

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JANUARY 5, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 5, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
J. Kent Lindsay, Vice-Chairman  
H. Dewayne Findley, 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 22, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**ELECTION OF OFFICIALS FOR 2004:** Comm Lindsay moved to elect Comm Wilson as Chairman of the Board of Commissioners, Comm Findley as Vice-Chairman, and Comm Lindsay as Commissioner of Deeds, seconded by Comm Findley and carried.

**APPOINTMENTS FOR 2004:** Comm Findley moved to appoint Bob Slough as County Attorney and Thomas J. Weaver as County Administrator and Budget Officer, seconded by Comm Lindsay and carried. Comm Findley moved to appoint the following persons to the several different offices and boards, seconded by Comm Lindsay and carried.

Director of Social Services: Dennis Story  
Health Officer: Dr. Gerald Griebel  
Housing Solutions for the Southwest (formerly SCRB): Comm Wilson  
Long-term Health Care Board: Comm Lindsay  
Region 9 Economic Development Board – TPR: Comm Findley     Alternate: Comm Lindsay  
Area Agency on Aging (AAA) Board: Comm Wilson

Noted: Legal Publications: Cortez Journal, Mancos Times, Dolores Star  
Veteran's Officer: W. (Bud) Carriere – 3 years (2002-2003-2004)

**PAYROLL:** General fund warrants in the amount of \$240,031.36, District Attorney fund warrant #42912 in the amount of \$20,777.23, Treasurer fund warrant #42913 in the amount of \$193,532.63; Road department fund warrants in the amount of \$60,361.21, Treasurer fund warrant #17399 in the amount of \$56,935.77; and Landfill fund warrants in the amount of \$13,529.79, Treasurer fund warrant #3828 in the amount of \$10,243.30 were approved for payment.

**GENERAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-01-04** to the Treasurer to transfer \$79,829,911.93 from the General Fund to the Social Services Fund – quarterly HCBS (see attached). The motion was seconded by Comm Findley and carried.

**AUTHORITY BOARD ORDER:** Comm Findley made a motion to direct the Clerk to issue **Order Number 0-02-04** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Lindsay and carried.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented current month's precipitation and "2003 Annual Precipitation by Month Through 12/31/2003" (see attached).

**EXTENSION OFFICE** Director **Jan Sennhenn** presented for review the “Cooperative Extension Memorandum of Understanding (MOU)” between Colorado State University Cooperative Extension and the County of Montezuma, State of Colorado, for Cooperative Extension programs. Comm Findley moved to sign the MOU, seconded by Comm Lindsay and carried. Discussed funding possibility - for professional improvements, training for volunteers, etc. No action taken. **Destri Tucker** was also present.

**NOXIOUS WEED ADVISORY BOARD:** **Destri Tucker** stated that five (5) applications to serve on the Advisory Board were received from the public notice to fill a vacancy. Comm Findley moved to appoint **Walter Henes** to serve on the Noxious Weed Advisory Board, seconded by Comm Lindsay and carried.

**PUBLIC HEARING – 2003 AMENDED BUDGET:** It being the time set aside, a Public Hearing is conducted regarding the amendment of the 2003 Budget. Finance Officer **Mary Ann Sanders** presented and explained that Montezuma County after adoption of the 2003 budget, received unanticipated revenues or revenues not assured at the time of the adoption of the budget other than the local government’s property tax mill levy. There being no protest against the proposed amended budget, a motion was made by Comm Findley to adopt **Resolution No. 1-2004**, authorizing the Supplemental Budget and Appropriation. The motion was seconded by Comm Lindsay and carried.

**REGION 9 ECONOMIC DEVELOPMENT DISTRICT OF SOUTHWEST COLORADO, INC. – COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONTRACT #02-083:** Comm Lindsay moved to vote yes on a ballot supporting La Plata County’s amendment adding funds on CDBG Contract #02-083, seconded by Comm Findley and carried.

**PLANNING** Manager **Karen Welch** met to discuss planning office issues: (a) hiring of one full-time person, and (b) update on Echo Basin project studies.

**DOLORES WATER CONSERVANCY DISTRICT BOARD APPOINTMENT:** Comm Lindsay moved to appoint Comm Findley to attend Dolores Water Conservancy District Board meetings on Dolores River downstream issues, seconded by Comm Findley and carried.

**COUNTY LODGERS TAX BOARD APPOINTMENT:** Comm Findley moved to appoint **Peggy Cloy** to the Lodgers Tax Board, seconded by Comm Lindsay and carried.

**STATUTES** were noted and contract reviewed in regard to “Intergovernmental Contract between the State of Colorado for use and benefit of the Colorado Department of Corrections and the County.” No action taken.

**MC KINLEY SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the McKinley Subdivision (McKinley), seconded by Comm Findley and carried.

**PLANNING RESOURCE SPECIALIST Jim Sisco** presented information on grazing issues within the Canyon of the Ancients Monument.

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

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JANUARY 12, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 12, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, 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 5, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**TREASURER** report for December 2003 was received and reviewed.

**CANYON OF THE ANCIENTS NATIONAL MONUMENT – ADVISORY COMMITTEE:** Comm Wilson gave an update on Advisory Committee meetings and issues. Comm Lindsay made a motion to approve a total contribution of \$500.00 for lunches when the committee meets. The motion was seconded by Comm Findley and carried.

**LANDFILL** Manager **Deb Barton** presented (a) Profit and Loss Statement for the Month of December 2003, (b) Financial Information Summary for the Period from January 1, 2003 to December 31, 2003, and (c) Breakout of Basic Un-reconciled Costs per Ton for Year to Date. These and other activities at the landfill were discussed. After discussion of the quarterly bill for the Hazardous Substance Response Fund (HSRF), Comm Lindsay moved to create a HSRF account in the County Treasurer's office and direct the Landfill Manager to deposit HSRF funds in such account. The motion was seconded by Comm Findley and carried. \*\*\*\* Later in the afternoon Manager Barton submitted more information on the fund.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented State of Colorado Department of Health – Montezuma **Nursing Services Contract** (immunization) - Task Order option to renew Letter Number 01 for January 1, 2004 thru December 31, 2004, for review. Comm Findley moved to sign the renewal contract, seconded by Comm Lindsay and carried. Discussed the following: (a) "Health Department Revenue Report for 2003," (b) 2004 issues – West Nile disease, SARS, etc., (c) complaint about dumping on private property (pollution) – no action, (d) Montezuma County Emergency Plan Advisory Board – will advertise for persons wanting to serve on the Advisory Board (letters to Administration/phone contact person - Comm Lindsay at 565-6142), and (d) long-term care board.

**ROAD DEPARTMENT:** **Lloyd Everett** reported they are blading this week. Discussed (a) CR 27.3 – needs blading, and (b) access to Dolores road department shop.

**ECHO BASIN ESTATES – PROPOSED ZONING CHANGE (CLUSTER PUD):** Owner **Dan Bjorkman** met to discuss application for a CDOT access permit to rework the intersection of Hwy 160 and CR 44. No action was taken at this time. Planning Manager **Karen Welch** was present.

**SANITATION DEPARTMENT** Manager **Jim Sisco** presented information on septic permits. Health Department Director **Lori Cooper** and Planning Manager **Karen Welch** were present.

**PLANNING** Manager **Karen Welch** gave information about the Dolores/Montezuma Community Summit – Water College Program two-day workshop. The Board was invited to attend. Manager Welch presented applications for the advertised vacancies on the Planning Commission received from the public and by persons whose terms have expired. Comm Lindsay made a motion to appoint **Andy Logan** to a 3-year term (2004, 2005, 2006), **Cindy Dvergsten** to a 3-year term (2004, 2005, 2006), and **Harry Siebert** to a 3-year term (2004, 2005, 2006). The motion was seconded by Comm Findley and carried. Applications for appointment to the two alternate vacancies will be referred to the Planning Commission for their recommendation to the Board of County Commissioners.

**NOXIOUS WEED ADVISORY BOARD:** Manager **Ron Lanier** and **Destri Tucker** met to discuss appointment of alternates to serve on the Weed Advisory Board. Comm Findley moved to appoint, as alternates, **Linda Honeycutt and Lynn Udick**, contingent on their acceptance, seconded by Comm Lindsay and carried.

**MONTEZUMA COUNTY EMERGENCY PLAN:** **Nathan Barton** met to discuss the proposed Emergency Plan. He was informed that: (a) positions to serve on a Montezuma County Emergency Plan Advisory Board would be advertised, and (b) the Emergency Plan Advisory Board would address and help administer any proposed plan.

**ADJOURNED** at 4:30 p.m.

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Deputy Clerk  
January 12, 2004

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**JANUARY 19, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 19, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, 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, January 12, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**SHERIFF'S** report for December 2003 was received and noted.

**ACCOUNTS PAYABLE:** General fund warrants #42914 thru #43106 in the amount of \$178,236.421; Road department fund warrants #17406 thru #17475 in the amount of \$117,798.87; Landfill fund warrants #3835 thru #3868 in the amount of \$33,128.33; and, Community Corrections (no expenditures this month) were approved for payment.

**HIGHWAY USER TRANSPORTATION FUND (HUTF) REPORT:** Comm Lindsay moved to sign the HUTF report, seconded by Comm Findley and carried.

**FAIRGROUNDS** Manager **Darryl Buffington** asked the Board to consider authorizing an additional expenditure in regard to the new steel building at the fairgrounds. The monies will be used to install metal panels so insulation can be covered. Comm Findley moved to authorize the additional expenditure, seconded by Comm Lindsay and carried.

**ROAD DEPARTMENT:** **Lloyd Everett** met to discuss the following: (a) dead horse in county right-of-way – road department will take care of in connection with criminal investigation by Sheriff office, and (b) access to Dolores road department shop – Empire Electric has been contacted and told that the County is interested in Empire's proposal in regard to the access.

**BOARD OF SOCIAL SERVICES** is conducted.

**SOCIAL SERVICES** Director **Dennis Story** presented the "Child Support Enforcement Cooperative Reimbursement Agreement" between Montezuma County Administration and Montezuma County Social Services effective from January 1, 2004 through December 31, 2004. Comm Findley moved to sign this contract, seconded by Comm Lindsay and carried.

**FAIR BOARD** members **Joel Stevenson** and **Don Bain** presented "Fair Board General Rules and Regulations" (see attached). Comm Lindsay moved to adopt the "General Rules and Regulations," seconded by Comm Findley and carried.

**ABATEMENT:** Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for the **Cortez Plaza, LLC** (Agent Tom Maley), for 5611-251-218-103K1, 2002, abatement - \$22,436.15 and 2003, abatement - \$25,619.22. Agent **Tom Maley** was present. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommended approval. Comm Lindsay moved to approve the abatement petition, seconded by Comm Findley and carried.

**COMMUNITY CORRECTIONS FACILITY:** Sheriff **Joey Chavez** and Lieutenant **Terry Steele** met to discuss the State Department of Corrections Contract - housing of non-residential clients in regard to the Community Correction program. No action taken.

**CSU COOPERATIVE EXTENSION OFFICE:** Agent **Tom Hooten** introduced himself and asked for input about any concerns in regard to Extension Office issues. Several items were mentioned and discussed.

**RESOLUTION NO. 2-2004:** Comm Findley moved to sign **Resolution No. 2-2004**, supporting proposed changes on BLM's Proposed Grazing Rule" (see attached Fact Sheet), seconded by Comm Lindsay and carried.

**HEALTH DEPARTMENT** Director **Lori Cooper** presented "**Tai Chi Instructor Contract**" with the Health Department funded with AAA monies. Comm Findley moved to sign the contract, seconded by Comm Lindsay and carried. Presented "Montezuma County Health Department Revenue Summaries 1994 thru 2003." The summary was reviewed and discussed.

**PLANNING** Manager **Karen Welch** presented the following High Impact Permit with written findings (see attached) for signature: **HIP No. 465 – Lanoga Corporation – expansion of Truss Plant (UBC):** conditions – (a) widening the driveway off of Road M: extending the culvert and application of gravel to allow the semi-truck traffic safe ingress and egress on Road M without impacting the shoulder of the road and allowing the trucks to exit the property without crossing the centerline of Road M and (b) change outdoor security lighting to a type that will be non-intrusive on the neighbors.

**HILL MODERATE SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the Hill Moderate Subdivision (Hill), seconded by Comm Findley and carried.

**MONTEZUMA COUNTY STEWARDSHIP COMMITTEE:** Expansion was discussed. No action taken.

**ADJOURNED** at 2:30 p.m. to inspect the jail facility.

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Deputy Clerk  
January 19, 2004

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
JANUARY 26, 2004**

STATE OF COLORADO            )  
  )  ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 26, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator - Absent  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, January 19, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**TREASURER Sandy Greenlee** met to discuss investment depositories, interest earned on CDs and investments, sales tax collections to date, and jail bond payments.

**RESIDENT Michelle Allison** presented informational material for consideration concerning grazing and multiple uses in Canyon of the Ancients National Monument.

**FAIRGROUNDS** Manager **Darrell Buffington** presented the cost of electrical power to the new building and pictures of construction. Comm Findley made a motion to grant Empire Electric Association, Inc an Electric Line – Right-Of-Way Easement (see attached) seconded by Comm Lindsay, motion carried. Comm Lindsay moved to sign the contract to purchase electric energy from Empire Electric Association, Inc. (see attached), seconded by Comm Findley and carried.

**SHERIFF'S POSSE** Major **Wanda Martin** presented a list of the new officers, number of hours volunteered in 2003 and plans for the upcoming year.

**CONCERNED CITIZENS Chester Tozer and Phil Weiser** expressed concerns about the grazing allotments on BLM ground in the Canyon of the Ancients National Monument. Informational material was also presented. **Darrell Veach and Michelle Allison** were also present.

**COUNTY CLERK Carol Tullis** updated the Board on the upcoming elections for 2004 and informed them of a change in two polling places one being precinct 10 from the old national guard armory to the Lifeway Baptist Church the other being precinct 7 moving from the Johnson Building to the Presbyterian Church to combine with precinct 9.

**FRANK SPORE AMENDED SUBDIVISION PLAT**; Comm Findley moved to sign the amended subdivision plat (Spore), seconded by Comm Lindsay and carried.

**PLANNING** Manager **Karen Welch** presented for recommendation from the Planning Commission that the following item proceed to the Board of County Commissioners. **High Impact Permit** for a proposed bed and breakfast on CR G for **Eric and Una Johnson** – set for public hearing. Public hearing is scheduled for February 9, 2004 at 11:00 a.m.

**RESIDENT Richard McClellan** met to inquire about severed mineral rights that have reverted back to the County for taxes due. Also, discussed activities on the former Best Logs property on CR H, could possibly constitute a change of use. Will be looked into.

**EXTENSION DIRECTOR Jan Sennhenn** asked the board as to who she might contact to open the vault that remains locked in the extension office as well as some costs involved. Information was given of whom she could call.

**SOUTHWEST HEALTH SYSTEMS – SOUTHWEST MEMORIAL HOSPITAL** officials **Nelson Toebe** and **Daniel Jessup** gave a financial statement and fiscal report for 2003 (see attached) on the hospital and updated them on the current construction.

**RECESSED FOR LUNCH:** 12:00 noon to the dedication of the Cortez Recreation Center.

**RANGELAND STEWARDSHIP COMMITTEE:** Comm Findley made a motion to expand the stewardship committee by three and appoint **Al Heaton, Steve Wallace, and Larry Suckla** to the committee, seconded by Comm Lindsay and carried. It was also discussed to hold a meeting with the committee on February 3, 2004 in the Commissioner's room at 6:00 p.m. before the Stockmen's meeting on February 14, 2004. **Mike Preston** was present.

**FAIRVIEW CEMETERY DISTRICT** director **Laura H. Kennedy** sent a letter requesting her appointment along with **Michael L. Reed** to the board. It was moved by Comm Lindsay and seconded by Comm Findley to reappoint these people to the board, motion carried.

**RESIDENT E. J. Vavra** made a comment about an insert in his property tax notice.

**ADJOURNED** 3:25 p.m.

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County Clerk  
January 26, 2004

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Chairman

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**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**FEBRUARY 2, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 2, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, January 26, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**PAYROLL:** General fund warrants in the amount of \$249,723.36, District Attorney fund warrant #43117 in the amount of \$21,440.88, Treasurer fund warrant #43118 in the amount of \$199,555.11; Road department fund warrants in the amount of \$61,264.52, Treasurer fund warrant #17478 in the amount of \$57,943.17; and Landfill fund warrants in the amount of \$14,440.59, Treasurer fund warrant #3871 in the amount of \$11,619.95 were approved for payment.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented current month's precipitation figures for the Month of January, 2004.

**ROAD DEPARTMENT:** **Lloyd Everett** discussed the Rogers land swap, roughness of CR 27 where the culvert was installed, and the gravel at the airport . He also reported that the bids were to be opened Tuesday, February 3, 2004 on the county equipment that was advertised.

**TREASURER Sandy Greenlee** presented a list of institutions designated as public depositories for the deposit of public funds of Montezuma County (see attached). Comm Lindsay moved to accept the depository list, seconded by Comm Findley, motion carried.

**LIQUOR LICENSE:** Deputy Clerk **Judy Follman** 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 Findley moved to approve the application, seconded by Comm Lindsay and carried.

**HOUSING SOLUTIONS FROM THE SOUTHWEST:** Correspondence was received and discussed.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-03-04** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

**LEWIS-ARRIOLA COMMUNITY CENTER - LOTTERY FUNDS:** Representatives **Chan Chaffin** and **Carol Newby** made a request for lottery funds to help with some outside projects. After discussion, Comm Findley moved to give \$500.00 in lottery monies, seconded by Comm Lindsay and carried.

**PLANNING:** Manager **Karen Welch and Margaret Clauson** presented the **Joe Fulks Moderate Subdivision Plat** for approval, Comm Lindsay moved to sign the plat, seconded by Comm Findley and carried. Also presented for approval was the **Walck Minor Subdivision**, Comm Findley moved to sign said plat, seconded by Comm Lindsay and carried. Presented planning Resolution **No. P-01-04E**, whereas **R. Tucker Construction, Inc., dba Rocky Mountain Rentals** (see attached) would be granted an exemption to the subdivision regulations on .95 acres in Section 9, T. 36N. R .16W. for the **Lewis Arriola Fire Department Road N Substation**. Comm Findley made a motion to sign the resolution, seconded by Comm Lindsay and carried.

**RESIDENT LaVena Saunders** informed the Board of a possible water pipeline to be installed running along CR 22 this fall. It was suggested she talk to Lloyd Everett.

**RECESSED FOR LUNCH** 12:00 Noon to have lunch with the Dolores County Commissioners.

**ASSESSOR: Mark Vanderpool** met to discuss the lawsuit with **Gerald Stansbury**. A motion was made by Comm Lindsay to sign the Memorandum of Understanding, case number **03 CV 142** (see attached) seconded by Comm Findley and carried.

**PLANNING RESOURCE SPECIALIST, Jim Siscoe** gave an update on the data concerning forage production in the Canyon of the Ancients National Monument. The possibility of having aerial photography done on the Monument was mentioned. Will be looked into in more detail. **Mike Preston** was also present.

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

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County Clerk  
02-02-2004

Chairman

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**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**FEBRUARY 9, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 9, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, February 2, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**ROAD DEPARTMENT: Lloyd Everett** was asked about putting arrow signs at CR 27 and H. He mentioned that the auction went well, selling everything but 2 blades. Also, reported on the reconstruction at the old guard armory. A motion was made by Comm Findley to purchase .43 acres from Empire Electric Association, Inc. which is property adjoining the district shop in Dolores for \$3500.00. Seconded by Comm Lindsay and carried.

**LANDFILL Manager Debby Barton** presented a profit and loss statement for January 2004 (see attached) . She also told the Board that the electronic recycling program netted between 7 ½ to 8 tons of waste.

**ABATEMENT:** Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for **Candelaria Construction** (Jim Candelaria, owner), for 5611-242-00-002, 2003, abatement - \$1,722.87. Owner Jim Candelaria was present. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommended approval. Comm Lindsay moved to approve the abatement petition, seconded by Comm Findley and carried.

**TOWN OF MANCOS** Administrator **Tom Glover** and Trustee **Raymond Martinez** updated the Board on the renovation of the Mancos Community Center. They requested lottery funds in the amount of \$25,000.00. County would be willing to help with possibly \$5,000.00 but more discussion is needed. No action taken. The Tram project was mentioned. **Mel Heath** and other interested persons were present (see list attached).

**ABATEMENT:** Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for **Thomas P. and Sally Garrison** for 5361-283-00-002, 2003, abatement - \$2,501.92. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommended approval. Comm Lindsay moved to approve the abatement petition, seconded by Comm Findley and carried.

**PUBLIC HEARING**

– **JOHNSON BED AND BREAKFAST – PROPOSED HIGH IMPACT PERMIT NO. 471:** It being the time set aside, a public hearing is held concerning a High Impact Permit application for a proposed bed and breakfast submitted by Eric and Una Johnson . The property is currently owned by Daniel Dattola and is located at 19601 Road G, Cortez, Colorado, situated in Section 2, T.35N, R 17W., N.M.P.M., lying on the north side of Road G. The roll was called and proof of publication was read. Present were **Eric and Una Johnson** and planning manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to  
02-09-2004

address (1) septic system, (2) traffic, and (3) commercial zoning. It was stated the septic system was sufficient and the traffic would not be exceeded most of the time. The Board asked for public comments. Only positive comments in support of the bed and breakfast were made from 3 interested persons. Comm Lindsay made a motion for the property to be commercially zoned and to approve High Impact Permit No. 471, contingent on written findings. The motion was seconded by Comm Findlay and carried. The proceedings were taped for the record. The Planning Department will draft written findings and Amended High Impact Permit No. 471 for review.

**RESIDENT Galen B. Larson** appeared before the Board to discuss agricultural interests in Montezuma County.

**RECESSED** 11:30 a.m. for lunch with the Forest Service

**FOREST ROAD AGREEMENT:** Comm Lindsay moved to sign the Forest Road Agreement Schedule A between the U.S. Department of Agriculture Forest Service San Juan National Forest and Montezuma County (see attached). Seconded by Comm Findley and carried.

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

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County Clerk  
02-09-2004

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**FEBRUARY 23, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 23, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, February 9, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**ACCOUNTS PAYABLE:** General fund warrants #43107 thru #43333 in the amount of \$380,309.17; Road department fund warrants #17485 thru #17567 in the amount of \$200,587.43; Landfill fund warrants #3878 thru #3910 in the amount of \$36,662.72; were approved for payment.

**ROAD:** **Lloyd Everett** was asked to look at CR L where the pavement ends to see if there isn't something that can be done to correct the problem.

**LAWSUIT 03CV120, Wyatt V Montezuma County** was submitted to the Board for approval. Comm Lindsay made a motion to approve and sign the agreed judgment. Seconded by Comm Findley and carried.

**DEPARTMENT OF SOCIAL SERVICES** was conducted.

**HOUSING SOLUTIONS FOR THE SOUTHWEST** Representative **Christina Cordalis** informed the Board that HUD and DOH is asking all counties in the State to match funds for home rehabilitation in the county. Comm Lindsay moved to donate a lump sum of \$1,000.00 for the project, seconded by Comm Findley and carried.

**BOGGY DRAW TRAIL SYSTEM:** **Peter Eschalliez** and **Bob Wright** with the Kokopelli Bike Club presented information to designate hiking, biking, and cross country skiing trails in the Boggy Draw area and requested a letter of support for the proposed plan. Objections were voiced by audience members (see attached sign in list) concerning trail maintenance, erosion, increase in people, and gates left open. No action was taken at this time. \*\*\* Later: It was decided to write a letter concerning continued multiple use.

**SOUTHWEST COLORADO YOUTH BASEBALL LEAGUE** representative **Brad McCracken** asked the Board for Lottery monies to help with the building of bleachers, player benches, new equipment, and field maintenance. Comm Findley moved to give the League \$2,000.00. Seconded by Comm Lindsay, and carried.

**HEALTH DEPARTMENT** Director **LORI COOPER** met to inform the Board for the need for a credit card for the Health Department for travel and meetings. Comm Findley made a motion for the authorization of a credit card for the department, seconded by Comm Lindsay and carried. Lori mentioned a campaign to get the message out about the west Nile virus called Fight the Bite and gave statistics concerning the virus.

**PLANNING** Manager **Karen Welch** updated the Board of upcoming Public Hearings.

**COUNTY LODGERS TAX: Deanna Truelson** submitted an application for alternate to the County Lodgers Tax Board. Comm Findley moved to appoint Deanna Truelson as an alternate and to have another alternate slot plus allow the alternates a vote in an absence. Seconded by Comm Lindsey and carried.

**RECESSED FOR LUNCH** 12:00 Noon.

**DON DIONES** Senior Vice President of **George K. Baum and Company** met with the Board to recommend refinancing the Jail Bonds and to ask for approval to move forward. After much discussion Comm Lindsay made a motion for George K Baum and Company to pursue with the refinance of the Jail Bonds, seconded by Comm Findley and carried.

**EMERGENCY MANAGEMENT PLAN ADVISORY BOARD:** Letters of interest in serving on the advisory board were received and considered. It was moved by Comm Findley and seconded by Comm Lindsey to appoint the following to the Energy Management Plan Advisory Board: Claudia Applin, Frank Cavaliere, Lori Cooper, Cortez Police Department, Nancy Falleur, J. Kent Lindsay, Edward L. Martinez, Marc J. Meyer, Montezuma County Sheriff's Department, Lawrence M. Tradlener, and David Wylie. Motion carried.

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

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County Clerk  
02/23/2004

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**March 1, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA       )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 1, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, February 23, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**PAYROLL:** General fund warrants in the amount of \$247,401.00, District Attorney fund warrant #43337 in the amount of \$21,406.20, Treasurer fund warrant #43338 in the amount of \$202,859.78; Road department fund warrants in the amount of \$61,166.08, Treasurer fund warrant #17569 in the amount of \$58,001.61; and Landfill fund warrants in the amount of \$13,030.73, Treasurer fund warrant #3912 in the amount of \$11,430.87 were approved for payment.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented current month's precipitation for the month of February, 2004.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-04-04** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

**JAIL BOND INTEREST ORDER:** Comm Findley made a motion to direct the Clerk to issue **Order Number 0-05-04** to the Treasurer to do a wire transfer for \$700,000.00 from the Jail Bond Interest account to the American National Bank (formerly known as the Bank of Cherry Creek) for the refinancing of the Jail Bonds. Seconded by Comm Lindsay and carried.

**ROAD:** **Lloyd Everett** reported the following; (1) still looking at CR 27. (2) They are busy patching potholes throughout the county. (3) Will look into the history of Road H.6 as to who may be responsible for maintenance. (3) Reported that the Mountain View Subdivision is on the schedule to be graveled. (5) Wants to discuss a possible maintenance trade of CR U.5 and CR 30 with the Town of Dolores. (6) Reported that a 45' electrical van trailer was purchased at auction in Phoenix, Az.

**LIQUOR LICENSE:** Deputy Clerks, **Judy Follman and Tammy Neely** presented an application for a liquor license to sell wine and beer for the Lebanon School House Bed and Breakfast (Kenneth C and Laura Hahn owners). Comm Lindsay moved to set a public hearing for March 15<sup>th</sup> and to canvass the neighborhood for a ½ mile radius. Seconded by Comm Findley and carried. A public hearing has been set for March 15<sup>th</sup> at 10:00 a.m.

**RESIDENTS Sam and Patty Pinkerton** approached the Board with concerns of safety and commercial traffic on CR J. They presented pictures of the road and stated the road was too narrow for safe passage and unable to handle the commercial traffic. The Board said that they would write Mr. Dan Peterson a letter stating that a High Impact Permit may be required.

**RESIDENT Jan Robinson** voiced a complaint about the unsatisfactory treatment she received from the Social Service Department as well as the department's attitude toward her and her family. The Board stated they would set up an appointment with the director of the department to discuss her complaints. \*\*\*\*Later\*\*\*\* The Board discussed Ms. Robinson's complaint with the director of Social Services Dennis Story. Mr. Story said he would notify Ms. Robinson to come and discuss the situation.

**PUBLIC HEARING: TENFOLD INVESTMENTS LLC – PROPOSED HIGH IMPACT PERMIT NO.**

**391:** It being the time set aside, a public hearing is held concerning a High Impact Permit application for a proposed expansion of use to include a dance studio and construction of the storage area submitted by Tenfold Investments LLC (Gary and Georgia Stanley). The property is located at 10964 Road 26, Cortez, Colorado, situated in Section 24, T.36N, R 16W., N.M.P.M., lying on the south side of Road L, east of Mildred Road.. The roll was called and proof of publication was read and the proceedings were taped for the record. Present were **Gary and Georgia Stanley** and planning manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address expansion of use and a four foot extension of eave line over the new storage area and to review noise levels and traffic. The Board asked for public comments. (1) Stan Sparks spoke and expressed concerns about the noise levels with loud music and of bread trucks making early morning deliveries. (2) Correspondence from Wm. Foote of like complaints was noted. It was stated the walls and floors were insulated and the room had an exterior door versus interior door installed and that the music would not be loud because of teacher instruction. The delivery truck issue will be addressed with the company and if the situation does not improve a new delivery location would be necessitated. Comm Findley made a motion to approve High Impact Permit No. 391 contingent upon the installation of stop signs at the three points of access, the delivery trucks not to make deliveries prior to 6:00 a.m. or move off site and the dance studio be closed by 10:00 p.m. Also assess a fine of \$150.00 for after the fact filing for permit. Seconded by Comm Lindsay and carried. The Planning Department will draft findings and High Impact Permit No 391 for review and signature.

**PUBLIC HEARING – KINDER MORGAN CO2 COMPANY – WELLS – HIGH IMPACT PERMIT NO. 473 (YD-2- BLM) and HIGH IMPACT PERMIT NO. 474 (HE-5 –BLM):**

It being the time set aside, a public hearing is held regarding High Impact Permit applications with respect to Kinder Morgan CO2 Company Well Sites YD-2, HE-5, which are all on Bureau of Land Management property. The roll was called and the public notice was read. Present were Kinder Morgan representative **Bob Clayton** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the applications proceed to the Board of County Commissioners for a public hearing to address re-entry to existing wells. Mr. Clayton explained the project will entail re-entering existing wells (YD-2 and HE-5) by drilling horizontally in Leadville formation to increase production. He stated that (a) BLM has been notified and sundry notices had been given by BLM, (b) the bond posted last year has been renewed, and (c) dust abatement will be done. There was no public comment. The proceedings were taped for the record. Comm Lindsay made a motion to approve High Impact Permit Nos. 473 and 474, contingent on written findings. The motion was seconded by Comm Findley and carried. The Planning Department will draft findings and High Impact Permit Nos. 473 and 474 for review and signature.

**PLANNING Manager Karen Welch** reported to the Board that the subdivision proposal from **Dan Bjorkman (Echo Basin Subdivision)** was withdrawn at the last meeting of the Planning Commission.

**LOTTERY FUNDS:** The request for lottery funds by the **Town of Mancos** for the **Mancos Community Center** was finalized and \$5000.00 will be given. In another matter **Kelly Armstrong** approached the Board with a request for lottery funds in the amount of \$2000.00 for the **Montelores Little League (Girls Softball)**. A motion was made by Comm Findley to keep the monies the same as last year and give the Montelores Little League Girls Softball \$1000.00. Seconded by Comm Lindsay and carried.

**RECESSED 11:35 a.m.** Lunch with the Town of Dolores.



**MODEL AIRCRAFT AIRPORT:** Civil Air Patrol member **Don Benoit, and Dr. John Dickson,** presented an update for the “ Radio Control Flying Field Proposal” dated Oct.13, 2003. Discussed how the monies received would be handled and it was reiterated that Montezuma County maintains management over the fairgrounds, and any improvements will be controlled and owned by the county. They were asked to make some corrections to the proposal and return at a later date. Fairgrounds manager **Darryl Buffington** was also present.

**FAIRGROUNDS** Manager Darryl Buffington asked the Board about the rental fees for the facility now that the new building was done. It was suggested a new rental schedule be done. **Destri Tucker** will work one up and present it when completed.

**RESOLUTIONS:** Comm Findley moved to have a resolution to support the idea of using Mesa Verde National Park as part of the design for the new Colorado 25 cent piece. Seconded by Comm Lindsay and carried.

**Resolution No 3-2004** – Comm Findley moved to sign Resolution no. 3-1004 authorizing the issuance of the county’s sales and use tax revenue refunding bonds, series 2004, for the purpose of refunding the sales and use tax revenue bonds, series 2000 of the county at lower interest rates; prescribing the form of the bonds; providing for the payment of the bonds from a pledge of the sales and use tax revenues deposited in the capital improvement fund; and providing details and approving documents in connection with the bonds. (see attached). Seconded by Comm Lindsay and carried.

**PLANNING RESOURCE SPECIALIST, Jim Siscoe** informed the Board about a company for land photography. He also told of a conversation he had with Pam Suckla

**ADJOURNED:** 4:25 p.m.

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County Clerk  
03-01-2004

Chairman

Approved

**MONTEZUMA COUNTY, COLORADO**  
**March 8, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 8, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman -absent  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, March 1, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**RESIDENT Donald L. Denison** informed the Board of his intentions to run for County Commissioner, District 2 in this upcoming election.

**E-911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-06-04** to transfer \$70,000.00 from the ETA Fund ( E-911 Dispatch fees) to the General Fund and pay the City of Cortez (see attached invoice). The motion was seconded by Comm Wilson and carried.

**RESOLUTION 04-2004** supporting the use of Mesa Verde National Park on the Colorado Commemorative quarter was signed. (see attached).

**ROAD: Lloyd Everett** discussed (a) CR H.6 as to maintenance issues.(b) Comm Lindsay moved to sign an agreement with Dolores County to trade 5200 yards of gravel from Montezuma County for two Ford pickups (1996 and 1999 ). Seconded by Comm Wilson and carried. (c) Lloyd stated work at the fairgrounds is in the finishing preparation stages. (d) Discussed the possible chip seal on the Dolores Norwood Rd.

**LANDFILL Manager Deb Barton** presented the profit and loss statement for February 2004. She reported on the rebuilding of the baler and the need for computer upgrades and presented pictures of the recent break-in. (see attached).

**GIS MAPPING: Rob Peterka** presented a cooperative aerial photography initiative to the Board to pursue a cooperative effort to develop a county-wide coverage of color orthophotography. Comm Lindsay moved to sign the cooperative aerial photography initiative, seconded by Comm Wilson and carried.

**PUBLIC HEARING: MUSCANELL MILLWORKS, INC.- PROPOSED HIGH IMPACT PERMIT NO. 37:** It being the time set aside, a public hearing is held concerning a High Impact Permit application for an addition to the existing mill building located at 20545 CR U, Cortez, Colorado, situated in Section 12, T.37 N, R 17W., N.M.P.M., lying on the north of Road U, east of CR 20.. The roll was called and proof of publication was read. Present were **Douglas Muscanell and Karen Harbaugh and Margaret Clausen** from Planning. Ms. Clausen presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address (1) traffic and (2) overall footprint of building. (3) lighting and (4) signage. It was stated that the traffic would not increase and the footprint would not exceed the 12% standard. There would be no more exterior lighting done as it is sufficient. It was recommended a stop sign be installed at the gate, which would not be a problem. There were no public comments. The proceedings were taped for the record.

Comm Lindsay made a motion to approve the High Impact Permit No.37, contingent on written findings. The motion was seconded by Comm Wilson and carried.

**PUBLIC HEARING: PATSY LOU SIMMONS.– PROPOSED HIGH IMPACT PERMIT NO. 191 :** It being the time set aside, a public hearing is held concerning a High Impact Permit application for a change of use on property located at 25365 CR H, situated in Section 35, T.36 N, R 16W., N.M.P.M., lying on the north side of Road H, east of CR 25.. The roll was called and proof of publication was read. Present were **Patsy Lou Simmons McClain and Corky McClain and Margaret Clausen** from Planning. Ms. Clausen presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address (1) change of use from a sawmill to a storage facility for motorhomes, rv's and boats, etc. (2) traffic (3) sawdust pile. They will use existing warehouse for storage of Motorhomes, RV's Boats and etc as well as existing lean-to structures for storage. The traffic should decrease and the sawdust pile has been cleaned up and clean up efforts will continue. It was stated there was no radioactive waste present and the sawdust pile was an acceptable distance from the storage units. There were no public comments. The proceedings were taped for the record. Comm Lindsay made a motion to approve the change of use High Impact Permit No.191, contingent on written findings. The motion was seconded by Comm Wilson and carried.

**RECESSED FOR LUNCH: 11:40 A.M. TO THE FAIRGROUNDS**

**OFFICE OF COMMUNITY SERVICES: Mike Preston** informed the Board of upcoming meetings.

**ADJOURNED: 2:00 P.M.**

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County Clerk  
03-08-2004

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**March 15, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 15, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, March 8, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

**THE PINON PROJECT** needed a certification of local approval by the Board as part of a grant process for the Emergency Shelter Grant application. Certification was signed.

**ACCOUNTS PAYABLE:** General fund warrants #43335 thru #43543 in the amount of \$385,998.50; Road department fund warrants #17570 thru #17638 in the amount of \$62,955.04; Landfill fund warrants #3919 thru #3960 in the amount of \$42,308.08, were approved for payment.

**ROAD: Lloyd Everett** was informed of damage to the new building at the fairgrounds during the Ag-Expo. Asked about roughness on CR 20 and CR 37, stated it will be looked at. Reported the department was (a) doing patch work on CR G (b) locked in on oil prices a month and a half ago, (c) how much chip seal to be done depends on roads in need of repairs (d) the land swap with the Town of Dolores was progressing, and (e) the Board asked him to look into an alternative to mag chloride called ADL (product of North American Dust Control). ADL is currently being used by Caribou County in Soda Springs, Id. Lloyd will contact them.

**SHERIFF Joey Chavez** presented an Intergovernmental Contract between the County and State of Colorado for the use and benefit of the Colorado Department of Corrections for nonresidential Intensive Supervision Program (**ISP**). Comm Lindsay made a motion to sign the IGA, seconded by Comm Findley, and carried.(see attached)

**FAIRGROUNDS: Destri Tucker** presented the Board with the revised fee list at the Fairgrounds (see minutes dated 3/01/04) to include the new building. Comm Lindsay moved to increase the new fees effective March 15, 2004, seconded by Comm Findley and carried. The old rates will be honored for contracts already in effect and the new rates will apply effective March 15, 2004. The racetrack, airstrip and archery range are excluded from these event fees and it was suggested the fees be reviewed again in October or November. (see attached)

**CORTEZ CULTURE CENTER** representative **Bill Wilson** approached the Board asking for lottery funds to help with the Pueblo to Pueblo run and Cinco de Mayo Celebration. It was mentioned the funds were specifically for recreationally purposes and that they would need more information as to what the funds would be used for. Mr. Wilson will return with such information.

**PUBLIC HEARING – LEBANON BED AND BREAKFAST:** It being the time set aside, a Public Hearing was conducted for the consideration of a beer and wine license for Lebanon Bed and Breakfast located at 24925 Road T, Dolores, Co. The roll was called and the public notice was read. Present were Deputy **Tammy Neely** and Deputy **Judy Follman**, and owners **Ken and Laura Hahn**. Deputy Neely presented the application for a

beer and wine license. The polling was done by the Hahns within the set radius of 1/2 mile. Forty-nine residents were polled and asked if they had any reservations with the bed and breakfast serving beer and wine at various

functions. The survey showed 47 affirmative and 2 letters against and 8 no contacts. The Sheriff's background checks came back clear, a diagram was presented with the application and the fingerprints were clear but not yet received from the sheriff's department. There was no public comments made, however, two letters of protest were noted. It was asked if the patrons of the bed and breakfast could purchase beer and wine or was it only served at special events? Patrons could purchase beer and wine as well as serving at weddings, receptions, and other special functions and served in designated areas only. Comm Lindsay made a motion to approve the beer and wine license for the Lebanon School Bed and Breakfast contingent on the fingerprint findings. Seconded by Comm Findley and carried. The proceedings were taped for the record.

**DEPUTY TAMMY NEELY** asked the Board to update the requirements for new liquor license applications as the old requirements are outdated. Tammy will make a check list for consideration.

**MOSQUITO CONTROL** Chairman **Eldon Simmons**, district manager, **Jason Carruth**, **Lori Cooper** of the Health Department and others (see sign in sheet) asked if the Board might know of any funding and grants available to help update the equipment. Jason reported on what to expect this year with West Nile Virus and what they are doing to fight it. It was recommended that the public be more informed on effective methods and products that might be purchased to help fight the virus and to contact area retailers as to what products Mosquito Control is using and to what is most effective. It was agreed to have more "Fight the Bite" brochures available in offices and businesses to inform the public on what can be done to protect themselves.

**CITY OF CORTEZ** Manager **Hal Shepherd** made the Board aware of an energy and mineral impact assistance program application for a proposed water treatment plant expansion they are applying for to assist with additional water demands and new filtration technology. (attached)

**PLANNING** Manager **Karen Welch** presented the Planning Commission agenda. She stated that a letter was written to **Mr. Dan Peterson** about the traffic and safety concerns expressed by **Sam and Patty Pinkerton** (see minutes 03/01/2004). He responded that he was only doing work on his residence and not any business. He will come in and discuss the traffic impact, speed, and road conditions in the event he puts a business in. A public hearing will be set and letters sent for the review of **High Impact Permit 283** of **Bill Edgerton's** septic receiving and storage facility.

**DON DIONES** of **George K. Baum & Company** reported all the jail bonds sold at a good rate with good local support.

**RECESSED FOR LUNCH:** 12:15 P.M. with Forest Service

**RETIREMENT CEREMONY** honoring **Duane Christiansen** for 27 years of service working at the Montezuma County Landfill was held. Comm Wilson presented Mr. Christiansen with a plaque thanking him for his outstanding and dedicated service to Montezuma County from 1977 to 2004.

**ADJOURNED:** 2:45 P.M.

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County Clerk  
03/15/2004

Chairman

approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**March 29, 2004**

STATE OF COLORADO                 )  
  ) ss.  
COUNTY OF MONTEZUMA         )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 29, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, March 15, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-07-04** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

**COLORADO DIVISION OF WILDLIFE** Impact Assistance Grant Application was presented for signature. Comm Lindsay made a motion to sign the Grant Application, seconded by Comm Findley and carried.

**ROAD:** **Lloyd Everett** informed the Board that they will start with the mag chloride program April 5, 2004.

**RESIDENT WADE WILSON:** Concerns on Road 21 and AA was looked into and he is to put a new fence 1/4 mile east on AA from CR 21. If he constructs a new fence on AA past original 1/4 mile it needs to be 30 feet from the surveyed center line of county road . The Road Department will reconstruct the road for the first 1/10<sup>th</sup> of a mile on AA with the surveyed line being the center with a 60 foot easement. The existing fence is to be removed on the east side of CR 21 upon the removal of cattle in April and will be replaced 30 feet from the center of the county road. Also he is to place steel posts on each side of the survey stakes.

**SOCIAL SERVICES :** conducted at this time..

**HEALTH DEPARTMENT** Director **Lori Cooper** presented a change order on the current contract for the TB program for a State increase of \$3,500.00. Comm Findley moved to sign the contract, seconded by Comm Lindsay and the motion carried. A second change order on the current State WIC contract for a State increase of \$9,000.00 was also presented for signature. Comm Findley moved to sign the contract, seconded by Comm Lindsay and carried. Discussed the upcoming 9 Health Fair to be held in Cortez April 17, 2004 from 7:00 a.m. until 12:00 Noon and again in Mancos on April 24, 2004 from 7:00 a.m. until 12: noon.

**CORTEZ CULTURE CENTER** representatives **Ann Brown, Deb Avery, and Bill Wilson** asked the Board for lottery money to help fund the Pueblo to Pueblo Run and the Cinco De Mayo Celebration and assured the Board the monies would be monitored as to recreational use only and that they have an auditor making sure the monies are used for its intended use. Comm Findley made a motion to award \$1,000.00 of lottery money for

the Pueblo to Pueblo Run and another motion to award \$1,000.00 of lottery money for the Cinco De Mayo Celebration, seconded by Comm Lindsay and carried

**SHERIFF Joey Chavez** presented the yearly cooperative law enforcement agreement between the Montezuma County Sheriff's Department and the U.S. Department of Agriculture, Forest Service (San Juan National Forest). Comm Lindsay moved to sign the contract, seconded by Comm Findley and carried. (see attached)

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**KINDERMORGAN COMPRESSOR STATION:** KinderMorgan representative **Paul Geyer** presented a booklet as to satisfaction of the permit requirements to the Board on **HIP No. 469**. The performance bond in the amount of \$150,000.00 was listed for one year rather than the 3 years as required. Mr. Geyer said that would be changed to reflect the 3 years. The Board said they needed more time to read the booklet and a public meeting was reset for next Monday, April 5, 2004 beginning at 9:30 a.m. as to the requirements of the approved permit. No public comments were permitted at this time..

**PUBLIC HEARING – QUESTAR EXPLORATION AND PRODUCTION COMPANY PROPOSED HIGH IMPACT PERMIT NO. 478 AND HIGH IMPACT PERMIT NO.479:** It being the time set aside a public hearing is held concerning two High Impact Permits applications for the proposed Questar Exploration and Production Company oil well drill sites. Said property is situated in Section 24, T.37N., R.19W., N.M.P.M., lying at the end of Road Y on BLM land.(Cutthroat HIP # 16). The second proof of publication was read on said property situated in Section 24, T. 37N., R. 19W., N.M.P.M., lying at the end of Road Y on BLM land.(Federal #10-24). The roll was called, proofs of publication were read, and the proceedings were taped for the record. Present were **Brian Wood and Dave Nelson** with Questar and Planning manager **Karen Welch** . Manager Welch presented the Planning Commission's recommendations that the applications proceed to the Board of County Commissioners for a public hearing to address (1) traffic, (2) dust abatement, (3) noise. Questar will build or upgrade 3,163 feet of road, Lloyd Everett of the County Road Department had been contacted about mag chloride and noise and lighting would not be a problem because of the location of the well sites. A bond in the amount of \$50,000.00 would need to be in place. Asked for Public comments; Wade Wilson of the audience asked the question, does the bond cover private property damage or just road damage. He was told that a different bond would be required for private property, that the bond here is for road damages. Comm Findley moved to approve High Impact Permit no. 478 and High Impact Permit no 479 contingent on applicable BLM permits, road damage bond of \$50,000.00, and conditions with the Road Department being met. Seconded by Comm Lindsay and carried.

**LIQUOR LICENSE: Deputy's Tammy Neely and Judy Follman** informed the Board that the beer and wine application for **Lebanon Schoolhouse Bed and Breakfast** had been rejected by the State Liquor License Enforcement Division because the date of the local authority hearing cannot be less than 30 days from date of application. The application date was February 24, 2004 and the hearing was March 15, 2004 therefore 30 days had not passed. A new public hearing has been set for April 12, 2004 at 10:15 a.m.

**PUBLIC HEARING – KINDERMORGAN CO2 COMPANY – WELLS – HIGH IMPACT PERMIT NO. 477 (YA-5 Wilson)** It being the time set aside, a public hearing is held regarding High Impact Permit application with respect to KinderMorgan CO2 Company Well Site YA-5, **Arthur Wilson's land** The roll was called and the proof of publication was read. Present were KinderMorgan representative **Bob Clayton** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address (1) traffic, (2) dust abatement. Mr. Clayton explained the project will entail plugging an abandoned well (YA-1) and drill a new well (YA-5) as a "Grass Root" horizontal. Traffic was no problem, dust abatement plans were in place as is the \$50,000.00 bond and the old well would be cemented and capped. Public comments were made by **Wade and Mark Wilson** concerning clean-up procedures and that they had not been done to their satisfaction on the previous well and would they be done on this one? They want to make sure the clean-up on this well site is done to their satisfaction. Mr. Clayton assured the Wilson's that clean-up would be done. The proceedings were taped for the record. Comm Lindsay made a motion to approve High Impact Permit No. 477, contingent on any additional permits that may need to be acquired, and written findings. The motion was seconded by Comm Findley and carried. It was also recommended that KinderMorgan work closely with the Wilson Brothers in this process. The Planning Department will draft findings and High Impact Permit No. 477 for review and signature.

**RECESSED FOR LUNCH:** 12:15 p.m.

**TREASURER Sandy Greenlee** asked for the Boards opinion on how much to charge for copies of old tax records housed in her office. She currently charges 25 cents. It was suggested she increase the charge per copy.



**LEWIS ARRIOLA FIRE PROTECTION DISTRICT** member **George Deavers** asked the Board for a letter of support for a **FEMA** grant they are applying for to purchase a Type1 Structure engine for the new substation. Comm Lindsay moved to have a letter of support drafted, seconded by Comm Findley and carried.

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**PLANNING** Manager **Karen Welch and Margaret Clauson** presented an amended plat for **Sun West Estates (Manuel Hastings)** concerning corrected deeds on lots 10 and 11. Comm Findley moved to sign the amended plat, seconded by Comm Lindsay. Motion carried. The following **High Impact Permits** with findings (see attached) were presented for signature: (1) **High Impact Permit No. 37 – Muscannell Millworks, Inc expansion of use (Doug Muscanell and Karen Harbaugh)** condition – posting a stop sign at point of egress from the property. (2) **High Impact Permit No. 191 Patsy Lou Simmons McClain proposed change of use** condition – the property has been cleaned up and sawdust removed, warehouse renovated with adequate space for traffic, parking and storage. **High Impact Permit No. 391 Tenfold Investments, LLC expansion of use to include a dance studio and storage area (Gary and Georgia Stanley)** condition – commercial building inspection form (submitted 3/1/04), stop signs posted at each driveway point of egress from property, Road Department will post signs. Paid \$150.00 fine on 3/11/04 for after-the-fact submittal of permit. Delivery trucks are not to make deliveries prior to 6:00 a.m. and dance studio will be closed by 10:00 p.m. **High Impact Permit No. 473 KinderMorgan CO2 Co. LP Drill Permit for YD-2 on BLM land** condition- \$50,000.00 bond posted for county road maintenance, BLM has been notified and sundry notices given by BLM and dust abatement has been secured through County Road Department. **High Impact Permit No. 474 KinderMorgan CO2 Co., LP Drill Permit for HE-5 on BLM land** condition - \$50,000.00 bond posted for county road maintenance, BLM notified and sundry notices given by BLM and dust abatement has been secured through the County Road Department.

**GARY WALKER Owner of Southwest Diesel** approached the Board asking to allow an additional septic systems be installed as he plans to put a mobile home on the property. The systems cannot be combined. He needs to get soil samples and an engineered system to see if it's feasible and return with the results. **Jim Siscoe** was also present

**MARK RODGERS** met with the Board to see how to proceed with the property exchange. He was directed to talk to the County Administrator and go through the High Impact Permit as he proposed.

**ADJOURNED:** 3:12 p.m.

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County Clerk  
03/29/04

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Chairman

Approved.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**APRIL 5, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 5, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman - Absent  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, March 29, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**PAYROLL:** General fund warrants in the amount of \$253,242.51, District Attorney fund warrant #43544 in the amount of \$21,746.16, Treasurer fund warrant #43545 in the amount of \$205,716.05; Road department fund warrants in the amount of \$61,166.08, Treasurer fund warrant #17641 in the amount of \$58,001.61; and Landfill fund warrants in the amount of \$11,820.75, Treasurer fund warrant #3962 in the amount of \$10,511.82 were approved for payment.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented current month's precipitation and "2004 Annual Precipitation by Month Through 04/05/2004". (see attached).

**ROAD: Lloyd Everett** informed the Board that culvert repair and cleaning shoulders on CR G are being done to ready it for chip seal. Mentioned washboard problems on CR T.5.

**TRANS/COLORADO – KINDERMORGAN COMPRESSOR STATION** representative **Paul Geyer** informed the board regarding the satisfaction of the contingency requirements of **HIP No. 469. Mr. Geyer** stated his company was still waiting on the Notice to Proceed from the **BLM - Forest Service**. Letters of complaint were noted, reviewed and will become part of the Trans/Colorado- KinderMorgan Compressor Station file. Audience comments about the DBA noise levels and emergency responses were heard. (see sign in sheet). The Board having previously approved said permit on November 24, 2003, contingent upon the satisfaction of said requirements will sign the High Impact Permit upon receipt of said Notice to Proceed. **Karen Welch and Margaret Clauson** were present.

**WILDERSON SUBDIVISION:** Comm Lindsay moved to approve and sign the final plat for the Wilderson Subdivision (Hazel Wilderson), seconded by Comm Findley and carried.

**LIQUOR LICENSE:** Deputy's **Tammy Neely and Judy Follman** presented an application for renewal of a retail liquor license for **Smitty's Liquor**. Comm Lindsay moved to approve the application, seconded by Comm Findley and carried. (2) Presented an application for a renewal of a 3.2 beer retail license for **ARAMARK Sports and Entertainment, Inc. Point Lookout** with a change in cooperate officers. The background checks have been done on the new officers. Comm Lindsay moved to approve the application, seconded by Comm Findley and carried.

**FAIRGROUNDS** Manager **Darryl Buffington** asked the Board for Lottery monies to purchase a new John Deere tractor for the fairgrounds in the amount of \$8,512.00. Comm Lindsay made a motion to approve the purchase of a tractor with lottery monies in the amount of \$8,512.00, seconded by Comm Findley and carried.

**PUBLIC HEARING – PROPOSED HIGH IMPACT PERMIT No. 480 - TED LAWRENCE:** It being the time set aside, a public hearing is held concerning a High Impact Permit application for a proposed concession stand on property owned by Ted Lawrence. Said application is being submitted by Ted Lawrence. The property is situated in Section 28, T.36N., R.13W., N.M.P.M. situated on the south side of Hwy. 160, lying east of Park Street. The physical address is 41900 Hwy. 160, Mancos, Co. The roll was called and proof of publication was read. Present were **Ted Lawrence** and planning manager **Karen Welch and Margaret Clauson**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to review threshold standards. It was noted that the Town of Mancos had been notified and has responded and the residents were polled. The access is off Park Street. The Board asked for public comments. There were no public comments. Comm Lindsay made a motion to approve High Impact Permit No. 480, contingent on written findings. The motion was seconded by Comm Findley and carried. The proceedings were taped for the record. The Planning Department will draft written findings for High Impact Permit No. 480 for approval and signature.

**PUBLIC HEARING – REVIEW HIGH IMPACT PERMIT No. 283 - BILL EDGERTON:**

It being the time set aside, a public hearing is held concerning the review of High Impact Permit No. 283 **Le Pew Septic Tank Service**. Mr. Edgerton is requesting renewal of his permit (see minutes 04/08/02) on a permanent basis. The property is located at 4155 Hwy. 160, situated in Section 20, T.35N., R.16W., N.M.P.M., lying on the east side of Hwy. 160 north of Road D. The roll was called and proof of publication was read. Present were **Bill Edgerton** and planning manager **Karen Welch and Margaret Clauson**. Manager Welch presented the High Impact Permit to the Board for review. The Board asked for public comments. Neighbor, **Shelly Porter** commented she had no problem with the business but at times the odor was bad when the trucks were loading sewage from the tanks. Mr. Edgerton responded that he was trying to keep the odor down, but that the wind could be a factor at times. He also said he would like to install an air filtration system in the building at a later date that would help with the odor problem. He was encouraged to pursue the system and that no further action would be required by the Board. **Jim Siscoe** had received a telephone call from **Carol Boden** with the **EPA** raising a question about the possibility of additional permits from the EPA. Mr. Edgerton will look into it. Comm Lindsay made a motion to approve previously approved High Impact Permit No. 283, on a permanent basis. The motion was seconded by Comm Findley and carried. The proceedings were taped for the record.

**RECESSED FOR LUNCH:** 12:00 Noon with the Dolores Senior Citizens.

**DAN BENJAMIN** met with the Board asking to have Dennis Story with Social Services removed from his case. He also mentioned his situation about back child support and the possible loss of his driver's license. Although the Board has no authority over the driver's license problem he was advised to pay all back support and that might allow him to keep his license. Mr. Benjamin made allegations of a possible cover-up, fraud, and perjury concerning a day care center formerly located at 453 W Sunset in Mancos, Co. The Board instructed Administrator Weaver to immediately contact the Sheriff's Office. Administrator Weaver called the Sheriff's Office in the presence of the Board and Mr. Benjamin. Mr. Weaver spoke with Sergeant Hoffman who said that Mr. Benjamin should come to the Sheriff's Office and file his complaint. Mr. Benjamin agreed he would do so.

**OFFICE OF COMMUNITY SERVICES: Mike Preston and GIS SPECIALIST Jim Siscoe** met to update the Board on the Stewardship Committee and discuss TDR's in the Dolores River Valley Plan.

**ADJOURNED:** 4:15 P.M.

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County Clerk  
04/05/2004

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**APRIL 12, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 12, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, April 5, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**HIGH IMPACT PERMIT No. 469 – TransColorado/KinderMorgan Compressor Station** was presented by **Margaret Clauson** of the planning department for signature. (see attached)

**ROAD: Lloyd Everett** stated the department will begin the mag chloride program today. (1) roads S.6 and S.7 are scheduled to be graveled as are roads in the Dolores District. (2) have been blading several roads (3) discussed the Norwood-Dolores project.

**LANDFILL** Manager **Deb Barton** presented the profit and loss statement for the month of March, 2004. She informed the Board that CAFR requested someone from Montezuma County to speak at the meeting on June 8, 2004 in Breckenridge to discuss the HSRF withholding and how county is proceeding and what is the next step. It was suggested Deb should go and speak. (see attached)

**AMENDED PUBLIC HEARING – LEBANON SCHOOLHOUSE BED AND BREAKFAST:** It being the time set aside, a Public Hearing was conducted for the consideration of a beer and wine license for Lebanon Schoolhouse Bed and Breakfast located at 24925 Road T, Dolores, Co. The roll was called and the proof of publication was read. Present were Deputy **Tammy Neely** and Deputy **Judy Follman**, and owners **Ken and Laura Hahn**. Deputy Neely presented the application for a beer and wine license. The first application had been rejected by the State Liquor License Enforcement Division due to local authority hearing cannot be less than 30 days from date of application. The Sheriff's background checks came back clear, as were the fingerprints. When asked for public comments neighbors Randall and Leslie Brown had sent letters of protest earlier and now appeared before the Board expressing concerns about increased traffic. Presented a list obtained from the sheriff's office of speeding tickets issued in that area and photos of the intersection. They were against beer and wine being served in the rural community. The Hahn's told the Board that the Sheriff's Office would be notified when functions were held where beer and wine would be served on the premise and that food would be provided as well. Speeding would be an issue for law enforcement. Comm Findley made a motion to approve the beer and wine license for the Lebanon Schoolhouse Bed and Breakfast, seconded by Comm Lindsay and carried. The proceedings were taped for the record.

**LIQUOR LICENSES:** Deputy Clerk **Tammy Neely** and **Judy Follman** presented the following applications:  
**Wild Wild Rest** – renewal of a 3.2% beer license "on and off premises." The Sheriff's office reported no problems with the establishment. Comm Lindsay moved to approve the 3.2% beer license application, seconded by Comm Findley and carried. (2) Application for renewal for a 3.2% beer license for **Schroeder-Colorado, Inc./Eagle Claw Trading Post**. (3) Application for renewal for a retail liquor license for the **Schroeder-**

**Colorado Inc./ Eagle Claw Trading Post Retail Liquor Store.** The Sheriff department reported no problems with this outlet. Comm Findley moved to approve both applications, seconded by Comm Lindsay and carried.

04/12/04

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**BETTY FARLOW** gave a good report about the upcoming Home and Garden Show.

**LEADERSHIP MONTEZUMA** representatives **Kristine Nunn and Joan Luhman** presented budget information and goals for the program. They stated they are in the 9<sup>th</sup> year and are planning a celebration with alumni and interested leaders for the 10<sup>th</sup> year anniversary. They also asked for funding to continue with Leadership Montezuma. Comm. Lindsay made a motion to donate \$1500.00 to Leadership Montezuma, seconded by Comm Findley and carried. Ms. Nunn mentioned that on May 23, 2004 the **Mainstreet Association** was having a downtown cleanup day with breakfast being served and any County involvement would be welcome.

**MODEL AIRCRAFT AIRPORT** CAP members **Dr. John Dickson and Don Benoit** met and informed the Board the definition of a flyer and that first time flyers were to be supervised and instructed by a CAP flight instructor. They stated the flight area had been flagged off with rebar on all four corners and asked if the County could fence the area. It was suggested they earmark Club funds for the fencing and the graveling would be done after the fence was completed. It was reiterated that the County has control of the grounds, however, the Club may make recommendations to the fairgrounds manager for consideration of any rule changes. Fairgrounds manager **Darryl Buffington** was present.

**ED MORLAN** Executive Director of the **Community Development Action Plan (CDAP)** met with the Board to review and sign the CDAP for Montezuma County. Comm Lindsay moved to sign the Community Development Action Plan, seconded by Comm Findley and carried.

**DOLORES RIVER BRIDGE CLUB** representatives **John Patton, Glen Baer and others**( see sign in sheet) approached the Board concerning plans by **Grynberg Petroleum Company** to build a proposed pipeline and compressor station to produce gas from the **#2 Mary Akin Well to the Trans Colorado Pipeline** which would run through their property. In June 2002, **Sam Yahn with Grynberg Petroleum Company** came in to the Planning Office and was given information regarding the High Impact Permit process for pipelines. A letter was received from **Ken McKinney**, production manager of Grynberg Petroleum Company on August 23, 2002 stating plans to produce gas from the #2 Mary Akin Well and carry gas to the Trans Colorado Pipeline. Telephone calls by the Planning Department were made 04/09/04 to Mr. McKinney and reiterated the need for a High Impact Permit, with no response being made. It was stated by **Margaret Clauson** of the Planning Department that the County has yet to received an application for a High Impact Permit from Grynberg. The Planning Department will again contact Grynberg Petroleum in regards to the High Impact Permit. The club members then asked the Board to explain the High Impact Permit process. The Board explained how the High Impact Permit process worked within the Land Use Code of Montezuma County. The Board was also informed the pipeline company has filed for condemnation of the landowner's property. It was recommended the Landowners respond to the condemnation court proceedings through their own legal counsel

**RECESSED** for lunch: 12:30 p.m.

**SOUTHWEST REGIONAL EMERGENCY & TRAUMA ADVISORY COUNCIL (RETAC)** member **Jim Marett** came to introduce himself and ask the Board for their approval to be the RETAC liaison to Montezuma County. Comm Lindsay moved to accept Mr. Marett as the RETAC liaison to Montezuma County, seconded by Comm Findley and carried. **Nancy Falluer** also with RETAC informed the Board they acquired two 28' EMS trailers and one 16' EMS trailer to take care of any overflow the area hospitals may have during any disaster or emergency situation with the Fairgrounds becoming the auxiliary hospital. The trailers will be housed at the Mancos Fire Department, Cortez Fire Department (South station) and possibly one at the Dolores Fire Station. The trailers will be titled in Montezuma County's name under the direction of the Sheriff's Office.

**PLANNING:** **Margaret Clauson** presented the following High Impact Permits with findings for signature: **High Impact Permit No. 480 - Ted Lawrence**; construction of a concession stand. CDOT is realigning Hwy 160 to accommodate safety issues and access to the concession stand will be off Park Street.

**High Impact Permit No. 283 – Le Pew Septic Tank Service (Bill Edgerton)**; permanent approval. (see attached)

**ADJOURNED:** 3:15 P.M.

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County Clerk  
04/12/04  
Approved

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Chairman

ONLINE COPY



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**APRIL 19, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 19, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, April 12, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**ACCOUNTS PAYABLE:** General fund warrants #43546 thru #43758 in the amount of \$254,078.02; Road department fund warrants #17640 thru #17724 in the amount of \$61,264.26; Landfill fund warrants #3969 thru #4003 in the amount of \$22,196.04, were approved for payment.

**ROAD:** The fuel tanks are being removed from the County Shop.

**DEPARTMENT OF SOCIAL SERVICES:** Was conducted.

**BETTY FARLOW** with the **Home and Garden Show** told the Board this years Home and Garden show was the best show to date. She said the participating businesses were pleased with the turnout.

**PLANNING:** Manager **Karen Welch and Margaret Clauson** along with **Comm Findley** had a conference call with **Sam Yahn with Grynberg Petroleum Company**. Mr. Yahn stated the Company wanted to make sure of the exact route of the pipeline before they would proceed. Manager Welch stated that the Planning Department sent Mr. Yahn a copy of the Land Use Code and an application for the High Impact Permit. Nothing has been received from Mr. Yahn on behalf of Grynberg Petroleum Company.

**HSRF FUND:** The Board asked that a letter be sent to the Colorado Department of Health asking for a meeting with them to discuss the HSRF fund.

**USED CARZ:** Comm Lindsay made a motion to purchase a 1998 Chevrolet Blazier for \$6500.00 from Used Carz. Seconded by Comm Findley and carried.

**RECESSED FOR LUNCH;** 12:00 Noon. Toured the Jail facility at 1:30 p.m.

**HEALTH DEPARTMENT** Director **Lori Cooper** met to remind the Board of a meeting with the **Emergency Planning Advisory Board** on Tuesday, April 20, 2004. She also said there were 133 tetanus shots administered during the **9 Health Fair** in Cortez on Saturday April 18, 2004 and 750 people participated in the Fair. The next 9 Health Fair in the area will be in Mancos on Saturday April 25, 2004.

**RALPH BERNER**, a marina consultant, met with the Board to discuss marina feasibilities at **McPhee Reservoir**. He stated that something should be built to not only serve the existing market but to absorb the market as it builds. He said House Creek would be an ideal spot for a marina. He mentioned there were a lot of recreational possibilities for the reservoir but there needs to be more marketing done to promote the area.

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

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County Clerk 04/19/2004  
approved

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
APRIL 26, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 26, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, April 19, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**AUTHORITY BOARD ORDER:** Comm Findley made a motion to direct the Clerk to issue **Order Number 0-08-04** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

**NORWOOD-DOLORES ROAD:** It was reported the **Forest Service** would commit to chip-sealing 3 plus miles and applying magchloride on the remainder 8 plus miles.

**ASSESSING POTENTIAL WILDFIRES** by satellite imaging and mapping is being done by a wild land specialist to possibly pinpoint potential wildfire dangers in the area.

**HSRF:** Montezuma County's response to **Compliance Order Number 04-04-12-01** was reviewed, signed, and forwarded to **Department of Public Health and Environment.** (see attached).

**LIQUOR LICENSE:** Deputy Clerk **Judy Follman** presented an application for renewal of a Hotel/Restaurant liquor license for **Stoner Creek Store.** Sheriff's department reported no problems and all checks came back clear. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

**SENIOR NUTRITION CENTER – COUNTY ANNEX:** Manager **Sue Fletcher** presented a grant application from 2004 Altria Community Coalitions to assist with senior meals. Comm Lindsay moved to sign the application, seconded by Comm Findley and carried. **Mary Holaday** was also present.

**SOUTHWEST HEALTH SYSTEMS – SOUTHWEST MEMORIAL HOSPITAL** Chief Financial Officer, **Dan Jessup** introduced the new Chief Executive Officer of Southwest Health Systems/Southwest Memorial Hospital, **Mr. Chuck Bill.** They spoke of the status of the hospital construction saying everything was on schedule for completion in December. Mr. Bill feels the future of the hospital looks bright and he looks forward to being a part of it. The quarterly financial statement was also presented. (see attached)

**TIERRA ALTA SUBDIVISION:** Comm Lindsay moved to sign the completed plat for Tierra Alta Subdivision (**Robert E. Newman, Jr.**) seconded by Comm Findley and carried.

**CHESTER LEONARD SUBDIVISION** was presented for signature.( **Chester C & Darla J.Leonard**).  
Comm Findley moved to sign the completed Chester Leonard Subdivision Plat, seconded by Comm Lindsay  
and carried.

**PLANNING** Manager **Karen Welch** presented **High Impact Permit No. 477 – KinderMorgan CO2  
Company** permit to drill YA-5 Well on the **Wilson Property** for signature.

04/26/2004

2

**AFTER-THE-FACT EXEMPTION:** Manager Welch presented an after-the-fact exemption for **Cynthia D.  
Jabson** on 3.63 acres. The original deed was recorded October 1, 1985. The question was asked as to when the  
original septic permit was dated and will to be checked into. Comm Lindsay moved to approve the exemption  
contingent on the septic permit date, seconded by Comm Findley and carried.

**RECESSED FOR LUNCH:** 12:00 Noon

**TRANSFERABLE DEVELOPMENT RIGHTS (TDR)** Slide show and brief overview of study with  
discussion was presented by **Jim Siscoe and Mike Preston** concerning the Dolores River Valley Project.

**ADJOURNED: 4:15 P.M.**

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County Clerk

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**May 3, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 3, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, April 26, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**PAYROLL:** General fund warrants in the amount of \$246,993.86, District Attorney fund warrant #43760 in the amount of \$23,503.44, Treasurer fund warrant #43761 in the amount of \$200,958.77. Road department fund warrants in the amount of \$61,292.23 Treasurer fund warrant #17725 in the amount of \$57,875.46; and Landfill fund warrants in the amount of \$11,408.77, Treasurer fund warrant #4004 in the amount of \$9,379.12 were approved for payment.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented current month's precipitation figures for the month of April.

**ROAD: Lloyd Everret** reported (1) the northern part of CR 25 is to be blade patched, chip sealed and stripped, (2) blade patching CR 27 today, (3) CR 24 north to CR T was newly graveled and pretty slick but will improve once the new gravel settles, (4) CR T.5 looks good, (5) the culvert installed on CR K.3, (6) had received a call to complain that the Dolores/Norwood Road was rough and wanted it bladed, but the road is too hard to blade at this time, and (7) it was mentioned there was stress put on CR 21 due to heavy truck traffic. Mr. Everett stated the road had water issues causing any damage rather than traffic.

**TRACY CHAVIS** parent of Cortez football player **Travis Chavis** approached the Board asking for a donation to help with expenses to send Travis to represent Cortez as a member of the Colorado All Star Football Team in the Downunder Bowl in Australia this summer. She said he had raised about a third of the money required and was asking for any help they could get. Travis is a senior at MCHS and will be entering the Marines in September. The Board said they could not give anything as the Board of County Commissioners, however individual donations could be made.

**LIQUOR LICENSE:** Deputy **Judy Follman** presented two applications for renewal; (1) Mac's Liquor, a retail liquor license and (2) Cloud 9 a hotel/restaurant liquor license. The letter from the Sheriff's Office concerning if there were any local violations against the establishments had not been received. The Board wished to have the letters attached to the applications, therefore, no action was taken on either application.

**PLANNING:** Manager **Karen Welch** presented planning **Resolution P-02-04E After-the Fact**, whereas **Cynthia D. Jabson**, owner of 3.63 acre tract, would be granted an after-the-fact exemption to the subdivision regulations to record an exemption in Section 21, T.37N., R.16W. It was stated the original deed was recorded in 1985 and the septic permit no. 359 was issued in 1973. The Board was interested in the date of the permit for

the septic (see minutes 04/26/2004). That being satisfied, Comm Lindsay moved to adopt Resolution P-02-04E After-the-Fact, seconded by Comm Findley and carried

**NOTICE OF CLAIM** (Settlement Demand) addressed to the Sheriff's Office for **Eric Trap** was presented to the Board for review then forwarded to the insurance company.

05/03/2004

2

**ABATEMENT:** Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for the **Custom Wood Working and Sales ( Craig Luikko)** for parcel number 8839-000-00-073 P, 2003 abatement of \$2287.60. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommended approval. Comm Lindsay moved to approve the abatement petition, seconded by Comm Findley and carried. **Dona Dunsmore** of the Assessor's Office was also present.(see attached)

**RECESSED FOR LUNCH:** 12:00 Noon

**LODGER'S TAX** representative **Sue Scott** passed out the new Mancos Valley Chamber of Commerce Quarterly Newsletter as well as the minutes of the Lodger's Tax Committee Meeting on 4/20/04. The Lodger's Tax Board made the following distribution recommendations to the Board:

Dolores Chamber of Commerce	\$20,000.00
Cortez Chamber of Commerce	\$ 5,000.00
Mesa Verde Country	\$40,000.00

Mancos Chamber of Commerce \$16,000.00 with stipulations. An initial \$6,000.00 for the visitor's center operation, then have a progress report in June before the remaining \$10,000.00 is distributed.

Comm Findley made a motion to approve the distributions as recommended by the Lodger's Tax Board, seconded by Comm Lindsay and carried.(see attached)

Board member Sue Scott's term is due to expire and she stated she would like to remain a Lodger's Tax Board Member. Comm Findley moved to re-appoint Sue Scott to the Lodger's Tax Board of Directors, seconded by Comm Lindsay and carried.

**LANDFILL** Manager **Deb Barton** made the Board aware of a phone call she received from **Jill Cooper**, Director Sustainability Program, Colorado Department Public Health and Environment, stating that Questar has accepted the proposal submitted by Montezuma County Landfill for the Pollution Prevention Project for Montezuma and Dolores County's concerning the Household Hazardous Waste Diversion. This project has been coordinated with the County Commissioners of Dolores and Montezuma Counties and Montezuma County would receive the monies disbursed.

**COLORADO DEPARTMENT OF HEALTH:** **Mr. Glen Mallory** responded to the (HSRF) letter sent earlier concerning a meeting with the Board and it was agreed that there will be a conference call scheduled for May 25, 2004 at 3:00 P.M.

**TRANSFERABLE DEVELOPMENT RIGHTS:** **Jim Siscoe** gave a slide presentation on TDR's concerning the Dolores River Valley Project.

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

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County Clerk  
05/03/2004

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**May 10, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 10, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, May 3, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**TREASURER:** Treasurer's report for the month of April was received.

**ROAD:** The Board was reminded of the **DOLORES/NORWOOD ROAD** meeting scheduled for Tuesday, May 11, 2004 at the Dolores Community Center. **Lloyd Everett** reported the following; (1) magchloride project was nearly completed, (2) blade patching on CR P west of Hwy 491 (3) he requested that Four Corners Materials give bids on doing some spot patching on various county roads. It was mentioned that there is not a consistent supply of material for blade patching in this area; therefore, they are buying from Four Corners Materials. (4) They are finishing up removal of the tanks at the county shop. (5) CR 36.5 has new gravel and due to the last snow storm has become rough. Road will be dry bladed today in hopes that will help, (6) The Forest Service recommended there be 30/100<sup>th</sup> of mag application to Dolores Norwood Road while the product salesman recommended the application needs to be 50/100<sup>th</sup> to be effective.

**LANDFILL** Manager **Deb Barton** presented the profit and loss statement for the month of April. She mentioned various equipment repairs that were done and reported on the Mancos PCS and Cash Canyon cleanups. Also that the Household hazardous waste grant monies should be coming within the week for Montezuma and Dolores Counties. Manager Barton also reported two soda machines being stolen and taken off site as well as the fence being cut to gain access. Discussed looking into some sort of security system.

**LIQUOR LICENSE:** Deputy **Judy Follman** presented an application for a Special Events Permit - liquor for **Cliffrose** to benefit the "**Rollo Foundation**" (a non-profit organization) this event will benefit the Cortez Animal Shelter. The event will be held at Cliffrose on June 17, 2004, between 5:00 p.m. and 10:00 p.m. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried. Deputy Follman also presented the following applications for renewal: A retail sales liquor license for **Mac's Liquor**, and a hotel/restaurant license for **Cloud 9**. She reported the letters from the Sheriff's Office has been received stating there were no problems with these outlets. Comm Lindsay moved to approve the application for renewal for Mac's Liquor, seconded by Comm Findley and carried. Comm Lindsay moved to approve the renewal for Cloud 9, seconded by Comm Findley and carried.

**PUBLIC HEARING – JAY AND LEA STRINGER- FARM GOODS FOR KIDS – PROPOSED HIGH IMPACT PERMIT NO. 476:** It being the time set aside, a public hearing is held to consider a High Impact Permit application for a proposed expansion by the construction of a new warehouse for Farm Goods for Kids, a business owned by Jay and Lea Stringer. Said property is situated on 52.65 acres in Section 9, T.35N., R.13W., N.M.P.M lying on the south side of Road G, west of Road 41. The roll was called, and proof of publication was read, and the proceedings were taped for the record. No action was taken at this time pending further review by the Board. Continued Public Hearing for Monday, May 17, 2004 at 10:00 A.M. (Letters and petition attached)

**EXTENSION Agent Tom Hooten** will be attending a meeting concerning Biofarming in the County and wanted input from the Board. The Board wants to know about funding for the program and how it will be managed. The Board would like to see consideration given to keeping the CU Experimental Station in the area.

05/10/2004

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**RECESSED FOR LUNCH 12:00 Noon**

**SHERIFF'S POSSE Major Wanda Martin** updated the Board on the Posse's activities. They are looking into a Historic Grant to help fix up the existing building. Major Martin requested funds for arena improvements. Comm Lindsay made a motion to give \$2000.00 of lottery monies for the improvement of the arena, seconded by Comm Findley and carried.

**INSURANCE AGENT Bentley Colbert** met with the Board to discuss health insurance options. Finance Director **Mary Ann Sanders** was present.

**GARY WALKER Owner of Southwest Diesel** returned with a report of soil samples and an engineered septic system (see minutes 03/29/04). Comm Findley made a motion to approve an exemption on 1 parcel for 2 septic systems, one residential and one commercial due to the fact the second system is an engineered system. Comm Lindsay second and motion carried.

**PLANNING: Margaret Clauson** presented the **Burk Single lot Development (Patricia and Jack Burk) plat** for approval. Motion made to approve by Comm Lindsay second by Comm Findley motion carried.

**ADJOURNED 2:45 PM**

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County Clerk  
05/10/2004

Chairman

Approved

ONLINE COPY



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**May 17, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 17, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Thomasina Neely, Chief Deputy County Clerk

**MINUTES** of the regular meeting held on Monday, May 10, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**ACCOUNTS PAYABLE:** General fund warrants #43770 thru #43946 in the amount of \$156,334.03; Road department fund warrants #17732 thru #17806 in the amount of \$273,851.71; Landfill fund warrants #4011 thru #4044 in the amount of \$14,744.12; were approved for payment.

**SOCIAL SERVICES** Tech. **Radonna Vinger** presented an award from the **Colorado Welfare Fraud Council** to **Lisa Lavasser**.

**SOCIAL SERVICES:** Conducted

**CONTINUED PUBLIC HEARING – JAY AND LEA STRINGER- FARM GOODS FOR KIDS – PROPOSED HIGH IMPACT PERMIT NO. 476:** It being the time set aside, for the continuance of the public hearing is held to consider a High Impact Permit application for a proposed expansion of the construction of a new warehouse for Farm Goods for Kids, a business owned by Jay and Lea Stringer. The roll was called, and the proceedings were taped for the record. Present were Manager **Karen Welch** and **Jay Stringer**. Mr. Stringer requested a continuance until Monday the 24<sup>th</sup> of May to employ an engineer to investigate the intersection of County Roads 41 and G. Comm. Findley requested a more detailed plan of the landscape. Comm. Lindsay expressed concerns of the exterior fire hazards. It was recommended by the Commissioners that Jay Stringer contact **Dave Cluff** Wildfire Specialist to look at the property. Comm. Findley move to continue the hearing until Monday May 24<sup>th</sup> 2004 at 10:00 AM, seconded by Comm. Lindsay. Motion carried.

**INSURANCE AGENT Bentley Colbert of Wolcott Insurance and Greg Myers of Blue Cross Blue Shield,** met with the Board to discuss health insurance options. Finance Director **Mary Ann Sanders** was present. **Attorney Bob Slough** recused himself.

**PLANNING:** Manager **Karen Welch** presented the **Amended Scheurman Subdivision Plat**. Sec. 33, T.37N, R.16W, NMPM. Comm. Findley moved to sign the amended plat, seconded by Comm. Lindsay. Carried

**HEALTH DEPT:** Director **Lori Cooper**, presented contracts to be signed. The contracts are as follows:(1)**Intergovernmental Contract** between **Dept of Public Health and Environment and Montezuma County Board of Commissioners** for Environmental Health Specialist, Comm. Findley move to sign the contract seconded by Comm. Lindsay, carried.(2)**Community Nursing Program Contract** for Public Health Nursing, Comm. Lindsay moved to sign contract, seconded Comm. Findley, carried.(3) **Task Order for the**

**Tuberculosis Program**, Comm. Findley moved to sign contract and seconded by Comm. Lindsay, carried. (see attached)

05/17/2004

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**SHERIFF'S DEPT: Sheriff Joey Chavez and Lynn Williams** presented contracts to be signed. These contracts are as follows: (1) Between the **State of Colorado Dept of Public Safety** and The Montezuma County Commissioners, for the use and benefit of the Division of Criminal Justice. (2) Between the **State of Colorado Dept of Public Safety** and The Montezuma County Commissioners, for the use and benefit of the Division of Criminal Justice. Comm. Findley moved to sign contracts, seconded by Comm. Lindsay, and carried.(see attached)

**RECESSED FOR LUNCH:** 11:30 AM with the Forest Service

**PAT KANTOR** thanked the Board for their vision concerning The Dolores River Valley Project. She also talked about ozone levels and airborne mercury damage to the atmosphere of the Four Corners area.

**GIS: Patrick Thorstenson** presented a draft of the updated map of the county roads.

**Finance Manager MaryAnn Sanders** discussed County Health Insurance. Comm. Findley moved to approve **CTSI** as the County health insurance company, seconded by Comm. Lindsay, and carried.

**ADJOURNED** 3:15 P.M.

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Deputy Clerk  
05/17/2004

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**May 24, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 24, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk  
Thomasina Neely, Chief Deputy County Clerk

**MINUTES** of the regular meeting held on Monday, May 17, 2004, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

**ROAD DEPARTMENT:** **Lloyd Everett** met to report the status of the roads. The chip seal was completed on county road G to Wallace Bridge. Roads scheduled for maintenance are: Dolores-Norwood Road chip seal and mag chloride, and roads in the Cortez area.

**GENERAL FUND ORDER:** Comm. Lindsay made a motion to direct the Clerk to issue **Order Number 0-09-04** to the Treasurer to transfer \$80,331.51 from the General Fund to the Social Services Fund – quarterly HCBS (see attached). The motion was seconded by Comm. Findley and carried.

**DANI GREGORY and Bobby Jo Post of Partners** presented the Board and Fairgrounds **Manager Daryl Buffington** a bandana and trophy from the **2004 Ride the Lightning Bike Race** to thank them for the use and support of the fairgrounds facility.

**CITY MANAGER HAL SHEPARD and Joni Howland, Librarian** met to discuss the possible formation of a library authority.

**CONTINUED PUBLIC HEARING – JAY AND LEA STRINGER- FARM GOODS FOR KIDS – PROPOSED HIGH IMPACT PERMIT NO. 476:** It being the time set aside, for the continuance of the public hearing is held to consider a High Impact Permit application for a proposed expansion of the construction of a new warehouse for Farm Goods for Kids, a business owned by Jay and Lea Stringer. The roll was called, and the proceedings were taped for the record. Present were Manager **Karen Welch, Jay Stringer and Lea Stringer**. The Board heard pro and con statements from the audience (see attached sign in sheet). Letters and a petition were submitted to the Board for review (see attached). No action was taken and the public hearing was continued for Tuesday the 1<sup>st</sup> of June 2004 at 11:00am.

**DEAN MATTHEWS:** presented letters from area plumbers.

**RECESSED** for lunch 12:40 pm

**LIQUOR LICENSE:** Deputy Clerk **Judy Follman** presented renewals for the following liquor license applications:

3.2 beer license **Skyline Food & Gas** owner **Kong Lim**. A letter from the Sheriff's Office reported no violations. Comm. Findley move to approve the renewal of a 3.2 beer license for **Skyline Food & Gas**, seconded by Comm. Lindsay. Motion carried.

Retail liquor license **Hilltop Liquor Store** owner **Kong Lim**. A letter from the Sheriff's Office reported no violations. Renewal was tabled pending completed application.

Resort complex liquor license with related facility permit **Echo Basin Ranch** owner **Dan Bjorkman**, the Health Dept and Sheriff's Office reported no violations. Renewal was tabled pending completed application.

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**PLANNING:** Manager Karen Welch presented High Impact Permit #470 with findings for signature **Smokehouse** (food preparation) owner **Joie Dugger**, for the Board to sign. (See attached).

**DOLORES RIVER VALLEY PROJECT:** Comm. Findley reported that it was the consensus of the committee to proceed on to a community hearing and report back to the planning Commission. There will then be an informational presentation to the Board.

**Adjourned** 4:05 pm

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County Clerk  
05/24/2004

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**June 1, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, June 1, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, May 24, 2004, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

**PAYROLL:** General fund warrants in the amount of \$248,171.00, District Attorney Fund warrant #43949 in the amount of \$21,592.36, Treasurer Fund warrant #43950 in the amount of \$202,353.23. Road department fund warrants in the amount of \$61,292.23, Treasurer Fund warrant #17808 in the amount of \$57,875.46; and Landfill fund warrants in the amount of \$12,396.74, Treasurer Fund warrant #4045 in the amount of \$9,583.31 were approved for payment.

**AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-10-04** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented current precipitation figures for the month of May, 2004.

**PCC SOUTHWEST CENTER FOUNDATION** representative **DOTTIE WAYT** presented the Board with a proposed building plan to house a central campus for **Pueblo Community College**. Mrs. Wayt stated the need for more space and their long term goal was for an individual community college for southwest Colorado. She asked for a letter of support to keep and establish growth of the college in this area, and for any monetary support if possible. A letter of support was written and the Board will look into a contribution. (See letter attached.)

**RICK LEE** presented the Board with a check in the amount of \$6,500.00 for the cost share road paving program on CR 28. He said he had a problem with preparation and drainage on the road. The Road Department will check into the problem.

**PLANNING** Manager **Karen Welch** presented a letter of resignation from the Planning and Zoning Commission from Gerald Hart. Comm Findley moved to reluctantly accept Mr. Hart's letter of resignation and to appoint alternate Chuck McAfee to fulfill Gerald Hart's unexpired term until 2005. Seconded by Comm Lindsay and carried. Manager Welch recommended no new alternates be appointed at this time, and the Board agreed. Manager Welch informed the Board of two upcoming High Impact Permits scheduled for June 14, 2004 (1) for a machine shop on Hwy 491 north and (2) a plumbing supply business on 160/491 south.

**FAIRGROUNDS** Manager **Darryl Buffington** informed the Board of a water break at the fairgrounds. He reported the racetrack and the radio control flyers are doing okay, and he is looking into security options for the fairgrounds.

**LIQUOR LICENSE:** Deputy **Judy Follman** presented an application for renewal of a resort complex with related facility liquor license for **Echo Basin Ranch** (owner is **Dan Bjorkman**). The Sheriff's Department reported no problems with this establishment. Comm Findley moved to approve the application, seconded by

06/01/04

2

Comm Lindsay and carried. (2) Presented an application for a renewal of a retail liquor license for **Hilltop Liquor Store** (owner is **Kong Lim**). The Sheriff's Department reported no problems with this establishment. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

**CONTINUED PUBLIC HEARING – JAY AND LEA STRINGER- FARM GOODS FOR KIDS – PROPOSED HIGH IMPACT PERMIT NO. 476:** It being the time set aside, for the continuance of the public hearing is held to consider a High Impact Permit application for a proposed expansion of the construction of a new warehouse for Farm Goods for Kids, a business owned by Jay and Lea Stringer. The roll was called, and the proceedings were taped for the record. Present were Manager **Karen Welch, Jay Stringer and Lea Stringer**. A letter was read by Manager Welch from **Aubrey (Bud) Roach P.E.** concerning the inspection of the septic facilities (see attached). Comm Findley made a motion to approve High Impact Permit No. 476 contingent upon mitigations concerning the intersection of CR G and 41, install a stop sign on CR 41 and a yield sign on CR G per recommendation by Routh Engineering, no parking on the right of way, a \$10,000.00 landscaping bond, the use of an alternate truck route during inclement weather, the removal and or replacement of the shed on the north corner of CR G & CR 41, limiting the number of employees to 60, with existing septic and potable water capacities and meeting all threshold standards, seconded by Comm Lindsay and Comm Wilson voted in favor of approval of HIP 476, motion carried. The Planning Department will draft written findings on High Impact Permit No. 476 for review.

**ROAD:** Lloyd Everett presented the lease agreement from Wells Fargo on the 2004 Peterbilt for signature. Discussed CR 41.

**RECESSED FOR LUNCH:** 12:13 p.m.

**INSURANCE RULE 75:** With respect to Rule 75, Comm Lindsay moved to no longer allow retired employees to continue to participate in the group insurance plan. Seconded by Comm Findley and carried.

**ADJOURNED:** 2:40 p.m.

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County Clerk  
06/01/2004

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**June 14, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 14, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Thomasina Neely, Chief Deputy Clerk

**MINUTES** of the regular meeting held on Tuesday, June 1, 2004, were read. The minutes were adopted as corrected. Comm. Lindsay moved to approve these minutes, seconded by Comm. Wilson and motion carried.

**LIQUOR LICENSE** Deputy Clerk Judy Follman presented a retail liquor license renewal for **G Whil Liquors** (**Dana Baxstrom** owner). Comm. Lindsay moved to approve the renewal, seconded by Comm. Findley and motion carried.

**ROAD DEPT** Lloyd Everett informed the Board that work started on the Dolores-Norwood road.

**LANDFILL** Debbie Barton submitted a Profit and Loss Statement for the month of May. (See attached)

**RECESSED** to the Rec Center to meet with Governor Bill Owens

**PUBLIC HEARING- R. REESE REAL ESTATE-STANDARD PLUMBING SUPPLY-HIGH IMPACT PERMIT #491:** It being the time set aside, a public hearing is held regarding a High Impact application for a proposed plumbing supply store on 3.21 acres. Said property is located at 6638 hwy 160, Cortez Colorado, in Section 9, Township 35 North, Range 16 West, N.M.P.M Montezuma County Colorado, lying on the east side of hwy 491, south of road G. The roll was called and public notice read. Present were Planning Manager **Karen Welch** and **Blake Proctor** acting manager for R. Reese Real Estate. Manager Karen Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commission for a public hearing. There was no public comment. Comm. Findley required a stop sign be placed from the property to the highway. Comm. Lindsay moved to approve High Impact Permit #491 with Comm. Findley's requirements for the stop sign, Comm. Findley seconded motion was carried. The proceedings were taped for the record.

**PUBLIC HEARING-MARK SOUZA AND LORETTA GILBERT-BEAR CREEK MANUFACTURING AND REPAIR INC. HIGH IMPACT PERMIT #490:** It being the time set aside, a public hearing is held regarding a High Impact application for a proposed machine shop on 3.49 acres owned by Barbara Maness. Said property is located at 15606 Hwy 491, Dolores Colorado, in Section 29, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, lying on the east side of road 491, south of Road S. The roll was called and public notice read. Present were Planning Manager **Karen Welch, Mark Souza** and **Loretta Gilbert.** Planning Manager Karen Welch presented the Planning Commissions recommendation that the application proceed to the Board of County Commission for a public hearing. There was no public comment. Comm. Findley required a stop sign be placed on the entrance of the property to the highway. Comm. Findley move to approve High Impact Permit #490 with requirements for a stop sign, Comm. Lindsay seconded motion was carried. The proceedings were taped for the record.

**PUBLIC HEARING- TO CONSIDER THE SUNSET PROVISION OF RESOLUTION #4-2003:** It being time set aside, a public hearing is held to consider The Sunset Provision of Resolution #4-2003 regarding mandatory plumbing inspections for all commercial and residential remodeling and new construction. The hearing was opened the roll was called and public notice was read. Several public comments were heard. Comm. Lindsay moved to remove the Sunset Provision of Resolution #4-2003, Comm. Findley seconded motion was carried. The proceedings were taped for the record.

**RECESSED** for lunch

**DISTRICT ATTORNEY Joe Olt** met with The Board to discuss increase of salaries. It was suggested that he wait until The Budget Hearings. The Board will examine the budget.

**DAN BOYD & DAN BJORKMAN** inquired about a license to sell R V trailers on The Echo Basin Resort Complex. The Board informed Mr. Boyd and Mr. Bjorkman no additional businesses would be allowed until water, sewage, septic issues are cleared up, a Letter of Credit, and an Engineered Plan for grey water containment us received.

**SHERIFF'S OFFICE Sheriff Joey Chavez** requested to re-instate the Fire Ban for Montezuma County. He presented a Report from **David Cluff, Montezuma County Fire Prevention** (see attached). The Board scheduled the ban for Monday June 21<sup>st</sup> 2004.

**FINANCE MANAGER Mary Ann Sanders** presented **Resolution #5-2004** to join **CTSI County Health Pool**. Comm. Findley moved to approve **Resolution #5-2004** Comm. Lindsay seconded, and carried. Finance Manager Mary Ann Sanders requested a designation of a Representative to the CTSI Colorado County Health Pool. Comm. Findley moved to appoint Mary Ann Sanders as Representative and Destry Tucker as Alternate Representative, Comm. Lindsay seconded, motion carried.

**HEALTH DEPT:** The following contracts were presented for approval **Child Health Plan Plus** and **Tobacco Control Program**. Comm. Lindsay Moved to sign both contracts Comm. Findley seconded, carried. (See attached)

**PLANNING** Manager Karen Welch presented the **Stacy Moderate Subdivision AR3-9 Plat**, located on SE1/4 of Section 5, T.36N., R16W., N.M.P.M. for approval. Comm. Findley move to sign Comm. Lindsay seconded, carried. **High Impact Permit #51 Randall and Donna Spear** was submitted to upgrade from residential to commercial use. Approval was tabled pending completion of a structure.

**LODGERS TAX COMMITTEE** reported to the Board they had satisfied the budget requirements for use of the lodgers' tax, reflecting an expected \$16,000.00. The Committee requested the Board to release the additional \$10,000.00 to the **Mancos Valley Chamber of Commerce**. Comm. Findley moved to approve the request, seconded by Comm. Lindsay, carried.

**ADJOURNED 3:30 PM**

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Deputy County Clerk

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Chairman

Approved



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**June 21, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 21, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, June 14, 2004, were read. Comm Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**ACCOUNTS PAYABLE:** General fund warrants #43964 thru #44131 in the amount of \$188,816.16; Road department fund warrants #17822 thru #17887 in the amount of \$207,177.84; Landfill fund warrants #4056 thru # 4091 in the amount of \$35,893.38 were approved for payment.

**CORRECTIONAL FACILITY FUND:** Comm Findley made a motion to direct the Clerk to issue **Order Number 11-2004** to the Treasurer to transfer \$10,957.55 from the Correctional Facility Fund to the General Fund for grinder at the Jail. Seconded by Comm Lindsay and carried. **ORDER NUMBER 12-2004:** Comm Findley made a motion to direct the Clerk to issue Order number 12-2004 to the Treasurer to transfer \$13,250.00 from the **Conservation Trust** to the General Fund (Fairgrounds 2500-1380). Seconded by Comm Lindsay and carried.

**FIRE BAN - RESOLUTION NUMBER 6-2004:** The Board signed a resolution canceling the suspension of the ban on open fires (Resolution #7-2003). This fire ban is effective immediately adopted this 21<sup>st</sup> day of June, 2004 at 9:15 A.M.

**SOCIAL SERVICES:** Conducted at this time.

**LONNIE AND TRACIE OLIVER** introduced themselves to the Board and informed them of plans to promote racing in the area.

**ABATEMENT:** Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for **Donald L. Denison, Jr.**, for 24649 CR L (R738912004), 2003, abatement - \$200.12. Owners **Donald L. Denison, Jr. and Darlene Denison** were present. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommended the petition be denied stating the 2003 value supported by market data... Comm Findley moved to deny the abatement petition, seconded by Comm Lindsay and carried. **Cindy Claytor** from the Assessor's Office was present.

**PLANNING** Manager **Karen Welch** informed the Board she had received the irrevocable letter of credit from **Dan Bjorkman**. She also informed the Board of an upcoming meeting with **Connie and Thurl Boyd** representing **Mountain Stone**. The **Dolores River Valley** informational meetings are complete and it was suggested a special meeting of the Planning and Zoning Commission be held to review the information.

**COMMUNITY CORRECTION** inspection was conducted.

**RECESSED FOR LUNCH 12:00 Noon**

6/24/2004

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**CORRESPONDANCE** was received from **Just Wanna Play Ball Committee** concerning the community sports complex for high school baseball in Mancos and would like to utilize the airport property in Mancos. They will need to go through the High Impact Permit Process. Also received a letter from **Tom Comisky** resigning from the **Lewis Arriola Cemetery Board of Directors**. Comm Lindsay moved to accept Mr. Comisky's resignation, seconded by Comm Findley and carried. It was stated that they would have to advertise for new directors.

**ASSISTANT DISTRICT ATTORNEY ANDREW HUGHES AND ANITA SQUIRES** met with the Board to discuss salary increases for the Assistant District Attorney and an investigator. The Board stated they would revisit the increase request again during the budget cycle.

**ADJOURNED: 2:20 P.M.**

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County Clerk  
06/24/2004

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**June 28, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 28, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, June 21, 2004, were read. Comm Lindsay moved to approve the minutes as corrected, seconded by Comm Findley, and carried.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-013-04** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

**RESIDENT Tommy Eubanks**, a representative for the residents of the Echo Basin Community met with the Board to address some concerns they have with the Echo Basin Dude Ranch owned by Dan Bjorkman. Open pit burning of garbage, smoke and smell of this burning, digging and permitting of ponds, and irrigation ditch problems. They also had concerns with the road congestion, litter left, and sale of liquor at the various concerts held there. He mentioned the road conditions of Road M and 44, concerns with park model trailers, and the septic system. He said they just want Mr. Bjorkman to be in compliance with all necessary regulations. He asked the Board to look into these concerns. The Commissioners agreed to visit the facility along with Jim Siscoe.

**ROAD: Lloyd Everret** discussed the following (1) the Dolores Norwood Road project (2) **Neal Stephens** with **Empire Electric** asked the Board if they would accept a Quit Claim Deed or a Warranty Deed for the forest shop property. It was recommended to sign a warranty deed. (3) He had a conversation with **Jerry Koskie** concerning utility easements.

**JANE DUNCAN** with the **Health Department** presented an amended contract between the State of Colorado and Montezuma County concerning options for long term care. Comm Findley moved to sign the amended contract, seconded by Comm Lindsay and carried. (See attached)

**RESOLUTIONS: Resolution 8-2004** – Eliminating the term limits imposed by State Law for the office of Montezuma County Sheriff's Office. Comm Findley made a motion to adopt resolution 8-2004 with respect to the Sheriff's Office and placing the question on the November 2, 2004 ballot. Seconded by Comm Lindsay and carried.

**Resolution 9-2004** - Eliminating the term limits imposed by State Law for the office of Montezuma County Coroner. Comm Lindsay made a motion to adopt resolution 9-2004 with respect to the Coroner's Office and placing the question on the November 2, 2004 ballot. Seconded by Comm Findley and carried

**Resolution 10-2004** – Eliminating the term limits imposed by State Law for the offices of Montezuma County Assessor, Montezuma County Clerk and Recorder and Montezuma County Treasurer. Comm Findley made a motion to adopt resolution 10-2004 with respect to the Offices of County Assessor, County Clerk and Recorder,

and County Treasurer and placing the question on the November 2, 2004 ballot. Seconded by Comm Lindsay and carried. The positions of the questions on the ballot were chosen by lot drawing with Sheriff first, Coroner second and Assessor, Clerk, and Treasurer being third.

06/28/2004

2

**VERIZON WIRELESS – PROPOSED HIGH IMPACT PERMIT NO. 492:** It being the time set aside, a public hearing is held concerning a High Impact Permit application for a proposed 30 foot extension of the tower at the Verizon Wireless facility CO6-Cortez MTSO . The property is owned by **Cellular Inc. Network Corp.** doing business as Verizon Wireless and is located at 11930 Hwy 491, Cortez, Colorado, situated in Section 16, T.36N, R 16W., N.M.P.M., lying on the east side of Road M. The roll was called and the public notice was read. Present was Verizon agent **Gloria Brown** and planning manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address the proposal to extend the tower 30 feet to a new height of 80 feet. It was stated the Goodman Point tower cannot do its intended job due to the growth of trees that interfere with signals. It was asked if lights needed to be installed, if they would be upping the power, and if the new height would interfere with television reception in any way. She stated that lights would not be necessary, the power would be boosted and it would not interfere with any television transmissions. The Board asked for public comments. Resident **David Hutchinson** commented the neighbors had concerns with the height, fumes emitted when the back up generator was used and the television reception. Ms. Brown offered to have a letter stating the tower would not interfere with any television or radio transmissions. Comm Findley made a motion to approve High Impact Permit No. 492, contingent on written findings. The motion was seconded by Comm Lindsay and carried. The proceedings were taped for the record. The Planning Department will draft written findings and Amended High Impact Permit No. 492 for review.

**PLANNING Manager Karen Welch** presented a single lot development plat owned by **The Gagne Land Company**, owner **Paul Gagne** for signature. Comm Findley moved to sign the single lot development plat, seconded by Comm Lindsay and carried. Manager Welch informed the Board she had met with **Dick Tibbits** to discuss easement changes to Sunnyside Acres Subdivision.

**SENIOR NUTRITION Manager Sue Fletcher** informed the Board of problems getting volunteers who could help with the USDA Commodities giveaway. She stated she needed some volunteers that could do some heavy lifting. It was suggested she talk to some of the various organization in the area to see if they might not like to help and also the possibility of moving the giveaway to Saturday. **Mary Holaday** was also present.

**RECESSED FOR LUNCH:** 12:15 p.m.

**BENTLEY COLBERT AGENT FOR WOLCOTT INSURANCES** gave the Board a bid for liability and property insurance for the County. Comm Findley moved to accept the bid submitted by Wolcott Insurance, seconded by Comm Lindsay and carried. Attorney Bob Slough recused himself.

**ADJOUNED:** 3:15 P.M.

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County Clerk  
06/28/2004

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**July 12, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 12, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, June 28, 2004, were read. Comm Lindsay moved to approve the minutes as corrected, seconded by Comm Findley, and carried.

**GENERAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-14-04** to the Treasurer to transfer \$80,192.30 from the General Fund to the Social Services Fund – quarterly HCBS (see attached). The motion was seconded by Comm Findley and carried.

**CORRECTIONAL FACILITY FUND:** Comm Findley made a motion to direct the Clerk to issue **Order Number 15-2004** to the Treasurer to transfer \$5,092.20 from the Correctional Facility Fund to the General Fund for grinder at the Jail. Seconded by Comm Lindsay and carried.

**PAYROLL:** General fund warrants in the amount of \$250,482.17, District Attorney Fund warrant #44135 in the amount of \$19,024.21, Treasurer Fund warrant #44136 in the amount of \$202,175.22. Road department fund warrants in the amount of \$61,593.86, Treasurer Fund warrant #17893 in the amount of \$57,603.52; and Landfill fund warrants in the amount of \$13,451.83, Treasurer Fund warrant #4092 in the amount of \$10,002.45 were approved for payment.

**RESOLUTION NUMBER 7-2004** proposing a county-wide sales and use tax. Comm Findley made a motion to adopt Resolution 7-2004 with respect to placing the question to impose a county-wide sales and use tax on the November 2, 2004 ballot. Seconded by Comm Lindsay and carried. Reviewed the **TABOR NOTICE** as prepared. Comm Lindsay moved to approve the notice as prepared to be sent to the County Clerk's Office, seconded by Comm Findley and carried.

**ROAD: JIM MALCOLM** made an offer to allow the county to use his water for road maintenance. **KAY ANDERSON** asked for clarification pertaining to the agreements made concerning CR AA and CR 21.

**JONI HOWLAND** from the Cortez Library and **HAL SHEPARD** representing the City of Cortez presented a draft of an Intergovernmental Agreement to establish a Regional Library Authority if the voters approve a 1.75 mill levy. Questions as to election costs, ballot wording, and does the Treasurer keep any collection fees were raised. Comm Findley made a motion to set a public hearing on the establishment of a library authority for August 23<sup>rd</sup> at 11:00 A.M., seconded by Comm Lindsay and carried.

**LANDFILL Manager Debby Barton** gave her profit and loss report for the month of June, 2003 (see attached). She also gave a five year power point review of improvements done to the landfill over the past five years and touched on future goals. (See attached)

**DIANE BUZA** representative for the **Pinon Project** informed the Board of a grant they wish to apply for **The Montelores Early Childhood Coalition** that concerns early childhood literacy of preschool children. They asked the Board for a letter of support. The Board agreed to have a letter of support written for the project.

**ASSESSOR Mark Vanderpool** submitted reports for review about real property appeals and the action taken, list of personal property accounts that did not file personal property declarations and the action taken, and a tentative total assessed valuation for all taxable property in Montezuma County for 2004. (See attached)

**PUBLIC HEARING – PROPOSED HIGH IMPACT PERMIT No. 493 – MOUNTAIN STONE, INC.:** It being the time set aside, a public hearing is held concerning a High Impact Permit application for a proposed precast products and concrete batch plant. Said application is being submitted by Thurl Boyd. The property is situated in Section 10, T.35N., R.16W., and N.M.P.M. lying on the east side of Road 24.3, south of Road G.... The physical address is 6600 Road 24.3. The roll was called and proof of publication was read. Present were **Richard L. Tibbits** and planning manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to review the traffic at the business site. The Board asked for public comments. There were no public comments. Comm Lindsay made a motion to approve High Impact Permit No. 493 with the installation of a stop sign and contingent on written findings. The motion was seconded by Comm Findley and carried. The proceedings were taped for the record. The Planning Department will draft written findings for High Impact Permit No. 493 for approval and signature.

**RECESSED FOR LUNCH: 12:00 Noon**

**HEALTH DIRECTOR LORI COOPER** presented a combined task order contract (**Maternal and Child Health and Health Care Program of Children and Special Needs (MCH/HCP)**) between the State of Colorado –Colorado Department of Public Health and Environment and the Board of Montezuma County Commissioners for use and benefit of the Montezuma County Nursing Service. Comm Lindsay moved to sign the combined task order, seconded by Comm Findley and carried.

**PLANNING Manager Karen Welch** discussed the inspection done at Echo Basin Dude Ranch with owner Dan Bjorkman which was done by Comm Findley, Planning manager Welch, and Sanitarian Jim Siscoe. Mr. Bjorkman was told there were to be no lagoons on the property. Comm Findley moved to direct Sanitarian Jim Siscoe to coordinate with Planning manager Welch to write a letter to Mr. Bjorkman to have all gray water out of the lagoon and into an enclosed container and to have the discharge pipe from the laundry capped and the system be designed by an engineer by August 15, 2004. The motion was seconded by Comm Lindsay and carried. **The Stiegelmeyer Subdivision Plat** was presented for signature. Comm Lindsay moved to sign the Stiegelmeyer Subdivision Plat, seconded by Comm Findley and carried. **The F. Wayne Robb Subdivision Plat** was presented for signature. Comm Findley moved to sign the F. Wayne Robb Subdivision, seconded by Comm Lindsay and carried.

**LIQUOR LICENSE: Deputy Tammy Neely** presented a renewal for a retail liquor license for **Dawson Lake Store**. The Sheriff's Department reported no problems with this establishment. Comm Findley moved to approve the renewal of a retail liquor license for The Dawson Lake Store, seconded by Comm Lindsay and carried.

**MAJORS AND HALEY P.C. Certified Public Account, Chris Majors** presented the audit for the year 2003 to the Board for approval. Comm Findley made the motion to approve the 2003 audit report, seconded by Comm Lindsay and carried.

**ENERGY IMPACT: City of Cortez representatives Rick Smith and Hal Shepard, and Charlie Powell with SWBOCS** asked the Board for a letter of support for an energy impact grant they are applying for to help with a fiber optic network with the City of Cortez and the Cortez School District RE-1. The Board will direct a letter of support be drafted.

**RESIDENT ROLAND HOCH** residing at 43390 Road M, Mancos, Co. along with other residents of the Echo Basin area (see sign in list) met with the Board to voice various concerns with the Echo Basin Dude Ranch, owned Dan Bjorkman. Mr. Hoch's concerns dealt with a possible change of use for the R V park with the installation of park model trailers, the burn ban, gray water, and the permitting of ponds. **Engineer Aubrey "Bud" Roach** gave the Board figures concerning sewage requirements for 70 units in comparison with the land use code. **Mr. Jim Cody** expressed his concerns with raw sewage and gray water being used for irrigation and getting into his irrigation system. **Sanitarian Jim Siscoe** told the audience Mr. Bjorkman had been told that no gray water could be used unless from a contained system. They were informed by the Board of the letter that will be written to Mr. Bjorkman concerning this subject and of the August 15<sup>th</sup> deadline.

**HSRF:** The Board agreed to send the HSRF funds held on deposit with the Treasurer to the Colorado Department of Public Health and Environment.

**ADJOURNED 5:30 P.M.**

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County Clerk  
07/12/2004

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**July 19, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 19, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator - Absent  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, July 12, 2004, were read. Comm Findley moved to approve the minutes as corrected, seconded by Comm Lindsay, and carried.

**ACCOUNTS PAYABLE:** General fund warrants #44132 thru #44355 in the amount of \$355,465.52; Road department fund warrants #17888 thru #17962 in the amount of \$525,136.42; Landfill fund warrants #4100 thru # 4132 in the amount of \$36,168.42 were approved for payment.

**ROADS: Resident Bobbie Gustafson** and others (see sign in sheet) approached the Board with complaints about roughness and the blading practices on Roads 33, M and 34. A concern was that anytime the roads were bladed was when the residents called the Road Department. It was explained that lack of moisture was a major factor in the road being in the shape it was. The Board hopes to find a long term solution to this type of problem but in the mean time the Road Department will look at the worst spots as a short term solution. **Danny Archibeque** commented that there is a possibility of the residents donating water from their irrigation ponds to help. Ms. Gustafson asked if the road could be put on some kind of priority list which the Board agreed to do.

**DEPARTMENT OF SOCIAL SERVICES** was conducted.

**TOWN OF DOLORES MAYOR, Marianne Mate** met to ask the Board for a letter of support for an energy/mineral impact grant for funding of the Dolores Central Avenue Improvements project submitted by the Town of Dolores. Comm Findley moved to write a letter of support for said grant, seconded by Comm Lindsay and carried. (see letter attached)

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the annual precipitation report by month through July 19, 2004. (see attached )

**FOREST SERVICE Representative Eric LePrice** showed the Board a Fuel Reduction map. He stated there was new authorities issued to categorize these assessments and that there needed to be a collaboration requirement with local authorities to help identify and to prioritize these reductions. He requested there be a letter of support written for this project. Comm Findley moved to have a letter of support on the fuel reduction program written, seconded by Comm Lindsay and carried. **Mike Preston** was also present.

**HARVEY WEISS** a resident living on Road G, south of Mancos presented the Board with a letter asking about options for residential building codes in the county. It was suggested he contact a certified inspector and report back to the Board.



**PLANNING Manager Karen Welch** was asked to send a certified letter to **Dan Bjorkman** informing him of the High Impact Permit process and subdivision requirements with regard to his reported plans for placing park model trailers in his RV park.

07/29/2004

2

Manager Welch presented the **Bane Subdivision Plat** for signature. Comm Findley moved to sign the Bane Subdivision Plat, seconded by Comm Lindsay and carried.

The following **High Impact Permits with findings** (see attached) were presented for signature: **(1) High Impact Permit No. 492 – Verizon Wireless Project No. CO6**, proposed 30 foot extension to existing tower. Letters of compliance with all FCC and FAA regulations regarding interference with telephone and television transmissions and safety lighting on the tower have been received. **(2) High Impact Permit No. 493 – Mountain Stone, Inc.**, a concrete batch plant and delivery and pre-cast products business (**Thurl Boyd, owner**). A stop sign was placed at the entry to Road 24.3 from the parcel.

**COLORADO LAND TITLE Representative Sherry Holt and Loretta Murphy of the Planning Department** requested the Commissioner of Deeds Lindsay sign a Quit Claim Deed to James O. and Lavaughn Linnens to release any interest the County has in the S1/2NW1/4 of Section 25, T37N., R15W., N.M.P.M lying south of Hwy 184. Comm Findley moved to grant and sign the Quit Claim Deed to James O. & LaVaughn Linnens. Seconded by Comm Lindsay and carried. (see attached deed)

**CINDY BRADLEY** asked the Board to sign a grant application for the Colorado Archaeological Society, Hisatsinom Chapter which would fund an archaeological assessment in reference to the Wallace Ruin. Comm Lindsay moved to sign the application for the grant for State funds, seconded by Comm Findley and carried. (see attached).

**RECESSED FOR LUNCH: 12:00 Noon**

**NINA WILLIAMS of the Montezuma Land Conservancy and Mike Preston of Office of Community Services** asked the Board to sign a letter in support of the San Juan Skyway Land Conservation and Recreation Initiative addressed to the Great Outdoors Colorado. Comm Lindsay moved to appoint Nina Williams to the steering committee for the San Juan Skyway Conservation and Recreation Initiative. Seconded by Comm Findley and carried. Nina Williams said she would report back to the Board periodically.

**ADJOURNED: 2:30 P.M.**

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County Clerk

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Chairman

07/19/2004

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**July 26, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 26, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney - Absent  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, July 19, 2004, were read. Comm Findley moved to approve the minutes, seconded by Comm Lindsay, and carried.

**ROADS:** **Lloyd Everett** reported the following : (1) The Road Department was finishing up on the chip sealing project. (2) The Department was putting down magchloride in spots on roads 33 and 34. **Resident Yale Fyler** met with the Board to discuss CR AA.

**TREASURER Sandy Greenlee** presented the Board with the semi-annual Treasurer's report. She also informed the Board that on June 20<sup>th</sup> through the 24<sup>th</sup> 2005 the Treasurer's Office would be hosting the Colorado Treasurer's Conference in Montezuma County and asked for their help. The Board was invited to visit her office.

**SOUTHWEST HEALTH SYSTEMS –SOUTHWEST MEMORIAL HOSPITAL Representatives Chuck Bill and David Jessup** invited the Board to participate in a five year strategic planning program . They also presented the Board with the second quarterly financial statements.(see attached) Mr. Bill and Mr. Jessup informed the Board of the construction progress and said the new ER was opened and receiving good reviews.

**BOARD OF EQUALIZATION:** It being the time set aside, The Montezuma County Board of Commissioners convened on Monday, July 26, 2004 to sit as the Board of Equalization. The roll was called, proof of publication was read, and the proceedings were taped for the record. Assessor **Mark Vanderpool** was present.

**1<sup>ST</sup> NET REAL ESTATE SERVICES, INC (SAFEWAY STORES 46 INC) agent Mike Walter** was represented via speaker phone conversation to appeal the "Notice of Determination" for tax year 2004 by the Assessor's Office on parcel # 561125222001 the property address is 1500 E. Main St., Cortez, Co. 81321. Comm Findley moved to accept the Assessor's recommendation and deny the petition to adjust the valuation request, seconded by Comm Lindsay and carried. **Assessor Mark Vanderpool** was present.

The Board of Equalization was recessed at this time, 10:40 a.m.

**LIQUOR LICENSE: Deputies Tammy Neely and Judy Follman** met to discuss the retail liquor license for the **Maverick Country Store**. It seems the license was not renewed for the year of 2003. The store is in the process of re-applying for the license. The Board said they could forego the public hearing and Comm Lindsay made a motion to re-instate the retail liquor license for the **Maverick Country Store** contingent on the completion of the filing process with the State. Seconded by Comm Findley and carried. **Richard Garrett**, manager of the local Maverick County Store was also present.

**PLANNING: Margaret Clauson** of the Planning Department presented the **Wiltgen Subdivision Plat** for signature. Comm Lindsay made a motion to sign the Wiltgen Subdivision Plat, seconded by Comm Findley and carried. Margaret informed the Board that **Frederick Lynn and Janice Arlene Harvey** would like to deed one acre to the Pleasant View Fire Protection District and asked the Board for an exemption.. Comm Findley moved to grant the exemption for the sole use of the Pleasant View Fire Protection District, seconded by Comm Lindsay and carried.

**HEALTH DEPARTMENT: Director Lori Cooper** presented the renewal contract for the State WIC Program for signature. Comm Lindsay moved to sign the WIC contract, seconded by Comm Findley and carried. Director Cooper also mentioned that the Insurance Company contacted her stating they needed a Memorandum of Understanding for the county medical advisor, **Dr. Gerald Griebel**.

**DISTRICT ATTORNEY Joe Olt** introduced the candidate for District Attorney, **Jim Wilson**. Mr. Olt said he had filled the position of investigator by hiring **Chris Fenick**. The salary for the assistant District Attorney was discussed but will be addressed at budget time.

**RECESSED FOR LUNCH: 11:45 A.M.**

**TOUR OF JAIL** was conducted.

**SENIOR NUTRITION CENTER Director Sue Fletcher** along with **Mary Holaday** presented the 2005 CDOT grant agreement renewal for signature. Comm Findley moved to sign the grant agreement for the year 2005, seconded by Comm Lindsay and carried.

**AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-16-04** to the Treasurer to pay \$2,112.76 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Lindsay and carried.

**TOP LINE INSTALLERS owner Jim Herrick** informed the Board that the roof at the County Annex has been completed.

**AUDITORS:** Comm Lindsay moved to hire the firm of **MAJORS AND HALEY P.C.** as the County Auditors for a period of five years as per their agreement, seconded by Comm Findley and carried.

**ADJOURNED: 3:50 P.M.**

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County Clerk  
07/26/2004

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**August 2, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 2, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, July 26, 2004, were read. Comm Lindsay moved to approve the minutes as corrected, seconded by Comm Findley, and carried.

**ROADS:** **Lloyd Everett** reported the following : (1) The Department would begin stripping upon completion of the chip sealing. (2) They would look at problem spots on CR S (Hay Camp Road). (3) A letter to be written to CDOT concerning a cost share project to help with the intersections of Hwy 491 and CR M and HWY 145 and CR P.

**TREASURER Sandy Greenlee** discussed the possibility of accepting credit cards for property tax payments. It was suggested she check around to see what companies are available and she said she would check to see what some other counties are doing.

**PAYROLL:** General fund warrants in the amount of \$253,531.58, District Attorney fund warrant #44340 in the amount of \$21,406.20, Treasurer fund warrant #43338 in the amount of \$202,859.78; Road department fund warrants in the amount of \$61,166.08, Treasurer fund warrant #17569 in the amount of \$58,001.61; and Landfill fund warrants in the amount of \$13,030.73, Treasurer fund warrant #3912 in the amount of \$11,430.87 were approved for payment.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented current month's precipitation for the month of July, 2004.

**CAPITAL FUND ORDER:** Comm. Lindsay made a motion to direct the Clerk to issue **Order Number 0-17-04** to the Treasurer to transfer \$9,691.80 from the Capital Fund to the General Fund for the balance of the grinder. The motion was seconded by Comm. Findley and carried.

**RESIDENT GALEN LARSON** met with the Board stating he would like to see more support in promoting the agriculture of this area. It was suggested he get any interested parties together and invite the Board to the discussions.

**MONTEZUMA COUNTY FIRE PREVENTION representative DAVE CLUFF** met to discuss the county fire ban. He said some counties were lifting their fire bans and wanted to know what the County's stand was. The Board felt there was no reason to lift Montezuma County's fire ban at this time.

**PLANNING Manager Karen Welch** presented the **Ragsdale Subdivision Plat** for signature. Comm Findley moved to sign the Ragsdale Subdivision Plat, seconded by Comm Lindsay and carried. Manager Welch had received complaints from **Mr. Mark Allen** about his neighbor, **Darrel Higgins** conducting a business from his residence, Manager Welch spoke to Mr. Higgins concerning the complaints and she will compile a letter to Mr. Allen addressing his concerns.

08/02/2004

2

**HIGH IMPACT PERMIT – WILL SANCHEZ TRUCKING – Planning Manager Karen Welch** received correspondence from **Billy Sanchez** withdrawing the High Impact Permit application.

**LIQUOR LICENSE: Deputy Judy Follman** presented a renewal for a retail liquor license for **Log Cabin Liquor, owner, Ted R. Lawrence**. The Sheriff's Department reported no problems with this establishment. Comm. Findley moved to approve the renewal of a retail liquor license for Log Cabin Liquor, seconded by Comm Lindsay and carried.

**RECESSED FOR LUNCH 11:30 A.M. to Mancos**

**HOSPITAL TOUR:** The Board was given a tour of the Hospital facility currently under construction.

**ADJOURNED: 4:20 P.M.**

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County Clerk  
08/02/2004

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**August 9, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 9, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney - Absent  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, August 2, 2004, were read. Comm Lindsay moved to approve the minutes as corrected, seconded by Comm Findley, and carried.

**COUNTY POLICY:** Comm Findley moved to adopt a drug testing policy for Montezuma County employees, seconded by Comm Wilson and carried.

**FINANCE MANAGER Mary Ann Sanders** presented the Semi Annual Report (January 1,2004 – June 30, 2004) She stated the report is balanced.

**ROADS: Lloyd Everett** met and discussed the blading schedule, problems on County Road 16, and also discussed the possibility of the formation of a committee to consist of the Road Committee and the Commissioners to come up with fundamental policies on how to implement the prioritization of roads in need of improvements, repairs and maintenance.

**LANDFILL Manager Debby Barton** presented the profit and loss statement for the month of July and the last quarter. (see attached).

**FAIRGROUNDS Manager Darryl Buffington** informed the Board that the main water line had broken and is in need of replacement. The Board agreed to the replacement of the water lines. He also stated the County Fair went well.

**HEALTH DEPARTMENT Director Lori Cooper** presented the board with a Bioterrorism contract for signature. Comm Findley moved to sign the **Bioterrorism Task Order** with the **Colorado Department of Public Health and Environment**. Seconded by Comm Lindsay and carried.

**PLANNING Manager Karen Welch** presented the **Cole Subdivision Plat ( William B. and Carole Anne Cole )** for signature. Comm Lindsay moved to sign the Cole Subdivision Plat, seconded by Comm Findley and carried. Manager Welch asked the Board to amend exemption number **P-39.82**. Comm Findley moved for a preliminary amendment to exemption number P-39.82 to adjoin 5 acres to the existing 10 acres and to approve a new exemption on the remaining 4.33 acres on property owned by **Klaus Kracht and Carolyn Huff**.

**RECESSED FOR LUNCH: 11:30 P.M.**

**ADJOURNED 1:30 P.M.**

\_\_\_\_\_  
County Clerk  
08/09/2004  
Approved

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**August 16, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 16, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, August 9, 2004, were read. Comm Lindsay moved to approve the minutes as corrected, seconded by Comm Findley, and carried.

**CSB CAPITAL IMPROVEMENT FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-18-04** to the Treasurer to transfer \$3,035.90 from the CSB Capital improvement Fund to the Capital Fund (see attached). The motion was seconded by Comm Findley and carried.

**WAIVER – TOWN OF DOLORES:** A waiver was presented by the Trustees of the Town of Dolores to annex 11.4 acres of Joe Rowell Park that is outside the town limits of Dolores. (see attached). Comm Findley moved to sign the waiver to the Town of Dolores, seconded by Comm Lindsay and carried.

**ROADS: Lloyd Everret** met and the following was discussed: (1) the finishing of the chip seal projects. (2) problems on CR 16 and P. (3) the installation of a stop sign at the intersection of CR L and CR 32. A stop sign will be installed. (4) the mowing of weeds is being done by the Road Department.

**CITY OF CORTEZ:** A letter was drafted to **Manager, Hal Shepard** of the City of Cortez requesting the City vacate the leased portion of the Justice Building currently used for Municipal Court by January 1, 2005.

**RESIDENT KERRY O'BRIEN** of 7020 Road 41, Mancos, Co. presented a signed petition to the Board from concerned citizens regarding commercial activities of **Echo Basin Ranch**. Mr. O'Brien referred to the County Land Use Code (Purposes and Threshold Standards sections). The Board will look into these complaints as they pertain to the land use code and have a response to their concerns in 30 days

**RICHARD SMITH AND ANNIE KELLER** met to request a variance of the 100' setback from the stream bank. They were asked to talk to Planning Resource Specialist **Jim Siscoe**. After discussions with Mr. Siscoe the variance request was withdrawn.

**DEPARTMENT OF SOCIAL SERVICES** was conducted at this time.

**LIQUOR LICENSE: Deputy Tammy Neely and Deputy Judy Follman** presented an application for a transfer of ownership and a temporary retail liquor license for **Dawson Lake Store**, (new owners **Marilyn Todd and Robin Woodson**). Comm Findley moved to grant the temporary retail liquor license for Dawson Lake Store, seconded by Comm Lindsay and carried.

**PEGGY PLUMB** along with her attorney **Jim Preston**, and **SEAN VAUGHN** along with his attorney **Rich Luhman** met with the Board to come to agreement on the correct legal description on an easement as directed by a court order. The parties have agreed on the legal description and the County will prepare an amended resolution to reflect the correct legal description of said easement.

08/16/2004

2

**PLANNING: Planning Manager Karen Welch** presented the following plats for signature: **The Hover Family Tracts (owner Conrad Z. Hover)**. Comm Findley moved to sign the Hover Family Tracts, seconded by Comm Lindsay and carried. **Fox Field Subdivision (owners Kirby L. and Linda J. Turner)** was presented for signature. Comm Findley moved to sign the Fox Field Subdivision, seconded by Comm Lindsay and carried. **Lafont Single Lot Development** was presented for signature. Comm Lindsay moved to sign the LaFont Single Lot Development, seconded by Comm Findley and carried. Planning Manager Welch presented **High Impact Permit number 490 – Bear Creek Manufacturing and Repair, Inc. (owners, Loretta Gilbert and Mark Souza)** with findings for signature.

**ECHO BASIN RANCH: GIS Specialist Jim Siscoe** reported that Dan Bjorkman owner of Echo Basin Ranch has complied with the County requirements concerning the gray water problem. Mr. Siscoe stated the gray water is in a holding tank and as of this date there is no gray water in the pond.

**RECESSED FOR LUNCH 12:25 P.M.**

**ECHO BASIN RANCH:** A Public Hearing is scheduled for the purpose of determining whether or not there are (1) commercial activities, including but not limited to concerts, rodeos and shooting firearms with consequential noise, traffic and public safety concerns extending beyond the property boundaries, and selling, renting or leasing park models; and (2) subdivision activities in violation of the Montezuma County Land Use Code occurring on lands located in Sections 1, 2, 11 and 12, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado. Said hearing is scheduled for September 27<sup>th</sup>, 2004 at 10:00 A.M. Notice of hearing shall be prepared and served on Dan Bjorkman and related entities.

**ADJOURNED: 4:00 P.M.**

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**County Clerk**  
08/16/2004

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**Chairman**

**Approved**



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**August 23, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 23, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis County Clerk

**MINUTES** of the regular meeting held on Monday, August 16, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**ACCOUNTS PAYABLE:** General Fund warrants #44337 thru # 44589 in the amount of \$191,101.32; Road Department fund warrants # 17963 thru #18034 in the amount of \$226,612.69; Landfill Fund warrants #4133 thru #4171 in the amount of \$17,502.28 were approved for payment.

**ROAD: Foreman Lloyd Everett** met and the following items were discussed; (1) The Road Department is preparing to paint the county roads that were newly chip sealed. (2) The Department is graveling CR H. (3) more positive comments have been received concerning the Dolores-Norwood Road and (3 the mowing of weeds is continuing.

**OMBUDSMAN PROGRAM: Area on Aging Representative Barbara Scoville** met with the Board and informed them about the Ombudsman Program available to the residents of the area nursing homes an assisted loving care facilities and how she helps the residents of these facilities by protecting the civil and human rights of the elderly in long-term care.

**MILDRED ESTATES resident Don Cure** (25597 Road N.6 Loop) appeared before the Board to complain about the neighbor's cattle getting into his yard. He has his yard fenced but the neighbor doesn't maintain his fences and the cattle continually get out. He asked the Board to look at the portion of the Land Use Code concerning livestock fencing. He also stated there are subdivision covenants. The Board said they cannot enforce any covenants as that would be a civil matter. It was suggested the Board take a look at the property.

**AMENDED RESOLUTION NO. P-05-02E** was presented for signature by **Planning Manager Karen Welch** to correct the legal description of the access easement in **Resolution No. P-05-02E dated July 15, 2002**, as per Order of District Court in **Case No. 02 CV 189 Plumb v Vaughn**. Comm Findley moved to sign Amended Resolution No. P-05-02E, seconded by Comm Lindsay and carried. Manager Welch also presented correspondence from **Jay Stringer** to the Board. A public hearing is scheduled Monday October 4<sup>th</sup> 2004 at 10:00 A.M. to address the matters of a shed, ditches structures, and landscape plan.

**PUBLIC HEARING:** It being the time set aside, a public hearing is held regarding the formation of a Regional Library Authority. **Library Director Joanie Howland and City Manage Hal Shepard** met to ask the Board to contract with the City of Cortez to put a referendum on the November 2, 2004 ballot asking the eligible electors to approve a 1.75 mill property tax to support the operating budget of the Cortez Public

Library. This mill levy would affect those taxpayers who live within the defines of the Cortez School District RE-1 boundaries. The roll was called and the proceedings were taped for the record. Public Comments were made by various audience members in support of placing the question on the November ballot and the establishment of a Regional Library Authority. There was a comment made in opposition to more tax increases. (see sign in sheet.) Comm Findley made a motion for a resolution to enter into a contract with the City of Cortez to create a Regional Library Authority and to place on the November 2, 2004 ballot a referendum for a mill levy of 1.75 to fund said authority contingent on voter approval of the eligible electors with in the defines of the Cortez School District RE-1 boundaries. Seconded by Comm Lindsay and carried. It was also noted that the City of Cortez will be responsible for certifying the ballot question to the County Clerk and meeting all tabor notice requirements.

**RECESSED FOR LUNCH 12:00 P.M.**

**AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-19-04** to the Treasurer to pay \$2,112.76 from the 911 Account to Qwest, Denver, Co. 80244-0001. The motion was seconded by Comm Findley and carried.

**NOTICE OF CLAIMS** was received from **Allan S. Burnside, M.D., Linda Burnside, P.A.C. and Dolores Medical Center, P.C.** and was sent on to the insurance company.

**ADJOURNED: 2:30 P.M.**

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**County Clerk**  
08/23/2004  
Approved

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**Chairman**

ONLINE COPY

MONTEZUMA COUNTY, COLORADO

August 30, 2004

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

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 30, 2004, at the courthouse in Cortez, Colorado, there were present:

- Glenn E. "Kelly" Wilson, Jr., Chairman
H. Dewayne Findley, Vice-Chairman
J. Kent Lindsay, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Thomasina Neely, Chief Deputy County Clerk

MINUTES of the regular meeting held on Monday, August 24, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

BRAD WAYT met with the Board to discuss a safety issue on CR P. He stated there was a sharp curve at the bottom of the road where there have been several accidents. He requested there be guard rail installed. The board will discuss the issue with the Road Dept.

LIBRARY AUTHORITY: The language of the Tabor Notice for the Library's referendum was discussed with City Manager Hal Shepard.

ROAD: Foreman Lloyd Everett discussed (1) falling rocks on Dunlap Hill, (2) Comm. Wilson asked about CR J, Foreman Everett said the road was graveled to the cattle guard, (3) discussed the sharp curve on CR P and 29, Comm. Findley suggested the installation of a guardrail. The Road Department will look into it and (4) CR M east of Hwy 145 is in need repair.

PUBLIC HEARING: HIGH IMPACT PERMIT NO. 495: It being time set aside, a public hearing is held regarding a High Impact Permit application for a proposed R. V. Park with 14 sites as submitted by Bentley and Roma Colbert, located at 29074 Road T.5, Dolores Colorado. Said property is situated in S.21, T.37N., R.15W., N.M.P.M., lying on the south side of the road. The Proof of Publication was read, the roll was called and the proceedings were taped for the record. Public Comments were made by the audience members with concerns about lighting, noise, traffic and hunting. (see sign in sheet). Mr. Colbert had contacted nearby neighbors who had concerns with lighting. Comm. Lindsay questioned the septic system in which Mr. Colbert described as a covered leech field that was engineered by Bud Roach. Comm. Wilson questioned the schedule of use for the park, Mr. Colbert responded as weather permits. Comm. Lindsay move to approve High Impact Permit No. 495 contingent on compliance with the threshold standards, Comm. Findley seconded and motion was carried. The Board made note that Mr. Colbert is the insurance agent for the County, Comm. Findley and Comm. Lindsay and that there is no bias on their part concerning this matter.(See attached.)

PUBLIC HEARING: HIGH IMPACT PERMIT NO. 496: It being time set aside, a public hearing is held regarding a High Impact Permit application for a fire substation as submitted by the Pleasant View Fire Protection District on property owned by Lynn and Janice Harvey, 22106 Hwy 491, Yellow Jacket Colorado. Said property is situated in S.22, T.38N., R.17W., N.M.P.M., lying on the south side of Hwy 491, west of road 18. The Proof of Publication was read, the roll was called and the proceedings were taped for the record. Present was Fred Petit, as a representative for the Pleasant View Fire Protection District. No public comments were made. Comm. Findley requested proper signs be placed at the location. Comm. Findley moved to approve High Impact Permit No. 496, seconded by Comm. Lindsay and carried. See attached.

PLANNING: Planning Manager Karen Welch presented Resolution No. P-31-97-E to be amended. Marcus and Laurie Colbert applied to combine 2 parcels to create a 16.5 acre parcel. Comm. Findley moved to amend Resolution No. P-31-97E seconded by Comm. Lindsay and carried.

Manager Welch also updated the board on the **Planning Commissions** proposal to incorporate the **TDR** into the Montezuma County Land Use Code. A public hearing was set to amend the Land Use Code for October 11<sup>th</sup> 2004 at 10:00 am.

**EMS JIM MARRETT** met with the Board to discuss the use of a search trailer owned by the County. Mr. Marrett requested stocking the trailer with emergency medical supplies and placing it at the Dolores Fire Substation or the Mancos Fire Substation. Comm. Lindsay moved to designate the use of the trailer Comm. Findley seconded the motion and carried.

**RECESSED FOR LUNCH 12:00 A.M.**

**ADJOURNED 3:00 PM**

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Deputy County Clerk  
08-30-2004

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Chairman

Approved

ONLINE COPY

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 13, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, August 30, 2004, were read. Comm. Lindsay moved to approve the minutes as corrected, seconded by Comm. Findley, and carried.

**AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-20-04** to the Treasurer to pay \$5.50 from the 911 Account to **AT&T**. The motion was seconded by Comm Findley and carried.

**ORDER HSRF:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-21-04** to the Treasurer to pay \$7,541.32 from the County Hazardous Substance Release Fund to **Colorado Department of Public Health and Environment**, seconded by Comm Findley and carried.

**CAPITAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-22-04** to the Treasurer to pay \$6,858.34 from the Capital Fund to the General Fund for power for the grinder, seconded by Comm Findley and carried.

**PAYROLL:** General fund warrants in the amount of \$260,803.37, District Attorney Fund warrant #44590 in the amount of \$21,682.24, Treasurer Fund warrant #44591 in the amount of \$206,876.05. Road department fund warrants in the amount of \$61,340.03, Treasurer Fund warrant #18035 in the amount of \$57,985.01; and Landfill fund warrants in the amount of \$12,641.64, Treasurer Fund warrant #4172 in the amount of \$9,669.08 were approved for payment.

**RESOLUTION - LIBRARY AUTHORITY:** Comm Findley moved to approve **Resolution No. 11-2004** to establish a Regional Library Authority for the Cortez Public Library and referring to election on November 2, 2004, a ballot question for an ad valorem tax of 1.75 mills to fund said authority. Seconded by Comm Lindsay and carried. (see attached)

**ROADS: Foreman Lloyd Everett** reported the following: (1) the Road Department will replace a stop sign on County Road P & 31. (2) Continuing the blading and graveling of roads. (3) Painting is continuing on newly chip sealed roads. (4) It was suggested a meeting take place with Don Morris and Ron Lanier concerning the weed situation.

**LANDFILL: Manager Debby Barton** presented the Board with the profit and loss statement for the month of August. (see attached)

**LIQUOR LICENSE: Deputies Tammy Neely and Judy Follman** asked the Board to approve a Special Event Permit for **Living From the Heart** to serve malt, vinous and spirituous liquor. This special event would benefit the dolphin therapy program. Comm Findley moved to approve the Special Event Permit for Living From the Heart, seconded by Comm Lindsay and carried. **Dawson Lake Store** transfer of ownership liquor license was tabled at this time and no action was taken.

09/13/2004

**CERTIFICATION BY BOARD OF EQUALIZATION:** The certification by the County Board of Equalization was presented for approval and signature stating the BOE has concluded its hearings and the abstract of assessment and that all valuation changes ordered by the County BOE have been incorporated therein. Comm Findley moved to accept and sign said certification, seconded by Comm Lindsay and carried.

**PLANNING:** Manager Karen Welch presented the **Juniper Ridge Moderate Subdivision** plat, after discussion the matter was tabled and no action was taken at this time. The **Hover Family Subdivision Plat (Conrad Z. Hover, owner)** was presented for signature. Comm Lindsay moved to sign the Hover Family Subdivision Plat, seconded by Comm Findley and carried. Manager Welch presented a letter from **Dan Bjorkman (Echo Basin Ranch)** asking for the date of the Public Hearing be rescheduled. He stated he would not be able to attend the September 27<sup>th</sup> hearing and wished it to be rescheduled for after the election on November 2, 2004. After much discussion Comm Findley moved to vacate the September 27<sup>th</sup> public hearing date and reschedule for November 8, 2004 at 10:00 A.M. and a new public notice be published. Comm Lindsay seconded with Comm Wilson voting nay. Motion carried.

**FIRE BAN:** Lieutenant William Conner met on behalf of Sheriff Joey Chavez to request the open fire ban be lifted. It was stated that the area fire chiefs who were contacted agreed with lifting the ban. Comm Lindsay moved to sign **Resolution No. 12-2004** (see attached) to suspend the open fire ban, seconded by Comm Findley who emphasized the citizens should continue to use extreme caution when burning. Motion carried.

**RECESSED FOR LUNCH 12:00 Noon**

**TREASURER'S REPORT** for the month of August, 2004 was received.

**LANDFILL** tour was conducted at 1:30 P.M.

**ADJOURNED**

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County Clerk  
09/13/2004

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Chairman

Approved

ONLINE COPY



**LIQUOR LICENSE:** Deputy Tammy Neely presented the Board with transfer of ownership for a retail liquor license for **Dawson Lake Store**. All transfer papers were in order and background checks done. Comm Findley moved to approve the retail liquor license for Dawson Lake Store, seconded by Comm Lindsay and carried.

09/20/2004

2

**RESOLUTION 11-2004:** The Board was asked to amend Resolution 11-2004 to reflect the corrected fiscal years on exhibit 1, the Tabor Notice for the Cortez Public Library Authority Ballot Question. Comm Findley moved to amend Resolution 11-2004 to remove the existing exhibit 1 and attach the corrected exhibit 1 reflecting the correct fiscal years. Seconded by Comm Lindsay and carried.

**U.S. ENVIRONMENTAL PROTECTION AGENCY:** A letter was written addressed to Kathryn Hernandez, TMDL Team, U.S. Environmental Protection Agency strongly urging the EPA not to add the Segment COSJD004 of the Dolores River to the Section 303 (d) list. (see attached) Comm Findley made a motion the Board Chairman sign said letter. Seconded by Comm Lindsay and carried.

**RECESSED FOR LUNCH 12:00 Noon**

Discussed the County Drug Policy.

**HSRF:** A letter from the **Colorado Department of Public Health and Environment** was received informing the County that the County is now current on its obligations cited in the Compliance Advisory and the Compliance Order. The letter stated no further action is required concerning this matter. (see attached)

**ADJOURNED: 3:35 p.m.**

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**County Clerk**

09/20/2004

Approved

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**Chairman**

ONLINE COPY





**THE BOARD** fielded questions from the 4 county commissioner candidates at this time.

**RECESSED FOR LUNCH 12:00 Noon – LOU ANN JACOBSON**, Director of Four Corners National Monument, and **Mike Jenson**. Discussed grazing allotments and drilling permits and problems involving same.

09-27-2004

Page 2

**JANE ZIMMERMAN Office Manager, Durango Office, for Congressman Scott McInnis** read a letter from the Congressman to pay tribute and to thank Commissioner Wilson and Commissioner Lindsay for their dedication and contribution to the residents of the County of Montezuma and State of Colorado for serving two terms as Commissioners by presenting each Commissioner with nice plaque of recognition. (see attached)

**COUNTY DRUG POLICY:** At 2:10 p.m. the Department Heads met with the Commissioners and Attorney to discuss the County Drug Policy. Several court cases were read along with the outcome of said cases concerning the type of testing done whether it be done by reasonable suspicion or randomly. After much discussion it was agreed to have **Administrator Weaver** draft a policy for review to be addressed again at a later date. Discussions ended at 3:50 p.m.

**MARK VARIEN with Crow Canyon** asked the Board to sign a cover sheet for a grant application they are applying for from the **Colorado Historical Society** for the Goodman Point site. Comm Findley made a motion to sign the cover sheet in support of the Colorado Historical Society grant application, seconded by Comm Lindsay and carried.

**RESOURCE SPECIALIST Jim Siscoe** informed the Board that the road traffic counters were tested and software ready for the systematic count of traffic on county roads.

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

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County Clerk  
09-27-2004

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**October 4, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 4, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, September 27, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**GENERAL FUND ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-24-04** to the Treasurer to transfer \$79,211.66 from the General Fund to the Social Services Fund – quarterly (3<sup>rd</sup>) HCBS (see attached). The motion was seconded by Comm Findley and carried.

**E-911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-25-04** to transfer \$5.50 from the ETA Fund ( E-911 Dispatch fees) to the General Fund to pay AT&T to close the long distance account. Comm Findley seconded the motion. Motion carried.

**911 AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-26-04** to the Treasurer to pay \$2,112.76 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

**PAYROLL:** General fund warrants in the amount of \$252,703.51, District Attorney fund warrant #44863 - #44866 in the amount of \$20,310.12. Treasurer fund warrant #44862 in the amount of \$202,261.20; Road department fund warrants in the amount of \$61,855.53 Treasurer fund warrant #18121 in the amount of \$57,469.51; and Landfill fund warrants in the amount of \$13,285.97, Treasurer fund warrant #4206 in the amount of \$9,551.09 were approved for payment.

**ROAD: Manager Lloyd Everett** met and informed the Board (1) the Department is blading roads and heard complaints about blading on Roads 32 and M. Manager Everett stated blading was being done in the rain and Road 42 was looking good. (2) Gravel is being hauled to various roads and that they were crushing gravel at the Mancos site. (3) Painting on the chipsealed roads is complete. (4) Manager Everett attended the gaming commission hearings where it was recommended they fully use the monies appropriated

**THE REGIONAL AIRSTREAM** group is currently at the **Fairgrounds**.

**MONTEZUMA COUNTY FAIRGROUND FLYING FIELD** representatives **John Dickson, Don Benoit and Fairgrounds Manager Darryl Buffington** presented the 1<sup>st</sup> annual report for 2004 and discussed activities of the Club. It was stated they could use more gravel on the runway. (See attached)

**SENIOR NUTRITION Manager Sue Fletcher** presented a CDOT contract for transportation services for signature. Comm Findley moved to sign the contract, seconded by Comm Lindsay and carried. **Mary Holaday** was also present.

10/04/04

2

**PUBLIC HEARING – JAY AND LEA STRINGER- FARM GOODS FOR KIDS – HIGH IMPACT PERMIT NO. 476:** It being the time set aside, a public hearing is held for the purpose of addressing (1) the removal of the John Davis shed on the northwest corner of Roads G and 41, (2) relocation of the irrigation ditches and structures, and (3) the landscaping plan and bond; conditions placed on High Impact Permit No. 476 as submitted by Jay and Lea Stinger. Said property is situated on 52.65 acres in Section 9, T.35N., R.13W., N.M.P.M lying on the south side of Road G, west of Road 41. The roll was called, and proof of publication was read, and the proceedings were taped for the record. Comm Wilson stated the permit itself was not in question and the 3 points mentioned above were the only points of discussion. Comm Findley made a motion to keep the landscape bond at \$10,000.00, seconded by Comm Lindsay and carried. Comm Lindsay moved that all mitigation standards stay in place, and a short term plan be done to include but not limited to signage, clearing brush and weeds, and beginning work on the road, then talk to Engineer Roach for a long term solution. The motion was seconded by Comm Findley and carried. (see attached)

**SHERIFF Joey Chavez** presented an EFS agreement with **The State of Colorado Forest Service**. Comm Findley moved to sign the EFS agreement, seconded by Comm Lindsay and carried.

**RECESSED FOR LUNCH 12:25 p.m.**

**TREASURER's** report for September 2004 was presented.

**MONTEZUMA COUNTY FAIR BOARD** directors **Juan Contrerez, Don Bain and Joel Stevenson** presented the Board with an expense/income report concerning the County Fair (see attached). A letter asking about serving alcohol at the fairgrounds that was presented to the fair board was passed on to the Commissioners. It was decided to hold a community meeting to address the issue of selling alcohol at the fairgrounds on Thursday, October 21, 2004, at 7:00 p.m. at the Fairgrounds. **Jan Sennenhan** was also present.

**PLANNING Manager Karen Welch** presented an amended plat for **Rolling Hills Estate Subdivision** for signature. No action was taken at this time due to questions concerning the roads being built to County specifications. Manager Welch presented the **Hoehn Single Lot Subdivision Plat** for signature. Comm Findley moved to sign the Hoehn Single Lot Subdivision Plat, seconded by Comm Lindsay and carried.

**GREATER OUTDOORS COLORADO** meeting was attended by Comm Findley and County Administrator Tom Weaver at the invitation of the Montezuma Land Conservancy on November 29, 2004 .

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

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County Clerk  
10/04/2004

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**October 11, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 11, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, October 4, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**ROAD: Manager Lloyd Everett** discussed the following; (1) the blade patching was halted due to bad weather. (2) Road N and the intersection on F.8 and 24.2 have pothole problems. (3) the airport road was in need of attention and (4) the Department is still hauling gravel.

**LANDFILL Manager Debby Barton** presented the profit and loss statement for the month of September, 2004. She also gave a quarterly report.

**DEAN MATTHEWS AND BETTY FARLOW** representatives for the **Home Builders Association** informed the board of **Amendment 34** that deals with Colorado construction liability and the impact it could have on homebuilders, realtors, and home owners if passed.

**PUBLIC HEARING: PROPOSED AMENDMENTS TO THE MONTEZUMA COUNTY LAND USE CODE.** It being the time set aside, a public hearing is held concerning amendments to the Montezuma County Land Use Code. The roll was called and proof of publication was read. The proceedings were taped for the record. Comm Findley moved to adopt **RESOLUTION NO. 13-2004** amending the Montezuma County Land Use code by providing a method for transferring development rights in the Dolores River Valley. The motion was seconded by Comm Lindsay and carried. (See attached)

**COUNTY ROAD MAP** was presented to the Board by **GIS SPECIALIST, P.J. THORTENSON** for review.

**HEALTH DEPARTMENT Director Lori Cooper** presented the updated version of the Montezuma County Health Department Emergency Operations Plan. She also showed them a map where the West Nile Virus appeared in the County this year. She informed the Board about the availability of the flu vaccine.

**PLANNING: Manager Karen Welch** presented the Board with the **Robert Tucker Single Lot Development Plat** for approval and signature. (**Owners, Robert D. & Karen F. Tucker**). Comm Findley moved to sign the Robert Tucker Single Lot Development, seconded by Comm Lindsay and carried. Manager Welch presented the **Rolling Hills Estate** amended plat for approval and signature (**Owner, Sarah LaBrec**). Comm Lindsay moved to approve and sign the Rolling Hills Estate Amended Plat, seconded by Comm Findley and carried.

**RECESSED FOR LUNCH: 11:40 a.m.**

**ADJOURNED: 1:35 p.m.**

County Clerk  
10/11/2004

APPROVED

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**October 18, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 18, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, October 11, 2004, were read. Comm. Lindsay moved to approve the minutes as read, seconded by Comm. Findley, and carried.

**ACCOUNTS PAYABLE:** General fund warrants #44889 thru #45062 in the amount of \$190,011.01; Road department fund warrants #18134 thru #18203 in the amount of \$64,985.68; Landfill fund warrants #4218 thru #4246 in the amount of \$13,658.81; were approved for payment.

**ROAD:** Manager Lloyd Everret updated the Board on the activities of the Road Department.

**RESOLUTION 13-2004 ( amendments to the Montezuma County Land Use Code)** Comm Findley made a motion to ratify the adoption of Resolution 13-2004, seconded by Comm Lindsay and carried.

**FOUR STATES AGGREGATES LLC Representative Mike Higman** met and made a request that the daily hours be allowed from seven in the morning until six in the evening – Monday through Saturday due to the inclement weather and the increased demand for their products. This request was a short term request. The original permit application (see attached) and minutes (Sept 18, 2000) were reviewed where it was stated they should have prior approval to change the hours of operation. Comm Lindsay moved to grant Four States Aggregates LLC a temporary extension of operating hours from 7:00 a.m. to 6:00 p.m. Monday through Saturday until November 21, 2004. Seconded by Comm Wilson and carried. Comm Findley recused himself.

**DEPARTMENT OF SOCIAL SERVICES** was conducted at this time (9:30 a.m.)

**PLANNING:** Planning manager Karen Welch presented the **Amended Lot 2 Hill Moderate Subdivision Plat** for approval and signature ( **Robert D. & Nancy E. Hill owners**). Comm Findley moved to sign the amended Lot 2 Hill Moderate Subdivision Plat, seconded by Comm Lindsay and carried. She presented the **Final Plat for Old Miners Home Subdivision Plat** for signature. Comm Lindsay moved to sign the Old Miners Home Subdivision Plat, seconded by Comm Findley and carried.

**STEVE GRAZIER** from the Cortez Journal appeared before the Board to ask some questions concerning Referendum 1A (sales tax question) on the November 2<sup>nd</sup> ballot.

**HEALTH DEPARTMENT Director Lori Cooper** presented a task order, change order letter to the Board for signature. The order is between The Colorado Department of Public Health and Environment and the Board of County Commissioners. The order will allot \$5000.00 to the County Health Department for child

immunizations. Director Cooper informed the Board her department will be holding a flu vaccination clinic on October 21, 2004.

**RESIDENT Tim Miller** presented the Board with a letter, see attached.

10/18/2004

2

**RECESSED FOR LUNCH 11:55 A.M.** Conducted a site inspection at Bill Edgerton's septic receiving station

**NOXIOUS WEED CONTROL Manager Ron Lanier** met concerning the cost share applications for the weed control program. Comm Findley moved to continue the weed cost share program until available funds are exhausted, seconded by Comm Lindsay and carried.

**Comm Wilson and Comm Findley** attended a meeting with the Senior Nutrition and the Dolores Community Center Committees.

**ADJOURNED: 3:15 P.M.**

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County Clerk  
10/18/04

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**October 25, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 25, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, October 18, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**LANDFILL Manager Debby Barton** presented a sales proposal from Wagner Equipment Co. for a Caterpillar 924G ITHL wheel loader in the amount of \$116,000.00. Comm Findley moved to accept the proposal for \$116,000.00 plus 2 spare wheels and not to trade in the IT14 unless the trade in amount was for \$35,000.00 or more. Seconded by Comm Lindsay and carried. **Randy Smith** was also present.

**ROAD: Lloyd Everret** was informed of a letter received concerning Road CC. He said the Department will look into the problems with Road CC.

**SOUTHWEST HEALTH SYSTEMS – SOUTHWEST MEMORIAL HOSPITAL** officials **Chuck Bill and Daniel Jessup** gave a financial statement and fiscal report for the quarterly and year to date operations ended Sept 30, 2004. They stated the hospital construction should be completed in December with an open house possibly in Feb. 2005. (see attached)

**ALLEN CHAPMAN representative for CTSI** presented an insurance proposal for property liability insurance with Colorado Counties Casualty and Property insurance pool.

**GIS SPECIALIST P.J. Thorstenson** presented the county map for review.

**LIQUOR LICENSE:** Deputy Clerk **Tammy Neely** presented an application for renewal of a "Hotel/Restaurant Liquor License" for **Roundup Junction Restaurant, Inc.** The Sheriff and Health departments reported no problems with the establishment. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

**DALE NICE** informed the Board that a pool table at the Senior Center had been damaged. He was advised to speak to the Senior Advisory Board.

**PLANNING: Planning Manager Karen Welch** presented the **Amended Elk Pointe Subdivision Plat (James W. and Martha J. Guthrie and Thomas A. & Crystal A. Payne** owners) for signature. Comm Lindsay moved to sign the Amended Elk Pointe Subdivision Plat, seconded by Comm Findley and carried.. Manager Welch also presented the **Goodwin Subdivision Plat (Philip H. Goodwin** owner) for signature. Comm Findley moved to sign the Goodwin Subdivision Plat, seconded by Comm Lindsay and carried. Manager Welch presented the **Marx Moderate Subdivision (Alvin R. & Betty Marx** owners) for signature. Comm Lindsay moved to sign the Marx Moderate Subdivision, seconded by Comm Findley and carried.



**CITY OF CORTEZ** sent a notice to inform the Board of a proposed property annexation into the city limits of the City of Cortez. The property is located on the East side of Hwy 145 and North side of Empire Street.

**RECESSED FOR LUNCH: 12:00 Noon**

10/25/2004

2

**“OFFICIAL COUNTY HOLIDAY SCHEDULE FOR 2005”** presented by Finance Officer **Mary Ann Sanders** was reviewed. Comm Findley moved to approve, as submitted, the “Official County Holiday Schedule for 2005” (see attached), seconded by Comm Lindsay and carried. She also asked to amend the Holiday Schedule for 2004 to reflect December 31, 2004 as an official holiday for New Year’s Day since it falls on a Saturday. Comm Findley moved to amend the 2004 Official Holiday Schedule to reflect December 31, 2004 as an official holiday, seconded by Comm Lindsay and carried.

**MEMO TO ELECTED OFFICIALS and DEPARTMENT HEADS** was presented for signature by Finance Officer Mary Ann Sanders. The memo refers to pre-employment drug and alcohol testing. (see attached). Comm Lindsay moved to sign the memo, seconded by Comm Findley and carried.

**DARLENE DENISON** had some questions concerning the procedures used to put the Library Authority question onto the November 2, 2004 ballot. She was told to talk to the City of Cortez.

The Board scheduled a meeting with those who would be involved with beer sales at the fairgrounds for their input. The meeting is scheduled for Wednesday November 3, 2004 at 2:00 p.m.

**WADE WILSON** met and requested a dead end road sign for Roads AA & 21. The road department will install said sign. He asked if the Board might put more information in the local newspapers about Referendum 1A.

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

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County Clerk  
10/25/04

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**November 1, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 1, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, October 25, 2004, were read. Comm. Findley moved to approve the minutes as read, seconded by Comm. Lindsay, and carried.

**PAYROLL:** General fund warrants in the amount of \$260,366.23, District Attorney fund warrant #45068 in the amount of \$20,119.36, Treasurer fund warrant #45069 in the amount of \$204,718.12; Road department fund warrants in the amount of \$62,230.40, Treasurer fund warrant #18206 in the amount of \$55,783.62; and Landfill fund warrants in the amount of \$12,426.06, Treasurer fund warrant #4248 in the amount of \$9,628.94 were approved for payment.

**ROAD:** Engineer Aubrey "Bud" Roach presented the Board with a working copy of solutions on the intersection of Roads G and 41. Lloyd Everret reported Department had not received any complaints.

**REP. MARK LARSON, SEN. JIM ISGAR AND SOUTHWEST COLORADO MENTAL HEALTH CEO BERN HEATH** met with the Board to answer any concerns the Board may have concerning the creation of a psychiatric urgent care/triage/detox facility (The Crossroads). The Board questioned whether county funds could be used to help fund this type of facility. Rep. Larson and Sen. Isgar requested a letter stating the question so they could look into the legalities and be sure there is no violation of Article XI, Sections 1 and 2 of the Colorado Constitution. When asked for public input audience members all spoke favorably of the need for such a facility. (see sign in sheet)

**LOUIS SZABO** appeared before the Board to inquire as to why the salaries of the county employees had not been published in the newspapers. He was told according to law the salaries will be published.

**PLANNING:** Manager Karen Welch informed the Board that on November 22, 2004 at 10:30 a.m. a public hearing is scheduled for the Town of Mancos concerning a temporary practice field for Just Wanna Play Ball.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative James Andrus presented the 2004 annual precipitation report for the month of October, 2004 (see attached)

**RECESSED FOR LUNCH: 12:00 Noon**

11/01/2004

2

**RESIDENT TIM MILLER** presented a letter to the Board signed by Alfred and Debra Hughes, Jeff and Nancy Corbin, and Tim and Sara Miller. (see attached)

**IT MANAGER ROB PETERKA AND GIS SPECIALIST P.J. THORSTENSON** gave a presentation to the Board about the pending wildfire survey, the GIS database and the county web site.

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

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County Clerk  
11/01/2004  
Approved

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Chairman

ONLINE COPY



**RECESSED FOR LUNCH: 12:15 P.M.**

11/08/04

2

**JOHN PORTER**, Montezuma County's representative for the Southwest Water Conservation District presented a report of activities of the Southwest Water Conservation District. He stated he had received a letter from the District indicating his term would expire in January 2005. Mr. Porter submitted a letter for re-appointment to the District. Comm. Lindsay moved to re-appoint John Porter as a director to the Southwest Water Conservation District, seconded by Comm. Findley and carried. (see attached)

**FORMER MONTEZUMA COUNTY FAIRBOARD** members, **Liz Tozer, Larry Everett, Bob Yates, Raymond Samora and Chuck Sullivan** met to discuss activities of the Fairboard. Beer sales at the fairgrounds were also discussed.

**LIQUOR LICENSE: Deputy Tammy Neely** presented a special events liquor license for the **Dolores Library**. The event would be held at Four Seasons Greenhouse and Nursery. Comm. Lindsay moved to approve the special events license contingent upon the correction of the names on the application to be uniform. Seconded by Comm. Findley and carried.

**PLANNING Manager Karen Welch** presented the **Howe and Noyes Tracts (Larrie D. and Clyde D. Rule owners)** for signature. Comm. Findley moved to sign the Howe and Noyes Tracts, seconded by Comm. Lindsay and carried.

**PUBLIC HEARING: CITY OF CORTEZ. – PROPOSED HIGH IMPACT PERMIT NO.497:** It being the time set aside, a public hearing is held concerning a High Impact Permit application for the expansion of the City of Cortez water treatment facility located at 27951 Road N, Dolores, Co. Said property is situated in S.6, T. 36N., R. 15W., N.M.P.M., lying on the north side of Road N, west of Road 28.(see attached) The roll was called, the proof of publication was read, and the proceedings were taped for the record. No public comments were heard. Comm. Findley moved to approve High Impact Permit No 497 for the expansion of the water treatment facility for the City of Cortez contingent upon compliance with the Planning Department's findings with the addition of construction signage on Road N and a stop sign installed. Seconded by Comm. Lindsay and carried. **Bruce Smart** City of Cortez Representative was also present.

**FAIRGROUNDS Manager Darryl Buffington** informed the Board the interior bleachers at the fairgrounds are needing to be replaced. He said he was gathering information on what type of bleachers besides wood were available.

**ADJOURNED: 4:00 P.M.**

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County Clerk  
11/08/04

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**November 15 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 15 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MINUTES** of the regular meeting held on Monday, November 8, 2004, were read. Comm. Lindsay moved to approve the minutes as corrected, seconded by Comm. Findley, and carried.

**ACCOUNTS PAYABLE:** General fund warrants #45082 thru #445234 in the amount of \$155,858.03; Road department fund warrants #18219 thru #18284 in the amount of \$136,904.25; Landfill fund warrants #4259 thru #4282 in the amount of \$14,116.91; were approved for payment.

**ROAD: Lloyd Everett** informed the Board of (1) the Department was hauling gravel to the Landfill, (2) of the need to go to Denver and pick up the new belly dump, (3) they were still working on Roads G and 41 and (4) the need to look at problems on Road 21.

**DONNA MURPHY** a resident living on Road N, met to discuss a pothole problem on Road N. She was told Road N is in the 2005 road plan and they will look into possible solutions to fix the road.

**BOARD OF SOCIAL SERVICES** was conducted at this time with **Dennis Story and Kathy Talcott** present.

**FOUR CORNERS CHARACTER COUNCIL** directors **Dennis Story, Debby Barton, Shelly Hancock** along with **Leigh Ellen Epps**, met to ask the Board for a proposed resolution to pledge their commitment to building character qualities throughout the county. Comm. Lindsay moved to adopt **Resolution #14-2004** – Character Resolution, seconded by Comm. Findley and carried, (See Attached)

**FAIRBOARD: Jan Sennhenn of the extension office, Don Bain and Joel Stevenson** presented the Board with applications for appointments to the Fairboard for two, four terms and one, one year term. Comm Lindsay moved to accept Susie Phillip's application and appoint her to the one year term, seconded by Comm Findley and carried. Comm. Findley moved to accept the applications of Rick Lard and Lynetta Shull to fill the four year terms, seconded by Comm Lindsay and carried.

**DIANA BUZA with the Pinon Project** returned to ask the Board for a request to serve alcohol (beer and wine) at the county annex for a New Year's Eve fundraiser. After much discussion, Comm. Lindsay moved to allow not for profit corporations to sell beer and wine at the county annex, seconded by Comm Findley and carried.

**RECESSED FOR LUNCH: 11:30 a.m. Lunch with BLM**

**HOUSING SOLUTIONS OF THE SOUTHWEST** representative **Christina Cordalis** asked for support for a home grant to hire a development director Comm Findley moved to give Housing Solutions of the Southwest \$1,000.00 for the 2005 cycle, seconded by Comm Lindsay and carried.

**GIS SPECIALIST P.J. Thorstenson** presented the county road map for review.

11/15/04

2

**HEALTH DEPARTMENT Director Lori Cooper** met to discuss filling the position of food license inspector created by the death of Diane Fahrian. This will be a partime position.

**PLANNING Manager Karen Welch** presented the Board with the **Juniper Ridge Moderate Subdivision** for approval (**Daniel and Debbie Hoch** owners). Comm Findley moved to approve the Juniper Ridge Moderate Subdivision, seconded by Comm Lindsay and carried.

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

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County Clerk  
11/15/2004  
APPROVED

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**November 22 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 22, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Thomasina Neely, Chief Deputy County Clerk

**MINUTES** of the regular meeting held on Monday, November 15, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**ALFRED HUGHES** met with the Board to discuss County right-of-way at the intersection of Roads 41 and G. The Board will review the right of ways with Don Yeomans. Other complaints were also heard by the Board from Alfred Hughes.

**ROAD: Lloyd Everett** reported that the roads were being snowplowed and sanded. The new road signs were discussed, Lloyd reported that the road sign application has been implemented. Comm. Findley expressed the signage that reads MC RD does not mean an address change; it is for road designation only. The public will be informed. Road N was discussed and the County will maintain. It was mentioned that residents will need to provide the funds for chip and seal.

**SENIOR ADVISORY BOARD: Harriett Duran** of the Senior Advisory Board requested funds for a pool table for the Senior Center. Roy Burgett made a presentation on the cost of pool tables. Comm. Findley expressed that the Senior Center would need to raise some of the proceeds towards the pool table. Comm. Findley made the motion to fund half of the purchase of a pool table for the Senior Center, seconded by Comm. Lindsay and carried.

**PAT KANTOR:** Met with the Board to discuss funding for testing on the **Dolores River Valley Project**. Comm. Findley suggested a fundraiser.

**USDA TRAPPERS CONTRACT:** The contract is up for renewal. No action was taken at this time.

**HIGH IMPACT PERMIT #498:** It being time set aside for a public hearing regarding a High Impact Permit application for a temporary baseball practice field as submitted by The Town of Mancos. Said property is situated in S.30, T.36N., R.13W., N.M.P.M., lying on the east side of Road 39, north of Hwy. 160, the old landfill. Comm. Wilson moved to approve High Impact Permit #498 for a temporary baseball practice field for a 3 year period contingent on The Town of Mancos and compliance, Comm. Lindsay seconded, motion carried.

**ORDERS:** Comm. Lindsay directed the Clerk to issue **Order #27** transfer from Capital Fund to General Fund for Eagle Computer lease payment 2004 \$160,000.00. **Order #28** transfer from Conservation Trust Fund to General Fund for Fairgrounds Operations 2004 as follows: 2004 amended budget \$159,450.00, 2004 projected budget \$30,000.00 transfer \$129,450.00. **Order #29** transfer from sales tax revenue to general fund as follows: 2003 Community Corrections \$118,000.00, Jail Operations \$159,000.00. 2004 Community Corrections \$123,900.00. Jail Operations \$166,950.00. Seconded by Comm. Findley motion carried.



**BUDGET HEARINGS:** The Board met with Sheriff, Treasurer, Extensions, Assessor, Social Services, District Attorney, Senior Services, Health, and Coroner to discuss 2005 Budgets.

ADJOURNED: 4:30 PM

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County Clerk  
11/22/2004

Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**December 6, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 6, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis County Clerk

**MINUTES** of the regular meeting held on Monday, November 22, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**PAYROLL:** General fund warrants in the amount of \$251,995.48 District Attorney fund warrant #45241 in the amount of \$19,999.01, Treasurer fund warrant #45240 in the amount of \$200,985.19; Road department fund warrants in the amount of \$62,230.40, Treasurer fund warrant #18285 in the amount of \$55,783.62; and Landfill fund warrants in the amount of \$12,074.50, Treasurer fund warrant #4283 in the amount of \$9,819.22 were approved for payment.

**PATTY THOMAS** sent the Board a letter requesting she remain as secretary of the **Cortez Cemetery District**. Comm Findley moved to appoint Patty Thomas to the Cortez Cemetery District, seconded by Comm Lindsay and carried.

**AUTHORITY BOARD ORDER:** Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-30-04** to the Treasurer to pay \$4,224.78 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

**ROAD: Donna Murphy** a resident living on Road N read a letter to the the Board and **Lloyd Everret** of the Road Department concerning conditions on Road N. (see attached). The situation will be looked into. **Don Jolovich** was also present.

**DOUG HORTHEN** spoke in support of **Echo Basin Ranch**.

**CONTINUED PUBLIC HEARING – ECHO BASIN RANCH – DAN AND KATHI BJORKMAN:** It being the time set aside, for the continuance of the public hearing is held. The roll was called, and the proceedings were taped for the record. Comm Lindsay moved that (1) Concerts are not grandfathered and any future concerts will require the High Impact Permit process and a public hearing be held. No evidence was presented concerning rodeos and shooting events occurring in the past and the same process would be required, however, if evidence can be submitted to show this prior use, the HIP process could be set aside. (2) Selling, renting and leasing of park models would be in direct violation of the Montezuma County Land Use Code unless a HIP is approved. (3) Park models will be allowed to occupy the RV space, provided they are rented by the day, week or month, on a seasonal basis and no auxiliary structures are attached, but any long-term leases would constitute a subdivision requiring compliance with the Montezuma County Land Use Code and statutes. Seconded by Comm Findley and carried.

**IT MANAGER Rob Peterka and GIS SPECIALIST Patrick Thorstenson** met to inform the Board of a 911 upgraded system ( CML) that will incorporate the County mapping system and the need to supply them with road data and that an address system be in place. Rob and Patrick will look into this upgrade.

**THE COUNTY ROAD MAP** was set for a public hearing on January 10, 2005 at 9:30 a.m.

**CEDAR MESA RANCHES SUBDIVISION** residents met and asked the Board who maintains the roads in their subdivision. Since the roads are designated as red signed roads it is the responsibility of the home owners association of Cedar Mesa Ranches to maintain them. Their problems may be a matter for the courts to decide.

**NINA WILLIAMS representative of San Juan Skyways** reported they had received a large grant from Great Outdoors Colorado and that the largest part of the grant is designated for Montezuma County. She also thanked the Board for all their support of the project.

**SUE SCOTT with the County Lodgers Tax Board** informed the Board of plans to purchase advertisement in the National Geographic travel magazine for next year. She also discussed the appointments of Board members. She was told there would be a notice published in the newspaper advertising for applicants.

**RECESSED FOR LUNCH: 12:00 Noon.**

**HEALTH DEPARTMENT DIRECTOR Lori Cooper** presented a task order renewal for the immunization grant with the Colorado Department of Public Health and Environment for signature. Comm Findley moved to sign the renewal order for the immunization grant, seconded by Comm Lindsay and carried.

**CDOT representatives** presented the Board with the Region 5 annual report for fiscal year 2004. They discussed issues concerning maintenance, engineering, traffic& safety, planning and follow-up work. The Board mentioned high priority intersections in the county and was told to put them on the list for next year.

**PLANNING Manager Karen Welch** presented the **Yellow Rose Subdivision (Sandra Bryan owner)** for signature. Comm Findley moved to sign the Yellow Rose Subdivision, seconded by Comm Lindsay and carried.

**CFAR:** The monitoring of water quality in the Dolores River Valley was discussed . Comm Findley moved to fund testing for E-Coli of two additional water samples per month contingent upon **CFAR** funding two samples per month for a period of one year.

**HIGH IMPACT PERMITS: Planning Manager Welch** presented the following High Impact Permits with findings for signature (1) **HIP No. 17 – Amended – K&T Animal Board and Bath.**  
(2) **HIP No. 491 – Standard Plumbing Supply.**

**SHERIFF'S OFFICE: Sam Hagar and Steve Harmon** asked to have a resolution signed approving the Law Enforcement Assistance Fund (LEAF) contract. Comm Findley moved to sign **Resolution no. 19-2004** the LEAF block grant, seconded by Comm Lindsay and carried.

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County Clerk  
12/06/2004

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS**  
**MONTEZUMA COUNTY, COLORADO**  
**December 13, 2004**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA        )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 13, 2004, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman  
H. Dewayne Findley, Vice-Chairman  
J. Kent Lindsay, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis County Clerk

**MINUTES** of the regular meeting held on Monday, December 6, 2004, were read. Comm. Findley moved to approve the minutes as corrected, seconded by Comm. Lindsay, and carried.

**ROAD: Lloyd Everret** presented the Board with an energy impact and gaming impact grants for signature. Comm Lindsay moved to sign the Energy Impact Grant, seconded by Comm Findley and carried. Comm Findley moved to sign the Gaming Impact Grant, seconded by Comm Lindsay and carried. A mile stretch on Road T to Road U is in bad need of gravel and maintenance.

**LANDFILL: Landfill Manager Deb Barton** presented the Board with the profit and loss statement for the month of November. She stated the delivery date for the new loader will probably be after Jan. 1, 2005.(see attached)

**NOXIOUS WEED CONTROL Board representative Steve Miles** gave an update concerning the Dolores Soil Conservation District's programs. **Ron Lanier** spoke of the tamerisk problem in the County with the possibility of coordinating efforts with DSCD.

**PUBLIC HEARING – 2004 AMENDED BUDGET AND 2005 BUDGET:** It being the time set aside, a Public Hearing is conducted regarding the 2004 amended budget and the proposed 2005 budget. The roll was called, the proof of publications were read, and the proceedings were taped for the record. **2004 AMENDED BUDGET:** Finance Officer **Mary Ann Sanders** presented **Resolution 15-2004** to amend the 2004 budget for approval. Being no protest against the proposed amended budget, Comm Lindsay moved to adopt **Resolution 15-2004** amending the 2004 budget. Seconded by Comm Findley and carried. **BUDGET 2005:** Budget Officer **Tom Weaver** presented the proposed budget for 2005. There being no protests against the proposed 2005 budget a motion was made by Comm Findley to adopt **Resolution 16-2004** adopting the budget for Montezuma County for calendar year beginning January 1, 2005 and ending on the last day of December, 2005. Seconded by Comm Lindsay and carried. Comm Findley moved to adopt **Resolution 17-2004** – to set the mill levies. The mill levy is 14.254. The motion was seconded by Comm Lindsay and carried. A motion was made by Comm Lindsay to adopt **Resolution 18-2004** to appropriated sums of money in accordance with Local Government Budget Law on December 13, 2004. Comm Findley seconded the motion and carried. (see attached).

**FAIRGROUNDS Manager Darryl Buffington** met with the Board to inquire about the address breakdown at the Fairgrounds for special permits if alcohol were to be served. It was suggested the breakdown to be one for the main entrance, one for the middle portion and then one for the racetrack. Darryl will continue to look into this matter.

**PLANNING: Manager Welch** asked an after-the-fact exemption be signed for **Patricia Burns Higgins and Doyle Higgins**. Comm Lindsay moved to sign the after-the-fact exemption for Patricia Burns Higgins and Doyle Higgins, seconded by Comm Findley and carried.

12/13/2004

2

**TRACIE OLIVER** met with the Board asking if payments could be made on the last 2 events held at the racetrack and for the schedule of race dates for next year. The Board said all fees must be paid before any dates could be reserved.

**RECESSED FOR LUNCH: 12:00 noon**

**ADJOURNED: 3:00 p.m. for the Commissioner's Christmas reception**

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County Clerk  
12/13/2004

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Chairman

Approved

ONLINE COPY



**ACCOUNT NUMBER R990130 – BOUNDARY TIMBER SALE** – Attorney Poe requested the possessory interest tax on account R990130 - Boundary Timber Sale be rescinded or reduced to zero. Comm Lindsay moved to maintain the Assessor's Office adjusted valuation recommendation and deny the petition, seconded by Comm Wilson and carried. Comm Findley recused himself from the proceedings.

12/20/2004

2

The Board of Equalization was adjourned at 11:15 a.m.

**BOARD OF SOCIAL SERVICES:** Conducted at this time; 11:20 a.m.

**NATHAN BARTON** questioned the status of an emergency operations preparedness plan he had presented earlier. No action has been taken.

**UNITED WAY** relations coordinator **Toleda Cluff** met to ask the Board for their support for the United Way programs. She stated all monies collected in Montezuma County stays in Montezuma County. She will contact each department to ask for pledges.

**RECESSED FOR LUNCH: 12:10 p.m.**

**PLANNING:** Planning manager **Karen Welch** presented the following plats. (1) **Bement single lot Subdivision (Robert E. & Thelma F. Bement owners)**. Comm Lindsay moved to sign the Bement Single Lot Subdivision, seconded by Comm Findley and carried. (2) **Jarmon Minor Subdivision (Steven R & Margarita A. Jarmon owners)**. Comm Findley moved to sign the Jarmon Minor Subdivision, seconded by Comm Lindsay and carried.

Comm Lindsay moved to sign a letter of comment concerning the **EA** proposal for **EOG Resources** to drill three oil and gas wells southeast of Ismay Trading Post in the Flodine Park-Rincon Canyon area. Seconded by Comm Findley and carried.

**RE-APPOINTMENT LETTER:** A letter was sent to Governor Bill Owens recommending and supporting the re-appointment of **Don Schwindt** to the Colorado Water Conservation Board.

**SLIM MCWILLIAMS** presented and discussed a proposed map dealing with a land use plan for areas around the City of Cortez.

**EMERGENCY MEDICAL SERVICES COUNCIL** representatives **Jim Marett and Steve Budd-Jack** met to discuss emergency disaster planning.

**ADJOURNED: 4:25 p.m.**

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County Clerk  
12/20/2004

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Chairman

Approved