

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
May 7, 2018**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 7,, 2018 at the courthouse in Cortez, Colorado, there were present:

- James Lambert, Chairman
- Keenan Ertel, Vice-Chairman
- Larry Don Suckla, Commissioner of Deeds
- Melissa Brunner, County Administrator
- John C. Baxter, County Attorney
- Kim Percell, County Clerk

**CHAIRMAN LAMBERT** opened the meeting of May 7, 2018 with the Pledge of Allegiance.

**MINUTES:** Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 23, 2018 and the Special Hearing minutes dated May 1, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

**PUBLIC COMMENT:** **High Desert Conservation District Board member, Steve Miles** discussed the cancellation of their Special District election scheduled May, 8, 2018. (See attached) **M.B. McAfee** discussed the Special Hearing held on May 1, 2018.

**ROAD DEPARTMENT:** **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of May 2, 2018 through May 18, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; mag chloride, gravel, paving, pictures of the shouldering and side paver attachment, the monthly safety meeting, a scheduled meeting with the **Off System Bridge Program**, the **CARSE 2018** workshop, the new County **Emergency Manager**, the **Dolores Norwood Road**, speed limits signs and the **Reams Construction** fossil water. Superintendent Englehart presented for approval the **Customer Purchase Order for John Deere Construction and Forestry Products – USA Agreement**. Commissioner Ertel moved that the Road Superintendent proceed with the John Deer program,

leasing of the John Deer motor grader blades for years 2018 and 2019. Second by Commissioner Suckla and carried (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Tanner Young** gave his monthly report which included the year to date numbers for income of \$23,305.00 and attendance at 19718. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; installation of new roping chutes, roping boxes, installation of kick panels for the alley and bucking chutes and a plan for the a new stripping chute alley way. Manager Tanner discussed a quote from Triton Barn systems for 50 each 10' by 10' portable solid sided stalls in the amount of \$54,115.00. Commissioner Ertel moved that Manager Young pursue the solid sided stalls for the Fairgrounds through his vendor Triton Barn Systems in the amount of \$54,115.00. Second by Commissioner Suckla and carried. (See attached)

**HEALTH DEPARTMENT: Public Health Director, Bobbie Lock** along with **Case Managers, Danna, Nofsinger, Megan Riddell, Vanessa Martinez, and Jill Umberger** met with the Commissioners to discuss the **Single Entry Point** caseloads. Topics of the discussion included Monthly client counts and a request to fill a current vacancy within the department. Commissioner Suckla moved to fill a vacancy in the Single Entry Point with the Health Department. Second by Commissioner Ertel and carried. Director Lock along with **Environmental Health Specialist, Melissa Mathews** presented the **Office of Planning and Partnership Initiatives Contract, Task Order Amendment #1** and the Environmental Health, **DEH Retail Food Contract for 2018-2019, Task Order Amendment #2** for approval. Commissioner Ertel moved that the Montezuma County Health Department be approved on their Task Order Amendment #1 with the Office of Planning and Partnership Initiatives Contract. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve Task Order Amendment #2 for Colorado Department of Public Health and Environment. Second by Commissioner Ertel and carried. Other topics discussed included the Tire Management program. (See attached)

**COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles** and **Judicial District Administrator, Eric Hogue** met with the Commissioner to discuss the placement of security panels within the holding cells at the new Combined Courthouse. Topics of the discussion included; security camera positioning, damage to the cells by inmates, ADA compliance regulations and the original designed plans. Commissioner Ertel moved to award a contract to Jaynes Corporation in the amount of \$ 15,498.94 for the re-outfitting of the holding cells at the Courthouse. Second by Commissioner Lambert, with two votes in favor by Commissioners Lambert and Ertel and one vote against from Commissioner Suckla the motion carried. (See attached)

**DISCUSSION: County Assessor, Leslie Bugg, GIS Manager, Doug Roth** and **Clerk, Kim Percell** met with the Commissioners to discuss concerns with the High Desert Conservation District boundary map. Topics of the discussion included; requests to the GIS Department for help to identify the district boundary map, a request for the District's assessment values from the County Assessor and the July, 2017 Clerk request to the District for an updated boundary map. Other topics included; how the district was formed, the original legal description of the District boundary, the district's options for removal of land from the boundaries and options for land owners to be removed from the district, the original 1946 industry properties excluded within the district boundaries and the non-exclusion of industrial within the current district boundaries, lack of research options to verify the 1946 commercial map of the City of Cortez, the incorrect Voters List provided from the Clerk's office and the November ballot question options. (See attached)

**ACCOUNTS PAYABLE:** Administrator Brunner presented the March 2018 Financial Statements for approval. Commissioner Ertel moved to approve the Financial Statements for March 2018 as presented. Second by Commissioner Suckla and carried. (See attached)

Chairman Lambert announced the adjournment of the meeting for the LUNCH break.  
Chairman Lambert announced the meeting would reconvene.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for the purpose of reviewing and determining High Impact and Special Use Permits for a CO2 Well and associated pipelines submitted by **Kinder Morgan CO2 Company, Agent Chris Lopez**, on property located at 25136 Road 8, Pleasant View, CO, consisting of 6.89 acres, more or less, south of Road 8, situated in S.1 T.38N., R.19W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Chris Lopes, and Andy Weygant were present. **Planning Director, Lee Ann Milligan** gave an overview of the application and verified the address to be Road BB not Road 8. Commissioner Lambert opened the hearing to public comment. Public comments were made by **Gala Pock** and **Ellen Foster**. Hearing no further public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission with no contingencies. After hearing all the evidence presented Commissioner Suckla moved to approve High Impact and Special Use Permits for a CO2 Well and associated pipelines submitted by Kinder Morgan CO2 Company, on property located at 25136 Road 8, with an amendment to the motion to change the address to road BB Pleasant View, Co., and contingent upon the approval of the driveway permit. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

**Director Milligan** presented for signatures a final plat for a Single Lot Development Application submitted by **Roy Elder** on Property located at 10720 Road 43, Mancos, CO, consisting of 11 acres, more or less, located on Road 43, north of Hwy 160, situated in S.22 T.36N., R.13W. N.M.P.M.

**Director Milligan** along with **Travis Custer** and **Jay Loschert** met with the Commissioners for a preliminary discussion regarding the **Montezuma Land Conservancy** agricultural educational facility proposed High Impact Permit Application on property located at 19760 Road W, Lewis, CO, consisting of 82.8 acres, more or less, south of Road W, west pf Road 20, situated in S.2 T.37N., R.17W., N.M.P.M.

**Director Milligan** presented for preliminary review and determination an Exemption Application submitted by **Linda Eldon** and **Andrew Simmons** consisting of 21.3 acres, more or less, of the 98.66 acres, more or less, which is divided by Highway 160, south of Hwy 160, west of Road 39, situated in S.31 T.36N., R.13W., N.M.P.M. Commissioner Ertel moved to proceed with the Simmons exemption #P-04-17, the Simmons Kennedy boundary line adjustment on Road 39 in Mancos. Second by Commissioner Suckla and carried.

**CITY OF CORTEZ:** **Peyton Hertzman** and **Neva Connolly** presented for signatures a final plat for the City of Cortez and Montezuma County for sale of the Justice Building located at 601 N. Mildred, Cortez, CO

**GIS MAPPING:** **GIS Manager Doug Roth** along with property owner **Norman Hanson** met with the Commissioners to discuss an incorrect addressing area on Road 44, Mancos. Topics discussed included; the addressing standards and addresses out of sequence. Manager Roth and Mr. Hanson will meet with neighbors to discuss and work to resolve the issue.

**COUNTY ATTORNEY REPORT: Attorney, John Baxter** discussed a proposed Extreme Risk Protection order, House Bill #18-14-36 and the Road Use Agreement for the Dolores Norwood Road.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioners to give his weekly report. Director Dietrich discussed the Public Land Day scheduled May 19, 2018, the scoping comments on the Mancos Rangeland Assessment, an update on the McElmo Flume project, the submittal to the City of Cortez for the County offices building sign and the BLM MOU Cooperating agency agreement. Director Dietrich presented a letter to Cliff Spencer, Superintendent Mesa Verde Nations Park regarding the N-79-08-1-9-1.B (MEVE) Trespass Livestock Removal for approval. The Commissioners did not act upon the letter. (See attached)

**COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner** discussed the attended Assessment of Appeals Seminar Class, gave updates on the remodel project, the scheduled Departments office moves and a bid for painting the west side of the building. (See attached)

**COUNTY COMMISSIONER REPORT: Commissioner Lambert** reported he had attended the Department of Interior and BLM meeting held in Grand Junction.

**Commissioner Ertel** gave a report on the Assessment of Appeals Seminar Class and the Department of Interior and BLM meeting held in Grand Junction.

**Commissioner Suckla** discussed a proposed resolution regarding Second Amendment rights.

**PUBLIC COMMENT: Greg Kemp** and **Ellen Foster** discussed the placement of the clock and the big projection screen in the new Commissioner's room. Mrs. Foster also discussed the introduction of presenters to the audience and the accumulative effects of the county wide Kinder Morgan projects.

**CORRESPONDENCE:** The following correspondence was read and noted: Letter from Colorado Department of Public Health & Environment regarding the approval of the 2016 Financial Assurance Review

**MOTION TO ADJOURN:** was made by Commissioner Suckla, seconded by Commissioner Ertel and carried.

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

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Clerk May 7, 2018

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Chairman