

RESOLUTIONS 1 9 9 5

NUMBER	DATE	TEXT
RES 14-94	01-03-95	TO SET MILL LEVIES - Corrected
RES 01-95	01-09-95	RETIREMENT - COMM ROBERT D. BRUBAKER
RES 02-95	01-16-95	RETIREMENT - CLERK JEAN DEGRAFF WINBOURN
RES 03-95	01-16-95	RETIREMENT - SHERIFF TIM WOOD
RES 04-95	02-06-95	DELEGATING AUTH FROM MONTEZUMA COUNTY TO OTHER UNITS OF LOCAL GOVT WITHIN CTY TO DIR CONTACT FOR GAMING IMPACT FUNDS
RES 05-95	02-06-95	APPOINT SHERIFF KENNEL AS COORDINATOR FOR OFFICE OF EMERGENCY MANAGEMENT (OEM)
RES 06-95	05-01-95	THE ASPEN LOOP TRAIL DESIGNATED ATV USE
RES 07-95	05-22-95	RETIREMENT - DALE L. BLACK
RES 08-95	05-22-95	RETIREMENT - DONNA J. DODSON
RES 09-95	05-22-95	RETIREMENT - W. ALIENE WALDORF
RES 10-95	06-26-95	RETIREMENT - DOROTHY E. CARVER
RES 11-95	06-26-95	ROAD DEPT - APPLICATION, FEES, CTY ROW
RES 12-95	07-31-95	RETIREMENT - NANCY EDDY
RES 13-95	09-11-95	GOCO CONTRACT #5356
RES 14-95	11-27-95	LANDFILL FINANCING
RES 15-95	12-11-95	DEDICATING A COUNTY ROAD - LANDFILL
RES 16-95	12-18-95	AMENDED BUDGET 1995
RES 17-95	12-18-95	TO APPROPRIATE SUMS OF MONEY
RES 18-95	12-18-95	SUMMARY OF EXPENDITURES & REVENUES
RES 19-95	12-18-95	TO SET MILL LEVIES

THE BOARD IF 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 19th day of December, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan
and G. Eugene Story
Commissioners Absent: *Thomas K. Colbert*
County Administrator: Thomas J. Weaver
County Attorney: Bob Slough
Clerk and Recorder: Evie Ritthaler

the following proceedings, among others, were taken:

Resolution # *19*-95 - TO SET MILL LEVIES

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 1995 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR MONTEZUMA COUNTY, COLORADO, FOR THE 1995 BUDGET.

WHEREAS, the Commissioners of Montezuma County, Colorado, have adopted the annual budget in accordance with the Local Government Budget Law, on the 18th day of December, 1995, and;

WHEREAS, the 1995 valuation by the Commissioners of Montezuma County as certified by the County Assessor is \$160,541,000.;

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

For the purpose of meeting all general operating expenses of Montezuma County during the 1996 budget year, there is hereby levied a tax of mills as stated below upon each dollar of the total valuation of assessment of all taxable property within the County for the year 1995.

SUMMARY OF FUNDS BUDGET 1996

County General	11.783
Social Services	1.930
Airport	.025
Road and Bridge	2.398
TOTAL COUNTY MILL LEVY	16.136

Commissioners voting aye in favor of the resolution were:

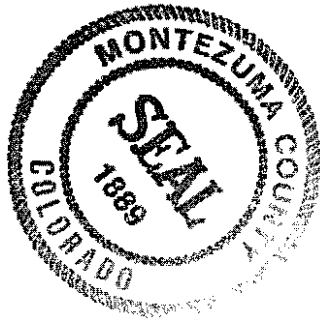
Helen McClellan Eugene Story and _____

Commissioners voting nay against the resolution were:

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 18th day of December, 1995.

(SEAL)



Nelda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado

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

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Commissioners:	Thomas K. Colbert, Helen McClellan and G. Eugene Story
Commissioners Absent:	<i>Thomas K. Colbert</i>
County Administrator:	Thomas J. Weaver
County Attorney:	Bob Slough
Clerk and Recorder:	Evie Ritthaler

the following proceedings, among others, were taken:

Resolution # ~~18~~-95

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, 1996 AND ENDING ON THE LAST DAY OF DECEMBER, 1996.

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, 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 held on December 18, 1995 and interested electors were given the opportunity to file or register any objections to said proposed budget, and;

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

The revenue and expenditures balance for each fund are as follows:

FUND AND EXPENDITURES

	<u>REVENUE</u>	<u>EXPENDITURES</u>
General	4,357,700	4,393,584
Social Services	3,094,164	3,134,673
Road	1,969,701	1,969,701
Airport	5,796	35,000
Lodgers Tax	60,000	60,000
Revenue Sharing	-0-	11,000
Conservation Trust	65,000	65,000
Landfill	470,000	390,774

That the budget as submitted, and amended, hereby is approved and adopted as the budget of Montezuma County, Colorado for the year stated above.

Commissioners voting aye in favor of the resolution were:

Helen McChellan, Eugene Story and _____

Commissioners voting nay against the resolution were:

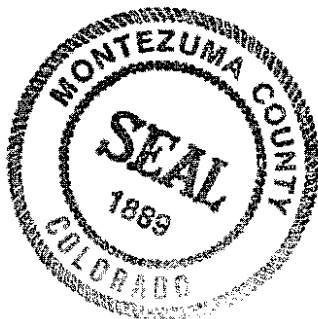
_____, _____ and _____

Nelda Jenkins, Deputy
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 18th day of December, 1995.

(SEAL)



Nelda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado

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

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Commissioners: Thomas K. Colbert, Helen McClellan
and G. Eugene Story
Commissioners Absent: *Thomas K. Colbert*
County Administrator: Thomas J. Weaver
County Attorney: Bob Slough
Clerk and Recorder: Evie Ritthaler

the following proceedings, among others, were taken:

Resolution # ~~47~~-95 - TO APPROPRIATE SUMS OF MONEY

WHEREAS, The Commissioners have adopted the annual budget in accordance with Local Government Budget Law on December 18, 1995, and;

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 purposed 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.

FUND OPERATIONS

General	\$ 4,393,584
Social Services	\$ 3,134,673
Road	\$ 1,969,701
Airport	\$ 35,000
Lodgers Tax	\$ 60,000
Revenue Sharing	\$ 11,000
Conservation Trust	\$ 65,000
Landfill	\$ 390,774
Contingency Fund	\$ -0-
Revolving Loan Fund	\$ -0-
TOTAL	\$ 10,059,732

Commissioners voting aye in favor of the resolution were:

Helen McCallan, Eugene Story and _____

Commissioners voting aye in favor of the resolution were:

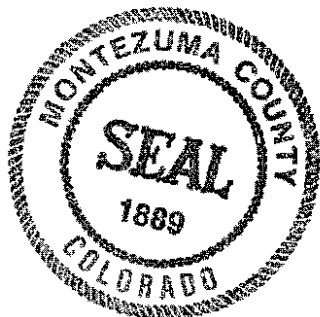
_____, _____ and _____

Nelda Jenkins, Deputy
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 18th day of December, 1995.

(SEAL)



Nelda Jenkins, Deputy
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 19th day of December, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan
and G. Eugene Story
Commissioners Absent: *Thomas K. Colbert*
County Administrator: Thomas J. Weaver
County Attorney: Bob Slough
Clerk and Recorder: Evie Ritthaler

the following proceedings, among others, were taken:

Resolution # 16-95

WHEREAS, Montezuma County adopted an operating budget for the General Fund and Road and Bridge Fund in December 1994 for the ensuing year, and;

WHEREAS, Montezuma County after adoption of the 1995 budget, received unanticipated revenues or revenues not assured at the time of the adoption of the budget other than the local government's property tax mill levy;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado, the governing board, may authorize the expenditure of such funds by enacting a supplemental budget and appropriation as follows:

GENERAL FUND

Assessor	\$ 7,263.00
Sheriff	\$ 96,138.00
Health	\$ 58,521.00
Fairgrounds	\$ 15,376.00
Grounds & Buildings	\$ 3,030.00
Administration	\$ 60,157.00
Miscellaneous	\$ 80,585.00

ROAD AND BRIDGE \$252,230.00

Commissioners voting aye in favor of the Resolution were:

Helen McClellan, Eugene Story and _____

Commissioners voting aye in favor of the Resolution were:

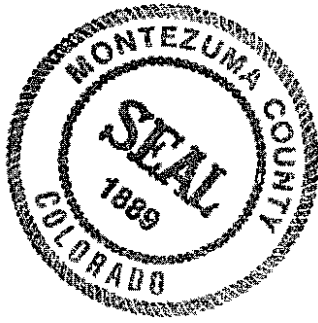
_____ and _____

Thomas K. Colbert

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 18th day of December, 1995.

(SEAL)



Nelda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado

GENERAL FUND

03/06/95	Adm. Health	to 2700-1310 2300-1145	Transfer	\$ 394.00
03/06/95	Adm.	2700-1310	Preston/Airfare Reimbursement	157.00
04/17/95	Sheriff	1700-1220	VALE Grant	2,500.00
04/17/95	Fairgrounds	2500-1450	Lottery Income Arena	15,376.00
04/17/95	Misc.	2800-1720	CDB Grant	4,008.00
05/15/95	Sheriff	1700-2000	Advance Comm Inmate Tele. System	16,800.00
05/15/95	Sheriff	1700-1220	Donation Colo. Judical Dept.	175.00
05/15/95	Misc.	2800-1720	CBD Grant	4,795.00
05/15/95	Misc.	2800-1725	Mancos Valley Resources	8,477.00
05/15/95	Adm.	2700-1310	EIAF	50,000.00
05/14/95	Sheriff	1700-1154 1220 1380 2000	F.S. Contract	21,500.00
06/14/95	Misc.	2800-1720	CBD Grant	4,344.00
07/20/95	Misc.	2800-1720	CDB Grant	2,856.00
07/20/95	Grounds & Buildings	2600-1220	Donation Landfill/Annex	2,533.00
	Misc.	2800-1720	CBD Grant	4,909.00
	Misc.	2800-1730	Trapper Fund	13,500.00
08/03/95	Misc.	2800-1796	EMS Grant	13,728.00
	Sheriff	1700-1152	DEA	1,000.00
	Sheriff	1700-1220	DEA	1,000.00
	Sheriff	1700-1420	Transport Reimb.	400.00
08/11/95	Sheriff	1700-1420	Transport Reimb.	103.00
	Sheriff	1700-1380	Reimb. S & R	39.00
	Health	2300-1120	S.S Funding	13,652.00
	Health	2300-1130	S.S Funding	18,151.00
08/22/95	Health	2300-1145	Path Grant	1,090.00
	Health	2300-1160	Misc.	6,907.00
	Health	2300-1220	Incentive Grant WIC	5,100.00
	Health	2300-1310	Therapy Visits	6,500.00
	Health	2300-1322	CCNA	415.00
	Health	2300-1420	Vista	1,646.00
	Health	2300-1530	Path Grant	200.00
	Misc.	2800-1717	Civil Air Patrol	10,000.00
	Misc.	2800-1720	CDB Grant #6	2,420.00
10/10/95	Assessor	1400-1220	Incoming Money	7,362.00

10/23/95	Sheriff		1700-1220	Zubrzyaki	990.00
	Sheriff		1700-1420	Restitution	
				Crimestoppers	43.00
	Sheriff		1700-1455	Reimbursement	
	Sheriff		1700-2000	Gaming	25,288.00
	Health		2300-1145	94/95 Auction	17,831.00
			& 1530	Path Grant	4,860.00
	Adm.		2700-1310	Transfer	5,000.00
	Adm.	to	2700-1120	Billbury Salary	
10/27/95	Adm.		2700-1313	GOCO Grant	10,000.00
11/1/95	Grounds		2600-1220	Donation	497.00
				Landscape/Annex	
11/14/95	Misc.		2800-1720	CDB Grant #8	4,451.00
12/01/95	Sheriff		1700-1430	Reimbursement	96.00
				Reserve Deputy	
12/01/95	Sheriff		1700-1156	VALE Grant	1,377.00
12/01/95	Misc.		2800-1720	CDB Grant #9	3,851.00
12/04/95	Sheriff		1700-1120	Transfer	
	Jail	to	1600-1120		303.00
	Jail	to	1600-1130		716.00
	Jail	to	1600-1160		2,385.00
12/04/95	Sheriff		1700-1455	Transfer	
	Jail	to	1600-1220		4,556.00
12/04/95	Sheriff		1700-1455	Transfer	
	Sheriff	to	1700-1220		660.00

ROAD AND BRIDGE

03/06/95			1220	Permit Fees	5,890.00
03/06/95			1231	Peterbuilt	148.00
				Reimbursement	
03/06/95			1236	Fencing	1,306.00
	Weed		1220	Incoming Money	250.00
			1320	Incoming Money	250.00
4/13/95	Weed		1420	Forest Service	532.00
04/17/95			1220	Permits	1,600.00
04/17/95			1455	Gaming	10,011.00
05/15/95			1220	Permits	5,058.00
05/15/95			1223	Dust Abatement	16,478.00
			1211	Reimbursement	52.00
			1221		21,986.00
			1226		1,511.00

07/20/95	1220	Permits	9,057.00
'20/95	1410	D8 Dozer Sale	17,500.00
08/11/95	1220	Permits	2,528.00
	1225	Culverts	616.00
08/11/95	1410	Outside Labor	3,966.00
	1220	Permits	10,562.00
09/18/95	1223	Dust Abatement	1,100.00
	1220		1,000.00
	1320		1,000.00
10/10/95	1420	Forest Service Reimbursement	728.00
	1220	Permits	3,252.00
	1221	Landfill Reimb	10,616.00
10/16/95	1223	Dust Abatement	1,894.00
	1224	Landfill Reimb	8,400.00
	1226	Landfill Reimb	2,472.00
	1231	Landfill & FG	372.00
	1235	Landfill & Misc	470.00
	2000	USFS Road Repair	61,766.00
10/23/95	1455	Gaming	35,000.00
11/21/95	1220	Permits	1,837.00
	1226	Mosquito Control Reimbursement	1,491.00

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 ~~27th day of November, 1995:~~

11th day of December

Commissioners: Thomas K. Colbert, Helen McClellan, and G. Eugene Story
Commissioners absent:
County Administrator: Thomas J. Weaver
County Attorney: Bob Slough
Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution # 15-95

A RESOLUTION DEDICATING A COUNTY ROAD.

WHEREAS, it is the desire of the Board of Commissioners to dedicate the road described in "Exhibit A" to be a dedicated County road; and

WHEREAS, this dedication would make this road, a public road, accepted by Montezuma County for road maintenance; and

WHEREAS, this dedication would allow public access on this road; and

WHEREAS, public access would be in the best interest of the citizens of Montezuma County.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for Montezuma County that this road be forever and dedicated to the public and accepted for maintenance by Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Thomas K. Colbert, Helen McClellan and G. Eugene Story

Commissioners voting nay against the Resolution were:

_____ and _____

Nelda Jenkins, Deputy
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.

11th day of December
Dated this ~~27th day of November, 1995~~

EXHIBIT A

LEGAL DESCRIPTION

A 60' wide Access and Utility Easement in the NE1/4 NE1/4 of Section 14, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, the Centerline being more particularly described as follows:

Commencing at the NE Corner of Section 14, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado thence S 89° 09' 47" W. a distance of 1385.86 feet to a point on the West line of NE1/4 NE1/4 of Section 14, also being in the ROW of County Road F and the POINT OF BEGINNING

thence S 89° 35' 48" E. a distance of 1024.89 feet along a line 30' south of and parallel North line of the NE1/4 NE1/4 of Section 14:

thence S 77° 21' 17" E. a distance of 186.94 feet:

thence S 88° 41' 39" E. a distance of 126.94 feet:

thence N 70° 02' 53" E. a distance of 54.95 feet to the POINT OF ENDING from which point the NE Corner of Section 14 bears N 0° 07' 06" W. a distance of 52.53 feet:

18-4-75

CERTIFIED RECORD

OF

**PROCEEDINGS OF
THE BOARD OF COUNTY COMMISSIONERS
OF
MONTEZUMA COUNTY, COLORADO**

relating to a

SOLID WASTE PROCESSING FACILITY LEASE PURCHASE AGREEMENT

between

**JINCO LEASING CORP., as Lessor
and
MONTEZUMA COUNTY, COLORADO, as Lessee**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

The Board of County Commissioners of Montezuma County, Colorado, met in a regular session in full conformity with the law and rules and regulations of the County, at 109 West Main, Cortez, Colorado, on Monday the 27th day of November, 1995, at the hour of 11:20 a.m.

Upon roll call, the following members were present, constituting a quorum:

Chairman: Colbert
Commissioners: McClellan
Stony
County Clerk: Jenkins, Deputy
County Attorney: Slough
County Administrator: Heaver
County Director of Finance:

Absent:

Thereupon, Commissioner Stony introduced and moved the adoption of the following resolution:

RESOLUTION NO. 95-14

A RESOLUTION CONCERNING THE FINANCING OF A SOLID WASTE PROCESSING FACILITY AND APPROVING A GROUND LEASE, A LEASE PURCHASE AGREEMENT, AND RELATED DOCUMENTS AND TRANSACTIONS.

WHEREAS, Montezuma County (the "County") is authorized, pursuant to Sections 30-11-104.1 and 30-11-101(b) and (c), C.R.S., to enter into lease purchase agreements for the purpose of financing County buildings and equipment for governmental purposes and to purchase, sell, convey, and lease, as lessor or as lessee, real and personal property; and

WHEREAS, the Board of County Commissioners of the County (the "Board") has heretofore determined, and hereby determines, that it is immediately necessary and in the best interests of the County and its inhabitants that a solid waste processing facility, (the "Solid Waste Processing Facility") be constructed, otherwise acquired, and equipped, to be located on certain real property in the County (the "Site"); and

WHEREAS, the Site is owned by the County, and pursuant to Section 30-11-101, C.R.S., the County has entered into that certain Ground Lease Agreement dated December 1, 1995 (the "Ground Lease"), between the County and JINCO Leasing Corp. (the "Lessor"), whereby the County has leased the Site to the Lessor for the purpose of constructing, otherwise acquiring, and equipping the Solid Waste Processing Facility; and

WHEREAS, for purposes of financing the construction, other acquisition, and equipping of the Solid Waste Processing Facility, the Board has determined and hereby determines that it is in the best interests of the County and its inhabitants that the County enter into a Solid Waste Processing Facility Lease Purchase Agreement (the "Lease") with the Lessor, to provide for the construction, other acquisition, and equipping of the Solid Waste Processing Facility on the Site, the subleasing by the County from the Lessor of the Site, and the leasing by the County from the Lessor of the Solid Waste Processing Facility to be constructed thereon; and

WHEREAS, the proceeds from the sale of the lease to First National Bank of Longmont, Longmont, Colorado (the "Purchaser"), along with other legally available County moneys, will be disbursed by First National Bank of Longmont, Longmont, Colorado, as the Depository (the "Depository"), at the direction of the County for the construction, other acquisition and equipping of the Solid Waste Processing Facility and the other purposes set forth herein; and

WHEREAS, the Lease and the Ground Lease do not require advance voter approval under Article X, Section 20 of the Colorado Constitution because the Lease and the Ground Lease do not constitute "multiple-fiscal year direct or indirect district debt or other financial obligations"; and

WHEREAS, there have been presented to the Board: (1) the proposed form of Ground Lease Agreement dated December 1, 1995 (the "Ground Lease") between the County as landlord and the Lessor as tenant; and (2) the proposed form of the annually terminable Solid Waste Processing Facility Lease Purchase Agreement dated December 1, 1995 (the "Lease"), between the County as lessee and sublessee and the Lessor as lessor and sublessor, including therein the schedule of Base Rentals and Purchase Option Prices (as defined in the Lease); and

WHEREAS, the Board has determined that it is necessary and advisable to authorize the Lease and Ground Lease and to approve the forms and authorize the execution of such documents.

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

Section 1. Ratification of Actions. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Board or the officers of the County, directed toward the construction, acquisition, and equipping of the Solid Waste Processing Facility, are hereby ratified, approved, and confirmed.

Section 2. Finding As To Governmental Purpose. The Board hereby finds and determines, pursuant to the Constitution and laws of the State of Colorado, that the leasing of the Site to the Lessor under the terms and provisions of the Ground Lease, the construction, acquisition, and equipping of the Solid Waste Processing Facility and the leasing and subleasing of the Project (as defined in the Lease) from the Lessor, under the terms and provisions set forth in the Ground Lease and the Lease, are necessary, convenient, and in furtherance of the governmental purposes of the County, and are in the best interests of the County and its citizens and inhabitants; and the Board hereby authorizes such lease of the Site, such construction, acquisition, and equipping of the Solid Waste Processing Facility, and such leasing and subleasing of the Project, under the terms and provisions of the Ground Lease and the Lease.

Section 3. Approval of Ground Lease and Lease. The Ground Lease and the Lease are in all respects approved, authorized, and confirmed, and the Chairman of the Board is authorized and directed to affix his signature to such documents in substantially the forms and with substantially the same content as presented to this meeting of the Board, for and on behalf of the County, and thereafter the County shall be bound by the provisions thereof.

Section 4. Attestation; Authorization of Other Documents.

The County Clerk or any Deputy County Clerk is hereby authorized and directed to attest all signatures and acts of any official of the County in connection with the matters authorized by this resolution, and to place the seal of the County on the documents authorized and approved by this resolution. The Chairman of the Board and other officials of the County are hereby authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents, and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the transactions and other matters authorized by this resolution. The appropriate officers of the County are authorized to execute on behalf of the County agreements concerning the deposit and investment of funds in connection with the transactions contemplated by this Resolution.

Section 5. No Indebtedness. No provision of this resolution, the Ground Lease or the Lease, shall be construed as creating or constituting a general obligation or other indebtedness of the County, nor a mandatory charge or requirement against the County in any ensuing budget year beyond the then current budget year. The County shall have no obligation to make any payment with respect to the Lease except in connection with the payment of the Base Rentals (as defined in the Lease) and certain other payments under the Lease, which payments may be terminated by the County in accordance with the provisions of the Lease.

Section 6. Base Rentals. The Base Rentals (as defined in the Lease) in the amount of \$12,961.17, shall be payable during the Lease Term (as defined in the Lease) monthly on the first day of each month, beginning January 1, 1996, to December 1, 1996, unless extended or until terminated as provided in the Lease.

The Board hereby determines and declares that the Base Rentals do not exceed a reasonable amount so as to place the County under an economic compulsion to renew the Lease or to exercise its option to purchase the Solid Waste Processing Facility and the Equipment (as defined in the Lease) pursuant to the Lease. The Board hereby determines and declares that the period during which the County has an option to purchase the Solid Waste Processing Facility and the Equipment (i.e., the maximum term of the Lease) does not exceed the useful life of the Solid Waste Processing Facility and the Equipment.

Section 7. Designation as "Qualified Tax Exempt Obligation".

The County hereby designates the Lease for purposes of paragraph (3) of Section 265(b) of the Code. The County hereby designates the Lease as a "qualified tax-exempt obligation" for purposes of paragraph (3) of Section 265(b) of the Code. No portion of the proceeds of the Lease are to be used directly or indirectly for any private business use. No portion of the principal of or interest on the Lease is directly or indirectly

secured by any interest in property used for a private use or payments in respect of such property or derived from payments in respect of property or borrowed money used for a private business use. No portion of the proceeds of the Lease are used for a private business use which is not related to the governmental use of the proceeds of the Lease or used for a disproportionate private business use which is related to the governmental use of the proceeds of the Lease or used such that unrelated use and disproportionate use when aggregated equal more than 5 percent of the proceeds of the Lease and no payments, property and borrowed money with respect to any use equals more than 5 percent of principal of or interest due on the Lease. No portion of the proceeds of the Lease are to be used directly or indirectly to make or finance loans to persons other than governmental units. No more than \$10,000,000 aggregate principal amount of obligations the interest on which is excludable under Section 103(a) of the Code from gross income for federal income taxes [excluding, however, private activity bonds, as defined in Section 141 of the Code, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code], including the Lease, have been or shall be issued by the County, including all subordinate entities of the County, during the calendar year 1995.

Section 8. Small Issuer Exemption. The County is a governmental unit with general taxing powers. No portion of the proceeds of the Lease are to be used directly or indirectly for any private business use. No portion of the principal of or interest on the Lease is directly or indirectly secured by any interest in property used for a private use or payments in respect of such property or derived from payments in respect of property or borrowed money used for a private business use. No portion of the proceeds of the Lease are used for a private business use which is not related to the governmental use of the proceeds of the Lease or used for a disproportionate private business use which is related to the governmental use of the proceeds of the Lease or used such that unrelated use and disproportionate use when aggregated equal more than 5 percent of the proceeds of the Lease and no payments, property and borrowed money with respect to any use equals more than 5 percent of principal of or interest due on the Lease. No portion of the proceeds of the Lease are to be used directly or indirectly to make or finance loans to persons other than governmental units. Ninety-five percent or more of the net proceeds of the Lease are to be used for local governmental activities of the County. The aggregate amount of all tax-exempt obligations issued by the County during the calendar year 1995 is not reasonably expected to exceed \$5,000,000.

Section 9. No-Arbitrage Covenant. The County covenants and agrees that it will make no use of the proceeds of the Lease authorized herein which might cause such obligations to be arbitrage bonds within the meaning of the Internal Revenue Code of

1986, as amended, and the Regulations proposed thereunder and the Regulations in effect under the Internal Revenue Code of 1954, as amended.

Section 10. Tax Covenant. The County covenants and agrees that it will take all actions that may be required of it (including, without implied limitation, the timely filing of a federal information return with respect to the Lease) so that the portion of the Base Rentals which is designated in the Lease and paid by the County as interest on the Lease will be and remain excluded from gross income for federal income tax purposes, and will not take any actions which would adversely affect such exclusion.

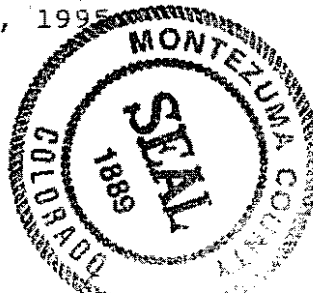
Section 11. Designation of County Representation. The Board hereby determines that the person currently designated as County Representative, as defined and as further provided in the Lease, shall be Thomas J. Meador. The County Representative may be changed by resolution hereafter adopted by the Board.

Section 12. Severability. 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, the intent being that the invalid or unenforceable section, paragraph, clause, or provision shall be severable from the remaining sections, paragraphs, clauses, or provisions.

Section 13. Repealer. All bylaws, orders, and resolutions, or parts thereof, inconsistent with this resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, or resolution, or part thereof.

Section 14. This resolution shall be in full force and effect upon its passage and adoption.

PASSED, ADOPTED, AND APPROVED this 27th day of November, 1995



(S E A L)

Selda Jenkins, Deputy
County Clerk

Thomas K. Colby
Chairman of the Board of County
Commissioners

Commissioner McClellan seconded the motion to adopt the resolution.

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

Those voting YES:

Commissioner: Colbert
McClellan
Story

Those voting NO:

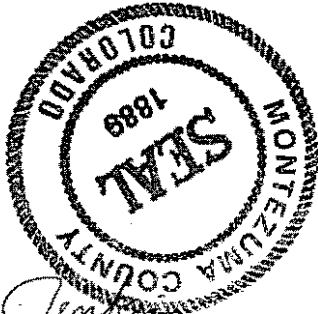
The presiding officer thereupon declared that, a majority of all the Commissioners elected having voted in favor thereof, the motion was carried and the resolution duly passed and adopted.

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

(S E A L)

ATTESTED:

Hilda Jenkins
County Clerk



Thomas K. Colbert
Chairman of the Board of County Commissioners

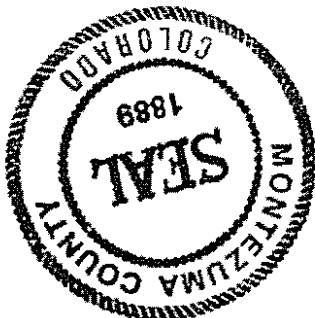
STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

I, Nelda Jenkins, Deputy County Clerk of the County of Montezuma, State of Colorado, do hereby certify that the foregoing pages numbered to , inclusive, constitute a full and correct copy of the record of proceedings of the Board of County Commissioners of said County, taken at a Regular meeting held at the Courthouse 109 West Main, Cortez, Colorado, on Monday the 27th day of November, 1995, at 11:30 a.m., insofar as said minutes relate to a resolution concerning a Solid Waste Processing Facility Lease Purchase Agreement and related documents, a copy of which is therein set forth; that the copy of the resolution contained in said 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; and 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 said County, and recorded in the Book of Resolutions of the County kept for that purpose in my office.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the County this 27th day of November, 1995.

Nelda Jenkins, Deputy
County Clerk

(S E A L)



STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

GENERAL CERTIFICATE

Each of the undersigned, as officers of and attorney for, and on behalf of, Montezuma County, Colorado (the "County"), in connection with the execution by the County of (i) that certain Ground Lease Agreement, dated December 1, 1995 (the "Ground Lease"), between the County as landlord and JINCO Leasing Corp., a Colorado corporation (the "Lessor"), as tenant, and (ii) that certain Solid Waste Processing Facility Lease Purchase Agreement, dated December 1, 1995 (the "Lease"), between the County as lessee and sublessee and the Lessor, as lessor and sublessor, (capitalized terms used herein and not defined shall have the meanings ascribed thereto by the Lease), hereby certifies as follows:

1. They are respectively, the duly elected or appointed, qualified, and acting Chairman of the Board of County Commissioners, County Clerk and Recorder, and County Attorney of the County.

2. The County is a duly organized and existing county and body corporate and politic under the Constitution and laws of the State of Colorado.

3. For the period from November 27, 1995, to and including the date of this Certificate, the following have been and now are the duly elected or appointed and qualified members of the Board of County Commissioners and officers of the County:

Chairman: *Colbert*

Commissioners: *McEllan*
Story

County Clerk and Recorder: *Nelda Jenkins*

County Treasurer: *Bobby Spore*

County Attorney: *Bob D. Slough*

County Administrator: *Thomas J. Weaver*

4. There is no reason within our knowledge why the County may not execute and deliver the Ground Lease, and the Lease, or any of the other documents or agreements referred to therein or herein.

5. The County has duly performed all of its obligations to be performed at or prior to the delivery of the Ground Lease and the Lease (and each of its representations and warranties therein) are true and correct as of the date of this Certificate.

6. The County has authorized, by all necessary action, the execution, delivery, and due performance of the Ground Lease, and the Lease.

7. No litigation is pending or threatened against the County, seeking to restrain or enjoin, or questioning, challenging, or in any way affecting: Any authority for or the execution or delivery of or the validity of the Ground Lease, the Lease, the resolution approving the execution and delivery of such documents adopted by the Board of County Commissioners of the County on November 22, 1995 (the "Resolution"); the appropriation of the County moneys for the purpose of paying the County's obligations under the Lease; the County's performance of its obligations under the Ground Lease, the Lease, the Resolution, or any related documents; the County's power to finance the Solid Waste Processing Facility; the representations, covenants, and agreements contained in the Ground Lease, the Lease, the Resolution, or any other proceedings concerning such matters; or the corporate existence of the County, the present boundaries thereof, or the rights of the members of the Board of County Commissioners or the officers of the County to hold their respective positions or offices.

8. No authority or proceedings for the execution of the Ground Lease, or the Lease, has or have been repealed, revoked, or rescinded, by implication or otherwise.

9. The execution, delivery, receipt, and due performance of the Ground Lease, the Resolution, and the County's compliance with the provisions of those instruments, will not conflict with or constitute on its part a breach of or default under any existing administrative or court order or decree concerning the County or any agreement, indenture, mortgage, lease, or other instrument to which the County is subject or by which it is bound.

10. To the best of our knowledge, no employee or agent of the County is employed by the Lessor or is interested directly or indirectly in the profits of any contract, job for work, or services to be performed (except in the performance of his official rights, privileges, powers, and duties and except lawful compensation or salary as such officer, employee, or agent of the County), nor have such persons solicited or received any pay, commission, money, or anything of value or derived any benefit, profit, or advantage, directly or indirectly, from or by reason of any dealings with or service for the County in connection with the Ground Lease, the Lease, the Resolution or the Solid Waste Processing Facility.

11. All meetings of the Board of County Commissioners of the County pertaining to the Ground Lease, the Lease, the Resolution, or the Solid Waste Processing Facility have been called on due notice to the Commissioners and to the public, and have been open to the public at all times.

12. On or prior to the date hereof, the undersigned Chairman of the Board of County Commissioners, and the undersigned County Clerk duly, properly, and officially executed, attested, and acknowledged the Ground Lease, the Lease, and the Resolution.

13. On the respective dates of such signing and on the date hereof, the undersigned and all other persons mentioned herein were, and now are, the duly sworn, qualified, and acting officers of the County authorized to execute and sign the Ground Lease, the Lease, and to authenticate the Certificates, as set forth herein.

14. The County presently carries public liability insurance which complies with the requirements of Section 10.5 of the Lease.

19. Thomas J. Weaver whose specimen signature appears below, the County Representative under the Lease.

Name

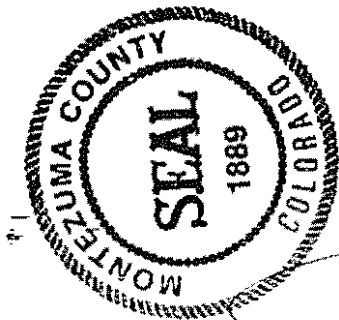
Specimen Signature

Thomas J. Weaver

The above-named person shall serve in such capacity until his successor is named by resolution of the Board of County Commissioners of the County and by a certificate superseding this certificate.

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed the official seal of Montezuma County, Colorado, this 27th day of November, 1995.

(S E A L)



Thomas K. Collier
Chairman

Nelda Jenkins, Deputy
County Clerk

[Signature]
County Attorney

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

NO-ARBITRAGE CERTIFICATE

1. In General.

1.1 The undersigned is the Chairman of the Board of County Commissioners of Montezuma County, Colorado (the "County"), and does hereby certify that, as an officer of the County, I am charged either alone or with others with the responsibility of delivering the County's Solid Waste Processing Facility Lease Purchase Agreement, dated as of December 1, 1995 (the "Lease") between the JINCO Leasing Corp. a Colorado corporation (the "Lessor") and the County, whereby the Lessor has leased to the County a Solid Waste Processing Facility, including certain items of equipment (the "Solid Waste Processing Facility").

1.2 The Solid Waste Processing Facility will be financed from the sale of the Lease.

1.3 This Certificate is executed for the purpose of establishing the reasonable expectations of the County as to future events regarding the Lease. The County has not been notified of any listing or proposed listing of the County by the Internal Revenue Service as an issuer that may not certify its bonds or other obligations.

1.4 To the best of the undersigned's knowledge, information, and belief, the expectations contained in this Certificate are reasonable.

1.5 On the basis of the facts, estimates, and circumstances in existence on the date hereof, the County does not expect that the proceeds of the Lease will be used in a manner that would cause such Lease to be an arbitrage bond within the meaning of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable proposed, temporary and final regulations promulgated thereunder and under the Internal Revenue Code of 1954, as amended, (the "Regulations").

2. The Purpose of the Lease.

2.1 The proceeds of the Lease will be used for the purpose of financing the construction and equipping of the Solid Waste Processing Facility (the "Project") which will be open to the public.

3. Source and Disbursement of Funds.

3.1 First National Bank of Longmont, Longmont, Colorado (the "Purchaser") will purchase the Lease for \$964,240.

3.2 The Lessor will pay costs of issuance in the amount of \$38,372.

3.3 The remaining proceeds in the amount of \$929,868 will be deposited in the Construction Fund created in the Depository Agreement and be used to construct and equip the Project.

4. Temporary Period and Reasonable Expectations.

4.1. Within six months after the date hereof, the County will incur a substantially binding obligation to commence or acquire the Project obligating an expenditure in excess of \$100,000.

4.2. After entering into the substantially binding obligation to acquire or commence the Project, work on or acquisition of the Project will proceed with due diligence to completion.

4.3. The County reasonably expects that 10 percent of the spendable Lease Proceeds will be spent on the Project within the one-year period beginning on December 1, 1995.

4.4. The County reasonably expects that 30 percent of the spendable Lease Proceeds will be spent on the Project within the two-year period beginning on December 1, 1995.

4.5. The County reasonably expects that 85 percent of the spendable Lease Proceeds will be spent on the Project within the three-year period beginning on December 1, 1995.

4.6. Not more than 50 percent of the Lease Proceeds are invested in non-purpose investments.

5. Rebate Requirement Exemptions and Expectations.

5.1 The County is exempt from the rebate requirements as a small issuer. The County is a governmental unit with general taxing powers. No portion of the proceeds of the Lease are to be used directly or indirectly for any private business use. No portion of the principal of or interest on the Lease is directly or indirectly secured by any interest in property used for a private use or payments in respect of such property or derived from payments in respect of property or borrowed money used for a private business use. No portion of the proceeds of the Lease are used for a private business use which is not related to the governmental use of the proceeds of the Lease or used for a disproportionate private business use which is related to the governmental use of the proceeds of the Lease or used such that

unrelated use and disproportionate use when aggregated equal more than 5 percent of the proceeds of the Lease and no payments, property and borrowed money with respect to any use equals more than 5 percent of principal of or interest due on the Lease. No portion of the proceeds of the Lease are to be used directly or indirectly to make or finance loans to persons other than governmental units. Ninety-five percent or more of the net proceeds of the Lease are to be used for local governmental activities of the County. The aggregate amount of all tax-exempt obligations issued by the County during the calendar year 1995 is not reasonably expected to exceed \$5,000,000.

6. Miscellaneous.

6.1 The Lease is not and will not be a part of a transaction or series of transactions that attempts to circumvent the provisions of Section 103(b)(2) of the Code, and the regulations thereunder, (a) enabling the County to exploit the difference between tax-exempt and taxable interest rates to gain a material financial advantage, and (b) increasing the burden on the market for tax-exempt obligations.

6.2

A. No portion of the proceeds of the Lease is to be used, directly or indirectly, for any private business use within the meaning of Sections 141(b)(1) and 141(b)(6) of the Code.

B. No portion of the principal of or interest on the Lease is directly or indirectly (i) secured by any interest in property used for a private business use or payments in respect of such property, or (ii) derived from payments in respect of property or borrowed money, used for a private business use within the meaning of Section 141(b)(2) of the Code.

C. No portion of the proceeds of the Lease is either (i)(a) used for a private business use which is not related to the governmental use of the proceeds of the Lease, or (b) used for a disproportionate private business use which is related to the governmental use of the proceeds of the Lease, or (c) used such that unrelated use and disproportionate use when aggregated equal more than 5 percent of principal of or interest due on the Lease within the meaning of Section 141(b)(3) of the Code.

D. No portion of the proceeds of the Lease is to be used directly or indirectly to make or finance loans to persons other than governmental units.

6.3. The Lessor has certified to the County that the initial offering price of the Lease results in a yield on the Lease of 6.50 percent.

Dated December 1, 1995.

MONTEZUMA COUNTY, COLORADO

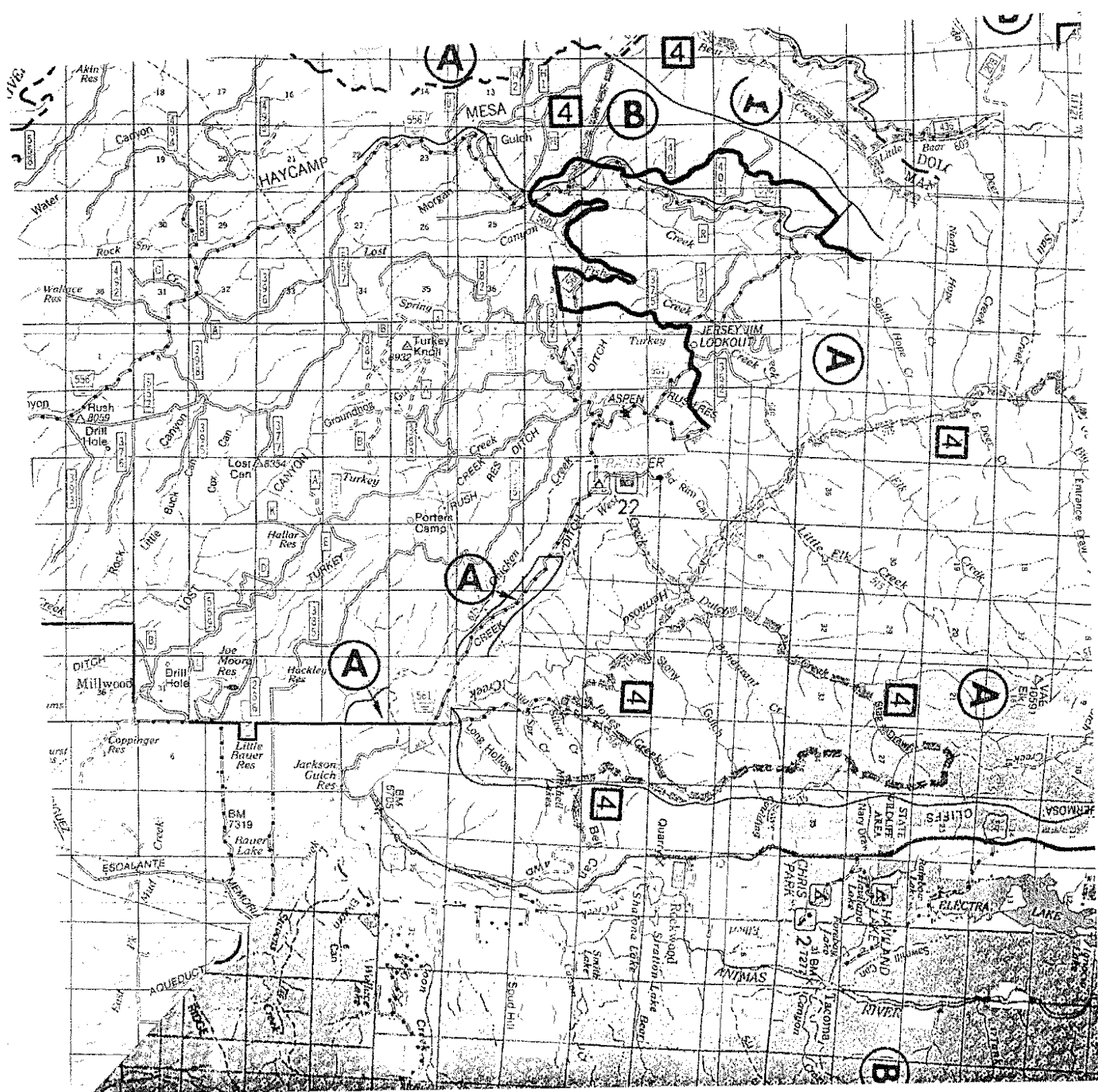
By: Thomas J. Collett
Chairman of the Board of
County Commissioners

The undersigned, on behalf of JINCO Leasing Corp. represents that the initial offering price of the Lease as shown in Section 6.3 is accurate.

JINCO LEASING CORP.

By: Raymond

(See map in Clerks office
with original Resolution)



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 September, 1995, with the following persons in attendance:

Commissioners:	Thomas K. Colbert, Helen McClellan, and G. Eugene Story
Commissioners absent:	
County Administrator:	Thomas J. Weaver
County Attorney:	Bob Slough
Clerk and Recorder:	Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #13-95

A RESOLUTION AUTHORIZING THE EXECUTION OF GOCO CONTRACT #5356 TO DEVELOP AN AG LANDS OPEN SPACE AND WILDLIFE COMPREHENSIVE PLAN ELEMENT AND APPROVING CONTRACT TERMS AND CONDITIONS.

WHEREAS, Montezuma County is conducting a Comprehensive Plan, and;

WHEREAS, the County applied for and received approval for a \$20,000 grant from Great Outdoors Colorado (GOCO) to develop an Ag Lands, Open Space and Wildlife Element for the Plan, and;

WHEREAS, GOCO Contract #5356 outlines the terms and conditions for the execution of the proposed project.

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

The execution of GOCO Contract #5356 is hereby authorized and the terms and conditions outlined in this agreement are approved.

Commissioners voting aye in favor of the Resolution were:

Thomas K. Colbert, Helen McClellan, Eugene Story

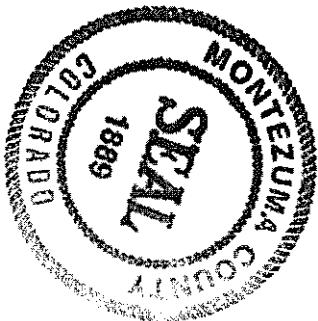
Commissioners voting nay against the Resolution were:

Nelda Jenkins, Deputy
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 September, 1995.

(SEAL)



Nelda Jenkins, Deputy
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 31st day of July, 1995, with the following persons in attendance:

Commissioners:	Thomas K. Colbert, Helen McClellan, and G. Eugene Story
Commissioners absent:	
County Administrator:	Thomas J. Weaver
County Attorney:	Bob Slough
Clerk and Recorder:	Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #12-95

WHEREAS, Nancy Eddy has been employed by Montezuma County for 8 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 Nancy Eddy for her 8 years of valuable service to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Thomas K. Colbert, Helen McClellan, G. Eugene Story

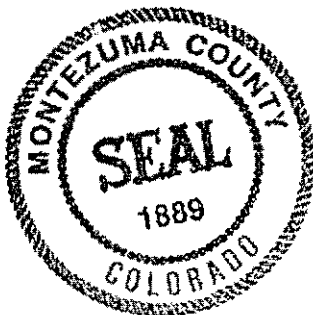
Commissioners voting nay against the Resolution were:

Nelda Jenkins, Deputy
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 31st day of July, 1995.

(SEAL)



Nelda Jenkins, Deputy
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 26th day of June, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan,
and G. Eugene Story

Commissioners absent:

County Administrator: Thomas J. Weaver

County Attorney: Bob Slough

Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #11-95

WHEREAS, the Montezuma County Road Supervisor has presented an application in order to facilitate companies and individuals needing to dig in or disturb a county right-of-way, and

WHEREAS, this application sets forth fees, terms, covenants and conditions for activities occurring in the county right-of-way, and

WHEREAS, it is the desire of the Board of County Commissioners of Montezuma County to make this application part of the permanent records of Montezuma County,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montezuma County that the attached application be adopted and made part of the permanent record.

Commissioners voting aye in favor of the Resolution were:

Helen McClellan *Thomas K. Colbert* and *G. Eugene Story*

Commissioners voting nay against the Resolution were:

_____, _____, and _____

Nelda Jenkins, Deputy
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 26th day of June, 1995.

(SEAL)



Nelda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado

MONTEZUMA COUNTY ROAD DEPARTMENT

1680 HWY. 145, CORTEZ, CO 81321

(970) 565-8666

APPLICATION

In order to facilitate companies and individuals needing to dig in or disturb a county right-of-way this application must be completed prior to said activity.

Timely Completion Date

Address of Activity

Name of Company Or Individual

Company Address

Name of Representative

Telephone Number

Type and Description of Activity (including exact location):

**** PLEASE ATTACH A BASIC SKETCH OF CONSTRUCTION ACTIVITY****

APPLICABLE SIGNATURES REQUIRED:

NAME OF COMPANY

Summit Ridge Water District:
Greeley Gas Company:
U.S. West Communications:
Montezuma Water Company:
Empire Electric Association:
Mancos Rural Water Company:
Montezuma County Water District 1:
Other Entities:

UTILITY NOTIFICATION CENTER OF COLORADO

1-CALL NUMBER: 1-800-922-1987
OR ONE CALL TICKET NUMBER

FEES: The following fees are in effect for the 1995 calendar year:

DRIVEWAY:

**** Residential or Commercial: \$100.00 per location**

HIGH IMPACT:

ROAD BREACH:

**** Asphalt roads: \$1,000.00 per location**
**** Gravel roads: \$ 500.00 per location**

ROAD BORE:

**** Asphalt roads: \$ 50.00 per location**
**** Gravel roads: \$ 50.00 per location**

**** All work performed from shoulder of road
to bottom of ditch: \$500.00 per mile or \$.10 per foot**

LOW IMPACT:

**** Bottom of ditch to R.O.W. fence: \$50.00 per location**
**** All work performed from bottom of ditch to R.O.W. fence:
\$250.00 per mile or \$.05 per foot**

All applicants are encouraged to do construction as far from the road shoulder as possible.

All applicants are responsible for the clean up of the county right-of-way. Applicants shall immediately repair and restore all disturbances of the road or right-of-way to current county specifications. Upon failure to do so the county may repair or restore and the applicant shall be liable to, and owe, the county for all reasonable costs and expenses incurred.

No company or person shall dig in or disturb county right-of-way without complying with the above. If there is a bona fide emergency, said company or person shall deal with the emergency in an appropriate manner and comply with the above procedure on the next working day.

FEES:

1) 50.00
2) 100.00
3) 500.00
4) 1,000.00
5) \$.10 per foot x _____ ft. = _____
6) \$.05 per foot x _____ ft. = _____

TOTAL DUE AND PAYABLE:

\$ _____

Signature of Applicant

Date

The Montezuma County Road Supervisor, by authority of Resolution # 11-95 adopted by the Montezuma County Board of Commissioners, hereby authorizes applicant

whose address is _____,
to do the following (including exact road locations):

The applicant shall do construction as far from the road shoulder as possible.

The applicant is responsible for the clean up of the county right-of-way and shall immediately repair and restore all disturbances of the road or right-of-way to current county specifications. Upon failure to do so the county may repair or restore and the applicant shall be liable to, and owe, the county for all reasonable costs and expenses incurred.

TERMS-COVENANTS-CONDITIONS:

(1) Applicant agrees to forever hold harmless and indemnify County and the individual Commissioners for or from any injury or injuries, damage or damages, costs, attorney's fees, expenses and liabilities of all or any kind or nature to County's, applicant's or third parties' property, rights or person, which is incurred or which arises or occurs out of, or under, or because of applicant's activities hereunder.

(2) County hereby reserves the right to construct or reconstruct or enlarge or alter or change or maintain or abandon the road right-of-way or other ways herein involved and applicant stipulates and agrees to same, and further stipulates and agrees that at request of County and at applicant's sole expense, to alter, change, lower or otherwise adjust its ditch, pipe, conduit, line or other facilities so as to allow normal maintenance and as reasonable required for changes, construction, reconstruction, abandonment, or change of the road right-of-way or other ways.

(3) **MAINTENANCE-TRAFFIC:** Applicant shall install or construct or place its ditch or other property as allowed hereunder in such manner as not to interfere or hamper maintenance of said road or way and in the manner as may be directed, requested or required by County's Road Supervisor, and applicant shall so install, construct or place same in a manner to cause minimum interference with or danger to traffic over a road or way, and shall not at any time, without prior written consent of Road Supervisor, prevent or stop traffic over a road or way for more than one hour at a time and not more than a total of one hour in any two hour period of time.

(4) **COMPLIANCE WITH LAW:** Further, applicant shall at all times comply with all laws of the State of Colorado in connection with such construction, installation, placing or use authorized hereunder.

IN WITNESS WHEREOF the parties hereto affix their hands and seals this _____ day of _____, 19____.

APPLICANT: _____

BY: _____ POSITION: _____

FEES:

- 1) 50.00
- 2) 100.00
- 3) 500.00
- 4) 1,000.00
- 5) \$.10 per foot x _____ft. = _____
- 6) \$.05 per foot x _____ft. = _____

TOTAL DUE: \$ _____

ROAD SUPERVISOR

DATE

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 26th day of June, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan,
and G. Eugene Story

Commissioners absent:

County Administrator: Thomas J. Weaver

County Attorney: Bob Slough

Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #10-95

WHEREAS, Dorothy E. Carver has been employed by Montezuma County for 24 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 Dorothy E. Carver for her 24 years of valuable service to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Thomas K. Colbert, Helen McClellan and Eugene Story

Commissioners voting nay against the Resolution were:

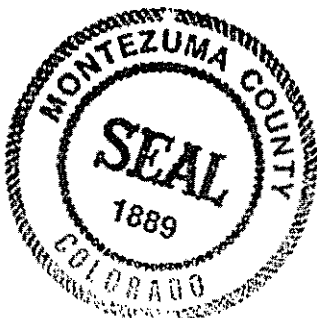
_____, _____, and _____

Nelda Jenkins, Deputy
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 26th day of June, 1995.

(SEAL)



Nelda Jenkins, Deputy
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 May, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan,
and G. Eugene Story

Commissioners absent:

County Administrator: Thomas J. Weaver

County Attorney: Bob Slough

Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #09-95

WHEREAS, W. Aliene Waldorf has been employed by Montezuma County for 11 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 W. Aliene Waldorf for her 11 years of valuable service to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Thomas K. Colbert, *G. Eugene Story*, and *Helen McClellan*

Commissioners voting nay against the Resolution were:

_____, _____, and _____

Nelda Jenkins, Deputy
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 May, 1995.

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 May, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan,
and G. Eugene Story

Commissioners absent:

County Administrator: Thomas J. Weaver

County Attorney: Bob Slough

Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #08-95

WHEREAS, Donna J. Dodson has been employed by Montezuma County for 19 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 Donna J. Dodson for her 19 years of valuable service to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Thomas K. Colbert, G. Eugene Story, and Helen McClellan

Commissioners voting nay against the Resolution were:

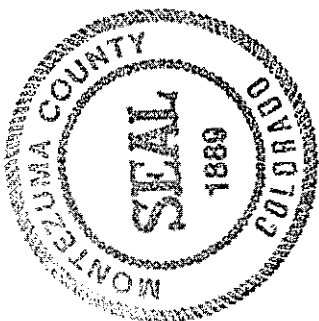
_____, _____, and _____

Nelda Jenkins, Deputy
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 May, 1995.

(SEAL)



Nelda Jenkins, Deputy
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 May, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan,
and G. Eugene Story

Commissioners absent:

County Administrator: Thomas J. Weaver

County Attorney: Bob Slough

Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #7-95

WHEREAS, Dale L. Black has been employed by Montezuma County for 34 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 Dale L. Black for his 34 years of valuable service to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Eugene Story, *Helen McClellan* and *Thomas K. Colbert*

Commissioners voting nay against the Resolution were:

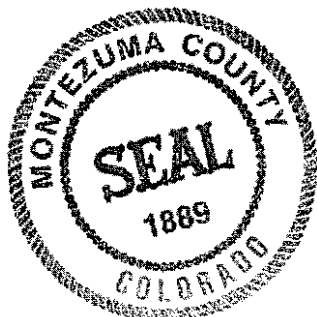
_____, _____, and _____

Nelda Jenkins, Deputy
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 May, 1995.

(SEAL)



Nelda Jenkins, Deputy
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 May, 1995:

Resolution #06-95

WHEREAS, the Montezuma County Commissioners have been asked by the Four Corners Trail Club to pass a resolution declaring unpaved roads in our National Forest to be used for "off-highway vehicles"; and

WHEREAS, the Board of County Commissioners has carefully considered the designation of unpaved roads in our National Forest to be used for "off-highway vehicles"; and

WHEREAS, the Four Corners Trail Club has worked closely with the United States Forest Service to designate an "off-highway vehicle" route formally known as The Aspen Loop Trail; and

WHEREAS, it the desire of the Board of County Commissioners to designate roads in the area of The Aspen Loop Trail as "off-highway vehicles".

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for Montezuma County that the roads in The Aspen Loop Trail area shall be designated for "off-highway vehicles" use. (Map attached)

Commissioners voting aye in favor of the Resolution were:

Nelson M. Clellan and Thomas K. Collier

Commissioners voting nay against the Resolution were:

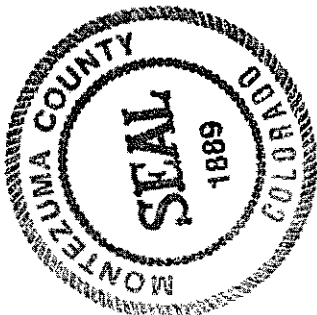
_____ and _____

Nelda Jenkins, Deputy
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 1st day of May, 1995.

(Seal)



Nelda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado

Aspen loop trail Area:

April 17, 1995

A resolution from the Montezuma County Commissioners stating that roads on the San Juan National Forest located in Montezuma County are to be designated as off-highway vehicle routes and are designated as open for off-highway vehicle travel.



United States
Department of
Agriculture

Forest
Service

Rocky
Mountain
Region

P.O. Box 25127
Lakewood, CO 80225-0127
Delivery: 740 Simms St.
Golden, CO 80414

File Code: 1570 (95-02-00-0005)

Date:

MAR 10 1995

Subject: Addendum to Aspen Loop Trail EA

To: District Ranger, Mancos-Dolores Ranger District

The subject addendum has been reviewed, and I find that it fully responds to the requirements of my December 1, 1994 appeal decision. You may proceed with implementation of your decision.

TOM L. THOMPSON
Deputy Regional Forester
Appeal Deciding Officer

cc: John Whitney
P.O. Box 4416
Durango, Colo. 81302

Interested Parties



Caring for the Land and Serving People

Printed on Recycled Paper



Montezuma County Sheriff's Office

501 North Mildred Road
Cortez, Colorado 81321
Telephone 970/565-8441
Fax 970/565-3731

Sherman E. Kennell - Sheriff

April 14, 1995

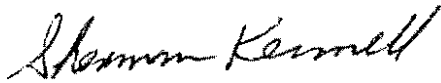
To the Honorable Commissioners of Montezuma County:

Greetings;

As a member of the Four Corners Trail Club I am asking that you consider the request from the club concerning a resolution declaring unpaved roads on our National Forest to be used for "Off Highway Vehicles".

I have been a member of this organization for the past four years and I can assure you they are as professional, active and concerned about our environment as any club could be.

I applaud them and support them in their endeavors.



Sherman Kennell
Sheriff

Mancos Substation
117 N. Main, Box 182
Mancos, Colorado 81328
970/533-7725

Dolores Substation
420 Central Ave, Box 630
Dolores, Colorado 81323
970/882-4656

(a) Registration of off-highway vehicles and display of registration numbers;

(b) Procedures and requirements to implement and administer the off-highway use permit program, including guidelines in connection with the exemptions therefrom;

(c) Formulation, in cooperation with appropriate federal agencies, of guidelines for uniform maps and signs for use by the state, counties, cities, city and counties, and towns to control, direct, or regulate the operation and use of off-highway vehicles;

(d) The use of off-highway vehicles, but such regulations shall not be inconsistent with the provisions of this article in any way.

Source: L. 89: Entire article added, p. 1365, § 1, effective April 1, 1990.

33-14.5-108. Off-highway vehicle operation prohibited on streets, roads, and highways. (1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(a) When the street, road, or highway is designated open by the state, the United States or any agency thereof;

(b) When crossing streets or when crossing roads, highways, or railroad tracks in the manner provided in section 33-14-112;

(c) When traversing a bridge or culvert;

(d) During special off-highway vehicle events lawfully conducted pursuant to the authority granted to local political subdivisions in this article;

(e) During emergency conditions declared by the proper state or local authority;

(f) When local political subdivisions have authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on city streets or county roads, but no street or road which is part of the state highway system may be so designated;

(g) When using an off-highway vehicle for agricultural purposes.

(2) Any person who violates subsection (1) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-109. Required equipment - off-highway vehicles. (1) No off-highway vehicle shall be operated upon public land unless it is equipped with the following:

(a) At least one lighted head lamp and one lighted tail lamp, each having the minimum candlepower prescribed by regulation of the division while being operated between the hours of sunset and sunrise;

(b) Brakes and a muffler and spark arrester which conform to the standards prescribed by regulation of the division, which shall be applicable in all cases except for off-highway vehicles being operated in organized competitive events held on private lands with the permission of the landowner, lessee, or custodian of the land, on public lands and waters under the jurisdiction of the division with its permission, or on other public lands with the consent of the public agency owning the land.

(2) Any person who violates subsection (1) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-110. Off-highway vehicle operation prohibited on streets, roads, and highways. (1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(2) No county or city may adopt a resolution or ordinance which shall it require any access to or from any political subdivision.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-111. Off-highway vehicle operation prohibited on streets, roads, and highways.

(1) Every person who operates an off-highway vehicle on any public land has the authority to do so.

(2) The federal land management agency shall have the authority to regulate the use of off-highway vehicles on its land.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-112. Off-highway vehicle operation prohibited on streets, roads, and highways. (1) No off-highway vehicle shall be operated upon public land unless it is equipped with the following:

(b) On streets, roads, or highways, the vehicle shall be registered with the division of transportation and shall have a valid registration sticker on the front of the vehicle.

(2) Off-highway vehicles shall be operated in accordance with the provisions of section 33-14-112.

(3) Off-highway vehicles shall be operated in accordance with the provisions of section 31. All persons operating off-highway vehicles shall be subject to the provisions of section 31.

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April 1, 1990.

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(2) Any person who violates subsection (1) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-110. Regulation by political subdivisions. (1) Any county, city and county, city, or town acting by its governing body may regulate the operation of off-highway vehicles on public lands, waters, and property under its jurisdiction and on streets and highways within its boundaries by resolution or ordinance of the governing body and by giving appropriate notice thereof if such regulation is not inconsistent with the provisions of this article and the rules and regulations promulgated pursuant thereto.

(2) No county, city and county, city or town acting by its governing body may adopt an ordinance which imposes a fee for the use of public land or water under the jurisdiction of any agency of the state or for the use of any access thereto owned by the county, city and county, city, or town; nor shall it require an off-highway vehicle to be licensed or registered in such political subdivision.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-111. Enforcement - federal, state, and local cooperation. (1) Every parks and recreation officer, every peace officer of this state and its political subdivisions, and every person commissioned by the division has the authority to enforce the provisions of this article.

(2) The division is authorized to enter into cooperative agreements with federal land management agencies for the purpose of regulating off-highway vehicle use on federal lands.

Source: L. 89: Entire article added, p. 1367, § 1, effective April 1, 1990.

33-14.5-112. Off-highway use permit - fees - applications - requirements - exemptions. (1) (a) No later than January 1, 1990, the division of parks and recreation shall devise a plan for implementation of the off-highway use permit program.

(b) On and after January 1, 1991, the owner of every vehicle required to be registered pursuant to article 3 of title 42, C.R.S., and the owner or operator of every motor vehicle and off-highway vehicle from another state or country, when such vehicle is being used for recreational travel upon designated off-highway vehicle routes, shall obtain and display on such vehicle an off-highway use permit.

(2) Off-highway use permits shall be sold by the agents referred to in section 33-12-104, and the fee for said permits shall be the fee provided in section 33-12-102.

(3) Off-highway use permits, when issued on April 1, shall be valid for a one-year period, which runs from April 1 through the following March 31. All permits issued during the year at any time after April 1 shall expire on the following March 31.

April 17, 1995

A resolution from the Montezuma County Commissioners stating that roads on the San Juan National Forest located in Montezuma County are to be designated as off-highway vehicle routes and are designated as open for off-highway vehicle travel.

(2) "Direct services" includes, but is not limited to, the activities and expenses associated with law enforcement, capital equipment, rescue and first aid equipment, off-highway vehicle facilities, and division and contract services related to clearing parking lots and providing trail maintenance.

(3) "Off-highway vehicle" means any self-propelled vehicle which is designed to travel on wheels or tracks in contact with the ground, which is designed primarily for use off of the public highways, and which is generally and commonly used to transport persons for recreational purposes. "Off-highway vehicle" does not include the following:

(a) Vehicles designed and used primarily for travel on, over, or in the water;

(b) Snowmobiles;

(c) Military vehicles;

(d) Golf carts;

(e) Vehicles designed and used to carry disabled persons;

(f) Vehicles designed and used specifically for agricultural, logging, or mining purposes; or

(g) Vehicles registered pursuant to article 3 of title 42, C.R.S.

(4) "Off-highway vehicle route" means any road, trail, or way owned or managed by the state, a political subdivision thereof, or the United States, which route is designated as open for off-highway vehicle travel.

(5) "Owner" means any person, other than a lienholder, having a property interest in an off-highway vehicle and entitled to the use and possession thereof.

(6) "Possession" means physical custody of an off-highway vehicle by any person or by any owner of a motor vehicle or trailer on or in which an off-highway vehicle is placed for the purpose of transport.

(7) "Staging area" means any parking lot, trail head, or other location to or from which any off-highway vehicle is transported by truck, trailer, or other motor vehicle so that it may be placed into operation or removed from operation. "Staging area" does not include any location to which an off-highway vehicle is transported primarily for the purpose of service, maintenance, repair, storage, or sale.

Source: L. 89: Entire article added, p. 1361, § 1, effective April 1, 1990.

33-14.5-102. Off-highway vehicle registration - fees - applications - requirements - exemptions. (1) (a) On and after April 1, 1990, except as provided in subsection (6) of this section, no person shall operate, nor have in his possession at any staging area, any off-highway vehicle within the state unless such off-highway vehicle has been registered and numbered in accordance with the provisions of this article. The division is authorized to assign identification numbers and register off-highway vehicles.

(b) The division shall employ off-highway vehicle agents, including dealers and licensing agents serving as such for the division of wildlife, for off-highway vehicle registration pursuant to the provisions of section 33-12-104. Upon receiving a registration application, an agent shall collect the fee specified in section 33-12-102 and issue a temporary registration and shall forward the application to the division, which shall issue the registration. An agent may retain a commission of not in excess of one dollar, as authorized by

the division, for each registered to issue a temporary off-highway vehicle from such

(2) (a) Every dealer to complete a registration the vehicle leaves the dealer purchased for use exclusively

(b) Each off-highway vehicle be registered pursuant to as provided in paragraph

(3) (a) For each year the following March 31 an owner shall be the fee

(b) The fee for the registration certificate shall be the

(4) (a) For each year the following March 31, fee for all off-highway vehicles solely for demonstration section 33-12-102.

(b) Dealer and manufacturer be distinguished from the

(5) A registration fee for any off-highway subdivision thereof upon

(6) No registration fee

(a) Off-highway vehicle another state or a political displayed on such vehicle

(b) Off-highway vehicle

(c) Off-highway vehicle

(d) Off-highway vehicle

(e) Off-highway vehicle competitive event on public this exemption shall not such land specifically a tive event;

(f) Off-highway vehicle designated designee thereof, programs.

(7) Any person who section is guilty of a punished by a fine of ten

Source: L. 89: Entire

33-14.5-103. Proof sion shall require proof the initial registration

(a) Registration of off-highway vehicles and display of registration numbers;

(b) Procedures and requirements to implement and administer the off-highway use permit program, including guidelines in connection with the exemptions therefrom;

(c) Formulation, in cooperation with appropriate federal agencies, of guidelines for uniform maps and signs for use by the state, counties, cities, city and counties, and towns to control, direct, or regulate the operation and use of off-highway vehicles;

(d) The use of off-highway vehicles, but such regulations shall not be inconsistent with the provisions of this article in any way.

Source: L. 89: Entire article added, p. 1365, § 1, effective April 1, 1990.

33-14.5-108. Off-highway vehicle operation prohibited on streets, roads, and highways. (1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(a) When the street, road, or highway is designated open by the state, the United States or any agency thereof;

(b) When crossing streets or when crossing roads, highways, or railroad tracks in the manner provided in section 33-14-112;

(c) When traversing a bridge or culvert;

(d) During special off-highway vehicle events lawfully conducted pursuant to the authority granted to local political subdivisions in this article;

(e) During emergency conditions declared by the proper state or local authority;

(f) When local political subdivisions have authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on city streets or county roads, but no street or road which is part of the state highway system may be so designated;

(g) When using an off-highway vehicle for agricultural purposes.

(2) Any person who violates subsection (1) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-109. Required equipment - off-highway vehicles. (1) No off-highway vehicle shall be operated upon public land unless it is equipped with the following:

(a) At least one lighted head lamp and one lighted tail lamp, each having the minimum candlepower prescribed by regulation of the division while being operated between the hours of sunset and sunrise;

(b) Brakes and a muffler and spark arrester which conform to the standards prescribed by regulation of the division, which shall be applicable in all cases except for off-highway vehicles being operated in organized competitive events held on private lands with the permission of the landowner, lessee, or custodian of the land, on public lands and waters under the jurisdiction of the division with its permission, or on other public lands with the consent of the public agency owning the land.

(2) Any person who violates subsection (1) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-110. Off-highway vehicle operation prohibited on streets, roads, and highways. (1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(2) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-111. Off-highway vehicle operation prohibited on streets, roads, and highways. (1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(2) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(3) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-112. Off-highway vehicle operation prohibited on streets, roads, and highways. (1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(2) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(3) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(4) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(5) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(6) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(7) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(2) Any person who violates subsection (1) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-110. Regulation by political subdivisions. (1) Any county, city and county, city, or town acting by its governing body may regulate the operation of off-highway vehicles on public lands, waters, and property under its jurisdiction and on streets and highways within its boundaries by resolution or ordinance of the governing body and by giving appropriate notice thereof if such regulation is not inconsistent with the provisions of this article and the rules and regulations promulgated pursuant thereto.

(2) No county, city and county, city or town acting by its governing body may adopt an ordinance which imposes a fee for the use of public land or water under the jurisdiction of any agency of the state or for the use of any access thereto owned by the county, city and county, city, or town; nor shall it require an off-highway vehicle to be licensed or registered in such political subdivision.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-111. Enforcement - federal, state, and local cooperation. (1) Every parks and recreation officer, every peace officer of this state and its political subdivisions, and every person commissioned by the division has the authority to enforce the provisions of this article.

(2) The division is authorized to enter into cooperative agreements with federal land management agencies for the purpose of regulating off-highway vehicle use on federal lands.

Source: L. 89: Entire article added, p. 1367, § 1, effective April 1, 1990.

33-14.5-112. Off-highway use permit - fees - applications - requirements - exemptions. (1) (a) No later than January 1, 1990, the division of parks and recreation shall devise a plan for implementation of the off-highway use permit program.

(b) On and after January 1, 1991, the owner of every vehicle required to be registered pursuant to article 3 of title 42, C.R.S., and the owner or operator of every motor vehicle and off-highway vehicle from another state or country, when such vehicle is being used for recreational travel upon designated off-highway vehicle routes, shall obtain and display on such vehicle an off-highway use permit.

(2) Off-highway use permits shall be sold by the agents referred to in section 33-12-104, and the fee for said permits shall be the fee provided in section 33-12-102.

(3) Off-highway use permits, when issued on April 1, shall be valid for a one-year period, which runs from April 1 through the following March 31. All permits issued during the year at any time after April 1 shall expire on the following March 31.

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 13th day of February, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan,
and G. Eugene Story

Commissioners absent:

County Administrator: Thomas J. Weaver

County Attorney: Bob Slough

Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #05-95

WHEREAS, the Board of County Commissioners for Montezuma County is required by State Statute to appoint by resolution a coordinator for the Office of Emergency Management (OEM).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Montezuma County that the Montezuma County Sheriff is hereby appointed to serve in this capacity.

Commissioners voting aye in favor of the Resolution were:

Helen McClellan, G. Eugene Story, and Thomas K. Colbert

Commissioners voting nay against the Resolution were:

_____, _____, and _____

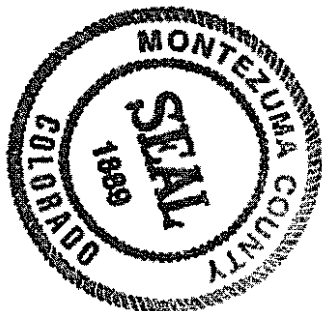
Nelda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado

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 13th day of February, 1995.

(SEAL)

Nelda Jenkins, Deputy
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 6th day of February, 1995:

Resolution #04-95

A RESOLUTION DELEGATING AUTHORITY FROM MONTEZUMA COUNTY TO OTHER UNITS OF LOCAL GOVERNMENTS WITHIN MONTEZUMA COUNTY TO DIRECTLY CONTRACT FOR GAMING IMPACT FUNDS

WHEREAS, Montezuma County is eligible to receive discretionary awards from the Contiguous County Limited Gaming Impact Fund; and

WHEREAS, Municipal and Special Districts are also eligible to receive funds from the same source; and

WHEREAS, the State of Colorado, in administering said funds, has allowed such local units of government to directly receive gaming impact funds with the permission of the County; and

WHEREAS, the Montezuma County Board of Commissioners hereby finds, determines, and declares that direct receipt and administration of such gaming impact funds is in the best interest of the State, the County and said units of local government.

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

The County does hereby delegate authority to all units of local government that have or will receive gaming impact funds to contract directly with the State for the receipt and reporting of same.

Commissioners voting aye in favor of the Resolution were:

Helen McEllan, Fred St. and Thomas K. Colbert

Commissioners voting nay against the Resolution were:

_____, _____ and _____

Helda Jenkins, Deputy
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 6th day of February, 1995.

(Seal)

Helda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado



A RESOLUTION DELEGATING AUTHORITY FROM MONTEZUMA COUNTY TO OTHER
UNITS OF LOCAL GOVERNMENTS WITHIN MONTEZUMA COUNTY TO DIRECTLY
CONTRACT FOR GAMING IMPACT FUNDS

WHEREAS, Montezuma County is eligible to receive discretionary
awards from the Contiguous County Limited Gaming Impact Fund; and

WHEREAS, Municipal and Special Districts are also eligible to
receive funds from the same source; and

WHEREAS, the State of Colorado, in administering said funds, has
allowed such local units of government to directly receive gaming
impact funds with the permission of the County; and

WHEREAS, the Montezuma County Board of Commissioners hereby finds,
determines, and declares that direct receipt and administration of such
gaming impact funds is in the best interest of the State, the County
and said units of local government.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of
Montezuma County that the County does hereby delegate authority to all
units of local government that have or will receive gaming impact funds
to contract directly with the State for the receipt and reporting of
same.

04-95

**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 16th day of January, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan and
G. Eugene Story
Commissioners Absent:
County Administrator: Thomas J. Weaver
County Attorney: Bob Slough
Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

RESOLUTION # 03-95

WHEREAS, Timothy F. Wood has served Montezuma County as an employee and County Sheriff for 8 years, and;

WHEREAS, this dedicated service and leadership 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 and its employees our appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Montezuma County Board of Commissioners hereby congratulates and expresses appreciation to Tim for his 8 years of valuable service and leadership to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Nelda Jenkins, Thomas K. Colbert and G. Eugene Story

Commissioners voting nay against the Resolution were:

_____ and _____

Nelda Jenkins, Deputy
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 16th day of January, 1995.

(SEAL)



**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 16th day of January, 1995, with the following persons in attendance:

Commissioners:	Thomas K. Colbert, Helen McClellan and G. Eugene Story
Commissioners Absent:	
County Administrator:	Thomas J. Weaver
County Attorney:	Bob Slough
Clerk and Recorder:	Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

RESOLUTION # 02-95

WHEREAS, Jean DeGraff Winbourn has served Montezuma County as an employee and County Clerk for 41 years, and;

WHEREAS, this dedicated service and leadership 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 and its employees our appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Montezuma County Board of Commissioners hereby congratulates and expresses appreciation to Jean for her 41 years of valuable service and leadership to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Helen McClellan, Thomas K. Colbert and G. Eugene Story

Commissioners voting nay against the Resolution were:

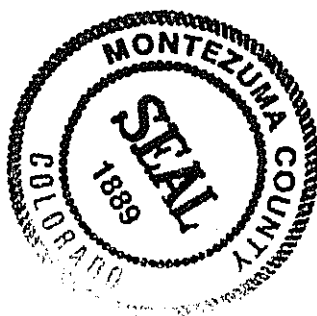
_____ and _____

Nelda Jenkins, Deputy
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 16th day of January, 1995.

(SEAL)



Nelda Jenkins, Deputy
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 9th day of January, 1995, with the following persons in attendance:

Commissioners: Thomas K. Colbert, Helen McClellan,
and Robert Brubaker

Commissioners absent:

County Administrator: Thomas J. Weaver

County Attorney: Bob Slough

Clerk and Recorder: Nelda Jenkins, Deputy

the following proceedings, among others, were taken:

Resolution #01-95

WHEREAS, Robert D. Brubaker has served Montezuma County as a County Commissioner for 4 years, and;

WHEREAS, this dedicated service and leadership 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 and its employees our appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Montezuma County Board of Commissioners hereby congratulates and expresses appreciation to Bob for his 4 years of valuable service and leadership to the citizens of Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Helen McClellan Thomas K. Colbert and _____

Commissioners voting nay against the Resolution were:

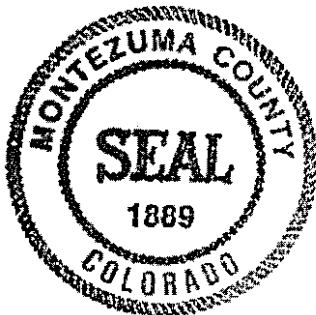
_____, _____, and _____

Nelda Jenkins, Deputy
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 9th day of January, 1995.

(SEAL)



Nelda Jenkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado