

RESOLUTIONS AND ORDERS
1986

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THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 22nd day of December, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # *86-30*

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado did adopt the 1986 budget and did appropriate funds to the Road and Bridge Fund, and;

WHEREAS, due to unanticipated expenses and capital needs, and the face Mineral Leasing and P.I.L.T. revenues were more than anticipated at the time the 1986 budget was adopted, it now becomes necessary the appropriations for the Road and Bridge Fund be amended for the 1986 Budget.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado the 1986 Budget appropriations for the Road and Bridge Fund is hereby increased from \$1,808,659.00 to \$2,014,117.00.

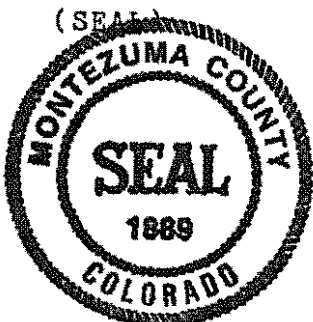
Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Robert L. Maynes, Thomas K. Colbert
Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this *22nd* day of *December*, 198*6*.

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 22nd day of December, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-29

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado did adopt the 1986 budget and did not appropriate funds from the Contingency Fund, and;

WHEREAS, due to unanticipated expenses were more than anticipated at the time the 1986 budget was adopted, it now becomes necessary the appropriations for the Contingency Fund be amended for the 1986 Budget.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado the 1986 Budget appropriations for the Contingency Fund is hereby increased from \$0 to \$1,500.00.

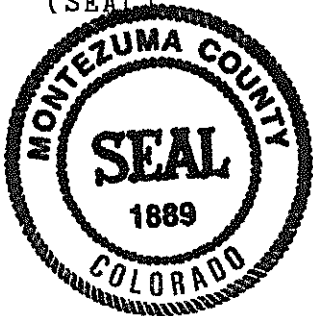
Commissioners voting aye in favor of the Resolution were:

W.C. Bauer *Thomas K. Colbert* and *Robert L. Maynes*
Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 22nd day of December, 19 86.

(SEAL)



Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

86-28

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 15th day of December, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION TO SET MILL LEVIES

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 1986 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR MONTEZUMA COUNTY, COLORADO, FOR THE 1987 BUDGET.

WHEREAS, the Commissioners of Montezuma County, Colorado, have adopted the annual budget in accordance with the Local Government Budget Law, on the 15th day of December 1986, and;

WHEREAS, the 1986 valuation for assessment for Montezuma County as certified by the County Assessor is 181,738,290.00.

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado:

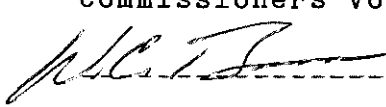
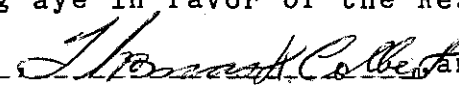
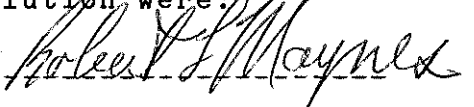
Section 1: That for the purpose of meeting all general operating expenses of Montezuma County during the 1986 budget year, there is hereby levied a tax of mills as stated below upon each dollar of the total valuation for assessment of all taxable property within the County for the year of 1986.

Section 2: That for the purpose of meeting all debt retirement expenses of Montezuma County during the 1986 budget year, there is hereby levied a tax of No mills upon each dollar of the total valuation for assessment of all taxable property within the County for the year 1986.

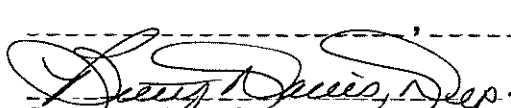
FUND	MILL LEVY
General	11.273
Road and Bridge	2.610
Social Services	1.980
Contingency	-0-
Airport	.121
Capital Expenditures	-0-

Total 15.984

Commissioners voting aye in favor of the Resolution were:

  and 

Commissioners voting nay against the resolution were:

, and _____
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 15th day of December, 1926

(SEAL)

Harry Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 15th day of December, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION TO APPROPRIATE SUMS OF MONEY

WHEREAS, the Commissioners have adopted the annual budget in accordance with the Local Government Budget Law, on December 15, 1986 and have adopted the annual budget.

WHEREAS, the Commissioners have made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law, but also necessary to appropriate the revenue provided in the budget to and for the purposes described below so as not to impair the operations of the County:

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado, that the following sums are hereby appropriated from the revenue of each fund, to each fund, for current operating expenses:

<u>FUND</u>	<u>AMOUNT APPROPRIATED</u>
General	3,298,731
Road and Bridge	1,801,995
Airport	21,050
Contingency	-0-
Revenue Sharing	-0-
Social Services	2,630,333
Capital Expenditures	-0-
Total	7,752,109

Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners voting nay against the resolution were:

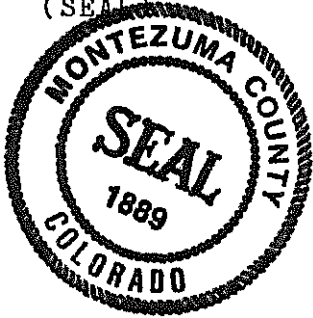
_____, and _____

Jean DeGraff, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 15th day of December, 1986.

(SEAL)



Denny Davis, Jr.
County Clerk and Recorder
Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 15th day of December, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-26

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, AND ADOPTING A BUDGET FOR MONTEZUMA COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 1987, AND ENDING ON THE LAST DAY OF DECEMBER, 1987.

WHEREAS, the Commissioners of Montezuma County, Colorado, have appointed Thomas J. Weaver to prepare and submit a proposed budget to said governing body, and;

WHEREAS, Mr. Weaver has submitted a proposed budget to this governing body for its consideration, and;

WHEREAS, upon due to proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was on held on December 15, 1986, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increase was added to the revenues so that the budget remains in balance, as required by law.

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado:

Section 1: That expenditures for each fund are as follows:

<u>FUND</u>	<u>AMOUNT</u>
General	\$3,298,731
Road and Bridge	\$1,801,995
Airport	\$ 21,050
Contingency	-0-
Social Services	\$2,630,333
Capital Expenditures	
Revenue Sharing	

Section 2: That estimated revenues for each fund are as follows:

<u>FUND</u>	<u>REVENUE AVAILABLE OTHER THAN PROPERTY TAXES</u>	<u>PROPERTY TAXES</u>	<u>TOTAL</u>
General	\$1,646,130	\$2,048,736	\$3,694,866
Road & Bridge	\$1,879,866	\$ 474,336	\$2,354,202
Airport	\$ 10,119	\$ 21,990	\$ 32,109
Contingency	\$ 266,313	-0-	\$ 266,313
Soc. Services	\$2,489,589	\$ 259,581	\$2,749,170
Capital Expend.			

Section 3: That the budget as submitted, amended, and herein above summarized by fund, be and the same hereby is approved and adopted as the budget of Montezuma County, Colorado, for the year stated above.

Section 4: That the budget hereby approved and adopted shall be signed by the Commissioners, Montezuma County, Colorado, and made a part of the public records of the County.

Commissioners voting aye in favor of the Resolution were:

W. T. F. Thomas, Collier, and

Robert L. Maynes

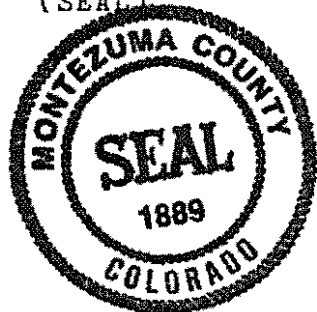
County Clerk and Recorder
Montezuma County, Colorado

Deputy Davis, Dep.

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 15th day of Dec., 1986.

(SEAL)



Deputy Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 1st day of December, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION NO. 86-25

WHEREAS, the Board of County Commissioners of Montezuma County has authority under Article XIV, Section 18(2)(a) of the Colorado Constitution, and Section 8-44-101, 8-44-110 and 29-1-201 et seq., Colorado Revised Statutes, as amended, to participate in and form a county self-insurance pool for workers' compensation coverage;

WHEREAS, the Board finds that participation in such a pool would be in the best interests of the County of Montezuma, its employees and its taxpayers; and,

WHEREAS, the Board has reviewed a contract to cooperate with other counties to form a self-insurance pool for workers' compensation coverage, entitled "Bylaws and Intergovernmental Agreement, County Workers' Compensation Pool", a copy of which is attached hereto as Exhibit "A" and incorporated into this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County hereby:

1. Approves the document entitled "Bylaws and Intergovernmental Agreement, County Workers' Compensation Pool", a copy of which is attached hereto as Exhibit "A", and incorporated into this Resolution.
2. Authorizes and directs Thomas J. Weaver, County Administrator to sign the Agreement, incorporated herein and attached hereto as Exhibit "A", on behalf of the County of Montezuma.

Commissioners voting aye in favor of the Resolution were:

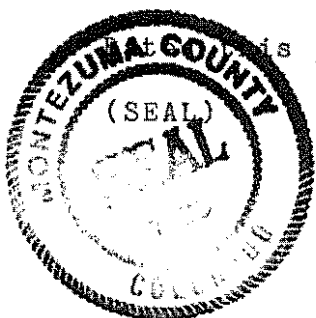
W.C. Bauer, Thomas K. Colbert and Robert L. Maynes

Commissioners voting nay against the resolution were:

_____, and _____

Jean DeGraff, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.



is 1st day of December, 1986.

Jean DeGraff, Dep.
County Clerk and Recorder
Montezuma County, Colorado

BYLAWS AND INTERGOVERNMENTAL AGREEMENT

COUNTY WORKERS' COMPENSATION POOL

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Revised: June 19, 1985
June 12, 1986

BYLAWS AND INTERGOVERNMENTAL AGREEMENT

COUNTY WORKERS' COMPENSATION POOL

ARTICLE I. Definitions.

As used in this agreement, the following terms shall have the meaning hereinafter set out:

- A. ADMINISTRATOR -- Colorado Counties, Inc.
- B. AGGREGATE EXCESS STOP-LOSS INSURANCE -- Insurance purchased by the Pool from an insurance company, approved by the Insurance Commissioner of the State of Colorado, to underwrite statutory coverage for workers' compensation losses over a limit that fixes the annual maximum exposure of the Pool for losses;
- C. BOARD -- Board of directors of the Pool;
- D. MEMBER -- A county which enters into this intergovernmental agreement;
- E. MEMBER OFFICIAL REPRESENTATIVE -- That person who has been designated by a member as its official representative to the Pool.
- F. POLICY YEAR -- January 1 to December 31;
- G. POOL -- The County Workers' Compensation Pool established pursuant to the Constitution and the statutes of this state by this intergovernmental agreement;
- H. RISK MANAGEMENT FUND -- A fund of public monies established by the Pool to provide workers' compensation benefits jointly within a defined scope and to purchase specific and aggregate excess stop-loss insurance when deemed prudent, and to pay the necessary expenses for the operation of the Pool;
- I. SELF-INSURANCE -- The decision by the Pool not to purchase insurance coverage for risks below certain limits, as provided in the annual Certificate of Participation; to seek all exemptions and immunities provided by law for any county and the officers and employees thereof; to rely upon the Pool's financial capabilities to pay any losses which fall within the Pool's coverage and for which a member is liable; and to purchase excess insurance to protect against specific or aggregate losses;

J. SPECIFIC EXCESS STOP-LOSS INSURANCE -- Insurance purchased by the Pool from an insurance company, approved by the Insurance Commissioner of the State of Colorado, to underwrite coverage for workers' compensation losses over a designated amount up to statutory requirements.

ARTICLE II. Creation of Pool.

The County Workers' Compensation Pool is hereby formed by inter-governmental agreement by member counties as a separate and independent governmental and legal entity pursuant to the provisions of Article XIV, section 18(2) of the Colorado Constitution and sections 29-1-201 et seq., 8-44-101 (1)(c) and (3), and 8-44-110, C.R.S., as amended. Each member county joining in this intergovernmental agreement has the power under Colorado law to make provision for the workers' compensation benefits which constitute the specific functions and services jointly provided by means of the Pool. The Insurance Commissioner of the State of Colorado shall have such authority with respect to the Pool as is provided by applicable Colorado statutes.

ARTICLE III. Purposes.

A. The purposes of the Pool are to provide a workers' compensation self-insurance pool and to assist members in controlling costs by providing specialized governmental risk management services.

B. It is the intent of the members to use member contributions to defend and indemnify, in accordance with these bylaws, any member for statutory workers' compensation exposures to the limit of the financial resources of the risk management fund. It is also the intent of the members to have the Pool provide needed coverages at reasonable costs. All income and assets of the Pool shall be at all times dedicated to the exclusive benefit of its members.

C. The Bylaws shall constitute the substance of the intergovernmental agreement among the members.

ARTICLE IV. Non-Waiver of Governmental or Other Immunity.

All money, plus earned interest, contained within the risk management fund is money derived from the members which consist solely of counties within the state of Colorado. It is the intent of the member that, by entering into this agreement, they do not waive and are not waiving any immunity provided to the member or their employees by any law.

ARTICLE V. Powers and Duties.

A. The powers of the Pool to perform and accomplish the purposes set forth above shall be the following, subject to the budgetary limits of the Pool and the procedures set forth in these Bylaws:

1. To retain agents, independent contractors and employees necessary to administer and achieve the purposes of the Pool,

including, but not limited to, attorneys, accountants, investigators, experts, consultants, and others;

2. To purchase, sell, encumber, and lease real property and to purchase, sell, or lease equipment, machinery, and personal property;
3. To invest money as allowed by Colorado statutes;
4. To create, collect money for, and contract for the administration of a risk management fund;
5. To purchase aggregate and specific excess stop-loss insurance, except as provided in Article XIII C.;
6. To carry out such other activities as are necessarily implied or required to carry out the purposes of the Pool;
7. To sue and be sued;
8. To enter into contracts;
9. To reimburse directors for reasonable and approved expenses, including expenses incurred in attending board meetings;
10. To purchase fidelity bonds from an insurance company approved by the Insurance Commissioner of the State of Colorado to do business in Colorado;
11. To carry out risk management programs;
12. To establish reasonable and necessary loss reduction and prevention procedures to be followed by the members; and
13. To provide or contract for risk management and claim adjustment services.

B. The pool shall have only those powers set forth in this agreement and any amendments adopted hereto.

ARTICLE VI. Participation.

The membership of the Pool shall be limited to those counties which are members of Colorado Counties, Inc. and which properly enter into and adopt this intergovernmental agreement. New members shall be admitted only by a vote of the Board, subject to the payment of such sums and under the conditions established in these Bylaws.

ARTICLE VII. Duration of Membership.

All members of the Pool, unless expelled pursuant to the expulsion provisions of this agreement, may remain members indefinitely and shall remain members for a period of at least one year.

ARTICLE VIII. Members' Powers and Meetings.

A. The members shall have the power to:

1. Amend the Bylaws by a 2/3 vote of the members present at a meeting. Written notice of any proposed amendment shall be provided to each member at least fifteen days in advance of the vote on the amendment. No amendment shall take effect before the end of the policy year during which the amendment is approved or sooner than seventy days after the vote approving the amendment, unless a different effective date is included in the motion to adopt the amendment.
2. Expel members by a 2/3 vote of all members, pursuant to Article XVII;
3. Adopt and adjust the coverages which the Pool provides by a 2/3 vote of the members present at a meeting;
4. Adopt and adjust contributions to the Pool by a majority vote of the members present at any meeting. Written notice of proposed contributions shall be provided to each member at least fifteen days in advance of the vote thereon;
5. Adopt or revise a budget for the Pool by a majority vote of the members present at a meeting. Written notice of the proposed budget and of any proposed revision to the budget shall be provided to each member at least fifteen days in advance of the vote thereon; and
6. Dissolve the Pool and disburse its assets by a 2/3 vote of all members, pursuant to such notice and in keeping with such procedure as shall be established by the Board.

B. Meetings of the members shall be held as follows:

1. Members shall meet at least once annually at a time and place to be set by the board of directors, with notice mailed to each member at least 15 days in advance.
2. Special meetings may be called by the Board or pursuant to a procedure to be established by the Board and thereupon approved by a 2/3 vote of the members present at a meeting. Notice of special meetings shall be mailed to each member at least 15 days in advance.
3. The president of the board shall preside at the meetings; the vice-president of the board shall preside in the absence of the president.
4. A simple majority of the members shall constitute a quorum to do business.

5. No absentee or proxy voting shall be allowed.

6. Each member shall be entitled to one vote on each issue.

C. The board shall mail to each member a proposed budget, proposed contributions and proposed coverages for a policy year at least seventy days prior to the beginning of the policy year.

ARTICLE IX. Obligations of Members.

The obligations of the members are:

A. To pay promptly all contributions or other payments to the Pool at such times and in such amounts as shall be established by the members pursuant to these Bylaws. Any delinquent payments shall be paid with interest which shall be equivalent to the prime interest rate, on the date of delinquency, of the bank which invests the majority of the Pool money. Payments will be considered delinquent 45 days following the due date;

B. To designate a member official representative and one or more alternates for the members' meetings. The designation shall be made during a meeting of the Board of County Commissioners, shall be reflected in the minutes of that meeting, and shall take effect upon receipt by the Administrator of notice of the designation or at such later time as specified in the notice. A member official representative and any alternate must be an employee or officer of the member county, but may be changed from time to time pursuant to the designation and notice procedure described herein. Any designated alternate may exercise all the powers of a member official representative during a member meeting in the absence of the official representative;

C. To allow the Pool and its agents, contractors, employees and officers reasonable access to all facilities of the member and all records including, but not limited to, financial records, as required for the administration of the Pool;

D. To cooperate fully with the Pool's attorneys, and any other agent, contractor, employee or officer of the Pool in activities relating to the purposes and powers of the Pool;

E. To participate in coverage of losses and to pay contributions as established and in the manner set forth by the members;

F. To allow attorneys and others designated by the Pool to represent the member in the investigation, settlement and litigation of any workers' compensation claim made against the member;

G. To follow the loss reduction and prevention procedures established by the Board;

H. To report to the Pool, in the form required by the Board and as promptly as possible, all incidents or occurrences which would reasonably be expected to result in the Pool being required to consider a claim against the member, its agents, officers, or employees; and

I. To report to the Pool, in the form required by the Board and as promptly as possible, the addition of new programs and facilities or the significant reduction or expansion of existing programs and facilities or other acts which will cause material changes on the members' potential loss.

ARTICLE X. Contributions.

A. It is the intention of the pool to levy contributions to the members as established by the members.

B. Any money, and interest thereon, not needed for the purposes of the Pool, will be distributed among those members which contributed the money and have not withdrawn or been expelled from membership at the time of distribution. For the 1985 claim year only, such distribution shall be made in an amount proportionate to the member's share of the total contribution. For any claim year after 1985, such distribution shall be made only to those members which were members during the particular claim year and which had a positive residual fund balance for that year, and shall be made in accordance with a formula which is approved by the Board and which is based on claims incurred by each member. The distribution shall be made as a credit against future contributions by the members. The money shall not be so distributed until it is determined by the Board or its authorized representative that no claim exists and no claim may legally be made against the money. Money distributed for any claim year shall be distributed only to those members which were members during that claim year.

C. Initial contributions shall include an amount sufficient to repay Colorado Counties, Inc., for its reasonable costs incurred in the creation of the Pool. The repayment shall be made by July 1, 1985, or at some later date if approved by Colorado Counties, Inc.

ARTICLE XI. Board of Directors and Officers.

A. The board of directors shall be composed of seven persons to be elected by the members. There will be:

1. One director from a member under 10,000 population;
2. One director from a member of 10,000 through 40,000 population;
3. One director from a member of 40,001 through 250,000 population;
4. One director from a member above 250,000 population; and

5. Three directors at large.

B. Population will be determined by the Board from the most recent population figures reasonably available to the Board.

C. The election of directors shall be made by the members at the annual meeting, and the directors shall assume office at the first board meeting following their election.

D. Terms of the directors shall be two-year-overlapping terms, or until their successors have been elected, except that the directors first elected to represent members of under 10,000 population, and 40,000 through 250,000 population, and two of the at-large directors, will be elected for an initial one-year term, or until successors have been elected, with their successor directors serving two-year terms thereafter.

E. The officers of the Pool shall be: president, vice president, secretary, and comptroller. The officers shall be elected by and from among the directors at the first meeting of the Board following each annual meeting.

F. A nominating committee of seven member official representatives shall be appointed by the president of the board, at least one from each population category established in paragraph A of this article. At least twenty-four hours prior to the annual meeting of the members, the nominating committee shall recommend for election to the board a number of persons at least equal to the number of vacancies to be filled for each category and, in so doing, shall ensure that the nominations comply with the categories established in Article XI.A and the requirement of Article XI.D for overlapping terms of office. In addition, nominations for vacancies may be made by any member official representative during the annual meeting.

ARTICLE XII. Powers and Duties of the Board of Directors.

A. The Board shall have the following powers and duties:

1. To recommend contributions to be paid by the members;
2. To recommend coverages to the members;
3. To select insurance brokers, claims administration and risk management services, and other service providers necessary for the administration of the Pool, upon recommendation of the administrator;
4. To hire and discharge employees;
5. To set the dates, places and provide an agenda for Board and members' meetings;

6. To fill a vacancy in the Board by majority vote of the remaining directors until the next annual meeting of the members, at which time the members shall elect a person to fill the vacancy for any unexpired term, subject to the limitations set forth in Article XII of these bylaws;
7. To exercise all powers of the Pool except powers reserved to the members;
8. To recommend a budget and any necessary revisions to the budget to the members;
9. To make reports to the members at their meetings;
10. To provide for claims and loss control procedures, and to establish conditions to be met prior to the payment or defense of claims;
11. To provide for the investment and disbursement of funds;
12. To establish rules governing its own conduct and procedure, and the authority of its officers, not inconsistent with these Bylaws;
13. To provide to members annually:
 - a. An audit of the financial affairs of the Pool to be made by a certified public accountant at the end of each policy year in accordance with generally accepted auditing principles; and
 - b. An annual report of operations;
14. To form committees and provide other services as needed by the Pool;
15. To do all acts necessary and proper for the operation of the Pool and implementation of these Bylaws subject to the limits of the Bylaws and not in conflict with these Bylaws;
16. To implement the dissolution and disbursement of assets of the Pool following the determination made pursuant to the provisions of Article IX;
17. To select a qualified actuary who shall conduct an annual review of the risk management fund and shall make recommendations to the Board based on such review;
18. To approve attorneys or firms of attorneys retained to represent members in workers' compensation claims; and

19. To admit new member(s) by majority vote of all directors serving on the Board, if the Board determines that the new member(s) will not detrimentally affect the financial status of the Pool or the contribution rates of other members and that the new member(s) have agreed to accept the obligations of members set forth in Article X of these Bylaws.

B. The Board shall contract with Colorado Counties, Inc. for administrative services, the contract to include a reasonable fee approved by Colorado Counties, Inc. and the Board to cover the cost of administrative services being provided. Services to be provided by or through the Administrator shall include, but not necessarily be limited to, bookkeeping services; financial statements; necessary reports on claims, incidences and loss prevention not provided by other service providers; reports to excess and reinsurance companies which are not made by other service providers; recording and depositing of payments; providing information to potential members; responding to inquiries from existing and potential members; reviewing claims with members; reviewing and making recommendations on all Pool contracts; maintaining a complaint register; acting as a liaison with state authorities and responding to inquiries from state authorities; computing and providing membership contribution billings; filing required forms and reports with state authorities; maintaining appropriate files; assisting the Pool's auditor and actuary as necessary; reviewing the performance of all contract service providers; handling banking functions, deposits, reconciliations, except investment decisions; providing necessary notices of member meetings; supplying resource material for member and Board meetings; attending member and Board meetings and other meetings necessary to the administration of the Pool; keeping detailed minutes of member and Board meetings; and administering committees established by the Board.

C. Notwithstanding any other provisions of these bylaws, the Board may, without any vote of the members, decide not to purchase aggregate excess stop-loss insurance for the pool, if in the Board's opinion, such purchase is unnecessary or financially inadvisable.

ARTICLE XIII. Meetings of the Board of Directors.

A. The Board may set a time and place for regular meetings which may be held without further notice.

B. The Board shall meet within fourteen (14) days after the election of directors at the annual members' meeting.

C. Special meetings may be called by the chairman or by a majority of the directors by mailing written notice at least ten (10) days in advance to all directors or by unanimously executed waiver of notice.

D. A simple majority of directors shall constitute a quorum to do business. All acts of the board of directors shall require a majority vote of the directors present, except as otherwise specifically provided in these Bylaws.

ARTICLE XIV. Liability of Board of Directors, Officers and Employees.

A. Members of the Board of Directors of the Pool, and the Administrator and the officers and employees thereof, shall not be personally liable for any acts performed or omitted in good faith. The Pool shall indemnify the members of its Board of Directors, and the Administrator and the officers and employees thereof, against any and all expense including attorney fees and liability expenses sustained by them, or any of them in connection with any suit or suits which may be brought against said members of the Board of Directors, or the Administrator or officers or employees thereof, involving or pertaining to any of their acts or duties performed or omitted for this Pool in good faith. This provision shall not be deemed to prevent compromises of any such litigation where the compromise is deemed advisable in order to prevent greater expense or cost in the defense or prosecution of such litigation.

The Pool shall attempt to obtain a bond or other security to guarantee the faithful performance of each director's, officer's and employee's duties hereunder, and errors and omissions coverage for each director, officer and employee of the Pool.

ARTICLE XV. Withdrawal from Membership.

A. Any member may withdraw from the Pool at the end of any policy year by giving at least sixty (60) days' notice in writing to the Board of its desire to withdraw.

B. The withdrawn member shall not be entitled to any reimbursement of contributions that are to be paid or that shall become payable in the future, and shall continue to be obligated to make any payment for which an obligation arose prior to withdrawal.

C. Within ten (10) days after receipt of a notice to withdraw, the Board shall provide written notice to the Insurance Commissioner of the State of Colorado of the member's intent to withdraw.

ARTICLE XVI. Expulsion of Members.

A. By a 2/3 vote of all members any member may be expelled. Such expulsions, which shall take effect sixty (60) days after such meeting, may be carried out for one or more of the following reasons:

1. Failure to make any payments due to the Pool;
2. Failure to allow the Pool reasonable access to all facilities and records of the member necessary for proper administration of the Pool;
3. Failure to fully cooperate with the Administrator, the Pool's attorneys, or other agent, contractor, employee or officer of the Pool;

4. Failure to carry out any obligation of a member which impairs the ability of the Pool to carry out its purposes or powers;
5. Failure to undertake or continue loss reduction or prevention procedures adopted by the Board; or
6. Failure to maintain membership in Colorado Counties, Inc.

B. The member proposed to be expelled shall not be counted in determining the number of votes required nor shall such member be entitled to vote on its own expulsion.

C. No member may be expelled except after notice from the Board of Directors of the alleged failure along with a reasonable opportunity of not less than thirty (30) days to cure the alleged failure. The member may request a hearing before the members before any final decision, which shall be held within fifteen (15) days after the expiration for the time to cure has passed. The Board shall present the case for expulsion to the member. The member affected may present its case. A decision by the membership to expel a member after notice and hearing and failure to cure the alleged defect shall be final and take effect sixty (60) days after the decision to expel is approved by the members. After expulsion, the former member shall be liable for any unpaid contributions or other charges pro rata to the effective date of expulsion.

D. Within ten (10) days after the decision to expel is approved by the members, the Board shall provide written notice to the Insurance Commissioner of the State of Colorado of the expulsion.

ARTICLE XVII. Contractual Obligation.

This document shall constitute an intergovernmental contract among those counties which become members of the Pool. The terms of this contract may be enforced in court by the Pool or by any of its members. The consideration for the duties herewith imposed on the members to take certain actions and to refrain from certain other actions shall be based upon the mutual promises and agreements of the members set forth herein. The Bylaws when properly approved by the proper authority of the member shall be the intergovernmental contract. A certified or attested copy of the resolution of approval for each member shall be attached to the original Bylaws on file with the Pool. Provided, however, that except to the extent of the limited financial contributions to the Pool agreed to herein or such additional obligations as may come about through amendments to these Bylaws, no member agrees or contracts herein to be held responsible for any claims made against any other member. The contracting parties intend in the creation of the Pool to establish an organization to operate only within the scope herein set out and have not herein created as between member and member any relationship of surety, indemnification or responsibility for the debt of or claims against any other member.

ARTICLE XIX. Severability.

In the event that any article, provision, clause or other part of these Bylaws should be held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability with respect to other articles, provisions, clauses, applications or occurrences, and these Bylaws are expressly declared to be severable.

The foregoing document is a copy of the bylaws of the County Workers' Compensation Pool as revised through adoption by the membership during the CWCP general membership meeting held on June 12, 1986.

Terry Bone, ARM
Pool Administrator

County of Montezuma)
) ss
State of Colorado)

Subscribed and sworn to before me this 1st day of December, 19 86.

by Thomas J. Weaver

Deputy Davis, Dep.
~~XXXXXXXXXXXX~~ Deputy County Clerk
~~XXXXXXXXXXXX~~

DATED: December 1, 1986

BY: Thomas Drury

TITLE: Administrator

Montezuma	
COUNTY	

CWCP2A/41

RECOR AT 8:30 O'CLOCK A M AUG 2 1986

RECEPTION NO. 289181 JEAN DeGRAFF, RECORDER MONTEZUMA CO. COLO.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 25th day of August, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners absent:

Deputy County Clerk and Recorder: Betty Davis

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

Resolution # 86-24

WHEREAS: Summit Ridge and the Mancos Valley are affected by the two electrical transmission lines and three pipelines for the transportation of hydrocarbons and carbon dioxide and;

WHEREAS: The rights-of-way for these public utilities fall predominately on the private land and;

WHEREAS: Local landowners have objected to any additional power lines or pipelines.

NOW THEREFORE BE IT RESOLVED: That this corridor is closed and any additional power line or pipeline companies that wish to cross Montezuma County must choose an alternate route.

Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners voting nay against the resolution were:

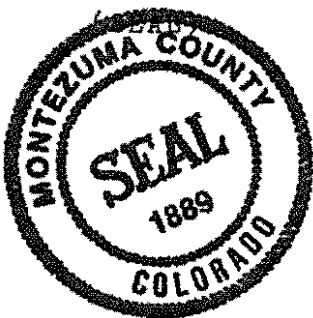
_____, _____, and _____

Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 25th day of August, 1986.

Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 11th day of August, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes
Commissioners absent:
County Clerk and Recorder: Jean DeGraff
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

Resolution # 86-23

WHEREAS: Robert A. Bassett has submitted to the Montezuma Planning Commission and the Board of County Commissioners appropriate documentation and plans to construct a Recreational Vehicle Park to do business as Trappers Den, and

WHEREAS: the plans have been approved by the Montezuma County Planning Commission.

NOW THEREFORE be it resolved that this resolution will serve as a Certificate of Occupancy as outlined in the subdivision regulations.

Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Robert L. Maynes, and Thomas K. Colbert

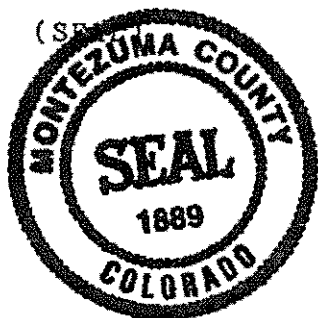
Commissioners voting nay against the resolution were:

_____, and _____

Jean DeGraff, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 11th day of Aug, 1986.



Jean DeGraff, Dep.
County Clerk and Recorder
Montezuma County, Colorado

86-22

STATE OF COLORADO)
COUNTY OF MONTEZUMA)

ss.

RECORDED AT 1:35 PM AUG 6 1986

RECEIVED AT 5:28 PM AUG 6 1986

The Board of Directors of the County Commissioners of Montezuma County, Colorado, met in regular session at the Montezuma County Courthouse in Cortez, Colorado, being the regular meeting place of the Board, at the hour of 9:00 a.m. on Tuesday, the 5th day of August, 1986.

Present:

Chairman:	William C. Bauer
Commissioners:	Thomas K. Colbert Robert L. Maynes
County Attorney:	Grace S. Merlo
County Clerk and Recorder:	Jean DeGraff
Absent:	None

Thereupon the following proceedings, among others, were had and taken.

The Commissioners heard the request of some of the electors of The Montezuma-La Verde General Paving Improvement District pertaining to paving and repayment of the same.

Thereupon, Commissioner Maynes introduced and made the adoption of the following Resolution:

RESOLUTION

WHEREAS, pursuant to the provisions of Chapter 30, Article 20, Part 5, Colorado Revised Statutes, as amended, the Board of County Commissioners of Montezuma County, Colorado, acting as the ex officio Board of Directors of the District, pursuant to CRS 30-20-510, as amended, held a public hearing on the request of some of the electors of the District pertaining to the paving of the La Verde Estates Subdivision and repayment of the same; and

WHEREAS, the special public hearing was held on August 5, 1986 at the hour of 9:00 a.m.; and

WHEREAS, notice of the hearing was posted in three public places within the limits of the District as well as in the Montezuma County Courthouse at least three days previous to such meeting, a copy of said Affidavit of Posting is attached hereto and incorporated herein by reference; and

WHEREAS, the Board has considered the request that an election be held pursuant to CRS 30-20-523 to consider whether or not the District should contract the debt in an amount not to exceed \$150,000.00 for the purpose of constructing and installing paving on the public roads within said District; and

WHEREAS, an election shall be held on August 28, 1986 commencing at the hour of 7:00 a.m. and concluding at 7:00 p.m., which election shall be held in accordance with CRS 32-1-801, et seq., which election shall be held at the Montezuma County Annex Building located at 117 North Chestnut Street in Cortez, County of Montezuma, Colorado, at which time and place the electors of said District shall vote for or against the incurring of said indebtedness for the construction and installation of hot mix asphalt on the public roads within said District; and

WHEREAS, the three judges for said election shall be paid as provided by law in the amount of \$35.00 each and said judges shall be as follows:

(a) Susan Valdez
27753 County Road H.6
Cortez, Colorado 81321

(b) Sherry Williamson
Post Office Box 1618
Cortez, Colorado 81321

(c) Luann Caughey
743 Birch Drive
Cortez, Colorado 81321

with Luann Caughey acting as Clerk; and

WHEREAS, a Notice of Election shall be published, a copy of

which Notice is attached hereto and incorporated herein by reference, the first publication of said Notice to be not less than 20 days prior to said election.

THEREFORE, be it resolved by the Board of County Commissioners of Montezuma County, Colorado, acting as the ex officio Board of Directors of The Montezuma-La Verde General Paving Improvement District:

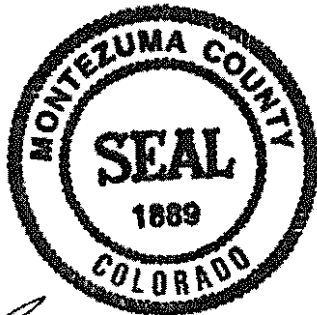
1. That an election be held on the 28th day of August, 1986, which election shall be held in accordance with CRS 32-1-801, et seq., as amended.

2. Publication of said election be made in the Montezuma Valley Journal, a newspaper of general circulation within Montezuma County on August 6, 13, 20 and 27 of 1986.

3. That the question presented to the electors at said election shall be as follows:

(a) Shall the District incur indebtedness in an amount not to exceed \$150,000.00, at an interest rate not to exceed 12-1/2% per annum, which amount is to be repaid in 10 equal annual installments for the purpose of acquiring funds to pave the public roads located within said District with hot mix asphalt?

4. That the Montezuma County Annex Building located at 117 North Chestnut Street, Cortez, County of Montezuma, State of Colorado, be designated as the only polling place for said election; that Susan Valdez, Sherry Williamson and Luann Caughey, electors of the District, be appointed as judges of said election, with Luann Caughey acting as clerk.



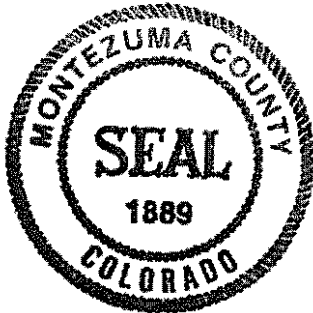
[Signature]
Chairman of the Montezuma County Board, acting as ex officio presiding officer of the Board of Directors

[Signature]
Jean DeGraff, ex officio Secretary of the Board of Directors

CERTIFICATE

I, Jean DeGraff, ex officio Secretary of the Board, do hereby certify that the above and foregoing is a true, correct and complete copy of a Resolution adopted by the Board of County Commissioners of Montezuma County, Colorado, acting as ex officio Board of Directors of The Montezuma-La Verde General Paving and Improvement District at a duly called meeting held on August 5, 1986.

Witness my hand and official seal this 5th day of August, 1986.



Jean DeGraff
Jean DeGraff
ex officio Secretary of the Board

Commissioner Colbert seconded the motion for the passage and adoption of said Resolution.

The question being upon the passage and adoption of said Resolution, the roll was called and the question put to a vote with the following results:

Those voting AYE:

Commissioners:

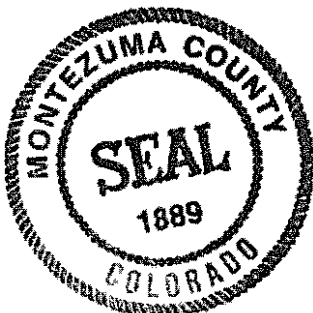
Bauer
Colbert
Doig

Those voting NAY:

Commissioners: _____

The presiding officer thereupon declared that, a majority of all the Commissioners elected having voted in favor thereof, the motion was carried and the Resolution duly passed and adopted.

After consideration of other matters to come before the Board, on motion duly made and seconded, the meeting was adjourned.

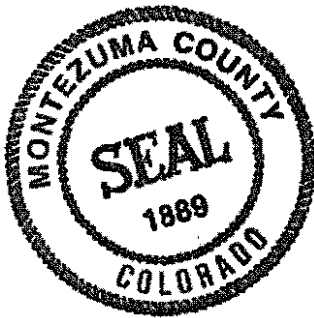


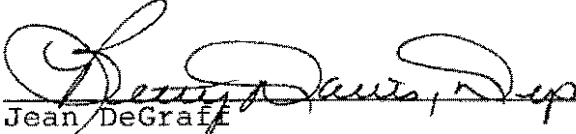
Jean DeGraff
Jean DeGraff
ex officio Secretary of the Board

I, Jean DeGraff, ex officio Secretary of the Board, do hereby certify that the foregoing pages numbered 1 to 5, inclusive, constitute a true and correct copy of the record of proceedings of the Board of County Commissioners of said county, taken at a regular meeting held on the 5th day of August, 1986, at the Montezuma County Courthouse, Cortez, Colorado, insofar as said minutes relate to a Resolution, a copy of which is therein set forth; that the copy of said Resolution contained in the minutes is a full, true and correct copy of the original of said Resolution as adopted by the Board of County Commissioners at said meeting; that the original Resolution has been duly signed and approved by the presiding officer of the Board of County Commissioners and myself, as County Clerk and Recorder, sealed with the corporate seal of the County and recorded in Book of Resolutions of the County kept for that purpose in my office.

I further certify that the Chairman and two members of the Board of County Commissioners were present at said meeting and three members of the Board voted on the passage of the Resolution as set forth in said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Montezuma, State of Colorado, this 5th day of August, 1986.




 Jean DeGraff
 ex officio Secretary of the Board

STATE OF COLORADO)
) ss.
County of Montezuma)

1:30 P. AUG 6 1986

38850

The Board of County Commissioners met in regular session in its office in Montezuma County, Colorado on Monday, the 28th day of July, A.D. 1986, at 10:30 a.m.

Present: William C. Bauer, Chairman.
Thomas K. Colbert, County Commissioner
Robert L. Maynes, (Absent) County
Commissioner
Grace S. Merlo, County Attorney
Betty Davis, Deputy County Clerk

The following proceedings, among others, were had and done, to-wit:

RESOLUTION NO. 86-21

MAKING FINDINGS AND ENTERING ORDER GRANTING THE PETITION FOR ORGANIZATION OF THE MONTEZUMA-LAVERDE GENERAL PAVING IMPROVEMENT DISTRICT.

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado received a Petition for organization of the Montezuma-LaVerde General Paving Improvement District in accordance with Title 30, Article 20, Part 5, Colorado Revised Statutes, 1973, as amended, signed by a group of taxpaying electors of the proposed district, for the construction and installing of pavement throughout the county roads lying within the proposed Montezuma-LaVerde General Paving Improvement District, which includes all of the LaVerde Estates Subdivision, being Lots 1 through 39, less Lot No. 27A, as per the plat of record with the Clerk and Recorder of Montezuma County, Colorado, as shown on Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, a Proof of Publication has been filed stating a notice was published setting a public hearing on the matter for July 28, 1986 at 10:30 o'clock a.m. for the purpose of taking evidence and action upon said Petition seeking the establishment of the Montezuma-LaVerde General Paving Improvement District; and

WHEREAS, Petitioners were represented by three electors residing and owning property within the boundaries of the proposed district, namely: Aryol Brumley, Robert R. Leighton, Anthony L. Valdez, and by Attorney George Buck, who were present at said hearing and presented testimony and evidence to the Board on the matter; and

WHEREAS, the Petitioners estimate the cost of paving in the proposed district to be between \$150,000 and \$180,000 which is to be allocated on a per lot basis; and

WHEREAS, the Montezuma County Assessor has presented an Affidavit dated July 16, 1986 advising the total evaluation for assessment of taxable real and personal property within the proposed district to be \$358,139 and the Montezuma County Clerk has presented an Affidavit listing the last official registration list of the proposed district; and

WHEREAS, the evidence presented shows that said petition has been signed by a majority of those electors of the proposed district who own taxable real or personal property in the district and by electors who, together with the owners of real and personal property within the district who have

signed a consent to inclusion, own taxable property therein having a valuation for assessment of not less than one-half of the valuation for assessment of all taxable real and personal property in said district; and

WHEREAS, testimony was presented as to the genuineness of the signatures and all matters of fact incident to the proposed district; and

WHEREAS, no one appeared in opposition to the proposed district at said hearing, however one letter in opposition was presented to the Board; and

WHEREAS, said petition requests that the proposed district be named the Montezuma-LaVerde General Paving Improvement District; and

WHEREAS, the Board has now considered the evidence presented by the Petitioners and taken judicial notice of the documents contained in the file of the Clerk of the Board and being fully advised in the premises:

THE BOARD FINDS:

1. The Petition for Organization of the Montezuma-LaVerde General Paving Improvement District has been properly presented in accordance with Title 30, Article 20, Part 5, Colorado Revised Statutes, 1973, as amended, and duly signed by a majority of those electors of the proposed district who own taxable real and/or personal property in the district and by electors who, together with the owners of real and personal property within the district who have signed a consent to inclusion own taxable property therein having a valuation for assessment of not less than one-half of the valuation for assessment of all the taxable real and personal property in said district.

2. The signatures on the petitions are genuine.

3. The proposed improvement will confer a general benefit on the district.

4. The cost of paving in the proposed district is estimated to be between \$150,000 and \$180,000 which is to be allocated on a per lot basis.

5. Nothing contained in this Resolution shall constitute the debt or indebtedness of the County within the meaning of the Constitution or statutes of the State of Colorado, nor shall the same give rise to any pecuniary liability of the County or any charge against its general credit or taxing powers.

6. The name of the proposed district is the Montezuma-LaVerde General Paving District, which includes all of the LaVerde Estates Subdivision, being Lots 1 through 39, less Lot No. 27A, as per plat of record with the Clerk and Recorder of Montezuma Conty, Colorado, as shown on Exhibit "A" attached hereto and incorporated herein by reference.

7. The names of these electors residing within the boundaries of the proposed district who shall represent the Petitioners of the proposed district pursuant to 30-20-504 (e), C.R.S. 1973, as amended are: Aryol Brumley, Robert L. Leighton and Anthony L. Valdez.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Montezuma that the Montezuma-

LaVerde General Paving Improvement District is herewith declared organized and shall carry the corporate name of Montezuma-LaVerde General Paving Improvement District.

By the following vote on roll call:

Bauer-Aye, Colbert-Aye, Maynes-Absent.

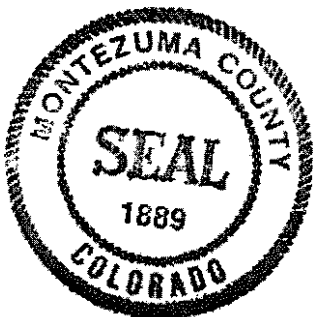
BOARD OF COUNTY COMMISSIONERS
of Montezuma County, Colorado

ATTEST:

By *W.C. Bauer*
William C. Bauer, Chairman

Betty Davis
Betty Davis,
Deputy County Clerk

By *Thomas K. Colbert*
Thomas K. Colbert



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 29th day of July, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert
Commissioners absent: Robert L. Maynes
County Clerk and Recorder: Betty Davis (Deputy)
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-20 DENYING THE PETITION OF Montezuma County
Property Owners
TO THE MONTEZUMA COUNTY BOARD
OF EQUALIZATION FROM THE DETER-
MINATION OF THE MONTEZUMA COUNTY
ASSESSOR

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado, sitting as the Montezuma County Board of Equalization for 1986 received a properly and timely filed Petition of Appeal from Montezuma County Property Owners for review of the determination of the Montezuma County Assessor setting the 1986 valuation for assessment on a certain parcel of residential real property located in Montezuma County, Colorado; and

WHEREAS, the Petitioner and the Montezuma County Assessor were given an opportunity to appear before the Board of Equalization at a hearing on the matter held on Tuesday, July 29, 1986 at 9:30 o'clock a.m. at the Montezuma County Courthouse; and

WHEREAS, the Petitioner was present at said hearing and presented a Petition for Appeal explaining his protest and therefore the matter was determined to be properly presented to the Board for hearing. The Montezuma County Assessor was present at said hearing and presented testimony and evidence to the Board on the matter; and

WHEREAS, the Board has now considered the evidence presented by the Petitioner and the evidence and testimony presented by the Montezuma County Assessor and taken judicial notice of the documents contained in the file of the Clerk of the Board and being fully advised in the premises:

THE BOARD FINDS:

1. The evidence presented by the Petitioner indicates that he feels property valuation should not be increased.
2. The valuation of property for taxation as determined by the Assessor is presumed to be right. The taxpayer has the burden of proving by a preponderance of evidence that the assessment set by the Assessor is incorrect.
3. The taxpayer has failed to meet his burden of proving

County Assessor be, and hereby is, denied.

Commissioners voting aye in favor of the Resolution were:

W.C. I. Thomas, K. Lobat, and

Commissioners voting nay against the resolution were:

, and

Daisy Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 28th day of July, 1986.

Daisy Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 29th day of July, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert
Commissioners absent: Robert L. Maynes
County Clerk and Recorder: Betty Davis (Deputy)
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-19 DENYING THE PETITION OF Glen and Imogene Gentry
TO THE MONTEZUMA COUNTY BOARD
OF EQUALIZATION FROM THE DETER-
MINATION OF THE MONTEZUMA COUNTY
ASSESSOR

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado, sitting as the Montezuma County Board of Equalization for 1986 received a properly and timely filed Petition of Appeal from Glen and Imogene Gentry for review of the determination of the Montezuma County Assessor setting the 1986 valuation for assessment on a certain parcel of residential real property located in Montezuma County, Colorado; and

WHEREAS, the Petitioner and the Montezuma County Assessor were given an opportunity to appear before the Board of Equalization at a hearing on the matter held on Tuesday, July 29, 1986 at 9:30 o'clock a.m. at the Montezuma County Courthouse; and

WHEREAS, the Petitioner was present at said hearing and presented a Petition for Appeal explaining his protest and therefore the matter was determined to be properly presented to the Board for hearing. The Montezuma County Assessor was present at said hearing and presented testimony and evidence to the Board on the matter; and

WHEREAS, the Board has now considered the evidence presented by the Petitioner and the evidence and testimony presented by the Montezuma County Assessor and taken judicial notice of the documents contained in the file of the Clerk of the Board and being fully advised in the premises:

THE BOARD FINDS:

1. The evidence presented by the Petitioner indicates that he feels property valuation should not be increased.
2. The valuation of property for taxation as determined by the Assessor is presumed to be right. The taxpayer has the burden of proving by a preponderance of evidence that the assessment set by the Assessor is incorrect.
3. The taxpayer has failed to meet his burden of proving that the valuation set on his property by the Montezuma County Assessor was incorrect.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado sitting as the Montezuma County Board of Equalization, that the Petitioner has failed to show by preponderance of the evidence that the assessment of his property by the Montezuma County Assessor for 1986 was excessive.

and, therefore, the Petition of Glen and Imogene Gentry for review and adjustment of the determination of the Montezuma

County Assessor be, and hereby is, denied.

Commissioners voting aye in favor of the Resolution were:

Will T. [Signature] Thomas K. Colbert, and _____

Commissioners voting nay against the resolution were:

_____, _____, and _____

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 28th day of July, 1986.

[Signature]
County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 29th day of July, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert
Commissioners absent: Robert L. Maynes
County Clerk and Recorder: Betty Davis (Deputy)
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-18 DENYING THE PETITION OF Gene and
Priscilla Leach
TO THE MONTEZUMA COUNTY BOARD
OF EQUALIZATION FROM THE DETER-
MINATION OF THE MONTEZUMA COUNTY
ASSESSOR

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado, sitting as the Montezuma County Board of Equalization for 1986 received a properly and timely filed Petition of Appeal from Gene and Priscilla Leach for review of the determination of the Montezuma County Assessor setting the 1986 valuation for assessment on a certain parcel of residential real property located in Montezuma County, Colorado; and

WHEREAS, the Petitioner and the Montezuma County Assessor were given an opportunity to appear before the Board of Equalization at a hearing on the matter held on Tuesday, July 29, 1986 at 9:30 o'clock a.m. at the Montezuma County Courthouse; and

WHEREAS, the Petitioner was present at said hearing and presented a Petition for Appeal explaining his protest and therefore the matter was determined to be properly presented to the Board for hearing. The Montezuma County Assessor was present at said hearing and presented testimony and evidence to the Board on the matter; and

WHEREAS, the Board has now considered the evidence presented by the Petitioner and the evidence and testimony presented by the Montezuma County Assessor and taken judicial notice of the documents contained in the file of the Clerk of the Board and being fully advised in the premises:

THE BOARD FINDS:

1. The evidence presented by the Petitioner indicates that he feels property valuation should not be increased.
2. The valuation of property for taxation as determined by the Assessor is presumed to be right. The taxpayer has the burden of proving by a preponderance of evidence that the assessment set by the Assessor is incorrect.
3. The taxpayer has failed to meet his burden of proving that the valuation set on his property by the Montezuma County Assessor was incorrect.

NOW, THEREFORE, BE IT RESOLVED by the Board of County

County Assessor be, and hereby is, denied.
Commissioners voting aye in favor of the Resolution were:

W.C. H. Thomas K. Colbert, and _____

Commissioners voting nay against the resolution were:

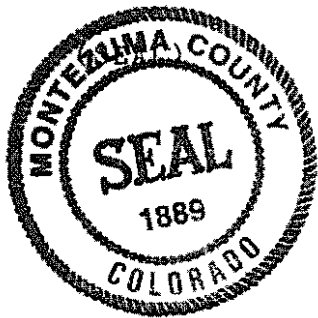
_____, _____, and _____

Betty D. Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 28th day of July, 1986.

Betty D. Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 29th day of July, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert
Commissioners absent: Robert L. Maynes
County Clerk and Recorder: Betty Davis (Deputy)
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-17 DENYING THE PETITION OF Harland and May
 Anderson
 TO THE MONTEZUMA COUNTY BOARD
 OF EQUALIZATION FROM THE DETER-
 MINATION OF THE MONTEZUMA COUNTY
 ASSESSOR

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado, sitting as the Montezuma County Board of Equalization for 1986 received a properly and timely filed Petition of Appeal from Harland and May Anderson for review of the determination of the Montezuma County Assessor setting the 1986 valuation for assessment on a certain parcel of residential real property located in Montezuma County, Colorado; and

WHEREAS, the Petitioner and the Montezuma County Assessor were given an opportunity to appear before the Board of Equalization at a hearing on the matter held on Tuesday, July 29, 1986 at 9:30 o'clock a.m. at the Montezuma County Courthouse; and

WHEREAS, the Petitioner was not present at said hearing but filed a written attachment to his Petition for Appeal explaining his protest and therefore the matter was determined to be properly presented to the Board for hearing. The Montezuma County Assessor was present at said hearing and presented testimony and evidence to the Board on the matter; and

WHEREAS, the Board has now considered the evidence presented by the Petitioner and the evidence and testimony presented by the Montezuma County Assessor and taken judicial notice of the documents contained in the file of the Clerk of the Board and being fully advised in the premises:

THE BOARD FINDS:

1. The evidence presented by the Petitioner indicates that he feels property valuation should not be increased.
2. The valuation of property for taxation as determined by the Assessor is presumed to be right. The taxpayer has the burden of proving by a preponderance of evidence that the assessment set by the Assessor is incorrect.
3. The taxpayer has failed to meet his burden of proving that the valuation set on his property by the Montezuma County Assessor was incorrect.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado sitting as the Montezuma County Board of Equalization, that the Petitioner has failed to show by preponderance of the evidence that the assessment of his property by the Montezuma County Assessor for 1986 was excessive.

and, therefore, the Petition of Harland and May Anderson for review and adjustment of the determination of the Montezuma

County Assessor be, and hereby is, denied.
Commissioners voting aye in favor of the Resolution were:

H. C. J. Thomas K. Colbat. and

Commissioners voting nay against the resolution were:

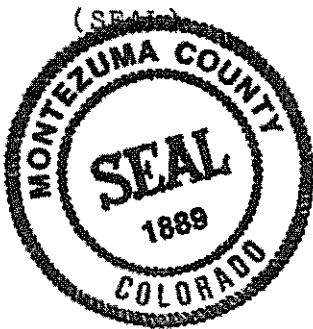
.and

Denny Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this *28th* day of *July*, 19*86*.

Denny Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 29th day of July, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert
Commissioners absent: Robert L. Maynes
County Clerk and Recorder: Betty Davis (Deputy)
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-16 DENYING THE PETITION OF Gary Shaw and
Nancy Dickerson
TO THE MONTEZUMA COUNTY BOARD
OF EQUALIZATION FROM THE DETER-
MINATION OF THE MONTEZUMA COUNTY
ASSESSOR

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado, sitting as the Montezuma County Board of Equalization for 1986 received a properly and timely filed Petition of Appeal from Gary Shaw and Nancy Dickerson for review of the determination of the Montezuma County Assessor setting the 1986 valuation for assessment on a certain parcel of residential real property located in Montezuma County, Colorado; and

WHEREAS, the Petitioner and the Montezuma County Assessor were given an opportunity to appear before the Board of Equalization at a hearing on the matter held on Tuesday, July 29, 1986 at 9:30 o'clock a.m. at the Montezuma County Courthouse; and

WHEREAS, the Petitioner was present at said hearing and presented a Petition for Appeal explaining his protest and therefore the matter was determined to be properly presented to the Board for hearing. The Montezuma County Assessor was present at said hearing and presented testimony and evidence to the Board on the matter; and

WHEREAS, the Board has now considered the evidence presented by the Petitioner and the evidence and testimony presented by the Montezuma County Assessor and taken judicial notice of the documents contained in the file of the Clerk of the Board and being fully advised in the premises:

THE BOARD FINDS:

1. The evidence presented by the Petitioner indicates that he feels property valuation should not be increased.
2. The valuation of property for taxation as determined by the Assessor is presumed to be right. The taxpayer has the burden of proving by a preponderance of evidence that the assessment set by the Assessor is incorrect.
3. The taxpayer has failed to meet his burden of proving that the valuation set on his property by the Montezuma County Assessor was incorrect.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado sitting as the Montezuma County Board of Equalization, that the Petitioner has failed to show by preponderance of the evidence that the assessment of his property by the Montezuma County Assessor for 1986 was excessive.

and, therefore, the Petition of Gary Shaw and Nancy Dickerson for review and adjustment of the determination of the Montezuma

County Assessor be, and hereby is, denied.
Commissioners voting aye in favor of the Resolution were:

W.C. F. Thomas K. Colburn and _____

Commissioners voting nay against the resolution were:

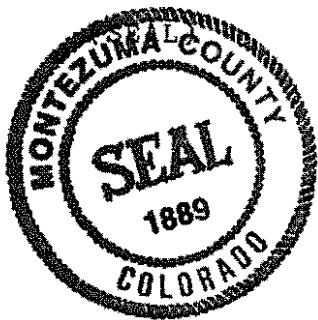
_____, _____, and _____

Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 28th day of July, 1986.

Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado



[illegible]

The Board of County Commissioners met in regular session in its office in Montezuma County, Colorado on Monday, the 28th day of July, A.D. 1986, at 1:30 o'clock p.m.

Present: William C. Bauer, Chairman.
Thomas K. Colbert, County Commissioner
Robert L. Maynes, (Absent) County
Commissioner
Grace S. Merlo, County Attorney
Betty Davis, Deputy County Clerk

The following proceedings, among others, were had and done, to-wit:

RESOLUTION NO. 86-15

MAKING FINDINGS AND ENTERING ORDER DENYING THE PETITION OF WINTERSHALL OIL & GAS CORPORATION TO THE MONTEZUMA COUNTY BOARD OF EQUALIZATION FROM THE DETERMINATION OF THE MONTEZUMA COUNTY ASSESSOR.

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado, sitting as the Montezuma County Board of Equalization, received Petition of Appeal from the Wintershall Oil and Gas Corporation for review and adjustment of the determination of the Montezuma County Assessor setting the 1986 valuation for assessment of its interests in oil and gas wells and related property located thereon in Montezuma County; and

WHEREAS, the Petitioner and the Montezuma County Assessor were given an opportunity to appear before the Board of Equalization at a hearing on the matter held on Monday, July 28, 1986 at 1:30 o'clock p.m.; and

WHEREAS, the Petitioner was not present at said hearing but had filed through its attorneys, Davis, Graham and Stubbs, a written brief with its petition for appeal explaining its protest. The Montezuma County Assessor was represented by Kent F. Williamson, was present at said hearing and presented testimony and evidence to the Board on the matter; and

WHEREAS, the Board has now considered the evidence presented by the Petitioner and the evidence and testimony presented by the Montezuma County Assessor and taken judicial notice of the documents contained in the file of the Clerk of the Board, and being fully advised in the premises;

THE BOARD FINDS:

1. The evidence presented by the Petitioner relates to the Taxpayer's interests in oil and gas wells located on the Ute Mountain Ute Indian Reservation and the Notice of Valuation issued by the Montezuma County Assessor showing a total actual value of \$6,969,557 and a total assessed value of \$5,863,436 for oil and gas production from these wells and related equipment.

and because the exercise of such authority in this situation would violate the Supremacy Clause, Commerce Clause, and Equal Protection Clause of the United States Constitution, and because neither Montezuma County nor the State of Colorado provides services on the Reservation to the Taxpayer commensurate with the revenue collected by them from the Taxpayer on its leaseholds and production on the Reservation.

3. The Taxpayer relies heavily upon Montana, et al v. Blackfeet Tribe of Indians, ___ U.S. ___, 1055 S.Ct. 2399 (1985), which is the same case the Taxpayer presented to this Board in its hearing on the same issue in July, 1985. At that time it was pointed out to the Taxpayer that this case covered only the tribe's interest and not that of a non-Indian producer such as Wintershall and the Board is of the same opinion still.

4. The Assessor, through his attorney Kent F. Williamson, presented evidence showing that it would be contrary to Colorado law to remove said Taxpayer from the Montezuma County Property Tax Roll. He further stated that the law did not provide for an exemption of this type. The Assessor's attorney briefly covered the services rendered by the Montezuma County Department of Social Services and the Montezuma County Sheriff's Office on the Ute Mountain Reservation as concerning the Ute Mountain Tribe and Wintershall.

5. The valuation of property for taxation as determined by the Assessor is presumed to be right. Stalder v. Board of County Commissioners, 147 Colo. 493, 364 P.2d 389 (1961). The Taxpayer has the burden of proving by a preponderance of the evidence that the assessment set by the Assessor is incorrect. Honeywell Information Systems, Inc. v. Board of Assessment Appeals of the State of Colorado, ___ Colo App ___, 654 P.2d 337 (1982).

6. The Taxpayer has failed to meet its burden of proving that the valuation set on its property by the Montezuma County Assessor was incorrect.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado, sitting as the Montezuma County Board of Equalization, that the Taxpayer has failed to show by a preponderance of the evidence that the 1986 assessment of its leasehold production and equipment on the Ute Mountain Ute Indian Reservation is incorrect and, therefore the Petition of Wintershall Oil and Gas Corporation for review of the determination of the Montezuma County Assessor, be, and hereby is, denied.

By the following vote on roll call:

BAUER, Aye; MAYNES, (absent); COLBERT, Aye.

BOARD OF COUNTY COMMISSIONERS
of Montezuma County, Colorado

ATTEST:



By 
William C. Bauer, Chairman

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 28th day of July, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Commissioners absent: Robert L. Maynes
Deputy County Clerk and Recorder: Betty Davis
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-14

RESOLUTION TO ADOPT COUNTY DOCUMENT ENTITLED
(MONTEZUMA COUNTY ECONOMIC DEVELOPMENT
POLICY PLANNING FRAMEWORK)

WHEREAS: Montezuma County has been actively pursuing Economic Development Objectives and

WHEREAS: Montezuma County has provided sponsorship for: Agricultural Diversification, Processing and Marketing Studies in Montezuma and Dolores Counties; formation of the Montezuma County Economic Development Steering Committee; a fulltime Area Economic Development Staff Position; a Regional Enterprise Zone Application as assembled by the Southwestern Colorado Economic Development District; funding for the Southwestern Colorado Economic Development District and

WHEREAS: Montezuma County has determined that it is in the county's best interest to pursue future economic development objectives by utilizing a planning framework and process which provides a flexibility capable of accommodating the county's future needs.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County that we hereby adopt county document entitled "Montezuma County Economic Development Policy Planning Framework" as attached to this resolution with the provision that it can be amended by this body as and when deemed appropriate.

Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Thomas K. Colbert, and

Commissioners voting nay against the resolution were:

, and

Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 28th day of July, 1986.



[Signature]
County Clerk and Recorder
Montezuma County, Colorado

MONTEZUMA COUNTY
ECONOMIC DEVELOPMENT POLICY PLANNING FRAMEWORK
DRAFT 7/28/86

Background

In recent years the Montezuma County Board of Commissioners has taken steps to sustain and improve the economic base in the area including:

1. Providing facilities to prevent the closure of the Cortez Job Service.
2. Participating in the Cortez Downtown Improvement Project.
3. Administering a county-wide revolving loan fund program in co-operation with the Cortez Downtown Association.

As these efforts developed and additional assistance in the area of economic development was requested by citizens and groups concerned about economic development, the County Commissioners began exploring options undertaking a more concerted approach to economic development consistent with available financial and organizational resources. The resulting actions included:

4. Requesting that the Office of Community Services at Fort Lewis College incorporate economic development into the land use and natural resource planning that they were engaged in on behalf of the County and its entities.
5. Requesting the assistance of the Southwest Colorado Economic Development District to provide economic development expertise to the planning process and to work directly with the private sector in undertaking economic development initiatives.
6. Participating in the formation of a county-wide economic development steering committee with public and private sector representatives from each of the three towns and the unincorporated parts of the county.

The economic development steering committee was convened with the direct involvement of the County Commissioners and organizational and technical support from the Economic Development District and the Office of Community Services. A needs assessment process was undertaken, and agriculture was identified as the first priority, in view of immediate economic difficulties and the pivotal role of agriculture in the local economy as well as the expansion in irrigated lands that will result from the delivery of water from the Dolores Project. Consideration of agricultural issues resulted in the following initiatives:

7. It was decided that work on agricultural issues should be undertaken in cooperation with Dolores County and that oversight should be provided by farmers and ranchers in all sectors and geographic areas of the County. The two-County agricultural strategy group is operating.

8. Montezuma and Dolores Counties on behalf of the Ag Strategy Group requested and received funding to conduct a feasibility study on bean processing, and a level 1 study of marketing and processing options for existing and alternate crops. These studies are in process.

The County-wide steering committee turned its attention to business recruitment and retention and the possibility of expanding the revolving loan fund. It was agreed that both of these activities would require an economic development professional to provide the research, coordination, and administrative support required by such efforts.

9. The Economic Development District offered half of the salary to hire an economic development coordinator provided that each county and town within the two counties were willing to put up a proportionate share of salary, as well as office space and clerical support. All entities contributed and the economic development coordinator is on the job.

10. The County and each of the Towns that are part of the economic development steering committee have resolved to join the other entities in Region 9 in an effort to create an enterprise zone, to be administered by the Economic Development District and seek State designation.

Montezuma County has designated an area south of Cortez along highway 160/666 which encompasses the Montezuma County/Cortez airport, a truck stop adjacent to the Colorado Port of Entry and a mix of industrially oriented businesses as a part of the regional enterprise zone. In planning for participation in the Enterprise Zone, the County has decided to set forth a framework for the development of enterprise zone policies related to the broader economic development goals of the County.

Economic Development Goals:

1. To encourage economic development activities which result in the creation and retention of jobs for the citizens of Montezuma County.
2. To encourage activities which sustain and expand the backbone industries in Montezuma County of agriculture, tourism, and natural resource development and extraction.
3. To reinforce the role of the towns within the County as the primary centers for retail trade.
4. To recruit and attract new industries that will bring new dollars into the local economy in a manner compatible with existing industries.
5. To avoid the encouragement of new businesses that significantly damage the position of existing businesses.

6. To pursue economic development in a manner that does not increase the tax burden on existing property owners in the County.

Economic Development Policies:

1. Montezuma County will continue its supportive and cooperative relationships with the San Juan VoTec Center, the Cortez Job Center, and the Regional Private Industry Council to insure that Montezuma County residents are trained and identified for emerging job opportunities, and that available incentives are utilized to encourage employers to hire County residents in need of a job.

2. Montezuma County is actively seeking agricultural processing enterprises that can improve the returns to farming and ranching in the County. Montezuma County also supports similar developments undertaken by Dolores County in view of the fact that the two counties are part of one agricultural unit.

3. Montezuma County supports efforts to assist farmers receiving water from the Dolores Project to make the transition to irrigated farming.

4. Montezuma County supports efforts by established organizations to promote the McPhee Reservoir, archeological resources, and other area attractions to expand tourist trade in the County.

5. Montezuma County ~~will~~ supports and encourages efforts to improve transportation and shipping resources and facilities as a means of overcoming geographic and economic isolation and promoting the development of existing and potential industries.

6. Montezuma County will actively participate in efforts to recruit and locate new industries in Montezuma County that are compatible with existing industries, promote the economic well-being of local communities, and contribute to a stable tax base for local entities.

7. Montezuma County supports the regional Enterprise Zone and will pursue plans, policies and incentives relative to the area designated within the County jurisdiction and the relationship of this area to other parts of the Zone.

Enterprise Zone Policies and Plans:

1. Montezuma County recognizes that the City of Cortez has an industrial park with a fully developed infrastructure, and that this industrial park has been incorporated into the Enterprise Zone. It is the policy of Montezuma County to encourage the location of appropriate industries in the Cortez Industrial Park.

2. The area designated by Montezuma County south of Cortez is to accomodate industries which need adjacency to the airport, and/or the Highway and/or trucking facilities. The area also has the potential to accomodate industries which might be objectionable within the city limits.

3. The area designated by the County includes undeveloped land immediately adjacent to airport facilities, as well as land adjacent to the highway, port of entry and truck stop which is a mix of open land, and industrial uses which have the potential to evolve to a more orderly, attractive and profitable level of organization. Montezuma County recognizes that realization of this potential will require a new level of planning and infrastructure development. The policy of the County is to work with current and prospective landowners within the Zone to pursue these objectives.

4. The County recognizes that incentives will be required to encourage development and redevelopment within the zone. The County will offer incentives on a case by case basis subject to the following considerations:

A. That the proposed enterprise will not damage the integrity of the Central Business Districts of Cortez, Dolores or Mancos.

B. That the proposed enterprise will not destroy or damage the viability of existing businesses and industries within the county.

C. That the public revenues generated by increased employment and income will outweigh public costs.

D. That the development and operation of the proposed enterprise will enhance the capacity of the Enterprise Zone to attract and accomodate additional industries.

5. The County recognizes that State level incentives apply to any enterprise wishing to locate within the zone, subject to local regulations. It will be the policy of the County to use local incentives to encourage adherence to policies and criterion outlined above. Incentives to be considered on a case by case basis include:

See attached list of incentives

6. While the development of agricultural processing enterprises is of the highest priority to Montezuma County, it is unpredictable whether or not the designated zone will be an appropriate location. It will be the policy of Montezuma County to request the incorporation of any site selected for an agricultural processing enterprise into the enterprise zone so that the incentives of the Zone can be used to recruit agricultural industries.

INCENTIVES

Incentives which may be considered under Montezuma County's Economic Development Policy Planning Framework.

Provide Utility Conduits at a Reduced Cost.

This could entail providing equipment, labor, gravel, pipe, poles, or any other resource which the county might deem appropriate.

Provide Roads, Driveways or Parking Lots at a Reduced Cost.

This would be the same as above but might also include engineering and asphalt paving.

Provide Financial Assistance

A. Land and Buildings

1. This would entail a reduced cost or favorable lease county owned property.

B. Cash Grants

1. A grant could be based on performance standards such as numbers of jobs created and could utilize a non-profit Economic Development Corporation for disbursements.

C. General Obligation Bonds

1. As determined by need and community support.

D. Industrial Revenue Bonds

1. These bonds would follow state regulations and county criteria.

E. Assistance with State Grants or Loans

1. The county could lend its legitimate influence and efforts to securing state assistance for individual projects.

F. Local (C.D.B.G.) Revolving Loan Fund

1. This source of below market loans would be available on a case by case bases to the extent of available monies.

Provide Assistance in Reducing Utility Connection Fees

This would entail coordination and negotiation with local utilities concerning rates and payback agreements.

Provide Job Training and Recruitment

This would be a continuation of support for existing entities such as the Cortez Job Service Center, San Jean Area Vo-Tech School and the Private Industrial Council.

Provide Assistance With Site Location and One Stop Permit Service

This would entail an agreement to work with other governmental bodies in order to expedite the approval process and to coordinate with local property owners and realators, the securing of desired building sites.

Provide Other Incentives As Deemed Appropriate

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 28th day of July, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Commissioners absent: Robert L. Maynes
Deputy County Clerk and Recorder: Betty Davis
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-13

RESOLUTION TO JOIN A REGIONAL ENTERPRISE ZONE

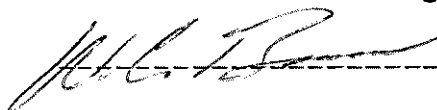
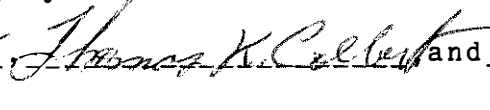
APPLICATION OF SOUTHWESTERN COLORADO ECONOMIC DEVELOPMENT DISTRICT

WHEREAS the County of Montezuma is experiencing economic growth below the desires of its citizens, and is interested in developing an economic development plan and effort in the near future that will promote the county as a good place to do business.

NOW THEREFORE BE IT RESOLVED that the County of Montezuma hereby declares its support for the Regional Enterprise Zone application being assembled by the Southwestern Colorado Economic Development District. A Regional Zone, with the District as Zone Administrator, provides the only change for a community such as ours to receive the benefits of Enterprise Zone Status. We are in agreement with the District's proposal that a Regional Council of Economic Development and Town/County Management Staff, working under the auspices of the District, be the regional group to which other communities of the region shall apply for the Enterprise Zone designation at a future date (subject to approval by the State of Colorado). We also agree with the District's approach of coordinating the marketing of the Regional Enterprise Zone so that each community has an equal chance at any business prospects the Zone helps attract. Each community will be developing their own marketing plan, with the assistance of the District, which will be coordinated with marketing of the entire region for everyone's benefit. We feel this offers our best chance to compete with larger communities with significantly larger budgets.


ADDITIONALLY IT IS RESOLVED that we hereby designate as a proposed Enterprise Zone the area described by the attached verbal description and maps in conjunction with and at the request of the City of Cortez.

Commissioners voting aye in favor of the Resolution were:

  and _____

Commissioners voting nay against the resolution were:

_____, _____, and _____


County Clerk and Recorder
Montezuma County, Colorado

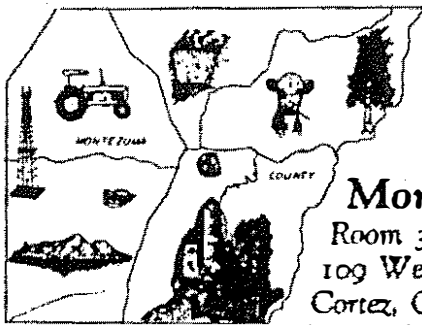
I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 28th day of July, 19 86.

(SEAL)



Betty L. Davis, D. of
County Clerk and Recorder
Montezuma County, Colorado



Montezuma County Administrative Office
Room 302 - Courthouse
109 West Main Street
Cortez, Colorado 81321-3189
(303) 565-8317

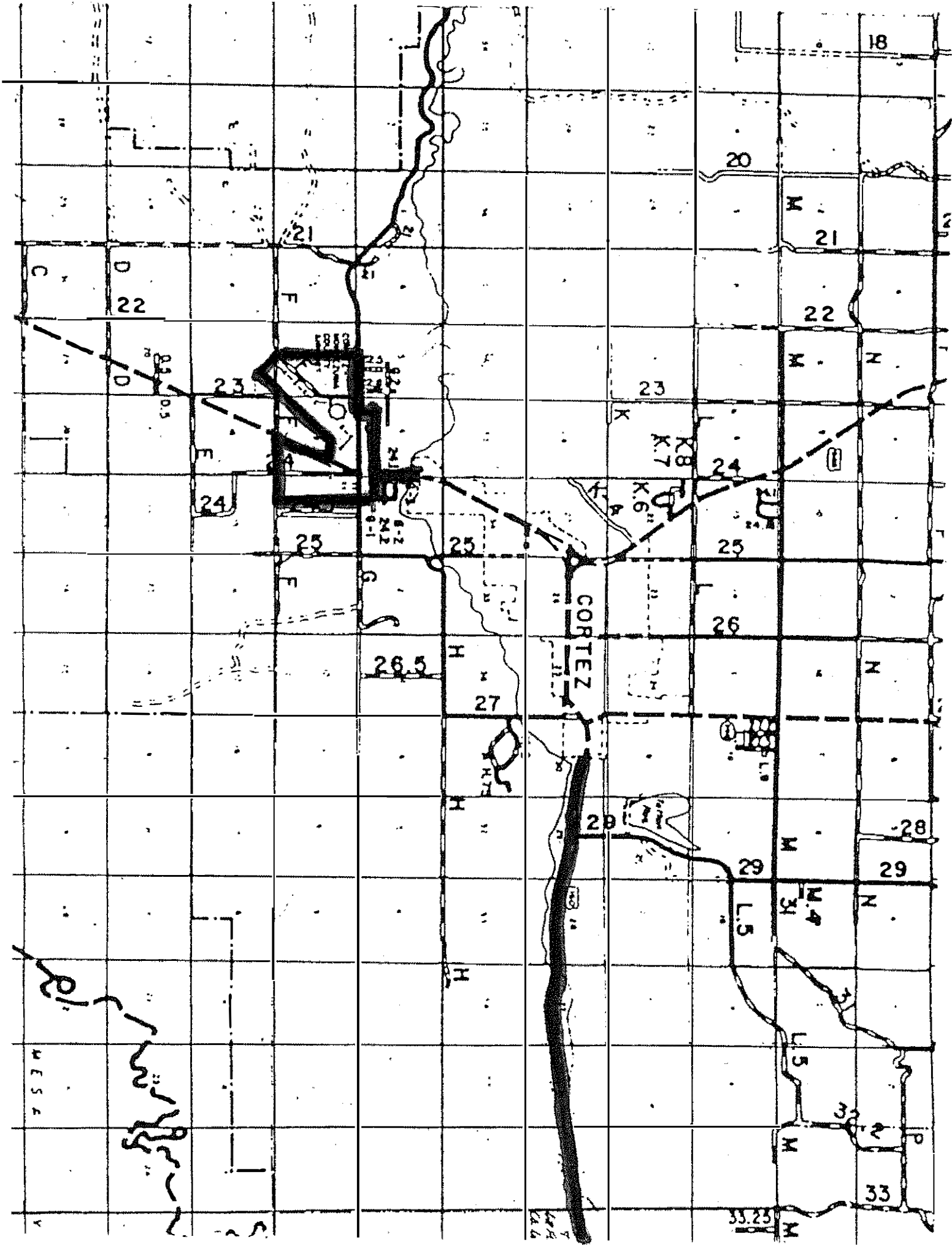
CORTEZ

MONTEZUMA COUNTY

ENTERPRISE ZONE BOUNDARY

The boundary description is as follows for the unincorporated portion of the zone:

1. Starting from a point of beginning at the North 1/4 Corner of Section 8, Township 35 North, Range 16 West, then South to the South 1/4 Corner and the centerline of County Road F, then Southeast to the boundary of the Cortez/Montezuma County Airport (as it exists 7/10/86), then Northeast to a point 3/8 of 1 mile South of the centerline of County Road G, then East to the centerline of Highway 160, then Southwest along the centerline at Highway 160 to a point 1/2 of a mile South of the centerline, at County Road G, then East along the 1/2 Section Line of Sections #9 and #10 to the centerline of County Road 24.25, then North to County Road G.1, then West along the centerline of County Road G.1 to the East Right of Way boundary of Highway 160, then North to the South city limits of the City of Cortez, then West across Highway 160 to the West Right of Way Boundary, then South to a point 1/8 of a mile North of the centerline of County Road G, then west approximately 3/8 of 1 mile to a point, then South 1/8 of 1 mile to the centerline of County Road G, then West to the point of beginning.
2. Starting from a point of beginning at the East city limits of the City of Cortez intersecting the South Right of Way Boundary of Highway 160, then East-Southeast along the Right of Way Boundary to a point which intersects the boundary of La Plata County, then across Highway 160 to the North Right of Way Boundary, then West-Northwest along the Right of Way Boundary to a point which intersects the Cortez City Limits, then South to the point of beginning.



STATE OF COLORADO

COUNTY OF

Montezuma

)
) SS.
)

Resolution 86-12

The Board of County Commissioners of Montezuma County, Colorado, met in regular session on June 30, 1986, at 9:30 A.M., at Montezuma County Courthouse, in Cortez, Colorado, in full conformity with the law and the resolutions and rules of the County. Upon roll call, the following were found to be present, constituting a quorum:

Present:

Chairman of the Board of
County Commissioners:
Other Commissioners:

W. C. Bauer
Thomas F. Colbert
Robert A. Mayner

Absent:

constituting all the members of the Board.

There were also present:

County Clerk:
County Attorney:

LeRoy Davis, Dep
Absent

Thereupon, the following proceedings, among others, were had and taken.

Commissioner Colbert introduced a resolution, the text of which is as follows:

RESOLUTION DELEGATING TO ADAMS COUNTY, COLORADO THE
AUTHORITY OF Montezuma COUNTY TO ISSUE REVENUE
BONDS TO FINANCE MORTGAGE LOANS TO PROVIDE MORE
ADEQUATE RESIDENTIAL HOUSING FACILITIES FOR LOW- AND
MIDDLE-INCOME FAMILIES AND PERSONS WITHIN
Montezuma COUNTY AND AUTHORIZING THE EXECUTION
AND DELIVERY BY _____ COUNTY OF A
DELEGATION AGREEMENT.

WHEREAS, _____ County, Colorado ("_____ County") and
Adams County, Colorado ("Adams County") are each authorized by
the County and Municipality Development Revenue Bond Act,
constituting Article 3 of Title 29, Colorado Revised Statutes
(the "Project Act"), to finance properties to the end that more
adequate residential housing facilities for low- and middle-
income families and persons may be provided; and

WHEREAS, the Project Act and Part 2 of Article 1 of
Title 29, Colorado Revised Statutes, provide, in effect, that any
county or municipality may by resolution or ordinance delegate to
any other county or municipality its authority under the Project
Act to finance projects under the Project Act; and

WHEREAS, _____ County desires to delegate to Adams
County its power under the Project Act to issue revenue bonds to
finance mortgage loans to provide more adequate residential
housing facilities for low- and middle-income families and
persons within _____ County; and

WHEREAS, it is necessary to evidence such delegation
and the acceptance of such delegation by the Delegation Agreement
presented at this meeting (the "Delegation Agreement") which will
be executed and delivered by _____ County and Adams County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF _____ COUNTY, COLORADO:

Section 1. The form, terms and provisions of the
Delegation Agreement hereby are approved and the Chairman of the
Board of County Commissioners of _____ County and the County
Clerk hereby are authorized and directed to execute and deliver
the Delegation Agreement.

Section 2. The Chairman of the Board of County
Commissioners and the County Clerk hereby are authorized and
directed to take such other steps or actions as may be required
to carry out the terms and intent of this resolution and the
Delegation Agreement.

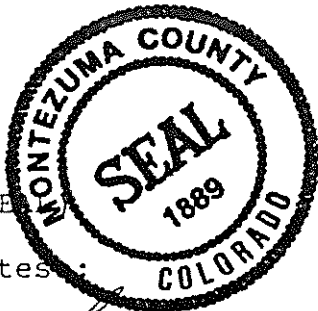
Section 3. Nothing contained in this resolution or in the Delegation Agreement shall obligate _____ County, except to the extent described in the Delegation Agreement, nor constitute the debt or indebtedness of _____ County within the meaning of the Constitution or statutes of the State or the home rule charter of any political subdivision thereof, nor give rise to a pecuniary liability of _____ County or a charge against its general credit or taxing powers.

Section 4. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 5. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Board of County Commissioners and the officers of _____ County directed toward the authorization of the Delegation Agreement hereby is ratified, approved and confirmed.

Section 6. This resolution shall be in full force and effect upon its passage and approval.

PASSED, ADOPTED AND APPROVED this 30th day of June, 1986.



Attest:

Dorothy Davis, Dep.
County Clerk

M.C. Tamm
Chairman of the Board of
County Commissioners

A motion to adopt the foregoing resolution was then duly made by Commissioner Colbert and duly seconded by Commissioner Maeyner.

The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye:

Those Voting Nay:

Those Absent:

W.C. Sauer
Thomas K. Colbert
Robert L. Maeyner

Thereupon, the presiding officer declared the motion carried and the resolution duly passed and adopted.

After other action or business not related to the foregoing resolution, on motion duly made, seconded and adopted, the meeting thereupon adjourned.

STATE OF COLORADO

)
) SS.

COUNTY OF

Montezuma

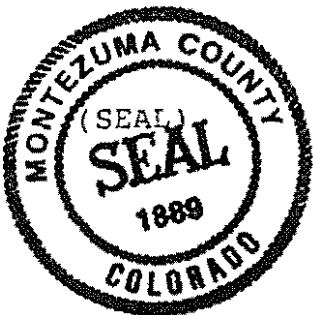
I, Dorothy Davis, Dep., the duly qualified and acting
County Clerk of Montezuma County, Colorado (the "County"), in
the State of Colorado, do hereby certify:

1. The foregoing pages numbered -1- to -5-, inclusive
are a true, perfect and complete copy of the record of
proceedings of the Board of County Commissioners of the County
had and taken at a lawful meeting of the Board held at Montezuma County
Courthouse, in Cortez, Colorado on June 30, 1986
at 9:30 A.M., as recorded in the regular official book of the
proceedings of the County kept in my office, so far as the
proceedings relate to the resolution therein set forth, the
proceedings were duly had and taken as therein shown, the meeting
therein shown was duly held, and the persons therein named were
present at the meeting as therein shown.

2. All members of the Board were duly notified of the
meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the County this 30th day of June, 1986.

Dorothy Davis, Dep.
County Clerk



DELEGATION AGREEMENT

This Delegation Agreement is between _____ County, Colorado ("_____ County") and Adams County, Colorado ("Adams County").

1. Preliminary Statement. Among the matters of mutual inducement which have resulted in the execution of this Delegation Agreement are the following:

(a) _____ County and Adams County are each authorized by the County and Municipality Development Revenue Bond Act, constituting Article 3 of Title 29, Colorado Revised Statutes (the "Project Act"), to finance properties to the end that more adequate residential housing facilities for low- and middle-income families and persons may be provided.

(b) The Project Act and Part 2 of Article 1 of Title 29, Colorado Revised Statutes, provide, in effect, that any county or municipality may by resolution or ordinance delegate to any other county or municipality its authority under the Project Act to finance projects under the Project Act.

(c) Neither the execution and delivery of this Delegation Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Delegation Agreement conflicts with or results in a breach of any of the terms, conditions or provisions of any legal restriction or any agreement or instrument to which _____ County or Adams County is now a party or by which _____ County or Adams County is bound, or constitutes a default under any of the foregoing.

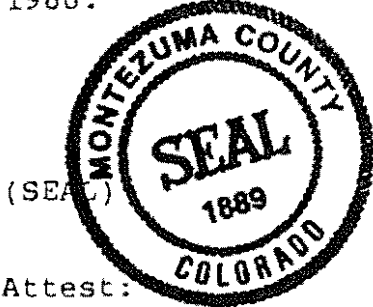
2. Delegation by _____ County. The Board of County Commissioners of _____ County hereby delegates to Adams County all authority of _____ County to finance and otherwise take action and exercise power under the Project Act on behalf of _____ County with respect to the financing of mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within _____ County.

3. Acceptance of Delegation by Adams County. The Board of County Commissioners of Adams County hereby accepts the delegation granted to it by _____ County, and agrees that it will finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Adams County and _____ County.

4. General Provision. This Delegation Agreement is hereby declared irrevocable during the term of the financing

agreements to be entered into by Adams County and the financial institutions which will originate and service the mortgage loans, and this Delegation Agreement shall terminate upon the termination of such financing agreements.

IN WITNESS WHEREOF, the parties hereto have entered into this Delegation Agreement this 30th day of June, 1986.



Darryl Davis, Dep.
County Clerk

Montezuma COUNTY, COLORADO

By [Signature]
Chairman of the Board of County
Commissioners

ADAMS COUNTY, COLORADO

(SEAL)

By _____
Chairman of the Board of County
Commissioners

Attest:

County Clerk

Res - #86-11

The Board of County Commissioners of Montezuma County, Colorado, met in Regular session on May 27, 1986, at 9:00 A.M., at Montezuma, Montezuma Co., in County Colorado, in full conformity with the law and the resolutions and rules of the County. Upon roll call, the following were found to be present, constituting a quorum:

Present:

W. T. Gause
Thomas H. Colbert

Robert L. May 1946

constituting all the members of the Board.

There were also present:

Jean DeCarr
Coach's Male

Thereupon, the following proceedings, among others, were had and taken.

Commissioner Collins introduced a resolution, the text of which is as follows:

86.11

RESOLUTION ASSIGNING TO ADAMS COUNTY, COLORADO THE ALLOCATIONS OF MONTEZUMA COUNTY, COLORADO UNDER SECTION 24-32-1606 OF COLORADO REVISED STATUTES, TO FINANCE MORTGAGE LOANS TO PROVIDE MORE ADEQUATE RESIDENTIAL HOUSING FACILITIES FOR LOW- AND MIDDLE-INCOME FAMILIES AND PERSONS WITHIN ADAMS COUNTY AND WITHIN MONTEZUMA COUNTY AND ELSEWHERE IN THE STATE OF COLORADO; AND AUTHORIZING THE EXECUTION AND DELIVERY BY MONTEZUMA COUNTY OF AN ASSIGNMENT IN CONNECTION THEREWITH.

WHEREAS, Montezuma County, Colorado ("Montezuma County") and Adams County, Colorado ("Adams County") are each authorized by the County and Municipality Development Revenue Bond Act, constituting Article 3 of Title 29, Colorado Revised Statutes (the "Project Act"), to finance properties to the end that more adequate residential housing facilities for low- and middle-income families and persons may be provided; and

WHEREAS, current federal law restricts the amount of tax exempt obligations which may be issued by the Colorado Housing Finance Authority and local governmental units in the State of Colorado (the "State") to finance single-family mortgages; and

WHEREAS, pursuant to federal law the State has provided for a formula for allocation of such amount among the governmental units in the State in a manner different from the current federal allocation formula in Part 8 of Article 4 of Title 29 of Colorado Revised Statutes (the "Old Allocation Act"); and

WHEREAS, Montezuma County has previously transferred to Adams County its allocations under Sections 29-4-803 and 29-4-805 of the Old Allocation Act for the year 1986 to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Adams County and Montezuma County and elsewhere within the State; and delegated to Adams County the authority to act on its behalf in the issuance of qualified mortgage bonds during 1986 pursuant to the allocation granted under Section 29-4-805 of the Allocation Act; and

WHEREAS, on December 17, 1985, the United States House of Representatives passed H.R. 3838, known as the federal "Tax Reform Act of 1985" ("H.R. 3838"), to be effective January 1, 1986; and

WHEREAS, H.R. 3838 further restricts the amount of tax-exempt obligations which may be issued by the State and its political subdivisions to finance single-family mortgages; and

WHEREAS, in anticipation of H.R. 3838 becoming law in the form passed by the House of Representatives, the State has provided for a new formula for allocation of such amount and other amounts among the governmental units in the State in a manner different from the H.R. 3838 allocation formula and the Old Allocation Act, in Part 16 of Article 32 of Title 24 of Colorado Revised Statutes (the "New Allocation Act"); and

WHEREAS, the New Allocation Act authorizes governmental units in the State to assign all or a part of their allocations provided for in the New Allocation Act to any other entity otherwise authorized to issue bonds to finance single-family mortgages and to accept assignments of such allocations; and

WHEREAS, Montezuma County desires to assign to Adams County a portion of its allocation under Section 24-32-1606 of the New Allocation Act for the year 1986 to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Adams County and Montezuma County and elsewhere in the State; and

WHEREAS, it is necessary to evidence such assignment and the acceptance of such assignment by the Notice of Assignment of Nonessential Function Bond Allocation attached hereto as Exhibit A and by this reference made a part hereof (the "Assignment") which will be executed and delivered by Montezuma County and Adams County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. The forms, terms and provisions of the Assignment hereby are approved and the Chairman of the Board of County Commissioners of Montezuma County and the County Clerk hereby are authorized and directed to execute and deliver the Allocation Assignment.

Section 2. The Chairman of the Board of County Commissioners of Montezuma County and the County Clerk hereby are authorized and directed to take such other steps or actions as may be required to carry out the terms and intent of this resolution and the Assignment.

Section 3. Nothing contained in this resolution or in the Assignment shall obligate Montezuma County, except to the extent described in the Assignment, nor constitute the debt or indebtedness of Montezuma County within the meaning of the Constitution or statutes of the State or the home rule charter of any political subdivision thereof, nor give rise to a pecuniary liability of Montezuma County or a charge against its general credit or taxing powers.

Section 4. Notwithstanding anything contained in this resolution or in the Assignment, in the event that H.R. 3838 does not become law or if qualified mortgage bonds within the meaning of the Internal Revenue Code of 1954, as amended, are not subject to the unified volume ceiling under H.R. 3838, any previous allocation transfer agreement entered into by Montezuma County and Adams County pursuant to the Old Allocation Act shall remain in full force and effect.

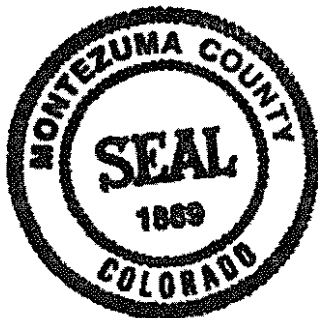
Section 5. In the event that Adams County elects pursuant to the New Allocation Act and H.R. 3838 to treat all or any portion of the allocation amount assigned by this resolution to Adams County as a carryforward project (as defined in H.R. 3838), any such election is hereby approved and authorized.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Board of County Commissioners and the officers of Montezuma County directed toward the authorization of the Assignment hereby is ratified, approved and confirmed.

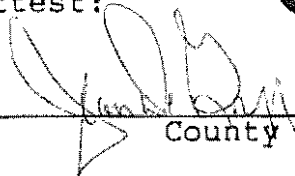
Section 8. This resolution shall be in full force and effect upon its passage and approval.

PASSED, ADOPTED AND APPROVED this 27th day of May, 1986.



(SEAL)

Attest:


County Clerk


Chairman of the Board of
County Commissioners

A motion to adopt the foregoing resolution was then duly made by Commissioner Colbaker and duly seconded by Commissioner Gage.

The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye:

W. C. Gage
Thomas H. Colbaker

Those Voting Nay:

Those Absent:

Robert L. Maynard

Thereupon, the presiding officer declared the motion carried and the resolution duly passed and adopted.

After other action or business not related to the foregoing resolution, on motion duly made, seconded and adopted, the meeting thereupon adjourned.

STATE OF COLORADO
COUNTY OF MONTEZUMA

)
) SS.
)

I, Jean DeCoff, the duly qualified and acting County Clerk of Montezuma County, Colorado (the "County"), in the State of Colorado, do hereby certify:

1. The foregoing pages numbered -1- to -6-, inclusive are a true, perfect and complete copy of the record of proceedings of the Board of County Commissioners of the County had and taken at a lawful meeting of the Board held at Court House, Montezuma Co., in Montezuma, Colorado on May 29, 1986 at 9:00 a.m., as recorded in the regular official book of the proceedings of the County kept in my office, so far as the proceedings relate to the resolution therein set forth, the proceedings were duly had and taken as therein shown, the meeting therein shown was duly held, and the persons therein named were present at the meeting as therein shown.

2. All members of the Board were duly notified of the meeting, pursuant to law.

3. The foregoing Notice of Assignment of Nonessential Function Bond Allocation (the "Assignment") attached as Exhibit A to the foregoing resolution is a true, perfect, and complete copy of the Assignment approved by the County in the form presented to the Board at the place and time stated in paragraph 1 above.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this 29 day of May, 1986.

(SEAL)



Jean DeCoff
County Clerk

RESOLUTION NO. 86-10

COUNTY OF MONTEZUMA, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of Montezuma County has authority under Article XIV, Section 18(2)(a) of the Colorado Constitution, and Sections 24-10-115.5, 29-13-102 and 29-1-201 et seq., Colorado Revised Statutes, as amended, to participate in and form a county self-insurance pool for casualty and property.


WHEREAS, the Board finds that participation in such a pool would be in the best interests of the County of Montezuma, its employees, and its taxpayers; and,

WHEREAS, the Board has reviewed a contract to cooperate with other counties to form a self-insurance pool for casualty and property coverage, entitled "Bylaws and Intergovernmental Agreement, Colorado Counties Casualty and Property Pool", a copy of which is attached hereto as Exhibit "A" and incorporated into this Resolution;

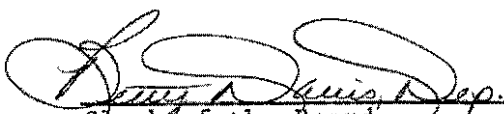
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County hereby:

1. Approves the document entitled "Bylaws and Intergovernmental Agreement, Colorado Counties Casualty and Property Pool", a copy of which is attached hereto as Exhibit "A", and incorporated into this Resolution.
2. Authorizes and directs Chairman to sign the Agreement, incorporated herein and attached hereto as Exhibit "A", on behalf of the County of Montezuma.

The Resolution was adopted by a majority vote of the Board of County Commissioners of Montezuma County, State of Colorado, on the 19th day of May, 1986.

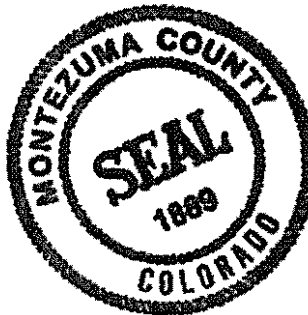

_____, Chairman

ATTEST:



Clerk of the Board

CAPP2/27



RESOLUTION NO. 86-10

COUNTY OF MONTEZUMA, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of Montezuma County has authority under Article XIV, Section 18(2)(a) of the Colorado Constitution, and Sections 24-10-115.5, 29-13-102 and 29-1-201 et seq., Colorado Revised Statutes, as amended, to participate in and form a county self-insurance pool for casualty and property.

WHEREAS, the Board finds that participation in such a pool would be in the best interests of the County of Montezuma, its employees, and its taxpayers; and,

WHEREAS, the Board has reviewed a contract to cooperate with other counties to form a self-insurance pool for casualty and property coverage, entitled "Bylaws and Intergovernmental Agreement, Colorado Counties Casualty and Property Pool", a copy of which is attached hereto as Exhibit "A" and incorporated into this Resolution;

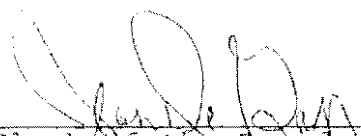
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County hereby:

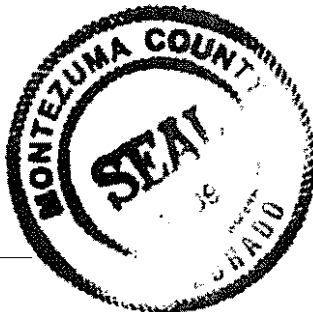
1. Approves the document entitled "Bylaws and Intergovernmental Agreement, Colorado Counties Workers' Compensation Pool", a copy of which is attached hereto as Exhibit "A", and incorporated into this Resolution;
2. Authorizes and directs W.C. Bauer, Chairman to sign the Agreement, incorporated herein and attached hereto as Exhibit "A", on behalf of the County of Montezuma.

The Resolution was adopted by a majority vote of the Board of County Commissioners of Montezuma County, State of Colorado, on the 19th day of May, 1986.


W.C. Bauer, Chairman

ATTEST:


Clerk of the Board



BYLAWS AND INTERGOVERNMENTAL AGREEMENT
COLORADO COUNTIES CASUALTY AND PROPERTY POOL
(CAPP)

ARTICLE I. Definitions.

As used in this agreement, the following terms shall have the meaning hereinafter set out:

- A. ADMINISTRATOR -- Colorado Counties, Inc.;
- B. BOARD -- Board of directors of the Pool;
- C. EXCESS INSURANCE -- Insurance purchased by the Pool from an insurance company, approved by the Insurance Commissioner of the State of Colorado;
- D. MEMBER -- A county which enters into this intergovernmental agreement;
- E. MEMBER OFFICIAL REPRESENTATIVE -- That person who has been designated by a member as its official representative to the Pool;
- F. POOL -- The Colorado Counties Casualty and Property Pool (CAPP) established pursuant to the Constitution and the statutes of this state by this intergovernmental agreement and sponsored by Colorado Counties, Inc.;
- G. RISK MANAGEMENT FUND -- A fund of public monies established by the Pool to self-insure certain risks jointly within a defined scope, to purchase excess insurance when deemed prudent, and to pay the necessary expenses for the operation of the Pool;
- H. SELF-INSURANCE -- The decision by the Pool not to purchase insurance coverage for risks below certain limits; to seek all exemptions and immunities provided by law for any county and the officers and employees thereof; to rely upon the Pool's financial capabilities to pay any losses which fall within the Pool's coverage and for which a member is liable; and to purchase excess insurance to protect against losses when deemed prudent.

ARTICLE II. Creation of Pool.

The Colorado Counties Casualty and Property Pool, sponsored by Colorado Counties, Inc., is hereby formed by this intergovernmental agreement by member counties as a separate and independent governmental and legal entity pursuant to the provisions of Article XIV, section 18(2) of the Colorado Constitution and sections 29-1-201 et seq., 24-10-115.5, and 29-13-102, C.R.S., as amended. Each member county joining in this intergovernmental agreement has the power under Colorado law to make provision for the property and casualty coverages which constitute the functions and services

jointly provided by means of the Pool. The Insurance Commissioner of the State of Colorado shall have such authority with respect to the Pool as is provided by applicable Colorado statutes.

ARTICLE III. Purposes.

- A. The purposes of the Pool are to provide a risk management fund for defined property and casualty coverages and to assist members in controlling costs by providing specialized governmental risk management services and systems.
- B. It is the intent of the members to use member contributions to defend and indemnify, in accordance with these bylaws, any member against stated liability or loss to the limit of the financial resources of the risk management fund. It is also the intent of the members to have the Pool provide needed coverages at reasonable costs. All income and assets of the Pool shall be at all times dedicated to the exclusive benefit of its members.
- C. These Bylaws constitute the substance of the intergovernmental agreement among the members.

ARTICLE IV. Non-Waiver of Governmental or Other Immunity or Monetary Limits.

All money, plus earned interest, contained within the risk management fund is money derived from the members. It is the intent of the members that, by entering into this agreement, they do not waive and are not waiving any immunity provided to the members or their employees by any law or any monetary limits on the liability of the members or their employees provided by any law.

ARTICLE V. Powers.

- A. The powers of the Pool to perform and accomplish the purposes set forth above shall be the following, subject to the budgetary limits of the Pool and the procedures set forth in these Bylaws:
 - 1. To retain agents and independent contractors necessary to administer and achieve the purposes of the Pool, including, but not limited to, brokers, attorneys, accountants, claims and loss control administrators, actuaries, investigators, experts, consultants, and others;
 - 2. To purchase and lease real property, equipment, machinery, and personal property through the Administrator;
 - 3. To invest money in those investments authorized by Colorado statutes, as from time to time amended, for Colorado counties;
 - 4. To create, collect money for, and contract with Colorado Counties, Inc. and other service providers for the administration of a risk management fund;

5. To purchase excess insurance;
 6. To carry out such other activities as are necessarily implied or required to carry out the purposes of the Pool;
 7. To sue and be sued;
 8. To enter into contracts;
 9. To reimburse directors for reasonable and approved expenses, but any expense incurred in attending Board meetings shall be reimbursed in accordance with Colorado Counties, Inc. travel policies in effect at the time the expense is incurred;
 10. To purchase fidelity bonds from an insurance company approved by the Insurance Commissioner of the State of Colorado to do business in Colorado;
 11. To carry out risk management programs and provide risk management services and systems through the Administrator;
 12. To establish reasonable and necessary loss reduction and prevention procedures to be followed by the members;
 13. To provide or contract for claim adjustment services; and
 14. To contract with Colorado Counties, Inc. for general administrative services.
- B. The Pool shall have only those powers set forth in this agreement and any amendments adopted hereto.
- C. In exercising its powers, the Pool shall maintain a minimum surplus of \$50,000.

ARTICLE VI. Participation.

- A. The membership of the Pool shall be limited to those counties which are members of Colorado Counties, Inc. and which properly enter into and adopt this intergovernmental agreement. New members shall be admitted only by a vote of the Board, subject to the payment of such sums and under the conditions established in these Bylaws.
- B. Colorado Counties, Inc., shall become a member of the Pool upon its execution of this Agreement. Colorado Counties, Inc. shall have no official representative nor shall it be entitled to vote on any matter, but it shall be subject to all member obligations and shall have all other member rights under this Agreement. Colorado Counties, Inc. shall not be counted for the purpose of determining the number of votes required for any purpose.

ARTICLE VII. Commencement of Pool.

Colorado Counties, inc. shall determine, no later than July 1, 1986, whether there has been deposited with or committed to the Pool as a first year's payment an amount of money sufficient to satisfy the minimum start-up level of the Pool, which shall be no less than one million dollars unless the Insurance Commissioner of the State of Colorado approves a lower amount upon request of Colorado Counties, Inc. If it determines that the amount is sufficient, then these bylaws shall become effective and the Pool shall commence on the date specified by Colorado Counties, Inc. No time deadlines contained within the Bylaws shall apply to the actions first taken after formation of the Pool.

ARTICLE VIII. Duration of Membership.

All members of the Pool, unless expelled pursuant to the expulsion provisions of this agreement, may remain members indefinitely and shall remain members for a period of at least one year.

ARTICLE IX. Members' Powers and Meetings.

A. The members shall have the power to:

1. Amend the Bylaws by a 2/3 vote of the members present at a meeting, except that any amendment to Article XIII.B must be approved by a 2/3 vote of all members. Written notice of any proposed amendment shall be provided to each member at least fifteen days in advance of the vote on the amendment. No amendment shall take effect before the end of the fiscal year during which the amendment is approved, unless a different effective date is included in the motion to adopt the amendment.
2. Expel members by a 2/3 vote of all members, pursuant to Article XVII;
3. Adopt and adjust the types of coverage, limits of liability on any excess insurance policies, and the types of deductibles which the Pool provides by a 2/3 vote of the members present at a meeting, but no such action shall take effect until concurrence of any affected excess insurance carrier;
4. Adopt and adjust contributions to the Pool by a majority vote of the members present at a meeting;
5. Adopt or revise a budget for the Pool by a majority vote of the members present at a meeting;
6. Remove a director from the Board of Directors by a 2/3 vote of the members present at a meeting; and
7. Dissolve the Pool and disburse its assets by a 2/3 vote of all members, pursuant to such notice and in keeping with such procedure as shall be established by the Board.

B. Meetings of the members shall be held as follows:

1. Members shall meet at least once annually in conjunction with the annual conference of Colorado Counties, Inc., with notice mailed by the Administrator to each member at least 15 days in advance.
2. Special meetings may be called by the Board or pursuant to a procedure to be established by the Board and thereupon approved by a 2/3 vote of the members present at a meeting. Notice of special meetings shall be mailed by the Administrator to each member at least 15 days in advance.
3. The chairman of the Board shall preside at the meetings.
4. A simple majority of the members shall constitute a quorum to do business.
5. No absentee or proxy voting shall be allowed.
6. Each member shall be entitled to one vote on each issue.

ARTICLE X. Obligations of Members.

The obligations of the members are:

- A. To pay promptly all contributions or other payments to the Pool at such times and in such amounts as shall be established pursuant to these Bylaws. Any delinquent payments shall be paid with interest which shall be equivalent to the prime interest rate, on the date of delinquency, of the bank which invests the majority of the Pool money. Payments will be considered delinquent 45 days following the due date;
- B. To designate in writing a member official representative and one or more alternates for the members' meetings. A member official representative and any alternate must be an employee or officer of the member county, but may be changed from time to time. Any designated alternate may exercise all the powers of a member official representative during a member meeting in the absence of the official representative;
- C. To allow the Pool and its Administrator, agents, contractors, and officers reasonable access to all facilities of the member and all records including, but not limited to, financial records, as required for the administration of the Pool;
- D. To cooperate fully with the Pool's attorneys and Administrator, and any other agent, contractor, or officer of the Pool in activities relating to the purposes and power of the Pool;
- E. To provide the Pool, upon request, information on exposures identified by the Pool;
- F. To allow attorneys and others designated by the Pool to represent the member in the investigation, settlement and litigation of

any claim made against the member within the scope of loss protection furnished by the Pool;

- G. To follow the loss reduction and prevention procedures established by the Board and implemented through the Administrator;
- H. To report to the Pool, in the form required by the Board and as promptly as possible, all incidents or occurrences which would reasonably be expected to result in the Pool being required to consider a claim against the member, its agents, officers, or employees or for losses to a member's property within the scope of loss protection furnished by the Pool; and
- I. To report to the Pool, in the form required by the Board and as promptly as possible, the addition of new programs and facilities or the significant reduction or expansion of existing programs and facilities or other acts which will cause material changes on the members' potential loss.

ARTICLE XI. Contributions.

- A. It is the intention of the Pool to levy contributions to the members as established by the members.
- B. Any money, and interest thereon, not needed for the purposes of the Pool, will be distributed among those members which contributed the money and have not withdrawn or been expelled from membership at the time of distribution, in an amount proportionate to the member's share of the total contribution. The distribution shall be made as a credit against future contributions by the members. The money shall not be so distributed until it is determined by the Board or its authorized representative that no claim exists and no claim may legally be made against the money.
- C. Initial contributions shall include an amount sufficient to repay Colorado Counties, Inc., for its reasonable costs incurred in the creation of the Pool. The repayment shall be made by July 1, 1986, or at some later date if approved by Colorado Counties, Inc.

ARTICLE XII. Board of Directors and Officers.

- A. The board of directors shall be composed of seven persons to be elected by the members from among the members' official representatives. There will be:
 - 1. One director from a member under 10,000 population;
 - 2. One director from a member of 10,000 through 40,000 population;
 - 3. One director from a member of 40,001 through 250,000 population;

4. One director from a member above 250,000 population;
and
 5. Three directors at large.
- B. Population will be determined from the most recent population figures reasonably available to Colorado Counties, Inc. and approved by the Board.
 - C. The election of directors shall be made by the members at the annual meeting and they shall assume their office at the first Board meeting following their election.
 - D. Terms of the directors shall be two-year-overlapping terms, or until their successors have been elected, except that the directors first elected to represent members of under 10,000 population, and 40,001 through 250,000 population, and two of the at-large directors, will be elected for an initial one-year term, or until successors have been elected, with their successor directors serving two-year terms thereafter.
 - E. The officers of the Pool shall be: president, vice president, secretary, and comptroller. The officers shall be elected by and from among the directors at the first meeting of the Board following each annual meeting.

ARTICLE XIII. Powers and Duties of the Board of Directors.

- A. The Board shall have the following powers and duties:
 1. To recommend contributions to be paid by the members;
 2. To recommend to the members the types of coverage, limits of liability on any excess insurance policies, and the types of deductibles which the Pool provides;
 3. To approve insurance brokers, claims administration services, and other service providers necessary for the administration of the Pool, upon recommendation of the Administrator;
 4. To set the dates, places and provide an agenda for Board and members' meetings;
 5. To fill a vacancy in the Board by majority vote of the remaining directors until the next annual meeting of the members, at which time the members shall elect a person to fill the vacancy for any unexpired term, subject to the limitations set forth in Article XII of these bylaws;
 6. To exercise all powers of the Pool except powers reserved to the members or to the Administrator;
 7. To recommend a budget and any necessary revisions to the budget to the members;
 8. To make reports to the members at their meetings;

9. To establish policies for claims and loss control procedures, to establish conditions to be met prior to the payment or defense of a claim, and to deny a claim or the defense of a claim if the conditions are not met and if any affected excess insurance carriers and claim adjustment services concur in the denial;
 10. To establish policies for the investment and disbursement of funds;
 11. To establish rules governing its own conduct and procedure, and the authority of its officers, not inconsistent with these Bylaws;
 12. To provide to members annually:
 - a. An audit of the financial affairs of the Pool to be made by a certified public accountant at the end of each policy year in accordance with generally accepted auditing principles; and
 - b. An annual report of operations;
 13. To form committees and provide other services as needed by the Pool;
 14. To do all acts necessary and proper for the operation of the Pool and implementation of these Bylaws subject to the limits of these Bylaws and not in conflict with these Bylaws;
 15. To implement the dissolution and disbursement of assets of the Pool following the determination made pursuant to the provisions of Article IX;
 16. To select a qualified actuary who shall conduct an annual review of the risk management fund and shall make recommendations to the Board based on such review;
 17. To approve attorneys or firms of attorneys retained to represent members in claims within the scope of loss protection furnished by the Pool; and
 18. To admit any new member by majority vote of all directors serving on the Board, if the Board determines that the new member will not detrimentally affect the financial status of the Pool or the contribution rates of other members and that the new member has agreed to accept the obligations of members set forth in these Bylaws.
- B. The Board shall contract with Colorado Counties, Inc. (the "Administrator") for general administrative services, the contract to include a reasonable fee approved by Colorado Counties, Inc. and the Board to cover the cost of administrative services being provided. Services to be provided by or through the Administrator shall include, but not necessarily be limited to, bookkeeping services; financial

statements; necessary reports on claims, incidences and loss prevention not provided by other service providers; recording and depositing of payments; providing information to potential members; reviewing claims from members; reviewing and making recommendations on all Pool contracts; maintaining a complaint register; acting as a liaison with state authorities and responding to inquiries from state authorities; computing and providing membership contribution billings; filing required forms and reports with state and other governmental authorities; maintaining appropriate files; assisting the Pool's auditor and actuary as necessary; reviewing the performance of all contract service providers; coordinating banking functions, and handling deposits and reconciliations; implementing investment policies established by the Board; providing necessary notices of member meetings; supplying resource material for member and Board meetings; attending member and Board meetings and other meetings necessary to the administration of the Pool; keeping detailed minutes of member and Board meetings; providing risk management services, and administering committees established by the Board. The Administrator may execute all contracts on behalf of the Pool which are necessary to provide the general administrative services described herein if any moneys to be expended under the contract are included in the Pool's approved budget or any approved revisions thereto.

ARTICLE XIV. Meetings of the Board of Directors.

- A. The Board may set a time and place for regular meetings which may be held without further notice.
- B. The Board shall meet within fourteen (14) days after the election of directors at the annual members' meeting.
- C. Special meetings may be called by the chairman or by a majority of the directors by mailing written notice at least ten (10) days in advance to all directors or by unanimously executed waiver of notice.
- D. Four (4) directors shall constitute a quorum to do business. All acts of the board of directors shall require a majority vote of the directors present, except as otherwise specifically provided in these Bylaws.

ARTICLE XV. Liability of Board of Directors.

- A. Members of the Board of Directors of the Pool shall not be personally liable for any acts performed or omitted in good faith. The risk management fund shall be used to defend and indemnify the members of the Pool's Board of Directors against any and all expense including attorney fees and liability expenses sustained by them or any of them in connection with any suit or suits which may be brought against said members of the Board of Directors involving or pertaining to any of their acts or duties performed or omitted for this Pool in good faith. The Pool may purchase

insurance providing similar coverage for the directors. Nothing herein shall be deemed to prevent compromises of any such litigation where the compromise is deemed advisable in order to prevent greater expense or cost in the defense or prosecution of such litigation.

The Pool shall obtain a bond or other security to guarantee the faithful performance of the duties of each director.

ARTICLE XVI. Withdrawal from Membership.

- A. Any member may withdraw from the Pool at the end of any fiscal year by giving at least sixty (60) days' notice in writing to the Board of its desire to withdraw.
- B. The withdrawn member shall not be entitled to any reimbursement of contributions that are to be paid or that shall become payable in the future, and shall continue to be obligated to make any payment for which an obligation arose prior to withdrawal.
- C. Within ten (10) days after receipt of a notice to withdraw, the Board shall provide written notice to the Insurance Commissioner of the State of Colorado of the member's intent to withdraw.

ARTICLE XVII. Expulsion of Members.

- A. By a 2/3 vote of all members any member may be expelled. Such expulsions, which shall take effect sixty (60) days after such meeting, may be carried out for one or more of the following reasons:
 - 1. Failure to make any payments due to the Pool;
 - 2. Failure to allow the Pool reasonable access to all facilities and records of the member necessary for proper administration of the Pool;
 - 3. Failure to fully cooperate with the Pool's Administrator, or other agent, contractor, or any officer of the Pool;
 - 4. Failure to carry out any obligation of a member which impairs the ability of the Pool to carry out its purposes or powers; or
 - 5. Failure to undertake or continue loss reduction and prevention procedures adopted by the Board.
- B. The member proposed to be expelled shall not be counted in determining the number of votes required nor shall such member be entitled to vote on its own expulsion.
- C. No member may be expelled except after notice from the Board of Directors of the alleged failure along with a reasonable opportunity of not less than thirty (30) days to

cure the alleged failure. The member may request a hearing before the members before any final decision, which shall be held within fifteen (15) days after the expiration for the time to cure has passed. The Board shall present the case for expulsion to the member. The member affected may present its case. A decision by the membership to expel a member after notice and hearing and failure to cure the alleged defect shall be final and take effect sixty (60) days after the decision to expel is approved by the members. After expulsion, the former member shall continue to be liable for any unpaid contributions and to make any payment for which an obligation arose prior to expulsion. The expelled member shall not be entitled to any reimbursement of contributions that are to be paid or that shall become payable in the future.

- D. Within ten (10) days after the decision to expel is approved by the members, the Board shall provide written notice to the Insurance Commissioner of the State of Colorado of the expulsion.
- E. Expulsion shall be in addition to any other remedy which otherwise exists.

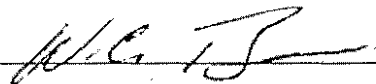
ARTICLE XVIII. Contractual Obligation.

- A. This document constitutes an intergovernmental contract among those counties which become members of the Pool. The terms of this contract may be enforced in court by the Pool or by any of its members. The consideration for the duties herewith imposed on the members to take certain actions and to refrain from certain other actions are based upon the mutual promises and agreements of the members set forth herein.
- B. A certified or attested copy of the resolution of approval from each member shall be attached to the Bylaws on file with the Pool.
- C. Except to the extent of the limited financial contributions to the Pool agreed to herein or such additional obligations as may come about through amendments to these Bylaws, no member agrees or contracts herein to be held responsible for any claims made against any other member. The contracting parties intend in the creation of the Pool to establish an organization to operate only within the scope herein set out and have not herein created as between member and member any relationship of surety, indemnification or responsibility for the debt of or claims against any other member.

ARTICLE XIX. Severability.

In the event that any article, provision, clause or other part of these Bylaws is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability with respect to other articles, provisions, clauses, application or occurrences, and these Bylaws are expressly declared to be severable.

DATED: 5-27-86

BY: 

TITLE: Chairman, Co. Commissioners

COUNTY: Montezuma

RECORDED BY 10:00 TELETYPE A APR 29 1986

Res # 86-9

386643 JEAN DEGRAFF Recorder Montezuma Co. 386643
JDE

STATE OF COLORADO)
County of Montezuma) ss.

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the Montezuma County Courthouse in Cortez, Colorado being the regular meeting place of the Board, at the hour of 10:00 a.m. on Monday, the 28th day of April, 1986.

Present:

Chairman: William C. Bauer

Commissioners: Thomas K. Colbert
Robert L. Maynes

County Attorney Grace S. Merlo

County Clerk and
Recorder Jean DeGraff

Absent: None

Thereupon the following proceedings, among others, were had and taken.

Commissioner Bauer reviewed the action of this Board taken at a regular meeting of Monday, April 21, 1986 at which time a hearing on the Service Plan and related documents for the proposed Cortez Fire Protection District was held by the Board of County Commissioners, pursuant to the provisions of Chapter 32, Article 1, Part 2, Colorado Revised Statutes 1973, as amended, and which hearing was continued to April 28, 1986 at 10:00 a.m. for further proceedings.

Thereupon Commissioner Colbert introduced and made the adoption of the following Resolution:

R E S O L U T I O N # 86-9

WHEREAS, pursuant to the provisions of Chapter 32, Article 1, Part 2, Colorado Revised Statutes 1973, as amended, the Board of County commissioners of Montezuma County, Colorado, on Monday, the 21st day of April, 1986, held a public hearing on the Service Plan and related documents for the proposed Cortez Fire Protection District; and

WHEREAS, the public hearing was continued to April 28, 1986 at 10:00 a.m. for further hearing; and

WHEREAS, Notice of this hearing was duly published in the Montezuma Valley Journal, a newspaper of general circulation within Montezuma County, said publication occurring on March 26th, April 4th and April 9th, 1986 as required by law and said Notice was forwarded to the Petitioners and to the governing body of each municipality and special district which has levied an ad valorem tax within a radius of three miles of the proposed District, and also to the Planning Commission of Montezuma County; and

WHEREAS, the requirements of C.R.S. 32-1-204 were complied with as required by statute; and

WHEREAS, the Board has considered the Service Plan and all other testimony and evidence presented at the hearing; and

WHEREAS, it appears that the Service Plan should be approved with one condition, that the request for a fire inspector be deleted and the proposed budget be changed to reflect the same;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

1. That the Board of County Commissioners of Montezuma County, Colorado, does hereby determine that all of the requirements of Chapter 32, Article 1, Part 2, Colorado Revised Statutes 1973, as amended, relating to the filing of the Service Plan for the proposed Cortez Fire Protection District have been fulfilled and that Notice of the hearing was duly given in the time and manner required by law.

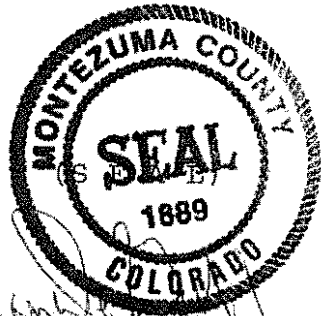
2. That said publication of the Notice of Hearing in the Montezuma Valley Journal, a newspaper of general circulation within the County, is hereby approved.

3. That the Service Plan of the proposed Cortez Fire Protection District is hereby approved with the following condition; that the request for a fire inspector be deleted and

the proposed budget be changed to reflect the same.

4. That a certified copy of this Resolution be filed in the records of Montezuma County and submitted to the petitioners for the purpose of filing in the District Court of Montezuma County, Colorado.

ADOPTED AND APPROVED this 29th day of April, 1986.



County Clerk and Recorder
Montezuma County, Colorado

MCTB
Chairman
Board of Commissioners
Montezuma County, Colorado

CERTIFICATE

I, Jean DeGraff, do hereby certify that the above and foregoing is a true, correct and complete copy of a Resolution adopted by the Board of County Commissioners of Montezuma County, Colorado, at a duly called meeting held April 28, 1986.

WITNESS my hand and official seal this 29th day of April, 1986.



Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

Commissioner Maynes seconded the motion for the passage and adoption of said Resolution.

The question being upon the passage and adoption of said Resolution, the roll was called and the question put to a vote with the following results:

Those voting AYE:

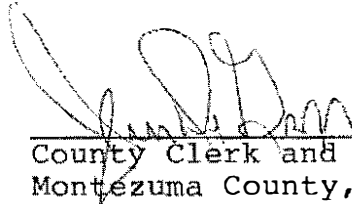
Commissioners: William C. Bauer
Thomas K. Colbert
Robert L. Maynes

Those voting NAY: None

The presiding officer thereupon declared that, a majority of all the Commissioners elected having voted in favor thereof, the motion was carried and the Resolution duly passes and adopted.

After consideration of other matters to come before the Board, on motion duly made and seconded, the meeting was adjourned.



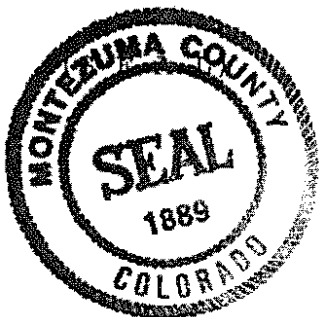


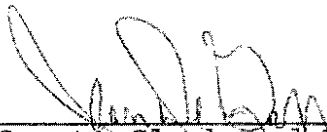
County Clerk and Recorder
Montezuma County, Colorado

I, Jean DeGraff, County Clerk and Recorder of the County of Montezuma, State of Colorado, do hereby certify that the foregoing pages numbered 1 to 4, inclusive, constitute a true and correct copy of the record of proceedings of the Board of County Commissioners of said County, taken at a regular meeting held on the 28th day of April, 1986, at the Montezuma County Courthouse, Cortez, Colorado, insofar as said minutes relate to a Resolution, a copy of which is therein set forth; that the copy of said Resolution contained in the minutes is a full, true and correct copy of the original of said Resolution as adopted by the Board of County Commissioners at said meeting; that the original Resolution has been duly signed and approved by the presiding officer of the Board of County Commissioners and myself, as County Clerk and Recorder, sealed with the corporate seal of the County and recorded in Book of Resolutions of the County kept for that purpose in my office.

I further certify that the Chairman and two members of the Board of County Commissioners were present at said meeting and three members of the Board voted on the passage of the Resolution as set forth in said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County of Montezuma, Colorado, this 29th day of April 1986.





 County Clerk and Recorder
 Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 14th day of April, 1986, with the following persons in attendance:

COMMISSIONERS: W. C. BAUER, THOMAS K. COLBERT AND ROBERT L. MAYNES

COUNTY CLERK AND RECORDER: JEAN DE GRAFF

COUNTY ATTORNEY: GRACE S. MERLO

the following proceedings, among others were taken:

RESOLUTION # 86-8

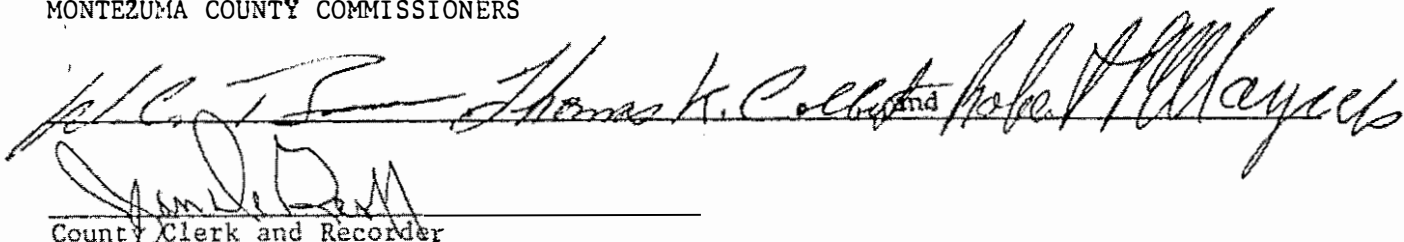
WHEREAS, JAMES H. HINTON has been employed by Montezuma County for 30 years, and

WHEREAS, such long dedicated service to Montezuma County should be recognized officially by the County, and

WHEREAS, the Montezuma County Board of Commissioners desires to express on behalf of Montezuma County its appreciation for such loyal service.

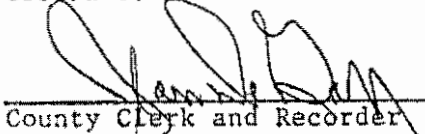
NOW THEREFORE, BE IT RESOLVED that the Montezuma County Board of Commissioners hereby congratulates and expresses appreciation to JAMES H. HINTON for his 30 years of valuable service to the citizens of Montezuma County.

MONTEZUMA COUNTY COMMISSIONERS



County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado.



County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 14th day of April, 1986, with the following persons in attendance:

COMMISSIONERS: W. C. BAUER, THOMAS K. COLBERT AND ROBERT L. MAYNES

COUNTY CLERK AND RECORDER: JEAN DeGRAFF

COUNTY ATTORNEY: GRACE S. MERLO

the following proceedings, among others were taken:

RESOLUTION # 86-7

WHEREAS, MERLE E. WILSON has been employed by Montezuma County for 23 years, and

WHEREAS, such long dedicated service to Montezuma County should be recognized officially by the County, and

WHEREAS, the Montezuma County Board of Commissioners desires to express on behalf of Montezuma County its appreciation for such loyal service.

NOW THEREFORE, BE IT RESOLVED that the Montezuma County Board of Commissioners hereby congratulates and expresses appreciation to MERLE E. WILSON for his 23 years of valuable service to the citizens of Montezuma County.

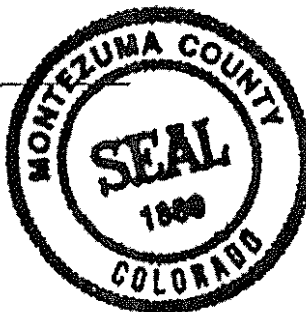
MONTEZUMA COUNTY COMMISSIONERS

W.C. Bauer, Thomas K. Colbert and Robert L. Maynes

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado.

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado



STATE OF COLORADO
COUNTY OF MONTEZUMA

)
) SS.
)

RECORDED AT 8:35 O'CLOCK APR 8 1986
DEPUTY CLERK No. 386269 JEAN DEGRAFF Recorder Montezuma Co. Colo.
Am

The Board of County Commissioners of Montezuma County, Colorado met in open, public regular session at the County Courthouse, 109 West Main, Cortez, Colorado on April 7, 1986 at 10:45 a.m. There were present at said meeting the following:

Present:

Chairman:	William C. Bauer
Other Commissioners:	Thomas K. Colbert
	Robert L. Maynes

Absent:

constituting all the members thereof.

There were also present:

County Clerk:	Jean DeGraff
County Attorney:	Grace S. Merlo

Commissioner Maynes introduced the following resolution, the text of which is as follows:

MONTEZUMA COUNTY, COLORADO

RESOLUTION NO. 86-6

A RESOLUTION RELATING TO THE MONTEZUMA COUNTY, COLORADO INDUSTRIAL DEVELOPMENT REVENUE BONDS (NIELSONS, INC. PROJECT) SERIES 1981 HERETOFORE ISSUED BY THE COUNTY; AUTHORIZING THE EXECUTION AND DELIVERY BY THE COUNTY OF A FIRST AMENDMENT TO FINANCING AGREEMENT, A FIRST SUPPLEMENT TO INDENTURE OF TRUST AND A SUBSTITUTE BOND; AND AUTHORIZING THE ACCEPTANCE BY THE COUNTY OF A LETTER OF CREDIT TO SECURE SUCH BONDS AND THE TRANSFER OF SUCH LETTER OF CREDIT TO THE TRUSTEE FOR SUCH BONDS.

WHEREAS, pursuant to the Indenture of Trust dated as of March 1, 1981 (the "Indenture") between Montezuma County, Colorado (the "County") and American Security Bank, N.A., as Trustee (the "Trustee"), the County has heretofore issued its "Montezuma County, Colorado Industrial Development Revenue Bonds (Nielsons, Inc. Project) Series 1981" in the aggregate principal amount of \$2,600,000 (the "Bonds"); and

WHEREAS, the Bonds were secured by an Assignable and Irrevocable Letter of Credit No. 6128603 dated March 18, 1981 (the "Continental Letter of Credit") issued by Continental Illinois National Bank and Trust Company of Chicago; and

WHEREAS, the Trustee released the Continental Letter of Credit and accepted the deposit by Nielsons, Inc. (the

"Company") of \$1,602,059 to secure the payment of the principal of and interest on the Bonds; and

WHEREAS, the Company has arranged for SunWest Bank of Albuquerque, N.A. to issue an Irrevocable Standby Letter of Credit dated April 7, 1986 (the "SunWest Letter of Credit") to support the payment of the principal of and interest on the Bonds; and

WHEREAS, in connection with the issuance of the SunWest Letter of Credit, it is necessary to amend the Indenture and the Financing Agreement dated as of March 1, 1981 (the "Financing Agreement") between the County and the Company and to issue a substitute Bond in exchange for the Bonds heretofore issued; and

WHEREAS, there have been presented to the Board of County Commissioners at this meeting: (i) the proposed form of First Amendment dated April 7, 1986 to Financing Agreement dated as of March 1, 1981 (the "First Amendment") between the County and the Company, (ii) the proposed form of First Supplement dated April 7, 1986 to Indenture of Trust dated as of March 1, 1981 (the "First Supplement") between the County and the Trustee, (iii) the proposed form of the substitute Bond (the "Substitute Bond") and (iv) the proposed form of the SunWest Letter of Credit; and

WHEREAS, American Security Bank, N.A. (the "Bank"), the holder of 100% in aggregate principal amount of the outstanding Bonds, has consented to the transactions contemplated by this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. The forms, terms and provisions of the First Amendment, the First Supplement, the Substitute Bond and the SunWest Letter of Credit be and they hereby are approved, and the County shall enter into the First Amendment and the First Supplement and shall issue the Substitute Bond in the forms of each of such documents presented to the Board of County Commissioners at this meeting, with only such changes as are not inconsistent herewith; and the Chairman of the Board of County Commissioners and the County Clerk are hereby authorized and directed to execute and deliver the First Amendment, the First Supplement and the Substitute Bond.

Section 2. The County shall accept the SunWest Letter of Credit in the form of such document presented to the Board of County Commissioners at this meeting and the Chairman of the Board of County Commissioners and the County Clerk are hereby authorized and directed to execute such documents and to take such actions as may be necessary or advisable to transfer the SunWest Letter of Credit to the Trustee.

Section 3. Nothing contained in this resolution or in the Substitute Bond, the First Amendment, the First Supplement, the SunWest Letter of Credit or any other instrument shall give rise to a pecuniary liability or a charge upon the general credit or taxing powers of the County, nor shall the breach of any agreement contained in this resolution, the Substitute Bond, the First Amendment, the First Supplement, the SunWest Letter of Credit or any other instrument impose any pecuniary liability upon the County or a charge upon the general credit or taxing powers of the County, the County having no power to pay out of its general fund, or otherwise contribute any part of the cost of financing the Project (as defined in the First Amendment).

Commissioner Maynes moved that the resolution be passed and adopted. Commissioner Colbert seconded the motion. The question being upon the passage and adoption of the resolution, the roll was called with the following result:

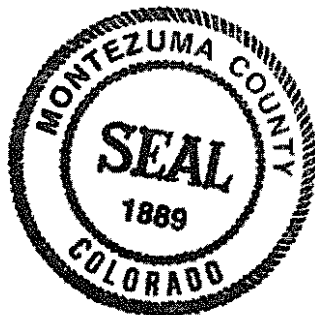
Those Voting Yes:

William C. Bauer
Thomas K. Colbert
Robert L. Maynes

Those Voting No:

Those Absent:

The presiding officer thereupon declared that a majority of the Commissioners having voted in favor thereof, the motion was carried and the resolution duly passed and adopted.



(SEAL)

Attest:

[Signature]
County Clerk

[Signature]
Chairman

STATE OF COLORADO)
) SS.
 COUNTY OF MONTEZUMA)

I, Jean DeGraff, County Clerk of Montezuma County, Colorado (the "County"), do hereby certify:

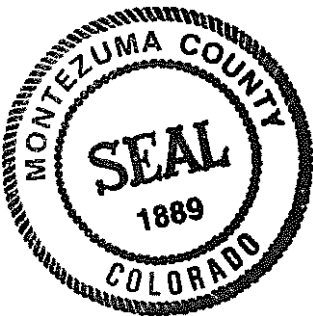
1. The foregoing pages numbered 1 to 6, excerpts from the minutes of a regular meeting of the Board of County Commissioners of the County (the "Board") held on April 7, 1986, constitute a true, correct and complete copy of the proceedings of the Board insofar as such proceedings relate to the resolution contained therein.

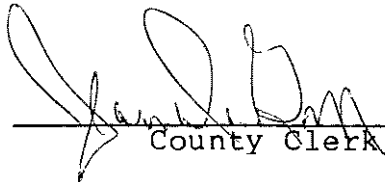
2. 3 members of the Board were present at such meeting and the members of the Board voted on the passage of the resolution as in such proceedings set forth.

3. All members of the Board were given due and proper notice of the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this April 7, 1986.

[SEAL]





 County Clerk

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 7th day of April, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

Resolution # 86-5

WHEREAS the Ute Mountain Utes claim a "Winters Right" on the Mancos River, and

WHEREAS the Mancos River provides irrigation water to the Mancos Valley which is an intregal part of the economy of Montezuma County, and

WHEREAS an Agreement in Principle has been reached among the States of Colorado, the Ute Mountain Ute Tribe, the Southern Ute Tribe and five major water districts including the Mancos Water Conservancy District, and

WHEREAS Montezuma County is a non-signatory party to the agreement and has made a committment contingent upon the settlement of the Ute Mountain Utes claim to waters in the Mancos River.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners will allocate \$50,000 as a one time lump sum contribution toward the Animas-LaPlata Project.

Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners voting nay against the resolution were:

_____, _____, and _____

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 7th day of April, 1986.



Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 3rd day of March, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 86-4

WHEREAS: The Board of County Commissioners of Montezuma County, Colorado did adopt the 1986 Budget and did not appropriate funds to reimburse the Shell Oil Prepayment dated May 3, 1986, and

WHEREAS: due to this unanticipated expense at the time the 1986 Budget was adopted, it now becomes necessary to appropriate the Prepayment Budget for the 1986 Budget.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado the 1986 Budget appropriations for the Prepayment Budget is hereby increased from \$00.00 to \$112,183.00

Commissioners voting aye, in favor of the Resolution were:

W.C. Bauer, Robert L. Maynes and _____

Commissioners voting nay against the resolution were:

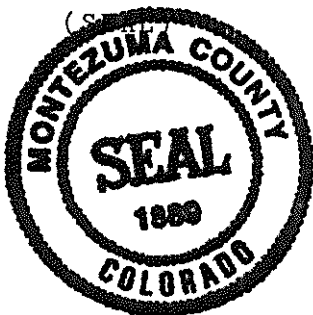
_____, _____, and _____

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 10th day of March, 1986.

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado



STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

The Board of County Commissioners of Montezuma County, Colorado met in open, public regular session at the County Courthouse, 109 West Main, Cortez, Colorado on March 3, 1986 at 9:30 A.m. There were present at said meeting the following:

Present:

Chairman:	William C. Bauer
Other Commissioners:	Thomas K. Colbert
	Robert L. Maynes

Absent:

constituting all the members thereof.

There were also present:

County Clerk:	Jean DeGraff
County Attorney:	Grace S. Merlo

Commissioner Bauer introduced the following resolution, the text of which is as follows:

MONTEZUMA COUNTY, COLORADO

RESOLUTION NO. 86-3

A RESOLUTION RELATING TO THE MONTEZUMA COUNTY, COLORADO INDUSTRIAL DEVELOPMENT REVENUE BONDS (NIELSONS, INC. PROJECT) SERIES 1981 HERETOFORE ISSUED BY THE COUNTY; AND CONSENTING TO THE RELEASE OF THE LETTER OF CREDIT ISSUED TO SECURE SUCH BONDS.

WHEREAS, pursuant to the Indenture of Trust dated as of March 1, 1981 (the "Indenture") between Montezuma County, Colorado (the "County") and American Security Bank, N.A., as Trustee (the "Trustee"), the County has heretofore issued its "Montezuma County, Colorado Industrial Development Revenue Bonds (Nielsons, Inc. Project) Series 1981" in the aggregate principal amount of \$2,600,000 (the "Bonds"); and

WHEREAS, the payment of the principal of and interest on the Bonds is presently secured by an Assignable and Irrevocable Letter of Credit No. 6128603 dated March 18, 1981 (the "Letter of Credit") issued by Continental Illinois National Bank and Trust Company of Chicago; and

WHEREAS, Nielsons, Inc. (the "Company") desires to have the Trustee release the Letter of Credit and to deposit \$1,602,059 with the Trustee to secure the payment of the principal of and interest on the Bonds; and

WHEREAS, American Security Bank, N.A. (the "Bank"), the holder of 100% in aggregate principal amount of the outstanding

Bonds, has agreed to the deposit of such sum and to the release of the Letter of Credit; and

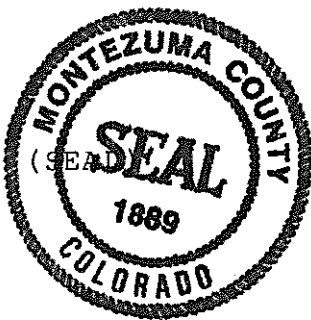
WHEREAS, the Company, the Bank and the Trustee have requested the County to consent to the above-described transactions and the County wishes to give such consent.


NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. The Board of County Commissioners of the County hereby consents to the deposit by the Company of \$1,602,059 with the Trustee to secure the payment of the principal of and interest on the Bonds and to the release by the Trustee of the Letter of Credit; provided that this consent is expressly conditioned upon the Trustee receiving the written consent of the Bank to such transactions.

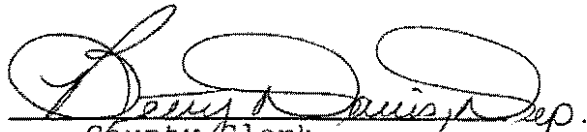
Section 2. Nothing contained in this resolution shall give rise to a pecuniary liability or a charge upon the general credit or taxing powers of the County.

PASSED, ADOPTED AND APPROVED this 3rd day of March, 1986.




Chairman of the
Board of
County Commissioners

Attest:


County Clerk



Commissioner Colbert moved that the resolution be passed and adopted. Commissioner Maynes seconded the motion. The question being upon the passage and adoption of the resolution, the roll was called with the following result:

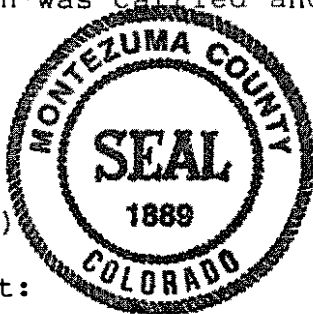
Those Voting Yes:

William C. Bauer
Thomas K. Colbert
Robert L. Maynes

Those Voting No:

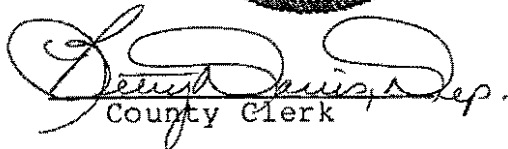
Those Absent:

The presiding officer thereupon declared that a majority of the Commissioners having voted in favor thereof, the motion was carried and the resolution duly passed and adopted.



(SEAL)

Attest:


County Clerk


Chairman

STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

I, Jean DeGraff, County Clerk of Montezuma County, Colorado (the "County"), do hereby certify:

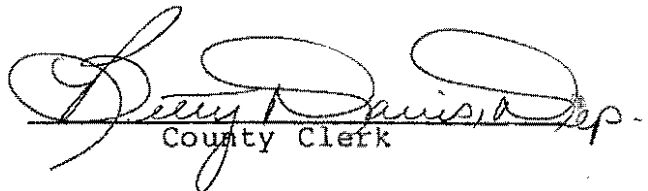
1. The foregoing pages numbered 1 to 4, excerpts from the minutes of a regular meeting of the Board of County Commissioners of the County (the "Board") held on March 3, 1986, constitute a true, correct and complete copy of the proceedings of the Board insofar as such proceedings relate to the resolution contained therein.

2. 3 members of the Board were present at such meeting and the members of the Board voted on the passage of the resolution as in such proceedings set forth.

3. All members of the Board were given due and proper notice of the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this March 3rd, 1986.




County Clerk

The Board of County Commissioners of Montezuma County, Colorado, met in regular session on Feb. 10 __, 1986, at 2:30 p.m., at Montezuma County, Courthouse, in Cortez, Colorado, in full conformity with the law and the resolutions and rules of the County. Upon roll call, the following were found to be present, constituting a quorum:

present:

Chairman of the Board of
County Commissioners:
Other Commissioners:

W. C. Bauer
Thomas K. Colbert
Robert L. Maynes

Absent:

constituting all the members of the Board.

There were also present:

County Clerk:
County Attorney:

Betty Davis, Deputy
Grace S. Merlo

Thereupon, the following proceedings, among others, were had and taken.

Commissioner Maynes introduced a resolution, the text of which is as follows:

RESOLUTION TRANSFERRING TO ADAMS COUNTY, COLORADO THE ALLOCATIONS OF MONTEZUMA COUNTY, COLORADO UNDER SECTIONS 29-4-803 AND 29-4-805 OF COLORADO REVISED STATUTES, TO FINANCE MORTGAGE LOANS TO PROVIDE MORE ADEQUATE RESIDENTIAL HOUSING FACILITIES FOR LOW- AND MIDDLE-INCOME FAMILIES AND PERSONS WITHIN ADAMS COUNTY AND WITHIN MONTEZUMA COUNTY AND ELSEWHERE IN THE STATE OF COLORADO; DELEGATING THE AUTHORITY TO ISSUE REVENUE BONDS TO FINANCE SAID MORTGAGE LOANS WITHIN MONTEZUMA COUNTY; AND AUTHORIZING THE EXECUTION AND DELIVERY BY MONTEZUMA COUNTY OF AN ALLOCATION TRANSFER AGREEMENT AND A DELEGATION AGREEMENT.

WHEREAS, Montezuma County, Colorado ("Montezuma County") and Adams County, Colorado ("Adams County") are each authorized by the County and Municipality Development Revenue Bond Act, constituting Article 3 of Title 29, Colorado Revised Statutes (the "Project Act"), to finance properties to the end that more adequate residential housing facilities for low- and middle-income families and persons may be provided; and

WHEREAS, federal law restricts the amount of tax exempt obligations which may be issued by the Colorado Housing Finance Authority and local governmental units in the State of Colorado (the "State") to finance single-family mortgages; and

WHEREAS, pursuant to federal law the State has provided for a formula for allocation of such amount among the governmental units in the State in a manner different from the federal allocation formula, in Part 8 of Article 4 of Title 29 of Colorado Revised Statutes (the "Allocation Act"); and

WHEREAS, the Allocation Act authorizes governmental units in the State to transfer all or a part of their allocations provided for in the Allocation Act to any other entity otherwise authorized to issue bonds to finance single-family mortgages and to accept transfers of such allocations; and

WHEREAS, the Project Act and Part 2 of Article 1 of Title 29, Colorado Revised Statutes, provide, in effect, that any county or municipality may by resolution or ordinance delegate to any other county or municipality its authority under the Project Act to finance projects under the Project Act; and

WHEREAS, Montezuma County desires to transfer to Adams County its allocations under Sections 29-4-803 and 29-4-805 of the Allocation Act for the year 1986 to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Adams County and Montezuma County and elsewhere within the State; and to delegate

to Adams County the authority to act on its behalf in the issuance of qualified mortgage bonds during 1986 pursuant to the allocation granted under Section 29-4-805 of the Allocation Act; and

WHEREAS, Montezuma County desires to delegate to Adams County its power under the Project Act to issue revenue bonds to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Montezuma County; and

WHEREAS, it is necessary to evidence such transfers and the acceptance of such transfers by the Allocation Transfer Agreement presented at this meeting (the "Allocation Transfer Agreement") which will be executed and delivered by Montezuma County and Adams County; and

WHEREAS, it is necessary to evidence such delegation and the acceptance of such delegation by the Delegation Agreement presented at this meeting (the "Delegation Agreement") which will be executed and delivered by Montezuma County and Adams County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. The forms, terms and provisions of the Allocation Transfer Agreement and the Delegation Agreement hereby are approved and the Chairman of the Board of County Commissioners of Montezuma County and the County Clerk hereby are authorized and directed to execute and deliver the Allocation Transfer Agreement and the Delegation Agreement.

Section 2. The Chairman of the Board of County Commissioners and the County Clerk hereby are authorized and directed to take such other steps or actions as may be required to carry out the terms and intent of this resolution, the Allocation Transfer Agreement and the Delegation Agreement.

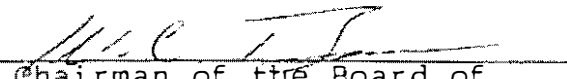
Section 3. Nothing contained in this resolution, in the Allocation Transfer Agreement or in the Delegation Agreement shall obligate Montezuma County, except to the extent described in the Allocation Transfer Agreement and in the Delegation Agreement, nor constitute the debt or indebtedness of Montezuma County within the meaning of the Constitution or statutes of the State or the home rule charter of any political subdivision thereof, nor give rise to a pecuniary liability of Montezuma County or a charge against its general credit or taxing powers.

Section 4. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 5. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Board of County Commissioners and the officers of Montezuma County directed toward the authorization of the Allocation Transfer Agreement and the Delegation Agreement hereby is ratified, approved and confirmed.

Section 6. This resolution shall be in full force and effect upon its passage and approval.

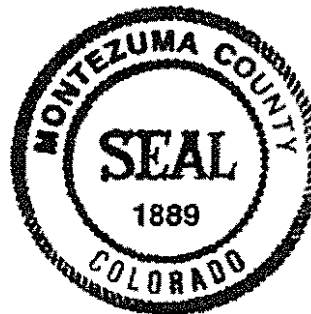
PASSED, ADOPTED AND APPROVED this 10 day of February, 1986.


Chairman of the Board of
County Commissioners

(SEAL)

Attest:


County Clerk



A motion to adopt the foregoing resolution was then duly made by Commissioner Maynes and duly seconded by Commissioner Bauer.

The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye:

W. C. Bauer

Robert L. Maynes

Thomas K. Colbert

Those Voting Nay:

Those Absent:

Thereupon, the presiding officer declared the motion carried and the resolution duly passed and adopted.

After other action or business not related to the foregoing resolution, on motion duly made, seconded and adopted, the meeting thereupon adjourned.

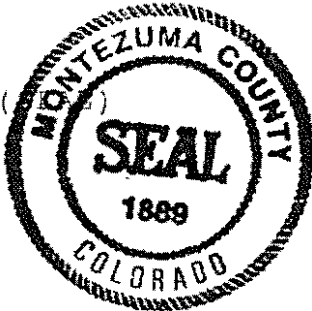
STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

I, Betty Davis, the duly qualified and acting
County Clerk of Montezuma County, Colorado (the "County"), in the
State of Colorado, do hereby certify:

1. The foregoing pages numbered -1- to -5-, inclusive
are a true, perfect and complete copy of the record of
proceedings of the Board of County Commissioners of the County
had and taken at a lawful meeting of the Board held at Montezuma Co.
Courthouse, in Cortez, Colorado on February 10, 1986
at 2 30 p.m., as recorded in the regular official book of the
proceedings of the County kept in my office, so far as the
proceedings relate to the resolution therein set forth, the
proceedings were duly had and taken as therein shown, the meeting
therein shown was duly held, and the persons therein named were
present at the meeting as therein shown.

2. All members of the Board were duly notified of the
meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the County this 10 day of February, 1986.



Betty Davis, Dep.
County Clerk

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 3rd day of February, 1986, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION TO ADOPT RULES AND REGULATIONS

FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS NUMBER 86-1

WHEREAS: The Commissioners of Montezuma County, Colorado have authority granted under 25-10-104 of the 1973 Colorado Revised Statutes and

WHEREAS: A Public Hearing was held in accordance with 25-10-104 of the Colorado Revised Statutes, 1973, and

WHEREAS: A Public Hearing was held on January 13 and continued to January 27, and

WHEREAS: There were no persons present who expressed opposition to the proposed regulations.

NOW THEREFORE IT BE RESOLVED by the Board of County Commissioners of Montezuma County, Colorado that the proposed Individual Sewage Disposal Regulations are hereby adopted.

Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners voting nay against the resolution were:

_____, and _____

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 3rd day of February, 1986

(SEAL)



Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado