

## 1976 Montezuma County Commissioners' Minutes

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## **AUTHENTICITY CERTIFICATE**

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December 2002

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## Minutes 08/30/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado

STATE OF COLORADO At a regular

County of Montezuma

meeting of the Board County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado on Monday, the 30th day of August, A.D. 1976 there were present:

Clay Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the regular meeting held August 23, 1976 was read and approved as read.

Correspondence was read and contents noted. State warrants received were \$6750.00 for HB 1041, \$831.53 cigarette tax refund and \$666.80 reimbursement for Health Nurses salaries. Also received was a petition in regard to Dwain Lively abatement from law firm in Denver, request from Club 20 for 1977 funding, and state Highway Maintenance agreement for #184 which was duly signed. Request received from Cortez Community Mission, Inc. for funding for 1977.

The Board discussed the Community Mission and their request for more funds for 1976. It is the Board's feeling that although funds were budgeted, more study should be given by the Board.

Application for renewal for a 3.2% beer license for Ute Mountain Market, South of Cortez was received and reviewed. Commissioner McComb moved to approve the application, seconded by Commissioner Honaker and carried.

Health Nurse Frances Koppenhafer discussed patients and swine flu. Some of their bandages and supplies were ruined by dust from drilling into their vault. Mrs. Koppenhafer was instructed to inventory these supplies and report back. Mrs. Koppenhafer questioned the Board as to if and when they would be moving to other quarters. This was tabled.

Planner W.L. Glenn requested and was given tentative approval for Lee and Juanita Beasley to sell about 5 acres and for Gale Dennison to give 1/2 acre.

Cotton and Thelma Fletcher complained of the dump road south of Cortez. Willows need to be cut. This will be referred to the Road Department.

Coordinator Denton reported that there would be a RPC meeting on September 8 and an EPA municipalities meeting in Durango September 3. The Board and Mr. Denton heard a report from Commissioner McComb on Criminal Justice.

Assessor Denny reported to the Board on the State's ruling on sales ratio. Mr. Denny does not agree with the State's figures and those are being checked. He advised that he will be ordered by the State to reduce some assessment values in September. The Lively petition received this sorting was reviewed.

District Attorney George Buck reported that he had hired a new secretary at the same rate of pay the resigning secretary was paid. Although the new employee has B.A. degree in business

Attest:  
Clerk

Chairman

Online Copy

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, August 30, 1976

administration, she is in-experienced. After much discussion Commissioner Honaker made a motion to approve the salary of \$461.76 which is Montezuma County share of the total salary for this position based on the recommendation of the District Attorney of need and necessity, and with the stipulation that she would not receive an increase in her present salary until January 1978. Motion seconded by Commissioner McComb and carried.

Scott Porter of Southwest Memorial Hospital visited with the Board about the hospital's budget for 1977. He had been advised by the Department of Local Affairs that they could only levy 1.88 mills and 3.57 mills for the retirement of bonded indebtedness. He will present a copy of the proposed budget prior to September 15, 1976.

James Spencer appeared in regards to a sewer system permit. He feels that the Sanitarian did not have the right to send the Sheriff to his property without the approval of the Commissioners. Tabled.

Clerk DeGraff reported that one of her employees was in to the fifth month of probation and based on her work load and capabilities requested that she be put on permanent status at the salary for that job class which is \$415.00 per month. Commissioner McComb made a motion that his be allowed. Seconded by Commissioner Honaker and carried.

Social Service Employee Marge Karn stated that she did not wish any insurance coverage with the group. Tabled.

Sanitarian Sawyer reported on his inspection of the American Dairies. The new pumps have not arrived for installation at this time. As soon as they can be installed, the problem will be solved.

Cortez City Manager Dwayne Lonenbaugh, Architect Fred Grove appeared to discuss problems at the Justice Building. Flaugh Construction Co. will not complete work there until the cancellation notice is reversed. A letter will be written to them by the Justice Building Committee. Mr Longenbaugh requested as easement to tie in to the County water line at the

Cortez shop for use at the softball field. The location of the line will be checked and an easement given if necessary.

Road Department Supervisor E. Boren reported on roads and equipment. Mike Harpham requested repair and graveling of Lakeview 2 road from the Toten Lake road to his property, about 1/2 mile. Mr. Boren stated that his would require about 5 culverts. The Board and Mr. Boren will check. Neil Creeden discussed his road at Goodman Point. He would like to have this road graveled, about 3/4 of a mile. A right of way easement will have to be acquired.

The Board will contact Dolores County Commissioners and coordinate efforts on this project.

Mr. Boren reported that the Beaver Rim road needs work. According to the agreement this is a joint project with the Forest Service. Tabled. Problem of the dump road discussed and the possibility of a 3 way stop at the dangerous intersection. Mancos Boy Scouts will be selling Christmas trees and requested the County to open the Fish Creek road if there is snow before December 4th. Agreed. Dorrell Wells complained that he can't move his equipment on a road which is now under repair. Mr. Boren will check with Mr. Wells. Mr. Boren will interview applicants for an opening at Mancos Shop.

Don Noland, Curtis McDonald, and Fred Schaak discussed with the Board the sale of the Christian Church at 26 S. Elm St. Church Directors stated that terms could be worked out. County couldn't pay until January 1977. Church could hold on a firm commitment. Attorney Merlo will draw up a commitment and counter offer for further negotiation.

It being the time set aside, a public hearing was held to hear testimony for and against a retail liquor license application for Judith P. Clark dba Clark's of the South Route. All Commissioners were present, County Attorney Grace Merlo, Clerk Jean DeGraff, Investigator Ralph Rasor and applicants Judith Clark and her husband Edward Clark. Investigator Rasor

Attest:

Clerk

Chairman

Page No. 3

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, August 30, 1976

reported on his findings and submitted proof of publication. Application and fees are in order. Testimony was received from Mr. Clark,

Gustav Nelson, Mary Ashbaugh and Louis Jarman. All proceedings were recorded on cassette tape and duly marked for the record. Chairman

Bader declared that a decision would be given on September 13, 1976, at 11:00 a.m. Adjourned.

Scott Chapman of Shell Oil Co. appeared to discuss an oil and gas lease which Mobil Oil Co. has at this time with the County. It will expire in October 1976. The offer at this time is \$25 per acre bonus. This was tabled pending further information.

Assessor Denny reported that he had received a call from the State Board of Equalization as follows:

Residential Unimproved must be increased \$325,570;

Commercial Unimproved will be decreased \$49,252;

Residential Improved will be decreased \$1,930,910

for a net decrease of \$1,654,592.

Board of Social Services conducted.

Probation officer Ralph Rasor requested the use of the old County Judge's Office for a storage room for District Court. Tabled.

Proposed Amendment #19 was discussed by the Board. Commissioner McComb made a motion to endorse CCI's opposition to Amendment #10, seconded by Commissioner Honaker and carried: Resolution #15-76 was signed so stating.

Clerk was directed to write a letter to Bob Bryan of Cortez Community Mission acknowledging receipt of his request and inviting the Board of Directors of the Mission to meet with the Commissioners at their next regular meeting.

Nurse Koppenhafer was instructed to put her supplies back into the vault temporarily.

Meeting was adjourned at 5:30 P.M.

Attest:

Clerk

Chairman

## Summary of Minutes - 1976

### COMMISSIONER'S MINUTES

1976

JAN Cry PLANNING: P1-77 - Bosley. ROAD damage check from Walker Inc. \$17, 500, releases signed. Easement of Right of Way - BIA.

JAN 12 PLANNING: TA Davis.

JAN 13 REORGANIZATION 1976 - appointments, depositories, legal publications.

JAN 19 PLANNING: TA Sligar S/D. HIGH VIEW S/D approved. ASSESSOR to move into old sheriff's office and jail.

JAN 26 PLANNING: TA Gosnell. RESOLUTION 1-76 adopted affirmative action plan. LIQLIC transfer 3.2% license

Judd's Mkt dba Judith Clark. BUILDING PERMIT draft. approval given to Denton to print same. EASEMENT AGREEMENT Snyder et ux to Montezuma County.

FEB 02 PLANNING: P2-76 - Kidd. PUBLIC HEARING 3.2% beer license for Gary Chaffin dba "76" Club. ROADS approved to charge for opening road to logging company. PRINTING bid awarded to Dolores Star Press.

SHELTERED WORKSHOP R/S funds given \$2000.00.

FEB 09 HEALTH: diphtheria outbreak, mass immunization. PLANNING: P3-76 Hindmarsh, Req. TA Kingery denied.

DANCEHALL LIC: "76" Club. ROAD: MTN Bell to relocate and remove cable and poles due to road change. County to pay actual costs.

FEB 17 PLANNING: P3-76-Gosnell. SHERIFF/JAIL. Break due to faulty equipment in new jail. LIQ LIC Chaffin dba

"76 " Club denied RES 3-76. RES 2-76 supporting SB 50. PLANNING: Sligar subdivision final plat approved.

MAR 01 PLANNING: P5-76-Hopper. ROAD: Head reported problems at shop.

Predator control program.

MAR 08 PLANNING: P6-76 Frazier P7-76 Frazier SANITATION: amend Dewage Disposal Rules & Regs.

MAR 15 ASSESSOR: tax mapping contract signed. PLANNING: P8-76-McGechic. PUBLIC HEARING: Arriola landfill, tabled.

MAR 22 RES 5-76 sympathy, Kouns, pres CCI. RES 6-76 supporting CCI on Social Service funding.

MAR 29 PLANNING: P9-76 Frazier. TA's McCracken, Wolf.

APR 05 PLANNING: P14-73 McCracken. TA's Sanders, Snyder, Bean, Periman.

APR 12 PLANNING: P11-76 Bean, P12-76-Sanders, P 13-76-Snyder ELECTION'S Gyrex System. PERSONNEL:

Insurance memo. ROAD: Lebanon Road.

APR 19 RES: 7-76 Oil & Gas lease to Kissinger. RES 6-76 designation of Fed aid Sec Highways systems.

APR 26 PLANNING: P14-76-Krater COMMISSIONERS petty cash raised.

MAY 03 PLANNING: TA Bradley. HOUSING AUTHORITY: petition received requesting H/A.

MAY 10 PLANNING: P15-76-Rogers. SIDEWALKS: bids received on repair. ROADS: MTN Gravel presented offer

to purchase asphalt plant. \$150,000. Offer accepted. Payoff on scraper.

MAY 17 PLANNING: P16-76-Bradley, CLERK approved purchase of plat cabinet. COMMISSIONERS approved purchase of Dictaphone Recorder. RES 8-76 urging Colo Delegation to support HR 9719. RES 9-76 terminate lease with Town of Dolores.

MAY 20 PUBLIC HEARING: County Roads.

MAY 24 PLANNING: P17-76 amending P12-76 Sanders. TA's Black, Moffit , Russell.

JUN 01 PLANNING: P18-76 Black - ELECTIONS: cancel Gyrex System for 1976.

Precincts numbered. LEAA grant. Approved for law library \$7000.

JUN 07 LAW LIBRARY: cash match approved.

JUN 14 FLAG presented to Bd by American Legion. PUBLIC HEARING: Land use regulations under HB 1041



JUN 21 PLANNING: TA's Gardner. Approval of LaVerde Estates. LIQLIC renewal Martin dba Stagecoach Inn. ROAD: damage to phone cable; laid too close to road and was cut by a blade. RES 10-76 authorized Billings to cast County's ballots at NACo conference.

JUN 28 LAND USE: petition signed by 200 persons protesting LAND USE regs. appointed Hazel Englehart. to make calls. PUBLIC HEARING: Land use reps continued from 6-14 continued until 7-12-.

JUL 06 LAND USE- report from survey. HEALTH: swine flu shot clinic. BOOKKEEPING: Supreme Court rules cities and counties do not. pay over-time; MoCo will go back to exchanging time for time.

JUL 12 ELECTIONS: branch registration at Towaoc and Pleasant View. BOARD OF EQ; PUBLIC HEARING: Land Use Regs HB1041. Coyote Bounty.

JUL 19 PLANNING: TA Dean, P19-76- Cook to Dittmer. LIQLIC Stagecoach changed to Tavern License. JUSTICE BLDG: Contract with Flaugh terminated.

JUL 20 BOARD OF EQUALIZATION.

JUL 26 PLANNING: P20-76-Williamson, P21-76-Gresh, TA Vedsted. RES 13-76 Payment in lieu of Taxes. BOOKKEEPING: Time sheets and comp time.

JUL 27 BOARD OF EQUALIZATION.

JUL 30 BOARD OF EQUALIZATION.

AUG 03 ELECTION: Beaver to print, ballots. Branch registration to be at City Market.

AUG 09 PLANNING: TA CHaffin. P22-76-Gardner, P23-76-Chaffin RES 14-76 eligibility for financial assistance to continue planning efforts under H81041.AGMT first American Dairies.

AUG 23 ORDER to transfer from Gen fund to Contingency fund. BOARD OF HEALTH: James Spencer given one week to obtain permit. PLANNING: TA's Decker and Decker. GROUP INSURANCE: switched from Metropolitan to Capitol.

AUG 30 PLANNING: TA Beasley. PUBLIC HEARING: retail liquor license for Clark's on the South Side. RES 15-76 opposition to proposed Const Amendment on November ballot.

SEP 07 PLANNING: P24-76-Beasley, P25-76-Tate, P26-76-Dennison, P27-76-Decker, P28-76 amending P25-75- Decker Ranches, TA, Wilson. O & G LSE: Res 16-76 Shell Oil Co. HEALTH: swine flu shots. COOR Denton will have two sets of blue prints for old courthouse made. Unemployment rate is 8.4%. PILT meeting to be held next week at. Kalispell, Montana.

SEP 13 PLANNING: P29-76-Decker. ORDER transfer funds from R/S to R & B. PUBLIC HEARING CONTD: retail, liquor license Clark's of the South Route denied.

SEP 26 PLANNING: P31-76-Wolf, P32-76-Schamhorst, P33-76-Jones, P34-76-Dean. TA Fairbanks, Spencer. Laguna S/D signed. Christian Church sale discussed, payment of \$39,500 paid 1-17-77.

OCT 04 PLANNING: P35-76-Wilson, P36-76-Spencer. LIQLIC: renewal 3.2% beer Jordan dba Round Up Store. TAX MAPPING project report.

OCT 11 VOTER REGISTRATION 6558. Palling places changed. PLANNING: P37-76 accepting road dedications of Cottonwood Grove Addition and Ranchland Hills s/d plat. TA, Zwicker

OCT 12 Special. PUBLIC HEARING: County Housing Authorit.

OCT 18 HEALTH: app 3300 swine flu shots given at clinics. PLANNING: TA, Stansbury. GRAPHOTYPE machine purchased 6272.25.

OCT 25 PLANNING: P38-76-Zwicker. TA's, Kintigh, Rogers. PUBLIC WORKS EMPLOYMENT ACT> discussed.

NOV 01 RES 17-76 allocation of Federal Forest Monies.

NOV 08 PLANNING: P37-76 Kintigh. TA, Roseberry, Dean. ROAD: agmt that Road Dept would help any Mo/Co taxpayer if they should get snowed in, in an emergency situation even extending into Dolores County.

NOV 10 Special. 1077 Budget and Revenue Sharing Public Hearing.

NOV 14 PLANNING: P39-76, Moffitt. TA, Kernan, Lee. DA agent in re his salary. PUBLIC HEARING: Housing authority

NOV 22 ORDER: transfer 100,000 from R/S to General. RES 18-76 OIL & GAS lease-Trace Energy, Shell Oil Co. LIQLIC 3.2% beer for Sportsman Center and Retail Lic for Mtn Liquor.

PLANNING; P40-76-Dean. TA, Nelson PUBLIC HEARING; housing authority approved.

NOV 29 PLANNING: P41-76-Nelson, RES 19-76 Establishment of Housing Authority.

DEC 06 RES 21-76 Oil & Gas Lease, Shell. (HIGHWAY construction projects needed and prioritized.

DEC 13 RES 22-76- Oil & Gas Lease, Shell. RES 23-76 in sympathy to the family of Irwin E. Matlock, former Commissioner and Treasurer. PLANNING: TA Hicks.

DEC 20 RES 24-76 sympathy to the family of Frank Hammond, former Sheriff.

Minutes 12/20/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 20th day of December, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Commissioner Elect Floyd Ray in attendance.

Pledge of allegiance given. Minutes of the previous regular meeting held 12-13-76 were read and approved.

Correspondence was read and contents noted.

Commissioner Honaker made a motion to adopt the following resolution:

WHEREAS, Frank T. Hammond served as County Sheriff from January, 1959 through December, 1966, and WHEREAS, this Board of Commissioners, Montezuma County, is aware that Sheriff Hammond performed his duties faithfully and honestly,

NOW THEREFORE BE IT RESOLVED that this Board of Commissioners, Montezuma County, wish to extend their deepest sympathy to the family of Frank T. Hammond, and cause to have this resolution spread upon the minutes.

Motion seconded by Commissioner McComb and carried. Resolution # 24-76 was signed.

Cigarette tax refund for Montezuma County received in the amount of \$825.34. An order was received from Governor

Lamm setting aside December 24 and December 31 as legal holidays. Memo will be sent to department heads so stating and payday will be December 30th.

3.2% Beer license for Arriola Store received from State. County license was signed.

Check received from La Plata County reimbursing Montezuma County for expenses of bringing civil defense jeep from

Albuquerque.

Montezuma County was notified that their matching grant for Region 9 Criminal Justice for 1977 would be \$46.66.

Cortez City Police Chief Erwin DeLucas discussed the alarm system with the Board. He will talk to his department concerning this problem.

Probation Officer Ralph Rasor reported that the phone company working on the cable must have triggered the alarm.

Chairman Bader will check with the phone company.

Coordinator Denton displayed comprehensive land use maps.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, December 20, 1976.

Judge W. W. Rusk and Ralph Rasor reported that the caseload in District Court was increasing and he requested additional space. Board approved the Judges recommendations and the county will provide paint and shelving.

Cortez City Manager Longenbaugh discussed the Justice Building.

Road Department Supervisor E. Boren reported on road and equipment maintenance.

District Attorney George Buck discussed PERA requirements. Gave the Board a copy of the act which gives the D.A. the choice of which retirement plan he wants.

Treasurer Hindmarsh, Sheriff Hampton, Assessor Denny and Clerk DeGraff discussed elected officials salaries. After much discussion a figure of \$16,000 was decided. A letter will be written to CCI giving them this information.

Coordinator Denton discussed the Blue Door Subdivision. Commissioner McComb made a motion to release the improvement agreement guarantee bond for this subdivision on Denton's recommendation. Motion seconded by

Commissioner Honaker and carried.

Board of Social Services conducted.

General Fund Vouchers #33562 thru #33581 in the amount of \$1,970.61 and Road Fund Vouchers #3161 thru #3164 in the amount of \$312.53 were allowed and ordered paid.

Meeting adjourned at 4:30 P.M.

Attest:

Clerk

Chairman



# State of Colorado

EXECUTIVE CHAMBERS

DENVER

RICHARD D. LAMM  
Governor

## EXECUTIVE ORDER PROCLAMATION DAYS OF FASTING, PRAYER OR THANKSGIVING

WHEREAS, the Statutes of the State of Colorado specify that the first day of January, commonly called New Year's day; the twenty-fifth day of December, commonly called Christmas day; the twelfth day of February, commonly called Lincoln's birthday; and any day appointed or recommended by the governor of this state or the president of the United States as a day of fasting or prayer or thanksgiving are hereby declared to be legal holidays; and

WHEREAS, the statutes provide that in case any of said holidays or any other legal holiday so designated falls upon a Sunday, then the following Monday shall be considered as the holiday; and

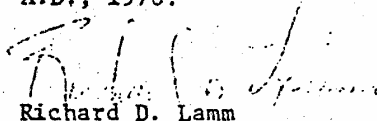
WHEREAS, no provision is made for the celebration of these holidays when December 25th, January 1st, and February 12th fall on a Saturday;

NOW, THEREFORE, I, Richard D. Lamm, Governor of the State of Colorado, in accordance with the powers vested in me by sections 24-11-101 and 24-11-102 of the Colorado Revised Statutes, 1973, do hereby appoint and recommend December 24, 1976, December 31, 1976, and February 11, 1977, as

DAYS OF FASTING, PRAYER OR THANKSGIVING

in the State of Colorado.

GIVEN under my hand  
and the Executive  
Seal of the State of  
Colorado, this fif-  
teenth day of December,  
A.D., 1976.

  
Richard D. Lamm  
Governor

## Minutes 12/20/1976 Regular

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 20th day of December 1976 with the following persons in attendance:

Commissioners: Clay V. Bader, Curtis Honaker  
and Harold McComb.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

WHEREAS, Frank T. Hammond served as County Sheriff from January, 1959 through December 1966,  
and

WHEREAS, this Board of Commissioners, Montezuma County, is aware that Sheriff Hammond performed his duties faithfully and honestly, and,

NOW THEREFORE BE IT RESOLVED that this Board of Commissioners, Montezuma County, wish to extend their deepest sympathy to the family of Frank T. Hammond, and cause to have this resolution spread upon the minutes.

Commissioners voting Aye in favor of the Resolution were: Clay Bader, Curtis Honaker, and Harold McComb.

Commissioners voting Nay: NONE

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 20th day of December 1976.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

Minutes 12/13/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 13th day of December, A.D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Commissioner-Elect Floyd Ray in attendance.

Minutes of the previous regular meeting held December 6, 1976 were read and approved.

Correspondence was read and contents noted.

Clerks, Sheriff's, Treasurer's and VA reports received and reviewed for the month of November.

County Liquor License for Mountain Liquor and 3.2% beer license for the Sportsman Center were signed.

Agreement between Montezuma County and the Christian Church in regards to the purchase of the building at 265 S. Elm St., Cortez, Colorado was approved and signed.

Commissioner Honaker made a motion to adopt a resolution entering into an oil and gas lease with Shell Oil Co., said action taken November 22, 1976. Motion seconded by Commissioner McComb and carried.

Resolution #22

76 was signed.

Commissioner Honaker made a motion to approve a gravel lease from D.H. and Arlene Hindmarsh effective 1/1/77. Seconded by Commissioner McComb and carried.

A letter was received from CCI wanting impute from Elected Officials regarding their salaries which would be changed through legislative action.

General Fund Vouchers #33420 thru #33560 in the amount of \$26,992.25, Road Fund Vouchers #3126 thru #3160 in the amount of \$17,351.22, Revenue Sharing Voucher #66 in the amount of \$52.98, Contingency Fund Vouchers #68 thru #70 in the amount of \$90.54, and Public Works Vouchers #141 thru #143 in the amount of \$40.57 were allowed and ordered paid.

Dr. Griebel and Nurse Margaret Lyons reported for the Health Department. Louise Lyons was given permission to continue home visits at \$5.00 per visit until Nurse Koppenhafer returns.

Commissioner McComb made a motion to adopt the following resolution:

"WHEREAS, Irwin E. Matlock served Montezuma County as County Treasurer from January 1952 to December 31, 1961, and

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, December 13, 1976

WHEREAS, Mr. Matlock served Montezuma County as Commissioner, District #2 from January 1961 to December 31, 1968, and

WHEREAS, this Board of Commissioners, Montezuma County, is aware that said Irwin E. Matlock served in these offices faithfully and honestly,

NOW THEREFORE BE IT RESOLVED that this Board of County Commissioners, Montezuma County, expresses their deepest sympathy to the family of Irwin E. Matlock and do cause this resolution to be spread upon the minutes of this

Board meeting." This motion was seconded by Commissioner Honaker and carried. Resolution #23-76 was signed.

Planner W. L. Glenn requested and was given tentative approval for Floyd and Dorothy Hicks to sell 6 acres. Coordinator Denton reported that he had received \$20,000 final payment on H.B. 1041. He also reported that the law library is complete but the books had not been received. Discussed regional work shops. Letter to be written to CCI requesting same. Claims on Justice Building discussed.

Val Kruse of Rauh Agency discussed airport insurance.

Rita Wallace appeared to complain of personal property tax. Assessor Denny was called in. He will investigate.

Assessor Denny requesting having the Auditor work with him on the certification of levies. Approved.

City Manager Longenbaugh and Councilman Henneman discussed the Housing Authority. The Cortez City Council has voted to have Mr. Henneman be a member of the Housing Commission.

Road Department Supervisor E. Boren reported on roads and equipment.

Board of Social Services conducted.

Meeting adjourned at 4:15 P.M.

Attest:

Clerk

Chairman

## Minutes 12/13/1976 Regular

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 December 1976 with the following persons in attendance:

Commissioners: Clay Bader, Curtis Honaker and Harold McComb.

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

WHEREAS, the Board of Commissioners, Montezuma County, did enter into an oil and gas lease with Shell Oil Co. on November 22nd, 1976 on County owned minerals in the attached described property

TOWNSHIP 36 NORGH, RANGE 18 WEST

A strip of parcel of land 75 yards long East and West by 60 feet wide being about 80 yards South of the North line of the South one-half of the Northwest one-quarter of Section 36, Township 36 North, Range 18 West lying between

Stations 107 and 108 as shown upon the map of the McElmo Road filed March 2, 1909.

A strip in parcel of the Northwest one-quarter of Section 36, Township 36 North, Range 18 West being 30 feet in width on each side of the center line of what is known as the McElmo Canyon Highway of said County as changed by order of the Board of County Commissioners of said County of date of October 6, 1911 for right of way for said highway as changed and the definite and final location thereof as being shown upon the map of change in the County

Road through the North one-half of said Section made by O. E. Stone, County Surveyor of said County refilled October 20, 1911 and now on file in the Office of County Clerk, Montezuma County, Colorado.

NOW THEREFORE BE IT RESOLVED THAT THE Board of Commissioners, Montezuma County, resolve to adopt the action taken by that Board in entering into the above described lease.

Commissioners voting Aye in favor of the Resolution were:

Clay Bader, Curtis Honaker, and Harold McComb.

Commissioners voting Nay: NONE

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 13th day of December, 1976.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado



GRAVEL LEASE CONTRACT

THIS GRAVEL LEASE CONTRACT, hereinafter referred to as Contract, is made and entered into this 1st day of January, 1977, by and between the County of Montezuma, Colorado by the Board of County Commissioners of Montezuma County, Colorado, hereinafter referred to as First Party, and DOUGLAS H. HINDMARSH and ARLENE HINDMARSH, of the County of Montezuma, State of Colorado, hereinafter referred to as Second Parties.

WITNESSETH:

WHEREAS, Second Parties are the owners of the property described on Exhibit A attached hereto, in Montezuma County, Colorado, which land has thereon, in and under same gravel, sand and other materials suitable for road, airport and bridge construction, and

WHEREAS, Second Parties are desirous of selling said gravel, sand and materials, and

WHEREAS, First Party is desirous of obtaining gravel, sand and material for purposes of road, airport and bridge construction.

NOW THEREFORE, in consideration of the premises and of the payments as hereinafter set forth by First Party to Second Parties, Second Parties hereby grant, let and give unto First Party a lease upon the hereinafter described lands for the purposes of mining and removing sand, gravel and materials therefrom suitable for road, airport and bridge construction upon the hereinafter set forth terms, covenants and conditions, and First Party hereby accepts said lease upon said terms, covenants and conditions:

PERIOD OF LEASE: The period of this lease shall be from 12:00 o'clock noon on the 1st day of January, 1977, to 12:00 o'clock noon on the 1st day of January, 1982.

PROPERTY LEASED: All of the real property described upon Exhibit A for the purpose of mining and removing sand, gravel and other materials used in or in connection with construction and maintenance of roads, airports and bridges. Stockpiling shall be as near to the pit as is practical.

RENTAL - ROYALTY: First Party shall pay to Second Parties the sum of \$0.10 per cubic yard of sand, gravel and materials mined and removed from said premises by First Party, and First Party guarantees to Second Parties a minimum royalty of \$100.00 per year for each year of this Contract,

said \$100.00 to be paid thusly: \$100.00 upon execution of this Contract and \$100.00 within 30 days of anniversary date each year hereafter for the period of this lease, and the first \$100.00 worth of sand, gravel and materials mined and removed from said properties each year shall be applied against said \$100.00 so paid and the balance of any royalties due shall be paid to Second Parties on or before 90 days after the same has been mined and removed from said properties.

COVENANTS OF FIRST PARTY: First Party shall mine and remove said gravel, sand and material in a manner not to interfere with the surface of said lands so long as it does not reasonably interfere with said mining and removal operations, and upon termination of this Contract First Party shall level off any mounds of dirt and other materials piled by it in its mining and removal operation.

SECOND PARTIES COVENANT: Second Parties covenant to and with First Party that Second Parties are the owner in fee simple of the leased premises with sole and absolute right to enter into and grant this Contract with the County and that Second Parties will forever hold harmless First Party from any claims or demands of any kind from other parties claiming a right or ownership in and to said lands.

TERMINATION: Either party may terminate this agreement provided that the party desiring to terminate said agreement shall give to the other party a written notice of his desire to terminate, which notice shall be effective 90 days from and after said notice be received by the other party. First Party, in the event of termination of this agreement, shall have the right to remove all materials stockpiled and equipment upon said premises prior to the effective date of such termination or extension thereof if any be granted.

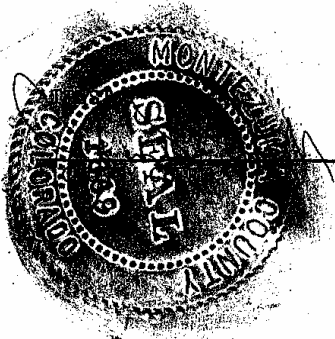
First Party agrees that at whatever points they enter the real property, they will install and maintain a cattle guard, such maintenance to be as long as the premises are leased and further agrees to do any maintenance work necessary to keep the fences up in the areas of use and prior to the cutting of fences to brace the same.

BINDING AND OBLIGATORY: This contract is binding and obligatory upon the parties hereto and their personal representatives, successors and assigns.

IN WITNESS WHEREOF the parties hereto affix their hands and seals.

THE COUNTY OF MONTEZUMA BY  
THE BOARD OF COUNTY COMMISSIONERS  
OF MONTEZUMA COUNTY, COLORADO

BY Clay V. Bader  
CHAIRMAN OF THE BOARD



x Douglas H. Hindmarsh  
DOUGLAS H. HINDMARSH

x Arlene Hindmarsh  
ARLENE HINDMARSH

STATE OF COLORADO     )  
                                      ) ss  
COUNTY OF MONTEZUMA    )

The above and foregoing instrument was executed and acknowledged  
before me this 13<sup>th</sup> day of December, 1976.

[Signature]  
COUNTY CLERK

EXHIBIT "A"

West half of the following:

Southwest Quarter of Section 4, Township 37 North, Range 15 West, N.M.P.M.  
and the Southeast Quarter and East Half Southwest Quarter of Section 5,  
Township 37 North, Range 15 West, N.M.P.M.

Online Copy

Minutes 12/06/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 6th day of December , A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the meeting held 11/29/76 were read and approved.

Commissioner Elect Floyd Ray was in attendance.

Correspondence was read and contents noted.

General Fund Payroll #3380 thru #3444 and #33418 thru #33419 in the amount of \$56,351.27 and Road Fund Payroll #2854 thru #2886 and #3125 in the amount of \$25,495.64 were allowed and ordered paid.

Petition for abatement of property tax for Jack H. and Una M. Raley on a mobile home which was licensed was presented by Assessor Denny. Commissioner McComb made a motion to approve this abatement, seconded by

Commissioner Honaker and carried.

The Board approved the change of the 1977 Extension budget.

Correspondence was read and contents noted.

Application for renewal of a 3.2% beer license was presented for the Arriola Store. Commissioner Honaker made a motion to approve this renewal seconded by Commissioner McComb and carried.

Nurse Margaret Lyons reported for the Health Department.

Upon request of Shell Oil Co., the attached resolution #21-76 was presented whereby the Board resolved to adopt the action taken by that Board on October 6, 1976; in entering into two separate oil and gas leases.

Commissioner Honaker moved to adopt this resolution, seconded by Commissioner McComb and carried.

The attached certification of Revenues and Levies was sent to the County Assessor by the Board.

Sanitarian Bob Sawyer discussed the packing plant problem. He also gave the Commissioners a letter received by La Plata County Sanitarian Balliger concerning Spencer sewage system.

Ken Brengle of the Cortez Chamber of Commerce inquired if funds would be available to help pay for the Chamber brochure. The ward stated that the budget had been finalized before the original request was made.

There are, therefore, no funds available.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday December 6, 1976

Joe Dean of the Cortez Fair Board requested permission to use some money left in the 1976 Fair budget to buy material for shelving and building rabbit and poultry cages. This was approved.

Owen Uptain requested an over-width permit for use on County roads. Approved.

City Manager Longenbaugh and Architect Fred Groves discussed the jail-break which occurred Saturday night. Justice

Building Committee will hear recommendations from the Sheriff and will act at their meeting December 13, 1976.

Road Department Supervisor E. Boren reported on road and equipment maintenance. He also discussed the stop sign by the Summit Cemetery. Mr. Boren will check with Mrs. Rule.

Coordinator Denton discussed the environmental impact study on the Dolores project.

Cortez City Mayor Hal Tanner, Council members Merit Carter, Dewey Brown, Roy Henneman and City Manager

Longenbaugh appeared to discuss highway construction needs to be presented to the State Highway Department in

January. Mancos Mayor Lyle Coe and Dolores Mayor V. T. Boyd were unable to attend. After much discussion the priorities were decided as follows:

#1 Highway #184 completion.

#2

#3

#4

#5

#6

East Main, Cortez, from Mildred Road to Jct. 145 and 160

Highway 145 North from Jct. 145 and 160

Broadway and Pinon intersection in Cortez

Highway 160 overlay West Mancos Hill

Designation Dolores Norwood Road to be put on State system.

Board of Social Services conducted.

Bob Sitton discussed billing of work done on Custodian's office.

Meeting adjourned at 4:45 P.M.

Attest:

Clerk

Chairman

## Minutes 12/06/1976 Regular

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 December 1976, with the following persons in attendance:

Commissioners: Clay Bader, Curtis Honaker, and Harold McComb.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

WHEREAS, the Board of Commissioners, Montezuma County, did enter into two separate oil and gas leases with Shell Oil Co. on October 6, 1975 on County owned minerals in the following described property:

Lease #1: TOWNSHIP 36 NORTH, RANGE 17 WEST NMPM Section 1: SE1/4 SW1/4; Section 1: Lot 4, N470' of SW1/4 NW1/4; Section 1: Lot 3, SE1/4 NW1/4 NW1/4 S1/2, S 850' of SW1/4 NW1/4; Section 5: Lots 9, 10 SE1/4 SW1/4; Section 8; Lot 1; Section 12: NE1/4 SW1/4, E1/2 NW1/4, NW1/4 SE1/4; Section 32: NW1/4 NW1/4.

TOWNSHIP 36 NORTH, RANGE 18 WEST NMPM: Section 33: S1/2 NE1/4, NW1/4 NE1/4; Section 34: Part of N1/2 SW1/4 beg at a point 748' E of NW/cor of NW1/4 NW1/4 of Sec 34, E1542', S145', W158', S375', W1384', N1320', to POB. TOWNSHIP 37 NORTH, RANGE 18 WEST NMPM; Section 1: SE1/4 SW1/4; Section 12: NE1/4, containing 938.78 gross acres, more or less.

Lease #2: TOWNSHIP 37 NORTH, RANGE 16 WEST NMPM: Section 6: SW1/4 SE1/4; Section 9: N1/2 NE1/4; Section 10: N1/2 NW1/4, W1/2 NE1/4; Section 12: S1/2 SW1/4, NE1/4 SW1/4; Section 11: SE1/4 SW1/4; Section 14: NW1/4 NW1/4; Section 17: SW1/4 SE1/4; Section 25: E1/2 SE1/4; Section 28: W1/2 SE1/4; Section 34: N1/2 NW1/4, SW1/4 SW1/4. TOWNSHIP 38 NORTH, RANGE 16 WEST NMPM; Section 17: W1/2 SW1/4, SE1/4 SW1/4 SW1/4 SE1/4; Section 20: W1/2 NE1/4, SE1/4 NE1/4, SE1/4 NW1/4; Section 26: W1/2 SW1/4; Section 35: SW1/4 NW1/4, W1/2 SE1/4, containing 1,380 gross acres more or less.

NOW THEREFORE BE IS RESOLVED THAT THE Board of Commissioners, Montezuma County, resolve to adopt the action taken by that Board in entering into the above described leases.

Commissioners voting Aye in favor of the Resolution were:

Clay Bader, Curtis Honaker, and Harold McComb.

Commissioners voting Nay: None

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 6th day of December, 1976.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

OFFICE OF  
**Board of Commissioners**  
**Montezuma County**

Montezuma County Courthouse  
Cortez, Colorado 81321

PHONE 565-7484

December 2, 1976

A. Wayne Denny  
Montezuma County Assessor  
101 W. Main  
Cortez, CO 81321

Dear Sir:

The following is the certification of Revenues and Levies to the  
Montezuma County Assessor:

School Districts

RE: 1 Montezuma Cortez	
Public School Finance and General Fund	32.66 Mills
Capital Reserve Fund	4.00 Mills
Bond Redemption Fund	4.80 Mills
Total RE: 1	<u>41.46 Mills*</u>
Old 1 Montezuma Cortez	
Bond Redemption Fund	3.00 Mills*

All of the following certifications represent the dollar amounts  
to be raised by the 1976 Levy.

School Districts

RE: 4A Montezuma County	
Public School Finance and General Fund	\$193,776
Capital Reserve Fund	21,883
Bond Redemption Fund	47,215
Total RE: 4A	<u>\$262,874*</u>

Old 4 Montezuma County	
Bond Redemption	\$ 14,240*

RE: 6 Montezuma County	
Public School Finance and General Fund	\$132,824
Capital Reserve Fund	14,895
Bond Redemption Fund	32,582
Total RE: 6	<u>\$180,301*</u>



A. Wayne Denny  
Page 2

Cities and Towns

Cortez	All Funds Except Bond Redemption	\$ 80,220
Dolores	All Funds Except Bond Redemption	22,096
Mancos	All Funds Except Bond Redemption	16,917

County Purposes

County General Fund	\$376,759
Contingent Fund	45,184
Road and Bridge Fund	35,940
Social Services Fund	108,148
Airport Fund	10,537
Total County Purposes	<u>\$576,568</u>

Local Improvements and Service Districts

	<u>All Funds Except Bond Redemption</u>	<u>Bond Redemption</u>	<u>Total</u>
Arriola Cemetery District	\$ 828		\$ 828
Cortez Cemetery District	9,942		9,942
Cortez Sanitation District	28,000	\$103,600	131,600*
Dolores Cemetery District	6,010		6,010
Dolores Water Conservancy District	38,126		38,126
Fairview Cemetery District	1,757		1,757
Lebanon Cemetery District	530		530
Lewis-Arriola Fire District	14,540		14,540
Lewis Cemetery District	923		923
Mancos Cemetery District	2,498		2,498
Mancos Water Conservancy District	2,724		2,724
Montezuma County Hospital District	71,909	149,762	221,671*
Montezuma Mosquito Control District	48,303		48,303
Montezuma Water District No. 1			None Requested
Pleasant View Fire District	3,287		3,287
Sylvan Cemetery District	331		331
Southwest Water Conservancy District	16,131		16,131

\*No approval has been received from the Division of Local Government on these entities and they are subject to the 107% limitations.

Sincerely,

*Clay V. Bader*

Clay V. Bader, Chairman  
BOARD OF COUNTY COMMISSIONERS

CVB/mab

Minutes 11/29/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday , the 29th day of November, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held November 22, 1976 were read and approved as read.

Commissioner-Elect Floyd Ray was in attendance.

The Board decided that the Montezuma County Courthouse would be closed on Friday, the 24th of December. Memos will be sent to the various departments. The Board also decided that they would not meet on Monday, December 27, 1976.

Proposed Public Works Fund in 1977 Budget was discussed. Commissioner Honaker made a motion to rescind the decision made 11/22/76 to hold a Public Hearing for a Public Works Fund. Motion seconded by Commissioner

McComb and carried.

Petition for refund of property taxes by Luther C. Shields on double assessment was presented by Assessor Denny. Commissioner McComb made a motion to approve this petition, seconded by Commissioner Honaker and carried.

Correspondence was read and contents noted. Check in the amount of \$2,846.10 was received from Martin Agency as insurance adjustment on damage done by a Cortez City Truck on Custodian's office. Also received was a check in the amount of \$1,071.55 from the City of Cortez for October operational expense at Justice Building. A report was received from the Division of Property Taxation concerning the investigation in the Assessor's office. This report was tabled until next Monday.

Sanitarian Bob Sawyer discussed a problem at the T. W. Packing Co., formerly Northside Park.

Dr. Grebiel and Margaret Lyon, Nurse, reported that Willa Hodges and Nurse Supervisor Frances Koppenhafer are feeling better. In the meantime Nurse Louise Lyons will see patients on a per visit basis. Dr. Grebiel thanked the Board for the additional room. Swine flu vaccine is now available at the doctor's offices.

Civil Defense Director Dave McNeill discussed Dolores River channel.

Planner W. L. Glenn presented a petition for a variance to the sub-division regulations for Gustav and Hannah Nelson to sell 152 acres to Donald Schwindt in Section 20, T35N, R16W. Commissioner Honaker made a motion to approve this request, seconded by Commissioner McComb and carried. Planning Resolution #P41-76 was signed.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma  
County, Colorado.

Date Monday, November 29, 1976

Coordinator Marshall Denton presented an assurance of compliance to the Department of Commerce which was signed by Chairman Bader.

Bob Gift reported that he purchased a mobile home in September 1974 and put it on the ad valorem tax rolls in 1975. Trailer is now listed in the delinquent tax rolls. Assessor Denny was called in. After some discussion it was decided that Mr. Gift should pay specific ownership tax for 1975 and apply for as abatement for ad valorem tax.

Meeting adjourned at 11:30 A.M.

Attest:

Clerk

Chairman

Online Copy

## Minutes 11/22/1976 Regular

MINUTES OF A REGULAR MEETING OF THE BOARD OF THE COUNTY OF MONTEZUMA COLORADO, HELD AT CORTEZ IN SAID COUNTY ON THE 22ND DAY OF NOVEMBER, 1976, AT 3:00 O'CLOCK, P.M. On the 22nd day of November, 1976, the Board of the County of Montezuma, Colorado, met at Cortez in said County in regular session. The meeting was called to order at 3:00 o'clock, P.M. by the Chairman, and on the roll call the following members of the Board were found to be present: Clay V. Bader, Chairman, Harold McComb, Curtis Honaker

Absent: None

The Chairman announced that, a petition having been filed with the Clerk of the Board by the requisite number of residents of the County, setting forth that there is a need for a Housing Authority to function in the County of Montezuma, as provided by "The County Housing Authority Law" of the State of Colorado, and the Clerk having given due and proper notice of a public hearing to be held at this time and place, at which the Board would determine the need for such an Authority in the County, The Clerk was directed to read such notice and the proof of publication thereof required by The

County Housing Authority Law, which notice and proof of publication were ordered spread upon the minutes as follows:

(Attached is a copy of notice and proof of publication)

A full opportunity to be heard on said question having been granted to all residents and taxpayers of the County and to all other interested persons, the following resolution was introduced by Mr. Harold McComb, who moved its adoption:

RESOLUTION NO. 19-76

A RESOLUTION DECLARING THE NEED FOR A HOUSING AUTHORITY TO FUNCTION IN THE COUNTY OF MONTEZUMA, COLORADO

BE IT RESOLVED BY THE BOARD OF THE COUNTY OF MONTEZUMA COLORADO

That a petition having been filed with the Clerk of the Board of said County by Twenty five (25) residents thereof, setting forth that there is a need for a Housing Authority to function therein, and a public hearing having been held, upon due notice given by said Clerk, all pursuant to "The County Housing Authority Law" of the State of

Colorado, as amended, the Board of said County finds, determines and declares, that:

1. There is a shortage of decent, safes and sanitary dwelling accommodations in the County of Montezuma, Colorado, available to persons engaged in agricultural work and their families, and other low income families; and
2. There is need for a Housing Authority to function in the County of Montezuma, Colorado; and
3. A petition setting forth the need for a Housing Authority to function in the County of Montezuma, Colorado, has not been denied by the Board thereof within three months of the date of the filing of the aforesaid petition; and
4. The Chairman of the Board of the County of Montezuma, Colorado, be promptly notified of the adoption of this resolution; and
5. The Chairman hereby is directed to file in the office of the Clerk of the Board of the County of Montezuma, Colorado, the necessary certificate evidencing either (a) the appointment of the Commissioners and designation of the first Chairman of the Housing Authority, pursuant to Section 69-6-4(3); and
6. The aforesaid conditions in the County of Montezuma, Colorado, compel persons of low income to occupy unsanitary or unsafe dwelling accommodations or overcrowded and congested dwelling accommodations; that the aforesaid conditions cause an increase in and spread of disease and crime; that the clearance and reconstruction of the areas in which unsanitary or unsafe housing conditions exist and the providing of safe and sanitary dwelling accommodations at rents which persons of low income can afford are public uses and purposes.

APPROVED:

CHAIRMAN

DATE:

CLERK

The motion to adopt said resolution was seconded by Mr. Curtis Honaker, and upon roll call the following voted;

Ayes: Clay Bader, Curtis Honaker, Harold McComb

Nays: None

Thereupon the Chairman declared said resolution duly adopted and passed, and signed the same in approval thereof.

The Chairman of the Board of the County Montezuma, being present at the meeting, acknowledged notice of the adoption of the said resolution.

ADJOURNMENT: Meeting adjourned at 4:00 o'clock P.M.

Chairman

Clerk

I, Jean DeGraff, Clerk of the Board of Montezuma, Colorado, hereby certify that I have compared the annexed extract of the minutes of a regular meeting of the Board of said County, held on the 22nd day of November, 1976, containing a resolution entitled "A Resolution Declaring the Need for a Housing Authority to Function in the County of

Montezuma, Colorado," with the original thereof recorded in the official minute book and that it is a correct transcript there from and of the whole of said original; that the foregoing extracts of the minutes of the meeting at which said resolution was adopted are a true and complete transcript of such minutes and that the foregoing resolution is a true, complete, and accurate copy of the resolution adopted at said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Montezuma, Colorado, this 22nd day of November, 1976.

Clerk

#### ATTORNEY'S CERTIFICATE AND OPINION

I, the undersigned County Attorney for the County of Montezuma, Colorado, do hereby certify that I have examined the attached extract from the regular meeting of the Board of said County, held on November 22, 1976, and it is my opinion that the aforesaid meeting was duly and legally held and that the Resolution contained therein was duly and regularly adopted by such governing body in compliance with the laws of the State of Colorado, and are not subject to referendum or the time for filing a petition for referendum has expired.

County Attorney

## Minutes 11/29/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 29th day of November, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P41-76

WHEREAS: Gustav and Hannah Nelson, owners of 155 acres, more or less, in the Northwest One-Quarter (NW1/4) of Section 20, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 152 acres, more or less to Donald Schwindt as an agricultural tract of land, retaining their home and 2.61 acres, more or less, as a residential tract of land.

A tract of land in the NW1/4 of Section 20, T.35N., R.16W., N.M.P.M. Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the east line of the NW1/4 of Section 20, R.35N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the NE Corner of said Section 20 bears N.52 degrees 38'42"E. a distance of 3346.03 ft.; thence, S.20 degrees 38'34"W. a distance of 185.73 ft.; thence, S.41 degrees 43'14"W. a distance of 386.95, ft.; thence, N.84 degrees 23'44"W. a distance of 95.40 ft.; thence, S.59 degrees 22'22"W. a distance of 90.40 ft.; thence, S.42 degrees 25'05"W. a distance of 57.62 ft.; thence, S.51 degrees 55'08"E. a distance of 47.67 ft.; thence, N.89 degrees 43'24"E. a distance of 500.00 ft. to the east line of the NW1/4 of said Section 20;. thence, N.0 degrees 10'59"E. a distance of 565.19 ft. along the east line of the NW1/4 of said Section 20 to the point of beginning, and containing 2.61 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Gustav Nelson appeared before the Montezuma County Planning Department on behalf of himself and his wife, Hannah Nelson, requesting an exemption from the Montezuma County Subdivision Regulations stating that they were selling their land to Donald Schwindt as an agricultural tract, of land, and retaining their home and 2.61 acres, more or less, as a residential tract of land.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

## Minutes 11/22/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 22nd day of November, A. D. 19 76 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the last regular meeting held November 11, 1976, were read and approved.

Commissioner Elect Floyd Ray was in attendance.

Correspondence was read and contents noted.

Treasurer R. E. Hindmarsh was authorized to transfer \$100,000.00 from the Revenue Sharing funds to the General Fund. Mr. Hindmarsh was also given permission to purchase a folding table for this office to be paid for out of Capitol Outlay.

State license for Jessor Liquors and Diamond J Trailer sales were received and County License issued.

The Board agreed to pay a straight \$20 per coyote effective 1-1-77.

Applications for renewal of license were received from Sportsman Center for a 3.2% beer retail license and from Mountain Liquor for a retail liquor store license. Commissioner McComb made a motion to approve these renewals, seconded by Commissioner Honaker and carried.

Mrs. Ann Rothman of Cortez and Mr. Fred Smith of Mancos were appointed by the Board to serve on the Southwest Mental Health Board. Mrs. Rothman and Mr. Smith will be so notified.

A letter was received from the Cortez Community Mission again requesting the \$3000 which had been budgeted for them. This was approved.

Budget receipt for the 1977 budget was received and sent to Budget Officer Gale Greenlee.

County Agents Bob Seaton and Norma Duncan reported on their activities for the month of October. Mrs. Duncan reported that a metric program would be available after the first of January and would be given to any organization upon request.

Planner. W. L. Glenn requested and was given tentative approval for a variance to the sub-division regulations for Gustav and Hannah Nelson to sell some property. Petition was made for Margaret E. Dean to sell 6.12 acres more or less in Section 21, T37N, R16W. Commissioner Honaker made a motion to approve this variance, seconded by Commissioner McComb and carried. Planning resolution #P40-76 was signed.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, November 22, 1976

Coordinator Denton discussed Public Works grant, re-striping, counter cyclical reports and budget problems. Letters will be sent to the mayors of the three cities inviting them to a meeting to be held December 6 at 3:00 p.m. to discuss various highway needs and establish priorities. Mr. Denton also reported that the locks on the door to the law library needs to be changed.

Blair Nelson, Search and Rescue Coordinator for the State Emergency Operations Center presented a certificate of recognition for outstanding achievement to Dixie Lee Ferrick. Mr. Blair also thanked the Board of their help and support of the Search and Rescue program in the County.

Sheriff Hampton stated that the copy machine in the V.A. office was not needed in the Justice Building. Scott Chapman of Shell Oil Co. presented deeds showing that the County owned the mineral rights that Shell wants to lease. Commissioner Honaker made a motion to approve a five year oil and gas lease between the County and Shell Oil Co. in Section 36, T36N, R18W, being more fully described on the attached lease, containing 8 acres more or less, with the County receiving a \$25.00 per acre bonus. Motion seconded by Commissioner McComb and carried.

A request was received from Mr. Colson of Trace Energy Co. to enter into a five-year oil and gas lease agreement. Commissioner McComb made a motion to approve this five-year lease between the County and Trace Energy Co. in Sections 15 and 16, T36N, R19W, said to contain 160 acres more or less with the County receiving a \$25.00 per acre bonus. Motion seconded by Commissioner Honaker and carried. Resolution #18-76 was signed.

Jim Chapman, Engineer for the City of Cortez reported that Mr. Longenbuagh was not available to meet with the Board.

Auditor Gale Greenlee discussed the notification from the State Division of Property Taxation in regards to the 1977 budget. A cut is needed on the budget and he discussed the possibility of cutting the Contingency Fund. This was tabled. A public notice will be issued for a public hearing on the Public Works Fund on December 13<sup>th</sup> at 3:00 p.m. Also discussed the Engineer's salary for 1977.

Road Department Supervisor E. Boren reported on road maintenance and equipment. A request was made by the Golf Ass'n for the use of a scraper and a cat at the golf course. This was approved. Abridge must be built on Lakeview #2. New steel will be used for flooring. Also needs railing. Cost will be approximately \$6000 for material. Terrace Heights wants roads put on the County system. Discussed Chaffin road. This is a private road and the County is not obligated. Board will check.

Vivienne Kerns discussed a youth center. She was referred to the Coordinator in that there might be grant funds available.

It being the time set aside, Chairman Bader reconvened the public hearing for a Housing Authority.

Commissioner McComb made a motion to form a County Housing Authority, appointing others to serve on the Housing Commission.

Motion seconded by Commissioner Honaker and carried.

Board of Social Services conducted.

Board approved the purchase of panic bars for locks on the law library.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Chairman



## Minutes 11/22/1976 Regular

### 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 November, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P40-76

WHEREAS: Margaret E. Dean, owner of 43 acres, more or less, in the West One-Half, Northeast One-Quarter (W1/2 NE1/4) of Section 21, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 6.12 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the NW1/4 NE1/4 of Section 21, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the North line of the West One-Half, Northeast One-Quarter (W1/2 NE1/4) Section 21, T.37N., R.16W., N. M.P.M , Montezuma County, Colorado, from which point the NE Corner of said Section 21 bears S89 degrees 48' 59"E. a distance of 2,061.8 ft.;

thence, S0 degrees 21' 36"E. a distance of 500 ft.;

thence, N89 degrees 48' 59"W. a distance of 533 ft.;

thence, N0 degrees 21' 36"W. a distance of 500 ft.;

thence, S89 degrees 48'59"E. a distance of 533 ft. along the North line of Section 21 to the point of beginning, and containing 6.12 acres more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Joe Dean, agent for Margaret E. Dean, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations, stating that she is not subdividing her property in the intent of the regulations, but merely selling 6.12 acres, more or less, to a separate owner as a residential tract of land.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

## Minutes 11/22/1976 Regular

CERTIFIED COPY OF ORDER - Sentinal Cortez, Colorado

STATE OF COLORADO ss. At a Regular

County of Montezuma meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the

Court House in Cortez, Colorado, on Monday, the 22nd day of November, A. D. 1976 there were present:

Clay V. Bader Chairman,

Harold McComb Commissioner,

Curtis Honaker Commissioner,

Grace S. Merlo County Attorney,

Jean DeGraff Clerk,

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

Montezuma County Treasurer, R. E. Hindmarsh was ordered to transfer one hundred thousand (\$100,000.00) dollars from the Revenue Staring Fund to the County General Fund.

STATE OF COLORADO ss. I, Jean DeGraff

County of Montezuma

County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the annexed and foregoing order is truly copied from the records of the proceedings of the Board of County Commissioners for said Montezuma County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Cortez, Colorado, this 22<sup>nd</sup> day of November A.D. 1976.

County Clerk.

## Minutes 11/22/1976 Regular

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 November 1976 with the following persons in attendance:

Commissioners: Clay V. Bader, Harold McComb and Curtis Honaker

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

The following resolution to cover granting an oil & Gas Lease was adopted.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Montezuma County, Colorado to enter into as Oil & Gas lease as of 11/22/76 to Trace Energy Co., which is herewith incorporated by reference as if fully set forth herein.

Commissioners voting Aye in favor of the Resolution were:

Bader, McComb and Honaker

Commissioners voting Nay: None

Jean DeGraff

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 22nd day of November, 1976.

(SEAL)

Jean DeGraff

County Clerk and Recorder of  
Montezuma County, Colorado

AAPL FORM 681  
**OIL AND GAS LEASE**

THIS AGREEMENT made and entered into this 22nd day of November, 1976 by and between Montezuma County, a political subdivision of the State of Colorado, appearing herein by and through its duly authorized Board of County Commissioners,  
Cortez, Colorado 81321

called Lessor (whether one or more) and Trace Energy, 8000 E. Girard - Suite 609, Denver, CO 80231  
hereinafter called Lessee (whether one or more).

WITNESSETH:

1. Lessor, for and in consideration of the sum of Ten or more Dollars (\$ 10.00 ) in hand paid, the royalties provided herein, and the covenants of the Lessee, hereby grants, leases and lets exclusively to Lessee the land described below for the purpose of investigating, exploring for, drilling for, producing, saving, storing, handling, storing, treating and transporting Oil and Gas together with all rights, privileges and easements useful for Lessee's operations on said land and on land in the same field with a common Oil and Gas Reservoir, including but not limited to rights to lay pipelines, build roads, construct tanks, pump and power stations, power and communication lines, houses for its employees, and other structures and facilities, ~~and the right to drill for, produce and transport therefrom~~ The Phrase "Oil and Gas" as used herein includes all hydrocarbons and other substances produced therewith. The land included in this Lease is situated in Montezuma County, State of Colorado and is described as follows:

Township 36 North, Range 19 West, NMPM  
Sec. 15: SW/4NW/4;  
Sec. 16: SE/4NE/4, E/2SE/4;

Notwithstanding any of the provisions of this Lease, it is hereby agreed and stipulated that the Lessee upon the request of the Lessor shall obtain and deliver to Lessor upon release of this Lease a supplemental Abstract of Title covering all entries appearing of record which were occasioned by the execution of this Lease, at Lessee's sole cost and expense.

including all Oil and Gas and substances produced therewith underlying lakes and streams ~~of which all or any part of the land included in this lease, easements, and rights-of-way which traverse or adjoin said land and including all lands owned or claimed by Lessor as a part of any of said lands and including all~~ 160.00 acres more or less. This lease covers all the Interest now owned by, or hereafter vested in the Lessor and Lessor releases and waives all rights under any Homestead Exemption Law. In calculating any payments based on acreage, Lessee may consider that the land contains the acreage stated above, whether it actually contains more or less. Lessee may inject water, salt water, gas or other substances into any stratum or strata under said land and not productive of fresh water. Five (5) years

2. This Lease shall remain in force for a period of Five (5) years from this date, called "primary term", and as long thereafter as Oil, Gas or other hydrocarbons and substances produced therewith are produced from said land, or Lessee is engaged in drilling or re-working operations on said land.

3. Lessee shall pay royalties to Lessor as follows: (a) one-eighth (1/8th) of the Oil produced and saved from said land to be delivered at the wells or to the credit of Lessor into the pipeline to which the well may be connected; Lessee may, at any time or times, purchase any royalty oil, paying the market value in the field on the day it is run to the storage tanks or pipeline; (b) the market value at the well of one-eighth (1/8th) of the gas (including casinghead gas or other gaseous substances) produced from the land and sold, provided that on gas sold at the well the royalty shall be one-eighth (1/8th) of the amount realized from such sale; (c) one-tenth (1/10th) of the amount realized from the sale of any other substances produced from said land with Oil and Gas.

Where there is a gas well or wells on the lands covered by this Lease or acreage unitized therewith, whether it be before or after the Primary Term hereof, and such well or wells are shut-in and there is no other production, drilling operations or other operations being conducted capable of keeping this Lease in force under any of its Provisions, Lessee shall pay as royalty to Lessor (and if it be within the Primary Term hereof such payment shall be in lieu of delay rentals), the sum of one dollar (\$1) per year net mineral acre, such payment to be made to the Depository Bank hereinafter named on or before the anniversary date of this Lease next ensuing after the expiration of 90 days from the date such well or wells are shut-in, and thereafter on the anniversary date of this Lease during the period such wells are shut-in, and upon such payment it shall be considered that this Lease is maintained in full force and effect. Lessee may use, free of royalty, oil, gas, and water for all operations hereunder.

4. If drilling operations are not commenced ~~on~~ on or before one year from this date, this Lease shall terminate unless Lessee, on or before that date, shall pay or tender to Lessor, Montezuma County Board of County Commissioners

Bank at Cortez, Colorado 81321  
or any successor, the sum of One Hundred Sixty and 00/100 Dollars (\$ 160.00 ) which shall extend for one (1) year the time within which such operation may be commenced. Thereafter, annually, in the same manner and upon the same payment or tender called Rental, this Lease may be continued in force and such operations again deferred for successive periods of one (1) year during the Primary Term: Provided, that if any Oil and Gas shall be produced from or any drilling or re-working operations conducted on said land within ninety (90) days prior to any anniversary of this Lease during the Primary Term, the rental occurring on such anniversary date shall be excused and this Lease shall continue in force as though such rental had been paid. Such operations shall be commenced when the first material is moved in or the first work done. Payments or tenders of rentals may be made by mailing or delivering cash, or Lessee's check or draft to Lessor, or to the Depository Bank on or before the date of payment. If the Depository Bank fails or refuses to accept the rental this Lease shall not terminate; nor Lessee be held in default for failure to pay rental unless Lessee fails to pay such rental for thirty (30) days after Lessee has delivered to Lessee a recordable instrument designating another Depository Bank. Any Bank designated as a Depository shall continue as such and as Lessor's agent regardless of changes in ownership of Lessor's Interest and Lessee may pay tender rental jointly to the credit of all parties having any interest in the land. At the option of Lessee all rental payments may be made to Montezuma County Board of County Commissioners, Cortez, Colorado 81321

one of the parties named herein as Lessor. If Lessee shall in good faith and with reasonable diligence attempt to pay any rental but fails to pay or incorrectly pays part of the rental, this Lease shall not terminate unless Lessee fails to rectify the error or failure within thirty (30) days after written notice of the failure. Lessee may at any time or times surrender this Lease, as to all or any part of the land or as to any stratum or strata, by mailing or tendering to Lessor or to the Depository Bank, or by filing a release or release in the County Records, and thereby be relieved of all obligations as to the portion surrendered, after which the rental shall be reduced in the same proportion the acreage is reduced.

~~Lessee may at any time or times pool any part or all of said land and Lease or any stratum or strata, with other lands and Lease, and may, at any time or times, constitute a spacing unit to facilitate an orderly or uniform well spacing pattern or to comply with any order, rule or regulation of the State or Federal regulatory or conservation agency having jurisdiction. Such pooling shall be accomplished or terminated by filing of record a Declaration of Pooling, or Declaration of Termination of Pooling, and by mailing or tendering a copy to Lessor, or to the Depository Bank. Drilling or re-working operations upon or production from any part of such spacing unit shall be considered for all purposes of this Lease as operations or productions from this Lease. Lessee shall allocate to this Lease the proportionate share of production which the acreage in this Lease included in any such spacing unit bears to the total acreage in said spacing unit.~~

6. If at any time or times after the Primary Term or before the expiration of the Primary Term all operations, and if producing, all production shall cease for any cause, this Lease shall not terminate if Lessee commences or resumes any drilling or re-working operations, or production, within ninety (90) days after such cessation; provided that payment of rental as herein provided for shall be resumed if such cessation occurs during the Primary Term, which rental shall be in addition to any royalty paid. Lessee may, in the interest of economy, commingle production from this Lease with production from one or more Lessee in the same field provided a method of measurement in accordance with established engineering practices is used to measure the production and pay allocate the production to the respective Lessee commingled.

7. Lessee shall pay for all damages caused by Lessee's operations to growing crops, buildings, irrigation ditches and fences, and any other damage to surface and any other damage to surface the surface owner. Lessee shall bury pipelines below ordinary plow depth across cultivated lands. No well shall be drilled within two hundred (200) feet of any residence or barn now on said land without the consent of the surface owner. Lessee shall have the right at any time to remove all Lessee's property and fixtures, including the right to draw and remove all casing. Lessee shall drill any well which a reasonably prudent operator would drill under the same

## OIL AND GAS LEASE

THIS AGREEMENT made this 15th day of November, 1976, between  
Montezuma County, a political subdivision of the State of Colorado, acting by  
and through its Board of Commissioners

lessor (whether one or more), whose address is: Cortez, Colorado 81321  
 and SHELL OIL COMPANY P. O. BOX 991 HOUSTON, TEXAS 77001 lessee, WITNESSETH:

1. Lessor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and of the covenants and agreements of lessee hereinafter contained, does hereby grant, lease and let unto lessee the land covered hereby for the purposes and with the exclusive right of exploring, drilling, mining and operating for, producing and owning oil and gas, including casinghead gas, casinghead gasoline, condensate and all related hydrocarbons, and including all other products produced therefrom, hereinafter referred to collectively as "said minerals", together with the right to make surveys on said land, lay pipe lines, establish and utilize facilities for surface or subsurface disposal of salt water; construct roads and bridges, dig canals, build tanks, power stations, telephone lines, employee houses and other structures on said land, necessary or useful in lessee's operations in exploring, drilling for, producing, treating, storing and transporting said minerals produced from the land covered hereby or any other land adjacent thereto. The land covered hereby, herein called "said land", is located in the County of MONTENZUMA, State of COLORADO and is described as follows:

\*Including Carbon Dioxide Gas

Lessee agrees to furnish landowner at landowners request a supplemental abstract covering a period of time from the date of this lease containing all instruments Lessee may file of record through the date of a formal release recorded in said county.

For the purpose of determining the amount of any bonus or other payment hereunder, said land shall be deemed to contain 5.00 acres, whether actually containing more or less, and the above recital of acreage in any tract shall be deemed to be the true acreage thereof.

2. Unless sooner terminated or longer kept in force under other provisions hereof, this lease shall remain in force for a term of Five (5) years from the date hereof, hereinafter called "primary term", and as long thereafter as operations, as hereinafter defined, are conducted upon said land with no cessation for more than ninety (90) consecutive days.

3. As royalty, lessee covenants and agrees: (a) To deliver to the credit of lessor in the pipe line to which lessee may connect its wells, the equal one-eighth part of all oil produced and saved by lessee from said land, or from time to time, at the option of lessee, to pay lessor the average posted market price of such one-eighth part of such oil at the wells as of the day it is run to the pipe line or storage tanks, lessor's interest, in either case, to bear one-eighth of the cost of treating oil to render it marketable pipe line oil; (b) To pay lessor on gas and casinghead gas produced from said land (1) when sold by lessee, one-eighth of the amount realized by lessee, computed at the mouth of the well, or (2) when used by lessee off said land or in the manufacture of gasoline or other products, the market value, at the mouth of the well, of one-eighth of such gas and casinghead gas; (c) To pay lessor on all other said minerals produced and marketed or utilized by lessee from said land, one-tenth either in kind or the market value thereof at the well, at lessee's election. If, at the expiration of the primary term or at any time or times thereafter, there is any well on said land or on lands with which said land or any portion thereof has been pooled, capable of producing oil or gas, and all such wells are shut-in, this lease shall, nevertheless, continue in force as though operations were being conducted on said land for as long as said wells are shut-in, and thereafter this lease may be continued in force as if no shut-in had occurred. Lessee covenants and agrees to use reasonable diligence to produce, utilize, or market said minerals capable of being produced from said wells, but in the exercise of such diligence, lessee shall not be obligated to install or furnish facilities other than well facilities and ordinary lease facilities of flow lines, separator, and lease tank, and shall not be required to settle labor trouble or to market gas upon terms unacceptable to lessee. If, at any time or times after the expiration of the primary term, all such wells are shut-in for a period of ninety (90) consecutive days, and during such time there are no operations on said land, then at or before the expiration of said ninety-day period, lessee shall pay or tender, by check or draft of lessee, as royalty, a sum equal to one dollar (\$1.00) for each acre of land then covered hereby. Lessee shall make like payments or tenders at or before the end of each anniversary of the expiration of said ninety-day period if upon such anniversary this lease is being continued in force solely by reason of the provisions of this paragraph. Each such payment or tender shall be made to the parties who at the time of payment would be entitled to receive the royalties which would be paid under this lease if the wells were producing, and may be deposited in the DIRECT TO LESSOR Bank at CORTEZ, COLORADO 81321 or its successors, or in the Texas Commerce Bank National Association, Houston, Texas, or its successors, which shall continue as the depositories, regardless of changes in the ownership of shut-in royalty. If at any time that lessee pays or tenders shut-in royalty, two or more parties are, or claim to be, entitled to receive same, lessee may, in lieu of any other method of payment herein provided, pay or tender such shut-in royalty, in the manner above specified, either jointly to such parties or separately to each in accordance with their respective ownerships thereof, as lessee may elect. Any payment hereunder may be made by check or draft of lessee deposited in the mail or delivered to the party entitled to receive payment or to a depository bank provided for above on or before the last date for payment. Nothing herein shall impair lessee's right to release as provided in paragraph 5 hereof. In the event of assignment of this lease in whole or in part, liability for payment hereunder shall rest exclusively on the then owner or owners of this lease, severally as to acreage owned by each.

4. Lessee is hereby granted the right, at its option, to pool or unitize any land covered by this lease with any other land covered by this lease, and/or with any other land, lease, or leases, as to any or all of said minerals or horizons, so as to establish units containing not more than 80 surface acres, plus 10% acreage tolerance; provided, however, units may be established as to any one or more horizons, or existing units may be enlarged as to any one or more horizons, so as to contain not more than 640 surface acres plus 10% acreage tolerance, if limited to one or more of the following: (1) gas, other than casinghead gas, (2) liquid hydrocarbons (condensate) which are not liquids in the subsurface reservoir, (3) minerals produced from wells classified as gas wells by the conservation agency having jurisdiction. If larger units than any of those herein permitted, either at the time established, or after enlargement, are required under any governmental rule or order, for the drilling or operation of a well at a regular location, or for obtaining maximum allowable from any well to be drilled, drilling, or already drilled, any such unit may be established or enlarged to conform to the size required by such governmental order or rule. Lessee shall exercise said option as to each desired unit by executing an instrument identifying such unit and filing it for record in the public office in which this lease is recorded. Each of said options may be exercised by lessee at any time and from time to time while this lease is in force, and whether before or after production has been established either on said land, or on the portion of said land included in the unit, or on other land unitized therewith. A unit established hereunder shall be valid and effective for all purposes of this lease even though there may be mineral, royalty, or leasehold interests in lands within the unit which are not effectively pooled or unitized. Any operations conducted on any part of such unitized land shall be considered for all purposes, except the payment of royalty, operations conducted upon said land under this lease. There shall be allocated to the land covered by this lease within each such unit that proportion of the total production of unitized minerals from the unit, after deducting any used in lease or unit operations, which the number of surface acres in such land covered by this lease within the unit bears to the total number of surface acres in the unit, and the production so allocated shall be considered for all purposes, including payment or delivery of royalty, overriding royalty and any other payments out of production, to be the entire production of unitized minerals from the land to which allocated in the same manner as though produced therefrom under the terms of this lease. The owner or hereafter covers separate tracts, no pooling or unitization of royalty interests as between any such separate tracts is intended or shall be implied or result merely from the inclusion of such separate tracts within this lease but lessee shall nevertheless have the right to pool or unitize as provided in this paragraph 4 with consequent allocation of production as herein provided. As used in this paragraph 4, the words "separate tract" mean any tract with royalty ownership differing, now or hereafter, either as to parties or amounts, from that as to any other part of the leased premises.

5. Lessee may at any time and from time to time execute and deliver to lessor or file for record a release or releases of this lease as to any part or all of said land or of any mineral or horizon thereunder, and thereby be relieved of all obligations as to the released acreage or interest.

6. Whenever used in this lease the word "operations" shall mean operations for and any of the following: drilling, testing, completing, reworking, recompleting, deepening, plugging back or repairing of a well in search for or in an endeavor to obtain production of oil, gas or other of said minerals, or the production of oil, gas or other of said minerals, whether or not in paying quantities.

7. Lessee shall have the use, free from royalty, ~~of the land and the minerals and fixtures placed on said land, including the right to draw and remove casing. No well shall be drilled nearer than 200 feet to the house or barn now on said land without the consent of the lessor. Lessee shall pay for damages caused by its operations to growing crops and timber on said land. and any other damage to surface~~ *Clay V. Bader*

8. The rights and estate of any party hereto may be assigned from time to time in whole or in part and as to any of said minerals or horizons. All of the covenants, obligations and considerations of this lease shall extend to and be binding upon the parties hereto, their heirs, successors, assigns and successive assigns. No change or division in the ownership of said land, royalties or other moneys, or any part thereof, howsoever effected, shall increase the obligations or diminish the rights of lessee, including, but not limited to, the location and drilling of wells and the measurement of production. Notwithstanding any other actual or constructive knowledge or notice thereof of or to lessee, its successors or assigns, no change or division in the ownership of said land or of the royalties or other moneys, or the right to receive the same, howsoever effected, shall be binding upon the then record owner of this lease until thirty (30) days after there has been furnished to such record owner at his or its principal place of business by lessor or lessor's heirs, successors, or assigns, notice of such change or division, supported by either originals or duly certified copies of the instruments which have been properly filed for record and which evidence such change or division, and of such court records and proceedings, transcripts, or other documents as shall be necessary in the opinion of such record owner to establish the validity of such change or division. If any such change in ownership occurs by reason of the death of the owner, lessee may, nevertheless pay or tender such royalties or other moneys, or part thereof, to the credit of the decedent in a depository bank provided for above.

9. In the event lessor considers that lessee has not complied with all its obligations hereunder, both express and implied, lessor shall notify lessee in writing, setting out specifically in what respects lessee has breached this contract. Lessee shall then have sixty (60) days after receipt of said notice within which to meet or commence to meet all or any part of the breaches alleged by lessor. The service of said notice shall be precedent to the bringing of any action by lessor on said lease for any cause, and no such action shall be brought until the lapse of sixty (60) days after service of such notice on lessee. Neither the service of said notice nor the doing of any acts by lessee aimed to meet all or any of the alleged breaches shall be deemed an admission or presumption that lessee has failed to perform all its obligations hereunder. If this lease is cancelled for any cause, it shall nevertheless remain in force and effect as to (1) sufficient acreage around each well as to which there are operations to constitute a drilling or maximum allowable unit under applicable governmental regulations (but in no event less than forty acres), such acreage to be designated by lessee as nearly as practicable in the form of a square centered at the well, or in such shape as then existing spacing rules require; and (2) any part of said land included in a pooled unit on which there are operations. Lessee shall also have such easements on said land as are necessary to operations on the acreage so retained.

10. ~~LESSOR'S RIGHTS AND INTERESTS HEREUNDER SHALL BE CHARGED PRIMARILY WITH ANY MORTGAGES, TAXES OR OTHER LIENS, OR INTEREST AND OTHER CHARGES ON SAID LAND, BUT LESSOR AGREES THAT LESSEE SHALL HAVE THE RIGHT AT ANY TIME TO PAY OR REDUCE SAME FOR LESSOR, EITHER BEFORE OR AFTER MATURITY, AND BE SUBROGATED TO THE RIGHTS OF THE HOLDER THEREOF AND TO DEDUCT AMOUNTS SO PAID FROM ROYALTIES OR OTHER PAYMENTS PAYABLE OR WHICH MAY BECOME PAYABLE TO LESSOR AND/OR ASSIGNS UNDER THIS LEASE. IF THIS LEASE COVERS A LESS INTEREST IN SAID MINERALS, OR ANY OF THEM, IN ALL OR ANY PART OF SAID LAND THAN THE ENTIRE AND UNDIVIDED FEE SIMPLE ESTATE (WHETHER LESSOR'S INTEREST IS HEREIN SPECIFIED OR NOT), OR NO INTEREST THEREIN, THEN THE ROYALTIES AND OTHER MONEYS ACCRUING FROM ANY PART AS TO WHICH THIS LEASE COVERS LESS THAN SUCH FULL INTEREST, SHALL BE PAID ONLY IN THE PROPORTION WHICH THE INTEREST THEREIN, IF ANY, COVERED BY THIS LEASE, BEARS TO THE WHOLE AND UNDIVIDED FEE SIMPLE ESTATE THEREIN. ALL ROYALTY INTEREST COVERED BY THIS LEASE (WHETHER OR NOT OWNED BY LESSOR) SHALL BE PAID OUT OF THE ROYALTY HEREIN PROVIDED. THIS LEASE SHALL BE BINDING UPON EACH PARTY WHO EXECUTES IT WITHOUT REGARD TO WHETHER IT IS EXECUTED BY ALL THOSE NAMED HEREIN AS LESSOR.~~ *Clay V. Bader*

11. If, while this lease is in force, at, or after the expiration of the primary term hereof, it is not being continued in force by reason of the shut-in well provisions of paragraph 3 hereof, and lessee is not conducting operations on said land by reason of (1) any law, order, rule or regulation, (whether or not subsequently determined to be invalid) or (2) any other cause, whether similar or dissimilar, (except financial) beyond the reasonable control of lessee, the primary term hereof shall be extended until the first anniversary date hereof occurring ninety (90) or more days following the removal of such delaying cause, and this lease may be extended thereafter by operations as if such delay had not occurred.

12. Lessor hereby expressly relinquishes dower and releases and waives all rights under and by virtue of the homestead exemption laws insofar as they may in any way affect the purpose for which this lease is made.

IN WITNESS WHEREOF, this instrument is executed on the date first above written.

ATTEST:

*[Signature]*  
Social Security or I.D. Number:  
MONTEZUMA COUNTY CLERK

Social Security or I.D. Number:

Social Security or I.D. Number:

Social Security or I.D. Number:

BY:

COUNTY OF MONTEZUMA

*[Signature]*  
Social Security or I.D. Number:

*[Signature]*  
Social Security or I.D. Number:

*[Signature]*  
Social Security or I.D. Number:

Social Security or I.D. Number:

STATE OF Colorado

INDIVIDUAL ACKNOWLEDGMENT

COUNTY OF Montezuma

SS.

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Clay V. Bader, Curtis Honaker and Harold McComb, to me personally known, and known to me to be the same person s described in and who executed the foregoing instrument, appeared before me this day in person and acknowledged to me that they executed and delivered the same as their free and voluntary act and deed, for the uses, purposes and consideration therein expressed, including the relinquishment of dower and homestead. Given under my hand and official seal this 22nd day of NOVEMBER, 1976.

My Commission Expires:

*[Signature]*  
Notary Public in and for said County and State, residing at  
County Clerk, Montezuma County

STATE OF \_\_\_\_\_ )

INDIVIDUAL ACKNOWLEDGMENT

COUNTY OF \_\_\_\_\_ ) SS.

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_, to me personally known, and known to me to be the same person \_\_\_\_\_ described in and who executed the foregoing instrument, appeared before me this day in person and acknowledged to me that \_\_\_\_\_ he \_\_\_\_\_ executed and delivered the same as \_\_\_\_\_ free and voluntary act and deed, for the uses, purposes and consideration therein expressed, including the relinquishment of dower and homestead. Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My Commission Expires:

Notary Public in and for said County and State, residing at \_\_\_\_\_

WHEN RECORDED RETURN TO:

This instrument was filed for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded in Book \_\_\_\_\_, Page \_\_\_\_\_ of the \_\_\_\_\_ records of this office. \_\_\_\_\_ County Clerk  
County of \_\_\_\_\_ State of \_\_\_\_\_

## Minutes 11/15/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 15th day of November, A.D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance was given. Minutes of the previous regular meeting held November 8, 1976 and the Special meeting held November 10, 1976 were read and corrected as follows:

Regular meeting: corrected to read, The Board agreed to help any Montezuma County taxpayer if snowed-in in an emergency situation even extending into Dolores County. Special meeting: corrected to read, 1977 Budget and Revenue Sharing Hearing.

Correspondence was read and contents noted. Clerk's report submitted for the month of October.

General Fund Vouchers #33384 thru #33415 in the amount of \$2,289.12, Road Fund Vouchers #3119 thru #3124 in the amount of \$989.66, Contingency Fund Vouchers #65 thru #67 is the amount of \$98.39 and public Works Voucher #136 in the amount of \$1,208.25 were allowed and ordered paid.

Coordinator Denton presented a certification of proposed project providing domestic water for residents of Summit Ridge in accordance with long term development objectives of the County. This was signed by Chairman Bader.

An agreement was presented by D. A. George Buck concerning his salary. This agreement states that the District Attorney shall receive \$30,000 for the year 1977 with three percent cost-of-living increases for the three ensuing years. Commissioner McComb made a motion to approve this agreement, seconded by Commissioner Honaker and carried.

Nurse Supervisor Frances Koppenhafer reported that today is the last day that swine flu shots will be given in her office.

Planner W. L. Glenn requested and received tentative approval for James Kernan and John H. & Evelyn Lee to have a variance to the sub-division regulations. Petition was made for William E. Russell and Walter J. Moffitt to sell 12/97 acres more or less to Lloyd J. and Frances M. Larimore and Larry M. and Betty Jo Larimore in Section 6, T38N, R12W. Commissioner Honaker made s motion to approve this variance, seconded by Commissioner McComb and carried. Planning resolution #P39-76 was signed.

Ernie Craig, Byron Kellogg, Walt Posey and Wayne Cook of the Dolores Water Conservancy District and the Bureau of Reclamation discussed the possibility of entering into a contract with the County to design and construct 1k miles of road into the proposed dam site. This will be checked with the road department. The Board expressed interest in these project.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, November 15, 1976

Scott Chapman of Shell Oil Co. wanted to lease a County owned right-of-way, approximately 8 acres in McElmo Canyon. This was tabled until Mr. Chapman can bring in a legal opinion.

Sheriff Hampton presented bids he had received on a 1977 car. Bids are as follows:

Mesa Motor Co.	1977 Buick	\$6438.92
Keesee Motors	Ford LTD	4953.93
Gabriel Chevrolet	Chev Impala	5490.00
Marsell Motor	Dodge Monaco	5550.16

Commissioner Honaker made a motion to purchase the 1977 Ford LTD from the low bidder, Keesee Motor Co., seconded by Commissioner McComb and carried.

Cortez City Manager Longenbaugh discussed the Housing Authority Hearing to be held this afternoon. He also reported that the new Frontier manager is working quite well.

1977 Budget was approved by the Board and sent to Denver for State approval.

Road Department supervisor E. Boren reported on road and equipment maintenance. Mancos Water Conservancy District and the Bureau of Reclamation need lights on Jackson Gulch Dam. Ernie will check with Jim Cook.

Gravel leases were discussed. Hindmarsh lease expires 1/1/77. Discussed Dolores Water District request for building a road.

Board of Social Services conducted.

Ed Kilby reported that some coyotes had been stolen out of his traps.

It being the time appointed, a public hearing was held concerning the need for a Housing Authority. All Commissioners were present, also Attorney Merlo, Clerk DeGraff and Coordinator Denton. All proceedings were taped on cassette tape and duly marked for the record. Decision will be made at the next regular meeting.

November 22, 1976 at 3:00 P.M.

Gary Chaffin requested some work done on a private road.

Assessor Denny discussed salary items in his 1977 budget. Board agreed he should give each of his employees a 5% increase for 1977.

Bob Bryan of the Cortez Mission, Maurine McNeill of the Social Services Department, Rita Wilson, Jody Biard and Mr. Cowan of the Community Center reported that there was no duplicate services in their respective centers. They will work together to establish a fee system for transients. The Center needs funds.

Planner Glenn, Coordinator Denton and Bob Oliver, Engineer presented applications for Public Works Capitol Development Grants. These were discussed and then signed by Chairman Bader.

Adjourned at 5:00 P.M.

Attest:

Clerk

Chairman



## Minutes 11/15/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 15th day of November, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P39-76

WHEREAS: William E. Russell and Walter J. Moffitt, owners of 26 acres, more or less in the W1/2 W1/2 of Tract 41 of Section 6, Township 38 North, Range 12 West, N.M.P.M., Montezuma County, Colorado, wish to sell 12.97 acres, more or less, to Lloyd J. and Frances M. Larimore and Larry M. and Betty Jo Larimore as a residential tract of land.

A tract of land in the W1/2 W1/2 of Tract 41 of Section 6, T.38N., R.12W., N.M.P.M., Montezuma County, Colorado (formerly known as the W1/2 E1/2 SW1/4 of Section 6, T.38N., R.12W., N.M.P.M., Montezuma County, Colorado), lying north of Colorado Highway 145, being more particularly described as follows: Beginning at a point on the north line of Tract 41 of Section 6, T.38N., R.12W., N. M. P. M., Montezuma County, Colorado, from which point Angle Point 2 of said Tract 41 (a brass cap) bears N.86 degrees 56.'00"W. a distance of 456.47 ft.,

thence, S.86 degrees 56'00"E. a distance of 243.62 ft. along the north line of said Tract 41 to the east line of the W1/2 W1/2 of said Tract 41:

thence, South a distance of 1320.36 ft. along the east line of the W1/2 W1/2 of said Tract 41 to a fenceline;

thence, N.88 degrees 33'00"W. a distance of 198.25 ft. along a fenceline;

thence, S.03 degrees 24'00"E. a distance of 359.98 ft. along a fenceline to the north R/W line of Colorado Highway 145;

thence, S.84 degrees 29'18"W. a distance of 262.68 ft. along the north R/W line of Colorado Highway 145;

thence, N.05 degrees 11'40"W. a distance of 330.00 ft.;

thence, N.09 degrees 31'51"E. a distance of 1403.28 ft. to the point of beginning, and containing 12.97 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: William E. Russell, agent for himself and Walter J. Moffitt, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 12.97 acres, more or less, to Lloyd J. and Frances M. Larimore and Larry M. and Betty Jo Larimore as a residential tract of land.

Minutes 11/10/1976 Special

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Special

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Wednesday, the 10th day of November, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Special meeting. All commissioners present. Also Attorney, Clerk and Auditor and budget officer. 1977

Budget and Revenue Sharing Hearing. Proof of publication noted.

All proceeding taped on cassette tape and duly marked for the record.

Those speaking for the Extension were Agent Bob Seaton, Everett Johnson, Nancy Porter, Guyrene McAfee, Sheryl Dean, Wes Wilson, Ellen Holston and Norma Duncan. Written appeal received from Lynelle Green.

Nurse Frances Koppenhafer spoke for the Health Department.

George Buck spoke for the District Attorney's Office.

Grace Merlo spoke for the County Attorney's office.

Jean DeGraff spoke for the Clerk's office. It was also noted that she suggested the purchase of a vote counting system from revenue sharing funds. She was the only one speaking for the Revenue Sharing part of the budget hearing.

Wayne Denny spoke for the Assessor's office.

Commissioner McComb made a motion to adjourn the hearing, seconded by Commissioner Honaker and carried.

Attest:

Clerk

Chairman

Name

Kelly Wilson

Paul E Butler

Paula Scott

Boony W Hampton

Lemmi Coulson

Ellen E. Heston

Eugene L. McFar

Cheryl D. Dean

Margaret Dean

Mary J. Wilson

Valjean Burton

Mildred Beck

Wendy Johnson

Nancy Carter

Margaret Cancell

Paula Kline

Paula Gage

Bob Seaton

Dorcas Durcany

Leifmon Kent

Frances Kappenberg

Albert Jensen

Wesley B. Wilson

George Buck

OFFICE OF  
**COUNTY CLERK AND RECORDER**

MONTEZUMA COUNTY

Box 940

CORTEZ, COLORADO 81321

November 10, 1976

Board of Commissioners  
Montezuma County

Gentlemen:

I would like to comment on several items of the proposed 1977 budget.

#1. Salaries: First, I believe that a 5% cost-of-living increase is unrealistic. Courthouse County employees are fast becoming the lowest salaried in the area. Comparisons have been shown to the Board several times between County salaries and other businesses and local governments. Also on checking other department budgets, I see discrepancies in increases, some over 5% and some under. I realize that some are changes in job classification. We badly need a job classification method for a pay scale. I have an employee on records and microfilm who is making \$446 per month and I have just learned of another employee in the Courthouse doing the same job with less responsibility who has been making \$525 per month. This is not fair to my employees. We need a new pay scale method now. I requested a 7% increase for my employees which I thought would be fair until a new pay scale was determined.

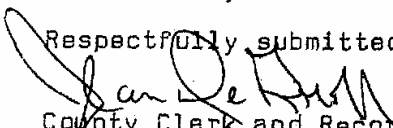
#2. Fringe Benefits: I used a 12% figure for my request. Mr. Greenlee advised me that this was not high enough. The proposed budget is 11% which is not enough.

#3. Clerk's and Election Budget: I would like to thank the Board for recognizing the needs of my office. Our recording department is doing, in some cases, three times as much work as in past years. The motor vehicle department work has expanded along with County population, and you have been quick to understand the problems that we have had in the Elections department.

#4. Revenue Sharing: The results of the election held last week were not available until 11:30 a.m. the next day because of ballot counting. The bi-lingual ballot this year was awkward to handle and extremely difficult to count. It is getting more and more difficult to obtain counting judges because of these problems. An elections vote counting system would bring in earlier returns and savings in the cost of an election. The cost of an electronic system would be between \$30,000 and \$40,000 initially and would pay for itself in about twenty years. It could also be used by City and District elections for additional revenue. I would strongly urge the Board to consider using some revenue sharing funds for the purchase of a better vote counting system.

I would be glad to discuss these items at any time.

Respectfully submitted,

  
County Clerk and Recorder

Date: Wednesday, November 10, 1975  
To: Board of Commissioners, Montezuma County  
From: Nancy Porter, Lewis, Colorado 81327  
Topic: Cooperative Extension Service, Montezuma County

As a rule, I do not appear at public hearings, because, simply stated, I don't like to. The Extension Service in Montezuma County is important to me, to my family, to our County and to County residents. Therefore, I am here to make a statement instead of merely sending you my thoughts, convictions and feelings in written form.

At a time when many people are becoming disenchanted or disinterested in family and community life, the residents of Montezuma County continue to be increasingly involved in family- and home-related pastimes. A few of the many pastimes and pursuits include four-wheeling, hiking, backpacking, skiing and other sports, rodeo fun and other horsemanship action, 4-H and other youth activities, arts, crafts, hobbies and other home-making endeavors and interests.

There are women in this area whose families are raised and who now have time for leisure time activities and other adult education projects. The Extension Home Economics Agent in Montezuma County can fill these needs and help many people contribute their time and talents to crafts, hobbies and other homemaking skills for Benefits, for the pleasure of the public and for their own sense of fulfillment and sense of accomplishment. There are women in this area who are now in need of homemaking skills because of their everyday involvement with family and community. The office of Extension Home Ec Agent is filling another need here. It is gratifying to know that we live in an area where people are still concerned about the home arts and that Montezuma County funds can be made available to provide for qualified Extension Service leaders and personnel to help organize clubs, events, adult activities and youth projects.

The adult area was briefly mentioned in my previous statement. I am more involved in the youth area of Extension work. The Extension Home Ec Agent is also a leader in guiding our 4-H youth in sewing, knitting, crocheting, cooking, child development, home furnishings, personal appearance and grooming and clothing workshops, and in record-keeping. A personal note here: I'm convinced that the 4-H home economics program has helped my daughters realize that grooming and attractive clothing and homemaking arts are not old-fashioned. Through these 4-H activities, youth learn the importance of being involved and being responsible persons willing and able to serve others. Montezuma County needs the services of an Extension Home Economist as well as the services of a County Extension Agent. Being without these services could be detrimental to our way of life and detrimental to the youth who are learning and appreciating the values in which we believe. It would also be detrimental to the Extension Service Program in Montezuma County to expect one Agent to handle the duties and responsibilities that are now managed by two Agents.

(continued)

(Page 2 - Extension Service)

The 4-H home economics program is not just another youth club. Providing 4-H opportunities in Montezuma County is an investment in our future and the future of our youth by encouraging youth to live here and to work here for good of this area. Skills, values and knowledge learned in youth through 4-H will remain useful through adulthood and very often will be a motivating factor in choosing a career.

I feel this group will thoughtfully study the possibilities of retaining an Extension Home Economics Agent and the County Extension Agent at salaries consistent with the time, talent and training necessary to maintain the high quality of the present Extension Service Program in Montezuma County.

In closing I want to share with you some thoughts from essays written by some Montezuma County 4-H members. The first quote is from a thirteen year old: "4-H has been an important part of my life for five years. I have taken beef, horsemanship and sewing projects and have made and modeled garments. I have participated in many activities and have held several offices. Now, I am realizing how 4-H will help me the rest of my life, not only in a career, but also for my well-being. Since I have been in 4-H, it has helped me to live a better life, have fun, and, of course, work hard. It has also helped me realize that I can be a good citizen by helping my club, my community, my country, and my world." The second quote is from the records of a ten year 4-H member who attends college and is majoring in home economics: "Looking back over my ten years of home ec clothing projects shows me how much I have learned about sewing, of course, personal appearance, clothing styles, getting along with people, accepting disappointments as well as honors. I've had fun and learned a lot by helping other younger girls with sewing, modeling, record-keeping, planning style shows, and workshops. My 4-H story, however, should not include only my sewing projects. I've benefitted from knitting, cooking, first aid, and steer and junior leadership projects, from trips, record-keeping, holding offices, and working on activities and committees. Each year I learn more and more because of my 4-H leaders, home ec agent and home ec teacher. 4-H has guided me into following a home ec major in college and to eventually be a good homemaker. 4-H has been a reminder to me to try to be friendly, reliable, and agreeable. I know that I am not an expert at anything and have much more to learn about my projects. However, I have learned that if I can be and if I can do these things and if I can apply my skills and values learned in the 4-H Extension Program, along with things learned in school and in church and at home, that I can be a whole person."

Thank you.

Mr. Chairman --- Commissioners

I would like to have you reconsider the \$1400 salary increase in the 1977 budget.

The raise included in the 1977 budget request was included in the State Long Appropriations bill passed by the Legislature. The State Legislature has increased the counties share of contributions in all the counties in Colorado toward the CSU Extension budget. The CSU Extension Service did not wish that the county contributions be raised but due to Legislative action, was forced to do so.

I visited with Lowell Watts, Director of Extension yesterday concerning this matter. He said that due to budget problems of the CSU Extension Service they could not possibly pick up the \$1400 salary increase for Montezuma County. The only alternative left Director Watts said, is to cut one full time position in Montezuma County.

We have informed our Extension Advisory Council, 4-H Leaders, and Extension Homemakers of the situation, and the possible loss of one position in the County.

I have just computed the workload of our office for the past fiscal year July 1975 to June 30, 1976. It looks like this:

For myself I have worked 339 days or 88 days overtime and Norma worked 300 days or 49 days overtime. Total working days in this period was 251—8 hour days. As you can see this Extension work is not an 8 hour—5 day a week job. We have never asked for any compensation for overtime and don't ever intend to do so because we like working with people and helping people. The total number of people we contacted during the fiscal year 1975—1976 was 21,680, these contacts were made through meetings, personal contacts, and functions.

Looking at the salary increases over the last 10 years to the County Extension Office, it looks like this:

Up to now the ~~salary~~ salary increase for the agent position has been \$500.00 or \$50.00 per year. The Home Economist position has been \$700.00 or

\$70.00 per year. With the new raise of \$700.00 per position then this would be an average increase of \$120.00 in the last 10 years for the agent position and \$140.00 average increase for the Home Economist for the last 10 years. Looking at the 1976 budget the salary paid for the two positions amounted to \$4500.00 out of a total budget of \$16,882.00. Looking at the 1977 budget the salary paid for the two positions would be \$5900.00 out of a total budget of \$18,482.00. The rest of the budget is for operation of a county office.

Once a county position is lost it is very difficult to negotiate for any new county positions. With the loss of a position there will be a definite loss of Extension programs in Montezuma County. A recent survey based on population and growth in Montezuma County, indicates that workload should require 3 full time agents. We do have a summer agent who works for 3 months in the summer which has helped relieve the work load on the two positions during this period.

I would therefore ask that you reconsider the \$1400.00 increase asked for in the 1977 budget request.



## Minutes 11/08/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 8th day of November, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held November 1, 1976 were read and approved.

Correspondence was read and contents noted. Received, among others, was a warrant from the State for Cigarette tax refund for September in the amount of \$901.73. A letter from the State Highway Department announcing the hearing dates.

Treasurer and Sheriff reports were received and reviewed for the month of October.

County Health Doctor Griebel and Nurse Supervisor Frances Koppenhafer discussed budget items such as phone, travel and salary.

Sheriff Hampton discussed his monthly report and reported changes necessary on jail facility of Justice Building.

Planner W. L. Glenn requested and received tentative approval for a variance to the subdivision regulations for Ed and Sue Roseberry and one for Margaret Dean. Commissioner McComb made a motion to approve a variance to the sub-division regulations for H. M. and Nettie M. Kintigh to sell 150 acres more or less to James D. Porter in Section 25, T35N, R17W. Motion seconded by Commissioner Honaker and carried. Planning resolution #P37-76 was signed.

Planner Glenn and Coordinator Denton discussed the engineer's agreement for services between County and Meurer, Serafini and Meurer dba Genge/Meurer, Serafini and Meurer, Inc. of Denver as engineer. Agreement was signed by Chairman Bader. They discussed remodeling of the old Church Building. The Board decided to have the engineering firm use a local architect. The building would be considered in application #3, roads in application #1 and bridges in application #2. A95 grant applications were reviewed.

Mary Baker of the Cortez Senior Citizens reported that everything was going well at the Center. They must submit a budget for the area in December and wondered if the County would pay \$25 per month on utilities in 1977. They will be notified later.

General Fund Payroll #3313 thru #3379 and #33091 & #33092 in the amount of \$44,800.13 and Road. Fund Payroll #2821 thru #2853 and #3091 in the amount of \$25,569.11 were allowed and ordered paid.

General Fund Vouchers #33093 thru #33383 in the amount of \$20,660.66, Road Fund Vouchers #3092 thru #3118 in the amount of \$6,435.25, Contingency Fund Vouchers #59 this #64 in the

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, November 8, 1976

amount of \$688.32 and public Works Vouchers #134 thru #135 in the amount of \$78.78 were allowed and ordered paid.

Sanitarian Sawyer reported that Mr. Balliger was to inspect the Spencer septic system and report to the Commissioners.

Cortez City Manager Longenbaugh reported on airline service.

Road Department Supervisor E. Boren reported on road and equipment maintenance. The Board again agreed that the Road Department would help any Montezuma County taxpayer if they should get snowed in, in an emergency situation even extending into Dolores County. Permission was given to Mr. Boren to see the 1947 IHC and tilt trailer at the offered price.

Scott Douglas of La Plate Sanitation and Tex Barnes of Contract Municipal Service Inc. discussed refuse handling and solid waste solution. Proposal was made and tabled.

Ken Brengles of Cortez Chamber of Commerce requested space in the parking lot for a Santa's Corner. The Board refused as there is no space available.

Discussion was made of the Hospital District resolution. Commissioner McComb made a motion. that the Board of Commissioners not adopt the resolution presented to the Commissioners last week by the Hospital District Board of Directors as there is no provision for this in the law. Seconded by Commissioner Honaker and carried. Board of Directors will be so notified.

Board of Social Services conducted.

Joe Jarvis of Capitol Life discussed the group insurance with the Board. Amendment was signed by Chairman Bader.

Meeting was adjourned at 4:30 P.M.

Attest:

Clerk

Chairman

## Minutes 11/08/1976 Regular

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 8th day of November, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P37-76

WHEREAS: H. M. and Nettie M. Kintigh, owners of 160 acres, more or less, in the S1/2 S1/2 of Section 25, T.35N., R.17W., N.M.P.M., Montezuma County, Colorado, wish to sell 150 acres, more or less, to James D. Porter, et-ux, as an agricultural tract of land, and retaining 10 acres, more or less, as a residential tract of land more particularly described as the North One-Half, North One-Half Southeast One-Quarter, Southeast One Quarter (N1/2 N1/2 SE1/4 SE1/4) of Section 25, Township 35 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, and containing 10 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Wayne Kenyon, agent for H. M. and Nettie M. Kintigh, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 150 acres, more or less, to a separate owner, retaining 10 acres, more or less, as a residential tract of land.

NOW THEREFORE, BE IT RESOLVED That the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 11/01/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 1st day of November, A. D. 1976 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent: Harold McComb

Pledge of allegiance given. Minutes were approved of previous regular meeting held October 25, 1976.

Correspondence was read and contents noted.

City Check for \$995.26 received from City of Cortez for September and October reimbursement of Justice Building.

State Warrant received for Federal Lands and Material for maintenance of State Highway 184 for \$226.76.

Petition for Abatement of Property Tax received from Assessor Denny for Frank Noland on erroneous assessment for \$28.27. Commissioner Honaker made a motion to approve the abatement. Seconded by Commissioner Bader and carried.

A copy of letter received from Paul Butler which he had written to Colorado Land Use Commission on October 16, 1976. Letter to the Justice Building Committee on Flaugh Construction Company in regard to a possible lien being filed against the project.

A copy of letter received from Attorney Guy Dyer notifying Attorney Jerry Bean for the Hospital District that the Homer H. Boyd case has been settled. Letter from Shell Oil Company authorizing repair on county roads for any damage done due to seismic work, also proof of insurance. Findings and order received from State Board of Assessment Appeals for Kenneth Hopperton. Petition was denied. Letter received from Colorado Department of Social Services commending Dave McNeill's performance as County Service Officer.

County Treasurer Hindmarsh requested a resolution dividing Forest Monies of \$30,694.17 between Road and Bridge Fund and Public School Fund, also allocation of Mineral Leasing Monies of \$57,172.11 between Road and Bridge Fund and Public School Fund. Commissioner Honaker made a motion to approve this resolution. Seconded by Commissioner Bader and carried. Resolution #17-76 will be signed later. (See attached.)

Nurse Supervisor, Frances Koppenhafer, reported that Swine Flu Vaccinations would be available through the Doctor's offices. \$50.00 received from Emblem Club as donations and \$21.48 miscellaneous donations. Total, to date, \$345.35. 291 shots given last Monday, October 25, 1976. Discussion on the vacation pay for prior Nurse Supervisor that she claims she has coming to her. There are no receipts explaining private pay. She is requesting nine days vacation money that she feels is due her. A request for phone service in office across the hall from Health Department, coming under 1977 budget. Planning Department not available this morning.

Mancos Land Fill Operation Plan submitted and approved.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, November 1, 1976

Ed Novotny and Paul Butler discussed Land Use.

Meeting of representatives of the various service organizations in the County. It is in regard to Veterans Affairs. The representative reported that they felt that the present veteran officer was doing a good job. There were a few complaints and these were explained.

Representatives were present as follows:

H. L. Carlson, Legion

Marion t. Roberts, VFW

Arthur Davis

D. Woodard, Post Commander #5241 VFW

Bob McGraw, Post Commander #75

Dominic Aspromonte, San Juan Basin Vo-Tech Sch.

Sam Bollard, DAV Post #44 Adjutant

Dave McNeill, Service Office

Frank Richards, Historian post #75

Chairman Bader stated that if there were any problems in the future, these should be reported to the Commissioners as they faire the Service Officer.

Dwayne Longenbaugh, Cortez City Manager, reported that Frontier Airlines had started service effective this morning. He suggested an Airport Committee meeting as soon as possible. Discussion of the Justice Building. County won't bill City for work done by the County Mechanics or Maintenance men. The City will also not bill the County for work that the City does in the Justice Building.

Road Department Superintendent, Ernie Boren, discussed the agreement of the Flodine road for 1977 with BLM. Discussion of repair of County Service truck, estimates have been submitted from Hank's Body Shop and Keesee Motors. Commissioner Honaker made a motion to approve the bid of Hank's Body Shop for \$1,479.70 for repair of County Service truck. Seconded by Commissioner Bader, motion carried. Mr. Boren was directed to make the arrangements and contact the insurance adjustor and Hank's Body Shop. Discussion of excess surplus property which they inspected last week.

County Auditor, Gale Greenlee, reported on the Revenue Sharing meeting that he attended in Denver last week. Revenue Sharing will be slightly more in the future than it has been. Limitations have been cut down. In the budget notice, it should be noted that the public is invited to participate in the Revenue Sharing portion of the budget. Formula for obtaining Revenue Sharing is based on population as well as the amount of local revenue that can be raised. Budget hearing date is set for Wednesday, November 10, 1976, at 3:00 P.M. in the Commissioners room, County Courthouse. Clerk is directed to publish notice of said hearing in both the newspapers. Discussion of County Sicklcycle Program. This program is to stimulate the unemployment situation.

Bob Bryan, Cortez Committee Mission reported that they are working with the Community Center and Social Services on the transient emblem. Also, again, requested funds which had already been budgeted for 1976. He would like to get with the Board of Commissioners and also the Director of Social Services, Maurine McNeill, and Committee Center Director, Jody Biard. Meeting was set for Monday, November 15, 1976.

Ken Brengles, Head of the Chamber of Commerce, and members of the Mesa Verde Inn Keepers, presented ideas for tourism brochure. Requested \$3,000.00 from County for help in publishing this brochure. Request is tabled until a full Board can be present.

Board of Social Services conducted.

Custodian Marion Steerman discussed the remodeling project on the second floor and concerning the repair the wall Marion's office.

Meeting adjourned at 4:15 P.M.

Attest:

Clerk

Chairman

## Minutes 11/01/1976 Regular

THE BOARD OF COUNTY COMMISSIONERS ONZRS  
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 NOV. 1976, with the following persons in attendance:

Commissioners: CURTIS HONAKER, CLAY BADER and

Commissioners absent: HAROLD MCCOMB

County Clerk and Recorder: JEAN DEGRAFF

County Attorney: GRACE S. MERLO

the following proceedings, among others, were taken:

ALLOCATION OF FEDERAL FOREST MONIES WILL BE AS FOLLOWS:

95% TO ROAD AND BRIDGE FUND

5% TO PUBLIC SCHOOL FUND

100% (CRS 30-29-101-1973)

ALLOCATION OF MINERAL LEASING MONIES WILL BE AS FOLLOWS:

75% TO ROAD AND BRIDGE FUND

25% TO PUBLIC SCHOOL FUND

100% (CRS 34-63-102-1973)

Commissioners voting Aye in favor of the Resolution were:

HONAKER, BADER and

Commissioners voting Nay: NONE

County Clerk and Recorder of

Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 1st day of November, 1976.

(SEAL)

County Clerk and Recorder of

Montezuma County, Colorado

## Minutes 10/25/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.  
STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado,  
held at the Court House in Cortez, Colorado, on Monday, the  
25th day of October, A. D. 1976 there were present:

Clay y. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the previous meeting of 10-19-76 were read and approved.

Correspondence was read and contests noted. Findings and orders received from the State Board of Assessment Appeals denying petitions of Lively and Cunningham.

Applications for renewal of a 3.2% beer license for Gordon L. and Willa R. Jesser doing business as Diamond J. Trailer Supplies was received. Commissioner McComb made a motion to approve this application, seconded by Commissioner Honaker and carried.

Application for renewal of a package liquor license for Gordon L. and Wills R. Jesser doing business as Jesser Liquors was received. Commissioner Honaker made a motion to approve this application, seconded by Commissioner McComb and carried.

State license for Paul G. Johnson dba Round Up Store for a 3.2% beer license was received. County license signed by Chairman Bader.

Health Doctor Griebel and Nurse Supervisor Frances Koppenhafer discussed the WIN warrant received from the Department of Employment. This will be deposited to the General Fund, Health Office will be closed to the public Wednesday, October 27, 1976 and Thursday, October 28, 1976, by permission of the Board. However it will be open from 3:00 P.M. to 4:30 P.M. on both days.

Planner W. L. Glenn being on vacation, Coordinator Demon presented a request for a variance to the sub-division regulations for Louise M. Zwicker to sell 2.49 acres more or less in Section 34, T36N, R18W.

Commissioner McComb moved to approve this request, seconded by Commissioner Honaker and carried.

Planning resolution #p38-76 was signed. Tentative approvals for variances were requested and given for H. M. and Nettie M. Kintigh and George Rogers. Request of J. O. Spencer for a sub-division was referred back to the Planning Commission. Directory index in West Wing of Courthouse was discussed. Mr. Denton will see about obtaining new letters and numbers. Public Works Employment Act of 1976 was discussed. Larry Lackey and Grant Handing of the Engineering Firm of Genge/Meurer, Serafini and Meurer, Inc. were present. It was suggested by the Board that Mr. Denton meet with these men this morning in Mr. Denton's offices and report back this afternoon.

Joe Dykes of Shell Oil Co. requested permission to use County roads for seismic work using the shot hole method. Work would be done in McElmo area. Last year Teledyne Co. did this work for them, this year Dawson Co. will do it. Board would give permission if they receive a letter stating that the Company would be responsible for any damage done to roads and proof

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Hoard of Commissioners of Montezuma County, Colorado.

Date Monday, October 25, 1976

of insurance. Also they must work through the Road Superintendent, Mr. Boren. Mervin Akin complained that scrub oak was being burned in Hay Camp Mesa area.

Road Supervisor E. Boren reported on road and equipment maintenance. Cottonwood road was discussed.

Road crew will work on November 2, 1976.

Hospital District Chairman Hal Tanner and Attorney Jerry Bean presented a copy of the District's resolution to sell revenue bonds. This was tabled. They gave a progress report of the new hospital. Construction may be complete by September, 1977.

Richard Tibbits discussed a possible request for a variance to the sub-division regulations. He was referred to the Planning Office.

Area Development Specialist Kelly Wilson inquired about additional rooms in the Courthouse basement.

Tabled.

Board of Social Services conducted.

Mr. Denton, Mr. Lackey and Mr. Herding reported to the Board that they had developed a basic philosophy on the public Works Employment Act and could possible make three separate applications for grants of \$250,000 each. Projects could include roadwork, remodeling the old church building recently purchased and the airport. Applications need to be processed within two weeks. After much discussion, Commissioner McComb moved to approve the proposal of the firm of Genge/Meurer, Serafini and Meurer, Inc., seconded by Commissioner Honaker and carried.

Meeting was adjourned at 5:00 P.M.

Attest:

Clerk

Chairman



## Minutes 10/25/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 25th day of October, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P38-76

WHEREAS: Louise M. Zwicker, owner of 3.83 acres, more or less, in the Northeast One-Quarter (NE1/4) of Section 34, Township 36 North, Range 18 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 2.49 acres as a residential tract of land.

A tract of land in the NE1/4 of Section 34, T.36N., R.18W., N.M.P.M. Montezuma County, Colorado, being more particularly described as I follows:.

Beginning at a point in the NE1/4 of Section 34, T.36N., R.18W., N.M.P.M., Montezuma County, Colorado, from which point the NE Corner of said Section 34 bears East a distance of 677.78 ft.; thence, West a distance of 1397.22 ft.; thence, South a distance of 92.74 ft. to the north R/W line of McElmo Canyon Road; thence, N.89 degrees 01'02"E. a distance of 83.66 ft. along the north R/W line of McElmo Road; thence, N.87 degrees 53'18"E. a distance of 310.22 ft. along the north R/W line of McElmo Road; thence, N.88 degrees 21'43"E. a distance of 156.02 ft. along the north R/W line of McElmo Road; thence, S.89°16'05"E. a distance of 96.29 ft. along the north R/W line of McElmo Road; thence, S.87°04'59"E. a distance of 95.50 ft., along the north R/W line of McElmo Road.; thence, N.89 degrees 39'01"E. a distance of 160.55 ft. along the north R/W line of McElmo Road; thence, N.83 degrees 30'56"E. a distance of 15'0.79 ft. along the north R/W line of McElmo Road; thence, S.88°00'00"E. a distance of 330.60 ft. along the north R/W line of McElmo Road; thence, N.11 degrees 25'00"E. a distance of 76.60 ft. to the point of beginning, and containing 2.49 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Louise M. Zwicker appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations, stating that she is not subdividing her property in the intent of the regulations, but merely selling 2.49 acres, more or less, to a separate owner as a residential tract of land.

## Minutes 10/18/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO

ss.

At a

Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 18th day of October, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance was given. Minutes of the previous regular meeting held October 11, 1976 and special meeting held October 12, 1976 were read and approved.

It was the Board's decision that the County Courthouse will be closed on November 2nd, Election Day and November 11th in observance of Veteran's Day.

Correspondence was read and contents noted. State warrant for Cigarette Tax refund in the amount of \$854.91 was received. A letter was received from the Dolores Cemetery District notifying the Board that Secretary Katie Akin had resigned. Commissioner McComb made a motion that Juanita Fredrickson be appointed to fill this vacancy, seconded by Commissioner Honaker and carried. Clerk was directed to so notify Mrs. Fredrickson. A letter was received from the Dolores Town Mayor V. T. Boyd asking the Commissioners to join the town council in checking the 4th St. Bridge in Dolores. A bill was received from Southwest Memorial Hospital in regards to the Homer Boyd account. Clerk was directed to refer this to Attorney Guy Dyer. Proposal received from Multigraphics for a Graphotype machine. Commissioner Honaker made a motion to purchase this machine at a cost of \$6,272.25, to be paid from the 1977 budget, seconded by Commissioner McComb and carried. Letter was received from mountain Fuel in regards to a proposal to lease an area for oil and gas, stating that this area is in Dolores County.

Sanitarian Sawyer appeared with Cortez Engineer Chapman and presented a site inspection for the City of Cortez. This will be a collection line on South Broadway. This was approved by the Board.

County Tavern License for LaVera Winters dba Stoner Alpine Lodge was signed.

County Health Doctor Griebel and Nurse Supervisor Frances Koppenhafer reported that approximately 3300 swine flu immunizations had been given and donations received was \$281.00. These immunizations will still be given on Mondays from 10:00 a.m. to 12:00 noon until further notice. Health Department needs more lockable filing space for medical records. Board will inspect the area. Custodian Steerman will obtain prices for building a cabinet.

Planner W. L. Glenn requested and was given tentative approval for a variance to the subdivision regulations for Gerald and Diane Stansbury.

Coordinator Denton discussed excess property disposal. Meeting on this will be held in Durango on October 26, 1976. Also discussed public works project. Shelves are now being installed in the Law Library.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma  
County, Colorado.

Date Monday, October 18, 1976

Commissioner McComb reported on his meeting with Wilma, Von and Don Flaugh, Chub Johnson of Flaugh Construction Co., Architect Fred Groves, City Mayor Hal Tanner. Architect will go over checklist with engineer. Road Supervisor Boren reported on road and equipment maintenance. Discussed the 4th St. Bridge in Dolores. He will check with Board next week.

Board of Social Services conducted.

Mr. Martin of the State Division of Property Taxation reported on viewing properties in the County.

Meeting adjourned at 5:00 P.M.

During the meeting General Fund Vouchers #33072 thru #33090 in the amount of \$6,396.60 and Road Fund Vouchers #3082 thru #3090 in the amount of \$3,267.19 were allowed and ordered paid.

Attest:

Clerk

Chairman

## Minutes 10/12/1976 Special

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Special

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 12th day of October, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Board of Commissioners, Montezuma County, met in special session at 7:30 P.M. in the District Courtroom, Montezuma County Courthouse, for a public hearing in regards to a possible County Housing Authority.

Those present besides the three Commissioners were County Attorney Grace Merlo, Clerk Jean DeGraff, Coordinator D. M. Denton and Mel Reddy as an interested party.

Commissioner Chairman Clay Bader determined that since there was no one but Mr. Reddy to give in put and there was a conflict of meetings this evening, that the public hearing would be postponed until November 15, 1976, Monday, at 3:00 P.M. in the Commissioner's Room of the County Courthouse. Clerk was directed to again publish notice of such hearing.

Meeting was adjourned at 8:15 P.M.

Attest:

Clerk

Chairman

## Minutes 10/11/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO                      ss.                      At a                      Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado,  
held at the Court House in Cortez, Colorado, on Monday, the  
11th day of October, A. D. 1976 there were present:

	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent: Clay V. Bader

Pledge of allegiance given. Minutes of the previous regular meeting held October 4, 1976 were read and approved.

Correspondence was read and contents noted. Received was a addendum to a lease between Stoner Alpine Inc. and LaVera Winters concerning an application for transfer of a liquor license. A letter was received from Senator Gary Hart inviting the Board to a Citizens meeting at Fort Lewis College on October 13, 1976. Clerk's, Treasurer's and Sheriff's reports were received and reviewed.

Clerk DeGraff reported that the voter registration count for the County is 6558. After some discussion, Commissioner Honaker made a motion to change polling place in Precinct 2 from the Dolores School to the Dolores Community Center and change polling place in Precinct 10 from the LDS Church to the Justice Building. Motion seconded by Commissioner McComb and carried. Mrs. DeGraff also reported that the new plat cabinet has arrived. Due to some damage, which has been repaired, the original amount of \$2250 had been discounted \$300. Since there is' a balance of \$259 in her plat account, she requested and was given permission to purchase a desk. Mrs. DeGraff stated that the recording is still running high, \$4758 was received for recording in the month of September.

Assessor Denny, Deputy Helen Diffendaffer, Appraisor Hansen and McGraw requested amending the Assessor's 1977 budget to allow for the purchase of a new Graphotype. Approximate cost would be \$6372 with \$100 trade-in for the old machine. Request was tabled until a full board was present. Mr. Denny discussed the three petitions to the State Board of Appeals, Lively's, Hopperton's and Cunningham's. It was the Board's feeling that Mr. Denny should attend the hearings in Denver, and to do the best he could to represent the County. Due to the volume of people requesting copies of appraiser's cards and the time required to handle these requests, Mr. Denny stated that he would charge \$1.00 per card in the future. A min-understanding between Mr. Denny and the State Taxation Office was explained by Mr. McComb. Also discussed was the re-assessment of certain properties. Assessor has not received official notice from the State to do this.

Planner W. L. Glenn presented a resolution for an acceptance of the road dedications of Cottonwood Grove Addition and the North 20 foot right-of-way as dedicated in the Ranchland Hills Sub-division Plat.

Commissioner Honaker made a motion to accept the dedication, seconded by Commissioner McComb and carried. Planning resolution #37-76 was signed. Tentative approval was given for a variance to the sub-division regulations for Louise Zwicker.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, October 11, 1976

Coordinator Denton discussed the payments-in-lieu bill. Wayne Aspinall is interceding for the bill through the President. A change order on the law library in the amount of \$289.62 was signed. Housing Authority Public Hearing scheduled for October 12, 1976 was discussed.

Rita Wilson, Jody Biard of the Community Center and Maurine McNeill, Social Services Director discussed the Community Center. There is a need for more active Board members. Present Board members are Mr. Cohen, Mildred Ross, Maybelle Gatzke, Deanna Truelsen, Rita Wilson and Maxine Maestas.

Sheriff Hampton reported that the C.B. Club has assisted the Sheriff's Office in getting the communications bus operational for the coming hunting season.

Road Department Supervisor E. Boren reported that the bridge east of Blue Door had been completed.

Board of Social Services conducted.

C. L. Martin, Senior Property Appraiser for the Division of Property Taxation visited with the Board. He is conducting a review of assessment practices in the County Assessor's Office.

Letters of thanks were sent to various congressmen for their help in getting the "payments in-lieu" bill passed through the House and the Congress. The bill is now awaiting the President's signature.

General Fund Vouchers #32946 thru #33071 in the amount of \$14,482.23, Road Fund, Vouchers #3058 thru #3081 in the amount of \$7,433.26, Public Works Vouchers #132 thru #133 in the amount of \$1,649.62, and Revenue Sharing Voucher #65 in the amount of \$2,014.60 were allowed and ordered paid.

Adjourned at 3:45 P.M.

Attest:

Clerk

Chairman

## Minutes 10/11/1976 Regular

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 October, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent: Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P37-76

WHEREAS: Cottonwood Grove Addition was subdivided and roads dedicated for public use on the 6th day of February, 1957, with the Final Plat being filed the 15th day of March 1957. Also subdivided was the Ranchland Hills Subdivision which joins the Cottonwood Grove Addition, the Ranchland Hills Subdivision being just south and adjoining the Cottonwood Grove Addition. Both subdivisions being located in the West One-Half of Section 10, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado. The Ranchland Hills Subdivision was dedicated on the 24th day of February, 1959, and filed the 25th day of July, 1961.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County accept the road dedications of Cottonwood Grove Addition and the North 20 foot right-of-way as dedicated in the Ranchland Hills Subdivision Plat.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

County Clerk Recorder  
Montezuma County, Colorado

## Minutes 10/04/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 4th day of October, A.D., 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous meeting held September 27, 1976 were read and approved.

Correspondence was read and contents noted. Veteran's Officer's report for the month of September was received. "Revenue Sharing check in the amount of \$38,577 for the period of July through December was received.

Warrants were received from City of Cortez, for Justice Building, Shell Oil Co. for annual rental of an oil and gas lease, State Department of Health of Nurses and Sanitarian salary reimbursement, and the State Employment Agency for Sheriff's employees under CETA.

Application for renewal of a 3.2% beer license for Paul Jordan doing business as Round-Up-Store was received and reviewed. Commissioner Honaker made a motion to approve the application, seconded by Commissioner McComb and carried.

An offer to renew an oil and gas lease was received from Mountain Fuel Supply Co. on property in the McClean area, Section 23, T38N, R20W. Clerk was directed to write a letter to Mountain Fuel requesting a copy of the original lease.

Sheriff Bob Hampton reported on more problems at the Justice Building. The #5 heating system is not working and needs to be repaired immediately. The Commissioners contacted B & D Electric Co. and assured them that they would guarantee payment if the system could be repaired today. Repair of the Civil Defense jeeps was discussed. Tops can be purchased at Wards at a cost of \$157.00 each. Re-cap tires can be purchased from Jim Paris at a cost of \$18.00 each for 8 tires. This totals \$458.00 and approval was given by the Commissioners.

Sanitarian Bob Sawyer reported for the Health Department.

George Adams reminded the Board of the road by Cottonwood Sub-division that needs maintaining. This will be referred to Planner Glenn and the Road Department.

Assessor Wayne Denny and Deputy Helen Diffendaffer discussed the changes that have to be made in the assessments. He needs two more part-time people to complete these changes and he is out of part-time money in his budget. This request was approved and monies will be transferred from Contingency fund.

Petitions for abatement were presented by Assessor Denny as follows: Spinning Wheel Yarn Shop, erroneous assessment, abatement requested \$34.66. Commissioner Honaker made a motion to approve the petition, seconded by Commissioner McComb and carried. Anne Littell Donley et al, double assessment, abatement requested \$3.30. Commissioner Honaker made a motion to this petition, seconded by Commissioner McComb and carried.

Attest:

Clerk

Chairman



Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, October 4, 1976

Planner W. L. Glenn discussed the Cottonwood road. It needs dedication in order to maintain the road. He will check it out immediately. Mr. Glenn presented requests for variances to the sub-division regulations as follows: Ids Jean Wilson to sell 3.11 acres more or less in Section 16, T36N, R15W. Commissioner Honaker made a motion to approve the variance, seconded by Commissioner McComb and carried. Planning Resolution #P35-76 was signed: James O. Spencer to sell five acres more or less in Section 1, T17N, R13W. Commissioner McComb made a motion to approve this variance, seconded by Commissioner Honaker and carried. Planning Resolution #P36-76 was signed.

Coordinator Denton reported on the Law Library. A change order on doors, etc. will be made. A-96 applications were reviewed, as follows: LEAA training grant, approved by the Board; Handicapped Training; Lardon Hall, disapproved by the Board; Western Conference of Teamsters, Migrant workers, Commissioner McComb made a motion to disapprove seconded by Commissioner Honaker and carried. A-95 grant application for Meadows Apartments in Cortez was reviewed. This would be low income sad senior citizens housing. Commissioner Honaker made a motion to give favorable approval for this application, seconded by Commissioner McComb and carried.

District Attorney George Buck discussed rent on his building for 1977. Rent will raise to \$275 monthly. Also discussed his budget requests for 1977.

Joe Jarvis, Agent for Capitol Life Ins. Co. answered questions from the Board concerning the master policy. Attorney Merlo requested that the policy specify that the Commissioners and the County Attorney would be covered for medical as they are on 24-hour call. Also discussed was that part of the policy showing different rate scales for life insurance. Mr. Jarvis explained that this is the method of determining the one rate and has to be part of the master policy. A letter was received from Suzanne Jones, Service Coordinator for Capitol Life confirming certain points. #1 If a new employee elects to cover his dependents, he must do so within 31 days—or else provide evidence as to their insurability. #2 Pre-existing condition clause will apply to all new employees. #3 Pertaining to conversion privilege to an employee.

Nurse Supervisor Frances Koppenhafer reported that there was a child in Dolores with a possible communicable disease. Testing by a medical doctor before the child was admitted to the hospital cost \$64.00. The Board advised Mrs. Koppenhafer to discuss this matter with the District Attorney to see who would pay the bill.

The Board discussed the repair of a wall in the Custodian's office which was damaged by a Cortex City truck. It was decided to have the insurance company repair the wall but not to enlarge the area at this time. Mr. Steerman will be so notified.

Jim Wood of N C. Ribbel Co. visited with the Board. Requested that he be put on the County's bidding list. Joe Jarvis appeared again and the master policy and amendments with Capitol Life Insurance Co. were signed by the Board.

Road Department Supervisor Earnest Boren reported on roads and equipment. Cottonwood sub-division road was discussed. West Fork private road has been inspected by Mr. Boren and he reported that the road is too narrow for the maintainer. Clerk was directed to write and so notify Mr. Cordalis.

Mr. & Mrs. John Kinsey discussed the denial by the Board of petition for abatement of property tax. Chairman Bader explained that there was a misunderstanding and that ditches should not be classed the same as property. Commissioner Honaker made a motion to approve the petition, seconded by Commissioner McComb and carried.

The petition for abatement of property tax for Charles K. and Wilma Herndon which had previously been denied (September 7, 1976) was reviewed by the Board. Commissioner McComb made a motion to approve the petition, seconded by Commissioner Honaker and carried. Both previous petitions

Attest:

Clerk

Chairman

Page No. 3

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, October 4, 1976

were due to erroneous assessment.

Board of Social Service was conducted.

Ron Driscoll of Driscoll and Co. presented the quarterly report on the tax mapping project. This report was reviewed-by the Board. Commissioner McComb made a motion to approve that at least five per cent of the work called for under that contract has been completed between July 5 and October 4, 1976. Motion seconded by Commissioner Honaker and carried.

Commissioner Honaker made a motion that Chairman Clay Bader is authorized by the Board of Commissioners, Montezuma County, to sign the agreement between the Christian Church and Montezuma County Board of County Commissioners. Motion seconded by Commissioner McComb and carried.

General Fund Payroll #3247 thru #3312 in the amount of \$36,725.02 and #32944-32945 in the amount of \$16,501.33, Road Fund Payroll #2788 thru #2820 in the amount of \$22,716.58 and #3057 in the amount of \$8,164.23, Public Works Fund Voucher #131 in the amount of \$3,259.50, and Contingency Fund Vouchers #57 & #58 in the amount of 137.84 were allowed and ordered paid.

Meeting adjourned at 4:30 P.M.

Attest:

Clerk

Chairman

## Minutes 10/04/1976 Regular

### 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 4th day of October, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P35-76

WHEREAS: Ida Jean Wilson, owner of 53 acres, more or less, in the West One-Half, Northwest One-Quarter of Section 16, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado wishes to sell 3.11 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the W1/2 NW1/4 of Section 16, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the West line of Section 16, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, from which point the NW Corner of said Section 16 (an iron bar at the intersection of Totten Lake Road and Lakeview Road No. 1) bears N.0 degrees 10'22"W. a distance of 2311.71 ft.;

thence, S.0 degrees 10'22"E. a distance of 307.10 ft. along the west line of said Section 16 to the W4 Corner of said Section 16 (established by single proportion between the NW Corner and the SW Corner of said Section 16);

thence, N.89 degrees 36'00"E. a distance of 434.64 ft. along the south line of the NW1/4 of said Section 16 to a fenceline;

thence, N.02 degrees 23'00"E. a distance of 307.46 ft. along a fenceline;

thence, S.89 degrees 36'00"W. a distance of 448.35 ft. to the point of beginning, and containing 3.11 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Ida Jean Wilson appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that she is not subdividing her property in the intent of the regulations, but merely selling 3.11 across more or less, to a separate owner as a residential tract of land. She stated further that the sale of this property would not change the uses of the lands involved.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

## Minutes 10/04/1976 Regular

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF 14ONTEZUDLEL  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 4th day of October, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P36-76

WHEREAS: James O. Spencer, owner of 59 acres; more or less, in the Northeast One-Quarter of Section 1, Township 17 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 5 acres, more or less, to a separate owner as a residential tract of land. A tract of land in the Northwest One-Quarter, Northeast One-Quarter of Section 1, T.37N., R.13W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows: The W1/2 NE1/4 NW1/4 NE1/4 of said Section 1, and containing 5 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: James O. Spencer appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that he is not subdividing his property in the intent of the regulations, but merely selling 5 acres, more or less, to a separate owner as a residential tract of land.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 09/27/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO                      ss.                      At a                      Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 27th day of September, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the previous meeting held September 13, 1976 were read and approved. Correspondence was read and contents noted. Included, among others, was annual rentals on oil and gas leases from Cities Service Oil Co., Trend Resources and Shell Oil Co., letter from Governor Lamm in regards to property assessments, warrant from State Highway Department for maintenance of Highway #184 for \$225.00, maintenance agreement with State Highway Department on Highway #184 signed, warrant from City of Cortez for Justice Building for six months for \$10,842.00, copy of letter from Cortez City Council to West Airlines notifying of their decision to terminate West Air's service, and copies of letters concerning the Justice Building.

Bookkeeper Marge Ketchem reported on the change over of group employee insurance coverage from Metropolitan to Capitol. Metropolitan has requested the return of all employee cards. These will be given to Mr. Christensen. Coverage of road employee Sam Maestas was discussed.

Application for transfer of a liquor license from Charles and Inetha Keith to LaVera Winters was presented with proper fees, copy of lease and letters of recommendation. LaVera Winters was present, Investigator Ralph Rasor gave his report. Commissioner Honaker made a motion to approve this transfer application, seconded by Commissioner McComb and carried.

Nurse Supervisor Frances Koppenhafer submitted minutes of the advisory committee meeting. She also presented budget requests for 1977.

Planner W. L. Glenn presented the Laguna Vista Sub-division plat for signing. Requests for variances to the sub division regulations were as follows: Theodore R. & Joyce: A. Scharnhorst to sell 5 acres more or less in Section 1, T35N, R16W. Commissioner Honaker made a motion to approve, seconded by Commissioner McComb and carried. Planning Resolution #P32-76 was signed. Frank W. and Carolyn J. Dean to sell 12 acres more or less in Section 21, T37N, R16W. Commissioner Honaker made a motion to approve, seconded by Commissioner McComb and carried. Planning Resolution #P34-76 was signed. Chris H. & Effie Jones to convey .33 acres more or less in Section 12, T37N, R15W. Commissioner McComb made a motion to approve, seconded by Commissioner Honaker and carried. Planning Resolution #P33-76 was signed. Jerry Wolf to sell 16.93 acres more or less in Section 12, T36N, R15W. Commissioner McComb made a motion to approve, seconded by Commissioner Honaker and carried. Planning Resolution #P31-76 was signed. Tentative approval for variances to the sub-divisions were given for Vaughn and Shirley Fairbanks and James O. Spencer.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, September 27, 1976

Coordinator Denton updated the Board on the law library. Also discussed was the Region 9 refund of 1976 assessment.

Custodian Steerman reported that the insurance adjuster had advised that the insurance would cover repair of his office.

Rita Wilson and Mr. Cowan of the Community Center reported that the center is in a bad financial position. Volunteers are trying to keep the center open. The center has provided food, clothing, shelter, etc... for approximately 110 cases from September 1975 to May 1976. A.I.M. has no funds budgeted for salaries and they would like to have financial help from the County for 1977. This was taken under advisement.

Cortez City Mayor Hal Tanner presented budget requests for 1977 for rural fire calls, City library, Justice Building and Airport. Mr. Murray displayed awards which had been received by the Cortez City Library. Miss Kathy Chrisley was introduced by Clerk DeGraff. Miss Chrisley has transcribed the public hearing which was held September 13th. She is a full time student at the VO-Ed School and as part of her training she can take a part-time job in an office. On the recommendation of Mrs. DeGraff, Miss Chrisley can work in the Courthouse at the minimum wage where needed.

Road Supervisor Earnest Boren reported on road and equipment. The service truck was wrecked last week. Discussed employee Sam Maestas. He is partially blind and not able to do the work assigned to him. Joe Reed stated that his son will be driving the school bus this winter and he needs gravel on his driveway. He was referred to the School Administrator for request as per County policy. He also discussed the road grader which has been used by Yellow Jacket Grange. Board will write a letter explaining the County policy for the use of the grader. Mr. Reed has been appointed by the Governor on the Land Use Commission. He would like the Commissioners objectives concerning land use. The Board felt there should be no further legislation on land use and it should be kept on a local control basis. W. L. Glenn reported that there are 728.31 miles of County roads and Highway Users Tax will be based on this figure. John Cordales representing residents on West Fork requested that the West Fork road be plowed k mile further up the road. Mr. Boren will check.

Jim Hemphill introduced Bob Rolander, State Chairman for Coloradoans Against Amendment #3, Approval of Nuclear Facilities. Mr. Rolander explained his position.

Tim Christian and Stan Busterbaum of the Soil Conservation office discussed the road seeding project. A signed copy of the agreement was presented. The bid opening will be October 8th at 10:00 A.M.

Stan Pierce and Roy Hanneman of the Cortez Sanitation District and Cortez City Clerk Dick Davis discussed budgetary items for the local sanitary landfill. According to a survey conducted this year, 1/3 of users are out of city residents. Budget request is figured on 1/3 of total cost for 1977.

Christian Church Board members Curtis McDonald and Don Noland discussed the sale of church property to the County. County Attorney Merlo will draw up an agreement for purchase. Payment of \$39,500 will be made January 17, 1977.

Board of Social Services conducted.

Bucky Phillips of B & D Electric discussed certain items on the Justice Building. He stated that he would not connect the present generator as it is about 1/3 the size needed to handle the load.

General Fund Vouchers # 32841 thru #32943 in the amount of \$3, 161.12 were allowed and ordered paid.

Attest:

Clerk

Chairman

Meeting was adjourned at 5:30 P.M.

## Minutes 09/27/1976 Regular

### 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 September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P34-76

WHEREAS: Frank W. and Carolyn J. Dean, owners of 55 acres, more or less, in the West One-Half, Northeast One-Quarter (W1/2 NE1/4) of Section 21, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 12.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the NW1/4 NE1/4 of Section 21, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the east line of the NW1/4 NE1/4 of Section 21, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the NE Corner of said Section 21 bears N.61 degrees 55'45"E. a distance of 1494.09 ft.;

thence, N.0 degrees 21'36"W. a distance of 707.32 ft. along the east line of the NW1/4 NE1/4 of said Section 21 to the north line of said Section 21;

thence, N.89 degrees 48'59"W. a distance of 739.01 ft. along the north line of said Section 21;

thence, S.0 degrees 21'36"E. a distance of 707.32 ft.;

thence, S.89 degrees 48'59"E. a distance of 739.01 ft. to the point of beginning, and containing 12.00 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Joe Dean, agent for Frank W. and Carolyn J. Dean, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 12.00 acres, more or less, to a separate owner as a residential tract of land.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

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

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado



## Minutes 09/27/1976 Regular

### 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 September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P33-76

WHEREAS: Chris H. Jones and Effie Jones, owners of 2.75 acres, more or less, in the East One-Half, South-west One-Quarter (E1/2 SW1/4) of Section 12, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, did convey .33 acres, more or less, to their son, Lyle E. Jones and daughter-in-law, Joanne Jones, as a homesite.

A tract of land in the E1/2 SW1/4 of Section 12, Township 37 North Range 15 West, N.M.P.M., described by metes and bounds as follows to-wit:

Beginning at a point 460 feet South of the Southeast Corner of the NW1/4 of Section 12, Township 37 North, Range 15 West, N.M.P.M., thence West 106 feet, thence South 140 feet to the North right of way line of Colorado Highway 145 as now constructed; thence East 106 feet along the North line of right of way of said Highway No. 145, thence North 140 feet to the place of beginning, and containing .33 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Chris H. Jones appeared before the Montezuma Count Planning Department in behalf of himself and his wife, Effie Jones, requesting an exemption from the Montezuma County Subdivision Regulations stating that the above .33 acres, more or less, with improvements had in fact been conveyed to Lyle E. and Joanne Jones prior to the Subdivision Regulations without knowledge of these regulations.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners finds that this division of land was prior to Subdivision Regulations and because the deed was not made until August 23, 1972, this exemption is hereby granted. However, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado



## Minutes 09/27/1976 Regular

### 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 September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P32-76

WHEREAS: Theodore R. and Joyce A. Scharnhorst, owners of 66 acres, more or less, in the South One-Half, Northwest One Quarter (S1/2 NW1/4) of Section 1, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell to a separate owner 5.00 acres, more or less, as a residential tract of land.

A tract of land in the NW1/4 of Section 1, T.35N., R.16W., N.M.P.M.. Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the east line of the NW1/4 of Section 1, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the N4 Corner of said Section 1 bears N.0 degrees 02'47"W. a distance of 1764.78 ft.;

thence, N.80 degrees 30'52"W. a distance of 149.66 ft. to a fenceline;

thence, S.89 degrees 39'11"W. a distance of 780.01 ft. along a fenceline; thence, S.08 degrees 59'06"E. a distance of 244.49 ft. along a fenceline;

thence, N.89 degrees 39'11"E. a distance of 889.62 ft. to the east line of the NW1/4 of said Section 1;

thence, N.0 degrees 02'47"W. a distance of 216.16 ft. along the east line of the NW1/4 of said Section 1 to the point of beginning, and containing 5.00 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Bob Durant, agent for Theodore R. and Joyce A. Scharnhorst, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 5.00 acres, more or less, to a separate owner as a residential tract of land. He further stated the sale of this property would not change the uses of the lands involved.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this, land occur, a Subdivision Plat will be filed.

## Minutes 09/27/1976 Regular

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 September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P31-76

WHEREAS: Jerry Wolf, owner of 36.43 acres more or less in the. North One-Half, Southwest One-Quarter (N1/2 SW1/4) of Section 12, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 16.93 acres more or less to a separate owner, retaining 19.5 acres more or less as an irrigated farm tract of land.

A tract of land in the NW1/4 SW1/4 of Section 12, T.36N., R.15W., N.M.P.M., being more particularly described as follows:

Beginning at a point 30 feet South of the W1/4 Corner of Section 12, T.36N., R.15W., N.M.P.M.:

thence, N.89 degrees 46'13"E. a distance of 718.21 ft., along the north line of NW1/4 SW1/4 of said Section 12;

thence, S.0 degrees 04'00"W. a distance of 1176.46 ft.,

thence, S.88 degrees 51'44"W. a distance of 718.36 ft., to the west line of said Section 12;

thence, N.0 degrees 04'00"E. a distance of 1187.84 ft., along the west line of said Section 12 to the point of beginning, and containing 19.5 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Jerry Wolf appeared before the Montezuma County, Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that he is not subdividing his property in the intent of the regulations, but merely selling 16.93 acres more or less to a separate owner as a dryland tract of land and retaining 19.5 acres, more or less, as an irrigated tract of land.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

Minutes 09/13/1976 Regular

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Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OE COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 13th day of September, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
	County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo

Minutes of the regular meeting held September 7, 1976, were read and approved.

Correspondence was read and contents noted. Cigarette tax refund for the month of July in the amount of \$909.77 was received from the State. A check was received from Shell Oil Co. as annual payment on an Oil and Gas Lease in the amount of \$1,253.39. This begins \$80 less than the amount specified, the Clerk was directed to inquire as to the difference.

Mrs. LaVera Winters presented an application for transfer of a liquor license for Stoner Alpine Lodge, license now being in the name of Charles and Inetha Keith. Application was turned over to Investigator Ralph Rasor and will be reviewed by the Board on September 27, 1976.

Sheriff Bob Hampton presented the August report for his office and the jail. The jeeps and the plymouth which had been advertised for sale at public auction were sold totaling \$980.00. The two jeeps acquired last week through civil defense will require some work. This was approved.

General Fund bills #32718 thru #32840 in the amount of \$18,992.26 and Road Fund bills #3026 thru #3056 in the amount of \$16,219.33 and Revenue Sharing Voucher #63 in the amount of \$6,957.00 Contingency Fund Voucher #56 in the amount of \$330.00, Public Works Voucher # 130 in the amount of 16.50 were allowed and ordered paid.

The Board wrote an authorization for the County Treasurer to transfer funds from the Revenue Sharing Fund to the Road and Bridge Fund if necessary.

Sanitarian Bob Sawyer discussed additional space for the Health Department. Mr. Sawyer will have Mr. Balliger inspect the Spencer property as soon as possible.

Scott Douglas of La Plata Sanitation in Durango inquired as to the County's needs for solid waste disposal. The Board expressed an interest and Mr. Douglas was referred to the Planning Department.

Road Supervisor E. Boren reported on the road maintenance and equipment. Willows need to be cut east of the M & M. Cortez Community Mission would like for their people, transients, etc., to work out their board and room. Boren stated that he could find work for some. He will work with Mr. Bryan. A request for gravel on the Ryman Rd. near Pleasant View was disapproved for now.

Planner Glen presented a request for a variance to the sub-division regulations for David and

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of commissioners of Montezuma County, Colorado.

Date Monday, September 13, 1976

Sybil Decker to sell 32.4 acres more or less in Section 4, T35N, R13W, to a separate owner. Commissioner Honaker made a motion to approve this variance, seconded by Commissioner McComb and carried. Planning resolution #P29-76 was signed.

Coordinator Denton discussed the Work Study Program and the comprehensive plan which is being jointly developed with Dolores County. Commissioner McComb made a motion to adopt a resolution to be signed jointly with Dolores County and the respective Planning Commissions, approving the Work Study Program for fiscal year 1977 and the supporting budget. Seconded by Commissioner Honaker and Carried. Dolores and San Miguel Counties would like Montezuma County to join them in pleading with the State Highway Department for reconstruction of Slick Rock Hill on Highway #141, and also Norwood Road for designation. In order to have more time for work at Planning Commission meetings, Mr. Denton requested and was given approval to have dinner meetings paid for by the County.

Board of Social Services conducted.

Cortez City Manager Dwayne Longenbaugh, City Councilman Bill Smart and Dottie Wayt discussed West Air Lines with the Board. Mr. Longenbaugh recommended getting Frontier Air Lines back if West Air Doesn't get more boardings. The Board concurred with this recommendation. The decision has to be made and Frontier notified by Wednesday a.m. to get Frontier back by November. City council will act accordingly Tuesday evening.

This being 11:00 a.m., the time having been set aside, the public hearing for an application for a liquor license for Judith P. Clark dba Clark's of the South route was reconvened for the decision of the Board. All commissioners present and Clerk Jean DeGraff and Edward Clark, husband of the applicant also in attendance. Commissioner McComb made a motion to deny the application as the applicant did not show the needs or desires of the neighborhood. Motion seconded by Commissioner Honaker and carried. Chairman Bader stated that a written decision will follow. Public Hearing adjourned. These proceedings were recorded on cassette tape and duly marked for the record.

Home Demonstration Agent Norma Duncan reported on activities, 4H Dress revue went well, 175 home pressure canners have been tested in the County, etc... County Agent Bob Seaton reported on the County and State Fair. Several Montezuma County residents received awards at the State Fair. Skunk control program was discussed as a possibility for the County. The State Agriculture Commission will be in Cortez on September 17, and 18. Mr. Seaton reported that his secretary is resigning due to illness of her husband. Discussion of judges at the County Fair.

Assessor Wayne Denny appeared to discuss the State reappraisal values in the letter of September 9, 1976 to Governor Lamm, copy of which was given to the Board. The Board will write the Governor requesting a delay of the reappraisal until next year as reappraisal at this time would greatly delay preparation of the 1977 budget. Norman Schultz of the Colorado Employment office presented a contract release 6-3-062-V-PSE to be signed. A refund check of \$267.80 will be written to Colorado Department of Labor and Employment.

Meeting adjourned at 12:30 P.M.

Attest:

Clerk

Chairman

## Minutes 09/13/1976 Regular

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 September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P29-76

WHEREAS: David A. and Sybil Decker, owners of 46 acres, more or less, in the West One-Half, Southeast One-Quarter (W1/2 SE1/4) of Section 4, Township 35 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wish to sell 32.4 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the NW1/4 SE1/4 of Section 4, Township 35 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, more particularly described as follows:

Beginning at the Northeast Corner of said NW1/4 SE1/4 of Section 4, thence South 1320 feet, thence West 650 feet, thence North 495 feet, thence West 670 feet, thence North 825 feet along a county road, thence East 1320 feet to the point of beginning, and containing 32.4 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Sybil Decker appeared before the Montezuma County Planning Department in behalf of herself and her husband, David A. Decker, requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 32.4 acres, more or less, to a separate owner as a residential tract of land. .

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 09/07/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss.

At a

Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 7th day of September, A. D. 1976 there were present:

Clay V. Bader

Chairman

Harold McComb

Commissioner

Curtis Honaker

Commissioner

Grace S. Merlo

County Attorney

Jean DeGraff

Clerk

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting read and approved.

Correspondence was read and contents noted. Veteran's Officer report for the month of August was received. County license for 3.2% beer license was signed for Ute Mountain Market. Copies of letters from Plough Construction Co. to sub-contractors were received in regard to the Justice Building. A letter was received from Metropolitan Ins. Co. acknowledging cancellation by the County. Received copies of petition to State Board of Assessment appeals from Kenneth R. Hopperton and from Larry D. and Beverly J. Cunningham all from Mancos.

Custodian Steerman requested full time status for one of his employees who is working four hours in the a.m. and four hours in the evening. Request was granted. Also requested help in painting the old Assessor's office. Board thought that since there is no time limit, that Mr. Steerman could work on it as he had time.

Clerk DeGraff stated that she would need Mr. Steerman to help next Monday in delivering and setting up voting booths at the various polling places. She will be conducting a school of election judges on Friday evening, District Courtroom, September 10, 1976. Since there will be an absent voters polling place in the Courthouse on Primary and General election, the Courthouse will be closed to all business except election business on those days. Mrs. DeGraff reported that the VFW Building could not be used as a polling place as there is no lights or water. She is trying to locate another polling place.

Nurse Supervisor Frances Koppenhafer invited the Board to the next Advisory Board meeting to be held September 9, 1976, at the First National Bank meeting room. Swine flu vaccine clinics were discussed. The date will be October 16, 1976, from 4 to 9 p.m. Discussion of the possibility of providing flu shots for County employees in the future. Board agreed that cost of supplies for the swine flu clinic will be paid out of the Contingency Fund to be re-imbursed by donations at the clinic. An inventory of supplies which were ruined in Health Departments supply vault was presented. Part of this inventory will have to be replaced immediately. After discussion with Coordinator Denton, the Board stated that payment could be made out of the Public Works fund. Budget requests were discussed. They are due back in the Commissioner's office before September 27, 1976. Salaries for 1977 were discussed.

Larry Pleasant, trustee for the District Attorney's building, reported that the rent will be increased for 1977. He was referred to the District Attorney for negotiation.

Planner W. L. Glenn presented the following requests for variations to the sub-division regulations:

Attest:

Clerk

Chairman



Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Tuesday, September 7, 1976

Decker Ranches, John B. and Gwenlyn Decker, Kenneth L. and Gloria V. Decker to sell 25 acres more or less in Section 8 and 9, T35N, R13W, to Charles L. and Lelissa Ann Mosley. Commissioner Honaker moved to approve this variance, seconded by Commissioner McComb and carried. Planning Resolution #P27-76 was signed. Decker Ranches, and Kenneth L. & Gloria V. Decker, John B. and Gwenlyn I. Decker to sell 1.35 acres more or less in Section 8 and 9 T35N, R13W to David and Joy Kayzer. Commissioner McComb made a motion to approve this variance seconded by Commissioner Honaker and carried. Planning Resolution #P28-76 was signed. Lee R. & Juanita Beasley to sell 5 acres more or less in Section 5, T35N, R16W to a separate owner. Commissioner Honaker made a motion to approve to approve this variance, seconded by Commissioner McComb and carried. Planning Resolution #P24-76 was signed Charles R. and Melinda Lou Tate to sell 49 acres more or less in Section 12, T37N, R17W to Jack W. and Theresa Ann Tanner, Commissioner McComb made a motion to approve this variance, seconded by Commissioner Honaker and carried. Planning Resolution #25-76 was signed. Gail A. Dennison to convey .64 acres more or less in Section 30, T37N, R16W to his uncle, Vernon Dennison. Commissioner Honaker made a motion to approve this variance, seconded by Commissioner McComb and carried. Planning Resolution #P26-76 was signed. Planner Glenn requested and was given tentative approval for Ids Jean Wilson to convey some property and for T. R. and Joyce Scharnhorst to sell.

Coordinator Denton gave a progress report on remodeling for the law library. The books will be here at any time, the shelving has already arrived. Discussion of blue prints of the old courthouse. The cost of copying two sets would be \$137. He was given approval from the Board to have this done. Land Use Commission will be meeting in Durango September 23-24, 1976. He reported on an E.P.A. meeting September 3, 1976 in Durango. County unemployment rate is 8.4%.

Assessor Denny requested an additional two phones for his office. Since he doesn't have the needed funds in his "76" budget, he was asked to wait until "77" for this addition.

Bill Batt reported that the road extending south of Oak St., needed to be widened and repaired. This will be discussed with Road Supervisor Boren.

Robert Boe, Dan Nedaba and Merle Pittman of the Southwest Mental Health presented a request for fund for 1977. Planning grant program monies as requested earlier this year were not obtained therefore that program has been dropped. Board members were discussed. Kent Williamson has resigned from the Board leaving Beverly Cunningham, Mancos, as member from Montezuma County. Total request for Montezuma County is \$7000.00

Cortez City Manager Dwayne Longenbaugh reported that West Airlines is still not doing too well and there is a possibility that Frontier Airlines will be contacted.

Road Department Supervisor E. Boren reported that chipping was complete at the Justice Building. On the road job at Pleasant View, Mr. Boren stated that if they have to dig down further, a power pole would have to be moved at a cost of \$600. The Board stated for him to use his judgment. As to the request of Mr. Batt on the dump road, Mr. Boren stated that this would entail moving an irrigation ditch and the cost would be prohibitive. The Clerk was directed to write a letter to Mr. Batt so informing him.

Ardis Wulf of Planned Parenthood presented a request for 1977 funding. Montezuma County's patient load is approximately 300 annually.

Reece Malles and Millard Steerman inquired about putting a fence about 6 inches on County right-of-way about 1/4 mile on Goodman Point road. Approval was given in it won't interfere with any water or power lines. Letter of approval will be written to that effect if necessary.

Cortez Community Mission Board members, Kenneth R. Wilson, Mel Redday, Hildy Ochtrup, June Lee Merritt, Director Bob Bryan and Bill Brown of Region 9 presented a request for 5977 funding. The members answered questions and contradictions which have arisen recently.

Attest:

Clerk

Chairman

Page No. 3

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Tuesday, September 7, 1976

All members felt that the program was successful to a point but the need is for a half-way house or residential care. The biggest problem is with the Utes. The Mission Board members and the Commissioners felt that they along with the Cortez City Council should meet with the Tribe to work on this problem and coordinate efforts. Board of Social Services conducted.

The Commissioners discussed their forth coming meeting with the Interstate Association of Public Land Counties is Kalispell, Montana. They will be attending seminars on the "payments in lieu of taxes bill" currently before Congress. If the bill was passed it could mean an additional income to the County of from \$240,000 to 340,000 annually which is equal to one half of what the Commissioners levied on Montezuma County property in 1975. Date for these meetings will be September 16th, 17th and 18th.

Scott Chapman of Shell Oil Co. offered to lease mineral rights owned by the County is S1/2 NW1/4, N1/2 SE1/4 of Section 13 and the E1/2 NE1/4 of Section 23, Township 36, North, Range 17 West, containing 240 acres, including carbon dioxide gas. Bonus offer was \$25.00 per acre and lease would be effective September 9, 1976, for a five-year period. Commissioner Honaker made a motion to accept the offer, seconded by Commissioner McComb and carried. Resolution #16-76 was signed.

Abatements were presented by Assessor Denny as follows: Douglas C. Evens, erroneous assessment, abatement \$62.25 Commissioner Honaker made a motion to approve the Evens abatement, seconded by Commissioner McComb and carried. John W. and Helen L. Kinsey, erroneous assessment, 73,74 and 75, refund \$9.48. Charles K. and Wilma S. Herndon, erroneous assessment, 70 thru 75, refund \$214.77.

Commissioner Honaker made a motion to deny refunds of Kinsey et ux and Herndon, et ux, seconded by Commissioner McComb and carried.

Meeting was adjourned at 5:30 P.M.

Attest:

Clerk

Chairman



EXHIBIT A  
OIL AND GAS LEASE

THIS AGREEMENT made this 9th day of September, 1976, between Montezuma County, a political subdivision of the State of Colorado, acting by and through its Board of Commissioners, lessor (whether one or more), whose address is: Cortez, Colorado 81321 and SHELL OIL COMPANY P. O. BOX 991 HOUSTON, TEXAS 77001, lessee, WITNESSETH:

1. Lessor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and of the covenants and agreements of lessee hereinafter contained, does hereby grant, lease and let unto lessee the land covered hereby for the purposes and with the exclusive right of exploring, drilling, mining and operating for, producing and owning oil and gas including casinghead gas, casinghead gasoline, condensate and all related hydrocarbons, and including all other products produced therewith, hereinafter referred to collectively as "said minerals"; together with the right to make surveys on said land, lay pipe lines, establish and utilize facilities for surface or subsurface disposal of salt water, construct roads and bridges, dig canals, build tanks, power stations, telephone lines, employee houses and other structures on said land, necessary or useful in lessee's operations in exploring, drilling for, producing, treating, storing and transporting said minerals produced from the land covered hereby or any other land adjacent thereto. The land covered hereby, herein called "said land", is located in the County of Montezuma, State of Colorado, and is described as follows:

TOWNSHIP 36 NORTH, RANGE 17 WEST  
Section 13: S $\frac{1}{2}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$   
Section 23: E $\frac{1}{2}$  NE $\frac{1}{4}$

\*Including Carbon Dioxide Gas

Lessee agrees to furnish landowner at landowners request a supplemental abstract covering a period of time from the date of this lease containing all instruments Lessee may file of record through the date of a formal release recorded in said county.

The lessor, severally and jointly, covenants and agrees that the land covered hereby shall be deemed to contain 240.00 acres, whether actually containing more or less, and the above recital of acreage in any tract shall be deemed to be the true acreage thereof.

2. Unless sooner terminated or longer kept in force under other provisions hereof, this lease shall remain in force for a term of FIVE (5) years from the date hereof, hereinafter called "primary term", and as long thereafter as operations, as hereinafter defined, are conducted upon said land with no cessation for more than ninety (90) consecutive days.

3. As royalty, lessee covenants and agrees: (a) To deliver to the credit of lessor in the pipe line to which lessee may connect its wells, the equal one-eighth part of all oil produced and saved by lessee from said land, or from time to time, at the option of lessee, to pay lessor the average posted market price of such one-eighth part of such oil at the wells as of the day it is run to the pipe line or storage tanks, lessor's interest, in either case, to bear one-eighth of the cost of treating oil to render it marketable pipe line oil; (b) To pay lessor on gas and casinghead gas produced from said land (1) when sold by lessee, one-eighth of the amount realized by lessee, computed at the mouth of the well, or (2) when used by lessee off said land or in the manufacture of gasoline or other products, the market value at the mouth of the well, of one-eighth of such gas and casinghead gas; (c) To pay lessor on all other said minerals produced and marketed or utilized by lessee from said land, one-tenth either in kind or the market value thereof at the well, at lessee's election. If, at the expiration of the primary term or at any time or times thereafter, there is any well on said land or on lands with which said land or any portion thereof has been pooled, capable of producing oil or gas, and all such wells are shut-in, this lease shall nevertheless continue in force as though operations were being conducted on said land for so long as said wells are shut-in, and thereafter this lease may be continued in force as if no shut-in had occurred. Lessee covenants and agrees to use reasonable diligence to produce, utilize, or market said minerals capable of being produced from said wells, but in the exercise of such diligence, lessee shall not be obligated to install or furnish facilities other than well facilities and ordinary lease facilities of flow lines, separator, and lease tank, and shall not be required to settle labor trouble or to market gas upon terms unacceptable to lessee. If, at any time or times after the expiration of the primary term, all such wells are shut-in for a period of ninety (90) consecutive days, and during such time there are no operations on said land, then at or before the expiration of said ninety-day period, lessee shall pay or tender, by check or draft of lessee, as royalty, a sum equal to the amount of annual delay rental provided for in this lease. Lessee shall make like payments or tenders at or before the end of each anniversary of the expiration of said ninety-day period if upon such anniversary this lease is being continued in force solely by reason of the provisions of this paragraph. Each such payment or tender shall be made to the parties who at the time of payment would be entitled to receive the royalties which would be paid under this lease if the wells were producing, and may be deposited in the depository bank provided for below. Nothing herein shall impair lessee's right to release as provided in paragraph 5 hereof. In event of assignment of this lease in whole or in part, liability for payment hereunder shall rest exclusively on the then owner or owners of this lease, severally as to acreage owned by each.

4. ~~UNITIZATION. If operations are not conducted on said land on or before the first anniversary date hereof, this lease shall terminate as to both parties, unless~~ with any other land, lease, or leases, as to any or all of said minerals or horizons, so as to establish units containing not more than 80 surface acres, plus 10% acreage tolerance; provided, however, units may be established as to any one or more horizons, or existing units may be enlarged as to any one or more horizons, so as to contain not more than 640 surface acres plus 10% acreage tolerance, if limited to one or more of the following: (1) gas, other than casinghead gas, (2) liquid hydrocarbons (condensate) which are not liquids in the subsurface reservoir, (3) minerals produced from wells classified as gas wells by the conservation agency having jurisdiction. If larger units than any of those herein permitted, either at the time established, or after enlargement, are required under any governmental rule or order, for the drilling or operation of a well at a regular location, or for obtaining maximum allowable from any well to be drilled, drilling, or already drilled, any such unit may be established or enlarged to conform to the size required by such governmental order or rule. Lessee shall exercise said option as to each desired unit by executing an instrument identifying such unit and filing it for record in the public office in which this lease is recorded. Each of said options may be exercised by lessee at any time and from time to time while this lease is in force, and whether before or after production has been established either on said land, or on the portion of said land included in the unit, or on other land unitized therewith. A unit established hereunder shall be valid and effective for all purposes of this lease even though there may be mineral, royalty, or leasehold interests in lands within the unit which are not effectively pooled or unitized. Any operations conducted on any part of such unitized land shall be considered for all purposes, except the payment of royalty, operations conducted upon said land under this lease. There shall be allocated to the land covered by this lease within each such unit that proportion of the total production of unitized minerals from the unit, after deducting any used in lease or unit operations, which the number of surface acres in such land covered by this lease within the unit bears to the total number of surface acres in the unit, and the production so allocated shall be considered for all purposes, including payment or delivery of royalty, overriding royalty and any other payments out of production, to be the entire production of unitized minerals from the land to which allocated in the same manner as though produced therefrom under the terms of this lease. The owner of the reversionary estate of any term royalty or mineral estate agrees that the accrual of royalties pursuant to this paragraph or of shut-in royalties from a well on the unit shall satisfy any limitation of term requiring production of oil or gas. The formation of any unit hereunder shall not have the effect of exchanging or transferring any interest under this lease between parties. Neither shall it impair the right of lessee to release as provided in paragraph 5 hereof, except that lessee may not so release as to lands within a unit while there are operations thereon for unitized minerals unless all pooled leases are released as to lands within the unit. At any time while this lease is in force lessee may dissolve any unit established hereunder by filing for record in the public office where this lease is recorded a declaration to that effect, if at that time no operations are being conducted thereon for unitized minerals. Subject to the provisions of this paragraph 4, a unit once established hereunder shall remain in force so long as any lease subject thereto shall remain in force. If this lease now or hereafter covers separate tracts, no pooling or unitization of royalty interests as between any such separate tracts is intended or shall be implied or result merely from the inclusion of such separate tracts within this lease but lessee shall nevertheless have the right to pool or unitize as provided in this paragraph 4 with consequent allocation of production as herein provided. As used in this paragraph 4, the words "separate tract" mean any tract with royalty ownership.

5. If operations are not conducted on said land on or before the first anniversary date hereof, this lease shall terminate as to both parties, unless lessee on or before said date shall, subject to the further provisions hereof, pay or tender to lessor or to lessor's credit in the

Direct To Lessor Bank at Cortez, Colorado 81321, or its successors, the sum of \$ 240.00

which shall continue as the depository, regardless of changes in ownership of delay rental, royalties, or other moneys, the sum of \$ 240.00 which shall operate as delay rental and cover the privilege of deferring operations for one year from said date. In like manner and upon like payments or tenders, operations may be further deferred for like periods of one year each during the primary term. If at any time that lessee pays or tenders delay rental, royalties, or other moneys, two or more parties are, or claim to be, entitled to receive same, lessee may, in lieu of any other method of payment herein provided, pay or tender such rental, royalties, or other moneys, in the manner herein specified, either jointly to such parties or separately to each in accordance with their respective ownerships thereof, as lessee may elect. Any payment hereunder may be made by check or draft of lessee deposited in the mail or delivered to lessor or to the depository bank on or before the last date for payment. Said delay rental shall be apportionable as to said land on an acreage basis, and a failure to make proper payment or tender of delay rental as to any portion of said land or as to any interest therein shall not affect this lease as to any portion of said land or as to any interest therein as to which proper payment or tender is made. Any payment or tender which is made in an attempt to make proper payment, but which is erroneous in whole or in part as to parties, amounts, or depository, shall nevertheless be sufficient to prevent termination of this lease and to extend the time within which operations may be conducted in the same manner as though a proper payment had been made; provided, however, lessee shall correct such error within thirty (30) days after lessee has received written notice thereof from lessor. If the depository bank should refuse to accept any rental tendered hereunder, the tender nevertheless shall be fully effective and lessee shall have no obligation to make any further tender or payment in connection therewith until after lessor shall have furnished lessee with an instrument satisfactory to lessee naming another bank as agent to receive such payment. Lessee may at any time and from time to time execute and deliver to lessor or file for record a release or releases of this lease as to any part or all of said land or of any mineral or horizon thereunder, and thereby be relieved of all obligations as to the released acreage or interest. If this lease is so released as to all of said minerals and horizons under a portion of said land, the delay rental and other payments computed in accordance therewith shall thereupon be reduced in the proportion that the acreage released bears to the acreage which was covered by this lease immediately prior to such release.

## Minutes 09/07/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 7th day of September 1976 with the following persons in attendance:

Commissioners: Clay V. Bader, Harold McComb and Curtis Honaker

Commissioners absent: None

County Clerk and Recorder:

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

BE IT RESOLVED, that the Board of Commissioners of Montezuma County, Colorado, acting by and through its duly qualified Chairman, Clay Bader, be, and is hereby, authorized and directed to execute, acknowledge and deliver to Shell Oil Company a certain Oil and Gas Lease, dated September 9, 1976, covering the following described land in Montezuma County, Colorado, to-wit:

TOWNSHIP 36 NORTH, RANGE 17 WEST

Section 13: S1/2 NW1/4, N1/2 SE1/4

Section 23: E1/2 NE1/4, a copy of which lease is attached hereto and marked Exhibit A.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Montezuma County, Colorado, hereby ratify, confirm and approve said Oil and Gas Lease and the act and deed of the members of the Board of Commissioners in executing, acknowledging and delivering said Oil and Gas Lease.

Duly voted upon, adopted and approved by the members of the Board of Commissioners of Montezuma County, Colorado, at a regular meeting this 7th day of September, 1976.

Commissioners voting Aye in favor of the Resolution were:

Clay V. Bader

Commissioners voting Nay: None

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 7th day of September, 1976.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 09/07/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 7th day of September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P28-76

(Amends Resolution P25-75)

WHEREAS: Decker Ranches, a general partnership, and Kenneth L. and Gloria V. Decker, John B. and Gwenlyn I. Decker, owners of 78 acres more or less in the Northeast One-Quarter (NE1/4) of Section 8 and the Northwest One-Quarter (NW1/4) of Section 9, Township 35 North, Range 13 West, N.M.P.M., Montezuma County, Colorado wish to convey 1.35 acres more or less which is an isolated tract adjoining the 5.5 acres as described in Resolution P25-75 now owned by David and Joy Kayzer to David and Joy Kayzer.

A tract of land in the NW1/4 of Section 9, T.35N., R.13W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the NW1/4 of Section 9, T.35N., R.13W., N.M.P.M., Montezuma County, Colorado, from which point the N1/4 Corner of said Section 9 bears N.30 degrees 32'53"E. a distance of. 1295.50 ft.;

thence, N.81 degrees 31'47"E. a distance of 663.55 ft. along a fenceline to the east line of the NW1/4 of said Section 9;

thence, N.00 degrees 06'39"E. a distance of 29.10 ft. along the east, line of the NW1/4 of said Section 9;

thence, West a distance of 782.46 ft.;

thence, S.45 degrees 03'17"E. a distance of 177.92 ft. to the point of beginning, and containing 1.35 acres, more or less.

WHEREAS; The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Phil Lockard, agent for Decker Ranches, Kenneth L. and Gloria V. Decker, John B. and Gwenlyn I. Decker, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that after selling a 35.82 acre tract of land and a 70.77 acre tract of land, there remains the above 1.35 acre tract of land which they wish to convey to David and Joy Kayzer, adjoining land owners, thus enlarging their holdings and clearing up the lone isolated tract.

NOW, THEREFORE, BE IT RESOLVED That the Board of County Commissioners of Montezuma County finds that the conveyance of this tract does not further divide the land but further adds to the holdings of the owners of the adjacent land. The Board further finds this transfer of lands is compatible with the County Master Plan and the exemption is hereby granted.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

## Minutes 09/07/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 7th day of September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P27-76

WHEREAS: Decker Ranches, John B. and Gwenlyn Decker Kenneth L. and Gloria V. Decker, owners of 78 acres more or less in the Northeast One-Quarter (NE1/4) of Section 8 and the Northwest One-Quarter (NW1/4) of Section 9, Township 35 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wish to sell 25 acres more or less to Charles L. and Lelissa Ann Mosley as a residential tract of land.

A tract of land in the Northeast One-Quarter (NE1/4) of Section 8, Township 35 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, and more particularly described as follows:

Beginning at the NE Corner of said Section 8; thence West a distance of 660.00 ft.; thence South a distance of 1650.00 ft.; thence East a distance of 660.00 ft.; thence North along the East line of said Section 8 a distance of 1650.00 ft. to the point of beginning and containing 25.00 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Phil Lockard, agent for Decker Ranches, John B. and Gwenlyn Decker, Kenneth L. and Gloria V., Decker, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma

County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 25 acres more or less to Charles L. and Melissa Ann Mosley as a residential tract of land. He further stated the sale would not change the uses of the lands concerned.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County, Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

## Minutes 09/07/1976 Regular

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

At a regular meeting of the, Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 7th day of September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P26-76

WHEREAS: Gail A. Dennison, owner of 4 acres more or less in the North Half of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter (N1/2 NE1/4 NE1/4 NE1/4) of Section 30, Township 37 North, Range 16 West, Montezuma County, Colorado, wishes to convey .64 acres more or less to his uncle, Vernon Dennison, as a residential tract of land.

That portion of the North Half of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter (N1/2 NE1/4 NE1/4 NE1/4), lying West of U.S. Highway No. 666, in Section Thirty (30), Township Thirty Seven (37) North, Range Sixteen (16) West, N.M.P.M., EXCEPTING THEREFROM a portion described as beginning at a point on the South Right of Way line of the County Road as constructed along the North line of said Northeast Quarter Northeast Quarter Section 30 which point is 473 feet West of the intersection of the West Right-of-Way line of U.S. Highway No. 666 as now constructed with the said South Right of Way line of said County Road, and running thence East along the said South Right of Way line of said County Road a distance of 341 feet; Thence South at right angles the said South Right of Way line of said County Road a distance of 110 feet; Thence East and parallel with said South Right of Way line of said County Road a distance of 165.5 feet, more or less, to a point on the West Right of way line of said Highway No. 666 as now constructed; Thence in a Southeasterly direction along the said West line of said Highway No. 666 as now constructed a distance of 203 feet; Thence West and parallel with said South Right of Way line of said County Road a distance of 570. feet,, more or less, to the Southwest Corner of the North Half Northeast Quarter Northeast Quarter Northeast Quarter of said Section 30, Township 37 North, Range 16 West; Thence North along the West boundary of, the North Half Northeast Quarter Northeast Quarter Northeast Quarter of Section 30 a distance of 300 feet, more or less, to the point of beginning.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Gail A. Dennison appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that he is not subdividing his property in the intent of the regulations, but merely conveying .64 acres more or less to his uncle as a residential tract of land to be close by. He stated that he is a Disabled Veteran and paralyzed and needs someone to help at various times.

## Minutes 09/07/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 7th day of September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P25-76

WHEREAS: Charles R. and Melinda Lou Tate, owners of 65 acres more or less in the South One-Half, Southeast One-Quarter (S1/2 SE1/4) of Section 12, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wish to sell 49 acres more or less to Jack W. and Theresa Ann Tanner, retaining their home and 16.00 acres more or less as a residential tract of land. A tract of land in the S1/2 SE1/4 of Section 12, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the north R/W line of the County Road in the S1/2 SE1/4 of Section 12, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, from which point the SE Corner of said Section 1 (a brass cap) bears S.85 degrees 41'16"E. a distance of 2485.73 ft.;

thence, N.89 degrees 12'26"W. a distance of 207.36 ft. along the north R/W line of the County Road to the west line of the S1/2 SE1/4 of said Section 12;

thence, N.0 degrees 24'45"W. a distance of 1297.12 ft. along the west line of the S1/2 SE1/4 of said Section 12 to the north line of the S1/2 SE1/4 of said Section 12;

thence, N.89 degrees 10'40"E. a distance of 560.55 ft. along the north line of the S1/2 SE1/4 of said section 12 to a fenceline;

thence, S.08 degrees 07'00"E. a distance of 823.81 ft. along a fenceline;

thence, S.58 degrees 36'35"W. a distance of 127.86 ft.;

thence, 5.50019'34"W. a distance of 106.60 ft.;

thence, 5.38.°59'35"W. a distance of 234.76 ft.;

thence, 5.34039'39"W. a distance of 213.15 ft. to the point of beginning, and containing 16.00 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Jess Leonard, agent for Charles R. and Melinda Lou Tate, appeared before the Montezuma County Planning Department] requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but selling their entire holdings with the exception of the 16.00 acre tract to be retained as a residential site. He further stated the sale of this property would not change the uses of the lands concerned.



## Minutes 09/07/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 7th day of September, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P24-76

WHEREAS: Lee R. and Juanita Beasley, owners of 10 acres more or less in the Southeast One-Quarter, Southeast One-Quarter, Southeast One-Quarter of Section 5, Township 35 North, Range 16 West, N.M.P.M. Montezuma County, Colorado, wish to sell 5 acres more or less to a separate owner as a residential tract of land.

A tract of land in SE1/4 SE1/4 SE1/4 of Section 5, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows: The North One-Half, Southeast One-Quarter, Southeast One Quarter, Southeast One-Quarter (N1/2 SE1/4 SE1/4 SE1/4) of section 5, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado; and containing 5 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Juanita Beasley appeared before the Montezuma County Planning Department in behalf of herself and her husband, Lee R. Beasley, requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling said tract to a separate owner as a residential site. She further stated the sale would not change the uses of the lands concerned.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is here by granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution on were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 08/30/1976 Regular

### 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 30th day of August 1976 with the following persons in attendance:

Commissioners: Clay V. Bader, Harold McComb and Curtis Honaker

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

WHEREAS, an Initiative Petition, tentatively identified as Ballot Question No. 10 has been certified on the November election ballot by the Secretary of State; and,

WHEREAS, this initiative petition proposes that Article X of the Constitution of the State of Colorado be amended by the addition of a new section requiring registered elector approval of all state and local executive or legislative acts which result in new or increased taxes; and,

WHEREAS, there is wide-spread concern that the adoption of this amendment could paralyze state and local government; and,

WHEREAS, indicative of that concern was the action taken on July 30, 1976 by the Board of Directors of Colorado Counties, Inc. in declaring its opposition to Ballot Question No. 10; and,

WHEREAS, a broad based demonstration of support for the action heretofore taken by the CCI Board would convey to the state-wide electorate that the Counties of Colorado stand united in their opposition to this threat to fiscal integrity and representative government;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado that there be conveyed to the residents of this county and to the state at large the Board's unqualified opposition to the proposed Constitutional amendment, which presently appears as Ballot Question No. 10 on the November General Election ballot.

Commissioners voting Aye in favor of the Resolution were:

Bader, McComb and Honaker

Commissioners voting Nay: None

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 30th day of August 1976.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado



## Minutes 08/23/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 23rd day of August, A. D. 1976 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
Harold McComb	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the previous meeting held August 16, 1976 were read and approved. Correspondence was read and contents noted. A letter of thanks was received from the Bureau of Land Management showing appreciation to the Board for their help during the Escalante Dedication. Letters were received from NACO, Senator Gary Hart and Senator Floyd Haskell encouraging support for the "payments in lieu of taxes" bill. Clerk was directed to answer these letters urging support for this bill. Clerk was also directed to answer a letter received last week from Wilma Herndon explaining that there was no further consideration that the County Board of Equalization could give for her property valuation.

Sheriff Bob Hampton reported that government surplus had two jeeps for the County to pick up. Arrangements will be made to do so. Sheriff Hampton prepared and presented a notice to let two older jeeps out for bid at a public auction to be held September 11, 1976 at 10:00 a.m. Also a 1967 Plymouth will be let to the highest bidder.

The Board instructed the County Treasurer to transfer \$2375.00 from the General Fund to the Contingency Fund to correct Contingency Fund Voucher #51, dated 7/12/76 in regards to the Law Library.

At this time the Board of County Commissioners sat as a Board of Health to hear why James Spencer of Mancos shouldn't obtain and pay for a sewage disposal system permit from the Health Department. All Commissioners were present, County Attorney Grace Merlo, Clerk Jean DeGraff, Sanitarian Bob Sawyer, Health Director Dr. Griebel and James Spencer. All proceedings of the hearing were recorded on cassette tape and duly marked for the record. End result of hearing was that Mr. Spencer was given one week to obtain the necessary permit.

Dr. Griebel reported on public health activities. A tentative date of October 7 has been set for the swine flu vaccine. Those under the age of 18 will not be given the vaccine.

Planner W. L. Glenn presented plats of the Sanders Sub-division. Approval of the plat was given and signed. As to this sub-division, the Montezuma County sub-division regulations provide that five percent or such other amounts as determined by the Board of County Commissioner of the total area of the sub-division shall be reserved for a public facility. As an alternative to the dedication of land, the Montezuma County Commissioners grant a variance from the dedication of land for a sum equal to a percent of market value. The sum to be fifty dollars per lot. Tentative approvals for variances to the sub-division regulations was to David Decker and John Decker and others.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, August 23, 1976

Coordinator Denton gave a progress report on the Law Library. The shelving has been received. Mr. Denton requested permission to give a change order to Sitton Construction Co., Approved. Discussion was had of new road maps for the County. Mr. Denton was given permission to print 15 large maps.

Senior Americans, Mary C. Baker, Harry R. Boyd, Hugh Rausher, Henry Head, Robert E. Kelly, Hazel McCall, Hazel M. Miller, Grace Davison and Dorothy Trevino discussed having the Title III meals program being served at the home. The Board assured the group that it was their decision to make, that the building was purchased for their use.

Joe Jarvis of Capitol Insurance discussed a group plan. Questions were answered as per letter from Capitol. Mr. Jarvis stated that the premium proposed would hold only until September 1, 1976 and this premium was guaranteed for one year.

Chairman Bader received a call from Phoenix, Arizona stating that a lien was being filed on the Justice Buildings and a letter would follow. This was discussed with the Manager Dwayne Longenbaugh. Also discussed the Justice Building parking lot, budgetary items and air service.

Road Department Supervisor E. Boren reported on roads and equipment. Joe Cornet appeared concerning a road to his property which is on State land. The State will now dedicate a 60' ft. right-of-way to the County if the County builds the road. Tabled. Sand-rock Gravel Lease from Al and Alice Lancaster to the County was signed. Laura Kennedy discussed the Road Planning Commission and complained of a mud-hole on her road. Veterans Officer Dave McNeill reported on monies received from Social Services and Civil Defense.

Board of Social Services conducted.

Custodian Steerman discussed the possibility of extending his office. A hole was made in the south wall by the City Sanitation Department and would seem a likely time to build the wall out. This was tabled for further information and costs.

County Agent Bob Seaton, Fair Board members, Jim Jones, Joe Dean, Janice Hager and Ann Humiston and interested persons Verna Percell, Kathy Taggart, Emma Hoxsie, Jon Taggart, Ingrid Black and Bert Oliver discussed problems arising from the 1976 County Fair.

A phone call was received from Mr. Bob Bryan requesting monies budgeted for the Community mission. This was tabled.

Group insurance was discussed. Commissioner Honaker made a motion to change the County group insurance coverage from Metropolitan Insurance Co. to Capitol Life Insurance Co. effective 9/1/76. Motion seconded by Commissioner McComb and carried. A letter will be written to Metropolitan Insurance Co. informing them of this decision.

An abatement of property tax was received from Assessor Denny for erroneous assessment in the amount of \$1267.54. Commissioner McComb made a motion to approve this abatement, seconded by Commissioner Honaker and carried.

Meeting adjourned at 5:30 P.M.

Attest:

Clerk

Chairman

Recorded at 3:05 o'clock P. M. Aug. 33, 1976  
Reception No. 312183 Jean DeBrait Recorder Montezuma Co. Colo.  
EL

BOOK **468** PAGE **395**

SAND ROCK LEASE CONTRACT

THIS SAND ROCK LEASE CONTRACT, hereinafter referred to as Contract, is made and entered into this 1st day of October, 1974, by and between the County of Montezuma, Colorado by the Board of County Commissioners of Montezuma County, Colorado, hereinafter referred to as the First Party, and Al and Alice Lancaster, of the County of Montezuma, State of Colorado, hereinafter referred to as the Second Party.

WITNESSES:

WHEREAS, Second Party is owner of the NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  in Section 31, Township 36 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, which land has thereon, in and under same, sand rock suitable for road construction.

AND WHEREAS, Second Party is desirous of selling said sand rock,

AND WHEREAS, First Party is desirous of obtaining sand rock for purposes of road construction.

NOW THEREFORE, in consideration of the premises and of the payments as hereinafter set forth by First Party to Second Party, Second Party hereby grant, let and give unto First Party a lease upon the hereinafter described lands for the purposes of mining and removing sand rock therefrom suitable for road construction upon the hereinafter set forth terms, covenants and conditions, and First Party hereby accepts said lease upon said terms, covenants and conditions:

PERIOD OF LEASE: The period of this lease shall be from 12:00 o'clock noon on the 1st day of October, 1974, to 12:00 o'clock noon on the 1st day of October, 1979.

PROPERTY LEASED: NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  in Section 31, Township 36 North, Range 17 West, N.M.P.M., Montezuma County, Colorado for the purpose of mining and removing sand rock used in or in connection with construction and maintenance of roads.

RENTAL - ROYALTY: First Party shall pay to Second Party the sum of \$0.05 per cubic yard of sand rock mined and removed from said premises by First Party, and First Party guarantees to Second Party a minimum royalty of \$100.00 per year for each year of this Contract, said \$100.00 to be paid thusly: \$100.00 upon execution of this Contract and \$100.00 within 30 days of anniversary date each year hereafter for the period of this lease, and the first \$100.00 worth of sand rock mined and removed from said properties each year shall be applied against

said \$100.00 so paid and the balance of any royalties due shall be paid to Second Party on or before 90 days after the same has been mined and removed from said properties.

COVENANTS OF FIRST PARTY: First Party shall mine and remove said sand rock in a manner not to interfere with the surface of said lands so long as it does not reasonably interfere with said mining and removal operations, and upon termination of this Contract First Party shall level off any mounds of dirt and other materials piled by it in its mining and removal operation.

SECOND PARTY COVENANT: Second Party covenant to and with First Party that Second Party is the owner in fee simple of the leased premises with sole and absolute right to enter into and grant this Contract with the County and the Second Party will forever hold harmless First Party from any claims or demands of any kind from other parties claiming a right or ownership in and to said lands.

BINDING AND OBLIGATORY: This Contract is binding and obligatory upon the parties hereto and their personal representatives, successors and assigns.

IN WITNESS WHEREOF the parties hereto affix their hands and seals.

THE COUNTY OF MONTEZUMA  
BY THE BOARD OF COUNTY COMMISSIONERS  
OF MONTEZUMA COUNTY, COLORADO

By: Clayton K. Smith  
Chairman of the Board

ATTEST:

[Signature]  
Clerk of the Board of County Commissioners

Al Lancaster

Alice Lancaster

STATE OF COLORADO           )  
  ) ss.  
COUNTY OF MONTEZUMA       )

The above and foregoing instrument was executed and acknowledged before me this        day of       , 19  .

[Signature]  
County Clerk, Montezuma County, Colorado

## Minutes 08/16/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 16th day of August, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
	County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo, County Attorney

Pledge of allegiance given.

Minutes of the previous regular meeting of August 9, 1976 were read and approved.

Correspondence was read and contents noted. Completed agreement received between the County and First American Dairies. Abatement received from Assessor Denny for David Roberts. This was tabled. Letter received from the Governor concerning land use issues.

Nurse Supervisor Frances Koppenhafer reported that the Health Department, Montezuma County, had been re certified except for the receipt of the completed contract between the Commissioners and State Health Department.

Planner W. L. Glenn presented a request for variance to the sub-division regulations for Gaylord N. Gardner to convey 3.00 acres more or less to Richard W. and Carol Joyce Armstrong in Section 35, T37N, R16W.

Commissioner Honaker made a motion to approve this variance, seconded by Commissioner McComb and carried. Mr. Glenn presented another request for a variance from Allen W. and Joyce Chaffin to sell 5.00 acres more or less to Dale D. and Dianna D. Claxston in Section 6, T36N, R16W. Commissioner Honaker moved to approve this variance, seconded by Commissioner McComb and carried.

Coordinator Denton discussed a Federal, law recently passed concerning Public Works. He advised the Board to hold off any decision until guidelines were established. The Board decided to make plans and set up a program now, whether or not an engineering firm is hired: Mr. Denton reported the 219 Program has slowed down. A letter will be written explaining problems to Mr. Griffith. Commissioner McComb made a motion to adopt Resolution #14-76 accepting the requirements of counties for eligibility for financial assistance to continue planning efforts initiated under House Bill 1041. Commissioner Honaker seconded the motion and it was carried.

John and Cathy Taggart and Mrs. Percell presented a letter of protest of certain issues concerning the County Fair. This was tabled until the County Agent and Fair Board members could be present. An appointment was made for August 23, 1976 at 3:30 P.M.

Sanitarian Bob Sawyer reported that James Spencer had not responded to the notice sent him to appear this date at a hearing before the Commissioners sitting as a Board of Health. This was tabled. An inspection of Mr. Spencer's sewer system will be made by Bob Balliger, LaPlata County Sanitarian.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, August 16, 1976

Kenneth Hopperton requested rules and regulations to appeal and ask for an abatement of 1975 taxes.

Tim Christian and Stan Bulsterbaum of the A.S.C.S. office discussed the road seeding project at Yellow Jacket and Pleasant View. Ten miles were completed last year and they have set a goal of 26 miles for this year.

Certain ditch problems will be referred to Mr. Boren, Road Superintendent. Chairman signed the project agreement for 1976.

Cortez City Manager Dwayne Longenbaugh discussed the proposed Housing Authority. A public hearing was set for September 27, 1976, at 7:30 P.M. in the District Courtroom. Mr. Longenbaugh reported that the airport had a good response to their open house on Sunday. About 280 persons took advantage of the free flight offer. Justice Building was discussed.

District Attorney George Buck reported that the mix-up on his salary had been cleared.

Board of Social Services conducted.

The Board reported that their inspection of the Cortez Christian Church as a possible purchase looked very favorable. Tabled.

A discussion of Montezuma County employee group insurance was held. Mr. Bowen of accidental Life notified the Board that he had checked several companies and could not prove a comparable plan any better or less cost than the one they have. Joe Jarvis of Capitol Insurance came in to explain certain features of his proposal. Decision was tabled until certain questions could be answered. i.e. Claim experience reports provided, double coverage on employees, pre-existing conditions and guaranteed date on premiums. Mr. Jarvis will report back next week.

General Fund Vouchers #32681 thru #32714 in the amount of \$2,582.92 and Road Fund Vouchers #3017 thru #3024 in the amount of \$12,281.75 were allowed and ordered paid.

Meeting adjourned at 4:30 P.M.

Attest:

Clerk

Chairman

## Minutes 08/16/1976 Regular

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 August, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution 14-76

WHEREAS, this Board has received a letter dated July 29, 1976, from the Executive Director, Department of Local Affairs, setting forth requirements of counties for eligibility for financial assistance to continue planning efforts initiated under House Bill 1041 (1974), and

WHEREAS, this county will continue to participate in the program, and fully comply with the intent and purpose of House Bill 1041 to effectuate proper planning within this county.

NOW THEREFORE, BE IT RESOLVED THAT:

1. This County will make the program of administration, identification and regulation of appropriate matters of state interest a part of this County's comprehensive planning program.
2. This County will meet and continue to pursue standards established by the Department of Local Affairs relative to scope, detail and accuracy and comparability and to meet deadlines in accordance with the work program.
3. This County will submit a detailed, updated work plan in compliance with the requirements of said letter indicating how financial and technical assistance will be used for identification and regulation of matters of state interest and of local interest within the territory of the county, including all municipalities.
4. This County will submit a comprehensive planning program which includes federal, state, regional, and local planning activities and funding in compliance with the requirements of said letter.

Commissioners voting aye in favor of the Resolution do were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 08/16/1976 Regular

### 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 August, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P22-76

WHEREAS: Gaylord N. Garnder, owner of 189 acres more or less in the East One-Half (E1/2) of Section 35, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to convey 3.00 acres, more or less, to his son-irrk-law and daughter, Richard W. and Carol Joyce Armstrong, as a residential tract of land. A tract of land in the NE 1/4 of N.E. 1/4 of Section 35, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, more particularly described as follows, TO WIT:

Beginning at a point, on the East line of said Section 35, 750 ft. South of the Northeast corner of said Section 35, thence West, parallel to the North line of said Section 35 a distance of 503 feet, thence South, perpendicular to the North line of said section 35, a distance of 260 feet, thence East, parallel to the North line of said Section 35, a distance of 503 feet, to the East line of said Section 35, thence North along the East line of said Section 35 to the point of beginning, and containing 3.00 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Gaylord N. Gardner appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that he is not subdividing his property in the intent of the regulations, but merely conveying 3.00 acres, more or less, to Richard W. and Carol Joyce Armstrong as a residential tract of land.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

County Clerk and Recorder  
Montezuma County, Colorado



## Minutes 08/16/1976 Regular

### 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 August, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P23-76

WHEREAS: Allen W. and Joyce Chaffin, owners of 12.20 acres, more or less, in Lot 4 of Glazner Subdivision which is also in the Northwest One-Quarter (NW1/4) of Section 6, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 5.00 acres, more or less, to Dale D. and Dianna D. Claxston as a residential tract of land.

A tract of land within Lot 4 of the Glazner Subdivision which is also in the NW1/4 of Section 6, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the east R/W line of the County Road which is also the NW Corner of Lot 4 of Glazner Subdivision, which is also the NW1/4 of Section 6, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the NW Corner of said Section 6 bears N.02 degrees 36'12"W. a distance of 278.10 ft.;

thence, South a distance of 187.72 ft. along the east R/W line of the County Road;

thence, East a distance of 1160.22 ft.;

thence, North a distance of 187.72 ft. to the NE Corner of Lot 4 of Glazner Subdivision;

thence, West a distance of 1160.22 ft. along the north line of Lot 4 of Glazner Subdivision to the point of beginning, and containing 5.00 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Stan Chaffin, agent for Allen W. and Joyce Chaffin, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 5.00 acres more or less to Dale D. and Dianna D. Claxston as a residential tract of land. He further stated the sale would not change the uses of the lands concerned.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

AGREEMENT

An Agreement is made and entered into this 10<sup>th</sup> day of Aug, 1976, by and between the Board of County Commissioners of Montezuma County, hereinafter referred to as the "County", and the Navajo Food Products, Inc., d/b/a First American Dairies, hereinafter referred to as the First American Dairies.

WITNESSETH

WHEREAS, the First American Dairies has been ordered to bring its sewage treatment facility into compliance so that it will meet the minimum water quality control standards for treated sewage by the Montezuma County and Colorado State Health Departments and in order to so comply, it is necessary that an effluent sewage line be installed to carry away the treated sewage, and,

WHEREAS, it has been impossible for the First American Dairies to secure a right of way to install a certain portion of this effluent sewage line on private property belonging to Charles Porter for a distance of one-half mile and therefore has requested permission of the County to install said portion of the line in the County's right of way for a distance of one-half mile along County Road B.

AND, WHEREAS, it is the judgment and opinion of the Board of County Commissioners that the installation of said effluent sewage line would be of advantage and benefit to the residents in this County and for this reason the Board of County Commissioners desire to cooperate with the First American Dairies to the extent of their authority and ability so to do,

NOW, THEREFORE, for and in consideration of the premises and the keeping and performance of the covenants and agreements contained herein by the First American Dairies, the Board of County Commissioners hereby consents and gives to the First American Dairies permission to install and maintain the effluent sewage line two feet inside the north right of way line of County Road B, Southeast one-quarter (SE $\frac{1}{4}$ ) of Section 36, Township 35 North, Range 17 West, N.M.P.M., Montezuma County, State of Colorado, upon the terms and conditions hereinafter set forth and the First American Dairies hereby accepts and agrees to said conditions and agreements as follows:

1. In connection with the use of such right of way, the effluent sewage line will be installed a minimum of four feet deep, with no exceptions.
2. The installation of said line will stay within two feet of the existing fence, with no exceptions.
3. If after installation of said line, it becomes necessary for any reason for the line to be replaced, removed, or re-constructed, the same shall be done by First American Dairies.
4. First American Dairies shall promptly do and perform all construction, work and installation in accordance with accepted standards for similar installations, and in a manner to require the least practical interference with traffic upon said road.
5. First American Dairies shall cause to be placed and installed at all times adequate signs or warning devices, sufficient to warn motorists and travellers of any and all obstructions and hazards caused or created by said work, installation and construction or maintenance.
6. First American Covenants and agrees that it will forever save and hold harmless, and indemnify the Board of County Commissioners and the County of Montezuma, Colorado, from any and all claims and liabilities for damages, attorneys fees and costs, and expenses and costs, in law or equity to property or persons and County arising out of, or because of said installation, or replacement or maintenance of such effluent sewage line.

IN WITNESS WHEREOF, the parties hereto have set  
their hands and seals, the day and year first written above.



Board of County Commissioners  
of Montezuma County, Colorado

by Clay V. Bode  
Chairman

Navajo Food Products, Inc.  
d/b/a First American Dairies

ATTEST:

Gloria Todorovska  
Secretary

by Stan J. Koehler  
Comptroller

STATE OF COLORADO )  
COUNTY OF MONTEZUMA ) ss.

The foregoing Agreement was acknowledged before me  
this 12 day of August, 1976, by Stan J. Koehler,  
Comptroller, and Gloria Todorovska, Secretary,  
respectively, of Navajo Products, Inc., d/b/a First American  
Dairies.

Kenneth D. Bowers  
Notary Public



My Commission Expires:

## Minutes 08/09/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO                      ss.                      At a                      Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 9th day of August, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner,
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given.

Minutes of the special meeting held July 30, 1976 as a Board of Equalization and August 3, 1976 regular meeting were read and approved.

Correspondence was read and contents noted. Included was the Clerks, Treasurers, Sheriff, and Veteran's Officer reports for the month of July. Also received was a letter from the White House commenting on the "payments in lieu of taxes" bill and a letter from the Christian Church in Cortez advertising their building for sale.

Bookkeeper Marge Ketchem, Treasurer Russell Hindmarsh and Budget Officer Gale Greenlee discussed the expenses of the Law Library. It was decided that these bills would be charged to the Public Works Fund. Mr. Greenlee suggested that a supplemental budget be made to take care of the Law Library.

Health Director Dr. Griebel and Nurse Supervisor Frances Koppenhafer discussed the annual nurses contract with the State Health Department. Copies were all signed and returned to State Health several weeks ago. State claims that they have not received copies as yet and the deadline is Wednesday the 11th of August. A letter will be written. Swine flu vaccine was discussed.

Allen Bud of Roseberry Plumbing appeared complaining that Custodian Steerman wouldn't cooperate with them when they were called in for a job. Mr. Steerman stated that Roseberry's hadn't hooked up the swamp coolers correctly and therefore he wouldn't authorize payment. After discussion, the Board agreed to pay half of the bill.

Planner Glenn appeared with Dale Claxton and Stan Chaffin. Mr. Claxton wishes to buy some property already sub-divided. Tentative approval was given by the Board for a variance to the sub-division regulations.

Coordinator Denton reported on the Regional Planning Commission. Also discussed the Justice Building. The Board reported that they had inspected the jail at the Justice Building last Monday and found it to be in good condition.

Treasurer Russell Hindmarsh reported on the status of funds. The Road Fund is extremely low. General Fund is low but revenues will bring it up. 80% of property tax has been collected.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, August 9, 1976

Board will check with Auditor Greenlee to see if revenue sharing funds can be used for Road Fund.

General Fund Vouchers #32554 thru #32680 in the amount of \$18,441.51, Road Fund Vouchers #2992 thru #3016 in the amount of \$35,090.91, Contingency Fund Vouchers #52 thru #54 in the amount of \$42,400.07, Revenue Sharing Fund Vouchers #61 thru #62 in the amount of \$2,872.12 and public Works Fund Vouchers #127 thru #129 in the amount of \$734.76 were allowed and ordered paid.

Cortez City Manager D. Longenbuagh discussed the lease of airport land to Milenski some 25 years ago.

Corrected lease will be given to Nielson's Inc. Justice Building was discussed. Progress of West Airlines was discussed. A public meeting will be held to get support for the airlines. There will be an open house at the airport Sunday, August 15, 1976. Free plane rides will be given to promote interest. City and County will furnish donuts. Mr. Longenbuagh reported that seeding needs to be done in Hartman Draw so that cheat grass won't grow back which would be a fire hazard. Soil Conservation will provide \$2400 for this. The County will donate \$300 towards this and the city will donate \$300.

Road Department Supervisor E. Bores reported on roads and equipment. The used tractor purchased to use with a new mower is still broken down.

Sheriff Hampton gave his monthly report. He had received a State Warrant in the amount of \$1599 for CETA on the job training. He also reported on the shooting incident last Monday. This has gone to the Federal Grand Jury.

Gary Chaffin requested advice from the Board concerning the possibility of obtaining a 3.2% Beer License.

Chairman Bader stated that they could not do this. Mr. Chaffin requested a four-hour evening hearing so that he could prove that the Board was wrong in denying his application. Attorney Merlo stated that there was no provision for this under the law, and therefore, no point in having such a hearing. Mr. Chaffin could re-apply for a license one year after application date.

Board of Social Services conducted.

Notification was received from Cortez Animal Clinic as to the increases in cost of putting animals to sleep.

Board then adjourned to inspect the Christian Church on South Elm which has been advertised for sale.

Meeting adjourned 4:30 P.M.

Attest:

Clerk

Chairman

## Minutes 08/03/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting, of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 3rd day of August, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given.

Minutes of the regular meeting held July 26th and the special meeting held July 27th were read and approved.

Correspondence was read and contents noted.

Dixie Ferrick, Coordinator for the local Search and Rescue Unit, reported on her trip in February to New York to the National Convention of Search and Rescue units. She invited the Board to the local meetings which are held the third Wednesday of each month.

County Auditor Gale Greenlee reported that he and Steve Guymon will attend the two-day seminar on cost allocation in Grand Junction August 4.

Charlie Terrell complained about the over growth of thistles along the roads. The Board also expressed concern over this problem.

Sanitarian Bob Sawyer reported that Ed Novotny couldn't come in to the Board meeting as scheduled but is repairing some of the facilities at the race track. Mr. Sawyer will keep check on this matter.

Local printers, Cal Beaber of Beaber Printing Co., Harold Miller of Cortez Printers and Larry Pleasant of Dolores Star Press appeared to discuss ballot printing. Mr. Beaber stated that it would be impossible to bid on ballots this year because of the bi-lingual aspect. Mr. Miller agreed and stated that since Mr. Beaber had been printing the ballots over the last several elections and had the expertise to do so, that he would decline any bid and offered his help to Mr. Beaber should it be necessary. Although Mr. Pleasant arrived late, he voiced the same opinion. The Board expressed their thanks to the printers for their willingness to cooperate in such a fashion. Commissioner McComb moved to allow Beaber Printing the ballot printing for 1976 as per the foregoing agreement, seconded by Commissioner Honaker and carried.

Planner W. L. Glenn gave a progress report on the new County road map. It is almost completed.

Coordinator D. M. Denton presented the quarterly report on Criminal Justice for signing. HB 1041 budget was discussed. Region 9 budget was discussed. There are two parts. Part one is for ongoing Land Use and Housing Program in the amount of \$31,200. Part two is the OEDP portion in the amount of \$60,000.

Commissioner Honaker made a motion to approve this budget with reservations in regard to line items in the OEDP budget. Motion seconded by Commissioner

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Tuesday, August 3, 1976

McComb and carried.

Deputy Assessor Diffendaffer presented the assessed valuation for the County for 1976 as follows:

Assessed Valuation, Taxable property	\$38,315,620.00
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Assessed Valuation, Exempt property	34,816,000.00
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Certification for assessed valuation in Montezuma County for 1976 was then signed by Chairman Bader.

Petition for abatement of 1975 taxes was presented by Dwain and Marie Lively. Commissioner McComb made a motion to deny the petition on the basis that it doesn't fall within the grounds as required by law, i.e. erroneous or illegal assessment. Motion seconded by Commissioner Honaker and carried.

Clerk DeGraff requested that a brand registration be designated at City Market Store, Cortez from August 7th thru August 13th, excluding Sunday from 3:00 to 5:00 P.M. Commissioner Honaker made a motion designating this brand registration, seconded by Commissioner McComb and carried.

General Payroll #3115 thru #3179 and 32552 thru 32553 in the amount of \$39,793.57 and Road Payroll #2723 thru #2754 and #2991 in the amount of \$24,905.49 were allowed and ordered paid.

A letter was received from Dilts, Wilson and Dyer, Attorneys, in regard to Homer Boyd vs. Montezuma County. Settlement has been made in the amount of \$7500. Mr. Dyer also made recommendations for future jail inspections.

An application for a Retail Liquor License was received for Judith P. Clark doing business as Clark's of the South Route. Ralph Rasor, investigator was called in and after discussion, neighborhood investigation radius was set at 2 miles. The public hearing was set for August 30, 1976 at 3:00 p.m.

Road Department Superintendent E. Boron reported on roads and equipment. There was some flooding over the weekend.

Board of Social Services conducted.

Bob Bryan of the Community Mission and John Bulger, Chairman of that Board of Directors appeared and invited the Commissioners to their regular meeting held the second Thursday of each month, 7:30 a.m. at the Pony Express.

Board adjourned at 3:00 p.m. to make an inspection of the jail.

Attest:

Clerk

Chairman



## Minutes 07/30/1976 Special

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Special

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Friday, the 30th day of July, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Board of Commissioners, Montezuma County, sitting as a Board of Equalization. All Commissioners present, County Attorney and County Clerk. Also present was Deputy Assessor Helen Diffendaffer and Appraiser Bob McGraw, and Petitioner Aryol Brumley protesting the raise in assessed valuation of improvements for 1976. After reviewing the facts, Commissioner Honaker moved to rescind the action of the Board on July 27, 1976, returning the assessed valuation on improvements to \$8820. Motion seconded by Commissioner McComb and carried. Proceedings were recorded on cassette tape and duly marked for the record.

Board then reviewed the petition received July 29th, 1976, from Donald A. and Barbara J. Rants. Attempts were made to contact the petitioners but they could not be contacted. Their complaint was on the land valuation but this had not been increased. The only increase was on improvements due to installing a newer mobile home. Commissioner McComb made a motion to deny this petition, seconded by Commissioner Honaker and carried. Notice will be sent to petitioner.

Meeting adjourned.

Attest:

Clerk

Chairman

## Minutes 07/27/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 27th day of July, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

The Board of County Commissioners of Montezuma County sitting as a Board of Equalization.

Petitioner John W. Ritter taped on cassette tape and duly marked for the record.

Petitioner Walter C. West appearing for Walter C. & Stella Maria West. Taped on cassette tape and duly marked for the record.

After hearings were concluded petitions were reviewed. After discussion, both petitions, John W. Ritter and Walter C. and Stella Marie West, were denied.

Decisions will be mailed to the petitioners tomorrow.

The Board of Equalization then approved the following increases for 1976 at the request of the County Assessor:

Nielson, May Gean	Improvements	\$12220	\$17800	\$5580
Suckle, James & Helen	"	9920	11275	1355
Herndon, Charles K. & Wilma S.	"	9530	11540	2010
Merritt, June Lee				
Merritt, Edward G.	"	10605	12270	1665
Bromley, Aryol W. & Ruby D.	"	8820	12500	3690

Concluding the Board of Equalization, the Board then met in regular session.

Mr. Frank C. Bowen of Accidental Life Insurance discussed group insurance for employees. He was given permission to go through the employees pay cards for information to enable him to present a proposal in about three weeks.

Nurse Koppenhafer reported that a person in Cortez had been exposed to diphtheria in New Mexico. He had been located and given the necessary treatment. Time sheets discussed.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

## Minutes 07/26/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 26th day of July, A. D. 1976 there were present:

Clay V. Bader Chairman

Harold McComb Commissioner

Curtis Honaker Commissioner

Grace S. Merlo County Attorney

Jean DeGraff Clerk

Absent:

Pledge of Allegiance given.

Minutes of the regular and special meetings held July 19th and 20th were read and approved.

Correspondence received and contents noted. Received, among others, was a Colorado State warrant for mill levie monies, predator control, is the amount of \$1015.06. Copies of a letter from Architect Fred Grove to Flaugh Construction Co., is regards to the termination of contract on the Justice Building.

A petition for abatement of property tax was received from Assessor Denny for Mountain Gravel for double assessment in 1975 in the amount of \$1013.48. Commissioner McComb moved to approve the petition, seconded by Commissioner Honaker and carried.

Dr. Griebel and Frances Koppenhafer of the Health Department discussed the new time sheet requirements. Planner W. L. Glenn requested and was given tentative approval for B. J. Vedsted to sell six acres as per the sub-division regulations. A request for a variance to the nub-division regulations was made by Harold L. & Orvillena Gresh to sell 17 acres in Section 5, T36N, R15W to Ellis E. and Eleanor M. Haring. Commissioner Honaker made a motion to approve the variance, seconded by Commissioner McComb and carried. A request for s variance to the subdivision regulations was made by Paul L. and Helen J. Williamson to sell 2.88 acres in Section 18, T37N, R16W to Jack and Theresa Ann Tanner. Commissioner McComb made a motion to approve the request, seconded by Commissioner Honaker and carried. Planning resolutions #P20-76 sad P21-76 were signed,

Mary Baker, Myrtle Blaine, Robert Kelly representing the Senior American organization appeared with Gary Hauser, Region 9 and Charlie Spino, Project Director for the Title 7 Nutrition project. Mr. Spino explained the project in that 2 meals would be provided for residents over 60 years of age. They would like to use the Senior Americas home in Cortex for a site location. Meals would be contracted through the School District.

Volunteer help would be required of participants as part of the 25% in-kind match. Mr. Spino will report to the Board on a quarterly or semi-annual basis. The Board would endorse the program if the majority of the Senior Americans approve the site location. Coordinator Denton presented a resolution concerning payments in lieu of taxes. Commissioner Honaker moved to adopt the resolution, seconded by Commissioner McComb and carried. Resolution #13-76 was signed. Mr. Denton stated that Mountain Bell had requested a contact person

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, July 26, 1976

to talk to concerning land use, etc. Mr. Denton was appointed by the Chairman. The remodeling of the law library was discussed. Contracts with Corky's Plumbing and Heating, Sitton Construction Co., House of Carpets, Inc. and B & D Electric Co. were signed by the Chairman.

Sheriff Hampton discussed the billing to the City of Cortez. Daily prisoner care is \$7.39. Also discussed tires, gas, etc., Approval was given by the Board to order tires.

Sanitarian Bob Sawyer discussed a problem he was having with Ed Novotny at the Thunderbird Race Track. He has warned Mr. Novotny of a sanitary problem with the restrooms and Mr. Novotny has not complied with the regulations. Mr. Novotny was notified to appear with the Board sitting as a Board of Health on August 3, 1976.

County Agent Bob Seaton and Extension Agent Norms Duncan reported on activities in the last month. They also reported on preparations for the County Fair. The State Agriculture Commission will meet in Cortez September 17 and 18th. Mr. Seaton requested the use of a dump truck and a loader for cleaning operations after the fair. Approval given.

Bookkeeper, Merge Ketchum discussed time sheets and comp-time with the Board. A memo will be sent to the department heads as follows: In order to clarify the previous memo concerning compensatory time, the Board has made the following ruling: Monthly time sheet will show comp time to the nearest half hour. Courthouse employees may accumulate comp time up to 35 hours to be used within the calendar year. Road Dept. employees may accumulate comp time up to 40 hours to be used within the calendar year. Over-time will only be worked at the request of the department head. Upon termination of employment, sick leave and comp time accruals are void and no right to same shall exist.

Cortez City Manager D. Longenbaugh discussed the Cortez Community Mission. Also discussed the jail population and the possibility of finding an assistant municipal judge.

Road Supervisor E. Boren reported that approximately \$13,085 worth of work had been done at the Justice Building. He reported on roads and equipment. An agreement was signed by Chairman Bader between the County and Navajo Food Products Inc., dba First American Dairies. Roger Ives reported that Ed Murphy has fences on the County Road at Pleasant View. This was reported last year. Mr. Murphy was to build cattle guards and notify road department when to dig trenches. Mr. Boren will check with Mr. Murphy. Mr. Ives also complained of the condition of a road one mile north of Yellow Jacket.

Board of Social Services conducted.

Meeting adjourned 4:00 P.M.

Attest:

Clerk

Chairman

## Minutes 07/26/1976 Regular

### 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 July, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P21-76

WHEREAS: Harold L. and Orvillena Gresh, owners of 37.2 acres more or less in the Northeast One-Quarter, Southeast One-Quarter (NE1/4SE1/4) of Section 5, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wish to sell 17 acres to Ellis E. and Eleanor M. Haring as a residential tract of land.

A tract of land situated in the NE 1/4 SE 1/4 Section 5, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado. Beginning at the East One Quarter corner of said Section 5, thence N 89 degrees 42' W 1345.6 feet, thence S 0 degrees 33' W 550.33 feet, thence S 89 degrees 42' E 1345.6 feet, thence N 0 degrees 33' E 550.33 feet to the point of beginning, and containing 17.0 acres.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Harold L. Gresh appeared before the Montezuma County Planning Department in behalf of himself and his wife, Orvillena Gresh, requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 17 acres more or less to Ellis E. and Eleanor M. Haring as a residential tract of land.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 07/26/1976 Regular

### 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 July, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent

County Clerk and Recorder: Jean digraph

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:.

Resolution P20-76

WHEREAS: Paul L. and Helen J. Williamson, owners of 290 acres, more or less, in Lots 1 and 2 of Section 18, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell to Jack and Theresa Ann Tanner 2.88 acres, more or less, as an addition to their adjoining crop dusting business.

A tract of land in Lots 1 and 2 of Section 18, T.37N., R.16W., N.M.P.M., being more particularly described as follows: Beginning at the NW Corner of Section 18, T.37N., R.16W., N.M.P.M., which is rebar buried in a county road;

thence, S.0003123"E. a distance of 2635.78 ft., along the west line of said Section 18;

thence, N.88035'14"E. a distance of 22.37 ft., to a fenceline;

thence, N.0003'23"W. a distance of 2244.95 ft., along a fenceline

thence, N.89056'551'.E. a distance of 169.35 ft.;

thence, N.000312311W. a distance of 391.40 ft., to the north line of said Section 18;

thence, S.89056'55"W. a distance of 191.72 ft., along the north line of said Section 18 to the point of beginning, and containing 2.88 acres, more or less.

WHEREAS: The Montezuma county subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Paul L. Williamson appeared before the Montezuma County Planning Department on behalf of himself and his wife, Helen J. Williamson, requesting an exemption from the Montezuma County Subdivision Regulations, stating that they are not subdividing their property in the intent of the regulations, but merely selling 2.88 acres, more or less, to Jack and Theresa Ann Tanner to enlarge their acreage and extend their property to an existing fence which parallels their airplane runway.

NOW, THEREFORE, BE IT RESOLVED that the Board of County. Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

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

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 07/26/1976 Regular

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 July, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution #13-76

WHEREAS the Federal government owns 1/3 of the land in the United States, and

WHEREAS the tax immunity of this land creates financial hardships in more than 1000 counties in 48 states, and

WHEREAS these counties must still provide full local government services of law enforcement, road maintenance, health and hospital service, fire protection, search and rescue, etc., and

WHEREAS in this county more than 70% of the land is Indian tribal lands and Federally-owned lands. The Forest Service, BLM, and National Park service own 39% of the county land and is tax exempt. The Ute Mountain Tribe lands make up 31% of the county and are exempt from taxes. If taxed as privately-owned, the Forest Service, BLM, and Park

Service lands would result in an estimated \$2,025,528 annual tax payments, and

WHEREAS the Public Land Law Review Commission recommended a system of payments-in-lieu of taxes to compensate for the tax immunity of federal lands.

NOW THEREFORE MONTEZUMA COUNTY HEREBY RESOLVES that the Congress enact a system of payments-in-lieu of taxes, and further urges the support of H.R. 9719 and S 3468 which have been endorsed by the National Association of Counties as an equitable and easily administered payments-in-lieu system.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado



Minutes 07/20/1976 Regular

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Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 20th day of July, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Herma Jean Bergen, Deputy Co.	Clerk

Absent: Jean DeGraff, County Clerk

The Montezuma County Commissioners set as the Board of Equalization

Assessor Wayne Denny, Deputy Assessor Helen Diffendaffer and Appraiser Bob McGraw were also in attendance.

Petitioners are as follows:

C. O. Seelig  
Gary and Paul Lively  
Dwain and Marie Lively  
W. L. Coate  
Bearl and Velma Moore  
Dean Cunningham also representing Kenneth Hopperton

These hearings were recorded on cassette tape and duly marked for the record. The hearings were concluded at 2:30 p.m.

Discussion was then held on decisions.

The following decisions were made

Charles F. Stonehocker		
	Actual Value	Assessed Value
Land	2500	750
Improvements	25,225	7567
	27,725	8317
Net Reduction	2670	803

Comparison with Archuleta property

C. O. Seelig - Request denied - Comparison with Fraka and Gerlack (north of House)

Gary and Paula Lively - Request denied

Dwain and Marie Lively

	Actual Value	Assessed Value
Land	8135	2440
Improvements	64275	19282
	72410	21722

Attest:

Clerk

Chairman



Page No. 2  
Continuation of the Proceedings of the Board of Commissioners of Montezuma  
County, Colorado.  
Date Tuesday, July 20, 1976

	Actual Value	Assessed Value
Net Reduction	22950	7883

Classification changed from Class 13F to 12F  
Comparison with Rickle, Nielson and Pyle  
W. L. Coate - Request denied - Assessor made necessary adjustment to agree.  
Beats and Velma Moore - Request denied - Comparison with Charles McAfee, Dick Davis, Tom Cox and D.C. Fleming  
Cunningham and Hopperton - Request denied  
Decisions will be mailed to the Petitioners on July 28, 1976.  
Adjourned at 4:00 P.M.  
Attest:  
Clerk

Chairman

Online Copy

Minutes 07/19/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 19th day of July, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Herma Jean Bergen, Deputy Co.	Clerk

Absent: Jean DeGraff, County Clerk

Pledge of Allegiance given.

Minutes of the previous meeting held July 12, 1976, were read and approved as corrected to read Motion seconded by Commissioner Honaker and carried.

Correspondence was read and noted. Received among others was a check in the amount of \$1,000.00 from The Town of Mancos for Revenue Sharing for road equipment. A letter from U. S. Board on Geographic Names approving to change the name of Banded Mountain to Centennial Peak. A letter from Region 9 regarding membership assessment. Notice of Denial from Ritter received 7-19-76. Security Water Bond from Montezuma Water Co. Notice from CCI regarding illness of Rep. Wayne Asspinall. Memo from Steve Zavala, RE: Colorado Day Posters.

Nurse Supervisor, Frances Koppenhafer reported to the Board that a donation from the Mancos VFW for the Swine Flu vaccine program was received. The immunization program may possibly be held in September. She also reported she would be attending a Colorado Board of Health meeting July 21, 1976.

An agreement from the Forest Service was received and is close to same as last year. Items had been underlined in the new agreement. This was discussed.

Sheriff Hampton discussed with the Board concerning the purchase of tires from B.F. Goodrich. He figures he would need at least 44 tires, 28 highway and 16 mud and snow. He will discuss this further with the supplier. The Board suggested that they have Mr. Denton get the prices checked out. Sheriff Hampton discussed a problem with Gary Chaffin having private parties at his place. Gary has been told and advised of the circumstances.

Planner W. L. Glenn presented a request from Joseph and Margaret Dean wanting to take off 12 acres of property. All seemed to be O.K. Mr. Glenn also presented a request for a variance from Kenneth and Mae Cook to Russell and Esther Dittmar. Commissioner Honaker made the motion to approve the request, seconded by Commissioner McComb and carried. Resolution P19-76 was signed.

Coordinator Denton appeared before the Board with samples of carpeting to be put in the law library. Discussion was held about the carpeting and walls needing to be painted,. Mr. Denton has sent out letters to sub-contractors and a decision should be made with in the next week. Discussion held concerning the PUC for Dean Stevenson. Mr. Denton wrote a letter to the State concerning needs in the County for this. Discussion was also held on the Micro Wave Grant.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, July 19, 1976

Joe Jarvis from New York Life and Skip Williams from Capitol Life visited with the Board regarding group insurance. This was tabled at present.

General Fund vouchers #32539 thru #32551 in the amount of \$13,033.03 and Road Fund vouchers #2975 thru #2990 in the amount of \$47,644.25 were allowed and ordered paid.

Liquor license from the Stagecoach inn was presented to the Board. Commissioner Honaker made the motion this license be changed to a Tavern license. Commissioner McComb seconded the motion. Motion carried.

Dwayne Longenbaugh and Fred Grove appeared to the Board with problems pertaining to the Justice Building. The contractors have not followed with major mechanical problems. General work has not been completed.

Some minor items have been done. Discussion followed on terminating the contract. Commissioner McComb made a motion the contract be terminated on the Justice building, Commissioner Honaker seconded. Motion carried.

A letter will be mailed to the contractor as of the termination. The parking lot at the Justice Building was discussed. It will be extended and oiled and marked off in angle parking. Discussion on the Airport Budget was held.

Empire Electric had called concerning the 3 phase power. It will cost the county and city about \$5,600.00 extra to have this put in. The Alcohol program was discussed. The voucher on this was held until more can be learned about it.

The Board would like to have copy of the budget and expenditures. The Board will try to attend the Alcohol Board meeting which is held the first Thursday of each month at 7:00 a.m.

Road Department Supervisor Earnest Boren reported to the Board. The County road, having the, biggest priority are 1 mile of the Willden Road and Mildred Road. Seal coat on 2 miles by Dr. Redderts. Sup. Boren will get a run down on Road Department work done at Justice Building.

Walt West appeared before the Board with complaint on taxes. A hearing was set for Tuesday, July 27, 1976, at 2:00 p.m.

Mr. Creeden appeared to the Board requesting to have the road graveled, 1 mile north of Goodman Point School. Mr. Boren will check on this and report back.

Sanitarian Bob Sawyer reported to the Board regarding Easement of right-of-way for Mr. Kohler in McElmo Canyon. Mr. Kohler appeared later and visited with the Board on this matter. The Board will take a look at the road and make a decision.

Veterans Officer Dave McNeill reported to the Board regarding the Semi-Annual report. Also reported on school applications going thru for the veterans.

Social Services conducted.

Dean Stevenson visited with the Board concerning the PUC Permit. The letter written by Mr. Denton was given to him to be sent to the State.

A letter to Montgomery Ward was sent regarding their truck parking in the alley behind the courthouse.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

## Minutes 07/19/1976 Regular

### 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 July, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P19-76

WHEREAS: Kenneth C. & Mae L. Cook, owners of two lots totaling 2.53 acres in the Northeast One Quarter, Northeast One-Quarter (NE1/4 NE1/4) of section 17, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wish to sell one lot to Russell and Esther Dittmer as an addition to their adjoining residential tract of land.

A tract of land in the NE1/4 NE1/4 Section 17, T 36 N, R 15 W, NMPM and more particularly described as follows: Beginning at a point which bears S 48 degrees 47' 10" W, 361.54 feet from the NE corner of said Section 17;

Thence S 0 degrees 01' W, 369.06 feet;

Thence N 81 degrees 56' 35" W, 144.85 feet;

Thence along the arc of a curve to the left with a radius of 50 feet for a distance of 85.60 feet;

Thence North 299.10 feet;

Thence S 87 degrees 50' E, 193.14 feet to the point of beginning.

Contains 1.53 acres more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Mae L. Cook appeared before the Montezuma County Planning Department on behalf of herself and her husband, Kenneth C. Cook, requesting an exemption from the Montezuma County Subdivision Regulations, stating that they are not subdividing their property in the intent of the regulations, but merely selling 1.53 acres to Russell and Esther Dittmer to enlarge their acreage and to improve an irrigation potential due to the natural terrain

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 07/12/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 12th day of July, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of Allegiance given.

Minutes of the previous meeting held July 6, 1976 were read and approved.

Reports for the month of June were received and reviewed from the Clerk, Treasurer and the Sheriff.

Correspondence was read and contents noted. Received, among others, was a check in the amount of \$95.89 from the Regional Planning Commission for reimbursement of travel expenses for Mr. Denton. Revenue Sharing warrant was received in the amount of \$38,930.00. County share of cigarette tax for the month of May is the amount of \$714.95 was received. A letter of resignation from the Mancos Cemetery Board was received from Mrs. Gertrude Noland.

The Clerk reported that the gravel lease of Noland Alexander would expire on July 13th, 1976. Chairman Bader has contacted Mr. Alexander and this matter was tabled.

Discussion of Branch Voter Registration was held. Commissioner McComb made a motion to designate BIA office at Towaoc from July 13 thru July 23, and Denton Store at Pleasant View from July 25 thru August 6 as Branch Voter Registration offices. Seconded by Commissioner Honaker and carried.

The Board discussed hours worked by County employees. It was decided that a memo would be sent to the various departments stating that since the Supreme Court has ruled that Cities and Counties do not pay over-time, the County will go back to the method of exchanging time for time. Department heads will keep track of comp-time and the employee can use it at a later date.

Sheriff Hampton discussed the six-month bill from the City of Cortez in regards to the Justice Building.

At this time the Board convened as a Board of Equalization. All members being present, County Attorney Grace Merlo, County Clerk Jean DeGraff, Deputy Assessor Helen Diffendaffer, Appraiser Bob McGraw and the petitioner Charles F. Stonehocker. This hearing was recorded on cassette taped and duly marked for the record.

Bob Bryan and Bill Brown of the Cortex Community Mission reported on activities of the Mission. They also requested funds previously budgeted to help purchase another building. This was approved.

Sanitarian Sawyer reported that a notice had been sent to James Spencer to appear before the County Board of Health on August 16, 1976 at 9:30 a.m.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma  
County, Colorado.

Date Monday, July 12, 1976

General Fund Vouchers #32418 thru #32538 in the amount of \$28,390.84, Road Fund Vouchers #2951 thru #2974 in the amount of \$3,544.49, Revenue Sharing Voucher #60 in the amount of \$95.85 and Contingency Fund Voucher #51 in the amount of \$2,375.00 were allowed and ordered paid.

Harold Blakely appeared to protest his property taxes. He has been gone a month and didn't receive his notice in time to protest to the Assessor.

Glenn Cutlip presented a request for payment of bounty on a coyote. It was noted that the coyote had been killed before the permit was granted. Board agreed to pay half. (\$10.00).

Cortez City Manager Dwayne Longenbaugh discussed the airlines with the Board.

It being the time set for reconvening the meeting concerning Land Use regulations under H. B. 1041 from June 14, 1976 and June 28, 1976 and all members being present including County Attorney Grace Merlo, Clerk Jean DeGraff and interested observers, another letter of protest was presented to the Board by Andrew Gatzke. The regulations were read again by the Attorney. All of these proceedings were recorded on cassette tape and duly marked for the record. Commissioner McComb read resolution #12-76 and then made a motion to adopt the resolution. (See Attached) Motion seconded by Commissioner Honaker and carried unanimously. Board of Social Services conducted.

Meeting was adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

Online Copy

## **Minutes 07/12/1976 Regular**

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 12th day of July, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution 12-76

WHEREAS: Montezuma County, under authority granted by various laws of the State of Colorado, may regulate land uses in the County; and

WHEREAS: Certain laws of Colorado and the Colorado legislature have established matters of State Concern and established priorities for regulation of such matters; and

WHEREAS: The Montezuma County Planning Commission, after lengthy study, has recommended the adoption of certain Subdivision Regulations amendments, the designation of Geologic Hazard Areas and Mineral Resource Areas, the regulation of these same areas, and the Administrative Regulations for these activities, copies of which are attached and are herewith incorporated; and

WHEREAS: A public hearing was held on June 14, 1976 on these matters; and

WHEREAS: There has been response both pro and con from the general public indicating why the amendments, designations and regulations should or should not be adopted.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montezuma County that the above mentioned Subdivision Regulation amendments, area designations and regulations for same be adopted effective July 12, 1976.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 07/06/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 6th day of July, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of Allegiance given.

Minutes of the previous regular meeting held June 28, 1976 were read and approved.

Clerk DeGraff gave a report of the survey conducted by Hazel Englehart concerning the protest letter presented last week. Approximately 50 % of the signers were contacted.

Correspondence was read and contents noted. Received, among others, was a warrant from the State Highway Department in the amount of \$225.00 for a maintenance agreement.

Nurse Supervisor Frances Koppenhafer discussed swine flu clinics and budget items. She reported that Nurse Willa Hodges had completed her six month probationary period and was well qualified to be on permanent status. Certification of nurses will be conducted next week and a copy of a personnel policy of the Health Department was reviewed. Some corrections were made and the revised policy was signed by the Board.

V.A. Officer Dave McNeill submitted his report for the month of June and a six-month report.

Discussion was had concerning installing another line into the Commissioners' Office. On the basis of the estimate received, the Board agreed to have the line installed.

Coordinator Denton presented a letter to be signed by Chairman Bader to the Citizens State Bank releasing the guarantee on Hawkins sub-division. The Grant on the Law Library was signed. A transfer of funds from the Contingency Fund to the General Fund in the amount of \$2375 was made to be used as the County's share of remodeling the Library. Commissioner McComb made a motion to send \$1743 to the Regional Planning Commission. Seconded by Commissioner Honaker and carried. State purchasing was discussed.

General Fund Payroll vouchers #3046 to #3099 & #32416 to 32417 in the amount of \$39,882.86 and Road Fund Payroll vouchers #2691 to #2722 & #2949 in the amount of \$24,610.51 were allowed and ordered paid.

Ron Dirscoll of Driscoll & Co. presented the fifth quarterly report on the tax mapping project. Report was reviewed and signed by the Board and Mr. Driscoll.

Coordinator Denton notified the Board that there was some 1975 monies left in a Communications Grant. \$10,000 could be requested with a 10% match from the County. This would have to be used by 6-30-77. A Communications Committee meeting will be called for tomorrow to see how

Attest:

Clerk

Chairman



Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Tuesday, July 6, 1976

quickly they can get into the second stage of Communications.

David Coe, Human Resource Coordinator for Region 9 presented a copy of his inventory report.

It was reported that the Road Superintendent was injured this morning and is hospitalized. There was no other road reports.

Cortez City Manager D. Longenbaugh reported on communications and the Justice Building. He also expressed his thanks for the Sheriff's help during the fire yesterday.

Sheriff Hampton submitted his June report. He reported on the fire yesterday at Hartman Draw.

Approximately 50 acres were burned and there was some property damage from smoke.

Sanitarian Sawyer requested the Board to sit as a Board of Health to hear why James Spencer should not pay for a permit for a sewage system.

Discussion was had on group medical coverage. Metropolitan Insurance Co. is increasing rates as of July 1, 1976. Board agreed that the County would absorb the increase on employees. Employees will stand the increase of dependent coverage.

Discussion was had of time sheets and over-time. Since the Supreme Court has ruled that over-time is not payable by Cities or Counties, the County will go back to the method of exchanging time for time.

Board of Social Services conducted.

Adjourned at 4:30 P.M.

Attest:

Clerk

Chairman

Minutes 06/28/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 28th day of June, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given.

Minutes of the regular meeting held June 21, 1976 were read and approved.

Correspondence was read and contents noted. Included, among others, were Highway Maintenance Agreement on Highway 184 which was signed, Renewal application for license to sell 3.2% beer for Priest. Gulch Campground. Commissioner Honaker made a motion to approve this application, seconded by Commissioner McComb and carried, Warrant from State Health Department in the amount of \$1517.54 as reimbursement for Nurses and Sanitarian salary, Request received from Bill Winkler for a letter of approval from the Board changing the name of Banded Peak to Centennial Peak in commemoration of Colorado's 100 years of Statehood. Approval was given and a letter so written, Notice from Dover Elevator Co. increasing the cost of maintenance agreement. At 9:28 a.m. Mr. Andrew Gatzke appeared and presented a letter of protest, signed by approximately 200 persons in regard to the decisions the Board was to make at 10:00 a.m. concerning land use regulations.

Dr. Griebel and Nurse Supervisor Frances Koppenhafer of the Health Department appeared with Tim Englert, State Epidemiologist to discuss the forthcoming swine flu vaccine clinics. A team will be coming in to the County in the fall with 23 vaccine guns for this clinic. Plans are being made and news releases will be made periodically.

Planner W. L. Glenn reviewed with the Board the pending Sanders Sub-Division.

It being 10:00 a.m., Chairman Bader reconvened the Public Hearing continued from June 14th. Due to the presentation of the letter of protest this morning, the Chairman recessed the hearing and postponed the decision until 3:00 p.m. on July 12, 1976. This portion of the regular meeting was recorded on cassette tape and kept for record.

Ed Kilby of McElmo reported that there had been some gravel left on his property when the County had a pit there some years back. Requested permission to use the gravel. Will discuss this with Mr. Boren later in the day.

Dr. Ed Berger of I.S. Educational Programs requested some road work done on property he owns in the County.

Also requested some fill work done on an area where trash was being dumped on his property. He will then fence the area. Referred to Road Department.

The Board received a petition for creation of a Housing Authority in the County containing eighty signatures.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, June 28, 1976

The Board also received an order from District Court upholding the Commissioner's decision to deny a 3.2% beer license for the "76" Club.

Sanitarian Sawyer reported that a complaint had been made on a transient sewer systems cleaner, referred to the District Attorney and taken care of.

Jim Bertwell discussed property tax with the Board.

Road Department Supervisor E. Boren reported on road maintenance and equipment. Mr. Burton of the John Deere Store and Duane Belden of Ford Tractor presented bids for a mower. After reviewing the estimate, Commissioner McComb made a motion to purchase a used Ford tractor for \$4500 and a new Bush Hog mower with chain mounts for \$2457 from Belden Motors. Seconded by Commissioner Honaker and carried. Tom Pease of Motorola Co. proposed a radio system for the Road Department, priced at \$13,286 for a base station and radios for 6 trucks. Installation costs would be about \$1300. This was tabled. Forest roads were discussed. Boren will check with Dr. Berger concerning his complaint. Discussion of Kilby gravel. Letter was written to Mr. Kilby that he could have the gravel.

Coordinator Denton discussed remodeling of the old courtroom for a law library.

Board of Social Services conducted.

The Board then discussed the letter of portent presented this morning.. It was decided that a survey should be made of those signing the letter: Hazel Englehart was interviewed and agreed to make some calls. She will report back next Tuesday what results she has.

D. Longenbaugh, Cortez City Manager, requested a resolution approving a Cortez Street map for Urban system Federal funds. Commissioner McComb moved to adopt the resolution, seconded by Commissioner Honaker and carried.

Meeting was adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

## Minutes 06/21/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 21st day of June, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of Allegiance was given.

Minutes of the previous regular meeting held June 14th and the special meeting held the evening of June 14<sup>th</sup> were read and approved.

Correspondence was read and contents noted. Received, among others, were the following: CETA contract from Department of Employment for a Sheriff's employee. Letter from RPC concerning the formation of the Economic Development council. Copies of letters concerning the inspection date (June 25) and date of ownership (June 26). Letter from SW Colorado Mental Health thanking the Board for the reception of their presentation of a plan. Letter from Phyllis Armstrong thanking the Board for her nomination to the Western Colorado Health Council. Letter from Department of Highways concerning an approach by Arriola Store. Letter from Daniel Mahoney requesting information. concerning public domain land. Answered. Warrant from State for cigarette tax refund in the amount of \$825.58. Letter from Carl S. Becker requesting salary information. Letter from Colorado Department of Agriculture concerning a contract. Note from Norman Schultz, Department of Employment notifying the Board that approximately \$91,000 had been saved for the County through the WIN program.

A blanket Abatement was presented by Assessor Denny for erroneous assessments. (See Attached) Commissioner Honaker made a motion to approve this petition, seconded by Commissioner McComb and carried.

Request for a renewal of a liquor license for Charles W. Martin doing business as the Stagecoach Inn was presented for approval. Also presented was a request for Extended Hours by the same applicant. Proper fees having been submitted, Commissioner Honaker made a motion to approve the renewal and extended hours. Seconded by Commissioner McComb and carried.

Nurse Supervisor Frances Koppenhafer discussed immunization of children, swine Flu vaccine and the yearly contract with the State Health Department.

Calvin Spangler appeared to protest property taxes. He was referred to Assessor Denny.

Planner W. L. Glenn requested and was given tentative approval for Gaylord Gardner to give three acres to a relative. Bob Leighton appeared to discuss amendments on his sub-division known as LaVerde Estates.

Commissioner McComb made a motion to accept the amended plat with the technical adjustments. Seconded by Commissioner Honaker and carried. Amended plat was initialed by Board members and County Clerk.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, June 21, 1976

Coordinator Denton discussed HB 1065 regulations, Land Use, and the Economic Development Plan.

Nominees for the council were Maxine Maestas, Pete Ballode and Clay Bader. Concerning the study of flood plain areas of Dolores River, might obtain additional 1041 funds.

Also discussed State purchasing.

Sheriff Bob Hampton discussed the possibility of selling some jeeps that the Sheriff has no more use for. This was tabled.

District Attorney George Buck appeared to discuss the D. A. pay-cut as per HB 1066.

The Board then discussed with the Bookkeeper Marge Ketchem, Metropolitan ins. refusal to send a loss experience report. It was decided that the bookkeeper could make up a report from the Counties copy of what was paid.

After a phone call from the Colorado Counties office and some discussion, Commissioner McComb made a motion to appoint Glen R. Billings, President, of his designee as proxy to pick up and cast Montezuma County ballots at NACo's 41st Annual Conference in Salt Lake City, Utah on June 26th through July 1, 1976. Motion was seconded by Commissioner Honaker and carried. Resolution #10-76 was signed to that effect and a copy will be sent to Colorado counties with the registration fee of \$95.00.

Road Department Supervisor E. Boren reported on road maintenance and equipment. They discussed the billing which was received by the County from Mountain Bell for damage to a cable. This cable was laid too close to the road and was cut by a blade. Mr. Boren stated that he did not give permission to the phone company to lay the cable in the road. Commissioner McComb made a call to the main office and the matter was tabled. Duane Belden of Ford Tractor Co. gave a presentation on a Ford mower which he would like to sell to the County. Tabled.

Sanitarian Bob Sawyer appeared with Stan Kohler of First American Dairies. Mr. Kohler requested a right-of-way on a County road to lay a sewage pipe three feet deep. Mr. Boren stated that it would have to be four feet deep and packed back. This being agreeable with Mr. Kohler and the Board, site application was signed. Forest roads were discussed. Mountain Bell representatives appeared requesting permission to place a cable on east side of the road south of the radio station. Mr. Boren refused permission at first. However the representatives assured the Board and Mr. Boren that any damage to the asphalt would be repaired by the company." Permission was granted provided Mr. Boren was present when the work was done.

Assessor Denny discussed the taxation of equipment at the First American Dairy which has not been taxed for several years. The Board requested the assessment rolls to be used when they sit as a Board of Equalization. Board of Social Services conducted.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 21st day of June, 1976 with the following persons in attendance:

Commissioners: Clay V. Bader, Chm, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff ,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

RESOLUTION #10-76

By affirmative action of Montezuma County Board of Commissioners. Glen K. Billings, President, or his designee is authorized to pick up and cast Montezuma County ballots at NACo's 41st Annual Conference in Salt Lake City, Utah on June 26th thru July 1, 1976.

Commissioners voting Aye in favor of the Resolution were:

Clay V Bader, Harold McComb and Curtis Honaker

Commissioners voting Nay: none

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 21st day of June 1976.

County Clerk and Recorder of  
Montezuma County, Colorado

## 1976 BLANKET ABATEMENT # 4

NAME	DESCRIPTION	YEAR	DIST.	ORIGINAL VAL.	TAX	ABATE VAL.	TAX	BALANCE VAL.	TAX	REASON	ABATE OR REFUND
Hodapp, Harvey H. 702 Memorial Dr. Cortez, Colo. 81321	SE 1/4 34-39-19	1975	1-W-0	1075	71.33	250	16.59	825	54.74	Building removed.	Abate
Carver, Thaine & Lenore Route #2, Box 34 Mancos, Colo.	Lots 22-24 Blk. 2 Sunnyside	1975	6-A	5440	471.76	2705	234.58	2735	237.18	Error in calculation.	Refund
McLain, Orlie 724 Stratton Dr. Cortez, Colorado	Personal Property	1974	1-H	150	9.31	150	9.31	00	00	Property sold in 1973	Abate
McLain, Orlie 724 Stratton Dr. Cortez, Colo.	Personal Property	1975	1-J	150	10.10	150	10.10	00	00	Property sold in 1973	Abate
High Country Park % Stan Rogers Mancos, Colorado	Personal Property	1974	6-B	150	9.95	150	9.95	00	00	Assessed also in 6-B	Refund
High Country Park % Stan Rogers Mancos, Colorado	Personal Property	1975	6-B	175	12.46	175	12.46	00	00	Assessed also in 6-B	Abate

Minutes 06/14/1976 Special

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Special

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 14th day of June, A.D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Public gearing was held June 14, 1976 in the District Courtroom, Montezuma County Courthouse, Cortez, Colorado. Chairman Clay V. Bader called the hearing to order at 8:00 P.M. Present were Harold McComb, Commissioner, Curtis Honaker, Commissioner, Jean DeGraff, Clerk, Grace Merlo, Attorney, D. M. Denton Coordinator and John Porter, Chairman of the Montezuma County Planning Commission. This public hearing concerning certain Land Use regulations reader H. B. 1041, was recorded by Betty Witherbee, Court Reported. Explanations, Resolutions from the Planning Commission sad receiving of testimony ware heard on Subdivision Amendments (Wildfire-Flood Hazards), Areas around Interstate Exchanges, Mineral Resource Areas and Geologic Hazard Areas.

Hearing was recessed at 10:00 P.M. until 10:00 A.M., June 28, 1976, at which time the Board of County Commissioners will give their decisions on these items.

Attest:

Clerk	Chairman
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Minutes 06/14/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 14th day of June, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the regular meeting held June 7, 1976 were read and approved.

Commander Lester Conrad and Finance Officer Harold Carlson of the Ute Mountain Post #75, American Legion, presented an American Flag with standard to the Board for display in the Commissioner's meeting room. They also presented a desk size Bennington Flag to- Jean DeGraff, Clerk. The Board expressed their appreciation to Commander Conrad and Mr. Carlson and directed the Clerk to send a letter of appreciation to the American Legion Post. Correspondence was read and contents noted. Included among others were the following: Memo from the State Division of Property Taxation affirming the State's position so that the Commissioners will be aware of certain legislative changes on percentage assessment. Letter from the Town of Dolores requesting help in removing a large rock in the town of Dolores. Letters from Flaugh Construction Co., Montezuma County Sheriff, City Fire Inspector Steve Cutting and a copy of a letter from Justice Building Committee all concerning the Justice Building.

Nurse Supervisor Frances Koppenhafer discussed the possibility of starting a Well-Oldster Clinic in Cortez. She has written to local physicians concerning this matter. She also notified that Montezuma County has a high rate of deaths in pre-natal and newborn babies, 40 out of a thousand. She would like to begin pre-natal clinics.

Custodian Marion Steerman discussed employment problems. He will meet with the Board and Mr. Schultz of the Department of Employment at 11:00.

Coordinator Denton discussed the RPC meeting on EDA. The Board named Maxine Maestas, Julio Archuleta and Pete Ballode as nominees on the Economic Development Council. Also discussed was the Law Library and obtaining radio equipment fox fire departments. Mr. Denton notified the Board that Larry Lang, Chief Engineer for the Colorado Water

Conservancy Board will conduct a study of the Dolores River flood plain and that the Conservancy Board will pay half the cost of the study.

Norman Schultz and Stella Marquez of the Colorado Department of Employment appeared with Custodian Steerman and helper Chuck Asa. There has been a misunderstanding as to the hours to be worked in the Courthouse. Mr. Asa also gave comments on the Custodian and Helper not being paid enough and having to work on weekends. These areas will be investigated for another budget period. Nothing can be done now. The Department of Employment will screen applicants for this position in the future

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, June 14, 1976

Cortez City Manager Dwayne Longenbaugh and Walter Flan of West Airlines reported that they were having difficulties getting Frontier to route passengers to and from Cortez. Mr. Longenbaugh reported that he will be attending a meeting in Cortez tomorrow with the EDA, giving a presentation of the proposed Industrial Park northwest of Cortez. Also discussed was the parking situation at the Justice Building.

Sanitarian Bob Sawyer requested permission to attend a one day seminar on sanitation in Durango. Request was granted. Also wanted to know if it would be possible to obtain a radio for his vehicle. Mr. Sawyer reported that the Circle R Renck lead installed a good system.

Sheriff Bob Hampton discussed the possible purchase of locks for the jail. A Justice Building Committee meeting will be held today or tomorrow and this will be discussed.

Road Department Supervisor E. Boren reported on road and equipment maintenance. County received a bill from Mountain Bell on a cut cable recently. Mr. Boren stated that the cable hadn't been laid properly. Pictures should be taken when this happens. Discussed removing a rock at the foot of Dunlop Hill. County Equipment not big enough to handle this properly and a letter will be written to the Town of Dolores so stating. Mr. Boxes reported that Dolores County was ready to start oiling roads.

General Fund Vouchers #32297 thru #32415 in the amount of \$33,898.11, Road Fund Vouchers # 2912 thru #2948 in the amount of \$18,600.82, Contingent Fund Vouchers #49 thru #50 in the amount of \$137.72, Revenue Sharing Voucher #59 in the amount of \$781.53, and Public Works Voucher #126 in the amount of \$30.00 were allowed and ordered paid.

J. Vat Kruse of Rauh Agency requested that the County Sheriff use unit numbers on his vehicles. Mr. Kruse also discussed and protested the high taxes in Montezuma County.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

Minutes 06/07/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO                      ss.                      At a                      REGULAR  
County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on MONDAY, the 7th day of JUNE, A. D. 1976 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
Harold McComb	Commissioner
Grace Merlo	County Attorney
Marge Ketchem	Clerk

Absent:

Minutes of the regular meeting held June 1, 1976 were read and approved.

Correspondence: Letter from Metropolitan Life & Accident Co. stating the new rate would be effective for one year starting July 1, 1976. It was decided to contact other Insurance Companies and ask for bids on a comparable plan.

A check was received from the Town of Mancos in the amount of \$666.42 for Communication equipment. Letter received from Citizens Bank of Farmington, New Mexico stating they had two fully equipped ambulances for sale. This will be referred to the hospital.

An Official Notification of Violation was received from the Colorado Department of Health in regard to Colorado Forest Products.

Letter from Colorado Region 9 Planning requesting \$509.37 for additional expenses. Request granted.

Letter from Colorado Counties RE: "Payments-in-lieu" for Federal Lands (HR 9719).

Letter from the Board of Land Commissioners re: Oil & Gas-Lease Auction. Notice will be posed on bulletin board and a letter written June 21, 1976.

Notices of Timber Sales.

Treasurer's report for the Month of May.

Exemption notification for Four Corners Sheltered Workshop was received from the State of Colorado, Division of Property Taxation.

Letter from Congressman Wirth stating he would support H.R. 9719.

Colorado Counties letter stated that the Board of Directors would meet in Winter Park on June 19, 1976.

Sanitarian Bob Sawyer, reported on citations sent to Ralph Cavillo and Ed Nowotny. He stated that he had received a letter from USDA in regard to complaints from Mrs. Sapp on Northside Packing odors.

Nurse Supervisor Frances Koppenhafer, appeared to discuss the Head Start program. She showed the Board the Certificate of Appreciation to the Montezuma Public Health Nurses her department had received. Dr.

Griebel reported the State would not furnish the cotton balls and acetone for immunization. Part of this cost will be absorbed by the public donations and the rest by the County.

Coordinator Denton presented reports of Mineral Resources, Geologic Hazards and Subdivision Regulations along with Flood Prone Areas of Montezuma and Dolores Counties. Discussion was held in regard to H. B. 1065.

Attest:

Clerk	Chairman
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Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date JUNE 7, 1976

Following Vouchers were approved:

General Fund--Payroll:	Vouchers #2981-3045	\$27,086.35
	Vouchers #32291-32292	\$15,220.71
Bills:	Vouchers #32293-32296	\$1,796.53
Road Fund--Payroll:	Vouchers #2657-2690	\$17,936.98
	Voucher #2911	\$7,662.84

Sheriff Bob Hampton appeared and discussed bills presented by the City of Cortez for the County's share of the Jail cost.

May report was turned in, Sheriff Hampton reported that Georgia, Dunning had been hired to fill the Cook-Matron position. He also reported on the car purchased in Denver for \$781.53. This vehicle will be given to Marshall Denton and Mr. Denton's car will be given to Robert Seaton, Extension Agent.

County Assessor A. W. Denny appeared to report on the tax meeting he attended in Denver. He will hear complaints starting June 14 through June 30, 1976. He also stated that he would hear any of those coming into his office before that date.

Val Kruse of Rauh Agency appeared to discuss insurance coverage on County owned vehicles.

City Manager Dwayne Longenbaugh reported on future Centennial and Bi-Centennial activities. Discussion was held in regard to the meeting to be held at 5 P.M. on the Justice Building.

Earnest Boren, Road Supervisors appeared and discussion was held in regard to Forest Service roads. Other roads and maintenance work to be done was discussed.

The Board approved the cash match in the amount of \$2,375.00 for the 22nd Judicial District Law Library.

Social Services meeting conducted.

Meeting adjourned at 3:30 P.M.

Attest:

Clerk

Chairman

## Minutes 06/01/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 1st day of June, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous regular meeting held May 24, 1976 were read and approved.

Correspondence was read and contents noted. Included, among others, were the following: Check from Kissinger Oil Co. is the amount of \$2000; in payment of bonus of \$12.50 per acre on a lease. Copy of a letter from attorney for Mosquito Control District to the Division of Local Affairs concerning their 1975 budget. State Highway Maintenance agreement on 184. Veteran's Affairs report for May. Letter from Clark Buckler, CCI, thanking Board for resolution in support of payments in lieu of taxes. Letter from Region Nine concerning Economic Development Committee nominations.

County Clerk Jean DeGraff reported that she had received comments and evaluation of the Gyrex System of vote counting from Dade County, Florida. On the basis of this evaluation and others, the Board unanimously agreed that it would be in the best interest of the County not to try the system at the Primary election. Paper ballots and manual counting will be used as is the past.

Nurse Supervisor Frances Koppenhafer reported that a total of \$1834.75 has been received and deposited with the County Treasurer as back Medicare payments. She also presented minutes of the Advisory Committee meeting held May 18, 1976. Swine flu vaccine was discussed.

Planner W. L. Glenn presented a request for a variance to the sub-division regulations for Dennis L. & Dorothy Joy Black to sell 10 acres more or less in Section 16, T36N, R16W to a separate party as a residential tract of land. Commissioner Honaker made a motion to approve the request, seconded by Commissioner McComb and carried. Resolution P18-76 was signed.

Coordinator Denton reported that the LEAA grant for the Law Library had base officially approved. The amount is approximately \$7000. Remodeling plans were discussed. Mr. Denton will check with Fred Groves as to the specifications seeded for bidding. A-95 applications for grants were reviewed. As to EDC nominees, the names of Julio Archuleta, Lea Nunn, Marine Maestas, Emory Lovett and Richard Tibbets were suggested.

Sheriff Bob Hampton reported that he had located a State Patrol car which he will check out for possible purchase. It is a 1973 Plymouth and the cost will be approximately \$730. Shell Oil Co. has notified the Sheriff of places for drilling two wells around Arriola. If they prove good, they may build a 12" pipeline 750 miles to Texas. Sheriff Hampton also reported that he was re-classifying the cook-matron position at the jail. Mr. Bob Graf stated that he had two surveys made on his property south of Mancos and the two

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Tuesday, June 1st 1976

surveys vary about 1/8th of a mile. He would like help is getting a Government survey made. Chairman Bader advised Mr. Graf that the Board would write a letter to the BLM requesting a survey.

Mrs. Betty Ann Dwire of the San Juan Area Vocational School, Business Department explained the program they have at the school for placing their students. She would like the Board to consider placing one or more students in the Courthouse. Chairman Bader stated that they would survey the departments to see if they needed or could use a student. Budgeting was explained.

Notice was received from Workman's Compensation concerning Robert Short.

Notice was received from Metropolitan Insurance Co. of an increase in rates effective July 1, 1976.

Assessor Wayne Denny and Deputy Helen Diffendaffer reported that they do not have enough help to prepare a complete list of 12 and 13 class houses. Mr. Decay stated that 90% of the homes in the County are class 12.

Mr. Decay would allow anyone to look at their class cards at any time during regular hours. Under these conditions, the Board stated they would not need a list. Percentage raises of property values were discussed.

Mr. Denny notified the Board that he wants to keep some part time help but it will put him over his budget.

A petition for abatement of taxes for D. Royce Higgins for erroneous assessment on personal property in the amount of \$114.60 was presented. Commissioner McComb made a motion to approve the petition, seconded by Commissioner Honaker and carried.

A letter from Mickey Livingston was received stating that he does not have a mower to use on weeds in barrow pit. The Board will visit Mr. Livingston at a later date.

A letter was received from Kirby Klein complaining of the Lowry Ruins Road.

City Manager Dwayne Longenbaugh reported that the license for visual approach to the airport has been received. The agreement to use air rights was presented and signed.

District Attorney reported that the building that houses their office had been sold and he didn't know what to expect in the way of an increase of rent.

Road Supervisor Earnest Boren reported on road maintenance. He will submit a list of forest road that could be dropped from the County system. McElmo project was discussed. Mr. Boren was instructed to meet with the Sheriff to get trustee help in cleaning the dump road.

Hal Tanner, Chairman of the Hospital District presented a schedule of existing debt requirements as of June 26, 1976. He also reviewed with the Board the current financial statement. Property taxes were discussed. Mr. Tanner, along with the Board, is very concerned about the higher taxes. Also discussed was the possible paving of Mildred Road north of Empire St.

Board of Social Services conducted.

The Board proceeded to number the election precincts as required by law as follows:

#1 Pleasant View	#10 NE Central Cortez	#19 Lebanon - Summit Ridge
2 Upper Dolores Valley	11 NE Central Cortez	
3 McElmo Canyon	12 SE Central Cortez	
4 Dolores	13 SE Cortez	
5 Lewis-Arriola	14 Lakeview	
6 NW Cortez	15 Mancos, North	
7 SW Central Cortez	16 Mancos, South	
8 NW Central Cortez	17 SW Cortez	
9 NE Central Cortez	18 Towaoc	

Attest:

Clerk

Chairman

General fund vouchers #32289-32290 in the amount of \$900.00 were allowed and ordered paid.

Meeting was adjourned at 4:30 P.M.

## Minutes 06/01/1976 Regular

### 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 June, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P18-76

WHEREAS: Dennis L. and Dorothy Joy Black, owners of 20 acres, more or less, in the Southwest One-Quarter, Southeast One-Quarter (SW1/4 SE1/4) of Section 16, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 10 acres more or less to a separate party as a residential tract of land. A tract of land in the SW1/4 SE1/4 of Section 16, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

The West One-Half, West One-Half, Southwest One-Quarter, Southeast One-Quarter (W1/2 W1/2 SW1/4 SE1/4) of Section 16, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, and containing 10 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Dennis L. Black appeared before the Montezuma County Planning Department on behalf of himself and his wife; Dorothy Joy Black, requesting an exemption from the Montezuma County Subdivision Regulations stating they are not subdividing their property in the intent of the regulations, but merely selling 10 acres, more or less, to a separate owner as a residential tract of land.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado



## Minutes 05/24/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 24th day of May, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous regular meeting held May 17, 1976 and the special meeting held May 20, 1976 were read and approved.

Correspondence was read and contents noted. Included, among others, were the following: Letter from Dilts, Wilson, Dyer & Fossum, Attorneys, inquiring in to the possibility of the County furnishing bookshelves for the Law Library and noting that the construction for this facility will begin in June, 1976. Warrant from Blackhawk County, Iowa in the amount of \$2826.30 for freight for the generator obtained from Civil Defense excess property. Letter of thanks from MCHS Band Director Ralph Vavak for use of the Courthouse parking lot on May 8th. Letter from FAA requesting air rights. Letter from Flaugh Construction Co. concerning a lien being filed by Independent Lumber Co. for an amount of \$131.28, and assuring the Board this would be taken care of. Letter from Arriola Cemetery District, reporting on their annual meeting. Copy of a letter from Fred Groves, Architect to Frank Hall & Co. concerning the Justice Building. Notice of timber sale, Boggy Draw. Highway Maintenance warrant is the amount of \$225.00 on highway 184.

Health Department Director Dr. Griebel and Nurse Supervisor Frances Koppenhafer reported on the advisory board meeting held last week. Mrs. Koppenhafer wishes to be nominated to the HSA council and requested a letter of endorsement from the Board. A letter will be written. Dr. Griebel reported that there had been some cases of hepatitis at Lewis-Arriola but no new cases this week. Project Independence was discussed, also the Southwest Mental Health Ass'n.

Custodian Steerman reported to the Board that a savings could be made on plastic trash liners if the County would either purchase or lease a 2-yard dump box for the Courthouse. The Board agreed to rent a two yard box for \$8.00 per month.

Planner W. L. Glean presented a request for an amended variance to the sub-division regulations for Richard & Elizabeth Sanders amending the amount of acres they wish to sell to a separate party. Commissioner McComb moved to amend Resolution #P12-76, seconded by Commissioner Honaker and carried. Resolution #P17-76 was signed. Tentative approvals for variances were granted for Dennis Black and for Walter Moffit and William E. Russell.

Coordinator Denton reported that Miller Western Wear is very interested in moving a branch of their operations to Montezuma County. He also reported on the Regional Planning Commission meeting held last week. He also discussed the Winter Resource Management Plan and the Mesa Verde Management Plan. Mr. Denton was given approval to hire Dave Hickman on a part time basis to draw maps for the 1041 mapping project. An A95 application for grant for assistance on the swine flu vaccine project was reviewed. There were no objections from the Board.

Attest:

Clerk

Chairman



Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, May 24, 1976

Laura Kennedy of Yellow Jacket again requested road repairs this summer. This will be reported to Mr. Boren. Bee Inspector Wayne Dennison presented voucher for payment of his services.

Roy Roper and Tim Christian of the Soil Conservation Service discussed the road seeding project. Letters will be sent to land-owners to solicit cooperation in mowing weeds once or twice to prevent re-seeding of weeds.

The Board reviewed plans for seeding for 1976. Approximately 24 miles will be done.

Sheriff Bob Hampton reported on meetings and schools he attended at the University of Southern California at Los Angeles the past two weeks. There were about 40 sheriffs attending representing some fourteen States. As a result of that meeting Sheriff Hampton is updating all training records of his officers. Prisoner Maintenance coat breakdown was discussed. The Sheriff with the Board reviewed the bill from the City for costs at the Justice Building. Sheriff will check out the bills and report later. Mr. Hampton submitted his reports for April and reported on other problems at the Justice Building such as landscaping, keeping weeds cut, etc.

Cortez City Manager Dwayne Longenbaugh discussed the Justice Building billing. He will check the landscaping, air conditioning and heating at the building.

Sanitarian Sawyer presented a site application for First American Dairies. They want to install a new pipe buried 3 feet in the barrow pit 1.2 miles from the dairy to Navajo Wash. Approval was not given at this time. Mr. Martin in Mancos is building a new septic system. The Board will go along with Mr. Sawyer's recommendation.

Joe Jarvis and Roy Henneman of the Cortez Sanitation District and Dwayne Longenbaugh, Cortez City Manager, visited with the Board concerning the Cortez land-fill. The District will be running a survey of people using the dump for a two-week period. The Board stated that perhaps the County could dig trenches and maintain the road in exchange for letting County residents use the land-fill. The District is interested in working with the County and will report results of the survey. This could be equitable for both the County and the City. Road Department Superintendent Earnest Boren reported that a lot of time and cost is spent on forest roads. Actual figures will be obtained. Road seeding and the Kennedy road were discussed.

Board of Social Services conducted.

Meeting was adjourned at 4:15 P.M.

Attest:

Clerk

Chairman

## Minutes 05/24/1976 Regular

### 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 24th day of May, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners: absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo the following proceedings, among others, were taken:

Resolution P17-76 amends Resolution P12-76,

WHEREAS: Richard J. and Elizabeth L. Sanders, owners of 60 acres, more or less, in the North One-Half, Southeast One Quarter (N1/2 SE1/4) of Section 33, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wish to sell 10.66 acres more or less to a separate party as a residential tract of land.

A tract of land in the NE1/4 SE1/4 of Section 33, T.36N., R.13W. N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the NE1/4 SE1/4 of Section 33, T.36N., R.13W. N.M.P.M., Montezuma County;

Colorado, from which point the NE Corner of said Section 33 (a well established fence corner with B.L.M. certification) bears N.14 degrees 33'41"E. 'a distance of 3680.67 ft.;

thence, S.01 degrees 01'31"W. a distance of 513.55 ft. to the south line of the NE1/4 SE1/4 of said Section 33;

thence, N.89 degrees 41'43"E. a distance of 906.72 ft. along the south line of the NE1/4 SE1/4 of said Section 33 to the SE Corner of the NE1/4 SE1/4 of said Section 33;

thence, N.0 degrees 23'31"E. a distance of 513.76 ft. along the east line of the NE1/4 SE1/4 of said Section 33;

thence, 5.89 degrees 40'31"W. a distance of 901.06 ft. to the point of beginning, and containing 10.66 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Richard J. Sanders appeared before the Montezuma County Planning Department in behalf of himself and his wife, Elizabeth L. Sanders, requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling said 10.66 acres, more or less, as a residential tract of land.

NOW, THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

## Minutes 05/20/1976 Special

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Special

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Thursday, the 20th day of May , A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Also in attendance was the County Road Planning Commission

Board of Commissioners, Montezuma County, sat in Special Session for a public meeting concerning County Roads at 8:00 P.M. in the District Courtroom of the Montezuma County Courthouse. This meeting was taped in its entirety, duly marked and labeled.

Chairman Bader read the petition which was submitted at an earlier meeting by Lebanon residents concerning rebuilding of Lebanon Road.

Those speaking at the meeting were as follows:

C. O. Seelig, Pleasant View

Jerry Wolf, Lakeview #2

Fritz Murray, Road Commissioner, Lebanon District

Whetsel Allen, Chairman of the County Road Commission

Harold McComb, Commissioner

Curtis Honaker, Commissioner

D. M. Denton, County Coordinator

Fred Grove, Lebanon

Eldon Zwicker, Road Commissioner, McElmo District

Vernon Todd, Pleasant View

Dale Jeter, Lebanon

John Greenmeier, Lebanon

W. T. Butler, Road Commissioner Member

Pat Ring, Lebanon

Tom Bager, Lakeview

Wayne Rust, Cortez

Sid Snyder, Lewis-Arriola

Jess Leonard, Lewis

Grace Merlo, County Attorney

Doug Gafford, Lewis

Sam Merlo, Attorney

John Porter, Lewis

Meeting was adjourned at 9:45 P.M.

Attest:

Clerk

Chairman

## Minutes 05/17/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 17th day of May, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the meeting held May 10, 1976 were read and approved.

Correspondence was read and contents anted. Included among others was the following: State warrant for County share cigarette tax - \$813.44; letters from Division of Property Taxation notifying the Board of a one day seminar May 19 at Del Norte, Loffland Brothers in regard to County Road. Permits, Bureau of Land Management supporting the reopening of the Yellow Jacket Canyon road. Also received was insurance endorsement of the Michigan scraper and notice of election of Board members from Colorado Officials and Employee's Retirement Association. A phone call was received from Joe Shoemaker stating that the retirement fund is in good shape and that he would be in Cortez in August to deliver the yearly report to employees. Clerk Jean DeGraff reported that the reports she has received concerning Gyrex Vote Counting system were not good. She has written a letter to Dade County, Florida election supervisor who has used the systems requesting evaluation. She also presented precinct lists of the numbers of registered voters in each precinct and suggested polling places for the Board's review.

Health Director Dr. Griebel and Nurse Supervisor Frances Koppenhafer reported on the recent death of a child. Throat cultures were taken and were negative. Autopsy showed the child had a congenital heart defect. They also reported that the swine flu vaccine would be available in Colorado from August 15 thru November 15 of this year.

Home Demonstration Agent Norma Duncan and County Agent Bob Seaton reported on various activities: quilting bees, 92 quilts were made; home economic judging team and pressure canner tests which are made the first Wednesday of each month, 44 canners have been tested. Agent Seaton reported that the State Agriculture Commission would be meeting in Cortez on September 16th and 17th. He also reported on horse clinics, 4H judging teams and predator control. They requested recommendations for the Extension Advisory Council. This was tabled until a list of present members could be studied.

Custodian Steerman reported that he had a few applications for employment turned in and that he had tentatively hired one man who he will pay by the hour for a while to see if he works out. After reviewing the bids for sidewalk work at the Courthouse, Commissioner Honaker made a motion to award the bid to Bob Sitton Construction Co. for a total of \$1315.70. Motion was seconded by Commissioner McComb and carried.

Planner W. L. Glens presented a request for variance to the sub-division regulations for Oliver A. and Dorothy F. Bradley to sell 8.55 acres in Section 14, T37N, R16W to a separate owner. Commissioner McComb made a motion to grant this variance, seconded by Commissioner Honaker and

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, May 17, 1976

carried. Planning resolution #P16-76 was signed.

Coordinator Denton reported on the OEDP update. He suggested Mel Reddy, Richard Tibbits, Julio Archuleta and Norman Schultz might serve on this committee along with the Planning Commission. Mr. Denton and Chairman Bader reported on their meeting in Denver with the San Juan Basin Economic Development Commission last week. They visited with several businessmen in and around Denver and reported that some were interested in moving their business to the San Juan area. A95 applications for greets were reviewed: Highways, Law Enforcement, H.S.A., Planning 701, marginal Grants, Water Conservancy District and weather modification. The Board agreed to go with Mr. Denton's recommendations on these applications. A discussion was held at this time in the forthcoming Public Meeting on County Roads.

Clerk DeGraff requested the purchase of a plat cabinet to be used on the balance of plats not restored in her office. Seven plat books have been restored and retired to a lower vault. The four remaining plat books containing some 300 plats could be housed in this plat cabinet which would take care of restoration and preserve them for continued use. Total cost of the cabinet would be approximately \$2200 and would be paid for out of her budgeted capitol outlay. The Board approved this purchase.

Human Resource Coordinator David Coe reported that Frank Trujillo of Colorado Housing Inc. had contacted him and his job is to assist communities in a Housing Authority. He thinks there would be no cost to the County but will check. Mr. Coe presented new by-laws for his Administrative Board. These have been approved by his Board and were reviewed by the Commissioner. He would like to have the support of the Commissioners for his by-laws at the next Region 9 meeting. The budget and work program of the program seem to be devised for the next fiscal year. At this time, Mr. Coe does not want to change either item from its present status.

Ray Loose of Cortez Office Supply appeared to discuss the Dictaphone Recorder which had been presented at an earlier meeting. It was the Board's unanimous decision to purchase this equipment with two omni directional mics, one for the head table and a floor mic, to be paid for out of 1977 budget. Mr. Loose will have some equipment here for the public meeting Thursday night.

Erma Verdahl appeared with her father James Hunt to request speed regulations on a County road south of Cortez. This will be reported to the Road Supervisor and a State Highway person will be around to assess and certify County roads for speed limits.

Cortez City Manager Dwayne Longenbaugh discussed housing and property for fairgrounds.

Clyde Steel, Elbert Read, Jack Fitzgerald, Willard Rambo, Juan Gomez and Don Naland of the U.S. Forest Service had their annual meeting with the Board to discuss road maintenance. Certain changes were discussed.

Road Supervisor Earnest Bores reported on roads and equipment. A letter was received from Mrs. R. E. Douglas concerning a gravel lease.

Robert Boe of Southwest Mental Health Center presented a comprehensive plan of action for next year. They have applied for a \$26000 Federal Grant and would like input from the Board to get the plan moving. An advisory board will be named later.

Commissioner McComb made a motion that Montezuma County urge the Congress of the United States to adopt such legislation and more particularly request for full support for H.R. 9719 by the Colorado Legislative Delegation in its present form. Motion seconded by Commissioner Honaker and carried. Resolution #8-76 was signed.

Commissioner Honaker made a motion to terminate a lease with the Town of Dolores on property on which the hot mix plant was situated. Motion seconded by Commissioner McComb and carried. Resolution #9-76 was signed.

Attest:

Clerk

Chairman

Page No. 3

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, May 17, 1976

Board of Social Services was conducted.

Petitions for abatement and refund of taxes for 1975 were presented as follows: Edward F. Bergen, wrong classification of land, 28-36-16, Abatement \$277.30. Kirby J. Klein, wrong classification of land, 34-39-19, refund \$110.14. After discussion with Assessor Denny, Commissioner Honaker made a motion to allow this abatement for Edward F. Bergen and refund for Kirby J. Klein. Second made by Commissioner McComb and carried.

General Fund Vouchers #32271 thru #32288 in the amount of \$1,686.42 and Road Fond Vouchers #2903 thru #2910 in the amount of \$6,660.76 and Public Works Vouchers#125 in the Amount of \$778.41 were allowed and ordered paid.

Meeting was adjourned at 4:30 P.M.

Attest:

Clerk

Chairman

## Minutes 05/17/1976 Regular

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 17th day of May, 1976, with the following persona in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution 8-76 1976

WHEREAS: Montezuma County, Colorado total area of 1,340,160 acres is made up of 76% non-tax revenue lands of which 43% is Federal lands and 22% Indian lands; and,

WHEREAS: The tax base for the county is very limited and does not grow in direct proportion to the costs, of providing the necessary governmental services; and,

WHEREAS: The revenues derived from Federal lands have declined rapidly in recent years due to the decline in the lumbering industry; and,

WHEREAS: The costs of providing local governmental services to the county are impacted severely by the presence of those Federal lands which have tax immunity; and,

WHEREAS: The National Congress is now considering H.R. 9719 introduced by Congressman Frank Evans and has been unanimously approved by the House Interim Committee; and,

WHEREAS: Such payments-in-lieu of taxes by the Federal Government as provided in the proposed legislation will relieve significantly the financial burdens of Montezuma County and provide for equity in sharing the cost of local government with local taxpayers.

NOW, THEREFORE, BE IT RESOLVED that Montezuma County urges the Congress of the United States to adopt such legislation and. more particularly requests for full support for H.R. 9719 by the Colorado Legislative Delegation in its present form.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

County Clerk and Recorder  
Montezuma County, Colorado

MUTUAL RELEASE OF LEASE

Res. 9-76

This mutual release, executed on the 2<sup>nd</sup> day of May, 1976, between the Town of Dolores, Colorado, County of Montezuma, State of Colorado and the Board of County Commissioners of Montuzema, County, State of Colorado, is intended to effect the extinguishment of obligations as hereinafter designated.

A. By instrument dated July 1, 1969, Lessee leased from Lessor premises located in Montezuma County, Colorado to-wit:

BEGINNING on the point of the West boundry line of Section 16, Township 37 North, Range 15 West, N.M.P.M. from whence the Southwest Corner of said Section 16 bears South 349.2 feet; thence North 970.8 feet; thence East 420 feet; thence South 1,011 feet; thence North 75°11' East 434.5 feet to the point of beginning; containing 10 acres more or less.

B. Aforestated real property was leased by Lessee from Lessor for the purpose of situating and operating a hot mix plant for the production of asphalt for the mutual benefit of the Town and County.

C. The County of Montezuma no longer requires the use of the aforestated hot mix plant and wishes to dispose of the equipment thereon as it sees fit. The Town of Dolores desires that said lease be released so that it may lease said premises to Mountain Gravel and Construction Company upon terms and conditions advantageous to itself.

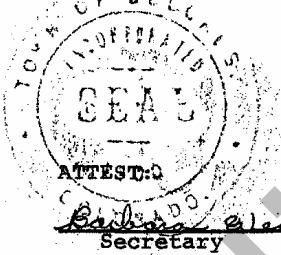
D. The parties mutually desire to settle claims of the other with respect to the lease and terminate all obligations thereunder. In consideration of these mutual covenants and promises, Lessor declares that all obligations and duties of Lessee under the lease are terminated as of the date of this instrument and Lessee declares that all obligations and duties of Lessor under said lease are terminated in the same manner. In addition, Lessor for himself, his legal representatives and assigns releases Lessee and his legal representative from all claims, demands and causes of action that Lessor had, has or may have against Lessee or against the legal representatives



of Lessee based on the lease Lessee mutually agrees for himself and for his legal representatives and assigns releases Lessor and his legal representatives from all claims, demands and causes of action that Lessee had, has or may have against Lessor or against the legal representatives of Lessor based on said lease.

E. In consideration of the termination of release set forth above, Lessee surrenders all rights in and to the lease premises. Lessor shall be entitled to retake possession of the premises immediately on execution of this agreement, and shall be relieved from further duties and obligations under the aforementioned lease except those related to the previously stated agreement with Mountain Gravel and Construction Company.

IN WITNESS WHEREOF Lessor and Lessee have executed this instrument at Cortez, Colorado the day and year first above written.



TOWN OF DOLORES

BY

V. T. Boyd  
V. T. Boyd

Barbara A. Webb  
Secretary

Clay B. Bader  
Clay B. Bader

Curtis Honaker  
Curtis Honaker

Harold McComb  
Harold McComb

## Minutes 05/17/1976 Regular

### 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 17th day of May, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P16-76

WHEREAS: Oliver A. and Dorothy F. Bradley, owners of 20 acres, more or less, in the East One-Half, Northwest One-Quarter (E1/2 NW1/4) of Section 14, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 8.55 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the E1/2 of the NW1/4 of Section 14, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the Centerline of the County Road ROW which bears N 84 degrees 59' 37" W, 3601.40 feet from the E1/4 Corner of said sec. 14;

Thence N 84 degrees 54' W 347.00 feet along the Centerline of the County Road ROW;

Thence N 02 degrees 23' 40" W 998.66 feet (along a division line fence most of the way) to the Centerline of the County Road ROW;

Thence N 44 degrees 11' 40" E, 245.74 feet along the Centerline of the County Road ROW as now constructed;

Thence along the arc of a curve to the right with a radius of 505.74 feet for a distance of 161.21 feet, the chord of which bears N 53 degrees 19' 35" E, a distance of 160.82 feet;

Thence S 03 degrees 47' E, 1299.4 feet to the point of beginning, and containing 8.55 acres more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Oliver A. Bradley appeared before the Montezuma County Planning Department on behalf of himself and his wife, Dorothy F. Bradley, requesting an exemption from the Montezuma County Subdivision Regulations stating they are not subdividing their property in the intent of the regulations, but merely selling 8.55 acres, more or less, to a separate party as a residential tract of land.

NOW, THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulation and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of

Montezuma County, Colorado

I certify that the above and foregoing 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.

## Minutes 05/18/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 18th day of May, A. D.

Clay V. Bader

Chairman

Harold McComb

Commissioner

Curtis Honaker

Commissioner

Grace S. Merlo

County Attorney

Jean DeGraff

Clerk

Absent:

Minutes of the previous meeting held May 3, 1976 were read and approved.

Correspondence was read and contents noted. Received, among others, were the following: April reports from Treasurer, Clerk and Veteran's Officer. Letter from Frank Green concerning predator control, from Martin Agency requesting fire extinguisher checks and closing of fire doors to comply with fire insurance regulations, from Archuleta County Commissioners concerning Forest Service plan, from Colorado Department of Health Concerning an increase of State's liabilities for nurse and sanitarian salaries, a quarterly report from Colorado Officials and Employees Retirement Ass'n., and a notice of meeting of the Land Use Commission.

Commissioner McComb reported that he had received notice from LEAA that they will grant 75% on the construction and remodeling of a room for the Law Library. Commissioner McComb moved to take \$1625 from Contingency Fund to go with the \$750 already budgeted for this purpose for the County's share of the LEAA Grant. Motion seconded by Commissioner Honaker and carried.

Bids for repair and reconstruction of sidewalks were read and follows:

Chism Construction Co. \$1780.00

Jack McKelvey 1140.00

Bob Sitton Construction Co. 1315.70

Award of bids was tabled for further discussion.

Planner W. L. Glenn presented a request for a variance to the sub-division regulations for Charlie M. & Florine I. Rogers to sell 20 acres more or less in Section 33, T37N, R14W, to Dr. Phil Sebastian. Commissioner Honaker made a motion to approve this request, seconded by Commissioner McComb and carried. Resolution P15-76 was signed.

Coordinator Denton reported on the updating procedure for OEDP. He will need names of a businessman in Cortez, Mancos, and Dolores to serve on this program. Humiston-Bement road was discussed. Mr. Denton has searched the old minutes of the Commissioners and cannot find a dedication on this road. This matter was tabled for further discussion.

General fund pay-roll vouchers #2918 thru #2980 and #32155 thru #32156 in the amount of \$42,169.59 and Road fund pay-roll vouchers #2623 thru #2656 and #2872 in the amount of \$26,170.76 were allowed and ordered paid.

General fund vouchers #32157 thru #32270 in the amount of \$10,058.27 and Road fund vouchers #2873 thru #2902 in the amount of \$61,618.77 were allowed and ordered paid.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, May 10, 1976

Cortez City Manager Dwayne Longenbaugh discussed cleaning of the dump roads. He also reported on West-Air lines.

Road Department Earnest Boren presented cost and equipment requirements from Motorola Inc. for radios for road department totaling \$13,286.50. Whetsel Allen and Eldon Zwicker of Road Planning Committee discussed the Lebanon Road and the pending public meeting to be held May 21st on County roads. They will send notices to all Committee members advising them of the hearing and asking their attendance. Richard Tibbits and Pete Ballode of Mountain Gravel appeared to present an offer to purchase the County's complete asphalt plant and supporting equipment including a Blaw-Know PF 65 paver, but excluding one small tank, for a total consideration of \$150,000 payable by crushing 70,000 tons of road material in the County pit near Dolores or the County pit near Pleasant View, or at the County's option, up to 35,000 tons of the total may be taken from the 2" crushed road base now stockpiled at Mountain Gravel's pit on the Dolores River. Commissioner Honaker moved to accept the offer to purchase amending the offer in that other size gravel besides the specified 2" could be exchanged. Motion was seconded by Commissioner McComb and carried.

Dave Nichols, Bud Curtis and Jerry Kendrick of the Bureau of Land Management discussed a proposed land transfer between the BLM and the Forest Service. There has been problems in human activity and over-lapping administration and are seeking a method to overcome these problems. The criteria outline is Location, Physical Characteristics, Public Benefit and Resource Management. Public Hearings are to be held in two weeks with one scheduled for May 27th at the Dolores School, for input as to which areas would be transferred to what agency. The Board agreed that the basic concept of the Plan is good, but it would be difficult to respond to areas not in Montezuma County. This matter was tabled for further discussion after ramifications are known.

Clarence Brazier of Power Motive discussed the pay-off for the Clark-Michigan Scraper which is under lease at this time. Road voucher #2902 in the amount of \$50,000.00 was approved for payment in full to Power-Motive for this scraper.

Board of Social Services conducted.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

## Minutes 05/10/1976 Regular

### 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 10th day of May, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P15-76

WHEREAS: Charlie M. and Florine I. Rogers, owners of 440 acres, more or less, in the North One-Half (N1/2) of Section 33, West One-Half (W1/2) of Section 28, Township 37 North, Range 14 West, N.M.P.M., Montezuma County, Colorado, wish to sell 20 acres, more or less, to Dr. Phil Sebastian as a residential tract of land.

A tract of land in the Northeast One-Quarter (NE1/4) of Section 33, T.37N., R.14W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

The East One-Half, Northwest One-Quarter, Northeast One-Quarter (E1/2 NW1/4 NE1/4) of section 33, T.37N., R.14W., N.M.P.M., Montezuma County, Colorado

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Charlie M. Rogers appeared before the Montezuma County Planning Department on behalf of himself and his wife, Florine I. Rogers, requesting an exemption from the Montezuma County Subdivision Regulations stating they are not subdividing their property in the intent of the regulations, but merely selling 20 acres, more or less, to Dr. Phil Sebastian as a residential tract of land.

NOW, THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulation and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 05/03/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 3rd day of May, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous meeting held April 29, 1976 were read and corrected as follows: "Assessor Wayne Denny reported that Mr. Anthony Ferraro of the State Board of Equalization was in the County last week but they were not able to see the Lively house per Mr. Lively's request. They viewed it from the road." Those minutes were then approved.

Correspondence was read and contents noted. Included, among others, was a letter from Mrs. Roxie Rutherford submitting her resignation from the Lewis Cemetery Board and recommending James Sturman to replace her. Commissioner Honaker made a motion to accept her resignation and appoint James Sturman to fill her term. Motion seconded by Commissioner McComb and carried. Clerk was directed to so notify Mr. Sturman. Also received was a letter from Hospital Administrator Ron Nielson inviting the Board to the ground-breaking ceremonies on May 10<sup>th</sup> at 2 P.M.

Sanitarian Bob Sawyer reported on a system which was installed by Vaughn Fairbanks for Charles Sealer. It was not installed correctly but Mr. Fairbanks had corrected the problem. Mr. Sawyer will make a final inspection today. Also the problem from First American Dairies will be corrected by August 1. Mr. Sawyer reported that sewage systems permits have doubled this year over last. 32 issued in 1976 compared to 16 issued in 1975.

District Attorney George Buck reported that the previous D. A., Wade Dillon owned some furniture in that office and his wife would like to sell them. There are two desks and three chairs. Mr. Buck has had the furniture appraised and the Board approved offering \$240 to Mrs. Dillon if the County could pay for it in January out of 1977 budget.

Nurse Supervisor Frances Koppenhafer reported that the measles epidemic is down. She discussed Well-Baby Clinic volunteer training and was given permission to use the old Assessor's Office for the training.

Planner W. L. Glenn requested and was given tentative approval for Mr. Bradley to sell nine acres.

George Kemnitz and Wayne Wilcox of Loffland Bros. Drilling Co. appeared to discuss the County Road Permits. They apologized for not having obtained permits last fall when they went out. The pusher was not aware of the requirement. They assured the Board it would not happen again and that they would give advance notice in the future.

Mancos Town Mayor Lyle Cox appeared with Planner Glenn and Coordinator Denton to discuss the proposed land-fill in Mancos. A plat of the land-fill was presented by the Planner and a

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, May 3, 1976

tentative operating plan. This plan was reviewed by both the Board and the Mayor. They will check with the Road Department as to when they can start digging trenches. The final plan will be presented next Monday. Coordinator D. M. Denton discussed a possible land-fill site at Pleasant View. Mr. Denton is coordinating efforts by the Sheriff's Office and the City of Cortez Police Department to use prisoner labor to clean the Blue Door Road east to the City dump and the McElmo Creek Road south to the dump. After the initial cleaning is done the Sheriff's office will monitor the road for littering. Target date is Wednesday the 5th.

Jim Riffey, RE-1 School Business Administrator, requested and was given payroll information for comparison. He also asked that his road be oiled when possible.

Assessor Wayne Denny discussed the complaint by C. O. Seelig over taxes. Mr. Denny stated that Mr. Seelig had cleared 20 acres and this increased his land value. This has been explained to Mr. Seelig. He also discussed the Dwain Lively residence: Mr. Denny was given permission to work with the County Attorney Grace Merlo on this appeal.

Road Supervisor Earnest Boren reported that he had a sale for the old Peterbilt of \$1000.00. Permission was given to sell that truck and the 1954 GMC. He also reported on road maintenance and equipment. Pete Ballode and Richard Tibbits of Mountain Gravel stated that they were still interested in the purchase of the Hot Mix Plant. They offered 51,000 tons of gravel and \$20,000 cash or 70,000 tons of gravel and so cash. A written proposal will be sent to the Board.

Cortez City Manager D. Longenbaugh presented four petitions containing a total of 93 signatures requesting the creation of a Housing Authority in Montezuma County. The Board will contact the state Housing Authority for the next step.

Board of Social Services conducted.

Mary Baker and Robert Kelly of the Senior American club invited the Board to inspect their new home. The north wall will not pass fire inspection and they must install a new firewall. The cost will be approximately \$516.99. They were given permission to do this.

Meeting was adjourned at 4:00 p.m.

Attest:

Clerk

Chairman

## Minutes 04/26/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 26th day of April, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous regular meeting held April 19, 1976 were read and approved.

Correspondence was read and contents noted. County share of State' cigarette tax for the month of March in the amount of \$683.02 was received. Also received was the County's copy of the Oil and Gas lease to Kissinger Pet. Corp.

Members of the Board of Commissioners commented on the Western States NACO meeting held at Colorado Springs last week.

Nurse Supervisor Frances Koppenhafer reported that \$3298.07 had been received from corrected Medicare billings since April 1. She also requested additional salary for her secretary, removing her from probationary status and placing her on permanent basis. The Board approved her request, raising the salary to \$400 per month effective 5-1-76. She reported on a meeting with State Supervisor Mildred Roth and the Dolores County Commissioners. Mrs. Koppenhafer also reported that measles are still prevalent in the county.

Assessor Wayne Denny reported that Mr. Anthony Ferraro of the State Board of Equalization was in the County last week and they had visited with Mr. Lively and he had shown them his house again. Mr. Lively stated that he had retained an attorney in Denver and will take his appeal for relief of taxes to Court. Mr. Ferraro felt that the Lively house was the only Class 13 home in the County.

Custodian Steerman reported that it would cost between \$1500 and \$2000 to put stools in the holding cells. Judge Rusk had stated that since there are provisions for prisoner at the time being, this expense could wait. Mr. Steerman is supervising the parking lot and working on patching the parking area. He has not received any bids on the sidewalk.

Planner W. L. Glenn discussed a previous variance that had been granted to Decker Ranches to sell 5 1/2 acres to Mr. Decker's sister. The Board agreed that this would make this 5 1/2 acres an isolated tract and could be sold without a variance. Mr. Glenn presented a request for a variance to the sub-division regulation which would allow Frank and Dorothy Krater to sell 19.03 acres more or less in Section 16, T35N, R16W. Commissioner McComb made a motion to, grant this variance, seconded by Commissioner Honaker and carried. Resolution P14-76 was signed. There was more discussion on the proposed Mancos land-fill. Mancos Mayor Lyle Cox will be in next Monday to discuss this issue.

Coordinator D. M. Denton discussed a public hearing on HB 1041 items. A tentative date was set for June 14th if the District Courtroom is available.

Attest:

Clerk

Chairman



Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, April 26, 1976

Treasurer Russell Hindmarsh discussed sheep promotion monies which is taxed against sheep. Since some other Counties have not put this levy on sheep, the Board agreed that this money could be held by the Treasurer until a decision is forced by the State.

After some discussion, the Board decided to hold a Public Hearing on the Lebanon Road petition on Thursday, May 20, 1976 at 8:00 P.M. in the District Courtroom. The Road Planning Committee Chairman Whetzel Allen will be so notified and notice will be published in the Dolores Star Press and Cortez Newspapers.

Cortez City Manager Dwayne Longenbaugh discussed a land-fill pit for the Cortez Sanitation District.

Road Department Supervisor B. Boren reported on road maintenance. Jerry Dexel, Manager and Jr. Hollers, President of the Board of Directors of Montezuma Water Co. reported on the recent cut they made on the Lakeview Road. The recent storm caused delay of repair but it has been filled and surfaced after settling. In the future, signs will be posted. Mr. Hollen requested repair of a road 1/2 mile west of Pleasant View. Marge Gai requested gravel on a road near Yellow Jacket. Mr. Boren will check these areas and take care of them. Mr. Boren reported that Mountain Gravel had stated that if they couldn't deal with the Town of Dolores on the lease, they would move the hot mix plant. Traffic counters will be set at Lebanon. Road.

John Vogel appeared in regards to what he thought was an inaccurate survey. It was explained that his neighbors sub-division required a sixty foot right-of-way whereas his fence boundary was all right.

Mr. C. O. Seelig complained about taxes on his bean and wheat farm land. He was advised of the legality of his appeal. Deputy Assessor Helen Diffendaffer brought in Mr. Seelig's appraisal cards and Mr. Seelig will meet with the Assessor later.

Board of Social Services conducted.

Nurse Supervisor Frances Koppenhafer brought in a bill for \$69 from the Hospital to Patsy Sproul who was quarantined in the hospital with her children during the diptheria epidemic. The Board approved payment of this bill out of the Contingency Fund.

After discussion, Commissioner McComb made a motion to raise the Commissioner's petty cash account to \$1500, seconded by Commissioner Honaker and carried.

Meeting was adjourned at 4:00 p.m.

Attest:

Clerk

Chairman

## Minutes 04/26/1976 Regular

### 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 April, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P14-76

WHEREAS: Frank and Dorothy Krater, owners of 25 acres, more or less, in the North One-Half Southwest One-Quarter (N1/2 SW1/4) of Section 16, Township 35 North, Range 16 West; N.M.P.M., Montezuma County, Colorado, wish to sell 19.03 acres, more or less, to a separate party as a residential tract of land.

A tract of land in the N1/2 SW1/4 of Section 16, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the easterly R/W line of U.S. Highway 160-666 in the N1/2 SW1/4 of Section 16, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SW Corner of said Section 16 bears 8.33 degrees 05'29"W. a distance of 2011.68 ft.;  
thence, 5.25 degrees 09'38"W. a distance of 415.67 ft. along the easterly R/W line of U.S. Highway 160-666 to the south line of the N1/2 SW1/4 of said Section 16;  
thence, N.89 degrees 47'34"E. a distance of 1752.66 ft. along the south line of the N1/2 SW1/4 of said Section 16 to the east line of the SW1/4 of said Section 16;  
thence, N.0 degrees 32'34"W. a distance of 699.97 ft. along the east line of the SW1/4 of said Section 16 to a fenceline; thence, 5.88 degrees 49'53"W. a distance of 625.23 ft. along a fenceline;  
thence, S.01 degrees 10'07"E. a distance of 297.98 ft.;  
thence 5.88 degrees 49'53"W. a distance of 950.47 ft. to the point of beginning, and containing 19.03 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Frank Krater appeared before the Montezuma County Planning Department on behalf of himself and his wife, Dorothy Krater, requesting an exemption from the Montezuma County Subdivision Regulations stating they are not subdividing their property in the intent of the regulations, but merely selling 19.03 acres, more or less, to a separate party as a residential tract of land.

## Minutes 04/19/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 19th day of April, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the regular meeting held April 12, 1976 were read and approved.

Correspondence was read and contents noted. The Board received a petition from residents requesting extensive road work on the Lebanon Road. Said petition contained 319 signatures. Notice was received of a U.S. Forest Timber Sale northeast of Mancos.

Custodian Marion Steerman reported that he needed some blacktop for patching in the parking lot. He also requested additional help, one full time and one half time instead of two half-time. After checking the budget, the Board gave approval for him to hire the full-time starting at \$400.00 per month.

Planner W. L. Glenn discussed the proposed Mancos land-fill site. In negotiating with the town of Mancos, the County will do all pit work and the Town would take care of dead animals and fence work. The County would receive fees and return k to the Town. Tabled.

Coordinator D. M. Denton reported that the communications is 1% over budget. Sanitary land-fill inventory required under HB 1041 was discussed. He reported on other phases of HB 1041 and stated he hoped to have a public hearing in June. Mr. Denton also reported on the Dolores land-fill. The Dolores town council would like a letter from the Commissioners stating that they will dig pits at the dump and the Town will be responsible for all other work and the dump would still be open to County residents. Housing Authority was discussed. No petitions have been turned in. The lease from the Town of Dolores to Montezuma County in regards to the land on which the Hot Mix Plant is situated was discussed. This was a 25-year lease which was signed 7-1-69 and extends to 7-1-94. Recommendations for board members of the Western Colorado Health Systems Agency were discussed.

Human Resource Coordinator David Coe presented an Agency Directory for the Board's review.

Charlie Donaldson reported that the stock drive fencing was completed. He presented his bill for \$1951 to be paid out of the Road fund.

C. A. Morain, District Engineer for the State Highway Department requested a resolution be adopted approving the designation of the Federal-Aid Secondary Highway System in Montezuma County. Commissioner McComb made a motion to adopt this resolution, seconded by Commissioner Honaker and carried. Resolution #6-76 was signed. (See Attached)

Jerry Koskie of the Mosquito Control District reported that the mill levy for this district was cut from 1.65 mills to 1.55 mills in error and their budget was short. He requested more

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, April 19, 1976

money from the contingent fund. This request was tabled until the Budget Officer could be contacted.

Board of Social Services was conducted.

Pete Ballode of Mountain Gravel discussed the 25 year lease of the ground on which the Hot Mix Plant is situated between the City of Dolores and Montezuma County. Said lease is not assignable in its present form.

A letter will be written to the Dolores Town Council concerning this lease.

Charles Hinton, Assistant Road Superintendent reported on the cut made on the road on Lakeview #3. Repair work has not been started by Montezuma Water Company as per terms of the agreement. Mr. Hinton will check. He also reported on road maintenance.

On a motion made by Commissioner McComb and seconded by Commissioner Honaker and carried, Resolution #7-76 was approved granting an Oil and Gas Lease to Kissinger Petroleum Corp. on land in Section 1, T37N, R20W. (See Attached)

Civil Defense Director David McNeill presented a letter from the Department of Military Affairs inviting the Board to a Civil Defense Seminar to be held in Grand Junction on May 10,11,12.

General Fund vouchers #32147 thru #32152 in the amount of \$268.22 and Road Fund vouchers #2867 thru #2871 in the amount of \$2,942.03 were allowed and ordered paid.

Meeting was adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

Online Copy

## Minutes 04/19/1976 Regular

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 April 1976 with the following persons in attendance:

Commissioners: Clay V. Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace Merlo

the following proceedings, among others were taken:

Resolution #6-76

WHEREAS Section 148 of the Federal-Aid Highway Act of 1973 requires a realignment of the Federal-Aid Systems after June 30, 1976; and

WHEREAS, the Federal Aid Highway Program Manual, Volume 4, Chapter 6, Section 7 (FHPM 4-6-7) sets forth policies and procedures for designation of the Federal-Aid Systems after June 30, 1976; and,

WHEREAS, Paragraph 5c of FHPM 4-6-7 states the Federal- Aid Secondary System shall consist of rural major collector routes; and

WHEREAS, rural major collector routes were designated in the 1980 Highway Functional Classification Study recently completed in cooperation with local officials and approved by the Federal Highway Administration; and

WHEREAS, Paragraph 6c(3) of FHPM 4-6-7 states the routes of the Federal-Aid Secondary System shall be designated by each state acting through its State Highway agency and appropriate local officials in cooperation with each other;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Montezuma County hereby approves the designation of the Federal-Aid Secondary System of Highways in said County, consisting of the following public roads

1) State Highway 145 from the north urban Boundary of Cortez north and northeasterly via Dolores to the north County line.

2) State Highway 147 from U. S. Highway 666 southeasterly to State Highway 145.

3) State Highway 184 from State Highway 145 southeasterly to the U. S. Highway 160 bypass of Mancos.

Commissioners voting Aye in favor of the Resolution were:

Bader, McComb and Honaker

Commissioners voting Nay: None

County Clerk and Recorder of  
Montezuma County, Colorado

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

Date this 19th day of April, 1976.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

## Minutes 04/19/1976 Regular

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 April 1976 with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace Merlo

the following proceedings, among others, were taken:

#7-76

The following resolution to cover the granting of an Oil and Gas Lease to Kissinger Petroleum Corporation was adopted

Now be it resolved by the Hoard of County Commissioners of Montezuma County, Colorado that Montezuma County grant an Oil and Gas Lease as of the 19th day of April, 1976 to Kissinger Petroleum Corporation on the following described land:

Township 37 North Range 20 West, NMPM

Sec. 1: SE1/4 NW1/4, E1/2 SW1/4, SW1/4 SE1/4;

Commissioners voting Aye in favor of the Resolution were:

Bader, McComb and Honaker

Commissioners voting Nay: None

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 19th day of April, 1976.

County Clerk and Recorder of  
Montezuma County, Colorado

## Minutes 04/12/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO

ss.

At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 12th day of April, A.D. 1976 there were present:

Clay V. Bader

Chairman

Harold McComb,

Commissioner

Curtis Honaker

Commissioner

Grace S. Merlo

County Attorney

Jean DeGraff

Clerk

Absent:

Minutes of the previous regular meeting held April 5, 1976 were read and approved.

Correspondence was read and contents noted. Received were Revenue sharing warrant in the amount of \$38,929, letters from Mountain Bell, La Plata Commissioner Billy Roundtree and Gern Terrell, Chief of Rodent Control Section of the Colorado Department of Agriculture with copies of a contract permitting the Colorado Department of Agriculture to remit all monies derived from tax on sheep and goats to the County on a quarterly basis, thereby authorizing the control of predatory animals to Montezuma County. Contracts were signed by the Chairman, Clay Bader and returned to Mr. Terrell.

Clerk Jean DeGraff presented copies of her March report. She reported on the meeting last week with Shelby Thomas of Gyrex Inc. and local printers, Cal Beaber, Beaber Printing Co., Larry Pleasant, Dolores Star Press and Harold Miller, Cortez Printing Co. The printers reported that they could not bid on ballot printing as they cannot judge the cost. Commissioner Honaker made a motion to proceed with the experimental use of the vote counters for primary election even with the unknown cost factor of printing the ballots. Motion seconded by Commissioner McComb and carried. Mrs. DeGraff reported that Harold Miller of Cortez Printing Co. would print the ballots for the primary election.

Bookkeeper Marge Ketchem discussed the insurance program. The memo that was sent to department heads was Larded wrong and it should read, "To clarify any confusion that may exist among employees, it is the policy of the Board of Commissioners that any group insurance policy or other fringe benefit will cease on the last day of the calendar month in which your employment terminates. The employee has 31 days to convert his, policy."

Health Department Dr. Griebel, Nurse Supervisor F. Koppenhafer and Nurse Margaret Lyon reported on their activities. Mrs. Koppenhafer and Mrs. Lyon stated that the State Nurse Consultant had mentioned that Dolores County wanted to join Montezuma County again for nursing care. Since the Board has not been contacted, they urged the Board to consider charges, transportation, time, money and sanitation before making any decision. Dr. Griebel reported that they had attempted to give Schick tests to members of the Church of the First Born but Mr. Carver, head of the Church, stated that most of the Church members did not want the tests given. A copy of the County policy on Home Health Care was reviewed. Measles was also discussed.

Planner W. L. Glenn discussed the Laguna Vista Sub-Division. Mrs. Helen S. Melcher inquired as to what the board wanted in way of a performance guarantee. This will be done through

Attest:

Clerk

Chairman

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, April 5, 1976,

her bank. The Planning Commission has recommended the approval of this sub-division. Utilities are being installed and it will meet County requirements. Tabled. Requests for variances to the sub-division regulations were presented for the following people: Warren A. and Kathryn E. Snyder to sell 103 acres Section 8, T35N, R17W to George R. and Mary Jane Schmidt less 3 acres., Cynthia L. Bean to sell 20 acres in Section 18, T36N, R14W., and Richard and Elizabeth L. Sanders to sell 10 acres in Section 33, T36N, R13W.

Commissioner McComb made a motion to approve and grant all three variances, seconded by Commissioner Honaker and carried. Resolutions #P11-76, P12-76 and P13-76 were signed.

Coordinator Denton discussed communications, water quality and Regional Planning Commission. Also land-fill inventory was discussed. Mr. Denton and Mr. Glenn have checked the Pleasant View area and could find no site except small areas. Mr. Denton and Mr. Bader reported on E.D.A. meeting they attended. It was suggested by the Board that Mr. Denton and Mr. Bader attend the E.D.A. luncheon in Denver on May 12th. Sheriff Bob Hampton submitted his report for March on the jail and sheriff's department. Several items still need repair at the jail. This will be referred to the Building Committee. He also reported that he was having trouble getting work done on the Sheriff's cars at the County Shop.

Carl Snook of Cortez Office Supply gave a presentation on a Dictaphone recorder. Approximate cost of the equipment would be \$1600. Allowance of \$125 would be given for old set and a 10% discount for cash.

Cortez City Manager Dwayne Longenbaugh appeared and reminded the Board of the Building Committee meeting to be held today at 5:00 P.M.

Under Road Department business, Cordell Uptain and Paul Johnson requested man-power and machinery necessary to install culvert on a dirt road. Mrs. Dale Jeter, Mrs. Duane Stefan, Mr. & Mrs. Harold Caylor showed a petition to the Board containing some 318 signatures asking that the Lebanon Road be reconstructed. This petition will be left with the Clerk next week after copies have been made. The Board explained that since 1974, Highway Users Tax has been cut by \$175,000, so that money isn't there to do a lot of road work. Also the policy of the Road Department has been to oil roads on a priority basis and there are some people in the County still waiting for first paving. Lebanon Road was one of the first roads to be paved. Mrs. Jeter stated that the population growth in that area has doubled in the last two years. Mr. Caylor stated that the holes could be patched before they become so bad. Mrs. Stefan reported that willows crowd the road and make blind spots. Holiday Hill or Hermana Ditch is the worst area. The Board question why this road hadn't come to the attention of the Road Planning Commission. They didn't know they had a member living in the area. The petitioners requested an evening meeting so that people that work could attend. This will be done in a few weeks after proper publication made. Mrs. Laura Kennedy again requested graveling of her road, 3/10 of a mile, at Yellow Jacket. All of these matters will be referred to Superintendent Earnest Boren who is absent from this meeting due to a death in his family.

General Fund vouchers #32018 thru #32146 in the amount of \$28,964.42 and Road fund vouchers #2832 thru #2866 in the amount of \$18,805.24 were allowed and ordered paid

Sanitarian Bob Sawyer reported that he had visited with W. B. Cole concerning the camp he wants to install and Mr. Cole stated that it would be two or three years before plans were completed. He also discussed the effluent problem at First American Dairy. Board stated that they could not allow them to use the barrow pit as complaints have already been heard concerning this.

Ardis Wulf of Planned Parenthood presented a copy of their 1976-1977 budget for review by the Board. Money is not available for this program at this time but could perhaps be put in for 1977 budget requests.

Attest:

Clerk

Chairman

Dave Williams of J. D. Adams Co. visited with the Board.

Board of Social Services conducted.

Meeting adjourned at 4:45 P.M.



## Minutes 04/12/1976 Regular

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 12th day of April, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P11-76

WHEREAS: Cynthia L. Bean, owner of 40 acres more or less in the Southeast One-Quarter, Northeast One Quarter (SE1/4 NE1/4) of Section 18, Township 36 North, Range 14 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 20 acres more or less to a separate owner as a residential tract of land.

A tract of land in the SE1/4 NE1/4 of Section 18, T.36N., R.14W., N.M.P.M., Montezuma County, Colorado, more particularly described as the North One-Half, Southeast One-Quarter, Northeast One Quarter (N1/2 SE1/4 NE1/4) of Section 18, T.36N., R.14W., N.M.P.M., Montezuma County, Colorado, and containing 20 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Nancy Thomas, agent for Cynthia L. Bean appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that she is not subdividing her property in the intent of the regulations, but merely selling 20 acres to a separate owner as a residential tract of land. She further stated the sale would not change the uses of the lands concerned.

NOW, THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not, create situations intended to be regulated by the Subdivision Regulations, and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 04/12/1976 Regular

### 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 12th day of April, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P12-76

WHEREAS: Richard J. and Elizabeth L. Sanders, owners of 60 acres, more or less, in the North One-Half, Southeast One Quarter (N1/2 SE1/4) of Section 33, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wish to sell 10 acres, more or less, to a separate party as a residential tract of land.

A tract of land in the N1/2 SE1/4 of section 33, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

The East One-Half, East One-Half, Northeast One-Quarter, Southeast One-Quarter (E1/2 E1/2 NE1/4 SE1/4) of Section 33, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, and containing 10 acres more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Elizabeth L. Sanders appeared before the Montezuma County Planning Department in behalf of herself and her husband, Richard J. Sanders, requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling said 10 acres more or less as a residential tract of land.

NOW, THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 04/12/1976 Regular

### 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 12th day of April, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P13-76 - Cancels Resolution P14-73

WHEREAS: Warren A. and Kathryn E. Snyder, owners of the South Half of the Northeast Quarter (S1/2 NE1/4) of Section Two (2), Township 35 North, Range 17 West, and that part of the North Half of the Northeast Quarter (N1/2 NE1/4) of Section Two (2), Township 35 North, Range 17 West, N.M.P.M.; Montezuma County; Colorado, described as follows, to-wit:

BEGINNING AT A point from which the Northeast Corner of said Section 2 bears North 1320 feet;

Thence running North 82 degrees 35' West, a distance of 969 feet;

Thence running North 56 degrees 00' West, a distance of 580 feet;

Thence running North 68 degrees 00' West, a distance of 539 feet;

Thence running North 73 degrees 35' West, a distance of 461 feet;

Thence running North 63 degrees 00' West, a distance of 287.6 feet to the

West line of the Northeast Quarter;

Thence running South a distance of 912.2 feet;

Thence running East a distance of 2640 feet to the point of beginning, and containing 103 acres, more or less, wish to sell the above tract to George R. and Mary Jane Schmidt less and except a tract described as follows:

Beginning at a point where the South Right of Way of County Road "G" intersects the East line of the Northeast Quarter (NE1/4) of Section 2, T. 35 N., R. 17 W., N.M.P.M., Montezuma County, Colorado; Thence running South along the East line of the Northeast Quarter of Section 2, a distance of 361.5 feet;

Thence running North 82 degrees 35' West 361.5 feet;

Thence running North parallel to the East line of the Northeast Quarter of Section 2 to a point on the south Right of Way line of County Road "G";

Thence running South 82 degrees 35' East 361.5 feet to the point of beginning and containing 3 acres, more or less, which sellers wish to retain for residential purposes.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Eldon Simmons, agent for Warren A. and Kathryn E. Snyder, appeared before the Montezuma County Planning Department, requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but are selling their entire holdings with the exception of the small tract to be retained as a residential site. He further stated the sale of this property would not change the uses of the lands involved.

NOW, THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Minutes 04/05/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 5th day of April, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous meeting held March 29, 1976 were read and approved.

Correspondence was read and contents noted. Included, among others, were Veteran's report for the month of March, citation from District Court in regard to Chaffin dba "76" Club vs. Montezuma County, warrant in the amount of \$666.80, reimbursement for January Nursing service, and other letters.

Health Department Director Dr. Griebel and Nurse Supervisor Frances Koppenhafer reported that the audiometer belonging to the County was broken. Cost of repair would be \$250 without a guarantee. Cost of a new machine would be approximately \$450. The Board approved the purchase, of a new one provided necessary budget transfers could be made. Mrs. Koppenhafer also reported on the Well-Oldster Clinic which was held last week.

Pete Ballode and Richard Tibbits of Mountain Gravel Co. and Road Supervisor Earnest Boren continued deliberations on the hot mix plant. The Board would take \$20,000 in cash and the balance in gravel and road materials and would give the newer tank which is already hooked up. This would increase the total purchase price by \$10,000. Mr. Tibbits will meet faith Mr. Boren on Wednesday to check gravel pits, etc., and report back to the Board next week.

Lynn Kinney, employee of the Assessor's office, appeared to protest the present parking arrangements. Her complaints were taken under consideration and the matter tabled. The retirement plan was also discussed. Planner W. L. Glenn presented a request for a variance to the sub-division regulations for Jack W. and Corinne Z. McCracken to sell 10 acres more or less to Robert W. & Ruby A. Tifft in Section 26, T37N, R15W.

Commissioner McComb made a motion to approve the request, seconded by Commissioner Honaker and carried. Tentative approvals for variances were given for Mr. Sanders, Warren Snyder, Cynthia Bean and R. T. Periman. Mr. Glenn reported that he was checking the proposed Mancos land-fill site.

Commissioner McComb reported on visiting with Mr. Carper of the State Board of Equalization and legislative meeting he attended last week.

Coordinator Denton gave an update on Region 9 activities.

Roy Henneman of the Cortez City Council reported that he had been appointed to a committee to study the City Charter and asked if it would be favorable to the Board if the Charter were changed to allow the City to coordinate voter registration with the County. The Board agreed

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, April 5, 1976

that this would be all right if the Rome Rule laws allowed the City to do this.

William Creeden discussed opening of a road to his property West of Arriola which had been a County road but abandoned. Referred to Road Department.

Carl Snook, Cortez Office Supply, discussed recording equipment. Re will return next week with a presentation.

Sanitarian Bob Sawyer reported that Judd's Market south of Cortez wants to install a laundromat. He also discussed used oil being dumped down the canyon behind Ute Oil Co. Re will check further.

Dwayne Longenbaugh, Cortez City Manager, requested permission to use the camera to micro-film maps. Re will check with Clerk's office. West Air Lines was also discussed.

Road Department Superintendent E. Boren reported on roads and equipment. Jeff Sutherland appeared to request an extension of his insurance since he resigned. The Board stated that this could not be done and a memo will be sent to all department heads notifying all employees that any group insurance policy or other fringe benefit will cease at the time the employee's service is terminated. The employee has 30 days to convert his policy. Joe Cornett and Dick Lee appeared to discuss a road going in to their property. The State Board of Land Commissioners want to give a road right-of-way so that it can be brought up to County Standards.

Tabled. Mr. Todd appeared and was informed that they would not need him to crush gravel this year. V. T. Boyd, Mayor of Dolores and Cliff Fossum, Dolores Attorney discussed further the Dolores Dump. The Board offered to have the County do all earth moving work if the Cities would do the rest of the work involved. They will check with the town council and report back next week.

Oil and Gas Leases were discussed.

Board of Social Services conducted.

General Fund payroll #2855 thru #2917 and #32016 & #32017 in the amount of \$42,509.88 and Road Fund payroll #2589 thru #2622 and #2831 in the amount of \$26,199.51 were allowed and ordered paid.

Meeting was adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

## Minutes 04/05/1976 Regular

### 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 5th day of April, 1976; with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P-10-76, which amends P-14-73

WHEREAS: Jack W. and Corinne Z. McCracken, owners of 40 acres in the East One-Half, Southwest One Quarter (E1/2 SW1/4) of Section 26, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wish to sell to Robert W. and Ruby A. Tift an additional 10 acres more or less to add to their present 15 acres to enlarge their farming operation.

A tract of land in the East One-Half Southwest One-Quarter (E1/2 SW1/4) of Section 26, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, being more particularly described as follows: Beginning at a point on the east line of the E1/2 SW1/4 of Section 26, T.37N., R.15W., N.M.P.M., Montezuma County, Colorado, from which point the C1/4 Corner of said Section 26 bears N.01 degrees 03'14"W. a distance of 1826.40 ft.;

thence, S.01 degrees 03'14"E. a distance of 329.34 ft. along the east line of the E1/2 SW; of said Section 26;

thence, N.89 degrees 34'52"W. a distance of 1322.35 ft. to the centerline of the County Road;

thence, N.01 degrees 09'40"W. a distance of 329.34 ft. along the centerline of the County Road;

thence, S.89 degrees 34'52"E. a distance of 1322.98 ft. to the point of beginning, and containing 10.00 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Jack W. McCracken, on behalf of himself and his wife, Corinne Z. McCracken, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 10.00 acres more or less to Robert W. and Ruby A. Tift to enlarge their farming operation. He further stated the sale of this property would not change the uses of the lands involved.

NOW, THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

Count Clerk, and Recorder of  
Montezuma County, Colorado

I certify that the above and forgoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado



## Minutes 03/29/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 29th day of March, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous regular meeting held 3-22-76 were read and approved.

County Clerk DeGraff requested permission to have a partition built in her office to give the recording department more security. Approximate cost would be \$275.00 and money could be paid out of balance of the plat restoration fund. Permission was given.

Correspondence was read and contents noted. Received, among others, was a letter from Cortez Sanitation District supporting the land-fill planning being done. Clerk submitted her report for February and notified the Board that a summons had been received on March 25th from Deputy Sheriff Stan Chaffin concerning Gary Chaffin dba "76" Club appealing the denial of a 3.2% Beer License by the Board. Also received was a list of the 1975 valuations together with mill levies and amount of revenue to be collected for the county, school districts and all special districts of Montezuma County, Colorado.

Sanitarian Sawyer reported that the applications for sewage system for a religious camp by Bud Cole was still in the planning stage. Mr. Sawyer will investigate further.

Assessor Denny was asked for the State's opinion on the Lively residence. Denny stated that they had completed the appraisal at approximately \$100,000. No other residences were appraised for comparison. Health Director Dr. Griebel and Nurse Supervisor Frances Koppenhafer discussed the Medicare reporting and daily activity reports. The entire staff will attend a workshop in Durango this week to learn the new method of reporting. Other Health items were discussed.

Planner Glenn presented a request for a variance to the sub-division regulations from Zane and Dorothy Frazier to sell 8.82 acres more or less in Section 11, T37N, R16W. Commissioner Honaker made a motion to approve this variance, seconded by Commissioner McComb and carried. Planning Resolution #P9-76 was signed. Tentative approvals were given by the Board for Mr. McCracken and Jerry Wolf to be granted exemptions.

Coordinator Denton presented a copy of the Planning Commission's Resolution #1-76 concerning identifying Areas of State Concern for Areas around Interchanges involving arterial Highways. Discussed two-way radios for the Road Department, and a new base station for the Justice Building dispatch office. Sheriff Hampton was given permission by phone to obtain the base station and antenna at a cost of approximately \$250.

Dr. Cuykendall of the Health Service Agency requested endorsement of the Board for Dr. T. A.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, March 29, 1976

Davis of Durango to be placed in nomination for the Board of Directors of the Western Colorado Health Agency Inc. This request was approved and a letter written and sent to Dr. Davis to be submitted with his application for nomination.

Bill Nelson requested road work on a road into his property that he recently purchased north of Mancos. This will be referred to the Road Department.

Dr. Gildersleeve stated that he had retired from the medical profession and is now a business form broker. Since the County does not have a central purchasing agent at this time, he was referred to Coordinator Denton.

Road Department Superintendent E. Boren reported on road and equipment maintenance. Robert Kennedy requested work and a culvert on his road at Yellow Jacket. This will be done when the road dries. Whetsel Allen, Chairman of the Road Planning Commission discussed road work needed on a road West of the Arriola School. The Board will inspect this road this week. V. T. Boyd, Mayor of Dolores and Jack Fredrickson, Dolores City Manager, and Cliff Fossum, Dolores Town Attorney discussed the Dolores town dump. Apparently people from out of town are using the dump and the pit is filling faster than planned. Mayor Boyd stated that a gate will be put up closing dump if Dolores has to pay the total amount for work done at the dump by the County. The Board stated that since Mancos has to pay half of County work, Dolores should too. This discussion was tabled until next week after the Dolores Town Council meeting.

City Manager Dwayne Longenbaugh reported on plans for West Air's first flight to Grand Junction on April 1st. Charles Newby of the Lewis-Arriola Fire District stated that their Fire District wanted to be put on the Cortez paging system.

Pete Ballode of Mountain Gravel stated that they would like to buy the hot mix plants, etc., but wanted to give \$12,000 cash and the rest in crushing and road material, prorated over a three year period. Tabled.

Mrs. Louise Valdez discussed the possibility of a housing authority. She was referred to the Coordinator.

Mike Suzick of the Lewis Arriola Fire District discussed acquiring some new equipment from the Four Corners Regional Commission. Insurance on vehicles was discussed with Val Kruse of Rauh Agency.

Hal Tanner, of the Montezuma County Hospital District visited with the Board.

Board of Social Services conducted.

Adjourned at 4:30 p.m. The Board proceeded to inspect the Cortez Swimming Pool.

Attest:

Clerk

Chairman



## Minutes 03/29/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 29th day of March, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P9-76

WHEREAS: Zane O. and Dorothy L. Frazier, owners of 94 acres more or less, which is that part of the Northwest Quarter, that lies East of Hartman Draw in Section 11, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, desire to sell 8.82 acres more or less to James J. and Janie L. Davenport as a residential tract of land. A tract of land located in the Northwest One-Quarter (NW1/4) of Section 11, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, and more particularly described as follows: Beginning at a point from whence the NW Corner of said Section 11 bears

N89 degrees 35'27"W 660.00 feet;

thence, S89 degrees 35'27"E 409.51 feet;

thence, S08 degrees 34'15"W 441.70 feet;

thence, S09 degrees 15'15"E 455.13 feet;

thence, S73 degrees 33'W 320.36 feet;

thence, N11 degrees 22'W 114.13 feet;

thence, N22 degrees 40'W.575.70 feet;

thence, N21 degrees 48'E 362.80 feet to the point of beginning, and containing 8.82 acres more or less.

WHEREAS: The Montezuma county subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Zane O. Frazier, on behalf of himself and his wife Dorothy L. Frazier, appeared before the Montezuma County Board of Commissioners requesting an exemption from the Montezuma County Subdivision Regulations, stating that they are not subdividing their property in the intent of the regulations, but merely selling 8.82 acres more or less to James J. and Janie L. Davenport as a residential tract of land. He further stated that this tract is isolated from his farming operation because of deep and wet draws which run through the East portion of the above-mentioned tract of land.

NOW THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however it is further directed that should any further division of this land occur a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of

Montezuma County, Colorado

I certify that the above and foregoing 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

(SEAL)

County Clerk and Recorder

Montezuma County, Colorado

## Minutes 03/22/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 22nd day of March, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous regular meeting held March 15 were read and approved.

Correspondence was read and contents noted. Received, among others, were: Certified letter from Paul Butler protesting news copy in Dolores Star Press concerning County Planner, Letter was answered explaining that the County employs a Planner and a Coordinator. Letter from New York Life Insurance Co. wanting certain employee information to divine a pension plan. Request was denied. Percentage Report for January and February. Letter from Russel A. Hindmarsh, president, Montezuma Woolgrowers authorizing the transfer of \$2500 from HB54 monies to the General Fund. Notice of application filed of Western Air Stage Inc., from Colorado PUC. Notice of National Forest timber sale at Biggs Pt. Notice of receipt of \$402.53 from State of Colorado for employment reimbursement. Notice from Civil Defense Director Dave McNeill that \$2406.55 from State Civil Defense had been deposited with the County Treasurer. Clerk reported that she had received a summons for the County on 3-18 in regard to a quiet title action from Thomas J Montoya. Commissioner McComb reported on his meeting with Governor Lamm last week in regards to the Airport, the now Hospital, Plywood plant closing, Energy resources in-the County, Revenue Sharing, payments in lieu of taxes, Wild and scenic rivers and the possibility of acquiring Colorado T.V. in the County. Mr. McComb stated that he had a good audience with good in-put from the Governor.

Custodian Steerman was given permission to purchase fertilizer for the Courthouse lawn. He also reported that the present mower was beyond repair.

Commissioner Honaker made a motion to adopt Resolution #5-76 concerning expressing the Boards sympathy in the death of Charles Kouns, former president of Colorado Counties Inc. Motion was seconded by Commissioner McComb and carried unanimously. (See Attached)

Dr. Griebel and Nurse Supervisor Frances Koppenhafer reported on activities in the Health Department. Due to some detailed reporting on Medicare billing, Mrs. Koppenhafer requested closing the office to the public for two days. Permission was given. Mrs. Koppenhafer also reported that the new secretary was doing very well and recommended raising her salary as soon as possible. Dr. Griebel reported a meeting with the members of the Church of the First Born to be held March 23rd concerning giving their children certain tests to determine the immune level of diseases. Mrs. Koppenhafer reported that the well-baby clinic held in the old courtroom offices were bad due to the acoustics. They do not want to move upstairs.

Planner W. L. Glenn requested and was given tentative approval to grant a variance to the sub-division regulations for Zaae and Dorothy Frazier to sell some property. He also requested tentative approval for Esther Dean to deed part of her 5 acres to her brother. The Board

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, March 22, 1976

felt it would be best for Mrs. Dean to return half of bar property to the original owner.

Coordinator Denton discussed housing authority and reminded the Board of the Road Planning Commission meeting to be held tonite.

Mike Reed, Yellow Jacket, discussed land-fill sites with the Board, which might be suitable. Mr. Glenn and Mr. Denton will investigate these areas.

Richard Tibbits and Pete Ballode of Mountain Gravel discussed the possible purchase of the, County's hot mix plant and lay down machine. The Board would like half of the total cost of \$112,000 in cash and work out the rest in gravel. Mr. Tibbits stated they were interested but felt the price was high for them for a stationary plant and would limit their operations to local jobs. They will discuss it further and check, back next Monday.

Ardis Wulf of Planned Parenthood further discussed her request last week for \$1000. She has discussed this with the Cortez City Manager. They have no funds to help this year but could be requested for next year. She stated that the plan is growing but cannot continue to grow without additional help. The Board requested information as to how much money is spent just in the County. Her request was tabled. Mrs. Wulf also reported that the road to Jackson Lake is bad and needs to be repaired.

After discussion of the Employee's pension plan, Commissioner Honaker made a motion to stay with the present plan with the Colorado Employee's and Official's Retirement Ass'n. Seconded by Commissioner McComb and carried.

A petition for blanket abatement of property tax was presented by Assessor Denneyon a total value of \$1415 for 1974 amounting to \$114.84 and on a total value of \$6280 for 1975 amounting to \$468.85. Commissioner Honaker made a motion to approve this abatement, seconded by Commissioner McComb and carried.

After some discussion, Commissioner McComb made a motion that the Board of Commissioners of Montezuma County support the position taken by the Colorado Counties, Inc. Legislative Committee on March 12, 1976, concerning Social Service funding. Motion seconded by Commissioner Honaker and carried unanimously.

Resolution #6-76 was signed.

Cortez City Manager Dwayne Longenbaugh discussed the forthcoming Airport Committee meeting to be held March 30th.

Road Department Superintendent E. Boren reported on McElmo Project and the Trail Canyon Road. Mr. Todd stated after checking the Pleasant View gravel pit the charge for crushing gravel would be \$2.20 per yard. This was tabled.

Oliver Bradley a resident of the Lebanon area protested the religious camp which W. B. "Bud" Cole wants to put in that area. The Board stated that they could do nothing as there is no zoning regulations at this time. It was suggested that a petition could be circulated encouraging zoning.

Board of Social Services conducted.

County Agent Bob Seaton reported that certain work needed to be done on his County car. This was tabled for further discussion.

Clyde Steel, U. S. Forest Service, discussed the Biggs Timber sale. The County had objected to the original plan and it was reevaluated by the Forest Service. 8.1 million board feet will be taken out over a five-year period. Colorado Forest Products had requested the sale.

A draft of the job application for the County was studied and approved as changed. The Clerk will be the repository for job applications.

Attest:

Clerk

Chairman

Assessor Deasy introduced Mr. Martin and Bill Musgrave from the State Department of Equalization. They will do an appraisal on the Lively home.

Meeting adjourned at 5:30 P.M.

## Minutes 03/15/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 15th day of March, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
	Clerk

Absent: Jean DeGraff

Minutes of the previous regular meeting held March 8, 1976 were read and approved.

Correspondence was read and noted. Included among others, were billing for \$10.00 from State Board of Land Commissions for annual rental on lease number Contract 3-S, letter from Glenn K. Billings with example of resolution for Charles Kouns, receipt in the amount of \$448.46 reimbursement for December Nursing Health Department, receipt in amount of \$888.67 for January Cigarette Tax, letter advising of a training course for Plumbing Inspector, notice of CCI Board of Directors meeting being re-scheduled for 10:88 a.m., March 19, 1976, a letter from Flaugh Construction Co. referring to sub-contract with H & K Sheet Metal on Justice Building.

Marge Ketchum, bookkeeper, appeared to inquire re: the procedure of handling the medical bills for Gay Hall. Grace Merlo, County Attorney, stated the injury must be reported to State Comp. Ins. Fund regardless of date of injury.

Ron Dirscoll representing Driscoll & Co. in Durango appeared to show tax map explaining townships, streams, roads, sub-divisions and all important points. The Tax Mapping Contract and Agreement were approved and signed, the first payment being due this month. Mr. Driscoll stated that about 80% of the deeds had been completed for Mancos, Dolores, Cortez and BI14 and could be verified by Assessor's Office.

Mr. & Mrs. Dwayne Lively appeared with a protest on their property taxes. Assessor Denny was present during discussion. Mrs. Lively stated the assessment had been sent to the wrong address and had not been received until after deadline. They feel that being assessed in type 13 was unreal and unfair. Assessor Denny stated he had toured the house in December and said it should be in type 13. After more discussion it was decided the Board would look over the grounds and house and tabled the matter until a State man was here next week.

The assessor will contact the Board and Mr. & Mrs. Lively.

Planner W. L. Glenn discussed the 1041 designation for Jerry Wolf. This was tabled until next week.

Commissioner Honaker made a motion to approve the variance for M. F. & Betty McGeachie seconded by Commissioner McComb and carried. Planning Resolution #P8-76 was signed.

Sheriff Hampton reported to the Board he had papers to be served on the County Clerk to quiet a title. He also reported that School District Re 1 has donated a 1964 Dodge bus to the Sheriffs Department for Search and Rescue. It will be used for a command post and central location point during crime scene searches. A metal sign has been purchased to be put up showing location of Sheriff's Office.

Attest:

Clerk

Chairman

Papa No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, March 15, 1976

Sanitarian Bob Sawyer reported Dr. Griebel had received a letter from Mrs. Sapp, re: Northside Packing. W. B. Cole has contacted Mr. Sawyer in regard to a summer camp north of Lebanon and Mr. Sawyer is taking this in to consideration to comply with health standards. Mr. Sawyer also received a call from Dennis Striegel in Denver regarding a camp and lodge he wants to put in by Jackson. Mr. Sawyer will keep the Board informed. Ralph Tanner appeared on an over assessment on his building attached to the Trading Post. Assessor Denny will prepare forms as an error in assessment.

Joe Garboey asked the Board what his tax money was being used for. He also complained on road maintenance. The Board referred him to Les Nunn in Lakeview.

David Coe, Human Resource Coordinator reported to the Board that some bad public relations were published in the Durango Herald. He read the clipping from the paper. One bad item stated was that Mr. Coe was Director of Region 9 which he is not. Mr. Coe responded, to the article in the Herald after checking with Doty Wayt the chairwoman of his Advisory Board. Mr. Coe contacted JoAnn Kline and has good reports from Montezuma County. A meeting is to be held in Durango, Thursday evening, March 18 at 7:30 p.m. to organize a Council for BLOC Grants. (Better Local Organization Council) The first step to BLOC Grants is an inventory of services in Region 9 to make people think and see what Human Resources is and does. Mr. Coe read and explained Resolution Series 1976 and a copy was given to Grace Merlo, County Attorney.

Val Truelson visited with the Board and would like to have the Trail Canyon road moved over about a mile. He stated he could do most of the work himself. The Board will look it over and see what can be done. Mr. Truelson also asked about posts to rebuild a fence.

Road Department Superintendent E. Boren reported to the Board. He is to see Mr. Truelson on the Trail Canyon Road. The Board told Mr. Boren that R. T. Periman wants to sell river run gravel out of the pit and is to talk to him on this matter. A man from Durango wants to buy a down grader from the County but due to the County only having one, will most likely not sell. Mr. Boren is to check on a County Road east of Mancos. Mr. Boren reported on radio testing for the Road Department.

City Manager Dwayne Longenbaugh reported a meeting on the Industrial Park to be constructed in Cortez. The next Building Committee meeting is to be April 12 at 7:00 p.m. Mr. Longenbaugh also reported that 3 agents are set for the airport. He suggested that someone ride the first flight to Grand Junction to inaugurate and get news coverage on the flight.

G. W. McCutcheon discussed with the Board about a County GMC Truck to be used for surplus water for the Volunteer Fire Department. The truck was given to the Fire Department and will be worked over to haul extra water.

Public Hearing was held on the Arriola Landfill. Approximately 100 persons were in attendance. After much discussion was held on this matter Commissioner McComb made the motion that in view of the opposition of the present site the Commissioners would table this until alternate sites could be considered. Commissioner Honaker seconded and motion carried.

Ardis Wulf with Rocky Mountain Planned Parenthood Inc. appeared asking for financial help. At the present time they have approximately 40 people under the free service care. There are 2 clinics monthly under the care of Dr. Cullum. Commissioner Bader suggested Mrs. Wulf contact the City and to report back to the Board. The matter was tabled at this time.

County Extension Agent Bob Seaton reported on the coyote program saying it looked good. He also stated he had attended an Experiment Station Committee meeting and there is a possibility for a feedlot in this area. The irrigation project is well under way and planting has been started. Mr. Seaton recently attended the Western Leaders Forum in Montana. There has been a 4H Club organized in Dolores along with various activities. He reported that Mrs. Norma Duncan, Home Demonstration Agent has had good response at the quilting bass and Young Homemakers.

Attest:

Clerk

Chairman

Page No. 3

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, March 15, 1976

Ralph Christensen from Metropolitan Life reported back to the Board on the Retirement survey. He stated out of 114 people 5.93% of the people contacted did not want it. The Board will take under consideration. After discussion with Mr. Christensen, on Gay Hall the Metropolitan Insurance will become effective for new employees the first of the month following the initial 30 day waiting period. Discussion was held on the recent episode re: Mr. Christensen suggested a letter be sent to the hospital stating if a person goes to the hospital for treatment and the bill is less than \$25.00 any County employee should be treated and billed to the Metropolitan Ins. Co.

Board of Social Services conducted.

General Fund Vouchers #31993 thru 32015 in the amount of \$2,966.89, Road Pond Vouchers #2829 thru 2830 in the amount of \$214.19, Contingency Fund Vouchers #39 thru 40 in the amount of \$387.84, Revenue Sharing Vouchers #50 thru 52 in the amount of \$16,273.18 and Public Works Voucher #120 in the amount of \$46.00 were allowed and ordered paid.

Meeting adjourned at 5:45 P.M.

Attest:

Clerk

Chairman

## Minutes 03/15/1976 Regular

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 15th day of March, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P8-76

WHEREAS: M. F. and Betty McGeachie, owners of 37 acres more or less among other properties owned adjacent to said tract which are owned in their corporate ownership and lie adjacent to Highland Terrace Subdivision One and Two, desire to sell to a separate owner a tract of land lying and being within the Northwest One-Quarter (NW1/4) of Section 22, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, more particularly described as follows:

Beginning at the NW Corner of said Section 22, thence South 45 degrees 54' East 1827.26 feet, and South 87 degrees 49' West 60 feet to the true point of beginning; thence, South 02 degrees 11' East 125 feet; thence South 87 degrees 49' West 125 feet; thence North 02 degrees 11' West 125 feet; thence North 87 degrees 49' East 125 feet to the true point of beginning.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Said division of property is in compliance with the Sketch Plan submitted for Highland Terrace Subdivision Three and such plan has been reviewed as acceptable by the County.

WHEREAS: The development of Highland Terrace Three is not practical at this time.

NOW THEREFORE: The Board of County Commissioners of Montezuma County grants an exemption for the sale of said lot contingent upon the inclusion of said property in Highland Terrace Subdivision Three when filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado



## Minutes 03/08/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 8th day of March, A.D. 1976 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
Harold McComb	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous regular meeting held March 1, 1976 were read and approved.

Correspondence was read and contents noted. Included, among others, was changes and amendments to Western Colorado Health System Agency by Laws from January 7, 1975 HSA steering committee meeting, a report of inspection of County road near Joe Moore Reservoir from the District Ranger Reed of the San Juan National Forest Service, Guidelines Related to Land Development Proposals from the State Highway Department, a copy of a bill for an Act making a supplemental appropriation to the Division of Criminal Justice with accompanying letter from Sen. Dan Noble. County Treasurer's report for the month of February was received and reviewed.

Predator permits were allowed.

Ralph Christenson of Metropolitan Insurance Co. was given permission to inquire of the County employees how they would feel about changing companies for the pension plan. The basic plan is the same as that which is in effect now with Colorado Officials & Employees Retirement Ass'n.

Nurse Supervisor Frances Koppanhafer received permission to hold the Well Baby Clinic on March 19th in the old County Court Offices. She thinks these offices might be too small and too many flights up for permanent offices but would like to try the clinic there and then evaluate. The Board will check space in the old building. Mrs. Koppenhafer also reported that Margaret Lyon and Willa Hodges will be attending an orientation in Denver this week.

Sheriff Hampton submitted his monthly report for the jail and his activities for the month of February. He reported that the Pleasant View sub-station was working well. Also discussed a window which was broken out last week. This will be referred to the Building Committee. Also discussed the Citizens Band radio.

Coordinator D. M. Denton presented requests for two variances, Zane O and Dorothy L Frazier to sell 10 acres more or less to Richard and Debbie Keck in Section 11, T36N, R16W and J. W. and Mary Alena Frazier to sell 10 acres more or less to a separate owner in section 3, T36N, R16W. Commissioner Honaker made a motion to approve both variances, seconded by Commissioner McComb and carried. Planning Resolutions #P6-76 and #P7-76 were signed. Mr. Denton also requested tentative approval for Marion McGeachie to proceed with Highland Terrance sub division #3 and a variance to sell a lot. Commissioner McComb made a motion to grant tentative approval, seconded by Commissioner Honaker and carried.

Coordinator Denton then reported that the Housing Authority people from Denver would be in Cortez tomorrow to meet with City and County officials. Off Systems Road Plan Agreement with

Attest:

Clerk

Chairman



Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, March 8, 1976

the State Highway Department was signed. Mr. Denton reported that the Road Planning Commission meeting was set for March 22nd. Traffic count was discussed, also Human Resource and Criminal Justice. Sanitarian Bob Sawyer discussed the forthcoming Public Rearing for the Article land-fill on March 15th. He discussed charting double for sewage disposal permits when not applied for before construction. Commissioner Honaker made a motion to amend the County Individual Sewage Disposal Rules & Regulations, Section 3 .3 Paragraph B to read;

"B. A permit fee of \$15.00 shall be required of applicants for new sewage disposal systems, payable to the County Health Department. Where work for which a permit is required by these rules and regulations, is started or proceeded with prior to obtaining said permis, the above fee shall be double, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of these rules and regulations in the execution of the work nor from any other penalties prescribed herein."

Motion seconded by Commissioner McComb and carried unanimously.

Mr. & Mrs. G. A. Carver of Mancos requested having their property in Mancos re-appraised. They stated their valuation was too high. Assessor Denny stated that he had used standard method of appraising. It was recommend by the Board that Mr. Denny check the property.

Dorothy Leavell brought in tax receipts on her Dolores property from 1974 and 1973. Mr. Denny stated that the appraisers were not able to enter the house when it was appraised and that it was over-assessed fern 1975 and has been corrected for 1976. Commissioner McComb made a motion to adjust the 1975 taxes for Leavell and credit would be given on the second half taxes. Motion seconded by Commissioner Honaker and carried.

Cortez City Manager Longenbaugh, Mayor Hal Tanner and Councilman Bill smart discussed the Justice Building. It was decided that the Committee will meet at the Justice Building tomorrow and 2:00 P.M. to inspect the building and discuss problem areas. Also discussed the meeting with the Housing Authority people.

Road Department Superintendent E. Boren reported on. road and equipment maintenance. Mr. Todd gave an approximate price of \$2.25 a yard for crushing gravel. Mr. Todd would like to rent a pile driver and operator to use on a proposed private bridge. The Board gave him permission to work out a deal with Mr. Boren.

The Board them proceeded to inspect available space in the old Courthouse.

Roy Roper of the Soil Conservation Office, Whetsel Allen of the County Road Planning Commission and Joe Brown of R.C. & D visited with the Board. Mr. Roper reported that 10 miles of road barrows had been seeded last year and he will work with Mr. Boren on 1976 projects. Mr. Brown requested the \$200 which had been budgeted for R.C. & D. This was granted and voucher was approved.

Jack Elliott, a petroleum land man representing Gerald Bailey of Denver inquired about leasing oil and gas rights owned by the County in the Mancos area. His offer of \$5.00 per acre was rejected as too low.

Bill Brown and Bob Bryan reported on the new detoxification center in Cortez. Since the opening on February 1 there have been 711 admissions. Mr. Bryan will send monthly statements and minutes of Board meetings. Board of Social Services conducted.

Joe and Mary Mahaffey requested gravel for about 3/4 of a mile of County road. The road also

Attest:

Clerk

Chairman

Page No. Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado  
Date Monday, March 8, 1976

needs to be repaired. This will be referred to the Road Department and they will send some gravel out to help until road is dry enough to be repaired.

As to the Sheriff's request for an extra five days vacation time for his field deputies who have to work holidays, the Board agreed that this could be done pending determination of applicability of Fair Labor Standards Act to the County, on a tentative basis. This would not pertain to the office clerks.

General Payroll Vouchers #2790 thru #2854 and #31883 thru #31884 in the amount of \$39,049.17 Road Payroll Vouchers #2555 thru #2588 and #2799 in the amount of \$26,702.68 General Fund Vouchers #31885 thru #31992 in the amount of \$25,849.42 Road Fund Vouchers #2800 thru 2828 in the amount of \$19,810.27 Revenues Sharing Vouchers #46 thru #49 in the amount of \$3,509.30 Contingency Fund Voucher #38 in the amount of \$152.69 were allowed and ordered paid.

Meeting adjourned at 5:30 P.M.

Attest:

Clerk

Chairman

Online Copy

## **Minutes 03/08/1976 Regular**

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 8th day of March 1976, with the following persons in attendance:

Commissioners: Clay V. Bader, Harold McComb and Curtis Honaker

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff.

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Commissioner Honaker made a motion to amend the County Individual Sewage Disposal Rules and Regulations, Section 3.3, Paragraph B to read as follows:

B. A permit fee of \$15.00 shall be required of applicants for new sewage disposal systems, payable to the County Health Department.

Where work for which a permit is required by these rules and regulations, is started or proceeded with prior to obtaining said permit, the above fee shall be double, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of these rules and regulations in the execution of the work nor from any other penalties prescribed herein.

Motion was seconded by Commissioner McComb.

Commissioners voting Aye in favor of the Resolution were:

Bader, McComb and Honaker

Commissioners voting Nay:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 8th day of March, 1976.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

## Minutes 03/08/1976 Regular

### 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 8th day of March, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P7-76

WHEREAS: Zane O. and Dorothy L. Frazier, owners of 104 acres more or less which is that part of the Northwest Quarter that lies east of Hartman Draw in Section 11, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, desire to sell 10.002 acres more or less to Richard and Debbie Keck as a residential tract of land. A tract of land located in Section 11, T.36N., R.16W., N.M.P.M., in Montezuma County, Colorado, and more particularly described as follows:

Beginning at a point from whence the NW corner of said Section 11 bears N 89 degrees 35' 27" W, 1338.91 feet;

Thence, S 12 degrees 53' 55" W, 371.51 feet;

Thence, S 38 degrees 48' 50" W, 166.55 feet;

Thence, S 33 degrees 52' 55" E, 75.85 feet;

Thence, S 61 degrees 39' 40" E, 168.00 feet;

Thence, S 21 degrees 00' 40" E, 160.31 feet;

Thence, S 59 degrees 55' 20" E, 86.25 feet;

Thence, N 61 degrees 59' 35" E, 349.45 feet;

Thence, N 14 degrees 10' 40" E, 679.76 feet;

Thence, N 89 degrees 35' 27" W, 609.99 feet to the point of beginning, and containing 10.002 acres more or less.

WHEREAS: The Montezuma County Subdivision Regulations-provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Zane O. Frazier, on behalf of himself and his wife Dorothy L. Frazier, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 10.002 acres more or less to Richard and Debbie Keck as a residential tract of land.

NOW THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 03/08/1976 Regular

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 8th day of March, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken.:

Resolution P6-76

WHEREAS: J. W. and Mary Alena Frazier, owners of 44.88 acres more or less in the SE1/4 SE1/4 and S1/2 S1/2 NE1/4 SE1/4 less tract of Section 3 Township 36 North Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell to a separate owner 10 acres more or less.

A tract of land that is the S1/2 S1/2 NE1/4 SE1/4 of Section 3, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, and containing 10 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: J. W. and Mary Alena Frazier appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 10 acres more or less to a separate owner as a residential tract of land.

NOW THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 03/01/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 1st day of March, A.D. 1976 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
Harold McComb	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the regular meeting held February 23, 1976 were read and approved.

Correspondence was read and contents noted. Included, among others was a State Highway maintenance agreement and the Veteran's officer report for the month of February.

Nurse Supervisor Frances Koppenhafer and Health Doctor Griebel reported that a new secretary, Theresa Williams, had been employed at a beginning salary of \$375 per month for a probationary period. Mrs. Koppenhafer presented a brochure explaining the Home Health Agency. Contingency Fund Vouchers #34 thru #37 in the amount of \$348.69 were allowed and ordered paid on expenses incurred during the diphtheria episode. Dr. Griebel reported that all families were out of quarantine and by Wednesday the episode should be finished. However, this is no guarantee that it couldn't occur again soon.

Assessor Wayne Denny and Deputy Helen Diffendaffer reported his thoughts on taxing the plywood plant. He also reported the background on taxes of J. W. Chapman, Dorothy Leavell and Ralph Tanner.

Planner W. L. Glenn presented a request for a variance to the sub-division regulations for Waneta P. Hopper to sell 7.09 acres more or less to Stanley and Jody Foster in section 24 and section 25, T37N, R17W.

Commissioner McComb made a motion to approve this request, seconded by Commissioner Honaker and carried. Resolution P5-76 was signed.

A group of residents of the Cottonwood Grove Addition south of Cortez appeared to request repair and graveling of what they thought to be a County road to their property. Those in attendance were Juanita Wright, George Adams, Ted Robinson and Walter Peabody. Realtor C. K. Melby presented a county map dated 1967 which showed this road to be a County road. However, after checking the original plat it was discovered that the standard procedure for recording was followed. The roadway was dedicated but it was not accepted by the County. Therefore it is not a County Road. The Road Superintendent will check this area. In order for the County to maintain, a resolution will have to be made to have the road accepted by the County.

Coordinator Marshall Denton discussed the recent repair work which was done on the repeater station building by Navajo Butane Co. He also presented a quote on a culvert from J. D. Adams Co. in the amount of \$3564.

Approval from the Board was given to purchase this culvert for the McElmo project. He reported that he received notice from Excess Property that the marker lights were available for pickup. Mr. Denton will call to find out what kind of marker

Attest:

Clerk

Chairman

Page No 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado

Date Monday, March 3, 1976

lights they are. If they are road-way markers, the County will accept them.

Sheriff Hampton requested three weeks vacation time for his employees, except clerks, because they have to work on holidays. This was tabled. The Sheriff reported that the doors were almost complete and thought it was a good job and could even strengthen the doors. He requested the Board to check on the locks.

J. W. Chapman appeared to complain about his 1973 taxes on his modular home. Home was ordered in December 1972 but was not purchased until May of 1973. He requested abatement for first half of 1973 taxes. Deputy Assessor Diffendaffer discussed this problem and will do some more checking.

Dorothy Leavell appeared with Dorothy Kruse concerning over assessment of taxes for 1975 on her property in Dolores. This has been corrected for 1976 but she would like an abatement for 1975.

Gary Chaffin appeared and was given a copy of Resolution #3-76 which denied his 3.2% Beer License application. He also requested having certain ditches along a County road east of his property cleared for drainage. Mr. Boren will check.

Cortez City Manager Dwayne Longenbaugh appeared and reported on locks at the jail. He also indicated that a hot water heater in the old County jail was to have been moved to the new jail. It was decided that the Building Committee should meet at regular times to discuss these matters. Longenbaugh will schedule meetings.

Road Department Partsman Bill Head discussed the predator control program. Effective March the fee will be \$30 for adult female, \$20 for adult males and \$10 for a pup. This fee schedule will continue until July 1 when it will go back to \$20 per animal. Personnel problems at the shop were discussed. Decisions will wait until Mr. Boren's return.

Board of Social Services conducted.

Public Works Vouchers #118 & #119 in the amount of \$132.42 were allowed and ordered paid.

Hal Tanner of the Montezuma County Hospital District said Ron Nielson. Administrator of Southwest Memorial Hospital appeared to request additional monies for indigent care, on the basis that the present hospital is not a County Hospital but a Hospital District Hospital. The Commissioners were under the impression that it is a County Hospital and as such must operate under the 2 mill levy requested in the District's budget. Additional County monies were not budgeted for 1976 because of this. Therefore the request was denied. Mr. Tanner and Mr. Nielson were asked if the District had applied for

State appropriated monies for charity cases. Mr. Nielson stated that they had but their request was denied because their charity cases were not properly documented. Also discussed specific ownership tax. Treasurer Hindmarsh reported that based on 1973 figures it could amount to \$20,000 however there is no way to figure how much for sure. Mr. Tanner stated that the Hospital finances were in bad shape.

Lewis McInnes requested graveling of part of a road to his property south of Cortez. Road Superintendent of an employee will check and advise the Board.

Meeting was adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

## Minutes 03/01/1976 Regular

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 March, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P5-76

WHEREAS: Waneta P. Hopper, owner of 26.83 acres, more or less, in the Southwest One-Quarter Southeast One-Quarter; Southwest One-Quarter (SW1/4 SE1/4 SW1/4) of Section 24 and in the Northwest One Quarter Northeast One-Quarter, Northwest One-Quarter (NW1/4 NE1/4 NW1/4) of Section 25, all of Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 7.09 acres, more or less, to Stanley and Jody Foster as a residential tract of land. A tract of land in the SW1/4 SE1/4 SW1/4 of Section 24 and in the NW1/4 NE1/4 NW1/4 of Section 25, all of T.37N., R.17W., N.M.P.M., being more particularly described as follows:

Beginning at a point on the south R/W line of the County Road (Arriola Road) and on the east line of the SW1/4 SE1/4 SW1/4 of Section 24, T.37N., R.17W., N.M.P.M., from which point the N1/4 Corner (a brass cap in fence) of Section 25, T.37N., R.17W., N.M.P.M., bears S.87 degrees 01'32"E. a distance of 668.80 ft.; thence, S.0 degrees 07'38"E. a distance of 691.01 ft. along the east lines of the SW1/4 SE1/4 SW1/4 of said Section 24 and of the NW1/4 NE1/4 NW1/4 of said section 25 to a fenceline; thence, S.89 degrees 58'50"W. a distance of 447.75 ft. along a fenceline to a fence corner; thence, N.0 degrees 07'38"W. a distance of 689.17 ft. along a fenceline to the south R/W line of the County Road (Arriola Road) thence, N.89 degrees 44'42"E. a distance of 447.75 ft. along the south R/W line of said County Road to the point of beginning, and containing 7.09 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Waneta P. Hopper appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that she is not subdividing her property in the intent of the regulations, but merely selling 7.09 acres, more or less, to Stanley and Jody Foster as a residential tract of land.

NOW THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado



## Minutes 02/23/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 23rd day of February, A. D. 1976 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
Harold McComb	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the regular meeting held February 17, 1976 were read and approved.

Correspondence was read and contents noted. Included among others was a letter from Metropolitan Ins. Co. concerning a proposed pension plan, a Fund Balance sheet from Southwest Memorial Hospital dated 1-31-76, minutes of the past Colorado Counties Inc. meeting and the State Highway Traffic Accident report for December 1975.

Metropolitan Insurance Agents, Pat Griffith, Vern Kessler and Ralph Christensen discussed a proposed pension plan for County Employees. It was noted that Chaffee County has been on this plan for over a year. Clerk was directed to contact that County Clerk Jasper Cortese for information as to how it has worked for that County. Mr. Griffith stated that the interest rate, if taken by the County within the next 30 days, starting today, would be 8.45%. This rate would then be guaranteed for four years.

Nurse Supervisor Frances Koppenhafer presented a letter of resignation from her secretary Rita Wieland and a discussion was had on what rate of salary she could offer an applicant for that position. Dr. Griebel the new County Health Doctor came in at this time. The Board stated that at this time the starting salary would be \$375 for a probationary period. Dr. Griebel reported on the past diphtheria epidemic. He informed the Board that John Carver gave permission for the County Health Department to give tests to the children of the Church of the First Born to determine their immune level to diphtheria.

Planner W. L. Glenn presented a sub-division plat known as the Sligar Sub-division. He also presented recommendation approval from the Montezuma County Planning Commission. Commissioner Honaker made a motion to approve this final plat and a variance to the sub-division regulations for the Sligar Sub-division. Seconded by Commissioner McComb and carried.

Sheriff Hampton reported that the Yale Lock Co. representative had checked the jail locks with Architect Grove and Flaugh Construction people. Twenty-two doors need to be fixed with slots at a cost of approximately \$2850. Until this is done there is a security problem.

After some discussion resolution #2-76 was presented concerning SB 50 which provides for increase of the amount of monies derived from the sales, bonuses, royalties and rentals of Federal land which can be paid to a County during a Calendar year, from \$200,000 to \$500,000. Commissioner Honaker made a motion to support SB 50 as per this resolution. Motion Seconded by Commissioner McComb and carried. Clerk was directed to send copies of this resolution to Senator Dan Noble and Representative Roy Wells.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, February 23, 1976

The time being that which was set aside for a decision on the application for the 3.2% Beer License by Gary Chaffin, and the Commissioners having deliberated carefully, Commissioner Honaker made a motion to deny said 3.2% Beer License, seconded by Commissioner McComb and carried unanimously.

Sheriff Hampton, Cortez City Manager Dwayne Longenbaugh, District Attorney George Buck and Cortez City Council members Roya Houseman, Hal Tanner and Bill Smart all representing, along with the Commissioners, the Justice Building Committee, discussed having slots put in 22 jail doors, 10 of which would have locked covers. These will have to be done one door at a time for security reasons. Yale Lock Co. will replace one lock and others will be re-enforced for strength. The one prisoner who has been damaging the doors has been sent to Durango for security. Hal Tanner made a motion to fix the door with slots and lack covers and move the basketball backboard immediately. Motion seconded by Commissioner Honaker and carried. The Sheriff reported that the electric locks and monitoring devices are working now.

Road Superintendent E. Boren reported on road and equipment maintenance. He also stated that they are trying to sell a water tank truck. Superintendent of Schools, Jerry Fiscus of Dolores School District RE-4 appeared and stated that the District would like to purchase one of the old Sheriff's cars for busing students to the Vo-Ed School. Commissioner Honaker made a motion to sell a 1970 Plymouth patroller to the District for \$50.00. Motion seconded by Commissioner Bader and carried. Mr. Boren stated that he will be taking vacation the week of March 21st.

David Coe, Human Resource Coordinator for Region 9 reported on his activities.

Board of Social Services conducted.

Auditor Gale Greenlee discussed several budget items with the Board. He recommended leaving the Public Works fund as it is at this time. The City of Cortez still owes that fund approximately \$31,000, which is about the amount in the red. Since the Library items did not show in the 76 budget they will be paid out of Revenue Sharing funds.

Assessor Denny discussed having one of the lavatories removed from his new offices. The Board will check on this.

Mr. Todd requested information on building a private bridge over the Dolores River by time Twin Spruce Ranch. This was tabled until next Monday when Coordinator Denton will be here.

Gary Chaffin and Terry Wilson appeared to discuss the decision of the Board to deny his application for 3.2% Beer License.

Meeting was adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

## **Minutes 02/23/1976 Regular**

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 23rd day of February 1976 with the following persons in attendance:

Commissioners: Clay V. Bader, Curtis Honaker and Harold McComb

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, held on February 23, 1976, at Cortez, Colorado, a discussion was held concerning Senate Bill 50 now pending before the 1976 Colorado Legislature. Said Bill provides for increase of the amount of moneys derived from the sales, bonuses, royalties and rentals of Federal land which can be paid to a County during a Calendar year, from \$200,000 to \$500,000. (Amends CRS 1973, 34-63-102).

Upon a motion made, seconded and passed, it was resolved that the Board of County Commissioners of Montezuma County go on record supporting SB 50.

Commissioners voting Aye in favor of the Resolution were: Bader, Honaker and McComb.

Commissioners voting Nay: None

Jean DeGraff

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

Date this 23rd day of February, 1976.

County Clerk and Recorder of  
Montezuma County, Colorado

RESOLUTION No. 3 - 76

It was moved by Commissioner Honaker and duly seconded by Commissioner McComb that the following resolution be adopted:

WHEREAS, Gary Chaffin submitted an application to the County of Montezuma, Colorado, requesting the granting of a Retail Fermented Malt Beverage license for sale of 3.2% beer only for consumption on the premises known as the 76 Club, described as follows:

A tract of land in the SE/4 NE/4 of Section 7, Township 37 North, Range 16 West, N.M.P.M., being more particularly described as follows:

Beginning at a point on the South right of way line of Colorado Highway No. 147 in the SE/4 NE/4 of Section 7, TWP 37 North, Range 16 West, N.M.P.M., from which point the NE Corner of said Section 7 bears N13°32'38" E., a distance of 1469.47 feet; thence S00°29'15" E. a distance of 361.50 feet; thence S87°35'17" E. a distance of 361.50 feet to the East line of said Section 7; thence N00°29'15" W. a distance of 361.50 feet along the East line of said Section 7 to the South right of way line of Colorado Highway No. 147; thence N87°35'17" W. a distance of 361.50 feet along the South right of way line of Colorado Highway No. 147 to the point of beginning, County of Montezuma, State of Colorado, and,

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado scheduled a public hearing on said application for February 2, 1976 at 11:00 o'clock A.M.; and set the neighborhood as being within a two mile radius of the proposed outlet; and publication and posting of notice of said public hearing was accomplished in accordance with the law; and the public hearing took place in the Commissioners' office, Montezuma County Courthouse, Cortez, Colorado, at the date and time as above set; and,

WHEREAS, at said public hearing, the application and the Investigator's Report were reviewed by the Commissioners, and,

WHEREAS, the applicant, through his attorney,  
Clifford C. Fossum, then presented the following<sup>sworn</sup> evidence in  
behalf of his application:

Applicant's Exhibit #1 - 23 letters from various  
individuals recommending that the 3.2 beer license be approved.

Applicant's Exhibit #2 - floor plan and surrounding  
area of proposed outlet. Applicant described the type of  
structure, the square footage contained in said structure and  
how it would be furnished, etc.

Applicant's Exhibit #3 - 76 Club plans for operation  
and management.

Applicant's Exhibit #4 - county-wide petition asking  
that license be granted.

Applicant stated what his plans were and how the  
establishment would be operated. He further stated that he  
would employ eight people, including Terry Wilson, to act as  
the Assistant Manager. He stated that there was no other  
similar 3.2 outlet, other than in the City of Cortez. He also  
stated that he wanted to help the young people in the area.

Sheriff Bob Hampton testified that the establishment  
would be a benefit to the community if it were well run and  
chaperoned. He also stated that if it became a law enforce-  
ment problem, he would then be opposed to it.

Bill Kvasnicka stated he lived one-half mile south  
of the proposed outlet and that he was in favor of the outlet.

Chandler Chaffin (a relative of the applicant)  
stated that he lived in the neighborhood and was in favor  
of the application being granted. He also stated his brother  
has worked for him for three years.

Abraham Imel stated he lived in the neighborhood and  
was in favor of the license being granted.

that there is a lot of traffic on the Narraguinnep Road. He also stated that he did not drink himself. He pointed out that prospective employees and relatives of the applicant would naturally be in favor of the application being approved. He stated that the applicant's plan was good, but there would be pressure on him because he would want to make a success of it.

Mrs. James Riffey stated that she was responsible for passing the petition in opposition to the granting of the license (Exhibit A) in the neighborhood within the two mile radius. She stated she was present when the individuals signed their names on the petition (Exhibit A) and that they knew an application for a 3.2 beer license was involved. She stated she did not drink herself and that she felt there would be heavy traffic in the area and that they had moved to the country to avoid this sort of thing. She stated she was opposed to the application being granted.

Thelma Christiansen stated she lived about a mile from the establishment and was opposed to approval of the license because she has children growing up and that merely because they buy it at the establishment doesn't mean they will stay there and drink it. She also stated they had moved out to the country to avoid this kind of a problem and that if the license were approved, there would probably be drunks on the property. She stated she did not drink.

Mr. Fleming, Jr. stated that he lived one-half mile from the proposed outlet and that he was against approval of the license because of traffic and because the valuation of their property would be affected. He stated he did not think a 3.2 beer license should be granted. He said it would be like the Turquoise Bar between Shiprock and Farmington, and

WHEREAS, the Public Hearing was closed on the same

date and the matter was taken under advisement by the Commissioners and continued to February 23, 1976 at 11:00 o'clock A.M., and

WHEREAS, the Commissioners, after reviewing all of the testimony and the exhibits submitted in favor of and in opposition to the granting of the license, have made a decision in regard to said application.

NOW, THEREFORE, BE IT RESOLVED that the application submitted by Gary Chaffin for a Retail Fermented Malt Beverage for sale of 3.2% beer license only for the consumption on the premises known as the 76 Club be denied for the following reasons:

1. Needs of the Neighborhood

Although there is no similar 3.2 beer outlet in this particular area, the neighborhood is primarily made up of rural residences and agricultural farms.

2. Desires of the Inhabitants

Despite the statements of the applicant, the applicant's witnesses, some of whom were relatives and a prospective employee of the applicant, and the twenty-three letters submitted in behalf of the applicant of which it would appear that eight of the writers do not live in the neighborhood, it strongly appears from the testimony of those who live in the neighborhood and who testified in opposition to the granting of the license and the petition in opposition to the granting of the license signed by sixty-one individuals who also live in the neighborhood, that it is the desire of the majority of the inhabitants in the neighborhood that the 3.2 beer license not be granted to the applicant.

Commissioners voting Aye in favor of the Resolution were:  
Clay V. Bader, Curtis Honaker and Harold McComb.

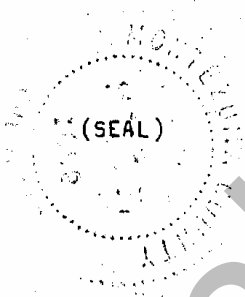
Commissioners voting Nay: None

Clay V. Bader  
Curtis Honaker  
Harold McComb

[Signature]  
County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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 23rd day of February, 1976.



[Signature]  
County Clerk and Recorder of  
Montezuma County, Colorado.



*Montezuma* **PLANNING** *Group*

MONTUZUMA AND DOLORES COUNTIES

Telephone (303) 565-8317

Room 303 Montezuma County Courthouse

Cortez, Colorado 81321.

February 20, 1976

Board of County Commissioners  
Montezuma County  
Cortez, CO 81321

Gentlemen:

At the regular meeting of the Montezuma County Planning Commission on January 15, 1976, the Sligar Subdivision preliminary plat was reviewed and approved for recommendation to the Commissioners. It was determined there were no objections by the County Health Department, and the Planning Department was instructed to recommend that a variance from the maximum lot length as provided for in the Montezuma County Subdivision Subdivisions be granted.

Montezuma County Planning Commission

*W. L. Glenn*

W. L. Glenn, Planner

WLG/lmc

OFFICE OF  
**Board of Commissioners  
Montezuma County**

**Montezuma County Courthouse  
Cortez, Colorado 81321**

PHONE 565-7484

February 23, 1976

The Montezuma County Subdivision Regulations provide that the maximum lot length shall not exceed 2.5 times the width. The Regulations do provide for variance to this section for special situations.

The Montezuma County Commissioners find from recommendations presented by the Montezuma County Planning Commission and the Montezuma County Health Department that a variance from the maximum lot length be granted as shown on Final Plan Sligar Subdivision.

Montezuma County Commissioners

  
\_\_\_\_\_  
Clay Bader, Chairman

Minutes 02/17/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 17th day of February, A. D. 1976 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent: Harold McComb

Minutes of the meeting held February 9, 1976 were read and approved.

The following budget item changes were approved: Road Fund - transferred \$4000 from Engineering to Part time salaries. General Fund - Sheriff - \$500 to Repair & Maintenance and Assessor \$6000 from permanent to part time salaries.

Correspondence was read and contests noted. Received, among others, was a letter from Empire Electric Ass'n notifying the Board of their annual meeting and a letter from the Dolores County Commissioners asking the County to endorse Senate Bill 50 and enclosing a copy of their resolution doing same.

A meeting was held at this time with Sheriff Hampton, City Manager Longenbaugh, Architect Fred Grove, Flaugh Construction Co. representatives Von & Don Flaugh and Chub Johnson. Sheriff Hampton reported on the jail break Saturday night which was due in part to faulty locks on the maximum security cells. He requested and was given permission to have slots installed in doors so that trays could be passed in without the jailor having to enter the cells. Architect Grove did not feel that it was the entire fault of the building. This particular jail is experimental and was built on limited funds. Yale Lock Co. representatives will be called in to check these locks. Sheriff Hampton recommended removal of door knobs and installation of regular jail locks. Other problems were discussed such as heating elements not working properly and monitoring devices not working at all. These problems were turned over to Flaugh Construction Co. They will have another sub finish the sheet metalwork and it was stressed that this work must be done immediately. If possible, the one prisoner will be moved to Durango until jail is secure once more. The Architect will design slots for the doors and the Sheriff will check into a wireless monitoring device.

Planner W. L. Glenn requested a variance to the sub-division regulations for Murray B. & Mae Gosnell to sell 5 acres more or less to A. Dwayne and Cherrie L. Garcher in Section 16, T37N, R16W. Commissioner Honaker made a motion to approve this request, seconded by Commissioners Bader and carried. Resolution #P4-1976 was signed.

Coordinator D. M. Denton appeared to discuss the proposed Arriola land-fill. He had received a letter from the State Department of Health commenting on the operation plan and engineering plan for the site. A public hearing to consider issuance of a Certificate of Designation for the proposed landfill site will be held by the Commissioners sitting as the Montezuma County Board of Health on March 15, 1976 at 2:00 P.M. A copy of the proposed engineering and operation plan is available for review in the County Planning Office during regular business hours. County road numbering system was discussed.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Tuesday, February 17, 1976

Nurse Supervisor Frances Koppenhafer reported that the diphtheria epidemic is under control, there have been no new cases. The Health Department gave approximately 2700 immunizations and took 300 throat cultures last week. A carrier was discovered and he is being treated. Permission was given for Rose Sand to administer medicine to the carrier while Mrs. Koppenhafer is in Denver for a work shop. Cost of the immunization program will come out of the Contingency fund. Approximately \$275 mss received in donations. Upon recommendation of Mrs. Koppenhafer, Dr. Gerald Griebel was appointed by the Board as the County Health Doctor.

Lauren Woodward and John Q. Adams of the VFW reported that some rent is still due them from the County on the Empire St. Building. It was agreed that the County would pay 2 1/2 months rent less 1/3 of the utilities incurred during that time.

Discussion was had at this time concerning the Hospital District. The mill levy for the District through the Assessor's office is 5.78 mills. It was reported that Community Hospital in Durango receives 2 mills for debt retirement and come operating expense. Nothing else is paid by LaPlata County for indigents.

Custodian Steerman was given permission to purchase a cooling system for the new Assessor's Office. Bond Superintendent E. Boren reported on radios for his and his foremen's pickups. These will be put out for bid the cost will be approximately \$1200 per unit installed.

A blanket abatement was presented by Assessor Denny in the amount of \$316.60 and refund \$20.61 for erroneous assessment for the years 1974 and 1975. Commissioner Honaker made a motion to allow this abatement and refund, seconded by Commissioner Bader and carried.

Sandy Crouse appeared questioning an increase in taxes due to the addition of a car port. Deputy Assessor Helen Diffendaffer was called in and explained to Mrs. Crouse that when she received her notification of increases in taxes she should have come in and the time limit for equalization had run out.

Board of Social Services conducted.

Treasurer R. Hindmarsh discussed Senate Bill 50 with the Board which has to do with the receiving and allocation of Federal Oil leasing monies. Also discussed was the mill levy for the Hospital District.

Meeting adjourned at 4:15 P.M.

Bills were allowed and ordered paid: They are as follows:

General Fund Vouchers #31860 thru #31882 is the amount of \$3,694.08 and Road Fund Vouchers #2795 thru #2798 in the amount of \$299.89. Revenue Sharing Vouchers 44 thru 45 in the amount of \$712.60

Inspection of the jail at the Justice Building was made.

Attest:

Clerk

Chairman

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

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

County Clerk and Recorder: Jean DeGraff

the following proceedings, among others, were taken:

WHEREAS: Murray B. and Mae Gosnell, owners of 80 acres more or less in .the East One-Half, Northeast One-Quarter (E1/2 NE1/4) of Section 16, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado wish to sell 5 acres more or less to A. Dwayne and Cherrie L. Garcher as a residential tract of land. A tract of land in the E1/2 NE1/4 of Section 16, T.37N., R.16W., N.M.P.M., being more particularly described as follows:

thence, S.00 degrees 17'35"W. a distance of 521.78 ft. along the west line of the E1/2 NE1/4 of said Section 16 which is also a fenceline;

thence, N.00 degrees 17'35"E. a distance of 521.78 ft. to the point of beginning, and containing 5.00 acres, more or less.

WHEREAS: A. Dwayne Garcher, agent for Murray B. and Mae Gosnell, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 5.00 acres more or less to A. Dwayne and Cherrie L. Garcher as a residential tract of land.

Commissioners voting aye in favor of the Resolution were:

I certify that the above and foregoing 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

Montezuma County, Colorado

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 9<sup>th</sup> day of February , A. D. 19 76 there were present:

Clay V. Bader	Chairman
Curtis Honaker	Commissioner
	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent: Harold McComb

Minutes of the regular meeting held February 2, 1976 were read and approved.

Clerk Jean DeGraff requested and was given permission to purchase a reconditioned IBM typewriter which she had requested in the Clerk's 1976 budget. Purchase price is \$450.00.

Correspondence was read and contents noted. Included, among others, was the Sheriff's, Treasurer's, Veteran's Officer and Clerk's report for the month of January, 1976.

John Goode appeared to discuss prairie dog control. He will order supplies and weather permitting, he will begin March 1, 1976.

Sheriff Hampton reported on January business. There are several problems concerning the jail building, hardware coming loose, roof leaking, etc. These have been reported to the contractor. He also discussed certain changes in the minimum security cells. The Sheriff was given permission to proceed with having bunks and tables made to be paid out of Revenue Sharing funds. Cost will be approximately \$2765.

Nurse Supervisor Frances Koppenhafer reported on the recent diphtheria outbreak in the members of the religious sect who reside south of Cortez. All school children of this sect will have throat cultures taken and be kept out of public schools for a time. Amass immunization will be given Wednesday, February 11th at the Courthouse from 8:30 until 4:00 P.M. Although no charge will be made, contributions will be accepted to help defray expenses. Mrs. Koppenhafer also reported that \$3172 will be picked up for the County on Medicare billing.

Metropolitan Insurance Agents Pat Griffith and Ralph Christensen gave a formal presentation of a pension plan for County employees. This was taken under advisement.

Virginia Graham, Hal Tanner, members of the Montezuma County Hospital District, Attorney Jerry Bean and Administrator Ron Nielson appeared to discuss indigent cases. Social Services Director Maurine McNeill was also in attendance. The legal point as to who is responsible for these cases, the County or the District, will be clarified by the County Attorney and the District will meet with the County again on Monday, February 23rd.

Planner W. L. Glenn requested approval for a variance to the sub-division regulations for Russell E. Hindmarsh to sell 17 acres more or less in Section 8, T36N, R15W. Commissioner Honaker made a motion to approve this request, seconded by Commissioner Bader and carried. Planning Resolution F3-76 was signed. The request of Clinton & Evelyn Kingery for a variance to the sub-division regulations was denied because it did not meet the qualifications.

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, February 9, 1976

Sanitarian Bob Sawyer reported on problems in the Dolores area.

Coordinator D. M. Denton discussed the environmental impact statement as it pertains to the Wild and Scenic Rivers Act. The possibility of having a County Housing Authority was discussed. The Board expressed a definite interest but questions need to be answered and it needs more discussing.

Road Department Superintendent E. Boren discussed with the Board the request by Mountain Bell for approximately \$3000 for laying telephone lines along the road change in McElmo Canyon. Del Bessey of Mountain Bell was in attendance. Mr. Boren discussed the possibility of getting radio equipment for county pickups and shop. He will check on prices.

Gary Chaffin dba "76"Club presented an application for a Public Dance Hall License at his establishment northwest of Cortez. Commissioner Honaker made a motion to approve this application, seconded by Commissioner Bader and carried. Proper fee of \$25 was received and Public Dance Hall License #2 was issued.

Treasurer Russell Hindmarsh discussed a new deposit law concerning public monies with the Board. He also discussed the Public Works fund, the County General fund and a law passed 11-1-75 on Sheep tax. The Board authorized Mr. Hindmarsh to call Clark Buckler of CCI to inquire as to how other counties handle this.

General Payroll vouchers #2725 thru #2789 and #31727 in the amount of \$39,466.57 and Road Payroll vouchers #2521 thru #2554 and #2760 in the amount of \$26,702.64, General Fund vouchers #31729 thru #31859 in the amount of \$23,575.37 and Road Fund vouchers #2761 thru #2794 in the amount of \$34,856.39 were allowed and ordered paid.

Board of Social Services conducted.

Del Bessey of Mountain Bell re-appeared to present as authorization for billing to be signed. This would give Mountain Bell authority to proceed with the work of relocating and removal of cable and poles located at Section 2, T35N, R17W. (McElmo Canyon), for which the County will pay actual costs for the work, estimated at \$3522.00. Said authorization was signed.

A blanket abatement was presented by the County Assessor in the amount of \$211.69, due to erroneous assessment.

Commissioner Honaker made a motion to approve this request, seconded by Commissioner Bailer and carried. (See Attached)

Meeting adjourned at 5:15 P.M.

Attest:

Clerk

Chairman

## Minutes 02/09/1976 Regular

RECORDED AT 10:00 O'CLOCK A.M. APR 1, 1988

RECEPTION NO. 399830 JEAN DEGRAFF, RECORDER MONTEZUMA CO., COLO

BOOK 609 PAGE 819

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 February, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P3-76

WHEREAS: R. E. and Norma Hindmarsh, owners of 80 acres in the East One-Half, Northeast One-Quarter (E1/2 NE1/4) of Section 8, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wish to sell 17.16 acres more or less to a separate owner as a residential tract of land. A tract of land in the E1/2 NE1/4 of Section 8, T.36N., R.15W., N.M.P.M., being more particularly described as follows:

Beginning at a point on the north line of the E1/2 NE1/4 of Section 8; T.36N., R.15W., N.M.P.M., from which point the NE Corner of said Section 8, which is a steel bar set at center of road intersection, bears S.87 degrees 39'56"E. a distance of 575.94 ft.;

thence, N.87 degrees 39'56"W. a distance of 774.68 ft. along the north line of the E1/2 NE1/4 of said Section 8;

thence, S.01 degrees 45'28"E. a distance of 1155.81 ft., along a fenceline;

thence, S.85 degrees 55'00"E. a distance of 411.42 ft.;

thence, N.01 degrees 45'28"W. a distance of 106.00 ft.;

thence, N.10 degrees 29'38"E. a distance of 152.99 ft., along a fenceline;

thence, N.47 degrees 17'28"E. a distance of 35.54 ft., along a fenceline;

thence, S.85 degrees 35'03"E. a distance of 181.30 ft., along a fenceline;

thence, N.06 degrees 13'36"E. a distance of 891.75 ft., along a fenceline to the point of beginning, and containing 17.16 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: R. E. Hindmarsh appeared before the Montezuma County Commissioners on behalf of himself and his wife, Norma Hindmarsh, requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 17.16 acres more or less to a separate owner as a residential tract of land.

NOW THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado



2-9-76  
Cortez, Colo. 81321

AUTHORIZATION FOR BILLING

Mountain Bell Tel. Co.  
21 W 1st  
Cortez, Colo. 81321

Gentlemen:

This is to authorize Mountain Bell to proceed with the work of relocating and removal of cable and poles (Job # C-6-3011) on Mountain Bell rural line 14C, poles 57 to 62, located at Sec. 2 Range 17W Twp 35N (McElmo Canyon), for which the undersigned will pay actual costs for the above listed work, estimated at \$3522.00.

County of Montezuma  
Firm Name

Ray V. Bader ch. of Board  
Authorized Signature

Dellert F. Bessy  
Witness  
Manager - mtn Bell  
Cortez Colo.

## Minutes 02/02/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 2nd day of February, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous regular meeting held January 26 were read and approved.

Correspondence was read and contents noted. Included, among others was a warrant from the State Highway Department for \$225.00 for Highway Maintenance agreement.

Nurse Supervisor Frances Koppenhafer reported on various clinics which were held last week. She also reported that there have been several confirmed cases of rubiolla (hard measles) in the area and parents should check the immunization levels of their children. If immunization is needed they should take the children to their private physicians.

Custodian Steerman reported on the remodeling project of the old jail. There are some plumbing problems and Mr. Steerman was gives permission to purchase two new stools. He was also gives permission to contract some carpenters to work on the job.

Planner W. L. Glenn presented a request for a variance to the sub-division regulations from Elton J. and Jessie A. Kidd to sell 5 acres more or less in Section 27 T37N, R16W. Commissioner Honaker made a motion to approve this variance, seconded by Commissioner McComb and carried. Resolution P2-76 was signed.

Coordinator D. M. Denton discussed with the Board the Regional Planning Commission and County Road Projects. The Board felt that the County was not being treated fairly by Club "20" on road project designations.

Mr. Denton requested and was given permission to begin a week's vacation on February 21st.

Sanitarian Bob Sawyer reported on Sesler septic system in that he couldn't approve it. He requested permission to attend a seminar in Durango on Thursday and Friday. Approved. The Cortez Community Mission is going to use the old jailor's quarters at the City Hall for a detox center for about four to six weeks. This area may not meet health standards completely. The Board decided that the need is greater at this time than absolute compliance as a temporary measure. Mr. Sawyer also reported that a local milk producer had a high bacteria count in the milk when last inspected.

It being 11:00 a.m., the Board of county Commissioners began a public hearing in the matter of a 3.2% Beer License application for Gary Chaffin. Opening remarks were made by the Chairman Clay Bader. Roll call was had and those present were Chairman Clay Bader, Commissioner Harold McComb, Commissioner Honaker, Attorney Grace S. Merlo and Clerk Jean DeGraff. Others present were Ralph Rasor, Investigator, Betty Witherbee, Reporter, Gary Chaffin, Applicant and his

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, February 2, 1976

Attorney, Clifford Fossom. Many other interested persons were in attendance. Proceedings of this hearing were duly noted on cassette tape and marked and also recorded by Mrs. Witherbee. Exhibits were given and sparked as follows: for the applicant, #1 Letters from residents in favor of the license; #2 Floor plan of the building; #3 Rules and regulations of the 76 Club; #4 First petition circulated by the applicant. For the opposition A Petition containing 61 signatures of area residents in the two mile radius opposing the license. Decision was taken under advisement by the Board. They will render a decision on Monday, February 23, 1976 at 11:00 A.M.

Road Superintendent E. Boren reported on road conditions. Kyle Todd appeared stating that he could do some crushing of gravel for the County. He and Mr. Boren will check the pit and Mr. Todd can then give a solid price. R.C. & D. notified the Board that they have certain monies to use for flood control on County roads. Mr. Boren will check the areas. The Board they discussed opening roads for logging companies. Commissioner McComb made a motion to charge from this time on, 1/2 the cost of opening a road to the logging companies. Motion seconded by Commissioner Honaker and carried.

Sheriff Bob Hampton reported on the C.B. status. There have been problems in trying to reach the dispatch center on Channel 9. The people will be notified by the news media that if they cannot reach the dispatch center, please notify the Sheriff or a Commissioner if they can't get thru on an emergency situation. Sheriff Hampton submitted a report for 1975. He had received \$227.50 from the San Juan National Forest as per the agreement in 1975. Discussion was had on several problems in the new jail such as the freezer, heaters, and door hardware. These problems and other will be reported to the contractor.

Bids for printing vouchers were reviewed by the Board as follows:

Beaber Printing	5000 for \$96.20
Cortez Printers	5000 for \$85.20
Dolores Star Press	5000 for \$59.55

Commissioner Honaker made a motion to award the bid to the Dolores Star Press, seconded by Commissioner McComb and carried.

Board of Social Services conducted.

Extension Agents Bob Seaton and Norma Troyer reported on their activities. Ms. Troyer reported on sewing classes, 4H macramé project, home furnishings, young homemakers and reported that a pressure canner tester has been acquired. Mr. Seaton reported on Fairboard meetings and the Denver Stock show.

After discussion the Board decided to give the Sheltered Workshop an additional \$2000.00 to be paid out of Revenue Sharing funds.

Adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

Public Hearing - Feb 2, 1976  
3.2% Beer License - Gary Chaffin

Name -	Address -
Claine Riffey	Rt. 1 Box 75 Cortez, Colo. (Cortez)
W. C. Fleming Jr.	Rt. 1 Box 72 Cortez, Colo.
Marie Fleming	Rt. 1 Box 74 Cortez, Colo.
Emma Forest	Star Rt. #2 Box 10 Dolores Colo.
Frances M. Dunn	Star Rt. #2 Box 10-A, Dolores, Co.
Georgette Brossard	Rt. 1 Box 73 Cortez, Colo.
Paula Shepperd	Rt. 2 Box 27 Lewis, Colo.
Lid. Shepperd	
Everett Conrad	Box 784 Lewis, Colo.
Lynda Morris	Star Rt. 1 Box 5 Dolores, Colo.
Robert Morris	P.O. Box 1437 Cortez, COLO.
Stan Foster	Rt. #1 Box 59 Cortez, Colo.
Shirley Krasnicka	5 mi. S. of Cortez, Colo. (Cortez)
William L. Krasnicka	
June L. Leger	1012 S. Washington Cortez, Colo.
Chas. Chaffin	Rt. 1 Box 86 Cortez
Bernard Brown Jr.	Rt. 1 Box 76 Cortez
A. L. Lenz	Box 51 Lewis, Colo.
Mabel Lenz	Box 51 Lewis, Colo.
Betty Stanley	Lewis, Colo.
Stanley Rogers	Rt. 1 Box 85 Cortez
Sally Schlicher	Rt. #1 Box 87B Cortez, Colo.
Kitty Dumas	Box 675 Lewis, Colo.
Don Bunge	Star Rt. 2 Box 42 Lewis, Colo.
Valma Christensen	Star Rt. Box 25 Lewis, Co.
Jim Riffey	Rt. 1 Box 75 Cortez (Cortez)

## Minutes 02/02/1976 Regular

### 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 2<sup>nd</sup> day of February, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P2-76

WHEREAS: Elton J. and Jessie A. Kidd, owners of 80 acres more or less in the East One-Half, Northeast One-Quarter (E1/2 NE1/4) of Section 27, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 5 acres more or less to Donald R. and Marilyn Just, as a residential tract of land. A tract of land situated in the NE1/4 NE1/4 of Section 27, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at the Northeast Corner of said Section 27, thence along the center line of the Lebanon Road S 1 degrees 00' W

693.0 feet, thence S 89 degrees 30' W 328.57 feet, thence N 3 degrees 21' E 694.33 feet to the center line of the Arriola Road, thence along the said center line N 89 degrees 30' E 300.0 feet to the point of beginning and containing 5.0 acres, more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Jim Kidd, agent for Elton J. and Jessie A. Kidd, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulation stating that they are not subdividing their property in the intent of the regulations, but merely selling 5 acres more or less to Donald R. and Marilyn Just as a residential tract of land.

NOW THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

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

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado

## Minutes 01/26/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 26th day of January, A. D. 1976 there were present:

Clay V. Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous meeting held January 19, 1976 were read and approved.

County Clerk Jean DeGraff introduced Shelby Thomas of Gyrex Corp who explained a vote tally system for elections. Mr. Thomas stated that his company would like to have the Clerk use the system on the forth coming Primary Election at no expense to the County. Clerk stated that she would like to have the ballots printed locally and this will be checked. The Board agreed to try this system and discussed such as Datavote and Computer Elections System which the Board has seen demonstrated.

Clerk DeGraff then discussed hourly wages for experienced part time help, as opposed to inexperienced part time. The Board will determine guidelines for the future.

Investigator Ralph Rasor reported on the investigation of the 3.2% Beer License application of Gary Chaffin. He was given permission to discuss findings of the investigation with Mr. Chaffin five days prior to the public hearing which is set for February 2nd.

Wilbur Butler appeared requesting information about the County Road permits. He also reported that there was no closing sign on the Norwood Road.

Correspondence was read and contents noted. Included among others was a letter from the Division of Property Taxation in answer to an appeal from the County Assessor advising the Board that this Division can make a final determination as to wages of appraisers and clerks that they feel is needed in the Assessor's Office. They recommended that the assessor should have two appraisers and one clerk from Jan. 1 thru May 31st, 1976.

Nurse Supervisor Koppenhafer presented minutes of the last advisory board meeting in part as follows:

"Review and approval was made on medical policies and advisory Committee by-laws and self-evaluation guide." Discussion was had concerning a medical doctor for Health Department. Mrs. Koppenhafer stated that if an appointment was necessary, she would recommend Dr. Grabiell. The need of a City Directory was discussed.

Metropolitan Insurance Agents Ralph Christensen and Vern Kessler discussed a possible pension plan for the County. They will prepare and present a formal presentation later.

Custodian Steerman reported on remodeling the old jail for use by the Assessor's office. Another inspection of the area will be necessary.

Planner W. L. Glenn requested and was given tentative approval for a variance to the sub-division

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, January 26, 1976

regulations for Murray Gosnell.

Coordinator D. N. Denton presented the final copy of the "Affirmative Action Plan" for Montezuma County. The County must adopt a plan to be eligible for Federal funds. Commissioner McComb made a motion to approve the County Affirmative Action Plan. Seconded by Commissioner Honaker and carried. Resolution #1-76 was approved and signed. Mr. Denton they reported that the County road signs were ready to be picked up in Denver. He also reported on the Club "20" meeting. With approval of the Board, Mr. Denton has been appointed as Associate Director of Club "20".

Floyd Conner of the Circle C Trailer Court appeared to complain that his double wide mobile home was listed on the ad valorem tax rolls since 1974 and that he had paid specific ownership tax on said mobile home in 1974. He stated that he would rather pay the 9.0. tax as it was cheaper and didn't feel it should be on the tax rolls as it was not on a permanent foundation and the wheels and axles were still in tact. Assessor Denny recommended that the mobile home should remain on the tax rolls. Clerk DeGraff stated that the 1974 s.o. tax could be refunded if need be. The Board tabled the matter until they could investigate further.

Cortez City and Airport Manager Dwayne Longenbaugh appeared but had no business to discuss.

Road Superintendent E. Boren reported on road conditions. A right-of-way easement from Warren and Kathryn Snyder to Montezuma County was received and given to the Clerk for recording. Mr. Snyder reported that he would like to have a 24" culvert in exchange for the right-of-way. Mrs. Dolores Bankert appeared requesting repair and graveling of a 1/2 mile of road south of Arriola. The road had not been used too much in the past but they have purchased property along the road and would be moving there soon. The Board assured Mrs. Bankert that the necessary graveling would be close when the weather cleared and they could get the machinery there. Mr. Boren reported that the signs that had been posted at the Norwood road had disappeared.

Sanitarian Sawyer reported that Mr. Balliger had reviewed the land fill plans and approved them. He also questioned how to handle a septic permit that had been issued and not paid for. He was instructed to send another billing.

After discussion and viewing the situs of the Conner mobile home Commissioner Honaker made a motion that the mobile home be retained on ad valorem tax roll. Motion seconded by Commissioner McComb and carried. The Clerk will so notify Mr. Conner of the Board's decision and refund his 1974 specific ownership tax.

Application for a transfer of a 3.2% Beer License from Mr. Judson doing business as Judd's Market to Judith Patricia Clark was received. Investigator Rasor gave a favorable report. Commissioner Honaker made a motion to approve this transfer, seconded by Commissioner McComb and carried.

Veteran's Affairs Officer Bade McNeill reported that the copy machine in his office needs a service check. He also requested and received approval to pay his part time help \$2.30 per hour, the minimum wage.

Coordinator presented a rough draft of a building permit and was given permission to print them.

Board of Social Services conducted.

The Board proceeded to inspect the old jail.

Meeting was adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

## **Minutes 01/19/1976 Regular**

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

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 19th day of January, 1976 with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution #1-76

WHEREAS: It has become mandatory that an Affirmative Action Program be adopted by recipients to receive and expend certain Federal Funds, and

WHEREAS: Montezuma County does receive and expend such Federal Funds requiring an Affirmative Action Plan, and

WHEREAS: It is in the public interest that Montezuma County adopt an Affirmative Action Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado, hereby adopts the attached Affirmative Action Plan and makes such administrative directives as required.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado



Recorded at 8:45 o'clock A. M. January 27, 1976  
Reception No. 304992 Jean LeGriff Recorder Montezuma Co. Colo.  
EL.

BOOK 460 PAGE 728

This Agreement made this 21 day of January, 1976, by and between  
WARREN A. SNYDER AND KATHRYN E. SNYDER, of Montezuma County, Colorado, hereafter  
referred to as "Grantor" and COUNTY OF MONTEZUMA, COLORADO, hereafter referred to  
as "Grantee".

WITNESS THAT:

1. Grantor owns real property in Montezuma County, Colorado, over which the  
Grantee needs a road easement.
2. Grantee and Grantor agree that a road easement would inure to their mutual  
benefit.

NOW THEREFORE, in consideration of the premises for valuable consideration and  
the mutual benefit of Grantor and Grantee, it is agreed as follows:

Grantor does hereby grant and convey to Grantee for all time, its heirs,  
administrators, executors, or assigns, the right to build and maintain a roadway  
across a tract of land in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and Lot Two of Section Two, Township Thirty Five  
North, Range Seventeen West, N.M.P.M., being more particularly described as follows:

Beginning at a point on the existing right-of-way line of a county road in the  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 2, T.35N., R.17W., N.M.P.M., from which point the NE Corner  
of said Section 2 bears S.58°11'05"W. a distance of 2621.52 ft.;

thence, N.84°55'44"W. a distance of 158.68 ft.;

thence, N.66°33'45"W. a distance of 140.00 ft.;

thence, North a distance of 54.49 ft., along a fenceline;

thence, S.66°33'45"E. a distance of 312.27 ft., along the existing right-of-way  
line of a county road to the point of beginning and containing 0.26 acres, more  
or less.

and for mutual benefit and in consideration thereof, Grantee does give ten dollars  
and other good and valuable consideration.

BOOK 460 PAGE 729

IN WITNESS THEREFORE, the Grantor and Grantee hereto have set their hands the  
day and year first above written.

GRANTOR: WARREN A. SNYDER AND KATHRYN E. SNYDER

BY: Warren A. Snyder  
Warren A. Snyder

BY: Kathryn E. Snyder  
Kathryn E. Snyder

GRANTEE:

BY: Paul R. Bader  
Chairman, Board of Commissioners  
Montezuma County, Colorado

ATTEST:

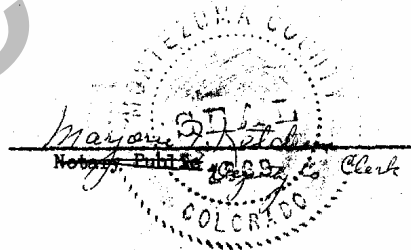
James D. Bader  
Montezuma County Clerk

STATE OF COLORADO )  
COUNTY OF MONTEZUMA ) ss.

Subscribed and sworn to before me this 21st day of January,  
1976, by Warren A. Snyder and  
Kathryn E. Snyder.

Witness my hand and official seal

My commission expires:



Minutes 01/19/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 19th day of January, A. D. 1976 there were present:

Clay Bader	Chairman
Harold McComb	Commissioner
Curtis Honaker	Commissioner
Grace Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the re-organizational meeting held 1-13-76 and the previous regular meeting held 1-12-76 were read and approved.

Correspondence was read and contents noted. Included among others was the following:

State warrant to County share Cigarette Tax - \$914.41

District Attorney payroll schedule for 1976

Notice of Social Service & Veteran's Affairs workshop

Notice of timber sale

The Board discussed Governor Lamm's recant recommendation to the President concerning the Dolores River as it pertains to the Wild and Scenic Rivers Act.

Petitions for abatement of taxes were received from Assessor Danny for Lloyd L. & Leonta Lewis, erroneous assessment, 1974 and 1975, \$62.73, and Four Corners Encampment, erroneous assessment, 1975, \$253.41.

Commissioner McComb made a motion to approve these abatements, subject to approval of the State Tax Commission. Seconded by Commissioner Honaker and carried.

Custodian Steerman reported on furnace problems.

Nurse Supervisor Frances Koppenhafer reported on the workshop she and Secretary Rita Wieland attended in Denver on Medicare Billing. She also reported an increase in scarlet fever and measles in the area.

Immunizations are being checked. Margaret Lyon, nurse, was given permission to attend a patient care workshop in Craig in February.

Dr. James Cuykendall, of the Health Planning Council appeared to inform the Board that Governor Lamm is putting on his call this year a law concerning public accountability of the Health Systems Agency whereby the Governor would appoint members of the 30 man governing Board. The Council feels that the Commissioners of each County should have the authority to appoint and remove members of this board. The Commissioners will work through the Colorado Counties Inc. to check into this.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date January 19, 1976

Planner W. L. Glenn requested and was given tentative approval for a variance to the subdivision regulations for the Sligar Sub-Division. Commissioner Honaker made a motion to accept the High View Acres Plat and give approval to develop tract three of said plat. Motion seconded by Commissioner McComb and carried. Coordinator Denton presented a letter from the Montezuma County Planning Commission recommending the adoption of the Arriola Landfill Site Engineering and Operation Plan. A contour map of ten acres of the site was displayed. These will be submitted to the Colorado Department of Health for certification. Also discussed was the County Affirmative Action Plan. The County has to adopt a plan in order to receive federal and state monies.

The Board accompanied Assessor Denny on a tour of the old Sheriff's offices and jail to see what must be done before the Assessor's Office could move into those quarters.

Human Resources Coordinator David Coe requested a change of his weekly standing appointment to a monthly appointment. He will meet with the Board the third Monday of the month. He informed the Board that Dorothy Wayt had been named chairperson of his advisory council.

Road Superintendent E. Boren reported on road conditions and equipment maintenance. The Road Department has started the McElmo project.

Predator permit applications were reviewed and approved.

J. Val Kruse of the Rauh Agency presented endorsements on additional boiler coverage.

After some discussion, it was decided to take the salary amount for an extra appraiser of the Assessor's salary schedule and put it under the temporary help item.

Assessor Denny discussed the salary of a new employee with the Board.

Board of Social Services conducted.

Assessor Denny presented a petition for abatement for Celia Bridgewater for double assessment for 1972, 1973 and 1974 in the amount of \$9.76. Commissioner McComb made a motion to approve this abatement. Seconded by Commissioner Honaker and carried.

Adjourned at 4:30 p.m.

Attest:

Clerk

Chairman

## Minutes 01/13/1976 Special

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Special

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Tuesday, the 13th day of January, A. D. 1976 there were present:

Curtis Honaker	Chairman
Clay V. Bader	Commissioner
Harold McComb	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

The Board of Commissioners met in special session.

Custodian Marion Steerman was given permission to purchase a scrubber for use at the Jail in the Justice Building at a cost of approximately \$500.

The Board then proceeded to re-organize for 1976.

Commissioner McComb made a motion to appoint Commissioner Bader as chairman for 1976. Seconded by Commissioner Honaker and carried.

Commissioner Bader made a motion to appoint Commissioner McComb as vice-chairman for 1976. Seconded by Commissioner Honaker and carried.

Commissioner McComb made a motion to appoint Commissioner Honaker as Commissioner of Deeds. Seconded by Commissioner Bader and carried.

Commissioner Bader made a motion to approve the following appointments:

County Attorney	Grace S. Merlo
Road Superintendent	Ernest Boren
Social Services Director	Maureen McNeill
Auditor	Gale Greenlee
Coordinator	D. M. Denton
Planner	W. L. Glenn
Veteran's Officer & Civil Defense Director	Dave McNeill
Bee Inspector	Wayne Dennison

and to approve the following depositories for County records:

Citizens State Bank, Cortez  
First National Bank, Cortez  
Dolores State Bank, Dolores  
Mancos State Bank, Mancos  
Mesa Verde Savings & Loan, Cortez  
Durango Savings & Loan, Cortez

Motion seconded by Commissioner Honaker and carried.

The following bids were received for the County legal publications for 1976:

Cortez Newspapers	- the legal-rate
Dolores Star Press	- 25% below legal rate
Mancos Times	- 15% below legal rate

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Tuesday, January 13, 1976

Commissioner Bader made a motion to accept the bid of the Dolores Star Press. Seconded by Commissioner Honaker and carried.

Coordinator Denton discussed discontinuing the flat retainer to Clark-Thomas Engineering Co. for engineering service. Fred Thomas was called in. Clark-Thomas will be paid retainer thru March of 1976, then will go on "as needed" basis. W. L. Glenn will do more on the engineering work.

Del Bessey of Mountain Bell explained the 2% Franchise tax on utilities for municipalities which has been billed to the County.

Treasurer Russell Hindmarsh reported the bookkeeping problems which would arise by the implementation of the billing procedure of American Assurance Co. It was the final opinion of the Board that they will not enter in to the billing arrangement as suggested by Bill O'Conner of the American Family Life Assurance Co. A letter will be written to the company so stating.

Steve Case of Accent Petroleum Co. of Golden introduced himself and visited with the Board.

Commissioner Bader made a motion to re-appoint Charlie Rogers to a four year term, Gary Mahaffey to a one year associate member and Chuck Davis to a year term 2nd associate member to the Montezuma County Planning Commission. Seconded by Commissioner Honaker and carried.

Commissioner McComb was re-appointed to attend the Colorado Counties Inc. weekly legislative meetings as he has done for the past two years, representing LaPlata, Dolores, San Juan and Montezuma Counties.

Re-imbursement of his travel expenses are as follows:

La Plata County	59%
Dolores County	7%
San Juan County	4%
Montezuma County	30%

Meeting adjourned at 2:30 P.M.

Attest:

Clerk

Chairman

Minutes 01/12/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 12th day of January, A. D. 1976 there were present:

Curtis Honaker	Chairman
Clay V. Bader	Commissioner
Harold McComb	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Minutes of the previous meeting held 1-5-76 were read and approved.

Correspondence was read and contents noted. Received, among others, was the following: Revenue Sharing warrant in the amount of \$38,929, Distribution account from let Nat'l Bank; Denver, Ormiston Fund, Check from Loffland Brothers for \$2500, settlement of road damage, Grant of Easement for Right-of-Way between the BIA as grantor and Montezuma County as grantee. An agreement for installing a field reference system of rural County roads between the Colorado State Highway Department and the County. December '75 reports of Sheriff, Treasurer, Clerk, and Veteran's Officer were reviewed.

Dale Welters reported that he is interested in being caretaker at any new land fill sites.

Commissioner McComb made a motion for the County to pay the County contribution of insurance for any employee who is ill and has used up all sick leave. Motion seconded by Commissioner Bader and carried.

Assessor Denny requested and was given permission to buy as calculators for his office from 1976 budget.

Application for transfer of a 3.2% Beer license from Judson to Judith Clark was received and referred to Ralph Rasor for investigation.

Joe Dean of Montezuma County Fairboard was given permission to purchase a public address system from 1975

budget, at approximately \$300.00.

Nurse Supervisor Frances Koppenhafer was given permission for herself and her secretary to attend a workshop for Medicare Billing procedures in Denver this week.

Sheriff Bob Hampton presented a copy of Notice of Disposal of Personal Property concerning a 30-06 rifle. He also reported that he had purchased a 1973 Plymouth car from the Colorado State Patrol for \$794.

Planner W. L. Glenn was given tentative approval for a request for an exemption to the subdivision regulations for Roger Davis to sell 32 acres.

Dennis Black of Colorado Western Real Estate reported that the property on the corner of 1st Street and S. Chestnut, Cortez is for sale at a price of \$50,000.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, January 12, 1976

General fund vouchers #31603 thru #31724 in the amount of \$23,362.95 and Road fund vouchers #2729 thru #2759 in the amount of \$13,560.08 were allowed and ordered paid.

Cortez City Manager Dwayne Longenbaugh stated a need for a meeting of the airport committee to set policy. FAA approval has been received for Nielson's hangar. Discussed other items pertaining to the Justice Building. Arnold Hampson of Nielson's Inc. presented revised and corrected agreements concerning Caldwell, Dolores and Cortez gravel pits. Agreements were signed and accepted.

Dan Bishop of the U.S. Forest Service discussed recreation maps. The Board reviewed maps and suggested certain corrections.

Road Superintendent Earnest Boren reported on road conditions and equipment.

Mr. Bill O'Conner of the American Family Life Assurance Co. offered a plan whereby one payroll deduction would be made by the County and employees would then be billed at home. Coordination of benefits discussed. A letter was shown by Mr. O'Conner from the State Insurance Commission stating there would be no conflict. A copy was requested by County Attorney G. Merlo, however Mr. O'Conner refused to leave a copy.

Board of Social Services conducted.

Mary Baker of Cortez Senior Americana introduced Kathy Taggart of the Mildred 4H Club who would like to use the new home for meetings. It was the feeling of the Board that the Senior Americans should make the decision.

Adjourned at 5:00 P.M.

Attest:

Clerk

Chairman



Minutes 01/05/1976 Regular

Page No. 1

Proceedings of the Board of Commissioners of Montezuma County, Colorado.

STATE OF COLORADO ss. At a Regular

County of Montezuma

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 5th day of January, A. D. 1976 there were present:

Curtis Honaker	Chairman
Harold McComb	Commissioner
	Commissioner
Grace S. Merlo	County Attorney
Jean DeGraff	Clerk

Absent: Clay V. Bader

Minutes of the meeting held December 22 were read and approved.

Arnold Hampson of Nielsons Inc. presented agreements concerning Nelsons commercial gravel pits known as the Cladwell Pit, Dolores Pit and Cortez Pit. Commissioner McComb made a motion to approve these agreements subject to including fences around the face of the quarry on completion of reclamation and also subject to any resource designation. Motion was seconded by Commissioner Honaker and carried.

Correspondence was read and contents noted. Received was the official notice of meeting from the State Highway Department, meeting date set for 11:30 A.M. on January 16, 1976. Offer to lease County owned oil and gas rights was received from Mountain Fuel. This offer was rejected as part of the acreage is already leased. Also received was a letter from Dr. E. G. Merritt concerning the appointment of a County Health Physician. This was taken under advisement. The Clerk reported that she had received a \$50.00 check from the Montezuma County Hospital District in payment of two ballot boxes which the District had not returned. Bookkeeper Marge Ketchem reported that she had received a recommendation from the County Auditor based on a directive from the State to change the method of paying salaries in the District Attorney's office. Commissioner McComb made a motion to accept this recommendation, seconded by Commissioner Honaker and carried.

Nurse Supervisor Frances Koppenhafer introduced a new County Nurse, Mrs. Willa Hodges.

Sheriff Hampton gave his monthly report for December, 1975. He was given approval to test drive a State Highway Patrol car for possible purchase. There are two cars available at approximate prices of \$772 and \$626. He requested and was given approval to purchase jail supplies, two slot guns and racks and three siren kits from Capitol Outlay. He also presented a State warrant in the amount of \$529.85 reimbursement for contracted employees.

Planner W. L. Glenn requested a variance to the sub-division regulations for Richard E. and Louise M. Bosley to sell 20 acres more or less in Section 16, T36N, R16W. Commissioner McComb made a motion to approve this request, seconded by Commissioner Honaker and carried. Resolution P1-76 was signed.

Mrs. Elaine Riffey inquired of the Board as to the neighborhood radius being investigated for the application for 3.2% Beer License of Gary Chaffin. This radius was set at 2 miles.

Attest:

Clerk

Chairman

Page No. 2

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, January 5, 1976

Coordinator Marshall Denton discussed the Regional Planning Commission, Standard Employment Application forms and the new plan that has been submitted for McElmo Curve #1. The BIA permit has not been received as yet.

Ralph Christensen, Metropolitan Insurance Agent, met with the Board concerning insurance status of Dewie Tate, a County Employee who is quite ill in the VA Hospital. Mr. Christensen recommended that the County continue coverage as long as the employee is disabled. The Board asked that Mr. Christensen and Mrs. Tate come in next week when the full Board is present to discuss this matter.

Robert Kennedy appeared to check on Predator permits.

Norman Schultz of the Department of Employment presented CETA contracts to be signed by the Chairman concerning employees in the Sheriff's Office. Contracts signed.

An offer to lease oil and gas rights was received from Trace Energy Co. Taken under advisement.

Copy of an order received from Power Motive on a new scraper for a total price of \$76,440.

Human Resource Coordinator David Coe visited with the Board. The Board appointed Dorothy Wayt to represent Montezuma County of the Human Resource Advisory Board. Mr. Coe reported that he is moving his office to the Extension Building in Durango. He will be in Cortez every Monday to meet with the Board.

1976 Predator Permits were approved.

General Fund salary warrants #2659 thru #2724 & #31602 in the amount of \$37,769.20 and Road Fund salary warrants #2487 thru #2520 & #2728 in the amount of \$27,029.78 were allowed and ordered paid.

City and Airport Manager Dwayne Longenbaugh reported that approval from FAA on Nielsons hangar has not been received as yet.

Road Superintendent E. Boren reported on road and equipment maintenance. He also reported that a tank belonging to Loffland Brothers had been moved in the County without a permit. Also discussed acquiring more property by the Lost Canyon shop. Adjacent property belongs to Mrs. Creston. Gravel leases were reviewed.

County Agent Bob Seaton was reminded that they cannot show overtime on time sheets. This will be corrected. He was given approval to hire a local person for summer extension work.

Fred Abbey visited with the Board concerning predator permits.

Irene Tate discussed insurance. This was tabled until next week when a full Board is present.

Architect Fred Grove reported on the completion of the Justice Building. Outside low walls cannot be completed until spring. He also discussed arrangements of final payments to Flaugh Construction Co.

Sanitarian Bob Sawyer reported that the Ramada Inn was closed for remodeling and submitted his yearly report for 1975.

Custodian Steerman reported on elevator problems.

County Attorney Grace Merlo and Attorney Sam Merlo presented a check from B. F. Walker Inc. in the amount of \$17,500 in settlement of road damage done in April, 1973. A check will be received from Loffland Brothers for \$2500.00 to complete the settlement. Releases were signed by Chairman Honaker.

Attest:

Clerk

Chairman

Page No. 3

Continuation of the Proceedings of the Board of Commissioners of Montezuma County, Colorado.

Date Monday, January 5, 1976

Mary Baker reported that the Senior Citizens are repairing the floor in the new building and they will make arrangements to pick up the stove from the old jail.

Board of Social Services conducted.

Adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

Online Copy

HAYDEN W. KANE  
JERRY A. DONLEY  
LEE R. WILLS

KANE, DONLEY & WILLS  
ATTORNEYS AT LAW  
P. O. BOX 1481  
301 SOUTH WEBER STREET  
COLORADO SPRINGS, COLORADO  
80901

TELEPHONE  
303 471-1650

December 26, 1975

Merlo & Merlo  
Attorneys at Law  
Box 666  
Cortez, Colorado 81321

Re: Montezuma County v. B.F. Walker, et al

Gentlemen:

Enclosed is our settlement draft in the amount of \$17,500, together with a Release to be signed by your client. After you and Mr. Wilson have signed the Stipulation, please file it together with the Order with the Court. I would appreciate receiving the original Release, a signed copy of the Stipulation and a conformed copy of the Order of Dismissal.

Thank you for your cooperation.

Very truly yours,

KANE, DONLEY & WILLS

Lee Wills

LW/cg  
Encl.

TRIBAL TRUST X  
UTE MOUNTAIN UTE TRIBE

GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the United States of America, acting by and through the Area Director, Albuquerque Area Office, Bureau of Indian Affairs, Department of the Interior, Albuquerque, New Mexico, hereinafter referred to as "Grantor", under authority contained in 10 BIAM 3.1, and pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 17, U.S.C. 323-328), and Part 161, Title 25, Code of Federal Regulations, in consideration of \$150.00 the receipt of which is acknowledged, does hereby grant to Montezuma County Board of Commissioners, Montezuma County, Colorado, its successors and assigns, hereinafter referred to as "Grantee" an easement for additional right-of-way for County highway known as McElmo Canyon road, consisting of the right to enter upon the hereinafter described land, grade, level, fill, drain, pave, build, maintain, repair, and rebuild a public road, including incidental purposes consistent therewith, together with such bridges, culverts, ramps, and cuts as may be necessary, over, across, in and upon the following described tribal trust land of the Ute Mountain Ute Tribe, located on the Ute Mountain Reservation in Montezuma County, Colorado.

Within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Lot 2 & 3, Section 2, T. 35 N., R. 17 W.  
New Mexico Principle Meridian, Colorado

The said easement, as shown on map of definite location  
attached hereto, for the project is limited to and more  
particularly described as follows:

LEGAL DESCRIPTION

An easement for purposes of a roadway in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Lot 2 and Lot 3, all of Section 2, T.35N., R.17W., N.M.P.M., being more particularly described by metes and bounds as follows:

Beginning at a point on the southerly R/W line of the existing McElmo Canyon Road in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 2, T.35N., R.17W., N.M.P.M., from which point the NE Corner of said Section 2 bears N.58°11'05"E. a distance of 2621.52 ft.;

Thence, N.84°55'44"W. a distance of 158.68 ft.;

Thence, N.66°33'45"W. a distance of 266.80 ft.;

Thence, N.80°28'26"W. a distance of 258.02 ft.;

Thence, S.74°25'40"W. a distance of 355.30 ft.;

Thence, S.84°31'55"W. a distance of 142.51 ft.;

Thence, S.74°25'40"W. a distance of 379.90 ft. to the existing northerly R/W line of the existing McElmo Canyon Road;

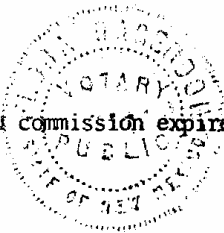
A C K N O W L E D G M E N T

STATE OF NEW MEXICO )  
                                  ) ss  
COUNTY OF BERNALILLO)

BEFORE ME, a Notary Public, in and for said County and State, on this  
7<sup>th</sup> day of January, 1976, personally appeared Patrick L. Wehling  
\_\_\_\_\_, whose name is subscribed to the foregoing Grant of Easement  
for Right-of-Way and who acknowledged that he is, and was at the time of signing  
same, Acting Assistant Area Director, Resource Development <sup>Protection</sup>, Albuquerque Area Office,  
Bureau of Indian Affairs,; and he personally acknowledged to me that he executed  
the said Grant of Easement for Right-of-Way as his free and voluntary act and  
deed for the uses and purposes set forth therein.

Flora Hagerdon  
Notary Public

My commission expires: September 19, 1979



## Minutes 01/05/1976 Regular

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 5th day of January, 1976, with the following persons in attendance:

Commissioners: Clay Bader, Harold McComb and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P1-76

WHEREAS: Richard E. and Louise M. Bosley, owners of 40 acre more or less in the Southwest One-Quarter of the Southeast One Quarter (SW1/4 SE1/4) of Section 16, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 20 acres more or less to a separate party. A tract of land in the Southwest One-Quarter Southeast One-Quarter (SW1/4 SE1/4) of Section 16, Township 36 North, Range 16 West, N.M.P.M., being more particularly described as follows:

The West One-Half, Southwest One-Quarter, Southeast One Quarter (W1/2 SW1/4 SE1/4) of Section 16, Township 36 North, Range 16 West N.M.P.M., Montezuma County, Colorado, and containing 20 acres more or less.

WHEREAS: The Montezuma County Subdivision Regulations provide that such division of land is subject to these regulations except as exempt by the Montezuma County Board of Commissioners.

WHEREAS: Lyman Black, agent for Richard E. and Louise M. Bosley, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are not subdividing their property in the intent of the regulations, but merely selling 20 acres more or less to a separate party as a residential tract of land.

NOW THEREFORE: The Board of County Commissioners of Montezuma County finds that this division of land does not create situations intended to be regulated by the Subdivision Regulations and further finds that the division of lands is compatible with the County Master Plan. The exemption is hereby granted; however, it is further directed that should any further division of this land occur, a Subdivision Plat will be filed.

Commissioners voting aye in favor of the Resolution were:

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing 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.

(SEAL)

County Clerk and Recorder  
Montezuma County, Colorado