores road, and (g) mag-chloriding in Mancos district. Discussed: (1) complaint about dust on CR 25 - two sections will be mag-chlorided by the county, (2) leaky valve at Pleasant View shop - will check, and (3) good mag-chloride job last year on CR 31.

**BOARD OF SOCIAL SERVICES** was conducted.

**SOUTHWEST MEMORIAL HOSPITAL** EMS employees **Steven Malarchick, Edward L. Martinez, and Rusty Hamilton** met to discuss personnel issues at the hospital, which they feel will result in a decrease in services and patient care. State regulatory statutes were discussed. Comm Story asked for data on yearly ambulance runs. SHS and MCHD board members will be contacted to met with the Board to discuss the issues.

**PROPOSED JAIL/COMMUNITY CORRECTION FACILITIES:** Financial Consultants, **Don Diones and Tyler Noble** of Bigelow & Company, Denver, CO met with the Board. They presented agreement letter - "Investment Banker and Underwriter for a Sales Tax Revenue Bond or a Capital Improvements Fund financing for Montezuma County, Colorado" (see attached) for discussion and signature. After discussion, Comm Lindsay moved to sign the agreement, seconded by Comm Wilson and carried. Mr. Diones stated that within two to three weeks he will present more information on the financial study.

**PLANNING** Manager Karen Welch presented a verbal request from **Harley and Geneva Spore** for an exemption to the subdivision regulations to split a 10 acre parcel from 274 acres. This request was tentatively approved. A "Letter Permit" for "**Dan Wright's Log Homes**" (**Herman Turner**) was presented.

**MONTEZUMA COUNTY HOSPITAL DISTRICT** Board members **Randy Smith, Lois Rutledge, Rick Beisel and Joe Reed** met with the Board to discuss the reasons for the creation of the Southwest Hospital Systems, Inc. (SHS) Board. The Commissioners stated that their recommendation is that the SHS Board be dissolved. After the recommendation was discussed, MCHD Board President Smith said the MCHD Board will call a special meeting with the SHS Board members this week and request that the SHS Board be dissolved. He invited the County Commissioners to the meeting. It was noted that if the SHS Board is not in agreement with the recommendation then a meeting is tentatively scheduled for next Monday with the Commissioners, SHS and MCHD Board members. **Sheila Wilson and Lyle Bilberry** were also present.

**HEALTH DEPARTMENT** Director **Lori Cooper** and Colorado Department of Health Nurse Consultant **Harriet Palmer-Willis** met with the Board. Director Cooper presented Single-Entry Point Agency Contract (July 1, 1998 - June 30, 1999) Change Order Letter #3 for long-term care. Comm Lindsay moved to sign the change order, seconded by Comm Wilson and carried. Also presented was the "Single Entry Point Agency Contract" effective June 30, 1999 for signature. Comm Lindsay moved to sign the contract, seconded by Comm Wilson and carried. Nurse Palmer-Willis gave an up-date on State Health Department issues in connection with county programs.

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

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Deputy Clerk  
May 17, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**MAY 24, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 24, 1999, at the courthouse in Cortez, Colorado, there were present:

E. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Jr., 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 regular meeting held on Monday, May 17, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**CLERK'S** report for the month of April 1999 was received.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported on department activities: (a) very busy, (b) two crews doing mag-chloride, and (c) still gravelling CR 21 - should be done this week. Discussed: (1) Chuck McAfee's request for ¾" base rock and maintenance this year on unimproved section of CR 20 which he is bringing up to county specs - will discussed at the next Foremen's meeting. (2) Letter received about dust on CR 21. (3) Determination by Comm Wilson and Foreman Don Yeomans of the 1/2 mile point on unimproved section of CR 38 (see minutes of May 17, 1999). Comm Wilson said they determined that the point is about halfway between the cattleguard and the top of the hill. Proposal is to bring this 1/2 mile up to county specs with a 18' road surface and re-do any culverts within the area. Final action is tabled until contact is made with the landowners. (4) Soft spots on CR 12 - county will put in sandstone. (5) Culvert has been shipped for CR 23 (elk ranch area).

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston and Carla Garrison** met to discuss federal lands issues and scheduled meetings.

**CITY OF CORTEZ** Parks and Recreation Director **Chris Burkett and Ed Hallam** presented the following for the City's proposed trail project: (a) project appraisal, (b) rough draft of inter-governmental agreement between the City, County and Hospital District for review, and (c) map with proposed trail changes.

**LIQUOR LICENSES:** Deputy Clerk **Betty Davis** presented an application for renewal of a retail liquor license for the **Dawson Lake Store**. The Sheriff Department reported no problems with the establishment. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried. Deputy Davis noted that the fingerprints for Rodney Lloyd have been received (Hilltop Liquor and Skyline Foodmart).

**PLANNING** Manager **Karen Welch and Loretta Murphy** presented a request by **Nick Lewis** to add two more mobile home to a three acre parcel that already has two mobile homes with two separate septic systems. The parcel was exempted from the subdivision regulations by Resolution P-25-88. According to Sanitation Manager Mick Periman, the two new homes, if approved, would be accepted on the Cortez Sanitation system. Mr. Lewis will be notified of the wordage in Resolution P-25-88. Discussed a complaint about dust in the **Cedar Mesa Ranches Subdivision** area. Manager Welch stated she has contacted the developers and was told that they tentatively schedule installation of utilities in June and chip/seal in July 1999. Discussed **Joe DiGiacomo's** 60-day deadline date of May 28<sup>th</sup> to reduce his mobile home park to four mobile homes. Discussed responsibilities for septic problems within the Cortez City limits.

**COMMUNITY CORRECTIONS:** **Amy Ball** presented contract #DCJ 00-04-22 between the Montezuma County Community Correction Board and the Colorado Department of Public Safety for the fiscal year July 1, 1999 thru June 30, 1999, for review. Comm Wilson moved to sign the contract, seconded by Comm Lindsay and carried. Community Correction program versus Work Release program was discussed.

**WEED CONTROL MANAGER Ron Lanier** met to discuss the weed program's no-spray policy in Resolution 4-93. The issue will be brought to the attention of the Weed Board.

**CERTIFICATES** recognizing outstanding volunteers were signed by the Board.

**M & M TRUCK STOP INTERSECTION:** Colorado Department of Transportation Project Manager **Mike McVaugh** gave an update on the M&M Truck Stop intersection project. The following was noted: (a) they plan to finish by fall, (b) photos of the work to-date, (c) chip/seal schedule for F.8, (d) temporary lights working well, (e) resident of the area, Steve Blair's problem is still being addressed, and (f) asked whether county driveway permit was obtained for approach and culvert at the south side of CR G (southwest of intersection) - need to check with the road department.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented two more copies of the "Single Entry Point Agency" contract (see May 17, 1999 minutes) for signature. The copies were signed.

**ADJOURNED** at 2:30 p.m.

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Deputy Clerk  
May 24, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JUNE 7, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 7, 1999, at the courthouse in Cortez, Colorado, there were present:

E. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Jr., Vice-Chairman - absent after 10:30 a.m.  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

**MINUTES** of the regular meeting held on Monday, May 24, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-11-99 to the Treasurer to pay \$1,018.47 from the 911 Account to U.S. West Communications, Denver CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**PAYROLL:** General fund payroll in the amount of \$169,992.03, District Attorney #32147 in the amount of \$17,292.38, Treasurer warrant #32148 in the amount of \$124,049.14; Road fund payroll in the amount of \$53,210.01, Treasurer warrant #12353 in the amount of \$41,300.49; and, Landfill fund payroll in the amount of \$11,915.59, Treasurer warrant #1666 in the amount of \$6,786.79 were approved for payment.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on department activities: (a) surveying trouble spots on CR 28 - will send copy of survey to Arizona landowner, (b) blade patching in Mancos area, (c) working on culvert on CR 23 (elk ranch), (d) still working on CR 21, (e) sealing cracks in Dolores area, and (f) cutting weeds. Items mentioned that the road department needs to note and/or check on: (1) speed of Giant trucks on CR 10 creating a dust problem, (2) culvert at CR G and CR 21 intersection, and (3) Fire department needs to check all the water trucks. Discussed: (a) Dunton road - widening for new culverts, and (b) need for more space at the Dolores Shop - availability of lot next to the shop owned by Empire Electric - contact Empire.

**LANDOWNER Jonathan Bland** presented a petition (see attached) signed by several residents requesting chip/seal of the unpaved portion of CR L beginning at CR 23 and ending where CR L intersects with CR 22. He was told that if the residents pay for the oil, the county will provide the chips, preparation, lay down work and future maintenance. The project would need to be coordinated with the Road Department Work Plan. Mr. Bland stated he would go back and talk with residents in the area about the offer. **Jim Sattley** was present.

**SANITATION DEPARTMENT** Manager **Mick Periman** met to discuss **Joe DiGiacomo's** 60-day deadline date of May 28<sup>th</sup> to reduce his mobile home park to four mobile homes. Permits in regard to county regulations were discussed. **Karen Welch** was present. \*\*\*\* Later in the day, Manager Periman brought in the current permit. No action was taken.

**LIQUOR LICENSE:** Deputy Clerk **Betty Davis** presented an application for renewal for a 3.2% beer license for the **Maverik Country Store**. A "Certificate of Good Standing" and approval from the Health Department were received. The Sheriff reported no problems with this establishment. Comm Wilson moved to approve the application, seconded by Comm Lindsay and carried.

**DOLORES/NORWOOD ROAD:** Trans-Colorado Pipeline representative **Paul Gayer** and Forest Service representative **Mike Znerold** met to discuss Trans-Colorado's request to have permanent year-round access to the Dolores Norwood compressor facility on a Schedule "A" Forest Service road. They gave an update on the issues in regard to the request. The Board stated their interest was to bring in all the involved parties and snow removal for the entire width of the road. Since these are being addressed, they affirmed they would cooperate with the request. \*\*\*\*\* Mike Znerold gave an update on other forest service activities in his district. **Mike Preston** was present.

**STATE REPRESENTATIVES Kay Alexander and Mark Larson** gave an update on their projects and asked for any input on issues and concerns that should be brought up in the next legislative session. Issues, concerns, and the Lone Mesa Park project were discussed. The Board invited them to the Board of Equalization when it convenes in July. **Mike Preston, Dennis Story, and Judi Lichliter** were present during some of the discussion.

**SHERIFF Joey Chavez** presented a “**Memorandum of Understanding (MOU) Between Civil Air Patrol, Inc. (CAP) and The County of Montezuma, Colorado**” for review. Comm Lindsay moved to sign the MOU, seconded by Comm Story and carried.

**WEED CONTROL PROGRAM Manager Ron Lanier** reported on the weed program. He will contact a CDOT person about concerns about weeds along the State highways.

**PLANNING Manager Karen Welch** presented a planning resolution **P-13-99E**, whereas **Louis F. and Karen S. Garon**, owners of 127 acres, would be granted an exemption to the subdivision regulations to record an exemption for 20.99 acres in Section 29, T.37N., R.14W. Comm Lindsay moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-14-99E**, whereas **Cecilia C. Berry, aka Cecilia C. Berto**, owner of 3.70 acres, would be granted an exemption to the subdivision regulations to record a 0.492 acre exemption in Section 33, T.36N. R.13W. This tract is to be adjoined to the Bronson property, creating a 4.16 acre parcel. Comm Lindsay moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-15-99E**, whereas **Lorene M. O’Brien**, owner of 7.65 acres, and **Cecilia C. Berry, aka Cecilia C. Berto**, owner of 3.21 acres, would be granted an exemption to the subdivision regulations to make an even exchange of property in the amount of 0.362 acres in Section 33, T.36N., T.13W. Comm Lindsay moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-16-99E**, whereas **Robert L. Wright, Jr., and Sherri M. Wright**, owners of 1239 acres, would be granted an exemption to the subdivision regulations to record an exemption for 6.41 acres in Section 13, T.35N., R.17W. Comm Lindsay moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-17-99E**, whereas **Robert and Dorothy Neal**, owners of 196 acres, would be granted an exemption to the subdivision regulations to record an exemption for 12.56 acres in Section 20, T.37N., R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Story and carried. A verbal request from **Kyle Hensley and Judith Simmons** for an exemption to the subdivision regulations to split a 5 acre parcel from 55 acres was tentatively approved. A verbal request from **William and OnaLee Olson** for an exemption to the subdivision regulations to split a 5 acre parcel from 80 acres (vacated Olson Ranch Subdivision) was tentatively approved. A verbal request from **Roy Henneman** for an exemption to the subdivision regulations to split a 24 acre parcel from 110 acres was tentatively approved. Noted that a “Letter Permit” for **Jody Lamb** (dog grooming business) was received.

**ROYCE SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the **Royce Subdivision**, seconded by Comm Story and carried.

**HEALTH DEPARTMENT Director Lori Cooper** met to discuss decrease in funding for the “car seat” program and gave information and proposed plans for the “Nurse Home Visitation” program.

**PROPOSED JAIL FACILITY** architect agreement was presented and reviewed. Comm Lindsay made a motion to sign the “**Agreement Between the Montezuma County Commission and James A. Lichty, Archetype Design Group, Inc. for the Montezuma County Law Enforcement Center Project**” as amended. The motion was seconded by Comm Story and carried.

**COLORADO WILDFIRE ACADEMY** representatives **Ron Jablonski, Marc Mullenix, and Karen Bergethon and Cortez Fire Chief Jay Balfour** reported on the activities of the academy being conducted this week in Cortez. They presented information on the number of representatives from different states and invited the Board to the planned activities.

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

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JUNE 14, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 14, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, June 7, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**TREASURER'S** report for May 1999 was received.

**GAMING FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-12-99 to the Treasurer to pay \$5,099.00 from the Gaming Fund to Electronic Devices, Inc., 201 Wyandot Street, Denver, CO 80223 for the District Court. The motion was seconded by Comm Wilson and carried.

**ROAD DEPARTMENT** Foreman **Jay Palmer** reported on department activities: (a) start chip/sealing CR 21 tomorrow - everyone will help, (b) getting CR 24 and F.8 ready for chip/seal, (c) sealing cracks on Dolores/Norwood road, (d) blade patching, (e) still working on CR 23 (elk ranch), and (f) moving crusher to Hay Camp gravel pit. Discussed: (1) James Lambert's concern about the Pleasant View fire station parking lot encroachment on a county-owned lane when they chip/seal the lot - will check on. (2) Kay Anderson's concerns that survey markers at the corner of CR 21 & Z are in the bar ditch (maybe displaced by snow plowing) - will check on. Reported that: (a) Foreman Jim Becher has talked with the resident on CR 10 about Giant's truck traffic and told her that chloride has been applied on designated areas; and (b) Mag-chloride is done, except for one spot south of town.

**PINON PROJECT** Director **Virginia Howey** and Board member **Cindy Dvergsten** presented "The Pinon Project Programs and Project Services June 1999" and reviewed the information with the Board. Also discussed the "Community Index Report" -- data which they feel is a tool for making decisions in regard to the future vision for the community. Director Howey stated that there has been a deduction in Family Center monies from the State.

**CITY OF CORTEZ:** **Ed Hallam** presented the Right-of-Way Inter-Governmental Agreement (IGA) for the City's proposed trail project. The IGA was reviewed and changes were made. Verbal approval was given by the Board, contingent on the changes.

**UNIMPROVED COUNTY ROAD 41:** **Adm Weaver** stated that information about rock put on CR 41 by resident Richard Stimler and removed by disgruntle stage-coach business owner Dennis Bartel has been referred to the Sheriff's department.

**PHASE I UTILITIES - PROPOSED JAIL/COMMUNITY CORRECTIONS FACILITIES:** **Lyle Bilberry** reported that he is researching and gathering information on utility needs for Phase I of the proposed facilities. Planning Manager **Karen Welch** was present and stated that she and Lyle will meet this week with the City of Cortez Planning Commission to discuss Phase I utilities, etc.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-18-99E, Roy W. and Virginia B. Henneman**, owners of 109.81 acres would be granted an exemption to the subdivision regulations to record an exemption for 24.76 acres in Section 33, T.36N., R.14W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. **“Letter Permits”** were presented for the following businesses: (1) **Cliff Toggle** (Dirk Johnson property) for a propane retail and sales business. The request was forwarded to the Planning Commission for commencement of a public hearing for a High Impact Permit; and (2) **Randol Calhoun** (welding shop). Presented information on two **“High Impact Permits”** which will be presented at the next Planning Commission meeting (1) **Northwest Corporation** - rebuilding pipeline, and (2) **Tri-State Generation** - reconductoring transmission lines.

**ALLMON ACRES MINOR SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the Allmon Acres Minor Subdivision, seconded by Comm Wilson and carried.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented the “Health Department 1998 Annual Report.” Also presented were two contracts for review and renewal: Comm Lindsay moved to sign the Public Health **“Nursing Contract,”** seconded by Comm Wilson and carried. Comm Lindsay moved to sign the **“EPSDT Contract (medicaid) Renewal Letter Number 1,”**, seconded by Comm Wilson and carried.

**COMMUNITY CORRECTION:** **Amy Ball** presented the Department of Public Safety, Division of Criminal Justice and Montezuma County Community Corrections Board Contract #99000000128 “Change Order Letter #2” - July 1, 1998 thru June 30, 1999. Comm Wilson moved to sign the Change Order Letter #2, seconded by Comm Lindsay and carried.

**PROPOSED JAIL/COMMUNITY CORRECTIONS FACILITIES:** Comm Wilson made a motion to approve and sign the “Engagement as Bond Counsel - Kutak Rock” (Bigelow & Company) in regard to the proposed issuance of Montezuma County Sales and Use Tax Revenue Bonds subject to an approved election. The motion was seconded by Comm Lindsay and carried.

**ADJOURNED** at 12:00 noon.

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Deputy Clerk  
June 14, 1999

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Chairman

**Monday, June 14, 1999 at 4:30 p.m.**

**MONTEZUMA COUNTY HEALTH OFFICER PUBLIC HEARING - DR. G. W. GRIEBEL  
CASE NO. 99 HO 1**

**Notice of Hearing: In Re: The Individual Sewage Sewage Disposal System  
TO: JOETHEO, L.L.C. AND JOSEPH T. DIGIACOMO**

**Present were:**

**G. W. Griebel, MD  
Mick Periman, Sanitation Manager  
Bob Slough, Attorney  
Nancy Argo, Attorney (Dyer & Dilts)  
Joe DiGiacomo (owner)  
Michael Hannigan, Civil Engineer  
Lyle Bilberry, Planning  
Karen Welch, Planning  
Loretta Murphy, Planning  
Nelda Jenkins, Deputy**

Three witnesses were called and gave information - Mick Periman, Michael Hannigan and Joe DiGiacomo. One Exhibit was presented - purchase by Joe DiGiacomo of one mobile home. Dr. Griebel issued a cease and desist order as of today, June 14, 1999, with the stipulation that the park must be in compliance in 30 days with the county permit. The permit states that there be only 4 mobile homes and the business hooked into the park's sewage system. These proceedings were taped for the record.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JUNE 21, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 21, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, June 14, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**CLERK'S REPORT** for the month of May 1999 was received.

**TREASURER'S** Depository Report was received and reviewed.

**ACCOUNTS PAYABLE:** General fund warrants #32149 thru #32339 in the amount of \$135,097.21; Road fund warrants #12349 thru #12447 in the amount of \$176,651.71; and, Landfill warrants #1673 thru #1695 in the amount of \$33,982.69 were approved for payment.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported on department activities: (a) first chip/seal layer is done on CR 21 - second is scheduled for this week, and the third for July, and (b) culvert has been installed and roadwork done on CR 23 (elk ranch). Discussed complaint about CR N west of Hwy 666 to CR 20 (Alkaline Canyon) - will check on. Reported tentative plans to grind up pavement and chip/seal CR 25 (Lebanon Road) to CR T.

**PUBLIC HEARING - COUNTY ROAD MAP:** A public hearing was set for Monday, August 9, 1999, at 9:30 a.m. to consider a request to abandon the old Stoner Ski Area Road and other changes to the County Road Map.

**MONTEZUMA COUNTY HOSPITAL DISTRICT (MCHD) BOARD** members **Susan Keck, Kay Rutledge, and Attorney Hazen Brown** met to discuss the proposed expansion of the hospital emergency room. Bids have been received. They asked the Board of County Commissioners for approval to use, if needed, some of the \$800,000.00 reserve fund. Also present were MCHD representatives **Joe Reed, and Don and Judy Jolovich** and Southwest Hospital Services Board (SHS) members **Charles Hubbert, James Peterson, Charles Hubbard, John Greenmier and Joan Luhman and Bob Peterson**. Action was tabled until MCHD compiles and submits to the Board a spread sheet using a worst case scenario and specific use of the requested reserve funds. \*\*\*\* Later **Joe Reed** stated that as a citizen he asked the Board not to approve any funds from the \$800,000.00 reserve fund for the emergency room expansion.

**FAIR BOARD** member **Jack Niemann** invited the Board to ride in the County Fair parade scheduled for Wednesday, August 4<sup>th</sup> at 2:00 p.m. as Grand Marshals and take part in the Fairgrounds ribbon cutting ceremony on August 5<sup>th</sup> at 9:00 a.m. Both invitations were affirmed.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** gave an update on the federal lands program. The Board approved the extension letter for Land Use Planning grant funding to January 31, 2000, from Public Affairs.

**PLANNING** Manager **Karen Welch** presented a verbal request from **R. R. Hollen, Jr.** to split a 7.61 acre parcel from 156 acres. The request was tentatively approved.

**DOLORES COUNTY COMMISSIONER Renay Neely** discussed the proposed Lone Star Park and Trans-COLORADO's request for year round access on the Dolores/Norwood Road.

**PUBLIC HEARING - COLORADO DEPARTMENT OF TRANSPORTATION (CDOT):** The Southwest Regional Transportation 20-Year Plan was presented by contractor DMJM representative **Maureen Araujo** and CDOT representatives **Phil Anderson and Laurie Blanz**. The plan and funding for the proposed projects were discussed. Others present were **Renay Neely** - Dolores County Commissioner, **Bruce Smart and Larry Kautz** - City of Cortez, **Dave Manning** - for State Representative Larson, **Donna Grave** - R9EDD, **Lana Hancock** - Town of Dove Creek, and **Lyle Bilberry** - Montezuma County.

**CORTEZ FIRE PROTECTION DISTRICT:** Comm Wilson moved to allow the use of the 4-story Montezuma County Building at 109 West Main, Cortez, CO as a tower for training purposes, seconded by Comm Lindsay and carried.

**ADJOURNED** at 3:15 p.m.

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Deputy Clerk  
June 21, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JUNE 28, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 28, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, June 21, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-13-99 to the Treasurer to pay \$1,018.47 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**GAMING FUND ORDERS:** Comm Lindsay made a motion to direct the Clerk to issue the following orders to the Treasurer for payment from the Gaming Fund for the District Court: Order Number 0-14-99, \$2,419.82 to Hamilton Sorter Company, Inc.; Order Number 0-15-99, \$845.00 to COMP USA (desk jet); and Order Number 0-16-99, \$1,636.18 to Markley Office Concepts. The motion was seconded by Comm Wilson and carried.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported on department activities: (a) working on CR 25 (grinding up old surface), (b) did small amount of work on parking lot at San Juan VoTech School, (c) blade patching CR 41, (d) graded CR N, (e) hauling chips, and (f) crushing at Gardner gravel pit. Discussed: (1) unimproved CR 41 (Stimler - Bartel, see minutes June 14, 1999) - county will spread rock back on road, then if disturbed, the Sheriff's Department can take action; (2) next chip/seal for CR 21 scheduled for July 27; (3) Forest Service will share expense for cattleguard replacement on Millwood Road; (4) landowner request to close section of CR DD & CR 19 noted; (5) complaint about CR W (Wilbanks) - will check; (6) GIS update of county road system being done by Lyle Bilberry; and (7) need to decrease number of projects in order to have time to do routine road maintenance.

**RACE TRACK - FAIRGROUNDS:** Race track representatives, **Terry Delaney, Terry McClaine, Shirley McDowell, Tracie Shry, Barney Carter, Dennis Beaty, and Patty Randol**, concession operators, **Sue Fletcher and Mary Holladay**, County Finance Manager **Mary Ann Sanders**, and fairgrounds Manager **Dante Sena** met to discuss the operations of the race track. Discussed: (a) proposal to reorganize the Race Track Association, and (b) income and expense (data sheets presented). It was noted that the county cannot subsidize the race track -- user fees must be paid. It was affirmed that operations will be status quo through the July 4<sup>th</sup> holiday. Representatives were asked to come back in two weeks with more information pertaining to the race track operations and financial plans. \*\*\*\*\* **Later** in the day **Sue Fletcher** presented two vouchers for approval to fund the July 4<sup>th</sup> weekend races. These were approved and signed. **Dante Sena** was present. The Board thanked Manager Sena (whose resignation is effective July 1st) for his years of service to the county as the manger of the fairgrounds.

**BOARD OF EQUALIZATION - COURT OF APPEALS:** Offer to settle case in the court of appeals for \$400,000.00 property value from a representative of **Gerald Stansbury - Front Row Seat** (building - see minutes of August 4, 1997) was discussed. The Board asked Attorney Slough to relay to the appropriate person that they have no interest in the offer. Assessor **Bob Cruzan** was present.

**FIRE DEPARTMENT** Chief **Jay Balfour and Robert Carter** stated that ISO ratings have been completed. They discussed whether or not Montezuma Water Company (rural water) guarantees enough water for fire protection of property in the county. Chief Balfour will contact Montezuma Water Company for clarification on the issue. **Barney Carter** was present.

**WEED PROGRAM MANAGER Ron Lanier** presented information on a proposed intergovernmental agreement between CDOT and Montezuma County. According to the agreement, Montezuma County will be responsible for the control of weeds along both sides of approximately 170.5 miles of State Highway. The agreement was affirmed for one year and a draft copy will be prepared and submitted to the Board for review. Manager Lanier was asked to record complete income and expense data on the CDOT project. \*\*\*\*\* **Later** in the day, Manager Lanier asked that his salary as Weed Program Manager be subsidized (since he is no longer manager at the landfill) until the first of next year. After discussion, Comm Lindsay moved to subsidize the manager's salary until December 31, 1999, seconded by Comm Wilson and carried. The Board requested that a complete report on the weed program be compiled for a re-evaluation of the weed program after January 1, 2000.

**GENERAL LIABILITY INSURANCE BIDS:** Only one bid was received from Wolcott Insurance Services, Inc. (Penco). Attorney Slough was recused because of a conflict of interest. Wolcott Insurance representative, **Bentley Colbert** was present and gave information about the proposed bid. The bid was discussed and changes were made on some of the deductibles. Comm Wilson moved to accept the bid, contingent on the changes, seconded by Comm Lindsay and carried.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-19-99E** whereas **Robin R. Hollen, Jr.**, owner of 157 acres, would be granted an exemption to the subdivision regulations to record an exemption for 24.76 acres in Section 36, T.39N., R.18W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Affirmed that the "Notice of Abandonment" Public Hearing for a section of unimproved CR 40 (Stoner Ski Lodge) is scheduled for August 9, 1999, at 9:30 a.m. Presented "**Letter Permit**" application for the "Yahweh's Home For Children," (Farmer). The application was forwarded to the Planning Commission for commencement of a public hearing for a High Impact Permit. **Loretta Murphy** was present.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented additional copies of the "Montezuma County Department 1998 Annual Report." She stated that a volunteer from the Board is needed to help compile information for the "Healthy Community Assessment" report - Comm Lindsay will meet with her July 13<sup>th</sup>.

**LAWSUIT - U.S. GOVERNMENT AND CO2 CLAIMS COALITION LLCORTEZ PIPELINE (partnership owned by Shell, Mobil and Vickers):** Landowner **Gary Mahaffey, and Attorneys Leo Crowley, and John M. Cogswell** met with the Board about the class action case. They asked that the county approve an assignment claim, as a member of Plaintiff's class in the lawsuit. Attorney **Rick Beisel** was also present. After discussion, it was affirmed that a draft document will be prepared for Attorney Slough's review and, if accepted, the Board will sign a final document.

**PUBLIC HEARING - PROPOSED HIGH IMPACT PERMIT - NORTHWEST PIPELINE COMPANY:** It being the time set aside, a Public Hearing was conducted to consider a "High Impact Permit" with respect to replacing sections of an old pipeline with a thicker pipe (parallel to the existing new pipeline). The roll was called, the Public Notice read, and the proceedings were taped for the record. Northwest Pipeline Company representatives, **Linda Cherrington, Ted Stahl, Geordie Robinson, and Juli Tatafu**, interested landowners, **Glen Humiston, and Thelma Bement**, and Planning Manager **Karen Welch** were present. Project information was presented. The application for the permit has been presented to the Planning Commission and they recommend approval. Issues were discussed: reclamation bond, sub-contractor, accountability for reclamation by Northwest - weed control, and thresholds. Comm Wilson moved to approve the "**Northwest Pipeline Company High Impact Permit #23,**" contingent on all the issues being incorporated into the \$150,000.00 Reclamation Bond, seconded by Comm Lindsay and carried.

**PUBLIC HEARING - PROPOSED HIGH IMPACT PERMIT - TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC:** It being the time set aside, a Public Hearing was conducted to consider a "High Impact Permit" with respect to Tri-State Generation and Transmission Association, Inc. to reconductor a transmission line from Montezuma County (Lost Canyon) to La Plata County. The roll was called, the Public Notice read, and the proceedings were taped for the record. Comm Story was recused because of a conflict of interest. Tri-State representatives, **Steve Mundorff, Karl Myers and Bobby Bone**, Empire Electric Association representative, **David Rightley**, interested landowners, **Glen Humiston, Thelma Bement, James and LaVaughn Linnens**, and Planning Manager **Karen Welch** were present. Project information was presented. The application for the permit has been presented to the Planning Commission and they recommend approval. Comm Lindsay moved to approve the "**Tri-State Generation and Transmission Association, Inc. High Impact Permit #27,**" contingent on all the landowners issues (installation of gates, etc.) being addressed to their satisfaction, seconded by Comm Wilson and carried.

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

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Deputy Clerk  
June 28, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JULY 6 and 8, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, July 6 and Thursday, July 8, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, June 28, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**GENERAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-17-99 to the Treasurer to transfer \$90,479.00 from the General fund to the Social Services fund - 2<sup>nd</sup> quarterly HCBS (see attached). The motion was seconded by Comm Wilson and carried.

**PAYROLL:** General fund payroll in the amount of \$174,194.41, Treasurer warrant #32341 in the amount of \$125,551.38, District Attorney warrant #32342 in the amount of \$15,875.05; Road fund payroll in the amount of \$53,547.58 and Treasurer warrant #12449 in the amount of \$41,284.65; and, Landfill fund payroll in the amount of \$10,381.90, Treasurer warrant #1698 in the amount of \$6,360.78 were approved for payment.

**VISTA VERDE VILLAGE MOBILE HOME PARK:** "Notice of Claims" were received from the following persons: (1) Sarah J. Carmoney, (2) Russell W. and Cindeelee Gapp, (3) Lulan Pezeshk, Sequana Francis, Sebastina Francis and Steven M. Francis, (4) Jim d. Hackett, Lorene E. Hackett, and Amanda L. Hackett, (5) Matthew Benally, Dora Benally, Connery Benally, Brittany Benally, and Shundiin Kauffman, (6) William and Dorothy Gapp, and (7) Lyndell O. Green, Carla D. Green, and Mary N. Green. The notices were sent to the insurance company.

**WEED PROGRAM** Manager Ron Lanier invited the Board to go on a weed tour scheduled for July 13<sup>th</sup>. Office space for the weed program was discussed and, for the present, it was affirmed that the office space will be in the Extension Office. New Landfill Manager **Deborah Barton** was present and mentioned that over the weekend there was trash illegally dumped on the road to the landfill and it is being investigated.

**MONTEZUMA COUNTY HOSPITAL DISTRICT (MCHD) BOARD** members **Susan Keck, Lois Rutledge, and Attorney Kelly McCabe** presented "Cash Flow Based on Disbursement, Schedule 1, 2, and 3" in regard to the request for approval to use, if needed, some of the \$800,000.00 reserve funds. The projections for the proposed project to upgrade the utilities and an expansion of the hospital emergency room (see June 21, 1999, minutes) were discussed. Also present were: **Shelia Wilson, Jo Tipton, Don Jolovich, Hilda Fish, Byron Fish, Bob Peterson, John Gomez, Marvin Smith and Betty Short.** **Marvin Smith** stated that the Southwest Landowners Association opposes lowering the reserve fund. The Board asked for time to consider the information presented and continued the discussion until Thursday, July 8, 1999 at 4:00 p.m.

**LIQUOR LICENSE:** Deputy Tammy Neely presented a new application for a retail liquor store license for the "G. Whil Liquors" (formerly Last Chance Liquor Store). Owners **Gene and Dana Baxstrom** were present. Comm Lindsay made a motion to set a public hearing for Monday, August 2, 1999, at 9:30 a.m. and a one-half mile radius for the investigation by the Sheriff's department with the Baxstrom's doing the neighborhood polling. The motion was seconded by Comm Wilson and carried.

**HIGH IMPACT PERMITS:** Planning Manager **Karen Welch** presented two high impact permits for signature. Comm Lindsay moved to sign the "High Impact Permit Number 23" for **Northwest Pipeline Company** to replace sections of an old pipeline with a thicker pipe, seconded by Comm Wilson and carried. Comm Lindsay made a motion to sign the "High Impact Permit Number 27" for **Tri-State Generation and Transmission Association, Inc.** to reconductor a transmission line. Comm Story was recused. The motion was seconded by Comm Wilson and carried.

**PLANNING** Manager **Karen Welch** presented an amended planning resolution **P-19-99E Amended**, whereas Resolution P-19-99E (**Robin R. Hollen, Jr.**) was adopted on the 28<sup>th</sup> day of June 1999 and it becomes necessary to amend the exemption as the correct size of the parcel being created is 7.61 acres in Section 36, T.39N., R.18W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented planning resolution **P-20-99E**, whereas **William a. and Ona Lee Olson**, owners of 44.02 acres, would be granted an exemption to the subdivision regulations to record an exemption for 5.628 acres in Section 5, T.36N., R.15W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented planning resolution **P-21-99E**, whereas **Harley M. and Geneva B. Spore**, owners of 274.49 acres, would be granted an exemption to the subdivision regulations to record an exemption for 10.03 acres in Section 18, T.36N., R.14W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. A verbal request from **Joyce Periman** for an after-the-fact exemption to the subdivision regulations on a 7.4 acres parcel was tentatively approved. A verbal request from **Tuffy Randolph** for an exemption to the subdivision regulations to split 25 acres from 126 acres was tabled. A verbal request from **Daniel and Carolyn Varrone** for an exemption to the subdivision regulations to split 3.73 acres from a 40 acre parcel was tentatively approved. A verbal request from **Catherine Lichliter** for an exemption to the subdivision regulations to split 20 acres from a 292 acre parcel was tentatively approved. **Loretta Murphy** was present.

**ORDINANCE NO. 1-96 – OPEN FIRE BAN:** Sheriff **Joey Chavez**, as the designated Fire Marshall, requested a ban on open fires based on competent evidence that the danger of forest and grass fires is high throughout the unincorporated areas of Montezuma County and that to protect the public health, safety and welfare it is necessary to reduce the danger of wildfires within those areas. Comm Lindsay made a motion to adopt **Resolution No. 3-99** stating that Resolution No. 7-98 and the suspension of the ban on open fires is hereby canceled pursuant to Montezuma County Ordinance No. 1-96, and that the ban on open fires pursuant to Ordinance No. 1-96 continues in full force and effect. The motion was seconded by Comm Wilson and carried. **Jim Keen** was present.

**SPENCER SUBDIVISION:** Attorney **Jon Kelly**, representative for James Spencer, asked that the policy for all persons to sign off on an amended plat be waived for his client. He stated that one owner in the Spencer Subdivision refuses to sign off on the amended plat, which adds one other 3 acre parcel. The Board is declining to take any action.

**RACE TRACK - FAIRGROUNDS:** Concession operator **Sue Fletcher** presented the income/expense report for the races conducted on July 2<sup>nd</sup> and 3<sup>rd</sup> at the track. The race scheduled for Friday was affirmed.

**HEALTH DEPARTMENT** Director **Lori Cooper** invited the Board to the scheduled "Home Visitation by Nurses For New Mothers" meeting on July 16<sup>th</sup>. She presented information about the "CHP+Challenge (child insurance) program and asked for \$500 matching funds to initiate the program. Comm Lindsay moved to give \$500 matching funds for the program, seconded by Comm Wilson.

**LAWSUIT - U.S. GOVERNMENT AND CO2 CLAIMS COALITION LLCORTEZ PIPELINE (partnership owned by Shell, Mobil and Vickers):** Comm Lindsay made a motion to sign the Assignment (Case No. 96-Z-2451). Comm Wilson was recused. The motion was seconded by Comm Story and carried.

**RECESSED** until July 8, 1999 at 4:00 p.m.

**JULY 8, 1999**

**MONTEZUMA COUNTY HOSPITAL DISTRICT (MCHD) BOARD** Attorney **Kelly McCabe** reviewed the request by the MCHD Board for approval to use, if needed, some of the \$800,000.00 reserve funds. Comm Story reported on a discussion he had with a local CPA about the financial position of the Hospital. Also present were: **Don Jolovich, Bob Peterson, Ray Candelaria, and Walter Henes**. After discussion, Comm Lindsay made a motion to allow MCHD to dip into the \$800,000.00 reserve fund, not below \$600,000.00, contingent on (1) that both MCHD and SHS Boards resolve, accept and commit to the schedule of repayment of the reserve back to \$800,000.00 no later than June 1, 2000; and (2) that SHS submit to the Board of County Commissioners a month by month cash flow report until the reserve is back to \$800,000.00. The motion was seconded by Comm Wilson and carried.

**ADJOURNED** at 5:00 p.m.

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Deputy Clerk  
July 6/8, 1999

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Chairman

Online Copy

FAX

**BOARD OF COUNTY COMMISSIONERS**

Thursday, July 8, 1999

Comm Lindsay made a motion to allow MCHD to dip into the \$800,000.00 reserve, not below \$600,000.00, contingent on (1) that both MCHD and SHS Boards resolve, accept and commit to the schedule of repayment of the reserve back to \$800,000.00 no later than June 1, 2000; and (2) that SHS submit to the Board of County Commissioners a month by month cash flow report until the reserve is back to \$800,000.00. the motion was seconded by Comm Wilson and carried.

**Faxed** to Attorney Kelly McCabe office 7/9/99 at 11:51 a.m.

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JULY 12, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 12, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meetings held on Monday, July 6 and Thursday July 8, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**TREASURER'S** monthly report for June 1999 was received.

**ROAD DEPARTMENT** Foreman **Jay Palmer** reported on department activities: (a) blade patching on CR V bridge ends and in the Mancos area, (b) still working on CR 25 (grinding up), (c) working on Granath Mesa, (d) chip/sealed Oak Street Bridge and paved Ute Creek (McElmo Creek) Bridge, and (f) working on flooding problem on CR 24.5.

**LAKESIDE ESTATES MOBILE HOME PARK:** Montezuma Rural Water Company representative **Mike Bauer**, Sanitation Manager **Mick Periman**, and several lot owners and residents of the park (see attached list) met to discuss problems related to water line leaks and a possible sanitation issue within the park. The residents presented a video show and a signed petition showing resident support that the problems need to be addressed by the park owner, Dick Norton. After discussion, the Board requested that a "Notice of Violation" be filed, immediately, with Dick Norton by Manager Mick Periman. The Colorado State "Nuisance" statute was discussed. The Board recommended that the residents form an association to take action on the problems.

**RACE TRACK - FAIRGROUNDS:** Concession operator **Sue Fletcher** presented revenue and expenses for last week's race. Also present were: **Duane Randol, Mary Holladay, Tracie Shry, Dennis Beaty, Barney Carter and Bill Bedker**. Information about the newly formed "Cortez Racing Association" was presented. Discussed whose responsibility it is to clean the bathrooms at the race track facility. It was affirmed that **Bill Bedker** will arrange to have someone do the cleaning until the new fairground manager is hired, and the issue is re-addressed.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented the tuberculosis contract for review. Comm Lindsay moved to sign the Tuberculosis contract between the State of Colorado, Department of Public Health and the Board of County Commissioners, seconded by Comm Wilson and carried.

**LANDOWNER Nick Lewis** met to discuss his request to add two more mobile homes to a one acre parcel that already has two mobile homes with two separate septic systems. The parcel was exempted from the subdivision regulations by Resolution P-25-88. The request was discussed and forwarded to the Planning Commission for commencement of a public hearing. Planning Manager **Karen Welch and Loretta Murphy** were also present.

**PROPOSED "EAGLE NEST ADOLESCENCE TREATMENT CENTER"** - Planning Manager **Karen Welch** presented a request for a "Letter Permit" for the proposed center. Present were: **John Brach, Clayton Worcester, Attorney Rick Beisel, Realtor Alyne Eakins and Loretta Murphy**. After the request was discussed, it was determined that it would change the use of the property (formally the Lost Canyon Lodge). The request was forwarded to the Planning Commission for commencement of a public hearing for a "High Impact Permit."

**PLANNING** Manager **Karen Welch** presented a "Letter Permit" for a building supply business (**Kirk and Kay Kennedy**) in a building owned by Kenny Baxstrom. The permit was accepted, contingent on the thresholds not being exceeded in the future. A verbal request for an exemption to the subdivision regulations was tentatively approved for **Joe McDonald** to adjoin a small portion of land to an adjacent landowners property to allow for a septic. A verbal request for an exemption to the subdivision regulations was tentatively approved for **Bill Fair** to adjoin a small portion of land to an adjacent landowners property to allow for a septic line. **Loretta Murphy** was present.

**BOARD OF SOCIAL SERVICES** was conducted.

**ASSESSOR Bob Cruzan and Appraiser Mary Zummach** presented the following information in connection with the scheduled Board of Equalization: (1) 1999 Commercial Valuations, (2) 1998 Levies - Montezuma County, (3) Commercial/Industrial Valuation Increase in 1999 Re-Valuation, (4) Preliminary Abstract After Assessor Protest Period Adjustments, (5) Notice of Determinations Sheet, and (6) Personal Property - No Returns. These were discussed.

**ABATEMENT:** Assessor **Bob Cruzan** being present, petition for pending abatement of property tax (see minutes of March 29, 1999), for **Theodore and Paula Stearman**, 1998, erroneous assessment, \$2,077.70 was presented. **Paula Stearman** was present. Comm Lindsay moved to approve this petition, in part, to refund \$695.04, seconded by Comm Wilson and carried. This action was taped with the BOE proceedings.

**BOARD OF EQUALIZATION:** It being 2:00 p.m., the time set aside, the Montezuma County Commissioners convened on Monday, July 12, 1999, to sit as the Board of Equalization. The roll was called, the Proof of Publication was read and the proceedings were taped for the record. Assessor **Bob Cruzan**, Chief Appraiser **Mary Zummach**, Field Appraisers **Scott Davis and Darrell Mott**, and **Smantha Sunseri** were in attendance.

**WILLIAM AND JUANITA CLARK** appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-341-01-001. Also present was **Lorrie Blackmer**. Comm Wilson moved to adjust the valuation for assessment to \$98,000.00, seconded by Comm Lindsay and carried.

**PAULA STEARMAN** (Theodore Stearman) appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-103-14-002. Comm Wilson moved to adjust the valuation for assessment to \$260,000.00, seconded by Comm Lindsay and carried.

**PAULA STEARMAN** (Theodore Stearman) appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-104-03-005. Comm Lindsay moved to adjust the valuation for assessment to \$15,000.00, seconded by Comm Wilson and carried.

**CHARLES GIST** appeared for the Board's decision concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5633-021-00-047-A. Comm Wilson moved to adjust the valuation for assessment to \$64,450.00, seconded by Comm Lindsay and carried.

The Board of Equalization recessed until Monday, July 19, 1999, at 2:00 p.m.

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

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Deputy Clerk  
July 12, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JULY 19, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 19, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, July 12, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**ACCOUNTS PAYABLE:** General fund warrants #32343 thru #32536 in the amount of \$160,687.98; Road fund warrants #12450 thru #12540 in the amount of \$303,464.31; and, Landfill fund warrants #1705 thru #1723 in the amount of \$22,245.59 were approved for payment.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported on department activities: (a) still working on CR 25, (b) will work at airport Thursday, and (c) chip/sealing parking lot at San Juan VoTech (they supplied the oil).

**PROPOSED JAIL FACILITY:** Adm Weaver presented information on the proposed facility (financial and building plans).

**HEALTH DEPARTMENT** representative **John Godbey** and **Jennifer Stark**, representative for "Miles for Smiles" presented information on the dental program for children. They asked the Board for permission to park the special van used in the program at the annex and use the annex for a clients' waiting room while they are in Cortez. This was affirmed. Arrangements were made for them to meet with Bill Bedker to look at the availability of electrical power at the annex.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** gave an update on the agenda for planned activities in connection with federal lands (B-B-Q event and field trip) and recent public meetings in regard to BLM's process on use and designation of public lands.

**PLANNING** Manager **Karen Welch** presented planning resolution **P-22-99E**, whereas **Andrew M. Lowry and Karen L. Parko**, owners of 68 acres, would be granted an exemption to the subdivision regulations to record an exemption for 31.12 acres in Section 30, T.35N., R16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Presented a planning resolution **P-23-99E**, whereas **Gary and Virginia Kay Bane**, owners of 40 acres, would be granted an exemption to the subdivision regulations to record an exemption for 4.720 acres in Section 13, T.36N., R.13W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented a planning resolution **P-24-99E**, whereas **Gustava A. Gift**, Trustee of 293.0 acres, would be granted an exemption to the subdivision regulations to record an exemption for 11 acres in Section 1, T.37N., R.16W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented a planning resolution **P-22-93 Amended (G. Fisher)**, whereas resolution P-22-93 was adopted on the 19<sup>th</sup> day of April, 1993 and it becomes necessary to amend the exemption. The boundary adjustment will allow for sufficient property on the west side of the 4.111 acre tract for the septic system, in Sections 20 and 21, T.36N., R.13W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Information was presented on a request by **Mary Tattman** for commercial zoning or a "Letter Permit" on a 1.4 acre parcel. The request for zoning was denied. It was noted that P-21-90, an after-the-fact exemption which was approved on June 25, 1990 when Billy Paul Hurst owned the property, was approved contingent on removal of all the junk. This has not been done; therefore, before a "Letter Permit" is accepted from Ms. Tattman the property must be cleaned up. Discussed scheduling for Board of Equalization and affirmed that no late submittals would be accepted.

**SHERIFF'S DEPARTMENT - CRIMINAL JUSTICE:** Coordinator **Amy Ball** presented sub-contracts to contract #DCJ 00-04-22 between the Montezuma County Community Correction Board and the Colorado Department of Public Safety, Division of Criminal Justice. Comm Wilson made a motion to approve and sign the sub-contracts with **ComCor and Hilltop House**. The motion was seconded by Comm Lindsay and carried.

**DISTRICT ATTORNEY Mike Green** presented a letter explaining use of Vale funds for purchase of 3 vehicles. A State review of the Vale 1997 expenditures found inadequate documentation to support that the funds were spent appropriately. The State Vale Board asked that District Attorney Green ask the Counties to pay for the three vehicles. The request was denied.

**BOARD OF EQUALIZATION:** It being 2:00 p.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 19, 1999, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Chief Appraiser **Mary Zummach**, Field Appraiser **Scott Davis** and **Darrell Mott** were in attendance.

Chief Appraiser **Mary Zummach** presented an appeal from **LISLE AND JEWELL ADAMS** concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5071-233-00-003. Comm Lindsay moved to deny an adjustment on the valuation for assessment on the property, seconded by Comm Wilson and carried.

**ZETROC DEVELOPMENT CORPORATION** representative **Gene Johnson** appeared concerning their appeal on the "Notice of Valuation" for 1999 (Johnson Building) by the Assessor's office on Parcel # 5611-342-05-003. Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999, at 2:00 p.m.

**CRESTON GARNER, JR.** (Cula Garner) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-261-27-003. Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999, at 2:20 p.m.

**ROBERT and PAULINE ALMA CONNER** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-324-00-033. Comm Lindsay moved to adjust the valuation for assessment to \$79,070.00, seconded by Comm Wilson and carried.

Chief Appraiser **Mary Zummach** presented an appeal from **WILLIAM ROUNDTREE** on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5653-062-01-012. Comm Wilson moved to adjust the valuation for assessment to \$193,970.00, seconded by Comm Lindsay and carried.

**BESSIE WHITE** (Wayne White) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcels #5345-121-00-022, #5345-113-00-021, and #5069-351-00-007 (dry farm lands). Comm Wilson moved to adjust the valuation for assessment to the 1997 value, seconded by Comm Lindsay and carried.

**R. R. HOLLEN, JR.** (Betty Hollen) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcels #5341-061-00-001 and #5343-081-00-001 (dry farm lands). Comm Wilson moved to adjust the valuation for assessment to the 1997 value, seconded by Comm Lindsay and carried.

\*\*\*\*\*In connection with the appeals made on the White and Hollen parcels, Comm Wilson made a motion to adjust all **dry farm land sub-classes** to the 1997 value. The motion was seconded by Comm Lindsay and carried.

**WILLIAM T. VICARY** appeared concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-252-00-001. Comm Lindsay moved to adjust the valuation for assessment to \$94,500.00, seconded by Comm Wilson and carried.

**CORTEZ TRAP CLUB** representatives **Curtis Broughton, Jerry McComb, Pat Woosley and Mike Threlkeld** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on parcel #5641-042-00-034. Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999, at 2:40 p.m.

**IRIS MASLEN** appeared concerning her appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-274-14-068-J018. Comm Lindsay moved to adjust the valuation for assessment to \$55,000.00, seconded by Comm Wilson and carried.

The Board of Equalization recessed until Monday, July 26, 1999 at 2:00 p.m.

**ADJOURNED** at 5:00 p.m.

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Deputy Clerk  
July 19, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JULY 26/ 28/ 30, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado held on Monday, July 26, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, July 19, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**CAPITAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order No. 0-18-99 to the Treasurer to transfer \$25,000.00 from the Capital Fund to the Landfill Fund (equipment repair on bulldozer). The motion was seconded by Comm Wilson and carried.

**ROAD AND BRIDGE FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order No. 0-19-99 to the Treasurer to transfer \$1,237.41 from the Road and Bridge Fund to the Landfill Fund (to correct error in direct deposit of payroll for month of May 1999). The motion was seconded by Comm Wilson and carried.

**CLERK Evie Ritthaler** presented her monthly report for June 1999. Election procedures, mail-out vs walk-in ballots, were discussed.

**ROAD DEPARTMENT Foreman Don Yeomans** reported on department activities: (a) bought two used pickups, (b) have scheduled chip/sealing on CR 21, fire house, annex, courthouse, and San Juan VoTech parking lots, (d) grading roads, (e) crushing at Hay Camp, and (f) still grinding up CR 25. Discussed: (1) landscaping done at fairgrounds entrance, (2) mobile home at fairgrounds is out for bid - will be removed, and (3) condition of unimproved section of CR 41 - ok.

**LAKESIDE ESTATES MOBILE HOME PARK** owner **Dick Norton** and representative for Lakeside Ventures met with the Board about water and sewer line problems in the Park. He gave information on what he felt were the problems. Others present were Sanitation Manager **Mick Periman**, Colorado Department of Health (Durango) representative **Greg Brand**, Montezuma Water Company representative **Mike Bauer**, residents of the park, **Victor and Peggy Rosales**, and **Karen Welch, Loretta Murphy** and **Lyle Bilberry**. It is noted that this park falls under State jurisdiction because of high sewer discharges. The problems, state statutes, and cease and desist procedures were discussed. Sanitation Manager **Mick Periman** handed the county "**Permit For Repair**" to Mr. Norton at 9:45 a.m. Discussed: (1) the repair requirements and time limits, (2) sewage on the ground surface, (3) concerns about possible mix of water and sewage because of line leaks, and (4) no approved State permit for the Park. Manager Periman stated that he would oversee the repairs and would approve them if they meet the County Health Plan. Mr. Norton was told to work with Greg Brand and Mick Periman to resolve the permit situation. The Board discussed with Mr. Brand the State's lack of enforcement and low priority to address this type of problem.

**PLANNING** Manager **Karen Welch** presented "**Letter Permit - No. 31**" for an art class, music, and nature workshop business (**Mariam Barton**) and a "**Letter Permit - No. 32**" for the Cortez Livestock Auction, Inc. (**Jim Suckla**). A verbal request from **Kevin Boss and Tammy Lee Wright** for an exemption to the subdivision regulations to split a 3 to 5 acre parcel from 320 acres was tentatively approved. Manager Welch reported on the Planning Commission's recommendations on High Impact Permits applications: (1) **Country Gas, Inc.** - approve - Public Hearing scheduled for July 26<sup>th</sup>; (2) **Yahweh's Home For Children**" - approve - Public Hearing set for August 2<sup>nd</sup> at 2:00 p.m.; (3) **Eagles Nest Adolescence Treatment Center** - deny - Public Hearing set for August 9<sup>th</sup> at 2:00 p.m.

**MC CLELLAN MINOR SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the McCellan Minor Subdivision (Richard and Dean McClellan), seconded by Comm Wilson and carried.

**LANDOWNER Glen Humiston** met to discuss proposed fiber optic utilities, which might be installed across his land. He was advised to visit with Empire Electric's manager Neal Stephens.

**RETIREMENT:** The Board presented **William L. Turner**, a road department employee, with a plaque in appreciation for 19 years of loyal service to Montezuma County.

**LIQUOR LICENSE:** Deputy Clerk **Betty Davis** met to discuss a question about access in regard to the application for a retail liquor store license by **G. Whil Liquors**. It was affirmed that CDOT needs to be contacted.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** gave an update on Federal Lands issues.

**SAN JUAN VO TECH SCHOOL** representative **Steve Budd-Jack** presented fire information maps for the U.S. and discussed the fire danger situation in the county.

**PUBLIC HEARING - PROPOSED HIGH IMPACT PERMIT - COUNTRY GAS, INC:** It being the time set aside, a Public Hearing was conducted to consider a High Impact Permit with respect to Country Gas, Inc., for a proposed propane retail sales and service located at 12360 Hwy 666, Cortez, Co. This property is located in the NE4SE4 of Section 9, T.36N., R.16W., lying on the east side of Hwy 666. The roll was called, the Public Notice read, and the proceedings were taped for the record. Country Gas, Inc. representatives **Wendell Nicholson, Shelia Nicholson and Clifton Tuggle, Nadine Crain, Bob Durant**, Planning Manager **Karen Welch** and **Loretta Murphy** were present. Information on the proposed use was presented. The application for the permit has been presented to the Planning Commission and they recommend approval. There was no comment from the public. Comm Lindsay moved to approve the **Country Gas, Inc. High Impact Permit No. #25**, seconded by Comm Wilson and carried.

#### **BOARD OF EQUALIZATION - July 26, 1999**

It being 2:20 p.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 26, 1999, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Bob Cruzan**, Chief Appraiser **Mary Zummach**, Field Appraisers **Scott Davis** and **Darrell Mott** and State Representative **Mark Larson** were present.

**MARK AND KAREN TUTTLE** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5607-061-01-010. Comm Lindsay moved to adjust the valuation for assessment to \$407,760.00, seconded by Comm Wilson and carried.

**THOMAS AND SHARON KURPIUS** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-124-00-011. Comm Lindsay moved to adjust the valuation for assessment to \$102,750.00, seconded by Comm Wilson and carried.

**DOLORES RIVER, INC.** owners, **Thomas and Sharon Kurpius** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-124-00-028. Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999, at 4:00 p.m.

**ROBERT BARNHART** (Pauline Barnhart) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5609-102-00-032: Comm Lindsay moved to adjust the valuation for assessment to \$61,283.00, seconded by Comm Wilson and carried.

**ROBERT BARNHART** (Pauline Barnhart) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-252-01-003: Comm Lindsay moved to deny the appeal, seconded by Comm Wilson and carried.

**JEROME KATZ** (Virginia Katz) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5637-073-02-006. Comm Lindsay moved to adjust the valuation for assessment to \$118,921.00, seconded by Comm Wilson and carried.

**ERNEST ALLSUP** (Margaret Allsup) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5331-031-00-006 (Priest Gulch Campground). Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999, at 4:00 p.m.

Chief Appraiser **Mary Zummach** presented an appeal from **BERNARD AND MARY SCHNEIDER** concerning "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-251-13-016. Comm Lindsay moved to deny the appeal, seconded by Comm Wilson and carried.

The Board asked the Assessor for a break-down on agriculture sub-classes (soil). The Board of Equalization recessed at 6:00 p.m. until Wednesday, July 28, at 8:20 a.m.

### **BOARD OF EQUALIZATION - July 28, 1999**

It being 8:20 a.m. the time set aside, the Montezuma County Commissioners reconvened on Wednesday, July 28, 1999, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Bob Cruzan**, Chief Appraiser **Mary Zummach**, Field Appraisers **Scott Davis and Darrell Mott** were present.

**HUSEBY GROUP, INC. (A&A Mesa Verde RV Park Resort)** representatives **Reynold and Judi Huseby** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5607-283-00-056. Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999 at 4:00 p.m.

**BERNICE CYPRIAN** (Diane Turek) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5607-331-00-001 (Campark). Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999, at 4:00 p.m. Also present was **Connie Cyprian**.

**DALE GREENWOOD WEISHEL** appeared concerning her appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-264-03-002. Comm Wilson moved to adjust the valuation for assessment to \$154,630.00, seconded by Comm Lindsay and carried.

**DALE GREENWOOD WEISHEL** appeared concerning her appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-264-19-004. Comm Wilson moved to adjust the valuation for assessment to \$104,000.00, seconded by Comm Lindsay and carried.

**DALE GREENWOOD WEISHEL** appeared concerning her appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-262-19-011. Comm Wilson moved to deny any adjustment on the valuation for assessment, seconded by Comm Lindsay and carried.

**CARLOS MC CLAIN** representative **Shawna Valdez** appeared concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-094-09-005. Comm Wilson moved to adjust the valuation for assessment to \$101,750.00, seconded by Comm Lindsay and carried. Also present was **Betty Svendsen**.

**CARLOS MC CLAIN** representative **Shawna Valdez** appeared concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-094-09-006. Comm Lindsay moved to adjust the valuation for assessment to \$212,240.00, seconded by Comm Wilson and carried. Also present was **Betty Svendsen**.

**ROCK SALES CO.** representative **Pete Ballode** appeared concerning his appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-262-35-002. Comm Lindsay moved to adjust the valuation for assessment to \$225,000.00, seconded by Comm Wilson and carried.

**CAROL MIKKELSON** (W. H. Mikkelson) appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5609-311-01-011. Comm Wilson moved to deny the appeal, seconded by Comm Lindsay and carried.

**MORRIS AND JOYCE LILE’s** representative **Pat Janz** appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-294-01-015. Comm Wilson moved to deny the appeal, seconded by Comm Lindsay and carried.

**SUNRISE INVESTMENTS** representative **Edward Novotny** appeared concerning the appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-043-00-008. Comm Lindsay moved to deny the appeal, seconded by Comm Wilson and carried.

**SUNRISE INVESTMENTS** representative **Edward Novotny** appeared concerning the appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5359-162-00-024. Comm Wilson moved to adjust the valuation for assessment to \$14,000.00, seconded by Comm Lindsay and carried.

**MIDWEST LIMITED** representative **Edward Novotny** appeared concerning the appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-092-00-006. Comm Lindsay moved to adjust the valuation for assessment to \$41,800.00, seconded by Comm Wilson and carried.

**MIDWEST LIMITED** representative **Edward Novotny** appeared concerning the appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-233-01-012. Comm Wilson moved to adjust the valuation for assessment to \$40,000.00, seconded by Comm Lindsay and carried.

**MIDWEST LIMITED** representative **Edward Novotny** appeared concerning the appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-262-42-009. Comm Lindsay moved to adjust the valuation for assessment to \$35,600.00, seconded by Comm Wilson and carried.

**MIDWEST LIMITED** representative **Edward Novotny** appeared concerning the appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5331-064-00-010. Comm Lindsay moved to adjust the valuation for assessment on the improvements to \$27,450.00, seconded by Comm Wilson and carried.

The Assessor presented the Board with the requested break-down on agricultural sub-classes (soil). The Board of Equalization recessed at 3:45 p.m. until Friday, July 30, 1999, at 2:20 p.m.

#### **BOARD OF EQUALIZATION - July 30, 1999**

It being 2:20 p.m., the time set aside, the Montezuma County Commissioners reconvened on Friday, July 30, 1999, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Bob Cruzan**, Chief Appraiser **Mary Zummach**, Field Appraisers **Scott Davis** and **Darrell Mott** were present.

**MERIDIAN TRUST (c/o Ernst & Young LLP - Cortez Plaza)** representative **David Brown** (by a telephone conference call) stated their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-251-18-103-K1. Action was tabled and the appeal was rescheduled for Thursday, August 5, 1999, at 4:00 p.m.

**HAZEN BROWN, ATTORNEY (Trail Motel, Inc.)** appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-274-00-016. Action was tabled and the appeal was rescheduled for August 5, 1999, at 5:20 p.m. **E. G. Merritt, M.D.** was also present.

**MC PHEE MARINA RECREATIONAL COMPLEX, INC.** representative **Herbert Heroux** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5337-313-00-001-PI. Comm Wilson moved to adjust the valuation for assessment (possessory interest) to \$5,000.00, seconded by Comm Lindsay and carried.

**GEORGE AND MILDRED COMPTON** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-261-03-021. Comm Lindsay moved to adjust the valuation for assessment to \$107,250.00, seconded by Comm Wilson and carried.

**COPY SHOP, INC. DBA OFFICE OUTPOST** representatives **Ron Curtis and Jon Stockdale** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-262-47-011. Comm Lindsay moved to adjust the valuation for assessment to \$304,000.00, seconded by Comm Wilson and carried.

**RICHARD PAULSEN** representative **Mike McQuinn** appeared concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5602-313-01-006. Comm Wilson moved to adjust the valuation for assessment to \$204,388.00, seconded by Comm Lindsay and carried.

**F. RON KOTARSKI** appeared concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-113-00-010. Comm Story was recused because of a conflict of interest. Comm Lindsay moved to adjust the total valuation for assessment to \$280,646.00 (Land - no adjustment; Commercial improvements - \$163,663.00; and Residential improvements - \$50,723.00) seconded by Comm Wilson and carried.

**F. RON KOTARSKI** appeared concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-113-00-010-A. Comm Story was recused because of a conflict of interest. Comm Lindsay moved to deny any adjustment on the valuation, seconded by Comm Wilson and carried.

**F. RON KOTARSKI** appeared concerning his appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel 5359-113-00-010-C002. Comm Story was recused because of a conflict of interest. Comm Lindsay moved to deny any adjustment on the valuation, seconded by Comm Wilson and carried.

Field Appraiser Zummach presented an appeal from **THOMAS D. AND SUSAN M. TETTMAR** concerning their "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5361-313-00-011. Comm Wilson moved to adjust the valuation for assessment to \$58,000.00, seconded by Comm Lindsay and carried.

Field Appraiser Zummach presented an appeal from **RICK V. AND PENNY A. JOHNSON** concerning their "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-183-01-015. Comm Wilson moved to adjust the valuation for assessment to \$98,210.00, seconded by Comm Lindsay and carried.

The Board of Equalization recessed at 6:00 p.m. until Monday, August 2, 1999, at 2:40 p.m.

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Deputy Clerk  
July 26/28/30, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**AUGUST 2 & 5, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 2, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, July 26, Wednesday, July 28, and Friday 30, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**PAYROLL:** General fund payroll in the amount of \$169,897.18, District Attorney warrant #32540 in the amount of \$17,072.71, Treasurer warrant #32541 in the amount of \$126,576.33; Road fund payroll in the amount of \$58,551.52, Treasurer warrant #12545 in the amount or \$46,244.86; and Land fund payroll in the amount of \$10,528.51, Treasurer warrant #1725 in the amount of \$5,777.46 were approved for payment.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-20-99 to the Treasurer to pay \$1,016.89 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on usual department activities.

**FAIR BOARD** member **Ron Kimmi** gave an update on the fair activities this week.

**PUBLIC HEARING - G. WHIL LIQUORS:** It being the time set aside, a Public Hearing was conducted for the consideration for a retail liquor license for G. Whil Liquors. The roll was called and the proof of publication was read. Present were Deputy **Betty Davis**, owner Dana Baxstrom's representative **Gene Baxstrom**, and Sheriff Department Investigator **Russel Paxton**. Deputy Davis presented the application for a retail liquor license. The polling was done by the Baxstroms within the set radius of 1/2 mile. Thirty-nine residents were polled. The following questions were asked: (1) Do you feel there is a need for this license? And (2) Do you want this license issued? The survey showed 38 affirmative and 1 against for both questions. Investigator Paxton reported that an investigation was done of Dana Baxstrom's financial and character background, and the proximity of schools, churches, and like businesses were noted. The establishment was physically inspected and the letter from CDOT was noted. These were accepted. There was no public comment. Comm Wilson moved to approve the application for a retail liquor license, contingent on the requirements set forth in a letter from CDOT (see attached) and receipt of fingerprints, seconded by Comm Lindsay and carried. The proceedings were taped for the record.

**DOLORES FIRE PROTECTION DISTRICT:** Volunteer Fireman **David Doudy** presented information on the district's proposed mill levy increase. He presented a cost - income report and stated that the district does not have funding to replace equipment. A proposal for a county fire department was discussed.

**ORDINANCE NO. 1-96 – FIRE BAN:** Sheriff **Joey Chavez** asked that the Board suspend the fire ban (see July 6/8, 1999 minutes - No. Resolution 3-99). Comm Lindsay moved to adopt **Resolution No. 4-99**, a resolution suspending the ban on open fires in Montezuma County, seconded by Comm Wilson and carried. Fire Chief **Jay Balfour** was present.

**SHERIFF Chavez** met to request that his budget be increased by \$30,000 with reimbursement monies from the man hunt last year. He presented the department's proposed use of the monies, if the increase is approved. Action was tabled until all the needs are considered.

**LAKESIDE ESTATES MOBILE HOME PARK:** Sanitation Manager **Mick Periman** reported that he is requesting a Public Hearing be scheduled with the Health Officer since the requirements stated in the "Permit for Repair" issued on July 26, 1999, have not been met. Landowner **Earl Moore** stated his concerns if the park water and sewer utilities are shut down.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-22-93 Amended (Fisher)**, whereas Resolution P-22-83 was adopted on the 19<sup>th</sup> day of April 1993 and amended on July 19, 1999, and it becomes necessary to amend the exemption a second time. The legal description was incorrect on the survey submitted for the exemption plat. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried.

**COUNTY LANDOWNER Donald Dennison** asked for clarification of the municipal urban service zone. It was affirmed that it would be his choice to be included in any zoning.

**BALLOT ELECTION - PROPOSED JAIL FACILITY:** Comm Lindsay moved to ask Clerk Ritthaler to hold a precinct election for the proposed sales tax increase, seconded by Comm Wilson and carried with the votes as follows: Comm Story "aye," Comm Lindsay "aye" and Comm Wilson "nay."

**PUBLIC HEARING - PROPOSED HIGH IMPACT PERMIT NO. 28 - YAHWEH'S HOME FOR CHILDREN:** It being the time set aside, a Public Hearing is conducted to consider a High Impact Permit with respect to the Yahweh's Home for Children, a proposed foster home for up to 12 children, located at 16885 Hwy. 666, Cortez, CO. This property is located in the W2NE4 of Section 19, T.37N., R.16W. lying on the east side of Hwy. 666. The roll was called, the Public Notice read, and the proceedings were taped for the record. Present were Yahweh's representatives **Wanda Farmer, Paul and Cleo Farmer, and Bruce Farmer**, Realtor **Bob Durant**, Cortez School District RE-1 Superintendent **Bill Thompson**, neighbors **Betty Marx, Doug Davis, and Cathy Marx**, and **Jean and Duane Belden**, and Planning Manager **Karen Welch and Loretta Murphy**. The application for the permit has been presented to the Planning Commission and they recommend approval. Issues were discussed: licensing (Navajo Nation or County), social problems, school attendance - custody and expenses, and possible neighborhood disturbances. It was affirmed that more information is needed on how to address the licensing issue, since the home cannot be double licensed. Comm Lindsay moved to continue the hearing until August 16, 1999, at 10:00 a.m., seconded by Comm Wilson and carried.

#### **BOARD OF EQUALIZATION - August 2, 1999**

It being 2:40 p.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, August 2, 1999, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Bob Cruzan**, Chief Appraiser **Mary Zummach**, and Field Appraisers **Scott Davis** and **Darrell Mott** were present.

**WILLIAM SEIELSTAD AND MICHAEL BRANCH (Cortez Mini Storage)** appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5637-102-02-011. Comm Lindsay moved to adjust the valuation for assessment to \$174,127.00, seconded by Comm Wilson and carried. **Joan Seielstad** was present.

**BEVERLY SPEECE** (Gary Speece) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-103-14-007. Comm Lindsay moved to adjust the total valuation for assessment to \$164,150.00, seconded by Comm Wilson and carried.

**BEVERLY SPEECE** (Gary Speece) appeared concerning their appeal on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-103-13-014. Comm Wilson moved to deny any adjustment on the valuation for assessment, seconded by Comm Lindsay and carried.

**BRUCE LIGHTENBURGER** appeared concerning his appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5361-074-01-008. Comm Lindsay moved to adjust the total valuation for assessment to \$84,933.00, seconded by Comm Wilson and carried.

**SOUTHWEST MTR HOTEL ASSOCIATES** representative **Bruce Lightenburger** (Holiday Inn Express and the Cortez Conference Center) appeared concerning his appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5611-254-00-004. Comm Lindsay moved to adjust the total valuation for assessment to \$2,752,777.00, seconded by Comm Wilson and carried.

**FEATHER RIDGE INVESTMENTS, INC.** representative **Annlea Mola** (Michael Mola) appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5605-281-00-016. Attorney **Kent Williamson** had **Ted Cordova, Bill Hutchison and John Norton** give information about the property. Comm Lindsay moved to adjust the total valuation for assessment to \$752,478.00, seconded by Comm Wilson and carried.

**BETH ORR** (Barry Orr) appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5361-154-00-005. Comm Lindsay moved to adjust the total valuation for assessment to \$96,233.00, seconded by Comm Wilson and carried.

**RADONNA VINGER** (Gregory Vinger) appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5357-093-00-015-A. Comm Wilson moved to adjust the total valuation for assessment to \$46,650.00, seconded by Comm Lindsay and carried.

**HODGES LAND AND CATTLE COMPANY** owners **Vic and Jeanie Hodges** appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5609-301-00-006. Comm Lindsay moved to adjust the total valuation for assessment to \$450,000.00, seconded by Comm Wilson and carried.

**RUTH HENSEN** (Frank Hensen) appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5357-222-01-001. Comm Lindsay moved to deny any adjustment on the valuation for assessment, seconded by Comm Wilson and carried.

**RUTH HENSEN** (Frank Hensen) appeared concerning their appeal on the “Notice of Valuation” for 1999 by the Assessor’s office on Parcel #5359-094-03-005. Comm Wilson moved to adjust the total valuation for assessment to \$173,000.00, seconded by Comm Lindsay and carried.

The Board of Equalization recessed at 6:05 p.m. until Thursday, August 5, 1999, at 2:00 p.m.

#### **BOARD OF EQUALIZATION - August 5, 1999**

It being 2:00 p.m., the time set aside, the Montezuma County Commissioners reconvened on Thursday, August 5, 1999, to sit as the Board of Equalization. The roll was called - Comm Lindsay was present at 2:30 p.m. - and the proceedings were taped for the record. Assessor **Bob Cruzan**, Chief Appraiser **Mary Zummach**, Field Appraisers **Scott Davis** and **Darrell Mott** were present.

**ZETROC DEVELOPMENT CORPORATION** representatives **Erin Johnson and Gene Johnson** appeared concerning their appeal tabled on July 19<sup>th</sup> on the “Notice of Valuation” for 1999 (Johnson Building) by the Assessor’s office on Parcel #5611-342-05-003. Comm Wilson moved to adjust the total valuation for assessment to \$864,500.00, seconded by Comm Story and carried. **Maggie Love** was present.

**CRESTON GARNER, JR.** (Cula Garner) appeared concerning their appeal tabled on July 19<sup>th</sup> on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-261-27-003. Comm Lindsay moved to deny any adjustment on the valuation for assessment on the property, seconded by Comm Wilson and carried.

**CORTEZ TRAP CLUB** representatives **Jerry McComb and Mike Threlkeld** appeared concerning their appeal tabled on July 19<sup>th</sup> on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5641-042-00-034. Comm Lindsay moved to adjust the total valuation for assessment to \$111,655.00, seconded by Comm Wilson and carried.

Assessor Bob Cruzan presented an appeal from **WAL-MART STORES, INC.** concerning "Notice of Valuation" for 1999 by the Assessor's office on Parcel #8801-000-00-484-P. Comm Wilson moved to adjust the total valuation for assessment to \$279,618.00, seconded by Comm Lindsay and carried.

Assessor Bob Cruzan presented an appeal from **PRIMESTAR** concerning "Notice of Valuation" for 1999 by the Assessor's office on Parcels #8801-000-01-047-P (TCI Satellite Entertainment, Inc.), #8806-000-00-017-P, #8829-000-00-135-P and #8839-000-00-131-P (personal properties). Comm Lindsay moved to deny the exemption for 1999, seconded by Comm Wilson and carried.

Assessor Bob Cruzan presented an appeal from **LUCENT TECHNOLOGIES** concerning "Notice of Valuation" for 1999 by the Assessor's office on Parcels #8839-000-00-001-P, #8829-000-00-039-P and #8801-000-00-117-P (personal properties). Comm Wilson moved to deny the exemption for 1998, seconded by Comm Lindsay and carried.

Assessor Bob Cruzan presented an appeal from **TERRY and CAROL MC NULTY** concerning "Notice of Valuation" for 1999 by the Assessor's office on 25218 V.6, L-9 McPhee Ridge Sub. 333A 8694 P.376 B699 P.820 R/473259. Comm Wilson moved to adjust the total valuation for assessment to \$302,000.00, seconded by Comm Lindsay and carried.

**DRY FARM LAND SUB-CLASSES:** Comm Lindsay made a motion to change the motion on July 19, 1999, to adjust dry farm land sub-class categories D111A, D111B, and D111C to the 1997 value, leaving the sub-class category D111D at the current value. The motion was seconded by Comm Wilson and carried.

**MERIDIAN TRUST (c/o Ernst & Young LLP - Cortez Plaza)** representative **David Brown** (by a telephone conference call) restated their appeal tabled on July 30<sup>th</sup> on the "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-251-18-103-K1. Comm Lindsay moved to adjust the total valuation for assessment to \$2,520,064.00, seconded by Comm Wilson and carried.

**DOLORES RIVER, INC.** owner **Thomas Kurpius** (Sharon Kurpius) appeared concerning their appeal tabled on July 26<sup>th</sup> on "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5359-124-00-028. Comm Lindsay moved to adjust the total valuation for assessment to \$540,150.00, seconded by Comm Wilson and carried.

**ERNEST ALLSUP** (Margaret Allsup) appeared concerning their appeal tabled on July 26<sup>th</sup> on "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5331-031-00-006. Comm Lindsay moved to adjust the total valuation for assessment to \$573,450.00, seconded by Comm Wilson and carried.

**HUSEBY GROUP, INC. (AA Mesa Verde RV Park Resort)** representatives **Reynold and Judi Huseby** appeared concerning their appeal tabled on July 28<sup>th</sup> on "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5607-283-00-056. Comm Wilson moved to adjust the total valuation for assessment to \$299,918.00, seconded by Comm Lindsay and carried.

**BERNICE CYPRIAN** (Diane Turek) appeared concerning their appeal tabled on July 28<sup>th</sup> on "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5607-331-00-001 (Campark). **Connie Cyprian** was present. Comm Lindsay moved to adjust the total valuation for assessment to \$234,899.00, seconded by Comm Wilson and carried.

**TRAIL MOTEL, INC.** representative Attorney **Hazen Brown and E. G. Merritt, M.D.** appeared concerning their appeal tabled on July 30<sup>th</sup> on "Notice of Valuation" for 1999 by the Assessor's office on Parcel #5611-274-00-016. Comm Lindsay moved to adjust the total valuation for assessment to \$1,938,025.00, seconded by Comm Wilson and carried.

The Board of Equalization for 1999 adjourned at 6:20 p.m.

**ADJOURNED** at 6:20 p.m.

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Deputy Clerk  
August 2 & 5, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
AUGUST 9, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 9, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, August 2, and Thursday, August 5, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**TREASURER'S** report for the month of July 1999 was received.

**ROAD DEPARTMENT:** **Randy Smith** reported on department activities: (a) blade patching, (b) chip/sealing in the Mancos area, (c) sweeping parking lots that have been chip/sealed, (d) crushing, (e) have finished grinding up CR 25, and (f) mowing weeds this week. Discussed: (1) complaint about CR 27, south of radio station - will check, (2) Vance Koppenhafer's request for Foreman Yeomans to check work done on a section of unimproved CR 38 (see minutes of May 24, 1999) - noted road department work is scheduled on the other section before winter, and (3) Ormiston gravel pit - OK.

**FAIR BOARD** member **Ron Kimmi** reported on the success of this year's County Fair. He complimented Bill Bedker and his crew for all the work they did at the fairgrounds during the fair. He mentioned that the National Guard unit has expressed a desire to do heavy equipment work at the fairgrounds as part of their training program.

**LANDOWNER Don McCartney** met to discuss a problem with noxious weeds on property that adjoins his property on CR 32. He presented photos of the weeds. Weed Program Manager **Ron Lanier** was present. Mr. McCartney was advised to work with Manager Lanier.

**PUBLIC HEARING - PROPOSED ABANDONMENT SECTION OF CR 40 - STONER SKI LODGE ROAD:** It being the time set aside, a Public Hearing is conducted to consider the abandonment of that part of CR 40, also known as the Stoner Ski Lodge Road. This road is located in Section 5, T.38N., R.13W., State of Colorado, County of Montezuma and is approximately one-half mile long on the South side of State Highway 145. The roll was called and the public notice was read. Planning representative **Loretta Murphy** presented information about the proposal. Planning Manger **Karen Welch** was present. Attorney **Frank Anesi**, representative for owner **Charles F. Allison**, presented a plat and discussed the proposed abandonment. He stated that there is another access to the forest service lands behind the property. There were no public comments. Comm Lindsay moved to approve the abandonment of the Stoner Ski Lodge Road, seconded by Comm Wilson and carried. These proceedings were taped for the record.

**PLANNING** Manager **Karen Welch** presented "**Letter Permit - No. 33**" for **Belden Auction**. A verbal request from **Buck and Betty Morris** for an exemption to the subdivision regulations to split 12 acres from 75 acres was tentatively approved. A verbal request from **Richard and Esther Martinez** for an exemption to the subdivision regulations to split 5 acres from 64 acres was tentatively approved. A verbal request from **John and Phyllis Dosh** (see minutes of July 20, 1998) for an exemption to the subdivision regulations to divide 47 acres, separated by a highway, into two tracts (27 and 20 acres) was tentatively approved. **Loretta Murphy** was present.

**NOXIOUS WEED CONTROL PROGRAM - WEED ADVISORY COMMITTEE** members **Bob Bement, Gayel Alexander, Dalton Montgomery and Robert Wright** and Weed Manager **Ron Lanier** met to discuss weed management funding. They explained the availability of Soil Conservation (State) grant monies for the control of noxious weeds. They asked for matching funds from the County in the amount of \$20,000.00 and a support letter. The requests were discussed. Comm Lindsay made a motion to approve \$20,000.00 of matching funds for the year 2000 weed program and submit a support letter. The motion was seconded by Comm Wilson and carried.

**FAIRGROUNDS:** Concerned citizens, **Liz Tozer, Carol Haygood, Karen Hensley and Sarah Mason** met to discuss the following issues at the fairgrounds: **(1)** Financial decision that manager will no longer reside on the property at the Fairgrounds: A petition signed by approximately 122 persons was submitted stating they feel that the manager should live on the property. Reasons for the decision were discussed. **(2)** Concession responsibility: Action was tabled until new manager reports to work. **(3)** Presence of Manager for weekend events: Were told that someone will be there for weekend events and discussed the need for more volunteers. **(4)** Asked if the Commissioners would be receptive to interested persons holding fund raisers and guarantee that all the money raised be applied to Fairground expenses: Action was tabled until new manager reports to work.

**LANDFILL** Manager **Deb Barton** presented "Montezuma County Landfill Profit and Loss Statement 1998 versus 1999 as of July 31, 1999" for review. She gave an update on future plans for the landfill and mentioned that the National Guard has offered to do heavy equipment work at the landfill for training purposes for their unit.

**BOARD OF SOCIAL SERVICES** was conducted.

**PUBLIC HEARING - PROPOSED HIGH IMPACT PERMIT NO. 30 - PROPOSED EAGLE'S NEST ADOLESCENT TREATMENT CENTER:** It being the time set aside, a Public Hearing is conducted to consider a High Impact Permit with respect to Eagle's Nest Adolescent Treatment Center, a facility for up to 20 clients, located at 15472 Road 35.3, Mancos, Colorado, in the N2SW4 of Section 28, T.37N., R.14W., lying on the north side of Hwy 184. The roll was called and the public notice was read. Present were Eagle's Nest representatives **John Brach**, and Attorney **Hazen D. Brown**, Sheriff **Joey Chavez**, Planning Manager **Karen Welch** and approximately **sixty-five** other interested persons (see attached list). Manager Welch stated that the application for the permit has been presented to the Planning Commission and they recommended denial. Attorney Brown presented the client schedule and proposed use of the property. Sheriff Chavez presented a letter expressing his concerns (see attached). A petition against the application was presented with approximately 165 signatures. Public input included discussion on the following issues: septic system, location, existing use, land use planning and zoning, and need for business plan. Comm Lindsay moved to deny the application for the proposed High Impact Permit No. 30 for the Eagle's Nest Adolescent Treatment Center in accordance with the Montezuma County Land Use Code, General Provisions 2101 (21101.2 - A & F), seconded by Comm Wilson and carried. These proceedings were taped for the record.

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

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Deputy Clerk  
August 9, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
AUGUST 16, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 16, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, August 9, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**FAIR BOARD** member **Jack Niemann** met with concerns about what he thought were drainage problems at the fairgrounds. After discussion, it was noted that there are plans to repair some water leaks which may be causing some of the problems. Other problem areas will be checked and, if needed, the ditches will be cleaned out. Affirmed that the National Guard unit may clear and grade areas for more parking at the fairgrounds.

**ROAD DEPARTMENT** Foreman **Jim Becher** reported on department activities: (a) chip/sealing is behind scheduling because of rain (CR 44), and (b) finishing up on CR 21. Discussed problem of availability of oil from companies that have projects backed up because of all the rain received in the area. Chip/sealing of CR 25 (Lebanon road) might have to be done next spring.

**PLANNING** Manager **Karen Welch** presented planning resolution **P-25-99E**, whereas **O. E. and Betty Morris**, owners of 74.48 acres, would be granted an exemption to the subdivision regulations to record an exemption for 12 acres in Section 18, T.35N. R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution **P-26-99E** was presented whereas **John and Phyllis Dosh**, owners of 47.30 acres, would be granted an exemption to the subdivision regulations to record an exemption for 19.97 acres and 26.91 acres in Section 29, T.35N., R.16W. The property was split into two parcels by Hwy 160/666. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A planning resolution **P-27-99E** was presented whereas **Richard and Esther Martinez**, owners of 64.6 acres, would be granted an exemption to the subdivision regulations to record an exemption for 5 acres in Tract 41, T.37N., R.17W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. A verbal request from **Bill Duncan** for an exemption to the subdivision regulations to split a 5 acre parcel from 239 acres was tentatively approved. **Loretta Murphy** was present.

**CONTINUED PUBLIC HEARING - PROPOSED HIGH IMPACT PERMIT NO. 28 - YAHWEH'S HOME FOR CHILDREN:** It being the time set aside, a Public Hearing continued from August 2, 1999, is conducted to consider a High Impact Permit with respect to the Yahweh's Home for Children, a proposed foster home for up to 12 children. The roll was called and the proceedings were taped for the record. Present were Yahweh's representatives **Wanda Farmer, Paul and Cleo Farmer, Bruce Farmer and Lynne Farmer**, Realtor **Bob Durant**, Social Services Director **Dennis Story**, Cortez School District RE-1 Superintendent **Bill Thompson**, Navajo Nation - Shiprock, NM - Foster Care program representative **Jeffery Joe**, Planning Manager **Karen Welch** and **Loretta Murphy**, and neighbor **Doug Davis**. Mr. Joe stated that the foster care would be (a) short-term placement (less than 6 months), (b) for four un-related children, with approval for more if a sibling group; (c) for ages 0 to 12 years; and (d) home-schooled through the Navajo Nation school system. Superintendent Thompson asked for a letter stating that the children would be home schooled. Mr. Joe stated this would be done. Discussed the original application which was submitted for a group home for up to 12 children, to the change in plans for only four un-related foster children, with approval for more if a sibling group. Director Dennis Story stated that this now constitutes a foster home. Yahweh's Home representative Wanda Farmer made the request to withdraw the application for a group foster home. Comm Lindsay moved to close the hearing because of the request to withdraw the application, seconded by Comm Wilson and carried. Neighbors in the area will be notified of this action.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented the Environmental Health Contract for review. Comm Lindsay moved to sign the Environmental Health Contact 00-00265 Renewal Letter Number 4 between the State of Colorado, Department of Health and the Board of Montezuma County Commissioners, seconded by Comm Wilson and carried. Director Cooper gave an update on programs and grant applications.

**TRI-CORNERS COMMUNICATIONS** representative **Raymond Keith** presented "Easement Agreement - Courthouse Annex Telecommunications Site between Montezuma County and Tri-Corners Telecommunications, Inc. (TCT)" for review. Mr. Keith did a physical drawing of the proposed tower and the area surrounding it. Comm Lindsay moved to sign the agreement, with noted changes (see attached), seconded by Comm Wilson and carried. **Brenda Keith** was present.

**PROPOSED JAIL FACILITY:** Sheriff **Joey Chavez**, Undersheriff **Sam Hager**, Detention Officer **Jim Keen**, and sheriff department employees **Terry Steele, Calvin Boggs and Denise Wittwer** met to discuss promotion of the proposed jail facility. Sheriff Chavez informed the Board that he has appointed Jim Keen to spearhead the public relations campaign. The Commissioners questioned this decision -- no action was taken. Undersheriff Sam Hager presented the Local Law Enforcement Block Grant (LLEBG) #98-LB-51-50-1 (K-9 canine program) for review. Comm Lindsay moved to sign the grant, seconded by Comm Wilson and carried.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** presented a draft copy of "Thoughts to Share with Representative Scott McInnis' Staff About the ACEC Process" on Tuesday, August 17, 1999.

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

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Deputy Clerk  
August 16, 1999

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
AUGUST 23, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 23, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, August 16, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**ACCOUNTS PAYABLE:** General fund warrants #32538 thru #32782 in the amount of \$131,411.82; Road fund warrants #12544 thru #12638 in the amount of \$181,719.63; and, Landfill fund warrants #1726 thru #1754 in the amount of \$33,887.62 were approved for payment.

**TREASURER'S** six month report was presented. Finance Officer **Mary Ann Sanders** stated that the Commissioner's warrants balance with the Treasurer's fund.

**CLERK'S** report for the month of July 1999 was received.

**CIVIL RIGHTS** complaint letter (jail) received from **Daniel Pennell** was noted and sent to the Insurance Company.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** gave an update on the proposed ACEC designation and the Secretary of Interior Babbit's visit to discuss public in-put, etc. \*\*\*\* Later in the afternoon, Mike gave an update on scheduling a meeting in Washington D.C. with all the parties to discuss the ACEC issue.

**ROAD DEPARTMENT:** **Lloyd Everett** reported on department activities: (a) still chip/sealing - received oil but distribution truck broke down - will locate another truck for chip/sealing of Vo-Tech parking lot today; (b) CR 25: affirmed the department's recommendation that chip/sealing for CR 25 (Lebanon Road) should be delayed until next year, since the company supplying the oil has projects backed up (if done this year the oil is not available until after the middle of September); will finish putting mag-chloride on the road and feel that it will be good through the winter; will continue grinding the road from the intersection at CR T (school house) to Hwy 184 and prepare this section of road for chip/sealing next year with the rest of the road. (c) plan to rip up CR P to Hwy 666 - add gravel, shoulder-out, compact and put on mag-chloride. (d) scraper at the landfill - will move out today; (e) hot mix from Farmington, NM company - good product; and, (f) have sent Agreement between Trans-Colorado, Montezuma County and the Forest Service for work on the Dolores-Norwood Road to Trans-Colorado for approval - Trans-Colorado will pay the county for hauling, spreading and use of water truck with the Forest Service supplying the gravel. Discussed: (1) use of a section of non-maintained CR DD & CR 16 (locked gate) - no action taken. Comm Story will contact Duane Lanier about the issue; (2) other non-maintained road situations on sections of CRs DD, 18, 19 and 20 in connection with proposed subdivisions; (3) dust problem on CR P - will check; (4) CR L - rough and has pot holes; and, (5) no center stripping on road, past the radio station to CR H - will check.

**1999 ABSTRACT OF ASSESSMENT:** Assessor **Bob Cruzan** presented the assessment from the Colorado Department of Local Affairs - Division of Property Taxation. The Abstract of Assessment for Montezuma County taxable valuation was signed. He noted that the preliminary auditor report states that a re-appraisal of the dry farm land category will be required. **Scott Davis** was present.

**SHERIFF Joey Chavez** presented the Southwest Colorado Mental Health - Montezuma Jail Contract for review. Comm Wilson moved to sign the "Professional Mental Health Service Agreement between Southwest Colorado Mental Health Center, Inc., and the Montezuma County Jail for September 1, 1999, through August 31, 2000, seconded by Comm Lindsay and carried. Information was presented on available grant monies from the Department of Justice for the proposed community corrections facility.

**PLANNING Manager Karen Welch** presented a verbal request from **Larry Keeling** for an exemption to the subdivision regulations to split a 10 acre parcel from 77 acres. The request was tentatively approved. A verbal request from **Richard McClellan** for an exemption to the subdivision regulations to split 34 acres into two parcels, with one 17 acre parcel being sold to an adjoining landowner was tentatively approved. Discussed **Cedar Mesa Ranches Subdivision's** dust problem and non-compliance to chip/seal the entrance in connection with impact fees. Comm Story will contact Redstone Land Company's representative Dan Dattola. "**Letter Permit - No. 35**" for **Southwest Seed, Inc.** (Walt Henes) was presented. **Loretta Murphy** was present.

**AMENDED SHILO SUBDIVISION PLAT:** Comm Lindsay moved to approve and sign the amended Shilo Subdivision plat, seconded by Comm Wilson and carried. **Tuffy Randolph** was present.

**TRI-CORNERS COMMUNICATIONS TOWER - COUNTY ANNEX:** Comm Lindsay made a motion to sign the agreement between the County and Empire Electric - "Approval of Power Line Location WO #99-353." The motion was seconded by Comm Wilson and carried. Comm Story was recused because of a conflict of interest.

**PROPOSED COUNTY JAIL BALLOT QUESTION:** Clarification of the proposed resolution was discussed with Attorney **Tom Peltz**, via a telephone conference call.

**CORTEZ FIRE CHIEF Jay Balfour** asked that a letter be written to all the other Fire Chiefs stating that he did not suggest to the Board that he was in favor of a county fire department. Comm Lindsay said that he would contact the Chiefs.

**HEALTH DEPARTMENT Director Lori Copper** presented a corrected Environmental Health Contract (see August 16, 1999 minutes) for signature. The corrected contract was signed.

**PROPOSED JAIL FACILITY - SOIL TESTING CONTRACT:** Bid for soil testing, awarded to Basin Engineering, Inc., Farmington, NM, was noted and the contract was presented for review. Comm Wilson made a motion to sign the "Proposal for Geotechnical Investigation, Montezuma County Law Enforcement Center, North Mildred Road at East Empire, Cortez, CO." The motion was seconded by Comm Lindsay and carried.

**PREDATOR CONTROL:** Comm Lindsay made a motion to sign the "Intergovernmental Cooperative Agreement" between Montezuma County and the Colorado Department of Agriculture, Animal Industry Division, Predator Control. The motion was seconded by Comm Wilson and carried.

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

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Deputy Clerk  
August 23, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**AUGUST 30, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 30, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, August 23, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**PAYROLL:** General fund payroll in the amount of \$171,695.65, Treasurer warrant in the amount of \$129,240.77, District Attorney warrant in the amount of \$17,953.28; Road Department payroll in the amount of \$55,576.42, Treasurer warrant in the amount of \$43,735.79; and, Landfill fund payroll in the amount of \$9,717.02, Treasurer warrant in the amount of \$6,229.32 were approved for payment.

**SHERIFF OFFICE - JAIL FEE ACCOUNT ORDER:** Comm Wilson made a motion to direct the Clerk to issue Order Number 0-21-99 to the Treasurer to transfer from the Jail Fee account to the General fund \$16,425.00 (see attached). The motion was seconded by Comm Story and carried.

**911 AUTHORITY BOARD ORDER:** Comm Wilson made a motion to direct the Clerk to issue Order Number 0-22-99 to the Treasurer to pay \$1,047.86 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Story and carried.

**CLERK Evie Ritthaler** explained the reason for sending flyers to voters in the Dolores Fire District about the change from a mail-out to a precinct ballot.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported on department activities: (a) chip/sealing and (b) blading. Discussed: CR 25 delay - plans are to chip/seal next year.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented the Women, Infants and Children (WIC) two year contract for review. Comm Wilson moved to sign the WIC contract, seconded by Comm Story and carried.

**MONTEZUMA LAND CONSERVANCY:** **Kevin Essington** presented information on the entity's plans and funding for next year. He stated he will be applying for Colorado Great Outdoor grant monies and asked for three items in regard to the grant. **Mike Preston** was present and said there is community interest in conservation easements. Comm Wilson made a motion that the County: (a) supply in kind help from Lyle Bilberry for GIS mapping for baseline inventory data on open space lands, (b) donate \$1,000 from lottery funds, contingent on this request meeting the criteria for use of lottery monies, and (c) be the third party on the grant application. The motion was seconded by Comm Story and carried.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** reported on the Forest Service timber meeting he attended in New Mexico and gave an update on the proposed meeting with entities about the ACED issue.

**SHERIFF DEPARTMENT:** Undersheriff **Sam Hager** presented the application for grant monies from the Department of Justice for the proposed community corrections facility for review. Comm Wilson moved to sign the application, seconded by Comm Story and carried.

**PLANNING** Manager **Karen Welch** presented the following verbal requests for exemptions to the subdivision regulations: **(1) Bob Diederich** - split approximately 2 acres, adjoining the City of Cortez, into the following parcels: .34 acres to the City, 598 sq ft, 1.70 and .138 to separate adjoining landowners; **(2) Robert Cutler** - split 20 acres from 60 acres; and **(3) Mary Lou Veach** - split 4 acres from 72 acres. The requests were tentatively approved. A verbal request from **Frank Boston** for an after-the-fact exemption to the subdivision regulations for a 7 acre parcel was tentatively approved. Discussed **Cedar Mesa Ranches Subdivision's** conditions of the final plat approval (Redstone Land Company - Dan Dattola). Discussed use regulations in connections with High Impact Permits.

**REGION 9 - SOUTHWEST COLORADO ECONOMIC DEVELOPMENT DISTRICT** Director **Ed Morlan** presented and discussed a memorandum on transportation and telecommunications and a telecommunications consumer consortium membership form (see attached). Comm Wilson moved to join the consortium and pay the membership fee, seconded by Comm Story and carried. Also discussed the proposal to hire a transportation planner for Regions 9 and 10.

**CORTEZ CULTURAL CENTER** Director **Ann Chambers** presented a letter asking for gravel for the parking area at the Hawkins Preserve and \$2,500.00 from lottery funds to support projects at the Center (see attached). The gravel request (no hauling) was discussed. Affirmed request for gravel, contingent on availability. Information on the amount of gravel that is needed will be submitted to Adm Weaver. Comm Wilson moved to donate lottery funds as follows: \$1,250.00 now and \$1,250.00 next spring, seconded by Comm Story and carried.

**TERM LIMITS:** Democratic representative **Tony Valdez** and Republican representative **Todd Starr** asked that the Board pass a resolution to put the question of local term limits to the vote of the people on the special election ballot. Action was tabled.

**STATUTES** on predator control were read.

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

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Deputy Clerk  
August 30, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**SEPTEMBER 7, 1999**

At the special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, September 7, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**SALES AND USE TAX - PROPOSED JAIL FACILITY:** Comm Lindsay made a motion at 8:00 a.m. on Tuesday, September 7, 1999, to adopt **Resolution No. 5-99** (see attached). The motion was seconded by Comm Wilson and carried.

**ADJOURNED.**

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Deputy Clerk  
September 7, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**SEPTEMBER 13, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 13, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, August 30, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**TREASURER'S** report for August 1999 was received.

**CLERK Evie Ritthaler** reported that the ballot issues were completed September 10<sup>th</sup>. Discussed the term limit ballot question. The request that the term limit question be put on the ballot was denied. The Clerk's report for August 1999 was presented.

**LANDOWNER Larry Holstine** met to discuss an unimproved (red signed) section of road at the intersection of CR 21 and CC. Mr. Holstine stated that his concern is whether he has access to his property since the gate to this section of road has been locked recently, with the only access being on a curved section of road that in the past was a county maintained road (has not been abandoned), but now is not maintained (see attached map). **Lloyd Everett** was present. Lloyd was asked to contact a neighbor Duane Lanier to meet with the road department at their next weekly meeting to discuss the issue. Mr. Holstine was invited to attend this meeting. If he doesn't attend, he will be notified of the action taken.

**ROAD DEPARTMENT: Lloyd Everett** reported on department activities: (a) chip/sealing, and (b) will continue grinding top end of CR 25 when grinder is returned for use by the department.

**MANCOS FIRE DISTRICT** members **Lyle Cox and Charlie Mitchell** met to discuss conditions of the approval of the final plat for the **Cedar Mesa Ranches Subdivision** (Redstone Land Company - Dan Dattola) in regard to the fire station in the subdivision (see attached correspondence). Action was tabled. Adm Weaver will contact Dan Dattola to schedule a meeting with him at next Monday's BOCC meeting.

**LANDFILL Manager Deb Barton** presented "Montezuma County Landfill, Profit and Loss Statement for 1998 versus 1999 as of August 31, 1999" for review. She gave an update on activities and goals for the landfill.

**PLANNING Manager Karen Welch** presented a verbal request from **Bob and Reba Moore** for an after-the-fact exemption to the subdivision regulations to sell a 2 acre parcel that was created in the 1970's. Tentative approval was given. A verbal request from **Janine Seelig** for an exemption to the subdivision regulations to split a 13 acre parcel (created by the canal) from 75 acres was tentatively approved. Presented "**Letter Permit - No. 34**" application for golf course (**Bruce Maness**). The application was forwarded to the Planning Commission for commencement of a public hearing for a High Impact Permit. **Loretta Murphy** was present.

**INTERGOVERNMENTAL AGREEMENT** between the City of Cortez and the County of Montezuma for a pedestrian/bike path to be constructed was signed.

**OFFICE OF COMMUNITY SERVICE: Mike Preston** gave an update on the scheduling of the ACEC meeting in Washington D.C.

**BOARD OF SOCIAL SERVICES** was conducted.

**WEED PROGRAM MANAGER Ron Lanier** presented booklet “Noxious Weed Gang - Taking Over the West.”

**ARBITRATION - BOARD OF EQUALIZATION:** Comm Lindsay moved to appoint Cynthia Gridley, Leander Grindley, Maggie Love, Bob Durant and Jess Leonard as arbitrators, seconded by Comm Wilson and carried.

**ANIMAL DAMAGE COOPERATIVE AGREEMENT:** Comm Wilson made a motion to sign the Work Plan/Financial Plan for January 1 thru December 31, 2000 -- Cooperative Agreement No. 00-7308-0310-RA between the USDA, Animal and Plant Health Inspection Service, Wildlife Services and the Montezuma County Commissioners. The motion was seconded by Comm Lindsay and carried.

**ASSESSOR Bob Cruzan** met to take part in the telephone conference call with auditing company Thos Y. Pickett & Co., Inc., representative **John Zimmerman** in regard to the Montezuma County Board of Equalization’s adjustment of dry farm land sub-classes, D111A, D111B, and D111C to the 1997 value (see August 5, 1999 minutes). The auditing company is recommending to the State Board of Equalization that Montezuma County be ordered to reappraise these sub-classes, with the results applied to the 2000 tax roll.

**ADJOURNED** at noon. An on-site inspection of the landfill facility will be done at 1:30 p.m.

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Deputy Clerk  
September 13, 1999

Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**SEPTEMBER 20, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 20, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the special meeting held on Tuesday, September 7, 1999, and the regular meeting held on Monday, September 13, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**NOTICE OF CLAIM** received from **Steve Nowlin** was noted and sent to the insurance company.

**REDSTONE LAND COMPANY - CEDAR MESA RANCHES SUBDIVISION** representative **Dan Dattola, and Attorney Kelly McCabe** met about issues pertaining to the subdivision. The following items were discussed and action noted: (1) chip/seal of entrance --- entrance will be chip/sealed by contractor, Mountain Gravel & Construction, this week on Thursday or Friday. (2) deed for 1/2 acre of land for fire station --- continuing to get appropriate paper work for this, which when completed, the 1/2 acre will be deeded to Montezuma County. (3) request by Redstone Land Company for cancellation and return of the \$75,000.00 letter of credit dated September 3, 1998, made in favor of Montezuma County and the Mancos Fire District --- "Letter of Credit" not rescinded by the Board; no further action taken.

**ROAD DEPARTMENT:** Foremen **Jay Palmer and Jim Becher**, and **Lloyd Everett** met to discuss work on CR 25. Several phone calls complaining about the condition of CR 25 (Lebanon Road) have been received. The following update of work on the road was given by the road department representatives: (a) listed as a priority, (b) article has been submitted to the newspaper to let the public know the scheduled work time, (c) stated reason for delaying the chip/sealing is to find all the soft spots and fix them before the final chip/sealing, and (d) due to the cost factor have decided to only spot grind the northern section. **Harry and Kitty Kraus** asked that consideration be given to their ideas that the northern section not be ground up until the other section is chip/sealed, continue to roll areas that have been worked on, and install more speed limit signs. Mr. Kraus stated that the road department has always been considerate when he talked with them about any of the problems relating to the road. Road Department representatives reiterated that they plan to only spot grind the northern section and hope to chip/seal all the road at the same time next year. They will continue to roll some areas, and will check into more speed signage, since this is causing road deterioration. \*\*\* Other road department activities reported on were: (a) chip/sealing done - still sweeping some chips, (b) still working on CR W and gravel pit road, (c) working on CR 37, and (d) work on CR 21 will be done this week when aprons and painting of stripes is completed.

**FAIR BOARD** members **Ron Kimmi, Dave Manning and Jack Niemann** presented "Profit and Loss Statement" for the 1999 Montezuma County Fair. Discussed the need for a 10-year plan for the fairgrounds, and Fair Board's responsibility in regard to any changes in their by-laws.

**HELICOPTER:** Doctor **Mike Duehrssen** presented the "Southwest Lifeguard Guidelines" informational brochure. He reported that plans are being made to lease a helicopter from a Utah company by March 2000. The lease would include services of a mechanic and a pilot. The helicopter would be parked at the Southwest Memorial Hospital for medical and other uses in the area.

**PLANNING:** **Loretta Murphy** presented a planning resolution **P-28-99E**, whereas **Joe D. McDonald, Mary L. McDonald and Richard J. McDonald**, owners of 41.64 acres, would be granted an exemption to the subdivision regulations to record a 0.17 acre exemption in Section 14, T.36N., R.16W. This tract is to be adjoined to the Weatherly property, creating a 1.17 acre parcel, to accommodate the Weatherly septic system. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented planning resolution **P-29-99E**, whereas **Bob and Shirley Diederich**, owners of 2.18 acres, would be granted an exemption to the subdivision regulations to record an exemption in Section 24, T.36N., R. 16W. The purpose of this exemption is to divide an existing tract into separate parcels to be attached to existing subdivision lots located within the city limits of the City of Cortez (see attached resolution). Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. A verbal request from **Jay and Lea Stringer** for an exemption to the subdivision regulations to split a 35 acre tract from a 52.625 acres was tentatively approved. A verbal request from **Dan and Brenda Daves** for an exemption to the subdivision regulations to split a 5 acre tract from 330 acres was tentatively approved.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** gave an update on the scheduling of the ACEC meeting in Washington D.C.

**WEED CONTROL PROGRAM** Manager **Ron Lanier** presented "Montezuma County Weed Cost-Share Program Financial Report for 1999." Program monitoring was discussed. Mentioned that Sherry Fuller has resigned from the Weed Board. Notice of vacancy will be put in the newspaper for interested persons. Reported that the proposed intergovernmental agreement between CDOT and Montezuma County for weed spraying will be delayed until next year (see June 28, 1999 minutes). Presented "Challenge Cost Share Agreement Between Montezuma County and USDA Forest Service, San Juan National Forest and USDI Bureau of Land Management, San Juan Field Office for review and signature. Comm Lindsay moved to sign Forest Service Agreement No. CCS-13-00-99-108, seconded by Comm Wilson and carried. Discussed equality for use of any grant monies received for weed control.

**LIQUOR LICENSE:** Deputy **Bette Davis** presented a new application for a Hotel & Restaurant liquor license for "**The Lodge of Dolores LLC.**" Owners **Harry and Sandra Cole** were present. The Board scheduled a public hearing for Monday, October 18, 1999, at 10.00 a.m., and set a one-half mile radius for the investigation by the Sheriff's department, with the Cole's doing the neighborhood polling.

**TRI-CORNERS COMMUNICATIONS, INC. (TCT):** City of Cortez's resolution was presented as an amendment to the lease between the County and TCT. It was noted that the resolution did not show the actual legal description of the area designated in the lease for the tower. TCT representative Raymond Keith will be contacted and asked to have the resolution corrected.

**MONTEZUMA LAND CONSERVANCY:** It was noted that lottery monies can be used in regard to open space lands (see minutes of August 30, 1999).

**ADJOURNED** at 12:15 p.m.

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Deputy Clerk  
September 20, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**SEPTEMBER 27, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 27, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, September 20, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**CIVIL RIGHTS:** Another complaint letter (jail) received from **Daniel Pennell** was noted and sent to the Insurance Company.

**SUMMONS - James O. Spencer, Plaintiff vs Board of County Commissioners, Montezuma, State of Colorado, Defendant, Claim No. 788 L41629** served on Adm Tom Weaver on September 16, 1999, was noted and sent to the Insurance Company.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported that they graded roads last week. Discussed where they should built the school bus turn-around on CR 38 (Koppenhafer). The Board affirmed that the turn-around should be built on the south side of the stake. It was noted that snow removal will only be done to the turn-around. The road beyond this point has to be brought up to county specs before the county will maintain it.

**MONTEZUMA COUNTY AUDIT REPORT:** **Kuenzler, Boysen & Gibosn, P.C.** representative **Lane Gibson** presented the "Montezuma County, CO, General Purpose Financial Statements For The Year Ended December 21, 1999" for review. The report and proposed changes in preparing future audits for governmental entities were discussed. Mr. Gibson's son **Stephen Gibson**, was present to do a report on the commissioners meeting in regard to his Boy Scout merit badge "Citizen for the Community" project.

**MESA VERDE MUSEUM ASSOCIATION, INC.** representative **Rovilla Ellis** asked the Board to support and sign an application for grant monies from the Colorado Historical Society. The monies would help fund the "Mesa Verde Centennial Project." Comm Lindsay moved to support and sign the application, seconded by Comm Wilson and carried.

**HEALTH DEPARTMENT** Director **Lori Cooper** gave an update on grants that have been applied for and on-going programs. She stated there is a need for more funding for the car seat program. Adm Weaver will check on availability for funding.

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

**HERNANDEZ SUBDIVISION:** Comm Wilson moved to approve and sign the final plat for the Hernandez Subdivision, seconded by Comm Lindsay and carried.

**PLANNING** Manager **Karen Welch** stated that the Planning Commission (1) denied approval for a proposed subdivision (Etnier), and (2) recommended approval for the application of a High Impact Permit for a proposed golf course (**Bruce Maness**) - the Public Hearing date was set for Monday, October 18, 1999. **Loretta Murphy** was present.

**ANASAZI HERITAGE CENTER** representatives **Victoria Atkins and Suzan Craig** asked the Board to support and sign an application for grant monies from the Colorado Historical Society. The grant would fund the "Escalante Pueblo Educational Curricula" project. Comm Wilson moved to support and sign the application, seconded by Comm Story and carried.

**SOUTHWEST COLORADO VOLUNTEER CULTURAL SITE STEWARDING PROGRAM** representative **Brad Finch** asked the Board to support and sign an application for grant monies from the Colorado Historical Society. The grant would be used to fund the "Cultural Site and Monitor Program." Comm Lindsay moved to support and sign the application, seconded by Comm Wilson and carried. The request was discussed and it was determined that this application should be considered as a No. 1 priority project. A letter, for attachment to the application, will be written affirming this priority. **Mike Preston** was present.

**ADJOURNED** at 3:30 p.m.

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Deputy Clerk  
September 27, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**OCTOBER 4, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 4, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, September 27, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**TREASURER'S** report for September 1999 was received.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-23-99 to the Treasurer to pay \$1,047.86 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**E-911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue Order Number 0-24-99 to the Treasurer to pay \$18,864.94 (balance of 1999 Reimbursement for E-911 equipment lease/purchase agreement - Dispatch) from the ETA-911 account to the City of Cortez (see attached). The motion was seconded by Comm Wilson and carried.

**PAYROLL:** General fund payroll in the amount of \$171,553.31, District Attorney warrant #32960 in the amount of \$13,216.78, Treasurer warrant #32963 in the amount of \$124,074.44; Road fund payroll in the amount of \$55,979.32, Treasurer warrant #12728 in the amount of \$43,901.00; and, Landfill fund payroll in the amount of \$9,533.43, Treasurer warrant #1796 in the amount of \$5,896.99 were approved for payment.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on department activities: (a) CR 15 - sand-rocking, (b) CR 37 - finished turn-around, (c) CR N - cleaning barrow ditches, and (d) Stapleton Bridge - rip-rapping, taking out sand bar. Reported that road off of CR W to Hindmarsh gravel pit has been roughed in and it looks good. Discussed an offer - trade items to the road department for one I-beam (Ken Stocks) - affirmed. Foreman **Jay Palmer** mentioned (1) being approached about a change on CR F (airport) - no action was taken, and (2) problem with siphon on CR N - contact Bud Roach.

**LA PALOMA RIDGE MODERATE SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the La Paloma Ridge Moderate Subdivision (Ron and Jill Battle and Ron and Pam Doss), seconded by Comm Wilson and carried.

**PLANNING:** Planning Manager **Karen Welch** presented a planning resolution **P-30-99E**, whereas **Albert G. and Dolores J. Mahaffey**, owners of 519 acres, would be granted an exemption to the subdivision regulations to record an exemption for 4.17 acres in Section 6, T.37N., R.17W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented a planning resolution **P-31-99E**, whereas **Dan R. and Brenda K. Daves**, owners of 333.3 acres, would be granted an exemption to the subdivision regulations to record an exemption for 5 acres, with .66 acres in county roads in Section 3, T.38N., R.17W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented a planning resolution **P-32-99E**, whereas **William C. and Berniece E. Duncan, Trustees, Duncan Family Trust**, owners of 239.5 acres, would be granted an exemption to the subdivision regulations to record an exemption for 5 acres in Tract 57, T.37N., R.27W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried.

**LANDOWNERS** **Donald and Gaylene Etnier** and Attorney **Rick Beisel** met about the Planning Commission's recommendation for denial for their proposed major subdivision, on September 23, 1999. No action was taken.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented two contracts for review. Comm Wilson moved to sign the Colorado Action For Healthy People (CAHP) grant agreement/contract #HHABZ-99TR-111 (healthy habits), seconded by Comm Lindsay and carried. Comm Wilson moved to sign the Colorado Action For Healthy People (CAHP) grant agreement/contract #AWM-99TR-105, for osteoporosis testing in connection with the adult wellness maintenance project, seconded by Comm Lindsay and carried.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** gave an update on ACED concerns.

**WEED CONTROL PROGRAM** Manager **Ron Lanier** and La Plata County weed control representative **Rod Cook** presented a proposal for a new weed control law with the option of local control and, if necessary, the adoption of impact fees for weed management. They asked for a support letter. This was affirmed - Manager Ron Lanier will draft the letter. Manager Lanier stated that the Weed Committee supports the proposal. **Kenny Smith** was present.

**ADJOURNED** at 12:00 noon.

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Deputy Clerk  
October 4, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**OCTOBER 18, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 18, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, October 4, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**CLERK'S** report for September 1999 was received.

**GENERAL FUND ORDER:** Comm Wilson made a motion to direct the Clerk to issue **Order Number 0-25-99** to the Treasurer to transfer \$88,243.00 from the General fund to the Social Services fund - 3<sup>rd</sup> quarter HCBS (see attached). The motion was seconded by Comm Story and carried.

**GARDNER GRAVEL PIT LEASE:** **Lavena Saunders** (representing herself and her two sisters) met to discuss their Gardner gravel pit lease with Montezuma County. She asked if the Board would waive the clause which only allowed a request for an increase every 2 years (on the anniversary date) and if this is waived to grant a royalty increase of 15 cents a yard (50 to 65 cents). The lease was reviewed. Comm Wilson moved to waive the 2 year restriction and raise the royalty to 65 cents a yard effective November 1, 1999, seconded by Comm Story and carried. Discussed moving the cattleguard.

**WEED PROGRAM** Manager **Ron Lanier** reported that after meetings about changing the weed control law, it was the consensus that the submission of a support letter be postponed until after the first of next year.

**ROAD DEPARTMENT** Foreman **Don Yeomans** reported on department activities: (a) remodeling the county shop, (b) crushing at Gardner gravel pit, and (c) personnel (new personnel and different pay scale proposal). Discussed: (1) trade -- use of Mesa Verde National Park paint machine for county gravel, and (2) co-op -- formation of a co-op between gravel company, residents, and county to widen CR 37. Reported CR 25 drainage problem has been checked and will be corrected.

**BOARD OF SOCIAL SERVICES** was conducted.

**PUBLIC HEARING - LODGE OF DOLORES, LLC:** It being the time set aside, a Public Hearing was conducted for the consideration for a hotel restaurant liquor license to sell malt, vinous and spirituous liquors for the Lodge of Dolores, LLC establishment. The roll was called and the proof of publication was read. Present were Deputy **Betty Davis**, owners **Harry and Sandra Cole** and Sheriff Department Investigator **Russel Paxton**. Deputy Davis presented the application for the license and noted that the approved fingerprint report has been received. The polling was done by the Coles within the set radius of ½ mile. Seven (7) residents were polled. The following questions were asked: (1) Do you feel there is a need for this license? and (2) Do you want this license issued? The survey showed 7 affirmative and 0 against for both questions. Investigator Paxton presented Investigator Boggs' (who was ill) report on the investigation done on the Cole's financial and character background, and the proximity of schools, churches. Like businesses were noted and he stated that the establishment was physically inspected. There was no public comment. Comm Wilson moved to approve the application for a hotel restaurant liquor license for the **Lodge of Dolores, LLC**, seconded by Comm Story and carried. The proceedings were taped for the record.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-33-99E**, whereas **Gordon H. and Jeanna F. Kuhlman**, owners of 145 acres, would be granted an exemption to the subdivision regulations to record an exemption for 3.99 acres in Section 25, T.39N., R.14W. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-34-99E**, whereas **Janine Beatrice Seelig**, owner of 75.3 acres would be granted an exemption to the subdivision to record an exemption for 13.38 acres in Section 20, T.39N., R.17W. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-35-99E After-the-Fact**, whereas **Frank W. Boston**, owner of 6.999 acres would be granted an exemption to the subdivision regulations to record an after-the-fact exemption in Section 36, T.37N., R.15W. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-36-99E**, whereas **Daniel V. Varonne**, owner of 40 acres would be granted an exemption to the subdivision regulations to record an exemption for 3.73 acres in Section 34, also known as Tract 3 of the Searle Property survey dated December 1972, T.36N., R.15W. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-37-99E**, whereas **Ragland & Sons Logging, Inc.**, owners of 157 acres, would be granted an exemption to the subdivision regulations to trade a 2.08 acre tract with **Burns Land and Cattle Company**, owner of 32.89 acres and would like to trade 2.07 acres with Ragland & Sons Logging, Inc. Said properties are located in Montezuma County, Colorado, and are not considered separate tracts for sale and will be adjoined to each landowners remaining acreage (see attached). Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. Presented a planning resolution **P-31-98 Amended**, whereas P-31-98 (**Gladys Watkins**) was adopted on the 23<sup>rd</sup> day of November 1998 and it becomes necessary to amend the exemption in Section 1, T.34N., R.17W. The legal description was incorrect on the survey submitted for the exemption plat. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. A verbal request from **Betty Tucker** for an exemption to the subdivision regulations to split a 3 to 5 acre tract from 160 acres was tentatively approved. A verbal request from **Ted Neergaard** for an exemption to the subdivision regulations to split a 10 acre tract from 378 acres was tentatively approved. **Letter Permit #36** for an equestrian (horse) training center, arena and 30 RV hookups (not public facility) for use on approximately ten acres for 6 months a year (**Savannah Partners**) was noted. Discussed possible application fee for High Impact Permits. Actual cost will be compiled. No action was taken.

**LANDFILL** Manager **Deb Barton** presented "Montezuma County Landfill, Profit and Loss Statement for 1998 versus 1999 as of September 30, 1999" for review. She reported on personnel changes and activities at the landfill.

**SHERIFF DEPARTMENT:** Undersheriff **Sam Hager** presented approval of the Troops to COPS grant which will be used for equipment. Grant papers were signed. Law Enforcement Assistance Fund (LEAF) contract L-17-00 and Resolution No. 6-99 approving the term, conditions and obligations of the LEAF Contract and authorizing the appropriate authority to sign the contract on behalf of the County of Montezuma were presented. Comm Wilson moved to sign **Resolution No. 6-99** and the **LEAF** Contract, seconded by Comm Story and carried.

**COLORADO DEPARTMENT OF TRANSPORTATION (CDOT)** representative **Darrel Lowder** gave an update on the M&M Truck Stop intersection project. Discussed: (1) **Steve and Sheryl Blair's** property problem; another meeting will be scheduled to discuss the problem with all the parties; and (2) signage for jake brake noise; Mr. Lowder will check to see if there are any statutes pertaining to this issue and relay this information to Adm Weaver.

**FAIR BOARD APPOINTMENTS:** Applications for five vacancies on the Fair Board were reviewed. Fair Board Representative **Dave Manning** and **Ron Kimmi** were present. Comm Wilson made a motion to appoint the following persons: 4 year term - **Dale McFarland** and **Rob Yates**; 1 year term - **Ron Kimmi** and **Joanne Goode**; alternate - **Robert Goffinett**. The motion was seconded by Comm Story and carried.

**PUBLIC HEARING - PROPOSED HIGH IMPACT PERMIT - GOLF COURSE (BRUCE MANESS):** It being the time set aside, a Public Hearing was conducted to consider a High Impact Permit with respect to Bruce Maness' (Maness Family Farm) proposed 10-hole golf course on 48 acres, more or less, at 25500 Road H, Cortez, Colorado. The length of construction time is approximately 10 years. The roll was called and the Public Hearing Notice was read. **Bruce Maness** and Planning Manager **Karen Welch** were present. Information on the proposed golf course was presented and discussed. The application for the permit has been presented to the Planning Commission and they recommended approval. There was no comment from the public. Comm Wilson moved to approve the **Maness Golf Course, High Impact Permit No. 34**, seconded by Comm Story and carried. These proceedings were taped for the record.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** presented a draft letter concerning the ACEC concerns for review. The letter was reviewed and after changes were made was signed.

**PRESS CONFERENCE - PROPOSED JAIL:** Cortez Journal reporter **Gail Binkly** and Dolores Star reporter **Shirley Dennison** interviewed the Board about the proposed new jail and community corrections facilities.

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

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Deputy Clerk  
October 18, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**OCTOBER 25, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 25, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, October 18, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on department activities: (a) gravelling CR N, (b) CR W update, and (c) working on paint schedule. Discussed: (1) will attend Forest Service auction in Delta, CO., and (2) need to stockpile gravel (with dirt) for landfill use.

**MONTEZUMA COUNTY ECONOMIC DEVELOPMENT COUNCIL (MCEDC):** New Director **Bill Argo** introduced himself to the Board. Future MCEDC goals were discussed. **Glenn Leighton** was present.

**M&M TRUCK STOP INTERSECTION PROJECT:** Adjacent landowners **Steve and Sheryl Blair** met to discuss the problems with their property, which they feel is a result of the CDOT project. After discussion, they were encouraged to seek legal counsel. The Blairs also mentioned they would like to have signage installed that would restrict trucks from using their jake brakes in the area and that CR G.1 (1/4 mile) needs to be re-graveled due to the increased truck traffic. No action was taken.

**FAIRGROUNDS** representative **Destri Lockhart** met to discuss present fees at the fairgrounds.

**OFFICE OF COMMUNITY SERVICE:** **Mike Preston** gave updated information on the ACEC concerns.

**ADJOURNED** at 12:00 noon.

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Deputy Clerk  
October 25, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**NOVEMBER 1, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 1, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, October 25, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**911 AUTHORITY BOARD ORDER:** Comm Wilson made a motion to direct the Clerk to issue **Order Number 0-26-99** to the Treasurer to pay \$1,047.86 from the 911 Account to U.S. West Communications, Denver, CO 80244-0001. The motion was seconded by Comm Story and carried.

**GENERAL FUND ORDER:** Comm Wilson made a motion to direct the Clerk to issue **Order Number 0-27-99** to the Treasurer to transfer \$3,000.00 from the General Fund to the Road and Bridge Fund (deposited in the wrong account). The motion was seconded by Comm Story and carried.

**PAYROLL:** General fund payroll in the amount of \$169,266.04, Treasurer warrant #33136 in the amount of \$124,225.97, District Attorney warrant #33137 in the amount of \$14,514.77; Road fund payroll in the amount of \$55,332.93, Treasurer warrant #12817 in the amount of \$42,997.52; and Landfill fund payroll in the amount of \$8,629.92, Treasurer warrant #1841 in the amount of \$5,584.67 were approved for payment.

**ROAD DEPARTMENT** Foreman **Jay Palmer** reported on department activities: (a) CR 25 dusty - will continue to control the dust, (b) Mancos area - putting up snow fence, (c) CR W - working on, (d) Cortez Shop - painting, (e) CR 26 to CR N - gravelling, (f) CR J Bridge - checking on detour to use while replacing, and (g) Eagle Nest Subdivision - checking on road work. Discussed: CR 20 north of CR S - culvert plugging up - will check, and roads are rough and dry.

**DISTRICT COURT (DENVER) ORDER:** Comm Wilson moved to authorize the filing of appropriate action to continue the appeal of the 1999 order pertaining to the Board of Equalization possessory interest case, seconded by Comm Story and carried.

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

**FAIRGROUNDS:** Fairground Manager **Daryl Buffington, Destri Lockhart, Carla Harper**, and approximately 23 interested persons (see attached list) representing several different horsemen organizations, and other users of the fairgrounds met with the Board. The proposed changes for the fairground user fees were discussed. A suggestion was made to form a committee to compile a list of needs (permanent stalls, etc.). This was affirmed, with **John McHenry** as monitor. County personnel will prepare another proposed user fee schedule, which will better show the comparisons between the present and proposed fees. Action was tabled until November 22, 1999, at 10:00 a.m. At that time, the list of proposed needs and the revised proposed user fee schedule will be discussed.

**DISTRICT ATTORNEY Mike Green** met to discuss his proposed budget issues for 2000. No action was taken.

**AREA OF CRITICAL ENVIRONMENTAL CONCERNS (ACEC):** A telephone conference was held between State Department of Natural Resources Director **Greg Walcher, Mike Preston** and the **Board** to discuss the ACEC issue. It was noted that the State is willing to facilitate a meeting with the Department of Interior Secretary Bruce Babbitt, congressional representatives, and other interested entities, if Secretary Babbitt agrees to such a meeting.

**AREA AGENCY ON AGING (AAA)** Director **Bud Albright** introduced himself to the Board. He explained the re-organization of AAA and funding. He presented copies of the contract between the AAA and Montezuma County for review. No action was taken.

**FOUR CORNERS TRAIL CLUB** representative **Dale Slavens** met to request a letter of support for a Colorado State Parks' grant (off-highway vehicle). The monies would be used to re-gravel some of the trails. This was affirmed.

**PLANNING:** **Loretta Murphy** presented a verbal request from **Werner and Carol Duecker, Eric and Karla Putnam and Herb L. Williams** to abandon a section of non-maintained CR 19 north of CR DD. A Public Hearing was set for November 22, 1999, at 9:30 a.m.

**ABATEMENT:** Assessor **Bob Cruzan** being present, a petition for abatement of property tax was presented for **Apex Construction Co (Howard Boff)**, erroneous assessment, \$12,813.90, 1998. **J.T. and Joy Wilkerson** were present. Assessor Cruzan recommended approval. Comm Wilson moved to approve this petition, seconded by Comm Story and carried. The roll was called and the proceedings were taped for the record.

**SALE OF COUNTY PROPERTY:** Comm Wilson made a motion to stop the transaction involving a 1994 Ford (see attached Exhibit A for description), and to request the return of said vehicle to the County until it is properly sold at a public auction. The motion was seconded by Comm Story and carried.

**ADJOURNED** at 12:15 p.m.

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Deputy Clerk  
November 1, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**NOVEMBER 8, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 8, 1999, at the courthouse in Cortez, Colorado, there were present:

E. Eugene Story, Chairman  
Glenn E. "Kelly" Wilson, Jr., 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 regular meeting held on Monday, November 1, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**TREASURER'S** report for October 1999 was received.

**ROAD DEPARTMENT:** **Lloyd Everett** reported on department activities: (a) working on --- remodeling the Cortez Shop, CR W, and Mancos bridge and (b) gravelling CR N. Discussed: (a) State Highway stop sign problem at CR N and Hwy 145 - will contact concerned resident, and (b) rough road complaints about CR 28 and CR 25 - need moisture.

**LANDFILL** Manager **Debby Barton** presented the "Profit & Loss Statement for 1998 versus 1999 for October 1999," landfill staff meeting minutes, and digital photos of how the landfill area will look in the future. Discussed equipment repairs and ways to increase tonnage.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-38-99E**, whereas **Ted R. and Connie M. Neergaard**, owners of 378 acres, would be granted an exemption to the subdivision regulations to record an exemption for 10.718 acres in Section 3, T.35N., R.14W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. Presented a planning resolution **P-39-99E**, whereas **Kevin Boss and Tammy Lea Wright**, owners of 320 acres, would be granted an exemption to the subdivision regulations to record an exemption for 3.09 acres in Section 8, T.35N., R.16W. Comm Wilson moved to adopt this resolution, seconded by Comm Lindsay and carried. **Loretta Murphy** was present. Other planning issues were discussed.

**AREA OF CRITICAL ENVIRONMENTAL CONCERNS (ACEC):** **Mike Preston** gave updates throughout the day on considerations to county correspondence about ACEC concerns.

**PLANNED PARENTHOOD:** Cortez Clinic Manager **Paddy McSherry** presented a request for a general operating grant of \$3,000 for fiscal year 2000. She explained the organization's programs and funding. No action was taken. The request will be considered when the 2000 budget meetings are held.

**LANDOWNERS** **Rita Pock and Gala Pock** met to discuss a locked gate and denied access on a section of road beyond the end of CR CC. After discussion, the Board asked if they could attend this week's road department meeting on Wednesday to address these issues. They stated they would. They asked what is required to have county maintenance on an unimproved county road. They were told that the county will supply the gravel and maintain it, if the road is brought up to county specs.

**COMM Lindsay** left at 12:00 noon.

**EMERGENCY CHRISTIAN SHELTER:** President of the Board **Blake Cahill, and Fred and Nancy Thomas** presented information and gave a summary of the shelter's last winter program. They asked for funding to continue the program. They stated they do not want to duplicate services, but feel the need to keep the shelter open until the Community Correction facility is in place. They were invited to attend a meeting which will be scheduled with all the entities that have concerns about the needs of the community in connection with the Community Correction facility. The request for funding was tabled.

**LIQUOR LICENSE:** Deputy Clerk **Betty Davis** presented an application submitted by the **Pinon Project** (a non-profit organization) for a \$25.00 fee (liquor) "Special Events Permit." The event will be held at the Four Seasons Greenhouse and Nursery on December 2, 1999. Comm Wilson moved to approve the application, seconded by Comm Story and carried. \*\*\*\*\*Later in the day, Deputy Davis informed Deputy Clerk Jenkins that the application has to be posted on the property for 10 days; therefore, the motion for approval will need to be rescinded and the application considered at a later time.

**CLERK'S OFFICE:** Sales/Use Tax certification was discussed. Deputy Clerk Betty Davis stated that the Clerk's office will send voter certification by November 15, 1999, to the Colorado Department of Revenue.

**SHERIFF Joey Chavez** stated that the sale of a 1994 Ford has been voided and the vehicle will be re-advertised. Undersheriff **Sam Hager** was present. Discussed the budget and the new jail/community corrections facilities.

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

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Deputy Clerk  
November 8, 1999

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Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**NOVEMBER 15, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 15, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, November 8, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**SHERIFF'S** report for October 1999 was received.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on department activities: (a) CR W - cutting brush and working with landowners for easements to widen and straighten the road --- Board affirmed trade out with one landowner (waive road permit fee for easement); (b) CR N - working on; (c) planning to start work on bridge; and (d) catching up on other projects. Discussed: (1) Gardner Gravel pit lease owners, Lavena Saunders and her two sisters' request to amend their gravel lease with the county (see October 18, 1999 minutes) to include wordage that the county provide them with 8 to 10 loads of gravel each year for personal use - affirmed. (2) Water run-off problem created by too small of a culvert on CR 20 (Merritt property) - will replace culvert with a larger one. (3) Gravel pits. (4) CDOT statement that Jake brake signage is allowed on State Highways - will check on. (5) Sign problem on CR N and Hwy 145 - still working on.

**LEWIS ARRIOLA COMMUNITY CENTER** representatives **Bill Lancaster, David O'Brien and Charles Newby** gave an update on construction of the center. They made a request for lottery funds to help complete the interior. The request for funding was tabled.

**CANINE SEARCH AND RESCUE'S** request, presented by Comm Lindsay, for emergency funding to help replace a vehicle was tabled until budget issues are discussed.

**BOARD OF SOCIAL SERVICES** was conducted.

**SANITATION DEPARTMENT** Manager **Mick Periman** asked for clarification on the rules and regulations for sanitation systems allowed on parcels created before 1972 which are smaller than three acres. After discussion, the Board asked Manager Periman to submit, for review in the next week or two, a proposed policy to address this issue. Planning Manager **Karen Welch and Loretta Murphy** were present.

**PLANNING** Manager **Karen Welch** noted that a "Letter Permit #37" from **Muscanell Millworks, Inc.**, an existing business, was received. **Loretta Murphy** was present.

**FOUR CORNERS TRAIL CLUB** representative **Dale Slavens** presented a support letter for review and signature. Comm Lindsay moved to sign the support letter for a Colorado State Parks grant, seconded by Comm Wilson and carried.

**REDSTONE LAND COMPANY - CEDAR MESA RANCHES SUBDIVISION:** Comm Wilson moved to deny the request made in the Redstone Land Company's letter dated November 9, 1999 (see attached), seconded by Comm Lindsay and carried.

**EMERGENCY CHRISTIAN SHELTER:** President **Blake Cahill and Fred Thomas** met to discuss ways to obtain funding for the shelter. It was noted that they should directly contact the United Way organization with any request for funding from them. No action will be taken on their request for county help, until the 2000 budget meetings. It was reiterated that a meeting will be scheduled to address the concerns about the needs of the community in connection with the Community Corrections facility.

**COMM Lindsay** left at 12:00 noon.

**2000 BUDGET:** Finance Officer **Mary Ann Sanders** and the following Department Heads, et al met with the Board to discuss proposed 2000 budgets: Senior Nutrition: **Sue Fletcher and Mary Holaday**; Treasurer: **Bobbie Spore**; Extension: **Jan Sennhenn**; Sheriff: **Joey Chavez and Sam Hager**; Health: **Lori Cooper**; Assessor: **Bob Cruzan**; and Clerk: **Evie Ritthaler**. Other budgets - District Attorney, fairgrounds etc. were also discussed.

**CLERK'S OFFICE:** Deputy Betty Davis reported (via telephone) that Corky Lopez has confirmed by telephone that the certified copies of Resolution No. 5-99 and the abstract of election were received by the Colorado Department of Revenue on Monday, November 15, 1999.

**AREA OF CRITICAL ENVIRONMENTAL CONCERNS (ACEC):** **Mike Preston** presented an update on developments concerning the ACEC issue.

**ADJOURNED.**

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Deputy Clerk  
November 15, 1999

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**NOVEMBER 22, 1999**

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 22, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, November 15, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**LIQUOR LICENSE:** Deputy Clerk **Betty Davis** presented again an application submitted by the **Pinon Project** (a non-profit organization) for a \$25.00 fee (liquor) "Special Events Permit." The event will be held at the Four Seasons Greenhouse and Nursery on December 2, 1999. The motion made on November 8, 1999 was not applicable since the property had to be posted a required 10 days. This has been done. Comm Lindsay moved to approve the application, seconded by Comm Wilson and carried.

**LANDFILL** Manager **Deb Barton** introduced her husband and sons to the Board.

**SHERIFF Joey Chavez** reported that the fire ban he activated last week has been suspended, due to moisture in the area.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported on department activities: (a) doing maintenance on snow removal equipment; and (b) starting work on CR J bridge. Discussed: (1) a section of Road 19; and (2) CR W easements.

**PUBLIC HEARING:** It being the time set aside, a Public Hearing was conducted for the consideration on the proposed abandonment of Road 19, located in Section 26, T.359N., R.17W. This portion of Road 19 is approximately one and one half miles long and north of CR DD. The roll was called and the proof of publication was read. Road Department Foreman **Jim Becher** stated that this section of road is bladed once or twice a year. **Herb Williams**, subdivision developer who requested the abandonment, gave his reasons for his request - width, costs, etc. for a county spec road. Historical use of the section was discussed. Letters against the abandonment from Goldie Dalton and Jerry Koskie were noted. Comm Story asked for any public comments. **Robert Meinrod, Howard Hughes, Jerry Koskie, Gayel Alexander and others** that they were representing all stated they were against the request by Mr. Williams. **Karen Welch and Loretta Murphy** were present. Comm Lindsay moved to deny the request for abandonment of this portion of Road 19, seconded by Comm Wilson and carried. The proceedings were taped for the record.

**PLANNING** Manager **Karen Welch** presented a verbal request from **Charles Porter, Jr.** for an exemption to the subdivision regulations to split 26 acres from 111 acres. The request was tentatively approved. A verbal request from **Larry and Joy Keeling** for an exemption to the subdivision regulations to split from 57 acres a 10 acre parcel to sell to Victor Vanik was tentatively approved. **Loretta Murphy** was present.

**SHEARSTON MINOR SUBDIVISION - AMENDED PLAT:** Comm Lindsay moved to approve and sign the amend Shearston Minor Subdivision plat, seconded by Comm Wilson and carried.

**FAIRGROUNDS:** Fairground Manager **Daryl Buffington, Destri Lockhart, Carla Harper,** and approximately 46 interested persons (see attached list) representing the Fairgrounds Advisory Board, several different horsemen organizations, adult and youth organizations and other users of the fairgrounds met with the Board. A revised proposed user fee schedule was presented and discussed. A letter from the recently formed committee (see November 1 minutes) stating a list of needs was presented. After discussion, action was tabled. The Board asked that, in the near future, a final user fee schedule for next year and criteria stating the future goals be prepared and presented to the Board for consideration. It was affirmed that a committee - monitored by John McHenry, the Fairgrounds Advisory Board, Adm Weaver, Manager Buffington and Destri Lockhart will meet together to compile the fee schedule and criteria for goals.

**REALTORS Terry McCabe, Carol Stepe, Deborah Yearout, Ken Williamson, Ted Saunders, John Paquin, Stan Pierce, Jerald Cauley and Carol Click** met for clarification on allowed septic systems in the county. They were told that Sanitation Manager Mick Periman is preparing a regulation policy that will require an engineer's stamped approved septic system for any platted tract less than three acres, including any existing systems - on tracts less than three acres - when they fail. It was noted that Manager Periman will continue to issue the appropriate permits. The Board of Realtors will be notified when the new policy is adopted.

**AABC YOUTH BASEBALL (FORMERLY MOTELORES BABE RUTH)** representative **Regina Williams** made a request for lottery funds. Comm Wilson made a motion to give \$2,500.00 to the AABC Youth Baseball program for 2000. The motion was seconded by Comm Lindsay and carried. Discussed the need for more baseball fields.

**AREA OF CRITICAL ENVIRONMENTAL CONCERNS (ACEC):** **Mike Preston** presented an article from the Durango Herald paper about the visit by the Secretary of the Interior Bruce Babbitt to several areas in Montezuma County in regard to the ACEC issue.

**ADJOURNED** at 12:30 p.m. for lunch and a tour of the Towaoc Jail.

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Deputy Clerk  
November 22, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**DECEMBER 6, 1999**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 6, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, November 22, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

**911 AUTHORITY BOARD ORDER:** Comm Wilson made a motion to direct the Clerk to issue **Order Number 0-28-99** to the Treasurer to pay \$1,047.36 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 in the amount of \$172,052.86, Treasurer warrant #33301 in the amount of \$126,243.82, District Attorney warrant #33302 in the amount of \$14,664.19; Road fund payroll in the amount of \$53,405.16, Treasurer warrant #12909 in the amount of \$42,430.25; and, Landfill fund in the amount of \$10,642.15, Treasurer warrant #1878 in the amount of \$6,198.65 were approved for payment.

**ROAD DEPARTMENT** Foreman **Don Yeomans** discussed a problem with collecting payment from U.S. West for a high impact after-the-fact permit (Weber Canyon Road - line plowed into some places in the middle of the road). Adm Weaver will contact U.S. West representatives. Foreman **Jim Becher** reported on department activities: (a) blading (very dry), and (2) culvert installed at Merritt property on CR 20 - gravel needs to settle. Discussed: The problem of non-maintained roads not being brought up to county specs, in a timely manner, after requests from landowners for sandstone from the county have been fulfilled. It was noted that the county will not maintain any roads until they are brought up to county specs.

**SENIOR NUTRITION** Manager **Sue Fletcher** and **Mary Holaday** met to review and discuss the San Juan Basin Area Agency on Aging (AAA) 4-year contract for 1999-2002. Comm Wilson moved to sign the AAA (Title III - B (transportation) and C (nutrition program) contract, seconded by Comm Story and carried. Annex fees were discussed. Fee adjustments were tabled until a report on costs for maintenance, usage, etc. for several years is compiled and presented to the Board.

**FAIRGROUND SPEEDWAY RACE TRACK** representative **Dennis Beaty** presented a speedway proposal letter and the 2000 race schedule (see attached).

**REGION 9** representatives **Marsha Porter-Norton**, **Ed Morlan**, **Dave Eppich** and MCEDC Director **Bill Argo** met with the Board. Ms. Porter-Norton presented information and update on the Comprehensive Economic Development Strategy (CEDS) program. The program was discussed. Director Morlan presented a memorandum which included (1) update on SW Colorado Telecommunications Development, (2) draft "Intergovernmental Agreement for H.B. 99-1102 Beanpole Implementation Funding" and (3) Telecommunication Consumer Consortium Statement of Interest - Montezuma County. These items were discussed. Comm Wilson moved to make a membership contribution in the amount of \$752.88 (see attached) as a statement of interest to apply for funding under Private Public Telecommunications Coordination Bill (H.B. 99-1102), seconded by Comm Story and carried. Lyle Bilberry was appointed to the Region 9 telecommunications steering committee.

**SANITATION** Manager **Mick Periman** gave an update on sanitation problem areas in the county (Vista Verde, Lakeside, etc.). Discussed sanitation issues in regard to the need for a policy to address allowed septic systems. Resident **Don Allen** mentioned a possible problem with his septic permit on 2.03 acres which has multiple dwellings. Action was tabled - will do an on-site inspection at noon today. After discussion, it was determined that a meeting will be scheduled, in the near future, between the county, interested entities and engineers for input on a sanitation policy. Planning Manager **Karen Welch, Loretta Murphy** and **Joe Baker** were present.

**DIVISION OF WILDLIFE (DOW)** representative **Scott Wait** gave an update on the lynx reintroduction project. Discussed endangered species listing and other DOW issues - hunting management, etc. **Mike Preston** and **Carla Harper** were present.

**SHERIFF Joey Chavez** presented an application for grant monies from the Colorado Department of Public Safety (CDPS) for review and signature. Comm Wilson moved to sign the application for grant monies from the CDPS to assist with the construction of the Montezuma County Detention Facility, seconded by Comm Story and carried.

**BOARD OF EQUALIZATION - COURT OF APPEALS:** Assessor's office Chief Appraiser **Mary Zummuch** and Appraiser **Scott Davis** presented Assessor Bob Cruzan's recommendation to accept the offer from **Front-Row Seat** owner, **Gerald Stansbury** to settle the case in the court of appeals. **Gerald Stansbury, Tammy Stansbury** and Attorney **Tim Tuthill** were present. Comm Wilson moved to accept the offer of \$500,000.00 for 1997 property value, with no affect on subsequent years, seconded by Comm Story and carried.

**CLERK'S OFFICE:** Deputy Clerk **Betty Davis** presented information on notifying vendors about the application of the .45% county sales tax. Clerk **Evie Ritthaler** discussed the purchase of another computer to be used for elections; the present computer is unable to accept upgrades.

**BOARD OF SOCIAL SERVICES:** Comm Wilson made a motion to sign the Dolores/Montezuma County Social Services Reimbursement Agreement (see attached). The motion was seconded by Comm Story and carried.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-22-93 Third Amendment**, whereas resolution P-22-99 was adopted on the 19<sup>th</sup> day of April 1993, amended on July 19, 1999, amended a second time on August 2, 1999, and it becomes necessary to amend the exemption a third time. The respective landowner (Fisher) had intended that the parcel boundary line follow the roadway. Comm Wilson moved to adopt this resolution, seconded by Comm Story and carried. Discussed scheduling for upcoming LIZ meetings. **Mike Preston** was present.

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

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Deputy Clerk  
December 6, 1999

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**DECEMBER 13, 1999**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 13, 1999, at the courthouse in Cortez, Colorado, there were present:

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

**MINUTES** of the regular meeting held on Monday, December 6, 1999, were read. Comm Wilson moved to approve these minutes, seconded by Comm Lindsay and carried.

**FAIRGROUNDS** Manager **Daryl Buffington** gave need for and cost information on replacing the old bucket truck. They have located a used manned bucket for \$11,500.00 (after trade-in). Use will continue to be shared by the fairgrounds, landfill and road departments. Comm Lindsay moved to purchase the bucket with lottery funds, seconded by Comm Wilson and carried. Discussed fee rates and comparisons with other like facilities. Fee for archery club members was discussed and will be mentioned in an upcoming meeting.

**LANDFILL** Manager **Debby Barton** presented (a) "Montezuma County Landfill Profit and Loss Statement for 1998 versus 1999 as of November 1999," (b) proposed rate changes for year 2000 to be implemented February 1, 2000, - newspapers will be notified when the changes are finalized, and (c) "Comparison Survey of Other Counties' Rural Landfills." Manager Barton introduced **Transit Waste** representatives **Jim Ranson, Tony Herrera, and Ellie LaLonde**. Manager Ranson gave a brief background on their company and stated they will be touring the Montezuma County Landfill facility later in the morning.

**SOUTHWEST MEMORIAL HOSPITAL:** Administrator **Bob Peterson** and Chief of Operations **George Brisson** presented Southwest Memorial Hospital "Balance Sheet" and Monthly Operating Report for the Third Quarter Period Ended September 30, 1999 and 1998." The reports were discussed.

**PLANNING** Manager **Karen Welch** presented a proposal to charge a fee for High Impact Permits. Information and administration costs for previous permits were presented and discussed. Manager Welch recommended that a fee of \$150.00 plus costs (any expense over that amount) be charged. Comm Lindsay moved to charge a fee of \$150.00, plus costs, for High Impact Permits, effective January 1, 2000, seconded by Comm Wilson and carried.

**BOARD OF SOCIAL SERVICES** was conducted.

**FIBER OPTICS:** **Lyle Bilberry** met to discuss any questions the Board might have concerning information presented last week by Region 9 representative Ed Morlan "Intergovernmental Agreement for H.B. 99-1102 Beanpole Implementation Funding." He stated that Archuleta is the lead county for the "Beanpole" project. Other items discussed: septic - working on soil maps, and road and driveway inventory Phase I - completed.

**LANDOWNER Corey Veach** stated that he lives about a mile from the new Wal Mart store, which is in the City limits. He and other residents of the area have concerns about the brightness of parking lot lights. He was advised to visit with City of Cortez Mayor Joe Keck and keep the Board updated on any action/non-action.

**SENATOR** Allard's aide, **Shane Henry** invited the Board to an upcoming Town Hall meeting with Senator Allard at the M&M Truck Stop scheduled for January 5, 2000. ACEC issue was discussed.

**PUBLIC HEARING - AMENDED BUDGET 1999:** It being the time set aside, a Public Hearing was conducted regarding the amended budget for 1999. 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. Social Services Director **Dennis Story and Kathy Talcott** were present. There being no protest against the proposed amended budget, a motion was made by Comm Lindsay to adopt **Resolution #7-99**, authorizing the Supplemental Budget and Appropriation. The motion was seconded by Comm Wilson and carried. These proceedings were taped for the record.

**PUBLIC HEARING - 2000 BUDGET:** It being the time set aside, a Public Hearing was held in regard to the proposed 2000 budget. The roll was called and the proof of publication was read. The proposed budget was presented by Budget Officer **Tom Weaver**. Social Services Director **Dennis Story and Kathy Talcott** were present. No protest was made against the proposed budget. Comm Lindsay made a motion to adopt **Resolution #8-99**, To Adopt a Budget for Montezuma County, Colorado For the Calendar Year Beginning on the First Day of January 2000 and Ending on the Last Day of December 2000. The motion was seconded by Comm Wilson and carried. Comm Lindsay made a motion to adopt **Resolution #9-99**, To Set Mill Levies. The mill levy is set at 14.255, which is less than the 14.804 mill levy set in 1999. The motion was seconded by Comm Wilson and carried. Comm Lindsay made a motion to adopt **Resolution #10**, To Appropriate Sums of Money (\$18,972,148.00 in accordance with Local Government Budget law on December 13, 1999). The motion was seconded by Comm Wilson and carried. These proceedings were taped for the record.

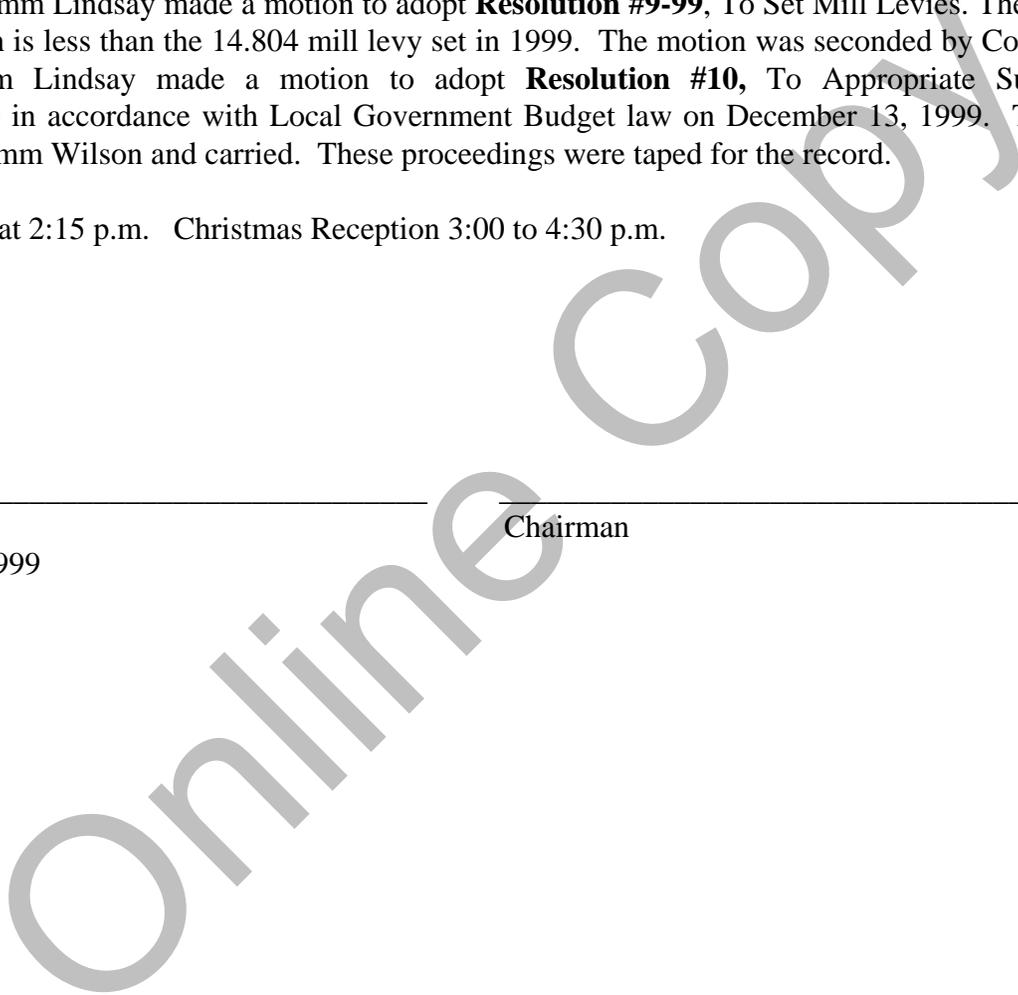
**ADJOURNED** at 2:15 p.m. Christmas Reception 3:00 to 4:30 p.m.

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Deputy Clerk  
December 13, 1999

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Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**DECEMBER 20, 1999**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 20, 1999, at the courthouse in Cortez, Colorado, there were present:

E. Eugene Story, Chairman - absent  
Glenn E. "Kelly" Wilson, Jr., Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney - absent till 10:50 a.m.  
Thomas J. Weaver, Administrator  
Nelda Jenkins, Deputy Clerk

**MINUTES** of the regular meeting held on Monday, December 13, 1999, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**LANDFILL** Manager **Debby Barton** presented the final "Rate Structure, Effective February 1, 2000 for the landfill. Comm Lindsay moved to approve the fees, seconded by Comm Wilson and carried.

**ROAD DEPARTMENT** Foreman **Jim Sattley** reported that they are hauling gravel. Discussed: (a) condition of gravel on section of CR 39, and (b) continued requests for chip/seal from residents on CR 28. Board stated they received a compliment on CR N.

**SOUTHWEST COLORADO LANDOWNERS ASSOCIATION** representative **Marvin Smith** visited about the ACEC issue. He presented copies of "The Green Web - A Union for World Conservation" - which was discussed.

**CORTEZ JOURNAL** Editor/General Manager **Suzy Meyer** presented a letter showing new advertising rates for publicly supported legal notices. The rotation policy between the newspapers in the area and the suggestion that legal notices be submitted on disks were discussed. Action was tabled.

**OFFICE OF COMMUNITY SERVICES:** **Mike Preston** gave an update on the ACEC issue.

**GRAVEL LEASE CONTRACT - GARDNER ADDENDUM FOR RE-NEGOTIATED PRICE/YD** with Montezuma County was signed.

**JAIL FACILITY:** Comm Lindsay moved to approve a heat pump system for the new jail facility, rather than a forced air gas furnace system, seconded by Comm Wilson and carried. Bidding was discussed - bid has to be all inclusive.

**NOLAND SECOND AMENDED SUBDIVISION PLAT:** Comm Lindsay moved to approve and sign the amended plat, seconded by Comm Wilson and carried.

**PLANNING** Manager **Karen Welch** presented a planning resolution **P-40-99E**, to grant an exemption to the subdivision regulations, whereas the parcel currently owned by **Walter E. Henes III**, containing 30.103 acres, was created on April 22, 1965, Book 346, Page 302 and the parcel currently owned by the **Followers of Christ Church of Pleasant View, Colorado, Inc.** containing 2.010 acres, was created on April 22, 1965, Book 346, Page 303, whereas the landowners are desirous of adjusting the boundary line between the parcels retaining the

same amount of acreage in their respective parcels in Section 6, T.38N., R.17W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Presented a planning resolution **P-41-99E**, whereas **Larry and Joy Keeling**, owners of 57.35 acres, would be granted an exemption to the subdivision regulations to record a 10.27 acre exemption. The purpose of this exemption is to adjoin the 10.27 acres to Lot 1 of the Varnik Minor Subdivision, creating a total of 28.0 acres in said lot in Section 1, T.36N., R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Presented a planning resolution **P-42-99E**, whereas **Charles Porter, Jr. and Landis Kay Porter**, owners of 111.19 acres, would be granted an exemption to the subdivision regulations to record an exemption for 24.20 acres in Section 31, T.35N., R16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. Presented a planning resolution **P-43-99E After-the-Fact**, whereas **Robert O. and Reva L. Moore**, owners of 2.02 acres, would be granted an exemption to the subdivision regulations to record an after-the-fact exemption in Section 11, T.35N., R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried. **Loretta Murphy** was present.

**FAIRGROUNDS:** "Special Committee" members **Jerry Lucas, Sally Mason, Bobbie Hunter and Nora Mosher** presented final "Fairgrounds Rental Rates" (see attached) for review. Comm Lindsay moved to approve the rates, seconded by Comm Wilson and carried. **Carla Harper** gave an update on the "improvement committee" and stated a meeting will be held in the near future to discuss priorities for 2000.

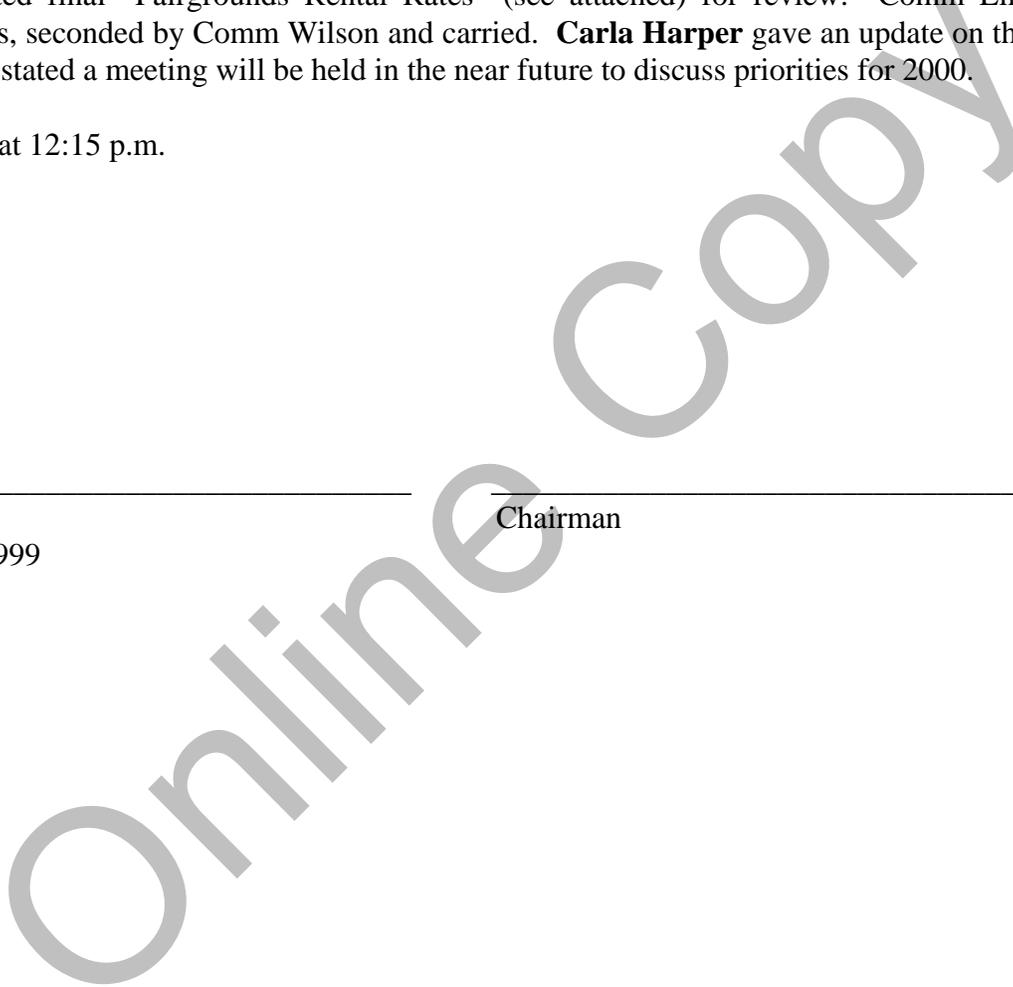
**ADJOURNED** at 12:15 p.m.

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Deputy Clerk  
December 20, 1999

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Chairman



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