

## 1977 Montezuma County Commissioners' Minutes

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December 2002

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## Summary of Minutes – 1977

### COMMISSIONER'S MINUTES

1977

JAN 03 RES 1-77 Creation of Region 9 Commission. PLANNING> TA-Caldwell

JAN 10 PLANNING> P1-77-Caldwell; P2-77-Roseberry; DOLORES DUMP> to be closed;

JAN 11 REORGANIZATION FOR 1977; Appointments, depositories, etc.

JAN 17 PLANNING> P3-77-Lee; P4-77-Hicks, TA-Kirks, Ogier; PURCHASE>26 S Elm, 4 lots \$39,500 out of Revenue Sharing funds.

JAN 24 RES 2-77, Oil and Gas Lease to Gerald Bailey;

JAN 31 BEE INSPECTOR will not be appointed; PERSONNEL SALARIES: Department heads met to discuss salaries,

FEB 07 BEE INSPECTOR need not be appointed per Dept of Ag as there is a State Beekeeper available. PLANNING; TA Kaiser and Littlefair. 1041 audit. ALARM system set in Clerk's, Treasurer's and Court. Clerk's offices. SAFEWAY store.

FEB 14 PLANNING: TA-Butler disapproved for 1.5 acres; approved for 3 acres. SOCIAL SERVICES-DA Title 4D monies.

FEB 22 PLANNING; P5-77- Kaiser TA's Umberger, Glenn Thompson and Marie Higgins. 701 funding. HOUSING AUTHORITY BOARD APPOINTMENTS; Henneman, Ray, DiRe, Fredricks, Boyd. TIME SHEETS to be rec by the 28th of each month except February.

FEB 28 PLANNING; P6-77-Higgins; SANITARIAN John Allar appointed.

MAR 07 PLANNING: TA's, Frazier, Jacques, Stephens, Spencer, Lewis, Winemiller, Pritchett and Marlow.

MAR 08 PUBLIC: HEARING: 3.2% fermented Malt Beverage License Applicant. Gary Chaffin dba "76" Club.

MAR 14 PLANNING: P7-77-Winemiller; P8-77-Umberger; P9-77-Jacques. RES 4-77 Mo/Co has entered into a contract with USDA, soil conservation, cost to be paid out of Conservation Trust Funds. MANCOS FIRE PROTECTION DISTRICT service plan. "76" CLUB 3.2% beer license approved.

MAR 28 RES 5-77 Mancos Fire Protection District. PLANNING: P13-77-Dean-P15-77-Littlefair-P16-79-Decker

APR 04 PLANNING: P-17-77-Fairbanks, P13-77-Fossurci & Patten. RES 6-77 Approval of "76" Club license with stipulations. PARKING problems.

APR 11 PLANNING: TA Bankert. DANCE HALL LICENSE: "76" Club.

APR 13 PLANNING: P22-77 Wright.

APR 25 RES 7-77- Request to Gov to have Mo/Co designated as disaster area due to draught. ORDER -Ormiston Fund - Stroud. RES 3-77 - Mancos Fires Prot Dist.

PLANNING: P23-77-Murphy. PLAT-amended High View Acres approved. PUBLIC HEARING on Mancos Fire Prot Dist.

MAY 02 PLANNING: TA. Parga, Neely

MAY 09 PLANNING: P23-77- Parga TA Kilby, Boyd, Weaver.

MAY 16 PLANNING: P25-77-Weaver, Jr. P26-77-Kilby.

MAY 23 PLANNING; TA-Mikkelson, Groves. Prelim App given for Escalante Trails S/D.

JUN 06 PLANNING: P29-77-Mo/Co s/d variance relating to road specs be granted. P31-77-Spencer. Aspen Glen s/d, Decker s/d approved. TA Maley, Williamson.

EMERGENCY FIRE FUND contract signed with CS Forest Service and Sheriff.

JUN 13 PLANNING; P33-77-Williamson P36-77-Dean TA's Todd, Everett, Chandler, Hawkins. LIQ LIC renewal 3.2% Fairbanks dba Ute Mtn Mkt. Stagecoach to expand.

JUN 20 PLANNING: P37-77-Maley-P38-77-Fischer-P39-77-Neely-P40-77-Chandler-TA-Ken Williamson.

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## COMMISSIONER'S MINUTES

1977

CONT'D

JUN 27 PLANNING: P42-77-Williamson, P43-77-Boyd, P46-77-Hawkins, P47-77-Ogier, P48-77-Rogers, LIQLIC renewal, Gregory dba Priest Gulch.,

JUL 05 PLANNING: P50-77-Penasa, P49-77-Mikkelsen. MANCOS SENIOR CITIZENS purchased a piano.

JUL 11 PLANNING: petition to release prot cov for High View Acres s/d RES 9-77 for release. TA Rule, Bultsman. ORDER Ormiston fund-STroud. CTZ Senior Citizens, motion to pay for a broken window.

JUL 18 PLANNING: P31-77A-Spencer, P50-77-Bultsma VET budget increased. PUBLIC HEARING; 3.2% beer license for Lee dba Mesa Verde Point Kampark, approved. BD OF EQUALIZATION Lively.

JUL 21 BD OF EQUALIZATION

JUL 25 PLANNING: TA J T Wilkerson.

AUG 02 RES 10-77 no plans for const of a Co rd bet Sect 31 and 32, T35N, R16W. ABSTRACTMENT of assessment for 76 presented.

AUG 08 CENSUS dress rehearsal will be held 1978. BUDGET cost study signed.

CONTRACTS signed city, county and Durango Car Rentals.

AUG 15 PLANNING: P51-77--Comprehensive planning plan P52-77-Rule, P53-77-Simmons. RES 11-77 Allocation of mineral leasing monies.

AUG 22 PLANNING: P54-77-Todd TA Murray. Prelim plat Escalante trail s/d approved. Canyon Rim Acres s/d sketch plan approved; LIQLIC 3.2% beer license transfer Sorenson dba Roundup Store.

AUG 29 PLANNING: P55-77 Murray- TA Powell, Wolf. BOOKKEEPER request by a credit union for a pay roll deduction denied. ASSESSOR salaries adjusted. DOLORES SR CIT request financial help. SALARIES adjusted.

SEP 06 PLANNING: P56-77-Wolf. TA's Hackett, Dean, Bass, decker, Hildebrand, Bradley, Dean.

SEP 12 PLANNING: P57-77-Dean, P59-77-Dean, P60-77-Wilkerson, Fischer, P61-77-Decker, P62-77-Hayden. TA/s Calhoun, Wilderson. SUMMONS served by Hampton All Car Leasing Service and San Juan Nat'l Bank of Farmington Plaintiffs vs the County in re three trailers purchased by the County 1-77.

SEP 19 LIQLIC renewal Winters dba Stoner Alpine Lodge. Transfer 3.2% beer license to Mildred Lindsay dba Lindsay Trading Post. Approved. CUSTODIAN approved to install new thermostats in old courthouse.

SEP 26 PLANNING; P63-77-Sligar HOLIDAYS Veteran's Day 1977 will be observed November 11 and that Columbus Day not. be observed this year. EMS officially recognized as a body of the County.

OCT 03 RES 12-77 and 13-77 extending sympathy to families of Edward Krocesky and Ed Holman of Chaffee County PLANNING: P64-77-Powell. TA's Martin, Wilson, Haring, Krater.

OCT 10 PLANNING: TA's Steerman, Stacy, Johnson. P65-77-Haring; P66-77-Lewis; P67--77-Martin.

OCT 17 PLANNING: P68-77-Bass; P69-77-Wilderson; TA's Harell. PUBLIC HEARING Proposed Use Hearing for Revenue Sharing Funds.

OCT 24 PLANNING: P71-77-Krater; P70-77-Harrell; Canyon Rim Acres s/d plat approved. TA Knapp. CUSTODIAN thermostats in old building.

OCT 31 PLANNING: P72-77-Knapp; TA's Sloan, Moore; ROADS 1.3 mi into PUett Res. Purchase Austin Western Grader \$84,720.17 approved. PLYWOOD PLNT EQUIP>



Bid to Montelores Dev on office equip \$3010.00 accepted. ELECTIONS CES system purchased \$31,478.50 and \$2748.26 interest paid over a 3 year period beginning 2-1-78. EMT's to be trained for ambulance effect 1-1-78. PUBLIC HEARING: proposed 78 budget and R/S budget. Approved.

NOV 07 PLANNING: P73-77-Brown - P?-77-Bradley TA's Dickey, ROAD abandon old Road 29 in preference of new Road 29. RES 15-77 signed. RES17-77 appointing DA as Sheriff's legal representative.

NOV 14 PLANNING: P75-77-Wilson, P76-77-Bailey, P77-77-Dickey, P78-77-Stacey, P79-77-Calhoun, Cancel P37-73-Bailey LIQLIC 3.2% license renewal Diamond J Trl Supply, Retail License for Jesser Liquors. BUDGET amended transfer \$50,000 from R/S to General.

NOV 21 PLANNING: TA's Smith. PLAT Allum Properties s/d approved. RES 17-77 DA to represent Public Trustee in a lawsuit. RES 18-77 over size and over weight vehicles.

NOV 28 PLANNING: P81-77-Smith TA's Merritt, Darland, Frazier. ELECTIONS: precincts designated and numbered.

DEC 05 PLANNING: P82-77-Merritt, P83-77-Sloan, P84-77-Frazier. TA's Leonard, Spellmeyer. LIQLIC 3.2% renewal Chaffin dba Arriola Store. SHERIFF bids on cars. RES 19-77 authorizing Chm to sign SHD contract.

PUBLIC HEARING: Retail liquor license for Johnson dba Dawson Lake Store. PUBLIC HEARING: 3.2% license for Wells dba Stoner Creek Store.

DEC 12 PLANNING: P85-77-Johnson, P86-77-Godfrey. TA's Wallace, Hayes. RES 20-77 EMT program.

DEC 19 ORDER - allocation of Federal Forest monies. PLANNING: P86-77-Godfrey; P87-77--Hayes; P88-77 Darland; P89-77-Fox TA's Martin tabled pending a survey. RES 22-77 approval of Retail Liquor Lic for Dawson Lake Store. CLERK served with a notice of condemnation on land owned by Fred Cline et al.

## Minutes 12/19/1977 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 December, A. D.

1977 there were present

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held December 12, 1977, were read and approved. Commissioner Bader made a motion that a warrant be issued from the Airport fund in the amount of \$12,500 to the City of Cortez. Motion seconded by Commissioner Ray and carried.

December payroll will be paid December 30, 1977.

Petitions for abatements of property tax were presented as follows: Ditlev Thyssen, erroneous assessment, \$36.69. Loffland Brothers Co., erroneous assessment, \$818.14. Richard L. & Charlotte A. Rising, erroneous assessment, refund, \$578.76.

Commissioner Bader made a motion to allow these petitions, seconded by Commissioner Ray and carried.

General Fund Vouchers #35276 thru #35293 in the amount of \$2,456.58 and Road Fund Vouchers #3641 thru 1#3648 in the amount of \$666.30 were allowed and ordered paid.

A report on the San Juan Regional Commission meeting held last Wednesday was given by Commissioner Bader.

Dr. Griebel and Nurse Koppenhafer reported for the Health Department. R.N. LaVena Saunders was hired to replace Nurse Hodges effective 1/1/78 and R.N. Geraldine Mitchell has been hired for the new public nurse position. Emergency Medical Technicians program was discussed. Commissioner Ray made a motion to approve the ambulance license applications received. Seconded by Commissioner Bader and carried.

Planner Glenn presented requests for variances to the sub-division regulations as follows:

Norman and Ruth V. Darland to sell 19.49 acres in Section 5, T36N, R15W to a separate owner. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P88-77 was signed. Samuel A. & Liliane L. Fox to sell 15 acres in, Section 5, T36N, R16W to a separate owner.

Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P89-77 was signed. Leis B. & Jessie Hayes to sell 20 acres in Section 8, T36N, R16W to a separate owner. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried.

Planning resolution #P87-77 was signed. The property description on planning resolution #P86-77 was corrected. A request for a tentative approval for a variance to the sub-division regulations for Neales Martin was tabled pending a survey.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, December 19, 1977

Coordinator Denton presented a corrected rough draft copy of the possible personnel policy for the Commissioner's review. State Highway Department has sent contracts for Road 25. A resolution must be drawn up for passage by the Board. Mr. Denton and Mrs. Merlo will study the contracts. Mobile home permits for County roads were discussed. Tabled. A letter was written to the Department of Interior concerning granting of rights-of-way. Wastewater treatment program of the City of Cortez was discussed. The Board will discuss this with the Sanitation District.

Maxine Maestas and Bob Parga, members of the Board of Directors for the Community Center discussed their need for financial help in acquiring a new building for the Center. Cortez City Manager Roy Henneman and Cortez Sanitation District member Joe Jarvis discussed the wastewater treatment program. A public hearing on this matter will be held tomorrow evening at the City Hall. A Commissioner or a member of the Planning Commission should attend. Justice Building report was given.

Supervisor Boren gave the road report. Marion McGeachie reported that the road into Highland Terrace sub-division has been dedicated to the County. Boren has inspected the road and it is acceptable to the County. A survey will have to be made. Tabled. The Board discussed with Mr. Boren the possibility of the shop doing more of the work on County vehicles other than road equipment. Tabled.

Board of Social Services conducted.

County Treasurer Hindmarsh reported that Federal Forest monies have been received in the amount of \$83,549.39. Commissioner Bader made a motion that 5% of these monies would be marked for public schools and 95% would be marked for County Road and Bridge. Motion seconded by Commissioner Ray and carried.

It being 3:00 P.M. the time set aside, a decision was made on the Retail Liquor License application for Paul G. Johnson doing business as Dawson Lake Store. Commissioner Bader made a motion to approve this application, seconded by Commissioner Ray. A roll call vote was taken as follows:

Commissioner Bader -aye

Commissioner Ray -aye

Commissioner Honaker - aye

Motion was carried. Resolution of decision #21-77 was adopted (see attached)

Clerk DeGraff reported that a notice of condemnation was served on her as Clerk to the Board by Federal District Court, on Tuesday, December 13, 1977. This concerns land owned by Fred Cline et al where the Dolores-McPhee Dam will be built. Copy was turned over to County Attorney Grace Merlo.

Treasurer Hindmarsh presented his quarterly report as Public Trustee.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk Chairman

RESOLUTION NO. 21-77

It was moved by Commissioner Bader and duly seconded by Commissioner Ray that the following resolution be adopted:

WHEREAS, PAUL G. JOHNSON, doing business as DAWSON LAKE STORE, submitted an application to the County of Montezuma requesting the granting of a Retail Liquor Store License at the location described as follows:

A tract of land located in the NW/4 of Section 7, Township 37 North, Range 16 West, N.M.P.M. (10.33 acres) at the junction of Highway 666 and 187 and approximately one mile south of Lewis Colorado, and

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado scheduled a public hearing on said application for December 5, 1977 at 3:00 o'clock P.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 said public hearing took place in the Commissioners' Room in the Montezuma County Courthouse, Cortez, Colorado on the date and time as above set; and,

WHEREAS, at said public hearing the application was reviewed by the Commissioners and the Investigator's Report presented by Mr. C. Razor stated that a poll of the neighborhood showed that 27 persons were in favor of granting the license, 21 persons were against granting the license, and 8 persons were neutral, and there were no complaints or criticisms of the applicant's character, and,

WHEREAS, at said public hearing, the applicant, through his attorney Clifford C. Fossum, presented evidence showing the character of the applicant, his past experience,

his residence, the layout of the building where the outlet would be located, the character of the neighborhood, the hours his business would be open. The applicant further presented evidence as to the need for such an outlet by showing that there is no similar outlet in the neighborhood, the nearest one being in the Town of Dolores, Colorado, eight miles away, and the applicant stated that he had received numerous requests from people living in the neighborhood, as well as tourists, to establish such an outlet when he was operating the Roundup Store located near the same location as the proposed outlet. The applicant also presented testimony from Charles L. Jenkins, Wanda Turner and Betty Leonard, all being residents in the neighborhood and who stated that they felt there was a need for such an outlet. Sheriff Hampton questioned the applicant concerning hours, insurance and a burglar alarm system and expressed concern regarding the close proximity of Club 76. Testimony was presented in opposition to the granting of the license by Charles McAfee and Dorothy Gilliland. A petition in opposition was also submitted by Mrs. Gilliland, and,

WHEREAS, the public hearing was closed on the same day and the matter was taken under advisement by the Commissioners, and the Commissioners, after reviewing all of the testimony, evidence and exhibits, have made a decision in regard to said application.

NOW, THEREFORE, BE IT RESOLVED that the application submitted by Paul G. Johnson, d/b/a Dawson Lake Store, for a retail liquor store license at the above described location, be granted for the following reasons:

1. Desires of the Inhabitants. The applicant testified that he had received numerous requests to establish such an outlet. The investigator's report indicated there

were more persons in favor of the issuance of the license than were opposed to it. With respect to the petition in opposition, it was noted that the person who presented this petition stated that she found only one person in favor of the proposed outlet, which appears to be contra to the findings of the investigator appointed by the Board of County Commissioners.

2. Needs of the Neighborhood. There is no similar outlet in the neighborhood, and the evidence showed that the nearest one was eight miles distant in the Town of Dolores, Colorado.

Commissioners voting aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray,  
and Clay Bader.

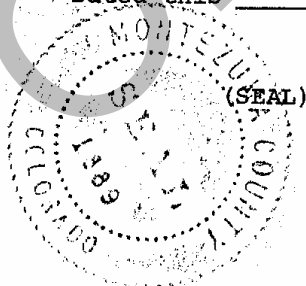
Commissioners voting Nay: None

*[Signature]*  
County Clerk & Recorder  
Montezuma County, Colorado

*Curtis Honaker*  
*Floyd M. Ray*  
*Clay V. Bader*

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 19th day of December, 19 77.



*[Signature]*  
County Clerk & Recorder of  
Montezuma County, Colorado

## **Minutes 12/12/1977 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 December 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P86-77**

WHEREAS: Delmar R. and Mary Godfrey, owners of 60 acres, more or less, in the SE1/4 of Section 22, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 10.95 acres, more or less, to M.F. McGechie as a commercial tract of land.

A tract of land in the SE1/4 of Section 22, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the SE1/4 of Section 22, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 22 bears S.52 degrees 51'25"E. a distance of 1572.38 ft.;

thence; N.89 degrees 32'00"W. a distance of 409.78 ft.;

thence; N.33 degrees 26'50"W. a distance of 259.70 ft.;

thence; N.08 degrees 20'12"W. a distance of 177.25 ft.;

thence; N.25 degrees 12'23"E. a distance of 186.53 ft.;

thence; N.55 degrees 56'27"E a distance of 309.04 ft.;

thence; S.42 degrees 30'00"E. a distance of 208.70 ft.;

thence; N.68 degrees 43'00"E. a distance of 385.44 ft. to the westerly R/W line of U.S. 666;

thence; S.45 degrees 21'15"E. a distance of 235.71 ft. along the westerly R/W line of U.S. 666;

thence; S.50 degrees 30'30"E. a distance of 292.39 ft. along the westerly R/W line of U.S. 666;

thence; N.89 degrees 32'00"W. a distance of 647.32 ft.;

thence; S.0 degrees 28'00"W. a distance of 377.00 ft. to the point of beginning, and containing 10.95 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: Delmar R. Godfrey appeared before the Montezuma County Planning Department in behalf of himself and his wife, Mary Godfrey, 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 10.95 acres, more or less, to M. F. McGechie as a commercial tract of land. He further stated that this is isolated from the rest of his property because of Hartman Draw Creek. This 10.95 acres, more or less, lies on the East side of Hartman Draw Creek.

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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

Commissioners absent:

County Clerk and Recorder

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

Online Copy



**Minutes 12/19/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings among others, were taken:

**RESOLUTION P87-77**

WHEREAS: Lois B and Jessie Hayes, owners of 40 acres, more or less, in the NE1/4 NW1/4 of Section 8, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 20 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the NE1/4 NW1/4 of Section 8, Township 36 North Range 16 West, N.M.P.M., Montezuma County, Colorado more particularly described as the West One-Half, North East One-Quarter, North West One-Quarter, (W1/2 NE1/4 NW1/4) of said Section 8.

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 Black, agent for Lois B. and Jessie Hayes, 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 half their land 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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)

## **Minutes 12/19/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P88-77**

WHEREAS: Norman and Ruth V. Darland, owners of 36.50 acres, more or less, in NA, of Section 5; Township 36 North, Range 15 West, N.M.P.M., and in the NE1/4 of Section 6, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 19.49 acres, more or less to a separate owner as a residential tract of land.

A tract of land in the Northwest 4 of Section 5, T.36N., R.15 W., N.M.P.M., and in the NorthEast 1/4 of Section 6, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, and more particularly described as follows:

Beginning at a point which is the SouthEast corner of Section 31, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado; East a distance of 30.00 feet; thence; South 1 degrees 05' E. for a distance of 343.61 feet;

thence; S. 45 degrees E. a distance of 87 feet;

thence; S. 88 degrees 19'48"E. a distance of 1309.36 feet;

thence; S. 1 degrees 23'29"E. a distance of 615.39 feet;

thence; N. 88 degrees 19'48"W. a distance of 1369.34 feet;

thence; N.0 degrees 00' a distance of 614.77 feet;

thence; N.88 degrees 19'48" a distance of 45.00 feet;

thence; N. 1 degrees 05' W. a distance of 403.61 feet;

To the point of beginning, and containing 19.21 acres, more or less, in Section 5, T.36N., R.15W., N.M.P.M., and .28 acres in Section 6 T.36N., R.15W., N.M.P.M.

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 Harman, agent for Norman and Ruth V. Darland, 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 19.49 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 12/19/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

Commissioners absent:

the following proceedings, among others, were taken:

#### **RESOLUTION P89-77**

WHEREAS: Samuel A. and Liliane L. Fox, owners of 40 acres, more or less, in the SW1/4 SW1/4 of section 5, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 15.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SW1/4 SW1/4 of Section 5, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the SW1/4 SW1/4 of Section 5, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SW Corner of said Section 5 bears S.01 degrees 54'02"W. a distance of 238.55 ft.;

thence; N.0 degrees 18'51"E. a distance of 329.36 ft. along the east R/W line of the County Road;

thence; East a distance of 1248.27 ft.;

thence; S.0 degrees 18'51"W. a distance of 533.33 ft. to the north R/W line of the county Road;

thence; S.89 degrees 17'06"W. a distance of 1049.31 ft. along the north R/W line of the County Road;

thence; N.42 degrees 21'37"W. a distance of 293.75 ft. to the point of beginning, and containing 15.00 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 Samuel A. and Liliane L. Fox, 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 15.00 acres, more or less, to a separate owner as a residential tract of land.

NOW, THEREFORE, BE IT RESOLVED tat 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

**Minutes 12/19/1977 Regular**

CERTIFIED COPY OF ORDER - Sentinel, 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 19<sup>th</sup> day of December, A. D.

1977 there were present:

Curtis Honaker	Chairman,
Floyd Ray	Commissioner,
Clay Bader	Commissioner,
Grace Merlo	County Attorney,
Jean DeGraff	Clerk,

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

County Treasurer Hindmarsh reported that Federal Forest monies have been received in the amount of \$85,549.39. Commissioner Bader made a motion that 5% of these monies would be marked for Public Schools and 95% would be marked for County Road and Bridge. Motion seconded by Commissioner Ray and carried unanimously.

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 19th day of December, A.D. 1977.  
County Clerk.

## Minutes 12/12/1977 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, Monday, the 12th day of December, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held December 5, 1977, were read and approved.

Roger Davis complained about the noise from the "76" Club. His home is a mile from the club. The worst noise is when a live band is playing. Commissioner Ray offered to come out to his house if Mr. Davis would call when the noise is bad.

Miscellaneous correspondence was read and contents noted. Clerk's, Treasurer's and Sheriff's reports for the month of November were reviewed. State warrant in the amount of \$749.55 was received for County Share of cigarette tax. Oil and Gas rental in the amount of \$197.05 was received from Bridwill Oil Co.

Sheriff Hampton gave his report. He also discussed the insurance claim on the car that burned last week. Hampton would like to buy the car back from the insurance company if it's not too much, and use certain parts in other vehicles. This was tabled pending receipt of the cost. Welding of exhaust system on generator at the Justice Building was discussed.

Dr. Griebel and Nurse Koppenhafer reported for the Health Department. In regards to the State contract for the WIC program, they wanted to know the dollar amount. Clerk stated that a copy of the contract was not kept and none of the Board members could remember the amount. Since these salaries will have to be paid out of the Health budget, the budget will look as if it is over but the State will reimburse these amount.

Sanitarian reported that a sewer system was installed at the Blue Door sub-division. They system is not right and was installed without a permit. The permit was applied for after the fact. A former Sanitarian had requested that a different type aeration system be installed and the request had not been done. The system is in and covered and was not inspected. Mr. Allar will talk to the owner, Mr. Denny.

Planner W. L. Glenn requested and received tentative approval for a variance to the subdivision regulations for Lloyd S. Wallace to sell 10 acres and for Lois & Jessie Hayes to sell 20 acres. Commissioner Ray made a motion to grant a variance to the sub-division regulations for Delmar R. and Mary Godfre to sell 11.40 acres to M. F.

McGeachie in Section 22, T36N, R16W. Motion seconded by Commissioner Bader and carried unanimously. Planning resolution #P86-77 was signed. Commissioner Ray made a motion to grant a variance to the sub-division regulations for Van Johnson to sell 4.14 acres to a separate owner in Section 30, T36N, R15W.

Motion seconded by Commissioner Bader and carried, unanimously. Planning resolution #P85-77 was signed.

Attest:

Clerk Chairman

DEC 20 1977

Page No. 2

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

Date Monday, December 12, 1977

Coordinator Denton discussed the State Highway request of input from the County for the January meeting. Emergence Medical Technician law was discussed. A resolution needs to be made before 1/1/78.

George Waterman of Tour Ice Co. appeared with verifications of equipment prices as requested by the Board last week. Assessor Denny and Appraiser Hanson were called in. Mr. Waterman will work with Mr. Denny on this matter.

Assessor Denny discussed the hearing to be held next week in Denver on the Hopperton case. Mr. Denny will represent the County.

After discussion the Board ordered that the County offices will be closed on Friday, December 23, 1977 and also Monday, December 26, 1977. The Road Department will also be closed, weather permitting.

Road report was given by Supervisor Boren. There have been complaints of the Cortez dump road and McElmo road. It has been too dry to grade but an attempt will be made this week. Letter was received from the Town of Dolores requesting some work at the Dolores landfill site. Mr. Boren stated that he needed a conveyor. He will check with LaPlata County as they have one for sale. It was approved to have approximately 8000 tons of 3/4 inch gravel crushed by Mountain Gravel at \$2.25 per ton plus what they owe us. Also approved to hire some welding done on the exhaust system of the generator. General Fund Vouchers #35143 thru #35275 in the amount of \$18,520.00, Road Fund Vouchers #3608 thru #3640 in the amount of \$6,849.55, Public Works Voucher #157 in the amount of \$309.96 and Contingency Fund Voucher #92 in the amount of \$9.63 were allowed and ordered paid.

Board of Social Services conducted.

Coordinator Denton presented a resolution for the EMT program. Commissioner Bader made a motion to adopt the resolution, (see attache #20-77), seconded by Commissioner Ray and carried.

Personnel Policy was discussed. Mr. Denton will have a corrected draft typed for the Board's review.

Chuck Burnworth of the Towaoc Alcoholic Program presented an original copy of the Affiliation agreement with the City of Cortez and Ute Mountain Tribe. This was signed by Chairman Honaker.

Meeting was adjourned at 4:00 P.M.

Attest:

Clerk    Chairman



## **Minutes 12/12/1977 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 December, 1977, with the following persons in attendance:

RESOLUTION P85-77

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

WHEREAS: Van Johnson, owner of 14.789 acres, more or less, in the W2 NE1/4 of Section 30, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 4.14 acres, more or less, to a separate owner as a commercial tract of land.

A tract of land in the W, NE1/4 of Section 30, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows;

Beginning at a point in the W1/2 NE1/4 of Section 30, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, from which point the NW corner of said Section 30 bears N.61 degrees 34'W. a distance of 3057.90 feet; thence; S. 0 degrees 55.'E. a distance of 772.58 feet;

thence; N.43 degrees 06'21"E. a distance of 297.72 feet;

thence; N.09 degrees 53'01"E. a distance of 695.91 feet to the South R/W line of U.S. 160;

thence; N.75 degrees 38'00"W. a distance of 141.00 feet along the South R/W line of U.S. 160;

thence; S. 0 degrees 55'00"E. a distance of 216.50 feet;

thence; N.75 degrees 36'00"W. a distance of 208.70 feet to the point of beginning, and containing 4.14 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 Andrews, agent for Van Johnson, 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 4.12 acres, more or less, to a separate owner as a commercial 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 12/12/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P86-77**

WHEREAS: Delmar R. and Mary Godfrey, owners of 60 acres, more or less, in the SE1/4 of Section 22, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 11.40 acres, more or less, to M.F. McGeachie as a commercial tract of land.

A tract of land in the SE1/4 of Section 22, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the SE1/4 of Section 22, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 22 bears S.52 degrees 51'25"E. a distance of 1572.38 feet;

thence; N.89 degree 32'00"W. a distance of 525.60 feet;

thence; N.07 degrees 13'01"W. a distance of 217.47 feet;

thence; N.08 degrees 20'12"W. a distance of 177.25 feet;

thence; N.25 degrees 12'23"E..a distance of 186.53 feet;

thence; N.45 degrees 30'01"E. a distance of 246.94 feet;

thence; East a distance of 79.90 feet;

thence; S.42 degrees 30'00"E. a distance of 208.70 feet;

thence; N.68 degrees 43'00"E. a distance of 385.44 feet. to the Westerly R/W line of U.S. 666;

thence; S.45 degrees 21'15"E. a distance of 235.71 feet along the Westerly R/W line of U.S. 666;

thence; S.50 degrees 30'30"E. a distance of 292.39 feet along the Westerly R/W line of U.S. 666;

thence; N.89 degrees 32'00"W. a distance of 647.32 feet;

thence; S. 0 degrees 28'00"W. a distance of 377.00 feet to the point of beginning, and containing 11.40 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: Delmar R. Godfrey appeared before the Montezuma County Planning Department in behalf of himself and his wife, Mary Godfrey, requesting an exemption from the Montezuma County Subdivision Regulations, stating that they are not subdividing their property in the intend of the regulations but merely selling 11.40 acres, more or less, to M. F. McGeachie as a commercial tract of land. He further stated that this is isolated from the rest of his property because of Hartman Draw Creek. This 11.40 acres, more or less, lies on the East side of Hartman Draw Creek.

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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

Commissioners absent:

Counter Clerk and Recorder

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 12/12/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray, and Clay V. Bader,

Commissioners Absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace Merlo

the following proceedings, among others, were taken:

WHEREAS; pursuant to the provisions of section 25 - 3.5 -.301, C.R.S. 1973

(A portion of the Colorado Emergency Medical Services Act contained in S.B. 454 enacted this year by the Fifty- First General Assembly), no person may provide ambulance service publicly or privately in this state after December 31, 1977, unless that person holds a valid license to do so issued by the Board of County Commissioners of the County in which the ambulance service is based, with certain exceptions noted; and, WHEREAS, the preparation required and the drafting time needed for the adoption of a resolution regulating treatment, transportation and other aspects of any ambulance service based in this County are such that the January 1, 1978 deadline under the Colorado Medical Services Act can not be met in any way, reasonably satisfying this County's needs and requirements or the major purposes of the act; and,

WHEREAS, there is legislative authority, independent of the Colorado Medical Services Act, for the County's licensing of ambulance service based within its boundaries, namely; section 30 - 11 - 107 (1) (q), C.R.S. 1973, wherein it is stated that: "The Board of County Commissioners of each county has power at any meeting... to organize, own, operate, control; direct, manage, contract for, or furnish ambulance service"; and,

WHEREAS, the Board of County Commissioners of Montezuma County does hereby declare its intention to establish temporary ambulance service licensing authority, effective January 1, 1978.

NOW, THEREFORE, BE. IT RESOLVED, by the Board of County Commissioners of Montezuma County at a regular meeting of the Board held at the Courthouse, in Cortez, Colorado, on the 12th day of December, 1977, that all persons who are providing public or private ambulance service in this state at the time of the adoption of the Resolution, whose service is based in this County and who desire to continue providing such service after December 31, 1977, shall, immediately, make application for an ambulance service license to the (Montezuma County Public Health officer)

1. The licensing procedure provided for herein shall be as follows:

- (a) The (County Public Health Officer) has prepared, under the Board's supervision, a short application form which shall be furnished, upon request, to any person seeking to be licensed under this Resolution. Said application is attached hereto.
- (b) The Board, upon finding that the information and statements requested in the application form have been completely supplied and upon determining that such information and statements are sufficient indication of the applicant's compliance with the ambulance service requirements set forth herein, shall, thereupon, issue a temporary ambulance service license, together with an appropriate number of temporary ambulance permits, to such applicant.

Page 2

2. The license and each permit shall be valid for not more than ninety days from the date of issue.

3. The licensee and permit holder shall, upon notification by the Board, through the County Public Health Officer that an Emergency Medical Services Resolution has been adopted, immediately make application for ambulance service licensing under the provisions of such subsequently adopted resolution, if the licensee desires to continue ambulance service in the County beyond the period provided in the temporary license And temporary permits.

4. Any licensing granted under this Ambulance Service - Temporary Licensing Resolution shall, in no event, extend beyond April 1, 1978.

Commissioners voting Aye in favor of the Resolution were: Curtis Honaker, Floyd Ray, and 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 12th day of December, 1977.

County Clerk and Recorder of  
Montezuma County, Colorado

## Minutes 12/05/1977 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 December, A. D.

1977 there were present:

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

Absent:

Pledge of allegiance was given. Minutes of the last regular meeting held November 28, 1977 were read and approved.

Miscellaneous correspondence was read and noted. A contract with the State Health Department on the W.I.C. program was reviewed and signed. State warrant in the amount of \$5,000 was received representing the total payment under H.B. 1041 for supplemental planning funds. Veteran's Affairs report for November received. An assurance of compliance with GSA regulations was signed.

An application for 3.2% beer license renewal was received from Chandler and Kathy S. Chaffin dba Arriola Store. Commissioner Bader made a motion to approve this application, seconded by Commissioner Ray and carried unanimously.

Custodian Steerman requested and received approval to have Empire Electric check the lights on the trees in front of the Courthouse.

County licenses were signed for Gordon and Willa R. Jesser dba Jesser Liquors, a retail liquor license and Gordon and Willa R. Jesser dba Diamond J Trailer Supplies, a 3.2% beer license. County license was signed for Richard and Carolyn Lee et al dba Mesa Verde Kampark, a 3.2% beer license.

Sheriff Hampton reported that a County car, (1973 Plymouth) had burned up Saturday in the parking lot of the Justice Building. Cause of fire was an electrical malfunction. Bids as follows were received for two new County cars as approved in the 1978 budget:

Keesee Motor	\$4880.00 each
Gabriel Chev.	4740.24 each
Kellogg's Mesa Mtr.	4845.97 each (Olds.)
" " "	5010.55 each (Buick)
Marsell motors	4685.66 each
Kinkade Chev.	4590.00 each

Bids were tabled for further consideration.

Planner W. L. Glenn requested and receive tentative approval for variances to the sub-division regulations for Paul Leonard to give 3 acres and for Gene Spellmeyer to sell 6.2 acres. Commissioner Ray made a motion to grant a variance to the sub-division regulations for Chester A. & Nora A. Sloan to sell 3.01 acres to Ernest E. Maness in Section 21, T37N, R16W. Seconded by Commissioner Bader and carried unanimously. Planning resolution #P83-77 was signed.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, December 5, 1977

Commissioner Ray made a motion to grant a variance to the sub-division regulations for June Lee Merritt to convey 12.78 acres to a son and daughter-in-law, Edward G. Merritt, Jr. and Sheryl H. Merritt, in Section 17, T37N, R15W, seconded by Commissioner Bader and carried unanimously. Planning resolution #P82-77 was signed. Commissioner Ray made a motion to grant a variance to the sub-division regulations for J.W. & Alena Frazier to sell 5 acres to a separate owner in Section 3, T37N, R16W. Motion seconded by Commissioner Bader and carried unanimously. Planning resolution #P84-77 was signed.

Coordinator Denton discussed the Public Works fund and H.B. 1041 monies. A meeting with Ken Francis will be scheduled.

State Highway representatives Morain Mayfield and Ted Vicks reviewed next years highway plans with the Board. They reported that only \$460,082 would be spent on Primary roads and only \$179,000 would be spent on Secondary roads. A five year comprehensive plan was presented for review. A new contract on maintenance of State Highway 184 was presented along with a resolution allowing the signing of the new contract, Commissioner Ray made a motion "to adopt this resolution #19-77 and authorizing Chairman Honaker to sign the contract. Motion seconded by Commissioner Bader and carried. Contract specifies that the State will pay \$300 per mile per year for 17.89 miles

George Waterman of Tour Ice Co., Durango and his accountant Mrs. Humble appeared. in regards to the personal property tax on equipment owned by his company. Appraiser Hanson was called in to discuss this. 1975 and 1976 tax in dispute. Treasurer Hindmarsh was requested to withhold issuing a distraint until Assessor Denny returns. Tabled until 12/12/77 at 11:00 a.m.

District Attorney Buck discussed a proposed lease submitted by the owner of his building on S. Market, Certain factors in the lease are not amenable to the County and Mr. Buck was asked to act accordingly.

Mr. Paul Johnson, applicant of a Retail Liquor License, requested a two weeks extension on his public hearing which is scheduled for this afternoon. County Attorney Merlo explained that there is no provision in the law for an extension. Notice has been published and the hearing would have to be conducted. Mr. Johnson's attorney is out of town.

Cortez City Manager Roy Henneman presented the Airport Master Plan Grant application which was signed by Chairman Honaker. Airport security was also discussed and will be referred to the Airport Committee. Installation of the generator at the Justice Building is progressing. However, the exhaust system isn't complete.

Road report given by Supervisor Boren. Mountain Gravel will crush 3/4" gravel for \$2.25 per ton. This was approved. Mr. Boren reported that he had forgotten to tell Mr. Hightchew and Mr. Van Pelt about their phone bills. The Board stated that they would write them a letter of notification. Val Conrad discussed the possibility of trading an old dozer cat for the new excavator. Cost would be approximately \$68,536. A lease purchase might be worked out for a period of 48 months. Mr. Conrad will check with his company and return next week. Charles Hinton discussed his State Comp. claim. After reviewing bids, Commissioner Bader made a motion to accept the bid of Kinkade Motor Co. for two Chevrolet cars for the Sheriff's Department at a cost of \$4590 each. Motion seconded by Commissioner Ray and carried unanimously.



It being 3:00 P.M., the time set aside, a Public Hearing was held in the matter of a Retail Liquor License applied for by Paul G. Johnson dba Dawson Lake Store. All Commissioners were in attendance as was also County Attorney Grace Merlo, Clerk Jean DeGraff, Applicant Paul Johnson and his attorney, Clifford Possum. Other interested persons were in attendance. All proceedings were taped on cassette tape for the record. Exhibits marked for the record were as follows: Commissioner's exhibit A, Investigator's report; Applicant's exhibits (1) Proof of Publication and picture of notice, (2) sketch plan, (3) Actual sign posted at

Attest:  
Clerk    Chairman

Online Copy

Page No. 3

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

Date Monday, December 5, 1977

establishment; Opposition's exhibit #101, a petition signed by persons opposing the granting of such a license (three pages). Testimony was given by Charles McAfee, opposing, Paul Johnson, applicant, Sheriff Bob Hampton, Charles Jenkins, approving, Wanda Turner, approving, Dorothy Gilliland, presenting the petition and opposing, and Helen Leonard, approving. Board took all testimony under advisement and will render a decision on Monday, December 19, 1977, at 3:00 P.M.

A public hearing was held in the matter of a 3.2% beer license for Thomas L. and Sally J. Wells dba Stoner Creek Inc. All Commissioners were in attendance as was County Attorney Grace Merlo, Clerk Jean DeGraff, Investigator Ralph Rasor and Applicant Sally J. Wells.

There was no opposition present. It was noted that there had been a 3.29, beer license at this establishment but it had expired in August, 1977 and that the store had been closed since October, 1975. After due consideration Commissioner Ray made a motion to approve this application, motion seconded by Commissioner Bader. Commissioner Ray voted aye, Commissioner Bader voted aye and Commissioner Honaker voted aye. Motion carried. Application signed by Chairman Honaker.

General Payroll #4219-#4286 in the amount of \$32,276.57 and #35141-#35142 in the amount of \$18,104.44 and Road Fund Payroll #3243 - #4273 in the amount of \$17,349.07 and #3606 in the amount of \$7,840.38 were allowed and ordered paid.

Meeting was adjourned at 5:00 P.M.

Attest:

Clerk

Chairman

MONTEZUMA COUNTY

Temporary Ambulance License Application

To be completed by the Owner/Operator of each ambulance in Colorado as provided in Section 25-3.5-301, C.R.S. 1973.

1. Name of Owner/Operator: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_
2. Description of Ambulance:  
\_\_\_\_\_  
Make & Model \_\_\_\_\_ Year \_\_\_\_\_  
Colorado License Number: \_\_\_\_\_  
Vehicle Chassis Number: \_\_\_\_\_  
Length of Time in Service: \_\_\_\_\_
3. Location and description of place or places from which the ambulance operates:  
\_\_\_\_\_  
\_\_\_\_\_
4. Narrative Report to Accompany Application:
  - a. A statement indicating that the vehicle has passed the Colorado State Vehicle Inspection within the past twelve months (show date of inspection sticker expiration).  
\_\_\_\_\_  
\_\_\_\_\_
  - b. A statement that the ambulance has equipment that meets the minimum requirements set forth in the latest edition of the American College of Surgeons Committee on Trauma publication "Essential Equipment for Ambulances" or its equivalent.  
\_\_\_\_\_  
\_\_\_\_\_

- c. A statement that each driver has a valid Colorado Driver's License and, at a minimum, a current American Red Cross Advanced First Aid Card.

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- d. A statement that each ambulance attendant, other than the ambulance driver has an Emergency Medical Technician Certificate issued by the Department of Health.

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- e. A statement indicating the ambulance is covered by the provisions of the Colorado Auto Accident Reparations Act.

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I certify the information furnished in this application is true and correct.

\_\_\_\_\_  
Owner/Operator

By \_\_\_\_\_

*Res. book*

CERTIFICATION OF RESOLUTION

Cortez, Colorado  
December 5, 19 77

This is to certify that at a Regular  
meeting of the Board of County Commissioners  
of Montezuma County, Colorado, held on  
December 5, 19 77, the following resolution was adopted:

Board of County  
"Resolved that this Commissioners hereby approves a certain  
contract with the Department of Highways, State of Colorado, dated December 5  
19 77, whereby the Board of County Commissioners obligates itself to  
maintain certain portions of the State Highway System at the expense of  
the Department, and releasing all other maintenance contracts, as per the  
terms of said Contract, and authorizes the execution of said contract on  
behalf of the County of Montezuma by signature of  
its Chairman."

*W. W. ...*

*[Signature]*  
Clerk

(SEAL)

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## **Minutes 12/05/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker; Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

### **RESOLUTION P82-77**

WHEREAS: June Lee Merritt, owner of 90 acres, more or less, in the S1/2 of Section 17, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wishes to convey 12.78 acres, more or less, to a son and daughter-in-law, Edward G. Merritt, Jr., and Sheryl H. Merritt, as a residential tract of land.

A tract of land in the N1/4 SW1/4 of Section 17, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the NE1/4 SW1/4 of Section 17, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 17 bears South 65 degrees 09' 40" East a distance of 3,481.92 feet;

thence; North a distance of 611.12 feet to the South right of way

line of the County Road;

thence;. North 76 degrees 00'55" West a distance of 289.48 feet along the South right of way line of the County Road;

thence; North 87 degrees 47'51" West a distance of 478.50 feet along the

South right of way line of the County Road;

thence; South 0 degrees 09'08" West a distance of 721.94 feet along a fenceline;

thence; South 80 degrees 11'21" East a distance of 475.24 feet;

thence; North 70 degrees 32'04" East a distance of 310.42 feet to the

point of beginning, and containing 12.78 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: Dr. Edward G. Merritt, agent for June Lee Merritt, 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 conveying 12.78 acres, more or less, to her son and daughter-in-law, Edward G. Merritt, Jr., and Sheryl H. Merritt 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 12/05/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P83-77**

WHEREAS: Chester A. and Nora A. Sloan, owners of 40 acres, more or less, in the E1/2E1/2NW1/4 of Section 21; Township 37 North, Range 16, West, N.M.P.M., Montezuma County, Colorado, wishes to sell 3.01 acres, more or less, to Ernest E. Maness, as a residential tract of land.

A tract of land in the E1/2E1/2NW1/4 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 Section 21, T.37N. R.16 W., N.M.P.M., Montezuma County, Colorado, from which point the NW corner of said Section 21 bears N. 89 degrees 48'59"W. a distance of 1984.19 feet;

thence; S. 89 degrees 48'59"E. a distance of 230.00 feet along the North line of said Section 21;

thence; S. 00 degrees 18'26"E. a distance of 570.00 feet;

thence; N. 89 degrees 48'59"W. a distance of 230.00 feet to the West line of the E1/2E1/2NW1/4 of said Section 21;

thence; N. 0 degrees 18'26"W. a distance of 570.00 feet along the West line of the E1/2E1/2NW1/4 of said Section 21, to the point of beginning, and containing 3.01 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 Chester A. and Nora A. Sloan, 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 3.01 acres, more or less, to Ernest E. Maness 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 12/05/1977 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 December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings among others, were taken:

RESOLUTION P84-77

WHEREAS: J.W. and Alena Frazier, owners of 29.88 acres, more or less, in the SE1/4SE1/4 of Section 3, Township 36 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 the SE1/4SE1/4 of Section 3, Township 36 North Range 16 West, N.M.P.M., Montezuma County, Colorado, more particularly described as follows: Beginning at a point on the South line of the SE1/4 of said Section 3, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of the SE1/4SE1/4 bears West 208.72 feet; thence; North a distance of 1043.00 feet; thence; East a distance of 208.72 feet; thence; South a distance of 1043.00 feet to the South line of the SE1/4SE1/4 of Section 3; thence; West a distance of 208.72 feet along the South Line of SE1/4SE1/4 of Section 3, to the point of beginning, 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: J. W. Frazier appeared before the Planning Department on behalf of himself and his wife Alena, requesting an exemption from the Montezuma County Subdivision Regulations stating that the were not subdividing their property in the intent of the regulations s 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 11/28/1977 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 November,

A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held November 21, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. State warrant for maintenance of highway #184 in the amount of \$225.00 was received. Copy of a resolution of the Ute Mountain Ute Tribal Council concerning the social and physical effects of the disease of alcoholism on people of the Reservation, in Montezuma County and in the City of Cortez was reviewed. An affiliation agreement to implement a comprehensive program to insure reduction of abuse of alcohol in the regions was signed by Chairman Honaker. A Certificate of agreement authorizing Region 9 Community Services to implement the Emergency Weatherization Program with Montezuma County was signed by Chairman Honaker.

Clerk DeGraff and Custodian Steerman discussed the disposition of the old voting booths. The Board agreed that these should be stored for the time being. Custodian Steerman also suggested that in-door, out-door carpeting should be installed in the Clerk's office because it would be easier to clean. Tabled.

Agent Bob Seaton reported on extension activities, etc. He stated that there is a possibility of Towaoc getting their own agent. The winterization project was discussed. Nurse Koppenhafer reported for the Health Department.

Planner W. L. Glenn requested and received tentative approval for variances to the subdivision regulations for the following: June Merritt to sell 12.78 acres; Norman Darland to sell 20 acres and J. W. Frazier to sell five acres. Commissioner Ray made a motion to approve a variance to the sub-division regulations for A. B, and D. Joyce Smith to sell 5 acres in Section 11 and 14, T37N, R16W to a separate owner. Motion seconded by Commissioner Bader and carried. Planning resolution #P81-77 was signed.

Coordinator Denton reported that the painting is being done on the tower. He will make the inspection when it is completed. Payment will be made out of Public Works Fund. Personnel policy was discussed.

A jail inspection was made and found to be in good condition.

Investigator Rasor reported on the liquor license application of Paul Johnson dba Dawson Lake Store and the 3.2% license application of Stoner Creek Store. A written report will be available to the applicants this week.

Attest:

Clerk Chairman

Page No.2

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

Date Monday, November 28, 1977

Cortez City Manager Roy Henneman reported that the generator is being installed at the Justice Building. Mildred Road was also discussed. The County will do the road work if the City will take care of the utilities, culverts and mailboxes.

Jim Storch reported that although he lives in Montezuma County, he gets his mail at Rico in Dolores County. Board agreed that his predator permit through Montezuma County would be okay.

Bill Head gave the road report. Board was notified that the road in question by Cornett property is a private road.

After reviewing the proposed changes in election precinct and the recommendations of both political parties, Commissioner Ray made a motion to combine precincts as follows:

Precinct #1 - Pleasant View, 58th Rep. District - remain the same

" 2 - Upper Dolores, 58th Rep. District - remain the same

" 3 - McElmo, 58th Rep. District - remain the same

" 4 - Dolores, 59th Rep. District Combine Dolores & Lebanon-Summit

" 5 - Lewis-Arriola, 59th Rep. District - remain the same

" 6 - NW Cortez, 59th Rep. District - remain the same

" 7 - SW Cortez, 59th Rep. District - remain the same

" 8 - No Central Cortez, 59th Rep. District - Combine 8 & 9

" 9 - SE Cortez, 59th Rep. District - Combine 12 & 13

" 10 - NE Cortez, 59th Rep. District - Combine 10 & 11

" 11 - Mancos, 59th Rep. District - Combine 15 & 16

" 12 - Lakeview, 59th Rep. District - remain the same

" 13 - Towaoc, 59th Rep. District - remain the same

Motion seconded by Commissioner Bader and carried.

Board of Social Services conducted.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

DEC 6 1977

## **Minutes 11/28/1977 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 28th day of November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners. Absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P81-77**

WHEREAS: A.B. and D. Joyce Smith, owners of 43.64 acres, more or less, in the SE1/4SE1/4 of Section 11 and in the NE1/4NE1/4 of section 14, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 5.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SE1/4SE1/4 of Section 11 and in the NE1/4NE1/4 of Section 14, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the North R/W line of the County Road in the NE1/4NE1/4 of Section 14, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the NE corner of said Section 14 bears N.80 degrees 38'59"E. a distance of 1065.01 feet;

thence; S.59 degrees 53' 49"W. a distance of 340.26 feet along the North

R/W line of the County Road to the West line of the NE1/4NE1/4 of said Section 14;

thence; N. 0 degrees 16'05"W. a distance of 737.90 feet along the West line of the NE1/4NE1/4 of said Section 14 and along the West line of the SE1/4SE1/4 of Section 11, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado;

thence; N.59 degrees 53'49"E. a distance of 340.26 feet;

thence; S. 0 degrees 16'05"E. a distance of 737.90 feet 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: A.B. and D. Joyce Smith 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.

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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 11/21/1977 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 November, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held Monday, November 14, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted.

Social Services Director Maurine McNeill and Nurse Frances Koppenhafer stated that they both use Room 105 in the Courthouse which Kelly Wilson had also requested. They were assured that if the room was still in their use it would not be given to Mr. Wilson.

District Attorney George Buck presented copies of a suit against County Treasurer Russell Hindmarsh and others. The following resolution #17-77 was read. "WHEREAS, Russell Hindmarsh has been sued by Larry M. and JoBeth Chandler, husband and wife, in his legal capacity as Public Trustee of Montezuma County in the Montezuma County District Court and is in need of legal representation, and, WHEREAS, Article 1-105 of Title 20 C.R.S 1973 as amended, provides that the District Attorney upon a request in the form of a resolution by the Board of County Commissioners shall represent any county officer enumerated in Article 10 of Title 30, C.R.S, 1973 in the defense of any civil suit or civil proceeding brought against such officer in any court in this state, and, WHEREAS, The Public Trustee of Montezuma County is such an officer enumerated in Article 10 of Title 30, C.R.S. 1973 as amended, NOW THEREFORE BE IT RESOLVED, that the Montezuma County District Attorney is herewith requested to represent the Public Trustee of Montezuma County in the above mentioned law suit." Commissioner Ray made a motion to adopt this resolution, seconded by Commissioner Bader and carried.

Planner W. L. Glenn requested and received tentative approval for a variance to the subdivision regulations for Ben Smith to sell five acres. Sketch plan of Vista Grande Estates sub-division was reviewed by the Board and referred to the Planning Commission for finalization. Final plan of the Allum Properties sub-division was presented with the recommendation of the Planning Commission. Commissioner Bader made a motion to accept this sub-division, seconded by Commissioner Ray and carried. Coordinator Denton reported on various items. State Highway Department meetings will be held January 19th and 20th.

Clerk DeGraff reviewed with the Board possible changes in the combination of election precincts.

Mike Suzich and Tom Gilliland of the Lewis Arriola Fire Department stated their position on the installation of fire hydrants in Green Acres sub-division. They requested a hydrant between every five acres. The Board referred this matter to the Planner and the Planning

Attest:

Clerk Chairman

NOV 29 1977

Page No. 2

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

Date Monday, November 21, 1977

Commission.

Coordinator presented the copies of the contract between the Bureau of Reclamation, the Forest Service and Montezuma County. Contract signed by Chairman Honaker. Clerk directed to have Mr. Koenig make new keys for the Commissioner's file cabinet and the Health Department file cabinet.

Furniture was discussed. Board will meet with department heads to decide on the division of furniture.

Road report was given by Supervisor Boren. Road Y is being used by a company without a permit. The following resolution #18-77 was presented: "WHEREAS, Montezuma County has established Special Transport permits for use of over-weight, over-width, over-height, and other unusual loads, and, WHEREAS, such permit system was designed to protect the road system of Montezuma County from damage that may be caused by unusual loads, and, WHEREAS, unusual conditions of roads and bridges may occur from time to time requiring load limitations more stringent than those set forth in the Permit regulations, NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Montezuma County, through its agents may set forth more stringent regulations as to load size and weight. Such regulation shall then be a part of the Special Transport Permit Regulations for as long as may be required and on such roads and structures a may be required." Commissioner Bader made a motion to adopt said resolution, seconded by Commissioner Ray and carried. Susie Fischer discussed her road east of Cortez.

Cortez City Manager Roy Henneman discussed the locks on the Justice Building and the roof. Airport was discussed.

Board of Social Services conducted.

Meeting was adjourned at 4:00 P.M.

Attest:

Clerk      Chairman



**Minutes 11/21/1977 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 21ST day of NOVEMBER, 1977, with the following persons in attendance:

Commissioners: CURTIS HONAKER, FLOYD RAY,  
and CLAY V. BADER

Commissioners absent: NONE,

County Clerk and Recorder: JEAN DEGRAFF,

County attorney: GRACE S. MERLO,

the following proceedings, among others, were taken:

WHEREAS, Russell Hindmarsh has been sued by Larry M. Chandler and Jo Beth Chandler, husband and wife, in his legal capacity as Public Trustee of Montezuma County in the Montezuma County District Court and is in need of legal representation, and,

WHEREAS, Article 1-105 of Title 20 C.R.S. 1973 as amended, provides that the District Attorney upon a request in the form of a resolution by the Board of County Commissioners shall represent any county officer enumerated in Article 10 of Title 30, C.R.S. 1973 in the defense of say civil suit or civil proceeding brought against such officer in any court in this state, and,

WHEREAS, The Public Trustee of Montezuma County is such an officer enumerated in Article 10 of Title 30, C.R.S. 1973 as amended,

NOW THEREFORE BE IT RESOLVED, That the Montezuma County District Attorney is herewith requested to represent the Public Trustee of Montezuma County in the above mentioned law suit,

Commissioners voting aye in favor of the Resolution were: CURTIS HONAKER.

FLOYD RAY and 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.

Dated this 21ST day of NOVEMBER, 1977.

(SEAL)

County Clerk and Recorder of  
Montezuma County Colorado.

**Minutes 11/21/1977 Regular**

THE BOARD OF COUNTY COMMISSIONERS  
OF THIS 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 November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION 18-77

WHEREAS: Montezuma County has established Special Transport Permits for use of over-weight, over-width, over-height, and other unusual loads; and,

WHEREAS: Such permit system was designed to protect the road system of Montezuma County from damage that may be caused by unusual loads; and,

WHEREAS: Unusual conditions of roads and bridges may occur from time to time requiring load limitations more stringent than those set forth in the Permit Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County, through it's agents may set forth more stringent regulations as to load size and weight. Such regulation shall then be a part of the Special Transport Permit Regulations for as long as may be required and on such roads and structures as may be required.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

18-77

## Minutes 11/14/1977 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 14<sup>th</sup> day of November, A. D.

1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held November 7, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. State warrant in the amount of \$932.44 was received for cigarette tax re-imbursement for the month of September. State warrant in the amount of \$1767.07 for Conservation Trust Fund Distribution for 1977-78 was received.

Application for renewal of a 3.2% Beer License for Diamond J Trailer Supply and a Retail Liquor License for Jesser Liquors were received and reviewed from Gordon and Willa Jesser. Commissioner Bader made a motion to approve these applications, seconded by Commissioner Ray and carried.

Custodian Steerman reported that he had purchased a set of walkie-talkies for use in the Courthouse in the amount of \$30.00. Commissioners approved this purchase. He also reported that a window in the Courthouse had been shot through.

Sheriff Hampton reported that the cost of insurance on the aircraft discussed last week would be approximately \$1250 annually. Maintenance would cost approximately \$5450 annually.

Auditor Greenlee discussed the mill levy certification. Chairman Honaker signed said certification.

Dr. Griebel and Nurse Koppenhafer reported for the Health Department. They reported that there is a new State program to screen low income families for health care. The State would provide a monthly salary for a screener plus certain office expense. The County would enter into a contract with the State. Commissioner Ray made a motion to accept this program, seconded by Commissioner Bader and carried. Mrs. Koppenhafer invited the Board to a meeting of the Health Systems Agency on the 28th of November. Budget and office equipment discussed.

Planner Glenn presented requests for variances to the sub-division regulations for the following: Hannah Bailey to sell 8.796 acres to a separate owner in Section 6 & 7, T38N, R21W. Commissioner Ray made a motion to cancel her previous variance (#P37-73) and, grant a variance for the sale of 8.796 acres. Motion seconded by Commissioner Bader and carried. Planning resolution #P76-77 was signed. Commissioner Ray made a motion to grant a variance to the sub-division regulations for Clarence L. and Margorie M. Calhoun to sell 8.26 acres to a separate owner in Section 24, T37N, R17W.

Commissioner Bader seconded the motion and it was carried. Planning resolution #P79-77 was signed. Commissioner Ray made a motion to

Attest:

Clerk Chairman

NOV 22 1977

Page No. 2

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

Date Monday, November 14, 1977

grant a variance to the sub-division regulations for James P. Wilson to sell 3 acres to a separate owner in Section 16, T36N, R15W. Seconded by Commissioner Bader and carried. Planning resolution #P75-77 was signed. Commissioner Ray made a motion to grant a variance to the sub-division regulations for Don Dickey to sell 10 acres to a separate owner in Section 34, T37N, R17W. Seconded by Commissioner Bader and carried. Planning resolution #P77-77 was signed. Commissioner Ray made a motion to grant a variance to the sub-division regulations for Richard A. & Elizabeth Stacey to sell 3 acres to a separate owner in Section 19, T37N, R16W. Seconded by Commissioner Bader and carried. Planning resolution #P78-77 was signed.

Coordinator Denton discussed the office equipment acquired by the County from Montelores Dev. Co. The Commissioner's will decide on the requests by various Department Heads.

Kelly Wilson presented a written request for larger quarters in the Courthouse. This was tentatively approved for him to move to Room 105 and he was also instructed to remove the Credit Bureau sign from his office.

General Fund Vouchers #34991 - #35140 in the amount of \$22,736.03, Road Fund Vouchers #3568 #3604 in the amount of \$17,015.48 and Contingency Fund Vouchers #90 - #91 in the amount of \$326.40 were allowed and ordered paid.

Assessor Denny presented the report made by Mr. Musgrave, of the Division of Taxation of the appraisals he made last week. He also requested several items of office equipment.

Road Department report was given. Mrs. Susie Fischer requested help on upgrading her road. Survey would cost \$1000 and the cost to bring the road up to County specifications would be around \$40,000.

District Attorney George Buck discussed the request of Judge Rusk for monetary help for the juvenile program.

Treasurer Hindmarsh reported that the General Fund was running low. Commissioner Ray made a motion to transfer \$50,000 from the Revenue Sharing Fund to the General Fund. Seconded by Commissioner Bader and carried. The Clerk was directed to issue the order. Personnel Policy Committee was discussed.

Board of Social Services was conducted.

Meeting adjourned at 4:30 P.M.

Attest:

Clerk Chairman

## **Minutes 11/14/1977 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 14<sup>th</sup> day of November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P75-77**

WHEREAS: James P. Wilson, owner of 50 acres, more or less, in the Northwest One-Quarter (NW1/4) of Section 16, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, wishes to sell 3.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the 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 in the NW1/4 of Section 16, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, from which point the NW Corner of said Section 16 bears

N.23degrees31'37"W. a distance of 2315.36 feet;

thence; S.02degrees23'W. a distance of 183.24 feet;

thence; N.89degrees46'E. a distance of 223.24 feet;

thence; S.02degrees23'W. a distance of 306.00 feet to the South line of the NW1/4 of said Section 16;

thence; N.89degrees36'E. a distance of 183.24 feet along the South line of the NW1/4 of said Section 16;

thence; N.02degrees23'E. a distance of 489.89 feet;

thence; S.89degrees36'W. a distance of 406.51 feet 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: Ida Jean Wilson, mother and agent for James P. Wilson, 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 3.00 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 11/14/1977 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 14th day of November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Clay Bader and Floyd Ray

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo the following proceedings, among others, were taken:

#### **RESOLUTION P76-77**

Cancels Resolution P37-73 enlarging Tract from 5.25 acres, more or less, to 8.796 acres, more or less.

WHEREAS: Hannah Bailey, owner of 32 acres, more or less, in Sections 6 and 7; Township 38 North, Range 12 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 8.796 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the W1/2 of B.L.M. Tract Number 41 in Section 6 and 7, Township 38 North, Range 12 West, N.M.P.M., Montezuma County, Colorado, and more particularly described by Metes and bounds as follows:

Beginning at Corner Number 3, Tract 41, being a B.L.M. brass cap marked Corner Number 4, Tract 42/Corner Number 3, Tract 41;

thence; North 942.74 feet to a point on the South R.O.W line of Colorado State, Highway 145;

thence; N.84 degrees 36'49"E.. 400.32 feet along said South R.O.W. line;

thence; South 980.09 feet to a point on the South line of said Tract Number 41;

thence; S.89 degrees 58'00"W. 398.55 feet along said South line to the point of beginning and containing 8.796 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 Hannah Bailey, 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 8.796 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy



## **Minutes 11/14/1977 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 14th day of November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

### **RESOLUTION P77-77**

WHEREAS: Don Dickey, owner of 40 acres, more or less, in the South One-Half of Section 34, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 10.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SW1/4SE1/4 of Section 34, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the West line of the SW1/4SE1/4 of Section 34, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, from which point the S1/4 Corner of said Section 34 bears S. 0 degrees 11'16"E. a distance of 226.08 feet;

thence; N. 0 degrees 11'16"W. a distance of 765.43 feet along the West line of the SW1/4SE1/4 of said Section 34 to the North line of the S1/4NW1/4SW1/4SE1/4 of said Section 34;

thence; N.89 degrees 47'38"E. a distance of 592.31 feet along the North line of the S1/2NW1/4SW1/4SE1/4 of said Section 34;

thence; S. 0 degrees 11'16"E. a distance of 705.43 feet;

thence; S.84 degrees 00'36"W. a distance of 595.36 feet 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: Lyman Black, agent for Don Dickey, 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 10.00 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 land 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

Montezuma County, Colorado

I certify that the above and foregoing resolution is a true and correct copy of the 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

Online Copy

## **Minutes 11/14/1977 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 14th day of November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P78-77**

WHEREAS: Richard A and Elizabeth Stacey, owners of 12 acres, more or less, in the SW1/4SE1/4 of Section 19, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 3.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land situated in the SW1/4SE1/4 of Section 19, T.37N., R.16W., N.M.P.M., Montezuma County, being more particularly described as follows:

Beginning at the South One-Quarter corner of said Section 19;

thence N. 0 degrees 15'E. 490.0 feet; thence S.89degrees45'E. 266.7 feet;

thence S. 0 degrees 15'W. 490.0 feet;

thence N.89 degrees 45'W. 266.7 feet to the point of beginning and containing 3.0 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: Dennis Black, agent for Richard A. and Elizabeth Stacey 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 3.00 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 11/14/1977 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 14th day of November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P79-77**

WHEREAS: Clarence L. and Margorie M. Calhoun, owners of 26.21 acres, more or less, in the NW1/4 of Section 24, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wish to sell to a separate owner, 8.26 acres, more or less, as a residential tract of land.

A tract of land in the NW corner of Section 24, T.37N., R.17 W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the West line of Section 24, T.37N., R.17 W., N.M.P.M., Montezuma County, Colorado, from which point the NW corner of said Section 24 bears N. 0 degrees 06'04"W. a distance of 1749.69 feet;

thence; S. 0 degrees 06'04"E. a distance of 270.00 feet along the West line of said Section 24;

thence; East a distance of 1128.61 feet to a fenceline;

thence; N.15 degrees 59'45"W. a distance of 410.74 feet along a fenceline;

thence; S.82 degrees 59'40"W. a distance of 1023.54 feet to the point of beginning, and containing 8.26 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: Clarence L. Calhoun appeared before the Montezuma County Planning Department on behalf of himself and his wife, Marjorie M. Calhoun, 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 8.26 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 name are true and correct.

(SEAL)

County Clerk and Recorder

Montezuma County, Colorado

## **Minutes 11/07/1977 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 November, A.D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held October 31, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. A letter was received from Beatrice Seelig in regards to removal of water from her pond at Pleasant View. Treasurer's report for October was received.

Application for a 3.2% beer license was received from Sally Jack Wells, dba Stoner Creek Store. This was referred to Ralph Rasor, Investigator. Neighborhood radius was set at four miles and the Public Hearing was set for December 5, 1977, at 3:30 P.M. State 3.2% license was received for Mildred Lindsay dba Lindsay's Trading Post. County license was signed and issued.

Gorham Steerman discussed the old Totten Lake Road, (Rd. 29). Commissioner Ray made a motion to abandon the old Road 29 in preference of the new Road 29 in Section 16 and 30, Township 36 North, Range 15 West. Motion seconded by Commissioner Bader and carried. Resolution #15-77 was signed.

General Fund payroll #4152 thru #4218 in the amount of \$41,763.96 and #34989 thru #34990 in the, amount of \$17,666.47 and Road Fund Payroll #3211 thru #3242 in the amount of \$18,314.49 and.#3567 in the amount of \$7,989.30 were allowed and ordered paid.

Sheriff Hampton submitted his October report. He discussed the possibility of acquiring an aircraft for use by the County. Board advised the Sheriff to check on insurance, etc., if the plane can be acquired. Permission was given the Sheriff to let bids on two new cars to be purchased out of 1978 funds.

Dr. Griebel and Nurse Koppenhafer presented a letter of resignation from Nurse Willa Hodges effective 1/1/78. Commissioner Bader made a motion to accept this resignation, seconded by Commissioner Ray and carried. Applications for employment of a Public Health Nurse are being accepted in the Health Department. The feasibility of Nurse Koppenhafer attending regular meetings of the Colorado Ass'n of Home Health Agency in Denver was discussed. Dr. Griebel reported that a part/time secretary, Joyce Baker, had been hired.

Planner Glenn received tentative approval for a variance to the sub-division regulations for Don Dickey to sell 10 acres. Commissioner Ray made a motion to grant a variance to the sub-division regulations for Harry W. & Betty V. Bradley to sell 16.50 acres in

Attest:

Clerk                      Chairman

Page No. 2

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

Date Monday, November 7, 1977

Tract 39, T38N, R12W. Motion seconded by Commissioner Bader and carried. Planning resolution signed. Commissioner Ray made a motion to grant a variance to the subdivision regulations for Roy R. & Alma Brown to sell 2.28 acres in Section 16, T36N, R16W. Motion seconded by Commissioner Bader and carried. Planning resolution #P73-77 was signed.

Coordinator Denton reported that Weather modifications hearings are being held in Alamosa and Gunnison today. The Board instructed Mr. Denton to submit written testimony endorsing this plan. Payment of \$3010 for office equipment from Montelores Development paid out of Revenue Sharing funds. Permission was given to the Planning Commission to proceed in reviewing draft copies of mobile home park regulations. Possibility of moratorium discussed on future mobile home parks in the County, until the regulations are adopted. Short sub-divisions regulations were discussed. This is backed by zoning regulations which Montezuma County does not have. Proposed resolution and findings of fact on 1041 items were presented by the Planning Commission for the Board's review.

Bob Courtney of the San Juan Area Vo-Tech School presented a copy of the prescribed ambulance equipment requirements and also a short copy of the school's curriculum for Emergency Medical Technician training. Commissioner Bader made a motion that the Board take action to accept the training E.M.T. and designate the San Juan Area Vo-Tech School as the training institution. Seconded by Commissioner Ray and carried. Clerk directed to write a letter so advising the School.

Walt Posey and Dwayne Longenbaugh of the Dolores Water Conservancy District reported that the District mill levy is late but that it would be increased to 1.415 mills for 1978.

Discussion of phone bills of Lester Hightchew and Howard Van Pelt. The base bills have been paid by the County because the shops did not have phones. Phones have been installed in the shops and the Board will instruct Mr. Boren that these bills will no longer be paid by the County.

Road report was given by Supervisor Boren. A report was received from People's Natural Gas that the County had broken a gas line. Mr. Boren confirmed this fact and stated that the line was only buried 18 inches. Mayor V. T. Boyd of Dolores and custodians of the Dolores land fill answered complaints submitted by Fred Hinman of the State Department of Health. Mayor Boyd will notify the Board as to when Mr. Hinman will be back and the Board will meet with him. Kennedy road at Pleasant View will be inspected.

Dwain and Marie Lively again discuss property taxes on their home. They invited the Board to view their home again.

Mr. Bill Musgrave of the Division of Property Taxation is making a report of his appraisals of Lively and other comparable property in the County and will leave a copy of his report with Assessor Denny.

Hazel Miller of the Mancos Senior Citizens stated that the name of the Montezuma County Senior Citizens should not be changed to Cortez Senior Citizens.

After discussion, Commissioner Bader made a motion to adopt the following resolution numbered 16-77.

"Whereas, Bob W. Hampton, has been sued by Safeco Insurance Co. of America, in the Montezuma County District Court in his legal capacity as the Montezuma County Sheriff and is in need of legal representation, and,

"Whereas, Article 1-105 of Title 20 C.R.S 1973 as amended, provides that the District Attorney upon a request in the form of a resolution by the Board of County Commissioners shall represent any County officer enumerated in Article 10 of Title 30, C.R.S. 1973 in the defense of any civil suit or civil proceeding brought against such officer in any court in this state, and,

Attest:

Clerk    Chairman

Online Copy

Page No. 3

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

Date Monday, November 7, 1977

"Whereas, the Montezuma County Sheriff is such an officer enumerated in Article 10 of Title 30, C.R.S. 1973 as amended,

"Now Therefore Be It Resolved, that the Montezuma County District Attorney is herewith requested to represent the Montezuma County Sheriff in the above mentioned law suit." Motion seconded by Commissioner Ray and carried. Resolution 16-77 was issued.

Treasurer Hindmarsh reported that although the General Fund looks good, \$250,000 is the deposit of P.I.L.T. monies. A transfer from Revenue Sharing funds will have to be made before the end of the year.

Sealed bids on the 3-M copier were opened and noted as follows:

Cortez Animal Clinic - \$155.00

Gale Greenlee, Acc't - 403.00

Commissioner Bader made a motion to accept the bid of Gale Greenlee, seconded by Commissioner Ray and carried.

An offer was received from Gladys Leavitt to purchase a Burroughs adding Machine, in the amount of \$5.00. The machine is old and has not been in service for some time.

Commissioner Bader made a motion to accept this offer, seconded by Commissioner Ray and carried.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk    Chairman



### **Minutes 11/07/1977 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 November 1977 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay V. Bader

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

WHEREAS, Bob W. Hampton, has been sued by Safeco Insurance Co. of America, in the Montezuma County District Court in his legal capacity as the Montezuma County Sheriff and is in need of legal representation, and,

WHEREAS, Article 1-105 of Title 20 C.R.S. 1973 as amended, provides that the District Attorney upon a request in the form of a resolution by the Board of County Commissioners shall represent any county officer enumerated in Article 10 of Title 30, C.R.S. 1973 in the defense of any civil suit or civil proceeding brought against such officer in any court in this state, and,

WHEREAS, The Montezuma County Sheriff is such an officer enumerated in Article 10 of Title 30, C.R.S. 1973 an amended,

NOW THEREFORE BE IT RESOLVED, that the Montezuma County District Attorney is herewith requested to represent the Montezuma County Sheriff in the above mentioned lawsuit.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray and 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 November, 1977

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

## **Minutes 11/07/1977 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 November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

WHEREAS: Harry W. and Betty V. Bradley, owners of 40 acres, more or less, in Tract 39, Township 38 North, Range 12 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 16.50 acres, more or less to a separate owner as a residential tract of land. A tract of land in Tract 39, T.38N., R.12W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at Corner 4 of Tract 39, T.38N., R.12W., N.M.P.M., Montezuma County, Colorado, a brass cap in place;

thence; North a distance of 487.55 feet along the West line of said Tract 39 to the South R/W line of Colorado 145;

thence; N.76 degrees 42'37"E. a distance of 100.79 feet along the South R/W line of Colorado 145;

thence; S.87 degrees 46'53"E. a distance of 219.51 feet along the South R/W line of Colorado 145;

thence; N.81degrees 41'40"E. a distance of 119.81 feet along the South R/W line of Colorado 145;

thence; N.85 degrees 01'20"E. a distance of 222.70 feet along the South R/W line of Colorado 145;

thence; N.83 degrees 16'28"E. a distance of 366.54 feet along the South R/W line of Colorado 145;

thence; S.88 degrees 46'30"E. a distance of 305.86 feet along the South R/W line of Colorado 145;

thence; South a distance of 575.13 feet to Corner 5 of said Tract 39, a brass cap in place;

thence; S.89 degrees 59'44"W. a distance of 1327.64 feet along the South line of said Tract 39 to the point of beginning and containing 16.50 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, agent for Harry W. and Betty V. Bradley, 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 16.50 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 11/07/1977 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 November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P73-77**

WHEREAS: Roy R and Alma Brown, owners of 4.56 acres, more or less, in the SE1/4SE1/4 of Section 16, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell existing house and 2.28 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SE1/4SE1/4 of Section 16, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the SE1/4SE1/4 of Section 16, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 16 bears S.45 degrees 00'00"E. a distance of 42.43 feet;

thence; West a distance of 250.00 feet;

thence; North a distance of 397.50 feet;

thence; East a distance of 250.0 feet;

thence: South a distance of 397.50 feet to the point of beginning, and containing 2.28 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 Moore, agent for Roy R. and Alma Brown, appeared before the Montezuma County Planning Department and the Board of County Commissioners, requesting an exemption from the Montezuma County Subdivision Regulations, Section 7, Paragraph C., stating that they were not subdividing, their property in the intent of the regulations, but merely selling an existing house and 2.28 acres, more or less, to a separate owner. He further stated this division of land complied with recommendations from the Montezuma County Health Department.

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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## Minutes 10/31/1977 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 31st day of October, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held October 24, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. A State Warrant in the amount of \$225.00 was received for Highway #184 maintenance. A Cortez City warrant in the amount of \$1190.51 was received for jail expense for August. A written request of the Lewis Arriola fire department for fire plugs to be installed at the Green Acres subdivision was referred to the Planning Commission.

An application for a retail liquor license was received from Paul Johnson at the Round-Up Corner. This will be referred to Investigator Ralph Rasor. Neighborhood radius was set for two miles.

A contract with Computer Elections System was reviewed by the Board, and signed by Chairman Honaker, for a new elections system at a total cost of \$31,478.50 principal and \$2748.26 interest to be paid over a three year period beginning February 1, 1978. Clerk was directed to invite the Chairmen of both political parties to review and recommend possible precinct combinations.

Dr. Griebel and Nurse Koppenhafer discussed vital statistics. Tabled.

Planner Glenn appeared with Stan Moore and discussed a possible variance to the subdivision regulations for Mr. Moore. Tentative approval was given. Tentative approval was also given for Chester and Nora Sloan to sell three acres. Commissioner Ray made a motion to approve a variance to the sub-division regulations for Donald C. & Jeann M. Knapp to sell 55 acres in Section 21, T36N, R16W to Todd Inc. Motion seconded by Commissioner Bader and carried. Planning resolution #P72-77 was signed.

Coordinator Denton discussed 1.3 mile of road into Puett Reservoir. Road is owned now by Game and Fish Department but they would dedicate this to the County. Would cost approximately \$60,000 to bring the road up to County specifications. Land owners will have to work it out with the Game and Fish Department. The bid submitted last week to Montelores Development Co. on office equipment of \$3010.00 was accepted.

Commissioner Bader made a motion to exercise the bid submitted. Seconded by Commissioner Ray and carried. Auditor Greenlee and Mr. Denton will check as to what fund this will be charged to. Mr. Denton will arrange with the Road Department, to move this furniture. A bid of \$1500 plus paint was received from Lloyd Osborne for painting the radio tower. He must provide notice that he is covered by Workmen's Comp. The City of Cortez will pay half.

Attest:

Clerk Chairman

NOV 8 1977

Page No. 2

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

Date Monday, October 31, 1977

Irene Conner requested a medicare pay down. S.S. Director McNeill was called in and this matter was referred to her.

Bob Courtney, and John Gomez of the San Juan Basin Vo Tech School discussed Senate Bill 454 which requires that the Boards of Commissioners will be responsible for training people for ambulance service as of Jan. 1, 1978. They requested that the school be appointed by the Board to train people for this program. This was tabled for further review. Mr. Courtney will bring in a copy of the curriculum for the Board's review.

Mrs. Susie Fisher requested the County pay for the survey of the road across School land by the Cornett property. She wants to sell her home but the bank will not finance a purchase until the road question is settled. The Board explained that the County cannot take over the road until it is brought up to County specifications. This matter was tabled for two weeks.

Cortez City Manager Longenbaugh presented applications for the airport planning grant. On a motion made by Commissioner Bader, seconded by Commissioner Ray and carried, the following resolution #14-77 was adopted. "A resolution approving an application for Federal Assistance for Non-construction programs for development of the Cortez-Montezuma County Airport, assuring compliance with Title VI of the Civil Rights Act of 1964 as amended and Part 21 of the Regulations of the Office of the Secretary of Transportation. Authorizing the Chairman and the County Clerk to execute and attest said application and any and all documents necessary or required to implement the application and the assurance of compliance with said Civil Rights Act of 1964 as amended and the regulations of the Secretary of Transportation." Justice Building, Libraries and painting of the tower discussed and approved.

Assessor Denny discussed a possible abatement for Richard Rising.

Road report was given by Supervisor Boren. Mrs. Laura Kennedy requested maintenance of a road at Yellow Jacket. Approved. Survey of that road will be done next week. Clarence Brazier of Power Motive Co. brought in the contract for the new grader. Commissioner Bader made a motion to approve the purchase of a Austin Western grader in the amount of \$84,720.17 from Power Motive Co. to be paid for out of the 1978 budget. Motion seconded by Commissioner Ray and carried.

Investigator Ralph Rasor discussed the retail liquor license application of Paul Johnson. Neighborhood radius was set at 2 miles and the Public Hearing date was set for 3:00 p.m. on December 5, 1977.

This being 3:00 P.M. and the time set aside, a Public Hearing was held on the proposed 1978 budget and the Revenue Sharing budget for 1978. Present were Curtis Honaker, Chairman; Floyd Ray, Commissioner; Clay Bader, Commissioner; County Attorney Grace Merlo, Clerk Jean DeGraff, Auditor Gale Greenlee. Interested persons attending were Paul Butler, Henry DiRe and Ellen Dumme. Comments on the proposed budget were made by Paul Butler and Henry DiRe. There being no further comments, hearing was adjourned. All proceedings were taped on cassette tape for the record and marked. After Discussion, Commissioner Ray made a motion to adopt the proposed 1978 budget as presented, seconded by Commissioner Bader and carried. Commissioner Bader made a motion to adopt the Revenue Sharing Budget as presented, seconded by Commissioner Ray and carried. Summaries as follows:

Revenue Sharing

Expenditures:

Road and Bridge	\$ 46,548
Libraries	8,000
General Fund	<u>150,000</u>
TOTAL:	\$204,548

Attest:

Clerk Chairman

Revenue:

Federal Grants	\$148,000
Earnings	4,000
Balance, Beginning	<u>52,548</u>
TOTAL	\$204, 548

Online Copy



Page No. 3

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

Date Monday, October 31, 1977

Overall budget

General Fund	12.901 mills
Road & Bridge Fund	.500
Airport	None
Contingency	.500
Public Works	None
Social Services	<u>2.950</u>
TOTAL	16.851 mills

Lyman Black of the Four Corners Board of Realtors presented copies of the Short Procedure Sub-division they would like to have the County adopt. Tabled for further review.

Lois Gill requested more funding for the Health Department Home Health Service. Her father is over 100 years of age and she cannot get help for him at home as there are not enough aides to take care of this need. Nurse Koppenhafer was called in. She will do a cost study as soon as possible.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk Chairman

# 14-77  
Res Book


BY THE COMMISSIONERS:

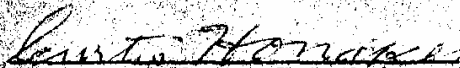
A RESOLUTION APPROVING AN APPLICATION FOR FEDERAL ASSISTANCE FOR NONCONSTRUCTION PROGRAMS FOR DEVELOPMENT OF THE CORTEZ-MONTEZUMA COUNTY AIRPORT, ASSURING COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AS AMENDED AND PART 21 OF THE REGULATIONS OF THE OFFICE OF THE SECRETARY OF TRANSPORTATION: AUTHORIZING THE CHAIRMAN AND THE COUNTY CLERK TO EXECUTE AND ATTEST SAID APPLICATION AND ANY AND ALL DOCUMENTS NECESSARY OR REQUIRED TO IMPLEMENT THE APPLICATION AND THE ASSURANCE OF COMPLIANCE WITH SAID CIVIL RIGHTS ACT OF 1964 AS AMENDED AND THE REGULATION OF THE SECRETARY OF TRANSPORTATION.

Adopted by the Commissioners of the County of Montezuma, Colorado, this  
31st day of October, 19 77.

ATTEST:

ADOPTED:

  
\_\_\_\_\_  
County Clerk

  
\_\_\_\_\_  
Montezuma County Commissioners  
Curtis Honaker, Chairman

## **Minutes 10/31/1977 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 31st day of October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo.

the following proceedings, among others, were taken:

#### **RESOLUTION P72-77**

WHEREAS: Donald C. and Jeanne M. Knapp, owners or 82.438 acres, more or less, in the Northeast One-Quarter of Section 21 Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado wishes to sell 55 acres, more or less to Todd Inc. as a commercial tract of land.

A tract of land situated in the West One-Half, Northeast One-Quarter of Section 21, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, being more particularly described as follows:

Beginning at a point on the center line of County Road L from which point the Northeast Corner of Said Section 21 bears N. 89degrees30'E. 2126.84 feet;

thence; S. 0 degrees 30'E. 1538.53 feet;

thence; N.89 degrees 30'E. 776.84 feet;

thence; S. 0 degrees 30'E. 1121.47 feet;

thence: S. 89 degrees 30'W. 1350 feet;

thence; N. 0 degrees 30'E 2660.0 feet; to the center line of County Road L, thence along said center line N. 89°30'E. 573.16 feet to the point of beginning and containing 55.0 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: Donald C. Knapp appeared before the Montezuma County Planning Department in behalf of himself and his wife, Jeanne M. Knapp, 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 55.0 acres, more or less, to Todd Inc. as a commercial 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## Minutes 10/24/1977 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 October, A.D. 1977 there were present:

Curtis Honaker Chairman

Floyd Ray Commissioner

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 17, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Cigarette tax reimbursement for the month of August in the amount of \$979.55 was received.

Notification was received from the Colorado Department of Agriculture that the assessment fee for Sheep & Wool Board Assessments has been set at 14cents per head for the next period.

Assessor Denny reported on the Chapman petition for abatement of property taxes. At the time the improvements were put on the tax roll, a notice of tax due was sent to the Chapmans from the Treasurer's office. Commissioner Ray made a motion to deny this petition on the grounds that it does not come within the purview of the law. Motion seconded by Commissioner Honaker and carried. Clerk was directed to so notify the Chapmans. Mr. Denny reported that Mr. Hopperton had filed for a hearing with the State Board of Assessment Appeals. If a hearing is granted, Mr. Denny was instructed to represent the County.

Health Department - Dr. Griebel and Nurse Koppenhafer presented an agreement between the County and Lola Jean Peabody, Home Health Aide for contract work at \$3.50 per hour. Agreement signed by Chairman Honaker. The Health Department will be closed on November 2, 3 and 4 so that Nurse Koppenhafer and Secretary can attend a workshop of medicare billing. Sanitarian can be contacted between 8 and 9 in the a.m. and between 4:00 and 4:30 in the p.m. on those dates.

Planning - Stan Moore requested a variance to the sub-division regulations so that he could purchase 2.4 acres. This request was tabled for a full Board. Planner Glenn and Bert Shull presented the final plat of Canyon Rim Acres sub-division. The Planning Commission has recommended this to the Board of Commissioners for approval. Commissioner Ray made a motion to approve this sub-division with the understanding that the roads be brought up to County specifications. Motion seconded by Commissioner Honaker and carried. Plat was signed. Preliminary plat for Green Acres sub-division by Richard Tibbets was reviewed. Tentative approval was given and referred back to the Planning Commission. Tentative approval was also given for Don Knapp to sell 55 acres. Final approval for variances to the sub-division regulations were given as follows: Vernon L. and Elizabeth J. Harrell to sell 5 acres in Sections 31, T36N, R13W to David and Mona C. Espinoza. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Honaker and carried. Planning resolution #P70-77 was signed. Frank and Dorothy Krater to sell 3 acres in Section 16, T35N, R16W to a separate party. Commissioner Ray made a motion to approve this variance,

seconded by Commissioner Honaker and carried. Planning resolution #P71-77 was signed.

Attest:

Clerk Chairman

NOV 1 1977

Online Copy

Page No. 2

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

Date Monday, October 24, 1977

Coordinator Denton discussed the old Totten Lake Road. There are gates on the road. He was instructed to check with Gorham Steerman as to removal of gates. There were no sealed bids received on painting of the tower at the repeater station. The County submitted a sealed bid to Montelores Development Co. on Lot 1, office equipment, in the amount of \$3010.00.

A petition for abatement of taxes for Rocky Mountain Helicopters was received for erroneous assessment in the amount of \$811.72. Commissioner Ray made a motion that this petition be approved, seconded by Commissioner Honaker and carried.

Ethel Head of Cortez Senior Citizens presented a response from School District RE-1 specifying various conditions for transporting senior citizens to Nutrition meals, in school buses.

Arlene Estes inquired about the Ormiston Cancer Trust fund. Referred to Maurine McNeill.

Cortez City Manager Longenbaugh discussed request for funds for overtime incurred by Juvenile Officers Strather and Richardson. He will check with City Council.

Road report was given by Supervisor Boren.

Don Weith, Colorado Division of Employment discussed the Unemployment Insurance for 1978.

Board of Social Services conducted.

Custodian Steerman and Dale Allfree of Charles D. Jones Co. discussed thermostats and heating system in old building. By installing a device on the radiators, energy costs could be cut by 24%. Board approved the purchase of these devices at a cost of \$29.05 each, approximately 25 would be needed.

Kelly Wilson and Charles Tate visited with the Board in regards to the rabbit raising program in the County. They are looking for land for a processing plant.

Judge W. W. Rusk and Juvenile Officer Jim Strather appeared in regards to requesting money for overtime work of Mr. Strather and Bill Richardson in working with juveniles.

Tabled.

Meeting adjourned at 4:30 P.M.

Attest:

Clerk Chairman

WHEREAS: Dorothy Krater appeared before the Montezuma County Planning Department on behalf of herself and her husband, Frank 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 3.00 acres, more or less, to a separate party 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy



## **Minutes 10/24/1977 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 October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P70-77**

WHEREAS: Vernon L. and Elizabeth J. Harrell, owners of 13 acres, more or less, in the Northwest One-Quarter (NW1/4) of Section 31, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 5.00 acres, more or less to David and Mona C. Espinoza as a residential tract of land.

A tract of land in the NW1/4 of Section 31, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the Northwesterly R/W line of the county road in the NW1/4 of section 31, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, from which point the SW corner of said Section 31 bears S.33 degrees 49'38"W. a distance of 3878.85 feet;

thence: S.53 degrees 41'24"E. a distance of 278.80 feet;

thence; South a distance of 256.94 feet:

thence: East a distance of 197.16 feet to the East line of the NW1/4 of .said Section 31;

thence; N. 0 degrees 31'35"W. a distance of 958.90 feet along the East line of the SW1/4 of said Section 31 to the Northwesterly R/W line of the county road;

thence; S.65 degrees 32"W. a distance of 30.58 feet along the Northwesterly R/W line of the county road;

thence; S.36 degrees 18'36"W. a distance of 650.47 feet along the Northwesterly R/W line of the county road 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 Pierce, agent for Vernon L. and Elizabeth J. Harrell, 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 David and Mona C. Espinoza, 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## Minutes 10/17/1977 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 17<sup>th</sup> day of October, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held October 10, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Anti-Recessional Fiscal Assistance Program warrant in the amount of \$12,651.00 was received. Oil and Gas lease rental from Ladd Petroleum in the amount of \$160.00 was received. County 3.2% beer license issued to Roundup-Store and County Liquor License issued to Stoner Alpine Lodge.

Custodian Steerman reported that a new lock had to be installed on the back door. Health Department - Velma Hutchinson, Registrar of Vital Statistics for Montezuma County discussed with the Board and Nurse Koppenhafer the possibility of moving her files and herself to the County Health Department in the Courthouse. Mrs. Koppenhafer suggested that Mrs. Hutchinson work with the Health Secretary for a time to see if she could work in the part time secretarial position. Board agreed to this suggestion and it was tabled until a later date. Mrs. Koppenhafer reported that the Health Department had received a \$1500 grant from the Council on Aging for Home Health Care. She also reported on Health Systems Agency meeting and stated that she had voted "no" on regionalization.

Planning Department - Tentative approval was requested and given for Vernon Harell to sell five acres, planner Glenn presented requests for the following variances to the sub-division regulations: Bertha E. Bass to sell 7 acres in Section 7, T36N, R15W to a separate owner. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning Resolution #P68-77 was signed.

Lawrence W. and Rita M. Wilderson to sell 5 acres in Section 32, T37N, R14W to a separate owner. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P69-77 signed.

Coordinator Denton reported on Off Systems road projects, 208 meetings and Mobile Home Park regulations set by State Health Department. These regulations could be used without zoning. Mr. Denton will check with the State Health Department. He has received no more bids for painting tower. A public notice advertising for bids will be put in the paper.

Don Knapp reported that he was selling his sub-division. Referred to the Planning office. Sina Martin, business manager for Dr. Carlson, reported that she had made an error in reporting 1975 inventory list for Dr. Carlson. Assessor Denny appeared. There is a possibility of a double assessment with the Mancos Medical Developers. Both parties must get together and

Attest:

Clerk                      Chairman

Page No. 2

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

Date Monday, October 17, 1977

determine which equipment must be shown on whose inventory list.

Assessor Denny discussed a possible abatement of J. W. Chapman on their modular home. He also requested mylars of all future sub-divisions. Will check with Planner Glenn.

Allen Jones of Four Cornered Workshops apologized to the Board for any adverse publicity, and denied having anything to do with the publicity.

Cortez City Manager Dwayne Longenbaugh reported on property dispute with Bob Wright. Possibility of financial help from City for Vital Statistics was discussed. Mr. Longenbaugh will discuss this with the Council. Wright Construction was the low bidder at \$3000 for installing air conditioning at the airport. Board approved this bid. He reported the need for paving at the airport. There is a possibility of using grant funds. Road Department - Mr. Boren reported on road and equipment maintenance. Off Systems road projects were discussed. Laura Kennedy requested another 1/2 mile of gravel on Road x. A culvert has been installed. Mr. Boren will have a survey made and a contract will have to be signed by adjoining property owners.

Board of Social Services conducted.

It being 3:00 P.M., the time set aside, a Proposed Use Hearing for Revenue Sharing Funds for 1978 was conducted. Those present were, Chairman Honaker, Commissioner Floyd Ray, Commissioner Clay Bader, County Attorney Grace Merlo, Clerk Jean DeGraff and County Auditor Gale Greenlee. Also in attendance were Hazel Miller, Mancos Senior Citizens, Mary Baker, Ethel Head and Lola Koehn of Cortez Senior Citizens and Cindy Irvin. Mrs. Miller requested that the Well Oldster Clinics not be dropped from the budget. She was informed that his program would not be dropped but that had to do with the Budget Hearing to be held October 31, 1977. Mary Baker stated the need for mini buses or vans for use by the Senior Citizens in the three towns to get the elderly to the nutrition meals and to medical help. There being no other comments the hearing was adjourned. All hearing proceedings were recorded on cassette tape and marked 1-297 for the record.

Gary Chaffin of the "76" Club reported that Mr. Davis was still complaining about the noise from the Club. Mr. Chaffin stated that he had done all he could and didn't know what else to do. The Board stated that they had not heard any complaints recently.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk Chairman

## **Minutes 10/17/1977 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 October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P68-77**

WHEREAS: Bertha E. Bass, owner of 17.91 acres, more or less, in the Southwest One-Quarter (SW1/4) of Section 7, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wishes to sell to a separate owner, 7.00 acres, more or less, as a residential tract of land.

A tract of land in the SW1/4; of Section 7, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the East R/W line of Colorado 145 in the SW1/4 of Section 7, T.36N., R.15W., N.M.P.M., Montezuma County, Colorado, from which point the SW corner or said Section 7 bears S.01 degrees 18'25"W. a distance of 2175.51 feet; thence; North a distance of 103.06 feet along the East R/W line of Colorado 145; thence; N.89 degrees 52'E. a distance of 330.00 feet; thence; N. 0 degrees 08'W. a distance of 398.00 feet to the North line of the SW1/4 of said Section 7; thence; N.89 degrees 21'54"E. a distance of 750.00 feet along the North line of the SW1/4 of said Section 7; thence; S.41 degrees 49'13"W. a distance of 258.23 feet; thence; S.31 degrees 45'30"W. a distance of 190.00 feet; thence; S.46 degrees 12'07"W. a distance of 225.60 feet; thence; West a distance of 644.00 feet to the point of beginning, and containing 7.00 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: Bertha E. Bass 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 7.00 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 plan will, be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 10/17/1977 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 October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P69-77

WHEREAS: Lawrence W. and Rita M. Wilderson, owners of 10 acres, more or less, in the (W1/2W1/2NW1/4NW1/4) of Section 32, Township 37 North, Range 14 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, more particularly described as follows:

The (E1/2W1/2W1/2NW1/4NW1/4) of Section 32, Township 37 North, Range 14 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: Lawrence W. Wilderson appeared before the Montezuma County Planning Department on behalf of himself and his wife, Rita M. Wilderson, requesting an exemption from the Montezuma County Subdivision Regulations, stating that they are not subdividing thier 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 10/10/1977 Regular

Page No.1

Proceedings of the Board of Commissioner 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 10th day of October, A. D. 1977 there were present:

Floyd Ray Vice-Chairman

Clay V. Bader Commissioner

Commissioner

Grace S. Merlo County Attorney

Jean DeGraff Clerk

Absent: Curtis Honaker

Pledge of allegiance given. Minutes of the previous meeting held September 27, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Federal warrant in the amount of \$250,025.00 for payment in lieu of taxes was received. Clerk's, Treasurer's and Sheriff's reports for September, 1977, were received and reviewed. Findings and Order denying petition of Dwain and Marie Lively was received from the State Board of Assessment Appeals.

Proposed Use Hearing for Revenue Sharing Funds was set for October 17, 1977, at 3:00 p.m. and the Budget Hearing was tentatively set for October 31, 1977.

General Fund Vouchers #34839 thru #34967 in the amount of \$26,924.65, Road Fund Vouchers #3530 thru #3560 in the amount of \$24,852.03, and Contingency Fund Vouchers #86 thru #88 in the amount of \$80.48 were allowed and ordered paid.

Bookkeeper Ketchem discussed a late report of an injury to County employee Charles Hinton. No word has been received from State Comp as to the status of this report. She was instructed to write to State Comp inquiring as to the status of the claim, sending the medical bills.

Sheriff Hampton reported for the month of September. He also reported that certain cement fences were weak at the Justice Building. The Building Committee will meet this evening and investigate these areas.

Nurse Koppenhafer and Dr. Griebel discussed the 1978 budget requests for their department. Vital Statistics also discussed. The Board advised Mrs. Koppenhafer, a member of the Health Systems Agency, that they are basically against regionalization of the Health Agency. Dr. Griebel reported that Jan Hazelwood has been hired for the W.I.C. program as a part-time secretary effective October 17, 1977.

Planner Glenn requested and was given tentative approval for variances to the sub-division regulations for Gorham Steerman to sell 1 acre, Richard Stacy to sell three acres and for Van Johnson to sell four acres. The following resolutions were acted on: Charles W. and Dorsa Martin to sell 7.75 acres in Section 31, T35N, R16W to a separate owner. Commissioner Bader made a motion to grant a variance to the sub-division regulations, seconded by Commissioner Ray and carried. Planning Resolution #P67-77 was signed. Orville L. and Arveta J. Lewis to sell 3.83 acres in Section 6, T38N, R17W to a son, Nick L. Lewis and wife. Commissioner Bader made a motion to grant a variance to the sub-division

Attest:

Clerk Chairman

OCT 251977



Page No. 2

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

Date Monday, October 10, 1977

regulations, seconded by Commissioner Ray and carried. Planning Resolution #P66-77 was signed. Ellis and Eleanor M. Haring Jr. to sell 8.118 acres in Section 5, T36N, R15W to a separate owner. Commissioner Bader made a motion to grant a variance to the subdivision regulations, seconded by Commissioner Ray and carried, Planning Resolution #65-77 was signed.

Jim Hemphill, Ralph Calvillo, Ed Cowan and Mr. Long, owners of various mobile home parks appeared to request the County to establish certain rules and regulations for future mobile home parks to be built in the County. Due to the growth of the County, there will be many mobile home parks built. There are some State regulations now. Mr. Cowan pointed out the need for County zoning and a uniform building code in the future. The request was tabled for further review by the Board, Coordinator Denton and Attorney Merlo. These gentlemen were invited to attend the next meeting of the planning committee:

Coordinator discussed a request for an extension of the Simon Draw Rd. This is not on the road system at this time and was not recommended for acceptance. East Canyon Road was discussed in that a property owner would like to have part of the road closed to the public. This is a Forest Service road. These roads will be discussed with Road Supervisor Boren. Mr. Denton has received one bid on painting the tower at the repeater station from Mike's Painting in the amount of \$2675, Tabled for further investigation.

Bob Bryan and Bill Brown of the Alcohol Abuse Program explained a proposed research project called the Tri-ethnic Cornerstone Project. They requested a letter of support for approval of this program and the Board agreed to write this letter of support.

Val Conrad gave a presentation of a Case Excavator, costing approximately, \$75,000. Tabled.

Cortez City Manager Longenbaugh and Secretary Jerry Wolf reported that the County's share of cost of airport for next year was \$9633 and the County share on Justice Building would be \$43600. Ron Murray of the Cortez Library Ass'n. stated that the Library would have to charge County residents for use of the Library unless the County could give them. \$18,000 for 1978. Board stated that they would give some but not that amount. Tabled.

Road Supervisor Boren reported on road and equipment maintenance. Jean DeGraff of Cortez Little League Ass'n. asked if the County would dig a trench at the Little League Park for the installation of a sewer line. Request approved. Board instructed Mr. Boren to clear salary changes with them in the future. Discussion of whether the Road Department could paint the repeater station tower. Tabled."

Robert Boe, Merl Pittman, Mark Mahone and Dan Nedaba of the Southwest Colorado Mental Health Center made a presentation of budget requests for 1978.

Hazel Miller of the Mancos Senior Citizens and Ethel Head of the Cortez Senior Citizens discussed the possibility of acquiring minibuses for the three groups. The Board thought they could handle the maintenance of the buses after they were acquired

Board of Social Services conducted.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk Vice – Chairman

## **Minutes 10/10/1977 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 October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Curtis Honker

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P65-77

WHEREAS: Ellis and Eleanor M. Haring Jr., owners of 17 acres, more or less, in the NorthEast One-Quarter, South East One-Quarter NE1/4SE1/4 of Section 5, Township 36. North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wish to sell 8.118 acres, more or less, to a separate owner as a residential tract of land.

A tract of land situated in the NE1/4SE1/4 of Section 5, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, being more particularly described as follows: Beginning at the East One Quarter corner of said Section 5, thence; S. 0 degrees 33'W. 241.0 feet; thence; N.89 degrees 27"W. 206.92 feet; thence; S. 0 degrees 31'W. 26.28 feet; thence;N.89 degrees 45'W. 1138.70 feet; thence; N. 0 degrees 33'E. 267.28 feet; thence; S. 89 degrees 42'E. 1345.6 feet to the point of beginning and containing 8.118 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 Black appeared before the Montezuma Planning Department on behalf of Ellis and Eleanor M. Haring Jr., 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 8.118 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 10/10/1977 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 October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader Commissioners Absent: Curtis Honaker

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P66-77**

WHEREAS: Orville L. and Arveta J. Lewis, owners of 17.26 acres, more or less, in (E1/2SE1/4) of Section 6, Township 38 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wishes to convey 3.83 acres, more or less, to a son, Nick L. Lewis and a daughter-in-law, Virginia G. Lewis as a residential tract of land.

A tract of land in the SE1/4 of Section 6, T.38N., R. 17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point which is the E1/4 corner of Section 6, T.38N., R. 17W., N.M.P.M., Montezuma County, Colorado;

thence; S. 0degrees20'34"E. a distance of 670.50 feet along the east line of said Section 6;

thence; West a distance of 383.07 feet;

thence; N.21degrees29'18"E. a distance of 720.57 feet to the north line of the SE1/4 of said Section 6;

thence; East a distance of 115.10 feet along the north line of the SE1/4 of said Section 6 to the point of beginning, and containing 3.83 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: Orville L. Lewis appeared before the Montezuma County Planning Department on behalf of himself and his wife, Arveta J. Lewis, 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 conveying 3.83 acres, more or less, to their son and daughter-in- Nick L. and Virginia G. Lewis 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 10/10/1977 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 October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Curtis Honaker

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P67-77

WHEREAS: Charles W. and Dorsa Martin, owners of 35 acres, more or less, in the NorthEast One-Quarter (NE1/4) of Section 31, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 7.75 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the (NE1/4) of Section 31, T.35N., R16W., N.M.P.M., Montezuma County, Colorado, more particularly described as follows:

Beginning at the East 4 corner of said Section 31;

thence; running S.89 degrees 28'17"W. 1398.47 feet, to the East boundary line of Highway 160 r.o.w,

thence; running N.35 degrees 11'17"E. 317.67 feet along said boundary line,

thence; running N.89 degrees 28'17"E. 1219.55 feet,

thence; running S. 0 degrees 55'10"W. 258.00 feet to the point of beginning, and containing 7.75 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: Eldon A. Simmons, agent for Charles W. and Dorsa Martin, 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 7.75 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 10/03/1977 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 October, A. D. 1977 there were present:

Curtis Honaker	Chairman
Floyd Ray	Commissioner
Clay V. Bader	Commissioner
Kent Williamson	Acting County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo

Pledge of allegiance given. Minutes of the regular meeting held September 26, 1977, were read and corrected by the addition of Resolutions #12 AND #13 as follows:

Whereas, Edward Krocesky and Ed Holman served Chafee County as County Commissioners and Whereas, this Board of Commissioners, Montezuma County, is aware that they served this office faithfully and honestly, Now Therefore Be It Resolved that this Board of County Commissioners, Montezuma County, expresses their deepest sympathy to the families of Edward Krocesky and Ed Holman and do cause these resolutions to be spread upon the minutes of this Board meeting. Commissioner Bader made a motion to approve these resolutions, seconded by Commissioner Ray and carried unanimously. Copies of these resolutions were mailed to the families of these Commissioners.

Miscellaneous correspondence was read and contents noted. Highway maintenance agreement warrant was received in the amount of \$225.00. Oil and Gas lease rental in the amount of \$320.00 was received from Trend Resources Inc.

Nurses Koppenhafer and Hodges appeared and discussed nurse services.

Commissioner Ray made a motion that each Nurse and the Sanitarian will purchase their own malpractice insurance and will be reimbursed by the County. Motion seconded by Commissioner Bader and carried. Phyllis Armstrong representative of the Health Systems Agency, thanked the Board for their cooperation and announced that Nurse Koppenhafer had been appointed secretary of this organization. Discussion was had of vital statistics.

Planner Glenn presented and received tentative approval for variances to the sub-division regulations for the following: Wilbur Martin to sell 7.75 acres; James Wilson to sell 3 acres; Ellis Haring to sell 8 acres; Frank and Dorothy Krater to sell three acres. He also presented a final request for a variance to the sub-division regulations for C. T. and Mary Lee and Adelia Powell to sell 3 acres to William Blair in Section 15, T35N, R16W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P64-77 was signed.

Coordinator Denton discussed payment in lieu of tax monies. The notice of withdrawal of approximately 1200 acres for Dolores project was discussed, also off-systems road projects.

Chuck Haley of Southwest Community Centered Board and Allan Jones and Cindy Seifert of the Four Corners Sheltered Workshop presented requests for the 1978 budget. LaPlata County has turned down their requests due to lack of monies and Montezuma County will probably do the same.

Harold Bradford, State Advisory Committee member of the San Juan Basin Regional  
Commission  
discussed the 208 program and the meeting to be held tomorrow evening in Durango.  
Attest:  
Clerk   Chairman  
OCT 11 1977

Online Copy

Page No.2

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

Date Monday, October 3, 1977

Road report was received from Supervisor Boren. John Hopper, Jr. reported that he had not received enough salary after his promotion. After budget check his salary was approved at \$990.00 per month. Declaration of Dedication was received from Charles Jr. and Landis Kay Porter and Dean and Violet Gray and accepted on behalf of the general public.

Ardys Wolf and Kathy Powell for Planned Parenthood presented requests for 1978 budget.

Custodian Steerman requested and received permission to purchase a fan for the machines room in the Assessor's office.

Mrs. Audrey Chapman appeared in regards to her property tax on her modular home. An abatement will be prepared by Assessor Denny.

Board of Social Services conducted.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk    Chairman



## **Minutes 10/03/1977 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 3rd day of October, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P64-77

WHEREAS: C.T. and Mary Lee Powell and Adelia Powell, owners of 10 acres, more or less, in the NE1/4NE1/4NE1/4 of Section 15, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado wish to sell 3.00 acres, more or less, to William Blair as a residential tract of land.

A tract of land in the NE1/4NE1/4NE1/4 of Section 15, T.35N., R.16 W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:  
Beginning at a point in the NE1/4NE1/4NE1/4 of Section 15, T.35N., R.16 W., N.M.P.M., Montezuma County, Colorado, from which point the N1/4 corner of Said Section 15 bears N.77degrees10'10"W. a distance of 2074.56 feet;  
thence; S.89 degrees 52'49"E. a distance of 626.13 feet to the East line of said Section 15;

thence; S. 0 degrees 57'44"E. a distance of 208.71 feet along the East line of said Section 15 to the South line of the NE1/4NE1/4NE1/4 of said Section 15;

thence; N.89 degrees 52'49"W. a distance of 626.13 feet along the south line of the NE1/4NE1/4NE1/4 of said Section 15;

thence; N. 0 degrees 57'44"W. a distance of 208.71 feet 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 Board of Commissioners.

WHEREAS: Mary Lee Powell appeared before the Montezuma County Planning Department on behalf of herself and her husband, C.T. Powell and Adelia Powell, 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 3.00 acres, more or less, to William Blair 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 09/26/1977 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 26<sup>th</sup> day of September, A. D.

1977 there were present:

Curtis Honaker	Chairman
Floyd Ray	Commissioner
Clay V. Bader	Commissioner
Kent Williamson	Acting County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo

Pledge of allegiance given. Minutes of the last regular meeting held September 19, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. A Federal warrant in the amount of \$294.91 as payment for engineering services from Reclamation was received and a check from TransAmerican Insurance Co. for re-imbursement of parts theft on a 1963 Cat maintainer in the amount of \$163.34 was received.

Petitions for abatements were received from Assessor Denny as follows: John C. Hackett, erroneous assessment, \$20.21 - Commissioner Ray made a motion to approve this abatement, seconded by Commissioner Bader and carried.

Exxon Company - erroneous assessment - \$100.23 - Commissioner Bader made a motion to approve this abatement, seconded by Commissioner Ray and carried.

Dr. Griebel and Nurse Koppenhafer appeared for the Health Department advising the Board of a Health Systems Agency meeting to be held October 6, 1977, at 7:00 P.M. at the Blue Spruce Room, LaPlata County Courthouse. Chairman signed the annual agreement for a physical therapist.

Commissioner Bader made a motion that Veteran's Day 1977 be observed November 11 and that Columbus Day not be observed this year. Seconded by Commissioner Ray and carried.

Planner Glenn reported that there is no paint for striping the parking lot. This will be referred to Road Supervisor Boren. Requests for variances to the sub-division regulations were presented as follows: Thomas W. and Pollyann Hayden to sell 4 acres to a separate owner in Section 35, T37N, R17W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P62-77 was signed. Gean L. & Esther M. Sligar to sell 29 acres to a separate owner in Section 24, T37N, R17W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P63-77 was signed. Preliminary plans for Canyon Rim sub-division and sketch plans for Lost Canyon Lake sub-division and Allum Properties sub-division were reviewed by the Board. Commissioner Bader made a motion to approve the sketch plan for Lost Canyon Lake and Allum properties and refer it back to the Planning Commission, seconded by Commissioner Ray and carried. Road 31 revised contract for federal off-systems road monies was signed.

Emergency Medical Services was discussed.

District Attorney George Buck explained to the Board that a new employee had inadvertently left \$232.71 out of his expense voucher. Commissioner Bader made a motion to allow this amount from the Commissioner's petty cash to be paid by an assigned voucher next month. Seconded by Commissioner Ray and carried.

Attest:

Clerk Chairman

OCT 4 1977

Online Copy

Page No. 2

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

Date Monday, September 26, 1977

Wilma Herndon of the Library Board, presented copies of the Annual Montezuma County Equalization Grant for Chairman Honaker's signature.

A phone call was received from Dave Tolsen of Computer Election System requesting information as to whether his proposal was being considered. This was tabled for further study.

Cortez City Manager Longenbaugh reported that he had resigned as City Manager but that he would work through November.

Richard Lee of Mesa Verde Kampark reported that his 3.2% beer license application which had been approved by the County, was returned by the State as his parents names must be listed as co-partners. The Board approved the addition of their names and the application will be returned to the Department of Revenue.

Road Supervisor Boren gave a maintenance and equipment report. He stated that \$1495.99 in repair work had been done on the belly dump trailers which were purchased in January. The road department is ready to proceed on the Road 31 project.

Bob Hampton, Wolford Madrid and Gene Reader representing the Emergency Medical Services Committee appeared and requested recognition by the County Commissioners as an official body of the County, so that federal grant applications may be processed.

Commissioner Bader made a motion to accept this Committee as they represent this County and to delegate authority to this Committee to apply for grants as needed by the Emergency Medical Services. Motion seconded by Commissioner Ray and carried.

Mr. and Mrs. J. W. Chapman reported that their modular home had gone to tax sale because of a dispute over 1963 taxes. County Assessor Denny and Treasurer Hindmarsh were asked in for discussion. This matter was tabled for further investigation. Board of Social Services conducted.

Auditor Greenlee appeared and the Board began work on the requests for 1978 budget. Adjourned at 5:30 P.M.

Attest:

Clerk                      Chairman

**Minutes 09/26/1977 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 September 1977 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray, and Clay V. Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Kent Williamson,

the following proceedings, among others, were taken:

WHEREAS, Edward Krocesky served Chaffee County as County Commissioner.

WHEREAS, this Board of Commissioners, Montezuma County, is aware that said Edward Krocesky served this office faithfully and honestly,

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

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray and 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 26th day of September, 1977.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

**Minutes 09/26/1977 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 26<sup>th</sup> day of September 1977 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay V. Bader.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff,

County Attorney: Kent Williamson

the following proceedings, among others, were taken:

WHEREAS, Ed Holman served Chaffee County as County Commissioner.

WHEREAS, this Board of Commissioners, Montezuma County, is aware that said Ed Holman served this office faithfully and honestly,

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

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray and 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, the votes upon same are true and correct.

Date this 26th day of September, 1977.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

## **Minutes 09/26/1977 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 September, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P63-77**

WHEREAS: Gean L. and Esther M. Sligar, owners of 40 acres, more or less, in the NorthWest One-Quarter (NW1/4) of Section 24, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wish to sell 29.0 acres, more or less, to a separate owner as a residential tract of land. Retaining 11.0 acres, more or less, as their home and residential tract. The tract they wish to sell is:

A tract of land in the NW1/4 of Section 24, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at the NW corner of Section 24, T.37N., R.17W., N.M.P.M. Montezuma County, Colorado;

thence; S. 0 degrees 06'04"E. a distance of 390.05 feet along the West line of said Section 24;

thence; N.88 degrees 54'42"E. a distance of 493.04 feet;

thence; S.07 degrees 43'36"E. a distance of 366.75 feet;

thence; S.87 degrees 32'37"E. a distance of 439.59 feet;

thence; N.88 degrees 22'03"E. a distance of 148.13 feet;

thence; N.50 degrees 18'14"E. a distance of 683.63 feet;

thence; East a distance of 1020.47 feet to the East line of the NW1/4 of said Section 24;

thence; N. 0 degrees 08'30"W. a distance of 312.36 feet along the East line of the NW1/4 of said Section 24 to the North line of said Section 24;

thence; N.89 degrees 47'30" a distance of 2675.93 feet along the North line of said Section 24 to the point of beginning, and containing 29.0 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: Gean L. Sligar appeared before the Montezuma County Planning Department on behalf of himself and his wife, Esther M. Sligar, 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 29.0 acres 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 09/19/1977 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 September, A. D. 1977 there were present:

Curtis Honaker	Chairman
Floyd Ray	Commissioner
Clay V. Bader	Commissioner
Kent Williamson	Acting County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo

Pledge of allegiance given. Minutes of the previous regular meeting held September 12, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Oil and gas lease rentals were received as follows: Shell Oil Co., \$1253.39, Shell Oil Co., \$226.35, Cities Services \$437.87.

General Fund Vouchers #34822 thru #34836 in the amount of \$3501.21, Road Fund Vouchers #3520 thru #3528 in the amount of \$9037.57 and Revenue Sharing Voucher #83 in the amount of \$1836.00 and Contingency Fund Voucher #85 in the amount of \$25.08 were allowed and ordered paid.

Application for a renewal of a Malt, Vinous and Spirituous Liquor license for LaVera Winters dba Stoner Alpine Lodge was received and reviewed. Commissioner Ray made a motion to approve this renewal application, seconded by Commissioner Bader and carried.

Dr. Griebel, Nurse Koppenhafer and Sanitarian Allar discussed the problems that arose last week due to the absence of the sanitarian. A letter of authorization will be given the Health Department giving W. L. Glenn the authority to act as the sanitarian in the absence of the sanitarian. Transporting of elderly people to medical facilities was discussed.

Planner Glenn requested and received tentative approval for a variance to the subdivision regulations for Gean and Esther Sligar to sell 30 acres and for Tom & Pollyanna Hayden to sell 4 acres. Parking lot marking discussed. The Board gave approval to proceed. Also parking spaces on alley will be restriped.

Coordinator Denton discussed the application for a grant for busses for Senior Citizens use. This would be an 80-20 grant and federal monies cannot be used. Also discussed the possibility of an underground water study.

Ralph Rasor, License investigator, reported that his investigation of Mildred Lindsay dba Lindsay Trading Post was favorable. Commissioner Bader made a motion to approve this transfer, seconded by Commissioner Ray and carried.

Val Kruse discussed County insurance.

Hilda Fish requested a list of those persons applying for septic permits through the Health Department for use as advertising for plumbing contractors. This was tabled until next week.

Attest:

Clerk Chairman

SEP 27 1977

Page No. 2

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

Date Monday, September 19, 1977

Road Department Supervisor E. Boren reported on road and equipment maintenance. Off Systems Contract with State Highway Department on Mildred Road was signed subject to a check by Mr. Denton.

Cortez City Manager Longenbaugh discussed the road work needed on North Mildred Road north of Empire Street. The City would provide mailboxes, culverts and rights of way. The County would do the heavy equipment work. County has ordered culverts and is ready to proceed. This plan will be presented to the City Council next week. Locks and generator at the Justice Building were discussed.

Board of Social Services conducted.

On a motion by Commissioner Ray, Custodian Steerman was instructed to check the old part of the courthouse and if cost is reasonable, proceed to install new thermostats.

Motion seconded by Commissioner Bader and carried.

Thereupon the Board studied recommendations presented by the Personnel Policy Committee.

Meeting adjourned at 4:30 P.M.

Attest:

Clerk Chairman

## **Minutes 09/12/1977 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 September, A.D.

1977 there were present:

Curtis Honaker	Chairman
Floyd Ray.	Commissioner
Clay V. Bader	Commissioner
Kent Williamson	Acting County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held September 6, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. State warrant in the amount of \$874.66 for cigarette tax reimbursement for July was received. Clerk's, Treasurer's and Sheriff's report for August were received and reviewed. Title VII Nutrition Program Volunteer certificate was received. A request from Boulder County to join in a lawsuit testing House Bill 1492 was received and declined. State Department of Social Service warrants in the amount of \$5061 and \$5505 for County Cost Allocation was received.

Sheriff Bob Hampton as a U.S. Deputy Marshall served the Board with a Summons in a Civil Action and Notice of Hearing, All Car Leasing Service Co., and San Juan National Bank of Farmington as Plaintiffs vs. The Board of County Commissioners of the County of Montezuma, State of Colorado as Defendants. This Summons is in regard to the three trailers which the County purchased in January, 1977.

The Board appointed Commissioner Ray to the Four Corners Emergency Medical Service committee effective immediately.

Nurse Frances Koppenhafer reported that the cost of renting the old Dilts law office building would be approximately \$800 per month including utilities. The WIC grant has been approved and the Health Department will be hiring a part-time clerk to process applications. She also reported that the Western Systems Health Agency will soon be having public hearings on regionalization.

Planner Glenn requested and received tentative approval for Clarence and Marjorie Calhoun to sell 10 acres and for Lawrence Wilderson to sell three acres. Petitions for requests for variances to the subdivision regulations were given as follows: J. T. Wilkerson, Adrian G. & James C. Fisher, to sell 6 acres in Section 24, T39N, R14W to a separate owner. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning Resolution #P60-77 was signed. David A. and Sybil Decker to sell 5.3 acres in Section 4, T35N, R13W to a separate owner. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning Resolution #P61-77 was signed. Frank W. Dean to sell 9.22 acres in Section 13, T37N, R16W to a separate owner. Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning Resolution #P57-77 was signed. Joe B. & Margaret E. Dean to sell 8 acres in Section 35, T37N, R17W to a separate owner. Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning Resolution #P-59-77 was signed.

Attest:  
Clerk Chairman  
SEP 20 1977

Online Copy

Page No.2

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

Date Monday, September 12, 1977

Coordinator Denton presented a catalog of equipment for auction by Montezuma Plywood Co. to be held September 15, 1977. Planning report and work program to be submitted to the Department of Local Affairs was approved and signed.

General Fund Vouchers #34674 thru #34821 in the amount of \$22,522.95 and Road Fund Vouchers, #3482 thru #3519 in the amount of \$25,114.60 and Capitol Life Insurance Voucher #17 in the amount of \$400.00, Public Works Voucher #154 in the amount of \$1,225.00, Revenue Sharing Voucher #82 in the amount of \$3500.00 and Contingency Fund Vouchers #82 thru #84 in the amount of \$146.10 were allowed and ordered paid.

Orville Lewis reported that he cannot contact the Sanitarian to obtain a septic permit. A permit will be issued by the Health Department secretary and Sanitarian Allar will follow this up next week.

After receiving a request from the Executive Director, Robert G. Boe, Commissioner Bader made a motion to appoint Rev. John Bolger as a new member of the Board of Directors of the Southwest Colorado Mental Health Center, effective until June, 1980. Motion seconded by Commissioner Ray and carried. Clerk was directed to so notify Mr. Bolger.

Cortez City Manager Longenbaugh appeared with Ron Murray, a trustee of the Cortez Library Ass'n, who discussed budget requests for 1978. This was tabled for further study.

Clerk requested and received permission to purchase a calculator for \$82.00.

Road Department supervisor Boren reported on road and equipment maintenance. Stan Bulsterbaum of the Soil Conservation Service presented plans for planting 11 miles of seed in the Yellow Jacket area along County roads next year. Project plans were signed by Chairman Honaker. A meeting will be held next week with area ranchers and farmers concerning this project. Mr. Boren discussed the possible purchase of a new mower.

Tabled. Mr. Boren reported that the County can pave the 2300 ft. of road for approximately \$11,500. Mountain Gravel will be notified that their bid of last week has been declined.

Board of Social Services conducted.

Albert Campbell asked about having the County build a road. He was informed of the County's policy that landowners must bring a road to County specifications before the County will accept it for maintenance.

The following petitions for abatements were discussed: JPW Enterprised, Inc., double assessment; \$1085.53, Robert H. & Carol K. Carlson, erroneous assessment \$1041.84, Ute Trading Post & Towaoc Trading Post, erroneous assessment, 244.20.

Commissioner Ray made a motion to approve these petitions, seconded by Commissioner Bader and carried.

Meeting adjourned at 4:00 p.m.

Attest:

Clerk    Chairman

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 plan will be filed.

Commissioners voting aye in favor of the, resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 09/12/1977 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 September, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P59-77**

WHEREAS: Joe B. and Margaret E. Dean, owners of 16 acres, more or less, in the SE1/4SE1/4 of Section 35, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 8.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SE1/4SE1/4 of Section 35, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the SE1/4SE1/4 of Section 35, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 35 bears S.47 degrees 26'20"E. a distance of 1234.40 feet;

thence; S. 0 degrees 08'56"W. a distance of 838.77 feet to the south line of said Section 35;

thence; S.89 degrees 45'29"W. a distance of 412.91 feet along the south line of said Section 35 to the SW corner of the SE1/4SE1/4 of said Section 35;

thence; N. 0 degrees 12'06"W. a distance of 838.75 feet along the west line of the SE1/4SE1/4 of said Section 35;

thence; N.89 degrees 45'29"E. a distance of 418.04 feet to the point of beginning and containing 8.00 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 B. Dean appeared before the Montezuma County Planning Department on behalf of himself and his wife, Margaret E. Dean, requesting an exemption from the Montezuma County Subdivision Regulations, stating that they are not subdividing their land in the intent of the regulations, but merely selling 8.00 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 09/12/1977 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 September, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean De Graff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P60-77**

WHEREAS: J.T. Wilkerson, Adrian G. and James C. Fisher, owners of 117 acres, more or less, in the N1/2SE1/4 of Section 24, Township 39 North, Range 14 West, Montezuma County, Colorado, wish to sell 6.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the N1/2SE1/4 of Section 24, T.39N., R.14 W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at the E 1/16 corner of Section 24, T.39N., R.14W., N.M.P.M., Montezuma County, Colorado, a brass cap in place;

thence; S.31 degrees 28'34"W. a distance of 178.76 feet;

thence; N.63 degrees 22'25"W. a distance of 80.22 feet to the easterly R/W line of the County Road;

thence; S.25 degrees 45'00"W. a distance of 30.69 feet along the easterly R/W line of the County Road;

thence; S.63 degrees 22'25"E. a distance of 77.53 feet;

thence; S.62 degrees 28'24"E. a distance of 572.74 feet;

thence; N.43 degrees 59'29"E. a distance of 667.26 feet to the north line of said N1/2SE1/4 Section 24;

thence; S.87 degrees 36'40"W. a distance of 864.00 feet along the north line of said N1/2SE1/4 of Section 24 to the point of beginning, and containing 6.00 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: J.T. Wilkerson appeared before the Montezuma County Planning Department in behalf of himself and Adrian G. and James C. Fisher 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 6.00 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 09/12/1977 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 September, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P61-77

WHEREAS: David A. and Sybil Decker, owners of 24 acres, more or less, in the W1/2SE1/4 of Section 4, Township 35 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wish to sell 5.3 acres, more or less, to a separate owner as a residential tract of land.

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

Beginning at the Northwest corner of said NW1/4SE1/4 of Section 4;

thence; South 660 feet to the point of beginning of said tract;

thence; West 1320 feet;

thence; South 175 feet;

thence; East 1320 feet;

thence; North 175 feet; to the point of beginning of tract being conveyed. Said tract containing 5.3 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 5.3 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 09/26/1977 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 September, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken

### **RESOLUTION P62-77**

WHEREAS: Thomas W. and Pollyann Hayden, owners of 18.72 acres, more or less, in the SE1/4SE1/4 of Section 35, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wish to sell 4.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SE1/4SE1/4 of Section 35, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in the SE1/4SE1/4 of Section 35, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 35 bears S.44 degrees 52'11"E. a distance of 700.38 feet;

thence; N. 0 degrees 30'00"E. a distance of 340.32 feet;

thence; N.88 degrees 20'59"E. a distance of 493.56 feet to the East line of said Section 35;

thence; S.0 degrees 14'47"E. a distance of 360.32 feet along the East line of said Section 35;

thence; N.89 degrees 20'00"W. a distance of 497.90 feet to the point of beginning, and containing 4.00 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: Thomas W. Hayden appeared before the Montezuma County Planning Department on behalf of himself and his wife, Pollyann Hayden, 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 4.00 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 09/26/1977 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 September, A. D.

1977 there were present:

Curtis Honaker	Chairman
Floyd Ray	Commissioner
Clay V. Bader	Commissioner
Kent Williamson	Acting County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo

Pledge of allegiance given. Minutes of the previous regular meeting held August 29, 1977, were read and corrected. The resolution made by Commissioner Bader concerning County employee salaries was corrected to read as follows: Commissioner Bader made a motion to hold line item salaries for the balance of 1977 as adjusted this date. Motion seconded by Commissioner Ray and carried. Also adjustments of salaries were made as of 8/1/77 for Donna Dodson and Rena Antes but were not mentioned in the minutes of 8/29/77.

Application for transfer of 3.2% beer license was received from Mildred M. Lindsey dba Lindsey Trading Post. This license has been in the name of Judith Clark dba Clark's of the South Route. Application was referred to Investigator Ralph Rasor.

Miscellaneous correspondence was read and contents noted. Title insurance policy was received for old Church property. State warrant received in the amount of \$873.75 for cigarette tax apportionment for June.

State Highway Department representatives John Springer, Ted Vickers and Ken Brown discussed the annual Highway Maintenance agreement of State Highway #184. Mr. Springer stated the contract had been for \$550 per mile on the old contract which was negotiated in 1954. They will be in at a later date to update this contract. Mr. Brown expressed appreciation for good cooperation with the County.

Sheriff Hampton presented a continuing contract for patrol service with the Forest Service. This was signed by Chairman Honaker. Sheriff Hampton stated that he had acquired a 6x6 fire truck from Civil DeFense for use at Lewis and he will move the smaller truck to McElmo area

Planner W. L. Glenn presented a request for a variance to the sub-division regulations for Jerry Wolf to sell 20 acres to a separate owner in Section 11, T36N, R17W.

Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P56-77 was signed. Mr. Glenn also requested and received tentative approval for the following variances: Norman and Fay Hackett to convey 35 acres, Joe Dean to sell 8 acres, Bertha Bass to convey 6 acres, Sybil Decker to sell 6 acres, Martin Hildebrand to sell 11.5 acres, Harry and Betty Bradley to sell some acreage and Frank Dean to sell 9 acres.

Coordinator Denton reported that the Mesa Verde Co. had applied for an extension to their present PUC permit and that there had been a protest filed. Because of this protest a public hearing had been set for September 23, 1977, in Denver. The Mesa Verde Co. have requested that the County give testimony supporting their request. If protest is withdrawn, there will be no public hearing. Board instructed Mr. Denton to prepare testimony if necessary.

Attest:  
Clerk Chairman

Online Copy



Page No. 2

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

Date Tuesday, September 6, 1977

County Auditor Gale Greenlee discussed social security contributions due on underreported wages paid District Attorney in 1974. He advised the Board not to pay the questionable amount at this time.

Jerry Dexel, member of the Dolores Town Council presented a schedule of working hours at the Dolores Dump. County's share of money to be paid to a worker will be taken out of monies due County from Town of Dolores. Mr. Dexel reported that the dump is in good condition.

Mary Coppinger and Edna Ream of the Mancos Senior Citizens discussed possible budget requests for 1978. Applications for grants to purchase mini-buses for all three centers will be processed next week.

Petitions for abatements of property tax were presented by Assessor Denny as follows: Clem E. Washburn, erroneous assessment, abatement \$67.75; Clyde Goodall, erroneous assessment, \$55.12; KMOCO Oil Co., double assessment, abatement \$725.16. Commissioner Ray made a motion to allow all of these abatements, seconded by Commissioner Bader and carried.

Road Supervisor Boren presented a bid from Mountain Gravel for paving 2300 feet on Summit Road extension in the amount of \$16,860. Boren will check on the cost of having the County do the work. Tabled until next Monday. Cotton Fletcher complained about Road F being too narrow. Highland Terrace road will be inspected.

Board of Social Service conducted.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

## **Minutes 09/06/1977 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 September, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P56-77**

WHEREAS: Jerry Wolf, owner of 160 acres, more or less, in the E1/2E1/2 of Section 11, Township 36 North, Range 17 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 SE1/4SE1/4 of Section 11, T.36N., R.17W., N.M.P.M., Montezuma County, Colorado, more particularly described as the South One-half of the South East One-quarter, South east One-quarter, (S1/2SE1/4SE1/4) 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: 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 20 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 08/29/1977 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 August, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held August 22, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. A State warrant in the amount of \$5000 was received on 1041 monies. A letter was received from Clerk DeGraff withdrawing her request for an elections system at this time.

Dr. Griebel and Nurse Koppenhafer discussed budget problems for 1978.

Planner Glenn requested and received tentative approval for C. T. and Mary Lou Powell to sell three acres and for Jerry Wolf to sell 20 acres. Commissioner Ray made a motion to approve a variance to the subdivision regulations for H.F. and Edria Murray to sell 150 acres to a separate owner in Section 22, T37N, R16W. Commissioner Bader seconded the motion and it was carried. Planning resolution #P55-77 was signed.

Coordinator Denton reported that the generator at the repeater station won't start. On reviewing gravel leases, the Lancaster lease shows an incorrect property description. A new lease will be made. The Brewer lease should be recorded in Dolores County. Mr. Denton will take care of these items. San Juan Basin Region Commission discussed. Bookkeeper Ketcham reported there has been a request for a pay roll deduction for a credit union. This was disapproved.

Val Kruse of the Rauh Agency reported on insurance coverage.

Assessor Denny and Deputy Diffendaffer requested an adjustment in the salaries of five of their employees as follows: Lynn Kinney \$575 to \$590, Erma Powell \$550 to \$575, Helen Williamson \$500 to \$575, Bob Teague \$550 to \$585, Van Willis \$600 to \$635. He is reclassifying some and changing others from probationary to permanent status. Mr. Denny stated that he was under his budget and would have monies for these changes. The board approved these changes reserving the right to adjustment the first of the year. Mr. Denny also requested an adjustment for mileage on the appraisors, perhaps \$1 per day out in the field. This was tabled. The amended Abstract for 1977 was presented showing taxable valuation of \$38,572,050. This was reviewed and signed by Chairman Honaker.

Road Supervisor Boren reported on road and equipment maintenance. Mr. Boren stated that it was not the batteries causing the breakdown of the generator of the repeater station. B & D Electric have been called in to check. A letter was received from Kathleen Creeden in

Attest:

Clerk Chairman

SEP 7 1977

Page No.2

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

Date Monday, August 29, 1977

regards to the grading and maintaining of a road at Goodman Point. A letter will be written to Mrs. Creeden stating that this is not a County Road and it is the County policy that if the road were brought up to County specifications, it would then be dedicated and the County would maintain it.

Dolores Senior Citizens Mrs. Aiken, Mrs. Gafford and Mrs. Hill inquired about monies to help their group. The Board assured the group that it is their plan to give \$200 per month to the Board of Community Services in Dolores to help the Senior Citizens.

Board of Social Services conducted.

Mike Kennedy, State Liquor License Inspector visited with the Board.

A discussion of employee salaries was had at this time. By order of the Board, the following salary changes were made: Rita Dennison, Theresa Williams, Mary Ann Sanders, Evalena Ritthaler, Herma Jean Bergen, Gloria Larkin, Loretta Murphy, Mary Teague, Lola Roberts and Dorothy Carver salaries were increased \$30 per month effective 8-1-77. Commissioner Bader made a motion to hold line item salaries in the future. Seconded by Commissioner Ray and carried. (See correction 9-6-77)

Meeting adjourned at 3:30 P.M. so that the Board could inspect a sanitation problem.

Attest:

Clerk    Chairman

## **Minutes 08/29/1977 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 August, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

### **RESOLUTION P55-77**

WHEREAS: H.F. and Adria F. Murray, owners of 157 acres, more or less, in the Northwest One-quarter (NW1/4) of Section 22, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 150 acres, more or less, to a separate owner as an agricultural tract of land, retaining 6.486 acres, more or less, as a residential tract of land.

A tract of land located in Section 22, T.37N., R.16W., N.M.P.M., and more particularly described as follows:

Beginning at a point which bears S.88degrees40'W. 608.00 feet from the North 1/4 corner of said Section 22;

thence; S.01 degrees 45'E. 390.23 feet;

thence; S.88 degrees15'W. 720.00 feet;

thence; N.01 degrees 31'45"W. 395.46 feet;

thence: N.88 degrees 40'E. 718.49 feet to the point of beginning, and containing 6.486 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: H.F. and Adria F. Murray appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating they are not subdividing the property in the intent of the regulations, but merely selling 150 acres, more or less, to a separate owner retaining 6.486 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 08/22/1977 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 August, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held August 15, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Financial reports for the month of July, 1977 for the Hospital, Nursing Home and Hospital District were received from the Hospital District. Notification of a grant of \$4026 for the libraries was received from the Colorado State Library. A proposal for a computer system to fulfill the Voter Registration needs of the County was received from Marjorie Longenbaugh, Computer Consultant. A notification from the Bureau of Land Management concerning the painting of the radio tower and fuel tank was reviewed. Distribution account of the Clara M. Ormiston Account was received from the First of Denver Bank.

A 3.2% Beer License transfer application was received from Norlen H. and Judith Sorensen dba Round-Up Store. After reviewing application, letters of reference and the deed and noting that proper fees were received, Commissioner Ray made a motion to approve this transfer, seconded by Commissioner Bader and carried.

Clerk DeGraff requested another phone for the Elections desk, and have an extension phone put on the key system. Installation cost would be \$199 and would add approximately \$25 to the monthly phone bill. Board approved of installation due to increase of work volume, either out of 1977 budget if funds are available, or 1978 budget.

Planner Glenn presented a request for variance to the sub-division regulations for Kenneth R. & Jeanne M. Todd to sell 8.17 acres to a separate owner in Section 3, T36N, R16W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning Resolution #P54-77 was signed. A tentative approval for H. F. & Edria Murray to sell 150 acres was given by the Board. A preliminary plat of the Escalante Trail Sub-division was approved by the Board, also a sketch plan of Canyon Rim Acres sub-division was approved.

Coordinator Denton reported that there are more bills to be paid out of the Public Works Fund.

Allen Jones of the Four Corners Sheltered Workshops presented budget requests for 1978 in the Amount of \$10,000. He will send a proposed budget for the Workshops and a written request.

Bob Bugner of Automatic Voting Machines appeared to report that he now has reconditioned machines which are offered for sale at a cost of \$1400 each. Also in attendance were

Attest:

Clerk Chairman

Page No.2

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

Date Monday, August 22, 1977

Hank DiRe, Democratic Central Committee Chairman, Scott Tipton, Republican Central Committee Chairman, with Committee members, Marty Dyer, Louise Bonnells, Polly Edwards, Stan Morris and Ken Brengle. Proposals tabled for further study.

Walt Posey of the Dolores Water Conservancy District discussed the plans for the ground breaking ceremonies for the Dolores Project to be held Septmeber 24, 1977. He requested that certain road work be done on the road into Great Cut prior to the ceremonies. Also requested was the old rescue unit for use on that day. Approval was given for each request.

Cortez City Manager Longenbaugh discussed the Airport. Attorney Bill Thompson and Bob Wright discussed the survey problem at the airport. This was tabled for further study. The proposal made by Isbill Associates, Inc. was reviewed. Commissioner Bader made a motion to accept the grant application through Isbill Associates, Inc. Motion seconded by Commissioner Ray and carried. Painting of the radio tower at the repeator station was discussed. It was decided that a professional painter should be hired.. Mr. Denton reported that the bonding company had paid Flaugh Construction Co. for the Justice Building. Mr. Longenbaugh reported that if the County accepted the proposal of Mrs. Longenbaugh for the computer program, the City would rent their IBM 32 at a rate of \$5 per hour. The Board was invited to observe this computer.

Road Supervisor Boren reported on road and equipment maintenance. He also reported that shop foreman Jim Wheeler had resigned. Howard Whipple of Mancos has been hired for that position. The Board requested the Road Department check batteries, butane, etc at the repeator station on a monthly basis.

Assessor Denny discussed the appeals of Hopperton and Lively to the State Board of Equalization

The Board requested that Mr. Denny appear at these hearings in Denver.

Judge Rusk and Probation Officer Don Aisham requested that the County build a partition in the old law library for use by the probation officer. Also lighting in that room should be improved. This was approved by the Board.

Board of Social Services conducted.

Treasurer Hindmarsh presented a letter from the policy committee recommending a 10% salary increase for County employees in 1978. He will be going to Silverton next Monday to help the new Treasurer appointee of San Juan County. He also requested permission to purchase a new calculator for his office. Money is available in his 1977 capitol outlay budget. This was approved.

Meeting eras adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

## **Minutes 08/22/1977 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 August, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P54-77

WHEREAS: Kenneth R. and Jeanne M. Todd, owners of 20 acres, more or less, in the Northeast One-quarter (NE1/4) of Section 3, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado wishes to sell 8.17 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the NE1/4 of Section 3, Township 36 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at the East quarter corner of Section 3, Township 36 N., Range 16 W.,

N.M.P.M., at a point which is N.0 degrees 05'E. a distance of 772 feet;

thence; N.0 degrees 05'E. a distance of 533 feet;

thence; N.89 degrees 55'W. a distance of 667.6 feet; to a stake;

thence; S.0 degrees 05'W. a distance of 533 feet;

thence; S89 degrees 55' a distance of 667.6 feet to a point of beginning, and containing 8.17 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: Kenneth R. Todd appeared before the Montezuma Count Planning Department on behalf of himself and his wife, Jeanne M. Todd, 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 8.17 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk Recorder

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 08/15/1977 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 August, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held August 8, 1977, were read and approved.

Miscellaneous correspondence read and contents noted. Clerk's and Treasurer's reports for the month of July were received and reviewed. Rental in the amount of \$240.00 was received from Shell Oil Co. on an Oil and Gas lease to the County.

Attorney Guy Dyer presented a letter from the County Bar Ass'n. concerning the possibility of hiring a part-time librarian so that the Law Library could be open to the public at times. City Librarian Maryellen Brubaker was contacted and the possibility of having one of her part-time librarians will be studied.

Mory Plumlee, caretaker for the Dolores Cemetery, again requested gravel for the road into the cemetery. This will be referred to the Road Department.

Nurse Koppenhafer reported for the Health Department. She has been elected Secretary of the Health Services Ass'n.

Planner W. L. Glenn presented requests for variances to the sub-division regulations as follows: Buford G., Clyde D. and Larry D. Rule to sell 10 acres in Section 26, T37N, R15W to Albert W. Wade. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P52-77 was signed. A. O. and Opal Pauline Simmons to convey 4 acres in Section 31, T36N, R13W.

Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning Resolution #P53-77 was signed.

Coordinator Denton discussed the bill from the Engineering Firm for the Public Works Act. This will be paid out of Anti-Recessional Funds. County Insurance report discussed. Mr. Denton will check with Val Kruse. Gravel pit permits must be applied for September 1, 1977.

Commissioner Bader made a motion to adopt Resolution #P51-77 concerning eligibility for financial assistance to continue planning efforts initiated under House Bill 1041 (1974). Motion seconded by Commissioner Ray and carried. (See attached).

General Fund Vouchers #34653 thru #34671 in the amount of \$14,031.34 and Road Fund Vouchers #3469 thru #3480 in the amount of \$5,673.24 were allowed and ordered paid.

David C. Tolson and Dan Shenefelt of Computer Election Systems reviewed the previous presentation of their system. Tabled.

Attest:

Clerk Chairman

AUG 23 1977

Page No. 2

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

Date Monday, August 15, 1977

Undersheriff John Glazner who is also the State Humane Officer reported that dogs are becoming a nuisance in the country. Under HB1716, County wide regulations on animals could be adopted. Tabled for further study.

Petitions for abatements to property tax were received from Assessor Denny as follows: Jack Sorrick, erroneous assessment, \$78.54 for refund. John H. and Beth Pfiefer, double assessment, \$382.23 for abatement. Commissioner Ray made a motion to approve these petitions, seconded by Commissioner Bader and carried.

Treasurer Russell Hindmarsh presented copies of the Personnel Policy Committee's recommendation for the board to review. Commissioner Bader made a motion to approve the following resolution #11-77: Allocation of Mineral Leasing movies will be as follows: 75% to Road and Bridge Fund, 25% to Public School Fund. (CRS-34-63- 02-1973) Motion seconded by Commissioner Ray and carried. (See attached) After reviewing the Treasurer's report Commissioner Bader made a motion to transfer \$4697.76 from Revenue Sharing Fund to County Works. Motion seconded by Commissioner Ray and carried. Clerk directed to issue order so indicating to Treasurer. Road Department Supervisor Boren reported on road and equipment maintenance. Carol Ledford requested speed signs be installed on Road M. Mr. Boren will check with State Patrol and signs will be installed. Predator permits discussed.

Board of Social Service conducted.

Don Burch of Bell Systems gave a presentation of Sony recording and transcribing equipment for the Sheriff's Department. This was approved for purchase in the amount of \$1519.30.

Addendum to By Laws of the San Juan Basin Commission (Region 9) was read and discussed.

As a sponsor of the San Juan Resource Conservation and Development Area, The Board of Commissioners approved this amendment to the bylaws.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk Chairman

**Minutes 08/15/1977 Regular**

THE BOARD OF COUNTY COMMISSIONERS 11-77  
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 August 1977 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd M. Ray and Clay Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

ALLOCATION OF MINERAL LEASING MONIES WILL BE AS FOLLOWS:

75% TD 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, Ray and Bader

Commissioners voting Nay:

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)

This 15th day of August, 1977.

County Clerk and Recorder of

Montezuma County, Colorado

#11-77

## **Minutes 08/15/1977 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 August, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P51-77

WHEREAS: This Board has received a letter dated July 15, 1977 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 with 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 were:

County Clerk and Recorder

Montezuma County, Colorado

I certify that at 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 08/15/1977 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 August, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P53-77

WHEREAS: A.O. and Opal Pauline Simmons, owners of 105.07 acres, more or less, in the Northwest one-quarter (NW1/4) of Section 31, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wishes to convey 4.0 acres, more or less, to a son, Eldon A. Simmons, and a daughter-in-law, Linda L. Simmons, as a residential tract of land.

A tract of land in the SW1/4NW1/4 of Section 31, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:  
Beginning at a point 164.0 feet East of the West quarter corner of said Section 31;  
thence; N.55 degrees 57'E. a distance of 418.9 feet along the S. R/W line of U.S. 160;  
thence; N.72 degrees 39'E. a distance of 104.4 feet along the S. R/W line of U.S. 160;  
thence; N.55 degrees 57'E. a distance of 334.6 feet along the S. R/W line of U.S. 160;  
thence; S. 0 degrees 28'E. a distance of 455.0 feet along a fenceline;  
thence; West 710.0 feet along a fenceline, along the S. line of said section 31, NW1/4, to the point of beginning, and containing 4.0 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: Eldon A. Simmons, agent for A.O. and Opal Pauline Simmons, 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 conveying 4.0 acres, more or less, to their son and daughter-in-law, Eldon A. and Linda L. Simmons 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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 08/15/1977 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 August, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

### **RESOLUTION P52-77**

WHEREAS: Buford G., Clyde D. and Larry D. Rule, owners of 66.4 acres, more or less, in the Northwest one-quarter (NW1/4) of Section 26, Township 37 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 10.00 acres, more or less, to Albert W. Wade, as a residential tract of land.

A tract of land in the SW1/4NW1/4 of Section 26, T.37N., R.15W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on a fenceline in the SW1/4NW1/4 of Section 26, T.37N., R.15W., N.M.P.M., Montezuma County, Colorado, from which point the NW Corner of said Section 26 bears N.30°07'44"W. a distance of 1637.06 feet;

thence; S.89degrees15'13"E. a distance of 453.00 feet along a fenceline to the west R/W line of the County Road;

thence; S. 0degrees15'27"E. a distance of 829.03 feet along the west R/W line of the County Road to a fenceline;

thence; N.89degrees15'18"W. a distance of 598.23 feet along a fenceline;

thence; N.09degrees42'26"E. a distance of 839.16 feet 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: Eldon A. Simmons, agent for Buford G., Clyde D., and Larry D. Rule, 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 Albert W. Wade 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 08/08/1977 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 August, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held August 2, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Notice of organization and Findings for the Mancos Fire Protection District were received from the District Court.

Also a letter from the Bureau of the Census was received notifying the Board that a "Dress Rehearsal" of the 1980 census will be held in Montezuma and La Plata County in April, 1978.

Veteran's Officer submitted his July report.

Sheriff Hampton gave his report for July. He made a request for three portable recording machines and a transcribing machine for use by investigators as they are bogged down with paper work. Approximate cost of equipment is \$1200 and he has money left in his Capitol Outlay budget. The Sheriff was authorized to proceed with this purchase.

Assessor Denny requested permission to close his office every day until 2:00 P.M. for approximately one month. The Board approved this request on a trial basis.

Coordinator Denton discussed H.B. 1614 having to do with unemployment insurance, and the possibility of new quarters for the Health Department.

Custodian Steerman reported on a problem with the elevator. It will cost approximately \$500 to have a serviceman come down from Denver to repair the elevator. The Board advised Mr. Steerman to contact the serviceman.

General Fund Vouchers #34548 thru #34652 in the amount of \$11,994.89 and Road Fund Vouchers #3444 thru #3468 in the amount of \$21,999.15 were allowed and ordered paid.

Jack Sorrick discussed property taxes. He was referred to Assessor Denny for a possible abatement.

Auditor Gale Greenlee reported on the cost study of the Social Services Department which will amount to about \$18,000 is revenue for the County. Certification of the Cost Study was signed. The 1978 budget was discussed. Mr. Greenlee requested assistance of the Commissioners staff in gathering and compiling budget requests. This was approved. It was decided that the Commissioners will again appoint a budget committee of outside business people to help with the budget. The budget draft will be presented to the Board October 10th.

Attest:

Clerk Chairman

AUG 16 1971



Page No. 2

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

Date Monday, August 8, 1977

Road Supervisor Boren reported on road maintenance and oiling. Beaver dams were discussed.

Cortez City Manager Longenbaugh and Mayor Hal Tanner stated that the City would pay the B & D Electric Co. bill incurred last year. Contracts were presented and signed by Chairman Honaker between the City, County as owners and Durango Car Rentals as renter. Airport insurance discussed. Discussion of road to the new hospital. The Board will inspect.

Agent Seaton and Duncan reported on July activities and plans for the County Fair this month. Board invited to the 4H Dress Revue which is tonight. Mrs. Duncan reported that she will be on maternity leave until October 1.

Sanitarian Allar and Nurse Koppenhafer reported that the T/W packing plant had been referred to the State Air Pollution for action. Moblie Home Park application of Harold Blakely was reviewed and signed by Chairman Honaker. Mr. Allar was given permission to attend a workshop on institutional food service to be held in Denver in September. Mrs. Koppenhafer will be attending a Western Health Agencies meeting in Grand Junction next month.

Board of Social Services conducted.

Treasurer Hindmarsh reported on the Personnel Policy Committee. The committee's suggestions will be presented to the Board for review. They will meet with the Board if needed. Mr. Hindmarsh also reported on his Public Trustee meeting which was held last week.

Board adjourned at 4:20 P.M.

Attest:

Clerk Chairman

## **Minutes 08/02/1977 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 2nd day of August, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held July 25, 1977, were read and approved.

Miscellaneous correspondence read and contents noted.

General Fund Payroll #3946 thru #4015 in the amount of \$31,685.25 and #34546 and #34547 in the amount of \$17,229.40 and Road Fund Payroll #3114 thru #3145 in the amount of \$18,602.02 and #3443 in the amount of \$7,967.73 were allowed and ordered paid.

Custodian Steerman requested a raise in salary for himself. After discussion the Board agreed to allow an increase from \$575 per month to \$600 per month, effective 8/1/77.

Ron Driscoll of Driscoll Inc. presented an explanation sheet for the tax mapping project which is nearing completion.

Nurse Koppenhafer reported that she will be off duty next week due to illness in her family. Possible plans for the old church building were discussed. The building would have to be re-wired and that would be expensive. Sanitarian Allar discussed plumbing inspections. The Board has received some information from the State Board of Health in regards to plumbing.

Coordinator Denton reported on San Juan Regional Commission. Vic Jacobs of Empire Electric discussed a right-of-way problem south of Cortez. Will the County ever build a road on that section line? After due consideration, Commissioner Ray made a motion that the County has no plans for construction of a County road between Sections 31 and 32, T35N, R16W at this time or in the foreseeable future. Commissioner Bader seconded the motion and it was carried. Resolution #10-77 to this effect will be drawn up and a copy sent to Mr. Jacobs. Discussion was had with Mr. Denton of the old church building, Road 26, and 1041 monies. He reported on water policy hearings held in Denver last week. The Board felt that the County should submit a statement of facts. Board agreed to pay Mr. Denton's air fare to Denver last week.

J. Val Kruse discussed liability insurance and the notice of claim received last week from Cox and Perry.

Joe Jarvis of Capitol Life Ins. Co. reported that there would be an increase in the group insurance effective 9/1/77. The County employees will be so notified.

Cortez City Manager Longenbaugh discussed the Frontier Airlines contract, the Justice Building and stated that the installation of the air conditioners at the airport will be let for bids.

Attest:

Clerk Chairman

AUG 10 1977

Page No. 2

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

Date Tuesday, August 2, 1977

Road Department Supervisor Boren reported on road and equipment maintenance and reported on road oiling progression.

Board of Social Services conducted.

Petitions for abatement of property taxes were received from Kenneth Hopperton et ux and Dean Cunningham et ux. After reviewing these petitions Commissioner Ray made a motion to deny these petitions, seconded by Commissioner Bader and carried.

Cunningham and Hopperton will be so notified.

Assessor Wayne Denny presented the abstract of assessment for 1976. Total taxable value is \$38,018,130, exempt property, \$34,038,860 for a total for \$72,066,990. This was signed by Chairman Honaker.

Bea Carver appeared to discuss prairie dog control.

Board adjourned at 4:00 P.M.

Attest:

Clerk    Chairman

**Minutes 08/02/1977 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 2nd day of August 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd M. Ray and Clay Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

After due consideration, Commissioner Ray made a motion that the County has no plans for construction of a County road between Sections 31 and 32, T35N, R16W at this time or in the foreseeable future. Motion seconded by Commissioner Bader.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd M Ray and Clay Bader.

Commissioners voting Nay: none

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 this 2nd day of August, 1977.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

## **Minutes 07/25/1977 Regular**

AUG 3 1977

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 25<sup>th</sup> day of July, A.D.

1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held July 18, 1977, and the Special meeting held July 21, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Cortez City warrant in the amount of \$1558.05 for jail expense was received. State warrant in the amount of \$666.66 was received in payment of 1st and 2nd quarters of forty mill levy monies per contract #86 for predatory animals.

A notice of claim was received from Attorney representing Henrietta Cox and Mary Perry. Copies were sent to Attorney Grace Merlo and J. Val Kruse of the Rauh Agency. Notice of decrease in the Montezuma County Hospital District was received. Nurse Koppenhafer and Sanitarian Allar of the Health Department reported the possibility of acquiring a plumbing inspector. This must come through the State, unless the County adopted a building code. Mr. Allar will continue trying to get in touch with Mr. Rodriguez of the Department of Regulatory Agencies. Contract with the State Health Department for 1/4 salaries of one Sanitarian beginning July 1, 1977 and ending June 30, 1978 was signed by Chairman Honaker.

Planner Glenn requested and received tentative approval for a variance to the subdivision regulations for J. T. Wilkerson to sell three to six acres.

Andrew Gatzke and Paul Butler visited with the Board.

Coordinator Denton reported that the Bureau of Reclamation will contract the proposed road into the Dolores Project. Anti-Recessional funds were discussed.

District Attorney George Buck discussed budget problems.

A jail inspection was made at this time and the jail found to be in good condition.

Assessor Denny discussed assessments.

Cortez City Manager Longenbaugh reported on an accident at the airport which happened this morning. Bids will be opened on the installation of locks at the Justice Building at 2 pm, today. He will report later.

Attest:

Clerk	Chairman
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Road Supervisor Boren reported on certain roads which were washed out due to heavy rains last weekend. Joe Cornett appeared and wants the County to take over the road into his property. Tabled.

Board of Social Services conducted

Meeting was adjourned at 3:00 P.M. so that the Board could make a road inspection.

## **Minutes 07/21/1977 Special**

JUL 26 1977

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 21st day of July, A. D. 1977 there were present:

Curtis Honaker	Chairman
Floyd Ray	Commissioner
Clay V. Bader	Commissioner
	County Attorney
Jean DeGraff	Clerk

Absent:

The Board of Commissioners, Montezuma County, sat as a Board of Equalization to review the petition of Dwain and Marie Lively, whose hearing was heard 7/18/77. This special meeting was held at 3:30 p.m. in the Commissioner's Room at the Montezuma County Courthouse.

Commissioner Bader made a motion, that because of the passage of HB1452, having to do with reassessment of the whole State, there can be no changes made in the assessed valuation. Motion seconded by Commissioner Ray and carried. Clerk DeGraff was directed to so notify Mr. and Mrs. Lively by mail.

There being no further business, meeting was adjourned at 4:00 P.M.

## **Minutes 07/18/1977 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 July, A. D.

1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held July 11, 1977 were read and approved.

Miscellaneous correspondence read and contents noted. State warrant for reimbursement of County cigarette tax in the amount of \$832.04 and Federal warrant for anti-recessional funds in the amount of \$17,683.00 were received.

Veteran's Affairs officer Dave McNeill again discussed budget problems. Mr. McNeill stated that during the year of 1977 the office was allocated \$1200 for part-time help for the entire year. As indicated by the semi-annual report, it shows that the work load of cases which have been processed through this office has tripled during the first six months of 1977 as compared to the full year of 1976. Due to this increased work load this office has spent over \$1700 for part-time help so far this year. Mr. McNeill is therefore asking for an additional amount so that this office may continue to run with efficiency. Commissioner Ray made a motion to amend the Veteran's Affairs budget by transferring \$3500 from the Revenue Sharing to the General Fund-Veterans Affairs. Motion seconded by Commissioner Bader and carried. Clerk will issue order to the Treasurer.

Dr. Griebel, Dr. Alkes and Nurse Koppenhafer of the Health Department discussed possible future plans for the County building on So. Elm.

Assessor Denny and Deputy Diffendaffer presented a copy of the current tax roll for 1976. They also presented a list of persons not filing the required reports of personal properties.

Coordinator Denton introduced Bill Greenlee of Colorado Engineering and Surveying Co. and they discussed the house numbering project. Request for variances to the sub-division regulations were received as follows: Margaret S. Bultsma to sell 6.92 acres in Section 16, T37N, R16W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P50-77 was signed. James O. Spencer requested an amended variance to correct the legal description on resolution #P31-77. Commissioner Ray made a motion to approve this amended variance, seconded by Commissioner Bader and carried. Amended Planning resolution #P31-77 was signed. Mr. Denton stated that the owners of the Forks Sub-division which was filed prior to the present sub-division regulations, had requested a letter from the County stating that the County recognized this to be a legal sub-division Attorney Merlo advised the Board that this would not pertain as the County would not have authority to do so. A letter will be written so stating. CETA applications were discussed.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, July 18, 1977

After discussion and reviewing the State Statutes, the Clerk was directed to write letters to Mr. Hopperton and Mr. Cunningham stating that their petitions had been received too late for hearings before the Board of Equalization, according to CRS 39-8-106 (1)(A).

Cortez City Manager Longenbaugh discussed the Uniform Building Code.

Road Department Supervisor Boren reported on road and equipment maintenance.

Board of Social Services conducted.

Don Aishman, new Probation Officer for the 22nd Judicial District introduced himself and requested that the Courthouse be left open each Wednesday evening, effective immediately, so that he might conduct evening appointments with juveniles and parents. It was approved for the South door of the Courthouse to be left open. Custodian Steerman will be so notified.

It being 3:00 P.M., the time set aside, a Public Hearing was conducted on the application of Richard and Carolyn Lee dba Mesa Verde Point Kampark, 3/4 mile East of Mesa Verde Entrance for a 3.2% Beer License. Roll call was taken with Chairman Curtis Honaker, Commissioner Floyd Ray, Commissioner Clay Bader, Attorney Grace Merlo and Clerk Jean DeGraff present. Applicant Richard Lee gave testimony and was not represented by Counsel, No other persons, for or against, were present. All proceedings were recorded on cassette tape for the record. Commissioner Ray made a motion to approve this application, seconded by commissioner Bader. Commissioner Honaker, Commissioner Ray and Commissioner Bader all voted "aye". Motion carried and application signed by Chairman Honaker.

It being 3:30 P.M., the time set aside, the Board of Commissioners, Montezuma County, sat as a Board of Equalization. All Commissioners were in attendance, Attorney Merlo, Clerk DeGraff and Assessor Denny. Protestors were Dwain and Marie Lively. All proceedings were recorded on cassette tape for the record.

Petitioners will be notified at a later date of the Commissioner's findings.

Dixie Ferrick of the District Court reported that the air conditioning system was not working properly in the Court offices and requested that it be checked due to the heat. Custodian Steerman was instructed to have Mr. Runck check the cooling system. A complaint was also received by the Planning Department. Mr. Steerman will get an estimate on running a 220 line into the Planning Office for a refrigeration unit. Tabled until next week.

General Fund Vouchers #34528 thru #34545 in the amount of \$2,013.46, Road Fund Vouchers #3433 thru #3442 in the amount of \$5,551.61, Revenue Sharing Vouchers #80 thru #81 in the amount of \$872.84 and OASI Voucher #196 in the amount of \$28,441.79 were allowed and ordered paid.

Meeting adjourned at 5:00 P.M.

Attest:

Clerk

Chairman



### **Minutes 07/18/1977 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 18th day of July, 1977, with the following persons in attendance;

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Amended Resolution P31-77

WHEREAS: James O. Spencer of the 6th day of June, 1977 was granted an exemption from filing a Subdivision Plat; and, WHEREAS: The legal description of said plot was described in error.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Montezuma County hereby amend Resolution P31-77 for the legal description to read as follows:

A tract of land located in Section 15, T36 N, R 13 W, N.M.P.M., in Montezuma County, Colorado, and more particularly described as follows:

Beginning at a point from whence the NE corner of said Section

15 bears N 52degrees48' 10" E, 3268.53 feet;

thence, S 05degrees42 55" W, 195.81 feet;

thence, West, 485.06 feet;

thence, North, 743.66 feet;

thence, S 86degrees 32' 25" E, 295.85 feet;

thence, S 02degrees01' 20" E, 517.42 feet;

thence, S 85degrees40' 40" E, 184.01 feet, to the point of beginning. Contains 5.983 acres, more or less.

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)

## **Minutes 07/18/1977 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 18th day of July, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P50-77**

WHEREAS: Margaret S. Bultsma, owner of 10.72 acres, more or less, in SE1/4SE1/4, Section 16, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 6.92 acres, more or less, to a separate owner.

A tract of land in the SE1/4SE1/4 of Section 16, T.37N., R.16W., 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 SE1/4SE1/4 of Section 16, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 16 bears S.59degrees26'58"E. a distance of 915.25 feet; thence; N.78degrees26'34"E. a distance of 219.72 feet along the north R/W line of the County Road;

thence; N.87degrees01'15"E. a distance of 331.05 feet along the north R/W line of the County Road;

thence; N.53degrees57'25"E. a distance of 297.25 feet along the north R/W line of the County Road to the east of said section 16;

thence; N. 0degrees09'39" W. a distance of 182.68 feet along the east line of said Section 16;

thence; S.89degrees50'19"W. a distance of 843.70 feet to a fenceline; thence;

9.06degrees01'32"W. a distance of 63.73 feet along a fenceline;

thence; S.15degrees55'08"W. a distance of 59.65 feet along a fenceline;

thence; S.25degrees10'57"W. a distance of 106.02 feet along a fenceline

thence; S.32degrees16'12"E. a distance of 236.25 feet along a fenceline to the point of beginning, and containing 6.92 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 County Commissioners.

WHEREAS: Joe Dean, agent for Margaret S. Bultsma, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that the land is not being subdivided in the intent of the said regulations, but merely selling 6.92 acres, more or less, to a separate owner for residential tract.

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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 07/11/1977 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 July, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held July 5, 1977 were read and approved.

Miscellaneous correspondence was read and contents noted. Clerk's, Treasurer's, Sheriff's and Veteran's Affairs reports for the month of June were received and reviewed. A warrant from the Town of Dolores for 1/2 use of dump from Dolores County was received.

Sheriff Hampton presented his report and noted that the new jail locks have not been installed and the generator has not been changed. The Sheriff has acquired radios from the Forest Service and these should be installed in fire fighting equipment.

V. A. Officer Dave McNeill presented a six month report and noted a substantial increase in various items. He needs more help part time but will run over his budget. Mr. McNeill was instructed to inquire into obtaining part time help through a grant. He will watch the budget and notify the Board later.

Jim Vandapool, County license investigator, presented his written report of the Mesa Verde Point Kampark. He is moving and will not be able to attend the public hearing to be held next week.

Coordinator Denton presented requests for the planning department. Richard Tibbets presented a petition to release protective covenants for High View Acres sub-division. Commissioner Bader made a motion to accept the petition and release the covenants, seconded by Commissioner Ray and carried. Resolution #9-77 was signed. Tentative approval was given for Larrie Buford and Clyde Rule to sell 10 acres. Tentative approval with further review was given for Margaret Bultsman to sell 6 acres. The meeting with Governor Lamm tomorrow was discussed.

Corky McClain representing a group of licensed plumbers appeared with County Sanitarian John Allar. Mr. McClain stated that there is a lot of sub-standard plumbing being done by unlicensed plumbers. He cited several instances and stated the need for a County plumbing inspector. The Board suggested that Sanitarian Altar investigate the possibilities of acquiring an inspector. Mr. Allar will notify Mr. Raul Rodriguez Department of Regulatory Services, of this problem.

Assessor Denny discussed equalization.

Representatives of the Bureau of Reclamation appeared with Mr. Denton to discuss the possibility of rewriting of the contract to relocate County Road #28 with the Forest Service.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, July 11, 1977

Cortez City Manager Longenbaugh reported that he had been unable to locate a locksmith to install locks at the jail. A Justice Building Committee meeting will be held this evening.

Road Department Supervisor Boren reported on road and equipment maintenance. Board of Social Services conducted.

A petition for refund of property taxes was presented by Assessor Denny. This refund is for Logan Hector for erroneous assessment in the amount of \$148.54. Commissioner Ray moved to approve the petition, seconded by Commissioner Bader and carried. After discussion, Commissioner Ray made a motion to pay 1/2 the Cortez Medical Group bill for Sharon Stroud, a cancer patient, in the amount of \$65.00 from the Ormiston Trust Fund. Motion seconded by Commissioner Bader and carried. Clerk was directed to give the order to the Treasurer.

Bruce Hansen of the Soil Conservation Service discussed the possibility of having evening meeting with land owners to present future seeding programs. The Board agreed this was a good idea.

Ethel Head of the Cortez Senior Citizens presented a bill from Cortez Glass Co. in the amount, of \$33.20 to pay for a broken window at their home. Commissioner Bader made a motion to pay this bill, seconded by Commissioner Ray and carried. Mrs. Head reported activities going well at the home.

General Fund Vouchers #34422 thru #34527 in the amount of \$23,977.90, Road Fund Vouchers #3401 thru #3432 in the amount of \$16,260.63, Revenue Sharing Vouchers #78 & #79 in the amount of \$2,745.00 and Contingency Fund Voucher #81 in the amount of \$149.14 were allowed and ordered paid.

Meeting adjourned at 3:30 P.M.

Attest:

Clerk Chairman

## Minutes 07/05/1977 Regular

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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 5th day of July, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held June 27, 1977 were read and approved.

Miscellaneous correspondence was read and contents noted.

Coordinator Denton and Attorney Merlo reported on their reading of the proposed contract with the Bureau of Reclamation on relocating Road #28.

County 3.2% beer license #13-08997-001 for Ute Mountain Market was signed by Chairman Honaker.

A bill was received from Cortez Medical Group for Sharon Stroud, requesting assistance from the Ormiston Fund. This will be referred to Social Services.

Custodian Steerman reported that if he put a swamp cooler in the basement, he would have to cut a hole in the wall. This was approved.

Requests for variances to the sub-division regulations were presented as follows: W.H. and Carol J. Mikkelson to sell 18.54 acres to a separate owner in Section 35, T37N, R17W. Commissioners Ray made a motion to approve this variance, seconded by Commissioner Bader and carried.

Planning Resolution #P49-77 was signed. A.F. Penasa to sell 18.44 acres to a separate owner in Section 13, T37N, R16W. Commissioner Ray made a motion to approve this variance, seconded by

Commissioner Bader and carried. Planning Resolution #P50-77 was signed.

Coordinator Denton appeared with representatives of the Bureau of Reclamation to discuss the proposed contract relocating Road #28. County does not want to be the prime contractor as is indicated in the contract. Probable ownership of the road discussed. Attorney Merlo advised that the contract is inappropriate for the Board of Commissioners to sign. The Bureau of Reclamation will explore other approaches.

Mary Coppinger, Mrs. Cantrell and Louise Sprenger of the Mancos Senior Citizen Group appeared requesting financial help from the County in acquiring a piano. The cost will be approximately \$500. After discussion and checking the budget, Commissioner Ray made a motion to approve the purchase of the piano, seconded by Commissioner Bader and carried.

Assessor Denny and Deputy Assessor Diffendaffer discussed property taxes of Ditmar Thyssen. Commissioner Honaker and Ray investigated this property last week but were unaware of the new graveled road by this property. The Board agreed to leave it as assessed. Other properties were discussed. Mr. Denny reported on State Assessor's meeting held last week.

Attest:

Clerk Chairman

Page No. 2

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

Date Tuesday, July 5, 1977

Cortez City Manager Longenbaugh introduced Glen Smith, newly appointed City Clerk-Director of Finance. Swimming pool was discussed, also the old Safeway building. Bob Bugner of Automatic Voting Machines gave a demonstration of this machine. A proposal will be sent at a later date.

A contract with the State Health Department on reimbursement of 25% of the salaries of three nurses for the period of 7/1/77 through 6/30/78 was signed by Chairman Honaker. Board of Social Services was held.

General Fund Payroll #3876 thru #3945 in the amount of \$32,212.20 and #34420 and #34421 in the amount of \$17,202.19 and Road Fund Payroll #3081 thru #3113 in the amount of \$18,674.31 and #3400 in the amount of \$8,118.44 were allowed and ordered paid.

Meeting was adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

## **Minutes 07/05/1977 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 July, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker; Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P49-77**

WHEREAS: W.H. and Carol J. Mikkelson, owners of 34 acres, more or less, in the SE1/4SE1/4 of Section 35, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 18.54 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SE1/4SE1/4 of Section 35, T.37N, R.17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows;

Beginning at a point in the SE1/4SE1/4 of Section 35, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 35 bears S.44degrees32'03"E. a distance of 704.47 feet;

thence, N.0degrees30'00"E. a distance of 334.52 feet;

thence, S.89degrees45'29"W. a distance of 836.09 feet, to the west line of the SE1/4SE1/4 of said Section 35;

thence, N.0degrees12'06"W. a distance of 484.99 feet, along the west line of the SE1/4SE1/4 of said Section 35 to the NW corner of the SE1/4SE1/4 of said Section 35;

thence, N.89degrees44'54" E. a distance of 1323.26 feet, along the north line of the SE1/4SE1/4 of said Section 35 to the east line of said section 35;

thence, S.0degrees14'47"E. a distance of 827.51 feet, along the east line of said Section 35;

thence, N.89degrees20'00"W. a distance of 491.97 feet to the point of beginning, and containing 18.54 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 W.H. and Carol J. Mikkelson, 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 18.54 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 plan will be filed.

Commissioners voting aye in favor of the resolution were:

County Clerk and Recorder

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

Online Copy

## **Minutes 07/05/1977 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 July, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken;

RESOLUTION P50-77

WHEREAS: A.F. Penasa, owner of 36 acres, more or less, in the SW1/4NW1/4 of Section 13, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 18.44 acres, more or less, to a separate owner, as a residential tract of land.

A tract of land in the SW1/4NW1/4 of Section 13, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows: Beginning at a point in the S1/2 SW1/4NW1/4 of Section 13, T.37N, R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SW corner of said Section 13 bears S.23degrees57'31"W. a distance of 3047.38 feet; thence; S.86degrees25'39"W. a distance of 1261.05 feet; thence; N.0degrees23'06"W. a distance of 636.90 feet; thence; N.86degrees20'50"E. a distance of 1261.05 feet; thence; S.0degrees23'38"E. a distance of 638.66 feet to the point of beginning and containing 18.44 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 H.F. Penasa 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 18.44 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 creat 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 sub-division plan 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 06/27/1977 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 June , A. D.

1977 there were present:

Curtis Honaker Chairman

Floyd Ray Commissioner

Commissioner

Grace S. Merlo County Attorney

Jean DeGraff Clerk

Absent: Clay V. Bader

Pledge of allegiance given. Minutes of the previous regular meeting held June 20, 1977  
were read and approved.

Miscellaneous correspondence was read and contents noted.

Custodian Steerman discussed parking spaces. The Board asked him to check with  
Planner Glenn. He also requested a pay raise for employees. This was tabled until next  
week to be considered by a full Board.

Roy Henneman, Chairman of the County Housing Authority reported that since the State  
Housing Authority has been transferred from the Department of State to the Department  
of Local Affairs, some of the papers submitted are in error. This was referred to County  
Attorney Merlo.

Mrs. Janice Bell discussed an increase in property tax for 1976. Assessor Denny  
reported that due to a State order it was increased last year but will be decreased for  
1977. Mrs. Bell will petition for an abatement.

Dr. Griebel and Nurse Koppenhafer stated that due to increase in nursing and home  
health care they would need one more nurse and one more aide for 1978. In order to get  
the 25% reimbursement on salary for a nurse from the State Department of Health and  
since the State is on a fiscal year, the Board approved the hiring of a full time nurse and  
aide for 1978.

Assessor Denny and Deputy Assessor Diffendaffer reported that his office has by law  
completed hearings of protest of taxes. They feel that there will only be a few protestors  
for the Board of Equalization set to begin July 11, 1977. They also discussed changes of  
law pertaining to Assessor's duties.

Planner W. L. Glenn presented petitions for the following variances to the sub-division  
regulations: Ken and Bev Williamson to sell 4.00 acres to a separate owner in Section  
31, T37N, R16W. Commissioner Ray made a motion to approve this variance, seconded  
by Commissioner Honaker and carried. Planning Resolution #P42-77 was signed.

George D. & Brenda L. Rogers to sell 12 acres to a separate owner in Section 29, T37N,  
R14W. Commissioner Ray made a motion to approve this variance, seconded by  
Commissioner Honaker and carried. Planning Resolution #P48-77 was signed. John E.  
& Sharon Ogier to sell 6.82 acres to a separate owner in Section 30, T36N, R13W.

Commissioner Ray made a motion to approve this variance, seconded by Commissioner  
Honaker and carried. Planning Resolution #P47-77 was signed. Herbert L. Hawkins to  
convey 3 acres to a son, Steve and Iva Hawkins in Section 1, T35N, R14W.

Attest:

Clerk Chairman

JUL 6 1977

Page No. 2

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

Date Monday, June 27, 1977

Commissioner Ray made a motion to approve this variance, seconded by Commissioner Honaker and carried. Planning Resolution #P46-77 was signed. Carol K. Boyd to sell 16.13 acres to a separate owner in Section 7, T36N, R15W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Honaker and carried. Planning Resolution #P43-77 was signed. Parking spaces were discussed. Mr. Glenn will work with Mr. Steerman.

Charles Hinton, Road Foreman, reported that he had injured his back last fall while working on a bridge but had not reported to Compensation as he felt it was a minor injury. He is now having problems with his back. This will be discussed with Road Supervisor Boren.

Coordinator Denton reported on the Western Slope Commissioners meeting held last week.

Val Kruse of Rauh Agency discussed insurance problems.

Application for renewal of a 3.2% beer license for N.W. and Pearl Gregory dba Priest Gulch Campground was reviewed. Commissioner Ray made a motion to approve this application, seconded by Commissioner Honaker and carried.

Dittley Thyssen appeared in regards to property tax on property in Ranchland Hills subdivision south of Cortez. After checking with Assessor Denny, it was decided that the Board should inspect the property.

Cortez City Manager Longenbaugh appeared with Raul Rodriquez and Jackie Hoppel of the Department of Regulatory Agencies. Everett Johnson of Empire Electric was also in attendance. Mr. Rodriquez discussed the electrical board and inspector.

Representative of the Bureau of Reclamation appeared with Coordinator Denton. A contract was presented but will be read by Attorney Merlo before Board consideration. A schedule of activities on the Dolores Project road was presented. Rights-of-way will be acquired by August 30, 1977. The Board agreed to the schedule as set forth.

David Tolsen of Computers Elections System gave a presentation of this election system. A formal proposal will be submitted to the Board next week.

A parking plan was submitted by Mr. Denton.

Board of Social Services conducted.

General Fund Voucher #34418 in the amount of \$341.62 was approved and ordered paid.

A petition for abatement of taxes was presented by Assessor Denny for James and Janice Bell for erroneous assessment in the amount of \$337.59. Commissioner Ray, made a motion to approve this abatement, seconded by Commissioner Honaker and carried.

Meeting adjourned at 4:45 P.M.

Attest:

Clerk Chairman

## **Minutes 06/27/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Marlo

the following proceedings, among others, were taken:

#### **RESOLUTION P42-77**

WHEREAS: Ken and Bev Williamson, owners of 230 acres, more or less, in west one-half of Section 31, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 4.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SW1/4 NW1/4 of Section 31, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the west line of Section 31, T.37N., R.16

W., N.M.P.M., Montezuma County, Colorado, from which point the

W1/4 corner of said Section 31 bears S.0degrees06'31"E. a distance of 484.70 feet;

thence, N.89degrees40'18"E. a distance of 416.52 feet;

thence, S.01degrees37'41"W. a distance of 424.94 feet;

thence, S.89degrees40'18"W. a distance of 403.64 feet to the west line of said Section 31;

thence, N.0degrees06'31"W. a distance of 424.70 feet along the west line of said Section 31 to the point of beginning, and containing 4.00 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: Ken Williamson appeared before the Montezuma County Planning office on behalf of himself and his wife, Bev 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 4.00 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 Plan 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

Online Copy

## **Minutes 06/27/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P43-77**

WHEREAS: Carol K. Boyd owner of 86.116 acres, more or less, in the SW1/4 of Section 7, Township 36 North, Range 15 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 16.13 acres, more or less, to a separate owner as a residential tract.

A tract of land in the SW1/4 of Section 7, T.35N., R.15W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the east R/W line of Colorado 145 in the SW1/4 of Section 7, T.35N., R.15 W., N.M.P.M., Montezuma County, Colorado, from which point the SW corner of said Section 7, (an iron bar embedded in roadway) bears

S.01degrees20'34"W. a distance of 2117.42 feet;

thence, N. a distance of 163.19 feet along the east R/W line of Colorado 145; thence, N.89degrees52'E. a distance of 326.10 feet;

thence, N.0degrees08'W. a distance of 395.97 feet to the north line of the SW1/4 of said Section 7;

thence, N.89degrees22'E. a distance of 1197.20 feet along the north line of the SW1/4 of said Section 7;

thence, S.15degrees23'W. a distance 409.24 feet;

thence, S.45degrees57'E. a distance of 118.50 feet; thence, S.11degrees58'E. a distance of 96.81 feet;

thence, W. a distance of 1517.54 feet to the point of beginning, and containing 16.13 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 Carol K. Boyd, 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 16.13 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 land 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 plan 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

Online Copy



## **Minutes 06/27/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

### **RESOLUTION P46-77**

WHEREAS: Herbert L. Hawkins, owner of 56 acres, more or less in the west one-half, southeast one-quarter (W1/2SE1/4) of Section 1, Township 35 North, Range 14 West, N.M.P.M., Montezuma County, Colorado, wishes to convey 3.00 acres, more or less, to a son and daughter-in-law, Steve and Iva Hawkins as a residential tract of land.

A tract of land in the W1/2SE1/4 of Section 1, T.35N., R.14W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the northerly R/W line of the County Road in the W1/2SE1/4 of Section 1, T.35N., R.14W., N.M.P.M., Montezuma County, Colorado, from which point the NE corner of said Section 1 bears N.24degrees36 05"E. a distance of 4916.15 feet; thence, S.70degrees48'12"W. a distance of 700.31 feet to the west line of the W1/2SE1/4 of said Section 1;

thence, S.0degrees59 37"E. a distance of 238.75 feet along the west line of the W1/2SE1/4 of said Section 1 to the northerly R/W line of the County Road:

thence, N.75degrees43'35"E. a distance of 425.38 feet along the northerly R/W line of the County Road;

thence, N.22 degrees27'57"E. a distance of 284.90 feet along the westerly R/W line of the County Road;

thence, N.53degrees28'15"E. a distance of 169.39 feet along the northerly R/W line of the County Road 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: Herbert L. Hawkins, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations, stating that he is not subdividing his land in the intent of the regulations, but merely conveying 3.00 acres, more or less, to his son and daughter-in-law Steve and Iva Hawkins 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 plan 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

Online Copy

## **Minutes 06/27/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P47-77**

WHEREAS: John E. and Sharon Ogier owners of 23 acres, more or less, E1/2E1/2 SE1/4 of Section 30, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado wishes to sell 6.82 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the E1/2E1/2 SE1/4 of Section 30, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:  
Beginning at a point in the E1/2E1/2 SE1/4 of Section 30, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, from which point the E1/4 corner of said Section 30 bears N.01degrees25'20"E. a distance of 1252.56 feet;  
thence, S. 0degrees03'W. a distance of 419.99 feet to the north R/W line of U.S. 160;  
thence, S.56degrees06'32"W. a distance of 365.73 feet along the north R/W line of U.S. 160;  
thence, S.74degrees53'19"W. a distance of 121.50 feet along the north R/W line of U.S. 160;  
thence, S.50degrees54'59"W. a distance of 119.88 feet along the north R/W line of U.S. 160 to a fenceline;  
thence, N. 0degrees03'E. a distance of 728.00 feet along a fenceline;  
thence, N.89degrees40'E. a distance of 513.70 feet to the point of beginning, and containing 6.82 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: John E. Ogier appeared before the Montezuma County Planning Department in behalf of himself and his wife, Sharon Ogier, 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 6.82 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 plan 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

Online Copy

## **Minutes 06/27/1977 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 June, 1977, with the following persons in attendance;

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Clay Bader

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P48-77**

WHEREAS: George D. and Brenda L. Rogers, owners of 121 acres, more or less, in the S1/2SE1/4 and S1/2SW1/4 of Section 29, Township 37 North, Range 14 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 12.00' acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the S1/2SE1/4 of Section 29, T.37N., R.14W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows;

Beginning at a point on the north R/W line of Colorado Highway 184 in the S1/2SE1/4 of Section 29, T.37N., R.14W., N.M.P.M., Montezuma County, Colorado from which point the SE corner of said Section 29 bears N.89degrees26'32"E. a distance of 629.90 feet; thence, N.42degrees03'17"W. a distance of 330.00 feet along a fenceline; thence, N.30degrees10'15"E. a distance of 66.74 feet along a fenceline; thence, N. 62degrees18'49"E. a distance of 172.08 feet along a fenceline; thence, N.34degrees23'35"W. a distance of 303.12 feet along a fenceline; thence, S.46degrees06'00"W. a distance of 147.27 feet along a fenceline; thence, N.66degrees54'09"W. a distance of 156.35 feet along a fenceline; thence, N.56degrees11'55"W. a distance of 107.05 feet along a fenceline; thence, S.78degrees29'33"W. a distance of 135.21 feet along a fenceline; thence, N.69degrees34'30"W. a distance of 208.84 feet along a fenceline; thence, N.65degrees24'31"W. a distance of 143.05 feet along a fenceline; thence, S. a distance of 475.13 feet to a fenceline; thence, S.89degrees51'53"E. a distance of 133.33 feet along a fenceline; thence, S.0degrees51'59"E. a distance of 285.70 feet along a fenceline to the north R/W line of Colorado Highway 184; thence, N.89degrees43'31"E. a distance of 865.88 feet along the north R/W line of Colorado Highway 184, 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: George D. Rogers appeared before the Montezuma County Planning Department in behalf of himself and his wife, Brenda L. Rogers, 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 plan 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

Online Copy

## **Minutes 06/20/1977 Regular**

JUN 28 1977

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 June, A. D.

1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held June 13, 1977 were read and approved.

Miscellaneous correspondence was read and contents noted.

County Agents Bob Seaton, Norma Duncan and Mary Porter reported on various items including home economics judging teams, testing of pressure canners, creative cooking, weed districts, sheep treatment and livestock and horse judging.

Nurse Supervisor Koppenhafer received permission from the Board to attend a Sudden Infant Death Syndrome workshop to be held this month. Sanitarian Allar will attend an in-service meeting in Denver and a training class in Durango. The Board gave approval for Sanitarian Allar to be moved from probationary status to permanent status at a salary of \$825.00 per month. Discussion was held on after care patients. The Board agreed if the patients couldn't pay for their medicine the County would.

Planner Glenn presented requests for variances to the sub-division regulations as follows: Leo Maley to convey 2 acres to his son, Tom Maley in Section 19, T37N, R16W.

Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning Resolution #P37-77 was signed. Jerald L. and Jeanette E. Fischer to sell 3 acres to a separate owner in Section 35, T37N, R14W.

Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning resolution #P38-77 was signed. R. Kent and Karen Neely to sell 3.03 acres to a separate owner in Section 14, T36 N, R16 W.

Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning resolution #P39-77 was signed. Jesse S. and Alice J. Chandler to sell 10 acres to Darrell and Connie Loyd in Section 14, T35N, R16W. Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning resolution #P40-77 was signed. Tentative approval for a variance was given for Ken and Bev Williamson to sell 4 acres.

Coordinator Denton reported to the Board on Public Works projects.

Bruce Hansen of the ASC office discussed the County road seeding project. Grass is not growing as well due to lack of moisture but the weeds are growing. Farmers concerned, want the barrow pits mowed or be allowed to plow. Board agreed that the barrows should be mowed and will advise the road department.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, June 20, 1977

Agent Seaton reported that the County Fair will be moved so it won't conflict with Dolores Escalante Days. Fairboard was discussed. Commissioner Bader made a motion to appoint Al Penassa and Bill Graham to the Fairboard. Motion seconded by Commissioner Ray and carried. Clerk was directed to so notify these members.

Assessor Denny presented a petition for refund of property tax for Elmer C. and Mildred Langford due to erroneous assessment in the amount of \$47.96. Property is located in La Plata County. Commissioner Bader made a motion to allow this refund, seconded by Commissioner Ray and carried.

Cortez City Manager Longenbaugh appeared with Intern Tom Shipps and Bob Siverson of Durango Auto Rental. His contract at the airport expired in 1976. He will pay some back rental and a new contract will be let at a later date.

Road Supervisor Boren reported on roads and equipment. Bids were opened on gravel and reviewed as follows:

Nielson's Inc.	\$372 per ton
Mountain Gravel	\$3.60 per ton

Commissioner Bader made a motion to accept the bid of Mountain Gravel as low bidder, seconded by Commissioner Ray and carried. Several new road signs have been vandalized. 20 signs have had to be replaced. Authorities will be put on notice. Entrance to parking lot discussed. Custodian Steerman could do the work if Road Department will furnish cold mix. Road seeding discussed.

Ken Brengle of Cortez Chamber of Commerce discussed the statement of the Board last week concerning the use of the Courthouse parking lot. The Board assured him that the Chamber could still use the lot as the flea markets are a promotional item for the Chamber.

Bookkeeper Ketchem reported that she is still receiving bills from B & D Electric for work done last October at the Justice Building.. Board will check with the City.

General Fund Vouchers #34404 thru #34417 in the amount of \$6,107.23, Road Fund Vouchers #3392 thru #3399 in the amount of \$3,129.96 and Public Works Voucher #151 in the amount of \$264.00 were allowed and ordered paid.

Board of Social Services conducted.

An agreement with Montezuma County on the safer roads demonstration project between the County and the State Department of Highways was signed by the Board for work on Road M in the County.

Adjourned at 4:00 P.M.

Attest:

Clerk    Chairman



## **Minutes 06/20/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray, and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

The following proceedings among others were taken:

#### **RESOLUTION P37-77**

WHEREAS: Leo Maley owner of 6.10 acres more or less, in the SE1/4 NE1/4 of Section 19, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado wishes to convey to his son, Tom Maley, a house and 2.00 acres, more or less, as a residential tract of land.

A tract of land in the SE1/4 NE1/4 of Section 19, T.37N., R.16 W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on a fenceline and on the east R/W line of U.S. 666 in the SE1/4 NE1/4 of Section 19, T.37N, R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said section 19 (rebar embedded in County Road intersection) bears S.17degrees53'46"E. a distance of 3129.45 feet; thence, N.18degrees39'00"E. a distance of 439.00 feet along a fenceline; thence, N.72degrees06'26"W. a distance of 195.52 feet; thence, N.0degrees56'06" W. a distance of 179.55 feet; thence, S.84degrees04'42"W. a distance of 144.72 feet to the east R/W line of U.S. 666; thence, S.16degrees42'16"E. a distance of 303.34 feet along the east R/W line of U. S. 666;

thence, S.16degrees45'05"E. a distance of 365.58 feet along the east R/W line of U. S. 666 to the point of beginning, and containing 2.00 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: Paul Williamson, agent for Leo Maley, appeared before the Montezuma 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 2.00 acres, more or less, to his son as a residential tract of land. He further stated the transaction happened in 1971, however the deed was never written.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County finds that this division of land doesn't 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 plan 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

Online Copy

## **Minutes 06/20/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

The following proceedings among others, were taken:

#### **RESOLUTION P38-77**

WHEREAS: Jerald L. and Jeanette E. Fischer owners of 13 acres, more or less, in the NW1/4 of Section 35, Township 37 North, Range 14 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 3.00 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the S1/2 S1/2 NW; NW1/4 of Section 35, T.37N., R.14W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the west line of Section 35, T.37N., R.14W., N.M.P.M., Montezuma County, Colorado, from which point the NW corner of said Section 35 bears N.0degrees12'18"E. a distance of 992.91 feet;

thence, S.0degrees12'18"W. a distance of 218.99 feet along the west line of said Section 35 to the north R/W line of Colorado 184;

thence, N.89degrees11'00"E. a distance of 74.60 feet along the north R/W line of Colorado 184;

thence, S.0degrees49'00"E. a distance of 50.00 feet along the easterly R/W line of Colorado 184;

thence, S.89degrees97'45"E. a distance of 205.20 feet along the north R/W line of Colorado 184;

thence, 210.06 feet along the arc of a curve to the right with a radius of 1205.96 feet along the northeasterly R/W line of Colorado 184, the long chord of which bears S.84degrees08'29"E. a distance of 209.75 feet;

thence, N.0degrees12'18"E. a distance of 298.86 feet to the north line of the S1/2 S1/2 NW1/4 NW1/4 of said Section 35; .

thence, S.89 degrees15'00"W. a distance of 489.46 feet. along the north line of the S1/2 S1/2 N1/2 N1/2 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: Jerald L. Fischer appeared before the Montezuma Planning Department in behalf of himself and his wife, Jeanette E. Fischer ; 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 3.00 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 plan 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

Online Copy

## **Minutes 06/20/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

The following proceedings among others, were taken:

#### **RESOLUTION P39-77**

WHEREAS: R. Kent and Karen Neely owners of 77 acres, more or less, in the E1/2 SW1/4 of Section 14, Township 36 North, Range 16 West; N.M.P.M., Montezuma County, Colorado, wishes to sell 3.03 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the SE1/4 SW1/4 of Section 14, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado being more particularly described as follows:

Beginning at a point on the C/L of the County Road which is also on the south line of Section 14, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SW corner of said Section 14 (an iron bar in center of road intersection) bears S.89degrees46'00"W. a distance of 1379.70 feet; thence, N.11degrees39'32"E. a distance of 426.65 feet; thence, N.89degrees46'E. a distance of 273.47 feet; thence, South a distance of 417.50 feet to the C/L of the County Road which is also the south line of said Section 14;

thence, S.89degrees46'W. a distance of 359.69 feet along the C/L of the County Road which is also the south line of said Section 14 to the point of beginning, and containing 3.03 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: R. Kent Neely appeared before the Montezuma Planning Department on behalf of himself and his wife, Karen Neely, 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 3.03 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 plan, 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

Online Copy

## **Minutes 06/20/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

The following proceedings among others, were taken:

#### **RESOLUTION P40-77**

WHEREAS: Jesse S. and Alice J. Chandler, owners of 51.21 acres, more or less, in the west half of the northwest quarter (W1/2 NW1/4) of Section 14, Township 35 north, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 10.00 acres, more or less, to Darrell and Connie Loyd as a residential tract of land.

A tract of land in the NW1/4 NW1/4 of Section 14, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as following: Beginning at a point on the west line of Section 14, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the NW corner of said Section 14 bears N.0degrees57'44"W. a distance of 950.00feet; thence, East a distance of 132.00 feet to the east line of the NW1/4 NW1/4 of said Section 14;

thence, S.0degrees57'44"E a distance of 330.00 feet along the east line of the NW1/4 NW1/4 of said Section 14;

thence, West a distance of 1320.00 feet to the west line of said Section 14;

thence, N. 0degrees 57'44"W. a distance of 330.00 feet along the west line of said Section 14 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: Joe Dean agent for Jesse S. and Alice J. Chandler appeared before the Montezuma 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 Darrell and Connie Loyd 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 that are intended to be regulated by the Subdivision Regulations and further finds that the division of land 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 plan will be filed.

Commissioners voting aye in favor of the resolution are:

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

Online Copy



## Minutes 06/13/1977 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 June, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held June 6, 1977 were read and approved.

Miscellaneous correspondence read and contents noted. Clerk's and Treasurer's reports for May were received and reviewed. Cigarette tax refund for \$741.48 was received.

Application for renewal of a 3.2% beer license for Vaughn and Shirley Fairbanks doing business as Ute Mountain Market was reviewed. Commissioner Ray made a motion to approve this application, seconded by Commissioner Bader and carried.

Dale Ives discussed coal leasing. He stated that drilled holes should be plugged with cement as it could foul the water.

Dr. Griebel and Nurse Koppenhafer appeared for the Health Department. Budgetary problems were discussed. They are over budget in supplies account but some of this has been reimbursed. A letter has been written to Attorney George Dilts regarding vacation time claimed by Helen Brown. She had requested \$442 but the Board will agree only to \$341.62. Dr. Griebel reported that Nurse Koppenhafer has recently been certified in Community Health Nursing Practice by the American Nurses Ass'n. Inc.

Planner W. L. Glenn presented the following requests for variances to the sub-division regulations: Joseph B. & Margaret E. Dean to sell 17.64 acres in section 16, T37N, R16W to a separate owner. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #36-77 was signed. Paul L. & Helen J. Williamson to sell 230 acres in Section 31, T37N, R16W to their son, Kenneth and Beverly Williamson. Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning resolution #P33-77 was signed. Tentative approval for variances were given for Kenneth Todd, Roy Everett, Jess Chandler and Herb Hawkins.

General Fund Voucher #34286 thru #34403 in the amount of \$13,248.79 and Road Fund Vouchers #3362 thru #3391 in the amount of \$20,157.68 were allowed and ordered paid.

After discussion, the Board agreed that effective this date, the Courthouse parking lot could only be used on Saturdays by non-profit organizations for sales of any kind.

Assessor Denny asked if the Board of Equalization would need the address book of valuations. The Board could borrow the Assessor's copy. He also reported that the State would not send a man to check assessments prior to the Board of Equalizations hearings.

Attest:

Clerk Chairman

JUN 21 1977

Page No. 2

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

Date Monday, June 13, 1977

Dorsa Martin of the Stagecoach Inn presented a request for permission to expand the premises at which they are licensed to do business in line with Colorado Liquor Code Regulation No. 17E. Commissioner Bader made a motion to approve this request, seconded by Commissioner Ray and carried.

Reece Malles of the Cattlemen's Association visited with the Board and asked if the association could be of any help concerning transportation. Highway Users Tax Fund was discussed.

Road Supervisor E. Boren reported on road and equipment maintenance. Bids will be invited from Nielson's Inc. and Mountain Gravel for between 6000 and 9000 tons of 3/4 inch washed gravel., These bids will be opened at next weeks meeting of the Board. American Legion has requested some gravel on their property for next week's rodeo. Approval was given.

Board of Social Services conducted.

Cortez City Manager Longenbaugh showed the new locks for the jail. Prairie dog control was discussed.

Val Kruse of Rauh Agency presented the inventory of the fleet schedule for insurance. Commissioner Ray made a motion to renew the policy for liability, fire and theft only, seconded by Commissioner Bader and carried.

Application for a 3.2% off premise beer license was received from Richard and Carolyn Lee dba Mesa Verde Point Kampark. Public hearing was set for July 18, 1977, 3:00 P.M. in the Commissioner's Room. Applications will be turned over to Jim Vandapool for investigation.

Meeting was adjourned at 4:30 P.M.

Attest:

Clerk Chairman

## **Minutes 06/13/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

The following proceedings, among others, were taken:

#### **RESOLUTION P33-77**

WHEREAS: Paul L. and Helen J. Williamson, owners of 240 acres, more or less, in the West One-half (W1/2) of Section 31, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 230 acres, more or less, to their son and daughter-in-law, Kenneth and Beverly Williamson, retaining 9.90 acres, more or less, as a residential tract of land.

A tract of land in the SW1/4 of Section 31, T.37N., R.16W., 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 and on a fenceline in the SW1/4 of Section 31, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SW corner of said Section 31 (a rebar near center of road intersection) bears S. 88degrees 54' 23" W. a distance of 1837.31 feet;

Thence, N. 02degrees 20' 23" E. a distance of 536.87 feet along a fenceline;

Thence, N. 89degrees 44' 10" E. a distance of 790.74 feet to a fenceline which is the east line of the SW1/4 of said Section 31;

Thence, S. 0degrees 25' 34" E. a distance of 536.32 feet along a fenceline which is the east line of the SW1/4 of said Section 31 to the north R/W line of the County Road;

Thence, S. 89degrees 44' 10" W. a distance of 816.65 feet along the north R/W line of the County Road to the point of beginning, and containing 9.90 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 230 acres, more or less, to their son and daughter-in-law, Kenneth and Beverly Williamson; and retaining the above mentioned 9.90 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 land 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 plan 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

Online Copy

## **Minutes 06/13/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

The following proceedings among others, were taken:

#### **RESOLUTION P36-77**

WHEREAS: Joseph B. and Margaret E. Dean, owners of 42 acres, more or less, in the East one-half of the Southeast one-quarter (E1/2SE1/4) of Section 16, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 17.64 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the E1/2 SE1/4 of Section 16, 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 Section 16, T.37N., R.16 W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 16 bears S. 0degrees 09' 39" E. a distance of 884.04 feet;

thence, S. 89degrees 50' 21" W. a distance of 843.70 feet to a fenceline;

thence, N. 06degrees 23 08" E. a distance of 113.04 feet along a fenceline;

thence, N. 14degrees 34' 39" E. a distance of 419.14 feet;

thence; S. 89degrees 44' 20" W. a distance of 598.72 feet to the west line of the E1/2 SE1/4 of said Section 16;

thence; S. 0degrees 09' 58" E. a distance of 759.72 feet along the west line of the E1/2 SE1/4 of said Section 16 to the north R/W line of the County Road;

thence; S. 41degrees 28' 45" E. a distance 291.90 feet along the north R/W line of the County Road;

thence; S. 83degree 15' 35" E. a distance of 73.15 feet along the north R/W line of the County Road;

thence; N. 780 26' 34" E. a distance of 495.75 feet along the north R/W line of the County Road;

thence; N. 87degrees 01' 15" E. a distance of 331.05 feet along the north R/W line of the County Road;

thence; N. 53degrees 57' 25" E. a distance of 297.25 feet along the north R/W line of the County Road to the east line of said Section 16;

thence; N. 0degrees 09' 39" W. a distance of 182.68 feet along the east line of said Section 16 to the point of beginning, and containing 17.64 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: Joseph B. Dean appeared before the Montezuma County Planning Commission in behalf of himself and his wife, Margaret E. Dean, 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 17.64 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 plan 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

Online Copy

## **Minutes 06/06/1977 Regular**

JUN 14 1977

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 June, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting read and approved. To clarify the item in last week's minutes concerning the gravel pits, Commissioner Ray made a motion to allow the owner of a gravel pit leased to the County to use gravel for their own personal use at a cost to be determined at the time of the sale. Motion seconded by Commissioner Bader and carried.

Clerk DeGraff requested and received approval for the following salary changes effective 6-1-77. Carol Ledford from probationary status to permanent status at \$450. Gloria Larkin to department head status at \$500. Evie Ritthaler from probationary Election clerk to permanent status at \$500.

Custodian Steerman reported that he had purchased a noon meal for two jail trustees. The Board approved this meal. Mr. Steerman also reported that he was building shelves for District Court storage in Judge Armstrong's old office.

Ed Murphy reported a dispute between he and Roger Ives over water in a dam that Mr. Murphy had built on his own property. He was referred to the Water Commissioner. Assessor Denny discussed property tax complaints he had received so far in June. Some people are wanting numerous copies of his cards. The District Attorney had advised him to charge \$1.25 per copy. This was approved by the Board. The Board also approved having a State man check properties prior to the equalization hearings. Sheriff Hampton reviewed and submitted his report for the month of May. House Bill 1721 was discussed concerning County Officials salaries. The Board will write a letter to Rep. DeNier and Sen. Noble requesting that Montezuma County salaries be changed to \$12,000 for Commissioners, \$16,500 for the Sheriff and \$15,000 for Clerk, Assessor and Treasurer. Hampton received approval to order two patrol cars from Colorado State Patrol. Sanitarian Allar reported that there was illegal dumping south and west of Lebanon School on private property. Sheriff will investigate. Justice Building problems discussed.

Health Department --- Nurse Supervisor Koppenhafer and Sanitarian Allar discussed several areas of complaints of open sewer odors. Mr. Allar will check. Koppenhafer reported on activities of Western Colorado Health Systems Agency. Minutes of the County Advisory Committee meeting held 4-7-77 were filed. A letter was received by the Board from George Dilts, Attorney for Helen Brown, requesting vacation pay form 1975, in the amount of \$442.00 This was tabled for further review.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, June 6, 1977.

Planning Department --- James Spencer appeared with Planner Glenn to present the final plat of Aspen Glen sub-division. Commissioner Ray made a motion to approve the variance to the sub-division regulations for James O. Spencer relating to road specifications. Motion seconded by Commissioner Bader and carried, Planning Resolution P29-77 was signed. Commissioner Ray made a motion to accept the plat for Aspen Glen Sub-Division, seconded by Commissioner Bader and carried. Said plat was duly signed by the Board. Plat was presented for Decker Sub-Division. Commissioner Ray made a motion to accept this plat, seconded by Commissioner Bader and carried. Decker Sub-Division plat was duly signed by the Board. Commissioner Ray made a motion that a variance to the sub-division regulations be granted to James O. Spencer to sell 5.983 acres to a separate owner in Section 15, T36N, R13W. Seconded by Commissioner Bader and carried. Planning resolution P31-77 was signed. Tentative Approval was given by the Board for Leo Maley to sell 2 acres to his son Tom and for Paul Williamson to sell 220 acres.

Coordinator Denton discussed E.D.A. projects submitted last fall. The old plywood plant was discussed. It could be used for a County shop and storage. It contains 127,000 square feet and sits on 127 acres, The Board will investigate this possibility. Mr. Denton received approval to attend a sale of like property in California next week.

Billy Roundtree and Dennis Wetterstrom of Roundtree Engineering Co. proposed an energy study and survey for County buildings. Phase 1 would allow for study of County building and recommendations for energy awareness. Phase 2 would be an in-depth analysis and a closer look into the construction of the building. Phase 1 would cost approximately \$450 for Courthouse. Tabled until this can be checked with the City for the Justice Building.

Cortez City Manager Longenbaugh introduced his summer intern Tom Shipps. They discussed various contracts for car rentals. The City will begin to dismantle the old Safeway store next Monday. Sheriff Hampton reported that the generator had quit working. Received approval to have the other generator installed. Prairie dog control discussed.

Road Department --- Supervisor Boren reported on road work. Washed gravel was discussed for chipping roads. Tabled. Picking up litter on roadways was discussed. Dick Berkholz, Colorado State Forest Service, discussed fire control agreement. Commissioner Bader made a motion to enroll in the Emergency Fund Contract Agreement for Forest Fire Control between the County Board of Commissioners, the County Sheriff and Colorado State Forest Service. Motion seconded by Commissioner Ray and carried. Contracts were signed by Chairman Honaker. Mr. Berkholz will have the date of commencement on the contract changed from June 16 to June 6. A copy of the contract will be returned to the Board when completed.

Abatements for property tax were presented by Assessor Denny as follows: International Cold Storage Co., Inc., erroneous assessment, \$50.95, Robert G. Courtney et ux, erroneous assessment, \$91.74. Commissioner Bader made a motion to approve these abatements, seconded by Commissioner Ray and carried.

Board of Social Services conducted.



General Fund Payroll #3804 thru #3875 in the amount of \$40,991.47 and #34283 thru #34285 in the amount of \$18,075.62 and Road Fund Payroll #3049 thru #3080 in the amount of \$18,091.90 and #3361 in the amount of \$8,474.76.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

Online Copy

**Minutes 06/06/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray, and Clay Bader

Commissioners absent

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION P29-77

WHEREAS: The Montezuma County Subdivision Regulations provides that roads in a subdivision shall meet Montezuma County Road Specifications. The regulations do provide for variance for special situations.

WHEREAS: James O. Spencer appeared before the Montezuma County Planning Commission requesting a variance from the Montezuma County Subdivision Regulations stating that as this is a mountain subdivision and located in an area of existing Forest Service roads which do not meet county road specifications, Spencer requests that he be permitted to build his roads to conform with existing Forest Service roads in the area of Aspen Glen subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Montezuma County Commissioners find, from recommendations presented by the Montezuma County Planning Commission, that a variance from the Subdivision Regulations relating to road specifications be granted. However, provisions in the owners covenants be that when access roads in this area are upgraded to county road specifications, the then land owners shall upgrade the roads in this subdivision to the same county road specifications.

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 06/06/1977 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 June, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P31-77

WHEREAS: James O. Spencer, owner of 77 acres, more or less, in Section 15, Township 36 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 5.983 acres; more or less, to a separate owner as a residential tract of land.

A tract of land located in Section 15, T36 N, R 13 W, 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 15 bears N 52degrees48' 10" E, 3268.53 feet; thence, S 05degrees 42' 55" W, 195.81 feet;

thence, West, 485.06 feet;

thence, North, 743.66 feet;

thence, S 86degrees 32' 25" E, 295.85 feet;

thence, S 02degrees 01' 20" E, 517.42 feet;

thence, S 85degrees 40' 40" E, 184.01 feet, to the point of beginning. Contains 5.983 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 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 5.983 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 plan 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

JUN 7 1977

## **Minutes 05/23/1977 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 May, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting of May 16, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Received was a State Warrant in the amount of \$225.00 for maintenance of State Highway 184 for the month of April. Also received was a notice concerning the cost of living increases for County Officials and a letter from the Colorado State Forest Service recommending the approval of the Mancos Fire Protection District.

Mr. Butler and Mr. Purtzer discussed the report of a joint meeting of Cortez City Councilmen and Commissioners in a local paper. The paper had used the term "zoning" erroneously. SB 261, which has passed, was also discussed.

Ed Murphy of Pleasant View Bean Producers requested gravel from the Seelig gravel pit which is leased to the County. Since Mrs. Seelig is part owner of the Bean Producers they can obtain gravel at a cost of \$3.00 per yard.

Application for renewal of Liquor License for Charles W. and Dorsa Martin doing business as "The Stagecoach Inn" was reviewed. Commissioner Bader made a motion to approve the renewal, seconded by Commissioner Ray and carried.

Planner W. L. Glenn received tentative approval for W. H. Mikkelsen to sell 17 acres, A.F. Penassa to sell 18 acres and Fred Groves to sell 9 acres. The Planning Commission has recommended approval for the Aspen Grove and Decker sub-divisions and they will be presented at the next Commissioners meeting. The Board agreed that each sub-division should pay 5% in lieu of a green belt area. Aspen Grove will pay \$35.00 and Decker will pay \$40. Escalante Trails sub-division was reviewed by the Commissioners and was given preliminary approval.

Coordinator Denton discussed the office inventory of the old Plywood Plant. He reported that Planner Glenn would like to take three weeks vacation time as he is going to Alaska. The Board agreed that he could take the third week without pay. Road signs are being put up and Mountain Bell will be numbering houses next week.

Bill Head of the County Road Department reported that the radios had been ordered and it will take 60 to 90 days to receive the FCC license.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, May 23, 1977

Walt Posey of the Dolores Water Conservancy District discussed the mill levy which is over actual amount of budget. He was referred to the State Department of Local Affairs, Division of Property Taxation by County Attorney Merlo.

Planner Glenn and Mr. Spencer requested permission to install cattle guards in his subdivision rather than a green belt area. It was the opinion of the County Attorney that a cattle guard would qualify under the law under environmental usage.

Custodian Steerman reported that the furnace has been fixed.

J. Val Kruse of Rauh Agency discussed the fleet schedule. He is taking inventory of various vehicles and equipment. Discussed the question of whether collision insurance is necessary.

Cortez City Manager Longenbaugh reported on League of Municipalities meeting. John Goode appeared and discussed prairie dog control for the City.

Road Supervisor Earnest Boren reported that there was another accident on Lebanon Road. He reported that the Department was ready to oil roads as follows: 1 1/2 miles of Willden Road, 1 mile East Pleasant View, 1 mile West of Roundup and 1/2 mile on Johnson Corner.

Board of Social Services conducted.

Due to the Memorial Day Weekend it was the Board's decision that they would not meet next Tuesday, May 31, 1977.

Dean Stevenson discussed picking up trash from County shops. He was referred to the Road Department. Clerk DeGraff reported that Deputy Edith Denton was still on disability leave. The Board agreed that she could extend this leave until 9/1/77.

Meeting adjourned at 3:30 P.M.

Attest:

Clerk Chairman

## **Minutes 05/16/1977 Regular**

MAY 24 1977

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 May, A.D. 1977 there were present:

Curtis Honaker	Chairman
Floyd M. Ray	Commissioner
Clay Bader	Commissioner
Grace Merlo	County Attorney
Jean DeGraff	Clerk

Absent:

Pledge of allegiance given. Minutes of the regular meeting held May 9th were read and approved.

Discussion of H.B. 1721 was had concerning County Officials salaries.

Miscellaneous correspondence was read and contents noted. Clerk's and Treasurer's reports for the month of April were received and reviewed. Notice of public hearing was received from the District Court concerning the formation of the Mancos Fire Protection District.

Custodian Steerman gave a further report on thermostats. This was tabled. He reported that the boiler can be repaired.

Health Dept. -- Dr. Griebel and Nurse Koppenhafer discussed the IBM maintenance contract, and the possibility of having a contract for the whole Courthouse instead of each office. They requested and were given permission to use the Courthouse annex for a Primary Care Course for nurses on May 24th & 25th.

Discussion of the hot mix plant which was sold to Mountain Gravel. Since the Town of Dolores did not lease the ground to this company until 1-1-77, that would be the date to put it on ad valorem tax rolls.

Planning Dept. -- Planner Glenn introduced Rief Egger who represents Jack Julian, Mr. Egger presented a sketch of the proposed Escalante Trails Sub- Division, Unit #1. This was referred to the Planning Commission. A variance to the sub-division regulations was requested for Carl J Weaver Jr, to convey 3.74 acres in Section 6, T35N, R13W to a son, Kirby L Weaver, Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning resolution #P25-77 was signed. A variance to the sub-division regulations was requested for Edward E and Geraldine M Kilby to sell 3.191 acres to a separate owner in Section 36, T36N, R18W. Commissioner Bader made a motion to approve this variance, seconded by Commissioner Ray and carried. Planning resolution #P26-77 was signed.

Coordinator Denton presented an inventory of office equipment that will be sold by Montezuma Production Inc. It is possible that the County could bid on the whole lot. Mr. Denton will check. Coal leases on State lands North East of Mancos were discussed. The Board agreed that there is no reason they should not be offered for lease. Off systems projects were discussed.

Attest:

Clerk Chairman

Page No. 2

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

Date May 16, 1977

Allan Jones, Director of the Four Corners Sheltered Workshop answered a complaint which had been made to the Commissioners concerning salaries paid at the workshop. This is a private, non-profit corporation and wages are paid according to the amount of work the employees can do. Mr. Jones displayed items such as fish hooks to be packaged, and more intricate items which require more time and dexterity. He explained the entire program to the Board and encouraged them to visit the workshop at any time. In the future, complaints will be referred to Mr. Jones.

Veteran's officer and Civil Defense Director Dave McNeill gave a quarterly report on his activities.

At this time, the Board attended the bi-monthly lunch with the Department Heads and County Officials.

Roy Wells requested financial help next year for the Community Centers. A presentation will be made at a later date.

Cortez City Manager Longenbaugh reported that the bills of B & D Electric and Bright Electric had been paid. The old Safeway building was discussed.

Road Superintendent Earnest Boren reported that, thanks to the week-end rains, the County roads are being graded today. He also reported that a representative from Motorola will be at the shop next Wednesday a.m. Commissioner Ray will meet with him. Since the Board had made a road inspection last week, several roads were discussed and the Stapleton Bridge.

Board of Social Services was conducted,

General fund vouchers #34254 thru 34282 in the amount of \$2500.98 and Road fund vouchers #3353 thru 3360 in the amount of \$15032.68 were allowed and ordered paid.

The Board discussed appointing a committee for input in a County personnel policy manual. This committee would consist of County officials and a few senior employees.

The matter was tabled until next week.

Meeting was adjourned at 3:30 p.m.

Attest:

Clerk

Chairman

## **Minutes 05/16/1977 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 May, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray, and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings; among others, were taken:

RESOLUTION P25-77

WHEREAS: Carl J. Weaver, Jr., owner of 177 acres, more or less, in NW1/4 of Section 6, T35N, R13W, and NE1/4 of Section 1, T35N, R14W, N.M.P.M., Montezuma County, Colorado, wishes to convey 3.74 acres, more or less, to a son, Kirby L. Weaver as a residential tract of land.

A tract of land in Lot 4 of Section 6, T35N, R13W, N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the easterly R/W line of the County Road in Lot 4 of Section 6, T35N, R13W, N.M.P.M., Montezuma County, Colorado, from which point the NW Corner of said Section 6 bears N 15degrees 14' 17" W a distance of 1032.17 feet;

thence, S 37degrees 49' 29" W a distance of 409.39 feet, along the easterly R/W line of the County Road to a fenceline;

thence, N 89degrees 34' 32" E a distance of 506.52 feet along a fenceline;

thence, N 37degrees 49' 29" E a distance of 409.39 feet;

thence, S 89degrees 34' 32" W a distance of 506.52 feet to the point of beginning, and containing 3.74 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: Carl J. Weaver, Jr., 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 3.74 acres, more or less, to a son, Kirby L. Weaver, as a residential tract of land. He further stated the transfer 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 plan 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  
(SEAL)

Online Copy

## **Minutes 05/16/1977 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 May, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners Absent

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

#### **RESOLUTION P26-77**

WHEREAS: Edward E. and Geraldine M. Kilby, owners of 185 acres more or less, in Section 31, Township 36 North, Range 17 West, and Section 36, Township 36 North, Range 18 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 3.191 acres, more or less, to a separate owner as a residential tract of land.

A tract of land situated in the southeast quarter of Section 36, Township 36 North, Range 18 West, N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the North Right of Way line of a County Road from which point the Southeast Corner of said Section 36 bears S 23degrees 45' E 1350.31 feet; thence, N 0degrees 10' E 239.98 feet, thence, N.29degrees 32' E 224.3 feet, thence, N 68degrees 45' W 369.01 feet, thence, S 12degrees 20' W 400.91 feet to the North right of way line of a County Road, thence, along said Right of way line S 60degrees 53' E 364.31 feet, to the point of beginning, and containing 3.191 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: Edward E. Kilby appeared before the Montezuma County Planning Department on behalf of himself and his wife Geraldine M. Kilby, 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 3.191 acres, more or less, to a separate owner as a residential tract of land. He also stated this tract is isolated from his farmland on a high ridge and is not farmable but will make a good residential site.

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 plan 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

Online Copy

## **Minutes 05/09/1977 Regular**

MAY 16 1977

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 May, A.D. 1977 there were present:

Curtis Honaker	Chairman
Floyd Ray	Commissioner
Clay V. Bader	Commissioner
	County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo

Pledge of allegiance was given. Minutes of the last regular meeting held May 2, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Commissioners received \$5,658.00 from the City of Cortez, \$707.00 from State Department of Health, \$224.50 from State Department of Health reimbursement for Nurses and Sanitarian salary and \$888.92 from the State being County share of Cigarette tax for March.

Sheriff Bob Hampton and Bookkeeper Marge Ketchem discussed electrical bills to the County on Justice Building and Repeator Building. These bills are late and have not been paid by the City as agreed. These will be discussed with the Cortez City Manager this afternoon. Sheriff Hampton gave his report for the month of April. Jail report indicates that meals are being served at a cost of 40C per meal. Fire control agreement with the Forest Service was discussed.

Road Bookkeeper Bill Head presented prices on radios for six units and a base station at a cost of \$13,000. It will take 90 days to obtain the license from FCC. Mr. Head will check on how this can be paid to the Company. Mr. Head reported on federal grants on the McElmo and Totten projects. A balance of \$8602.68 is due the State Highway Department.

Dr. Griebel and Nurse Koppenhafer reported on the Western Colorado Health Systems Agency meeting. Mrs. Koppenhafer is on the task force committee. A vote of the Western Commissioners will probably be taken at their June conference concerning regionalization. The Board approved Mrs. Koppenhafer taking the time to attend these special committee meetings. WCH will pay her expenses. The Board also approved of her acceptance of an appointment to a special committee

Planner W. L. Glenn, with Ed Kilby, requested and was given tentative approval for a variance to the sub-division regulations to sell 3 acres. Representatives of the Bureau of Reclamation presented completed copies of the agreement on field data for the proposed road into the Dolores Project. Tentative approval for variances to the sub-division regulations were given for Carol Boyd to sell 16 acres and Carl J. Weaver to give 3.74 acres. A petition for final approval for a variance to the sub-division regulations was presented for Robert E. and Viola Parga to sell 9.18 acres more or less in section 30, T37N, R16W to a separate owner. Commissioner Ray made a motion to approve this request, seconded by Commissioner Bader and carried. Planning Resolution #P23-77 was signed.

Coordinator Denton discussed S.B. 571 on fuel tax and H. B. 1596 concerning land use.  
Personnel Policy was discussed.

Attest:

Clerk    Chairman

Online Copy

Page No. 2

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

Date Monday, May 9, 1977

Rowena Robbins discussed selling a small isolated tract. She was referred to the Planning Office

Custodian Steerman stated that the old boiler was beyond repair. He was instructed to obtain prices for a new one. He also discussed the possibility of putting in thermostats in each office. Mr. Steerman is interviewing for another daytime employee.

General Fund Vouchers #34149 thru #34253 in the amount of \$11,337.62, Road Fund Vouchers #3326 thru #3352 in the amount of \$15,015.34 and Contingency Fund Vouchers #78 thru #80 in the amount of \$421.43 were allowed and ordered paid.

Assessor Denny presented a letter he had received from Mountain Gravel concerning the hot mix plant which the County sold to Mountain Gravel last year.

Cortez City Manager Longenbaugh discussed the bills of B & D Electric and Bright Electric. Some have been paid. He will check. He would like to have a joint effort made by the City and County on prairie dog control. He will talk to John Goode. Tex Ward, Merle Hubbard, Jerry Wright, Wayne Rust, Alan Budd, Don Flaugh and Marshall Denton discussed the possibility of a mandatory contractor's license for the County. A uniform building code would have to be established. Mancos has a building code but Dolores does not. It would have to have approval of all towns in County. This was tabled for further review.

Road Department Supervisor Earnest Boren reported on road and equipment maintenance. He reported that the radios could be purchased on a lease purchase or a percentage could be paid down on a five year contract. The Board favored the lease purchase plan and authorized Mr. Boren to proceed and get a written statement from the company on financial arrangements. Road closing to the old Dolores Bridge was discussed. There has been some complaints. Mountain Gravel will leave their road open.

Board of Social Services conducted.

Chuck Haley of the Southwest Centered Board reported that the Sheltered Workshop is contracted out and complaints of salaries by parents should be referred to the Durango office.

County 3.2% Beer License #13-10003 was issued to Gary Chaffin dba "76" Club.

Meeting adjourned at 3:30 P.m.

Attest:

Clerk    Chairman

## **Minutes 05/09/1977 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 9th day of May, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P 23-77

WHEREAS: Robert E. and Viola J. Parga owners of 110 acres, more or less, in the East Half (E1/2) of Section 30, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado wishes to sell 9.18 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the NE1/4 SE1/4 of Section 30, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the west R/W line of the County Road and on a fenceline in the NE1/4 SE1/4 of Section 30, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE corner of said Section 30 (an iron bar in center of County Road) bears S. 01degrees 13'03"E. a distance of 1363.72 feet;

thence, N.89degrees 51'37"W. a distance of 1000.00feet, along a fenceline;

thence, N.0degrees 07'45"E., a distance of 400.00feet;

thence, S. 89degrees 51'37"E., a distance of 1000.00feet, to the west R/W line of the County Road;

thence, S.0degrees 07'45"W., a distance of 400.00feet, along the west R/W line of the County Road to the point of beginning, and containing 9.18 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 Williamson, agent for Robert E. and Viola J. Parga 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 9.18 acres, more or less, to a separate owner as a residential tract of land. He further stated the transfer 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 plan 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

Online Copy



## **Minutes 05/02/1977 Regular**

MAY 10 1977

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 May, A. D.

1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held April 25, 1977, were read and approved.

Miscellaneous correspondence was read and contents noted. Received, among others, was a letter from Wayne N. Aspinall thanking the Board for their letter of appreciation concerning the Dolores Project.

General Fund Payroll #3733 thru #3803 and #34147 and #34148 in the amount of \$48,953.68 and Road Fund Payroll #3016 thru #3048 and #3325 in the amount of \$25,880.36 were allowed and ordered paid.

Clerk DeGraff reported that a representative from Datavote had contacted her office and wants to give a presentation to the Board on a elections system. This was approved. The Clerk then discussed the hot mix plant which was sold by the County to Mountain Gravel and Construction Co. This Company claims that they did not take ownership of the plant until last week. Upon checking the minutes and the offer and acceptance to purchase the plant signed 5/10/76, it was agreed that this should be placed on the tax rolls. Mrs. DeGraff stated that the mobile home field man, Wes Click had contacted 153 unregistered mobile homes in Cortez and Dolores trailer parks, and there were still more to contact. However, her part time salaries are over budget. The Board agreed that it is worth while to get these mobile homes registered and they understood that the budget would be over the specified amount.

Attorney Merlo reported that she had had a phone call from a Durango attorney concerning another recent accident at the old Dolores Bridge. She expressed concern over the County's liability. Warning signs should be posted.

Bookkeeper Marge Ketchem discussed the baby fund.. The problem could arise if both husband and wife are employed by the County. Would the County pay \$400 for each employee on one pregnancy? After discussion, the Board agreed they would pay \$400 for one pregnancy and not double benefits.

Assessor Denny discussed the hot mix plant owned by Mountain Gravel. He will put this unit on the tax rolls. Also discussed was the 1/2 tax exemption allowed for the Christian Church. Mr. Denny will check this. Mr. Denny requested permission to purchase various equipment for the drafting arm which will total approximately \$350. Approval was given. He reported that about 50 commercials or farms had not turned in their declarations. These people have been called and notified. The Assessor's office will now have to use the "beat information

Attest:

Clerk Chairman

Page. No. 2

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

Date Monday, May 2, 1977

available" method and add the \$50 penalty for not turning in their declarations. Mr. Denny reported that the abatement for the Southwest Medical Group which had been approved by the Board, was being held by the State pending his recommendation which he had decided to give. Petitions for abatements of property tax for 1976 were presented by the Assessor for Ertel Investment, Inc. on erroneous assessment in the amount of \$416.21 and Church of the First Born, Pleasant View for erroneous assessment in the amount of \$937.36. Commissioner Bader made a motion to approve these petitions, seconded by Commissioner Ray and carried.

Dr. Grebiel and Nurse Koppenhafer of the County Health Department reported that copies of the rules and regulations of the sewage systems for the County are depleted and that these could be printed on the County's off-set machine for a small charge. However, they would have to be typed on a master first. The Board agreed that the Sanitarian could proof-read the present copy and then a typist could be hired to type the master. Mrs. Koppenhafer reported that former Nurse Supervisor Helen Brown was still requesting vacation time pay that the Board had refused to pay when she resigned in 1975. The Board thought that Mrs. Brown should come in and talk to them. Perhaps they could negotiate for half the time.

Dale Walters discussed the Dolores land fill. He was instructed to have signs posted as to the hours or days open at the land-fill.

Planner Glen received tentative approval for variances to the sub-division regulations for Robert and Viola Parga to sell 9.18 acres and for Kent and Karen Neely to sell three acres.

Coordinator Denton discussed the Western Health Systems Agency meeting held last week. The Board instructed him to respond to local members, Mrs. Phyllis Armstrong and Mrs. Nellie Bradfield. Water problems were discussed.

District Attorney George Buck reported on the conversion from Social Security to PERA. He will have all future correspondence referred to the Commissioners. Also discussed the possibility of acquiring another building for the District Attorney.

Cortez City Manager Longenbaugh discussed the Airport and the possibility of putting air conditioning at the terminal. The Commissioners, City Council and the airport committee will discuss this at a later date. Discussion of using the recycled effluent water on roads. This is a possibility.

Road Department Supervisor Earnest Boren reported on road and equipment maintenance. Stapleton Bridge is in bad shape. Needs to be moved and rebuilt. The Board will inspect. After reviewing and discussion of the old Dolores Bridge, it was the decision of the Board to give a week's notice and then close the bridge effective May 10, 1977. Dolores County has requested 2 1/2 miles of chipping done by Montezuma County, and this was approved.

Board of Social Services conducted.

Meeting adjourned at 3:30 P.M.

Attest:

Clerk    Chairman

## **Minutes 04/25/1977 Regular**

MAY 3 1977

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 April, A. D.

1977 there were present:

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

Absent:

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

Miscellaneous correspondence was read and contents noted.

An agreement between Montezuma County and the Bureau of Reclamation in regards to building a road into the Dolores project area was signed.

Nurse Supervisor Frances Koppenhafer reported on the workshop held in Grand Junction last week. She also reported that they would be using the County Building on So. Elm for Clinics May 3, 10 and 18.

Assessor Denny requested and received tentative approval for an abatement for the Church of the First Born.

Planner W. L. Glenn gave an update on the road being built to Great Cut on the Dolores project. An amended plat of High View Acres was presented and reviewed.

Commissioner Bader moved to approve this amendment, seconded by Commissioner Ray and carried. A variance to the sub-division regulations was requested by Edmund L. and Caroline A. Murphy to convey 5 acres more or less to Dale W. and Kelly J. Murphy in Section 23, T39N, R18W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #P23-77 was signed. Decker and Aspen Glen sub-divisions were discussed. A resolution will be presented and a tentative approval for a variance as it concerns roads in the Aspen Glen Sub-division.

Coordinator Denton discussed a possible check list form to be used by the Road Department when checking sub-divisions. WICHE interns discussed and approval was given to obtain these interns to start the Capitol Improvement Plan. CETA program discussed. Planning Commission has authorized Mr. Denton to respond at the public hearing this afternoon on the proposed Mancos Fire Protection District. Dolores land fill was discussed. Resolutions#7-77 was presented and reviewed concerning the drouth in the County and requesting the Governor's assistance in having the County designated a disaster area brought about by the drought conditions that presently prevail.

Commissioner Bader moved to adopt this resolution, seconded by Commissioner Ray and carried. (See attached)

Everett Fredricks discussed taxes on three lots he owned on Canyon Drive. Assessor appraised lots at \$750 each but he sold them at \$500 each. Assessor Denny came in and stated that he valued these lots the same as other usable lots in area. Would not recommend abatement.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, April 25, 1977

Don Noland, Jack Fitzgerald, and Willard Rambo of the Forest Service discussed the annual maintenance agreement on forest roads. Forest Service needs culverts and ditches cleaned on Hay Camp road. Complaints should be handled through Road Supervisor Boren and coordination of areas is needed. Need a check on Glade Road work. County and Forest Service agreement on Norwood Road discussed. Forest Service will send a copy of the new agreement when completed.

Mr. and Mrs. Irwin Longenbaugh discussed the taxes on their Mobile home. It still has wheels and axels attached and is not on permanent foundation. Has been on ad valorem taxes since 1971 because of error. Had applied for registration but laws were not set at that time. Commissioner Bader made a motion to allow Longenbaughs to license and pay specific ownership tax on this unit for 1977. Motion seconded by Commissioner Ray and carried. Assessor Denny will be so notified.

Howard Atkinson discussed the Sheltered Workshop.

Cortez City Manager Longenbaugh reported on activities. Project celebration, Community Mission were discussed. Enplanement monies of approximately \$147,000 will be sent to Montezuma County and City of Cortez around October 1 for use at Airport. Mr. Longenbaugh suggested a meeting of the airport committee soon.

Road Department Supervisor E. Boren reported on roads and discussed the forest service roads. Goldie Fowler requested road signs be installed so new maps could be made for the City. Phone company will number houses in the Country. Vacation time discussed.

Board of Social Services conducted.

It being 3:00 o'clock P.M., the time designated, a Public Hearing was held to bear arguments for and against the proposed Mancos Fire Protection District. Those in attendants were: Commission Chairman Curtis Honaker, Commissioner Floyd Ray, Commissioner Clay Bader, County Attorney Grace Merlo, County Clerk Jean DeGraff, Coordinator D. M. Denton, Petitioner Lyle Cox and Attorney Kent Williamson.

Commissioner's exhibit #1 was the proof of publication on the Notice of Public Hearing, published in the Mancos Times Tribune, the County's legal publication, on March 31, April 7 and April 14, 1977. Commissioner's exhibit #2 was the written response of the Montezuma County Planning Commission. All proceedings are recorded on cassette tape and marked for the record. After testimony and discussion and there being no objectors present, Commissioner Bader made a motion to accept the service plan proposed by the Mancos Fire Protection District with the condition that the mill levy proposed be reduced to cover the proposed budget. Motion was seconded by Commissioner Ray. All Commissioners vote "aye" and the motion carried. Resolution #8-77 was adopted. (See attached) Public Hearing was adjourned.

Coordinator Denton discussed an amendment to Senate Bill #35 which concerns mineral leasing funds and would change trust funds for use of various water projects.

Commissioners voiced approval of the amended bill and Mr. Denton was instructed to so notify Senator Dan Noble by phone and follow through with a letter.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

## **Minutes 04/25/1977 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 April, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P23-77

WHEREAS: Edmund L. and Caroline A. Murphy, owners of 160 acres, more or less, in the West One-Half (W1/2) of Section 23, Township 39 North, Range 18 West, N.M.P.M., Montezuma County, Colorado, wish to convey to a son and daughter-in-law, Dale W. and Kelley J. Murphy, 5.00 acres, more or less, as a residential tract of land.

A tract of land in Tract 44, Section 23, T.39N., R.18W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at Corner 3 of Tract 44, Section 23, T.39N., R.18W., N. M.P.M., Montezuma County, Colorado;

thence, N.0degrees01'W. a distance of 466.67 ft. along the west line of said Tract 44;

thence, N.89degrees57'E. a distance of 466.67 ft.;

thence, S.0degrees01'E. a distance of 466.67 ft. to the south line of said Tract 44;

thence, S.89degrees57'W. a distance of 466.67 ft. along the south line of said Tract 44 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: Edmund L. Murphy appeared before the Montezuma County Planning Department in behalf of himself and his wife, Caroline A. Murphy, 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 conveying said tract to their son and daughter-in-law, Dale W. and Kelley J. Murphy, as a residential site. 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.

(SEAL )

County Clerk and Recorder  
Montezuma County, Colorado

## **Minutes 04/25/1977 Regular**

State of Colorado)

ss.

County of Montezuma)

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the Montezuma County Courthouse in Cortez Colorado being the regular meeting place of the Board, at the hour of 3:00 p.m. on Monday, the 25th day of April, 1977.

Present:

Chairman:	Curtis Honaker
Commissioners	Floyd M. Ray and Clay Bader
County Attorney	Grace S. Merlo
County Clerk and Recorder	Jean DeGraff

Absent: None

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

Commissioner Honaker reviewed the action of this Board taken at this same regular meeting of Monday, April 25, 1977 at which time a hearing on the Service Plan and related documents for the proposed Mancos Fire Protection District was held by the Board of County Commissioners, pursuant to the provisions of Chapter 32, Article 1, Colorado Revised Statutes 1973 and in accordance with a Resolution adopted and approved by the Board on the 28th day of March, 1977.

Thereupon Commissioner Bader introduced and moved the adoption of the following Resolution:

### **RESOLUTION #8-77**

WHEREAS, pursuant to the provisions of Chapter 32, Article 1, Colorado Revised Statutes 1973, the Board of County Commissioners of Montezuma County, Colorado, on Monday, the 25th day of April, 1977, held a public hearing on the Service Plan and related documents for the proposed Mancos Fire Protection District; and

WHEREAS, Notice of this hearing was duly published in the Mancos Times Tribune, a newspaper of general circulation within Montezuma County, said publication occurring on March 31st, April 7th and 14th, 1977, as required by law and said Notice was forwarded to the Petitioners and to the governing body of each municipality and special district which has levied an ad valorem tax within a radius of three miles of the proposed District, and also to the Planning Commission of Montezuma County; and

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

WHEREAS, it appears that the Service Plan should be approved with one condition, that the mill levy requested be reduced to the amount needed to cover the proposed budget as shown in the Service Plan;

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

1. That the Board of County Commissioners of Montezuma County, Colorado, does hereby determine that all of the requirements of Chapter 32, Article 1, Colorado Revised Statutes 1973, relating to the filing of the Service Plan for the proposed Mancos Fire Protection District have been fulfilled and that Notice of the hearing was duly given in the time and manner required by law.
2. That said publication of the Notice of Hearing in the Mancos Times Tribune, a newspaper of general circulation within the County, is hereby approved.
3. That the Service Plan of the proposed Mancos Fire Protection District is hereby approved with the following condition; that the mill levy requested be reduced to the amount needed to cover the proposed budget as shown in the Service Plan.

4. All resolutions, or parts thereof, in conflict with the provisions hereof, be and the same are hereby repealed,

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

ADOPTED AND APPROVED this 25th day of April, 1977.

Chairman

(S E A L)

Board of Commissioners

Montezuma County, Colorado

County Clerk and Recorder

Montezuma County, Colorado

CERTIFICATE

I, Jean DeGraff, do hereby certify that the above and foregoing is a true, correct and complete copy of a Resolution adopted by the Board of County Commissioners of Montezuma County, Colorado, at a duly called meeting held April 25, 1977.

WITNESS my hand and official seal this 25th day of April, 1977.

(SEAL)

County Clerk and Recorder

Montezuma County, Colorado

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

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

Those voting AYE:

Commissioners: Curtis Honaker, Floyd M. Ray, Clay Bader

Those voting NAY: NONE

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

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

(S E A L)

County Clerk and Recorder

Montezuma County, Colorado

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I, Jean DeGraff, County Clerk and Recorder of the County of Montezuma, State of Colorado, do hereby certify that the foregoing pages numbered 1 to 4, inclusive, constitute a true and correct copy of the record of proceedings of the Board of County Commissioners of said County, taken at a regular meeting held on the 25th day of April, 1977, at the Montezuma County Courthouse, Cortez, Colorado, insofar as said minutes relate to a Resolution, a copy of which is therein set forth; that the copy of said Resolution contained in the minutes is a full, true and correct copy of the original of said Resolution as adopted by the Board of County Commissioners at said meeting; that the original Resolution has been duly signed and approved by the presiding officer of the Board of County Commissioners and myself, as County Clerk and Recorder, sealed with the corporate seal of the County and recorded in the Book of Resolutions of the County kept for that purpose in my office.

I further certify that the Chairman and two members of the Board of County Commissioners were present at said meeting and that three members of the Board voted on the passage of the Resolution as set forth in said minutes.  
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County of Montezuma, Colorado, this 25th day of April, 1977.  
County Clerk and Recorder  
Montezuma County, Colorado  
(SEAL)  
-5-

Online Copy



**Minutes 04/18/1977 Regular**

CERTIFIED COPY OF ORDER – Sential Cortez, Colorado

STATE OF COLORADO

County of Montezuma ss. At a regular  
meeting of the Board of County Commissioners for Montezuma County, Colorado, held  
at the Court House

In Cortez, Colorado, Monday 18th day of April, A. D. 1977 there were present:

Curtis Honaker Chairman,  
Floyd M. Ray Commissioner,  
Clay Bader Commissioner,  
Grace S. Merlo County Attorney,  
Jean DeGraff Clerk,

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

Commissioner Ray made a notion to pay the following listed bills.

Out of the Clara Ormiston Trust Fund for cancer patients:

Sharon Stroud, 1/2 medicine \$25.00

Box 551, Cortez

Mancos Medical Clinic, 1/2 Dr. Carlson \$479.80

Mancos, Colo.

Southwest Memorial Hospital

1/2 hospital bill \$725.00

925 S Broadway, Cortez

Total \$1229.80

Commissioner Bader seconded the motion. All Commissioners voted "aye" and the  
motion carried.

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 26th day of April, A. D. 1977  
County Clerk.

**Minutes 04/25/1977 Regular**

THE BOARD OF COUNTY  
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 April, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution 7-77

WHEREAS: Montezuma County is now plagued with serious water shortages due to the minimal snowfalls of the past winter; and,

WHEREAS: Surveys of availability of water flows and forecasts of limited rainfalls for the summer indicate little or no irrigation water will be available this summer, and even some domestic water shortages may be experienced; and,

WHEREAS: We understand that various disaster funds can only be made available after an area is declared a disaster area; and,

WHEREAS: The drought will bring about many financial and social burdens that many of the citizens of our area cannot carry without assistance.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado request the Governor's assistance in being designated a disaster area brought about by the drought conditions that presently prevail.

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 04/18/1977 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 April, A. D.

1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting read and approved. Miscellaneous correspondence read and contents noted. State warrant for cigarette tax refund in the amount of \$682.03 received and \$225.00 received from State Highway Department for maintenance of State Highway #184.

Application for transfer of retail liquor license of Mountain Liquor and application for a 3.2% beer license for Sportsman Center from Mr. & Mrs. Rule to Rowell Inc. was received and reviewed. Investigator Jim Vandapool reported the investigation was clear. Commissioner Ray made a motion to approve the transfer of both license, seconded by Commissioner Bader and carried.

Discussion was held on President Carter re-instating full funding of the Dolores Project. Commissioners have been invited to a celebration to be held Tuesday afternoon. Since the City hall, will be closed and the schools closed Commissioner Bader made a motion that the various County offices close at noon, Tuesday, April 19 from noon on. Seconded by Commissioner Ray and carried. County offices will be so notified.

Interest on the Clara Ormiston Account in the amount of \$3018.24 was received from the First National Bank of Denver. Commissioner Ray made a motion to pay 1/2 the hospital bill, 1/2 the doctor's bill and 1/2 of the medicine bill of a cancer patient who had applied for financial help from the Ormiston Fund. Motion seconded by Commissioner Bader and carried. Clerk directed to enter an order with the Treasurer and to write to the patient explaining that perhaps at the end of the year if no one else applies for assistance, the County would check further in this application and possibly be able to help more.

Lonnie Elliott of the Montezuma County Sheriff's posse, requested the use of County trucks to move about 10 loads of sand to the Posse Arena. Board will check with Road Supervisor E. Boren.

Custodian Steerman discussed the swamp coolers for the old part of the Courthouse. Board decided they could be used for a while. If and when the water shortage becomes critical they will be discontinued.

Nurse Supervisor Koppenhafer reported that there is a measles epidemic in the County. Immunizations are being given at the Health Office. More complaints have been received on Mod Dairies as to sanitation.

Attest:

Clerk Chairman

APR 26 1977

Page No. 2

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

Date Monday, April 18, 1977

Planner Glenn presented a request for a variance to the sub-division regulations as follows: Robert L. and Asalea Wright and Robert L. Wright, Jr. to sell 3 acres, more or less to Flint Engineering and Construction Co. in Section 8, T35N, R16W. Commissioner Bader made a motion to allow the variance, seconded by Commissioner Ray and carried. Planning resolution #P22-77 was signed.

Coordinator Denton requested Chairman Honaker to sign a letter of introduction for the tax mappers to use in the field. Mr. Denton was requested to send letters of thanks to President Carter, Rep. Frank Evans, Senators Haskell and Hart and Governor Lamm for the funding of the Dolores Project. Mr. Denton reported that his secretary Mrs. Lenore McClellan was resigning to accept a better position with the BIA.

Mr. Blair of the Municipal Funding Corp explained a lease plan for equipment.

County Agent Seaton reviewed the proposed weed district for the dry lands. Agent Duncan will be taking maternity leave August, September and possibly October.

Received approval to hire a summer agent and a part time employee. Fairgrounds discussed. Fairboard will check into Plywood Plant.

Road Department Supervisor Earnest Boren reported on roads and equipment. Vick Goodwin requested having some ditch work done on a borrow pit by his home by the airport so that water can flow properly. Boren will check. Mr. Boren reported that the Golf Ass'n. wants to buy an old 2000 gallon tank at a price of \$600, A bill of sale from the County to Mountain Gravel on the hot mix plant was presented. Mr. Boren will inventory. Mrs. Ruth Bryce complained of having equipment still on tax rolls which was sold a year ago. She was referred to the County Assessor.

General Fund Vouchers #34136 thru #34146 in the amount of \$751.86 and Road Fund Vouchers #3319 thru #3324 in the amount of \$853.07 were allowed and ordered paid.

Board of Social Services conducted.

Meeting was adjourned at 3:00 P.M.

Attest:

Clerk Chairman

## **Minutes 04/18/1977 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 18th day of April, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P22-77

WHEREAS: Robert L. and Asalea Wright and Robert L. Wright, Jr., owners of 500 acres, more or less, in Section 8, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 3 acres, more or less, to Flint Engineering and Construction Company as a commercial tract of land.

A tract of land in the NE1/4 of Section 8, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the northwesterly R/W line of the, County Road in the NE1/4 of Section 8, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the NE Corner of said Section 8 (an iron bar in the C/L of the County Road) bears N.17 degrees 18'56"E. a distance of 2590.50 ft.;

thence, S.42 degrees 10'21"W. a distance of 207.83 ft. along the northwesterly R/W line of the County Road;

thence, N.47 degrees 49'39"W. a distance of 628.78 ft.;

thence, N.42 degrees 10'21"E. a distance of 207.83 ft.;

thence, S.47 degrees 49'39"E. a distance of 628.78 ft. 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: Robert L. Wright appeared before the Montezuma County Planning Department on behalf of himself and his wife, Asalea Wright and his son, Robert L. Wright, Jr., 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 3 acres, more or less, to Flint Engineering and Construction Company as a commercial 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

Online Copy

## **Minutes 04/11/1977 Regular**

APR 19 1977

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 April, A. D.

1977 there were present:

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

Absent:

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

Miscellaneous correspondence read and contents noted.

Clerk's, Sheriff's and Treasurer's reports for the month of March received and reviewed. Check received from State Comp. Ins. Fund for credit of \$745.00. Check received from Kissinger Oil Co. for rental of an oil and gas lease in the amount of \$160.00.

District Attorney George Buck discussed the polygraph equipment which was used by the prior investigator Gordon Swing for a private test last year. The Board tabled this issue until they could talk to Mr. Swing.

Sheriff Hampton gave his report for the month of March. He reported that the present washer and dryer was five years old and the motor had burned out. He was given the approval of the Board to purchase a Maytag heavy duty washer and dryer for a cost of \$560.00.

Nurse Supervisor Frances Koppenhafer invited the Board to attend a workshop in Grand Junction on April 22nd.

Planner W. L. Glenn requested and received tentative approval for a variance to the subdivision regulations for Bethel Bankert to sell 19 acres.

Coordinator Denton discussed floodplain areas, Public lands meetings April 24th. He reported on a meeting of the Division of Wildlife and a visit with Senator Dan Noble and Rep. Walt Waldow. CETA program proposal was discussed. Secretary pool is needed, home health aide and someone to work on winter winterization project. Requested permission to purchase vinyl envelopes at a cost of \$5.80 each to secure mylar transparencies. Approved.

Applications received from Rowell Inc. to transfer 3.2% beer license for Sportsman Center and retail liquor license for Mountain Liquors. Tabled pending investigation of Mr. Vandapool.

Mr. Denton presented a notice to proceed with portions of the Montezuma County, Colo., Dolores River and vicinity mapping project from the County to Benchmark Mapping Service which was signed by Chairman Honaker.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, April 11, 1977

U. S. Representative Frank E. Evans appeared to visit with the Board and with the public. Approximately 50 persons were here to visit with Mr. Evans.

Road Department Supervisor Earnest Boren reported on road and equipment maintenance. Also discussed the billing of Empire Electric for the hot mix plant which the County sold last May. Dale Frederick reported that the County Road by the M & M Truck Stop was sinking. The Board discussed the possibility of putting in a culvert on that corner. Mr. Frederick would put in a trap and pay for the culvert. Possibly the State Highway Department would help. Mr. Frederick will check with State Highway Department. Employment was discussed. Discussion of the Hovenweep Road, complaint of too much gravel. County Road signs have been received. Total cost of freight was \$365.00.

Board of Social Services conducted.

Treasurer Hindmarsh reported that there was a problem in that Robert Tucker purchased 3/8 of Blizzard Mining claim several years ago. Has been picking up taxes on other 5/8 for three years and wants to get deed. However, it was discovered that the County owns this 5/8. This was tabled for the County Attorney's opinion.

Gary Chaffin presented application for a dance hall license for the "76" Club.

Commissioner Bader made a motion to approve this application, seconded by Commissioner Ray and carried. Dance Hall License #3 was issued.

Coordinator Denton discussed paving Mildred Road down to the new hospital. City should take care of that road on to Empire. He was instructed to discuss this matter with Cortez City Manager Longenbaugh. Applications for this must be snet in as soon as possible.

Assessor Denny presented petitions for the following abatements:

Thomas & Richard Becher, erroneous assessment 184.48 abatement

R. E. McGeachie, erroneous assessment 517.80 "

Silver Peak Corp., erroneous assessment 525.15 "

G. N. Gardner, erroneous assessment 38.43 "

Wm. E. Russell & Walter J. Moffitt, erroneous assess. 65.07 "

Commissioner Ray made a motion to approve all of the above abatements, seconded by Commissioner

Bader and carried. Mr. Denny then discussed Oen Noland tax protest. He would not recommend an abatement. Also discussed tax of Sumner Bangs and Mr. Thyman. Mr. Denny then requested increases in salaries for two new appraisers. This would move them from probationary to permanent status. Willis was approved by the Board to \$600 monthly and Teague to \$550 monthly.

General Fund Voucher #34005 thru #34135 in the amount of \$23,678.64, Road Fund Vouchers #3293 thru #3318 in the amount of \$18,722.34, Revenue Sharing Voucher #77 in the amount of \$3,000.00, Contingency Fund Voucher #77 in the amount of \$21.75 and Public Works Voucher #150 in the amount of \$11,286.00 were allowed and ordered paid.

Board adjourned at 5:30 P.M.

Attest:

Clerk Chairman



## Minutes 04/04/1977 Regular

APR 12 1977

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 April, A. D. 1977 there were present:

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

Absent: Floyd Ray

Pledge of allegiance given. Minutes of the last regular meeting were read and approved. Miscellaneous correspondence read and contents noted. Board noted receipts totaling \$54.35 for the sale of old junk.

Commissioner's Secretary Mary Ann Burton and Clerk DeGraff discussed parking problems. Custodian Steerman was instructed to inquire as to cost of paving and striping CSB parking lot and parking lot on the South side of County Building. Mr. Steerman also reported that panic bars had been installed on front door.

Dr. Griebel and Nurse Supervisor Koppenhafer requested and was given permission for the Sanitarian to have 1/2 hour comp time each day. Also requested consideration of hiring a CETA employee for a home health aide. Board will check with Department of Employment.

Planner W. L. Glenn requested and received tentative approval for a variance to the subdivision regulations for Jerald and Jeanette Fischer to sell some property. Total approval for variances to the sub-division regulations were given as follows:

Lynn Patton and Clifford Fossom to sell 3.16 acres more or less in Section 34, and Section 35 and Section 28, T37N, R15W. Commissioner Bader made a motion to grant this variance, seconded by Commissioner Honaker and carried. Planning Resolution #18-77 was signed. Vaughn and Shirley Fairbanks to sell 9.39 acres more or less in Section 4, T35N, R16W. Commissioner Bader made a motion to grant this variance, seconded by Commissioner Honaker and carried. Planning Resolution #17-77 was signed.

Coordinator Denton appeared with Joe Randol who wants to build a 22 space trailer park North of Cortez which abuts on a County road. It meets the requirements and there is room for expansion. Application was approved. Mr. Denton stated that John Porter had resigned from the Planning Commission and the Commission had recommended Gary Mahaffey and Charles Davis for the vacancy. Also recommended for alternate member was Jerry Koskie, Chuck Mahaffey, Bill Duncan or Sid Snyder. Board appointed Mr. Gary Mahaffey as a permanent member of the Planning Commission and Mr. Jerry Koskie was appointed as associate member.

Mr. Bill Russell appeared to discuss his taxes being lowered for 1976. Assessor Wayne Denny explained that he was unable to lower them for 1976 but suggested an abatement be presented. Mr. Denny requested the purchase of a drafting machine costing approximately \$200.00.

Board approved this purchase.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, April 4, 1977

Mr. Bob Wilson appeared to discuss remodeling of building that abuts County property South of the County building. He requested and was given a revocable license for Empire Electric to come on County property to read their meter.

General Fund Payroll #3661 thru #3731 and #34003 and #34004 in the amount of \$49,312.35 and Road Fund Payroll #2984 thru #3015 and #3292 in the amount of \$26,381.45 were allowed and ordered paid.

Cortez City Manager Longenbaugh reported that Allen Holmes has made application for a temporary permit to provide limousine service between Cortez and Durango while the Durango airport is closed this spring and summer. Letter will be sent to Colorado PUC requesting favorable consideration for this temporary permit. Cortez City Mayor Hal Tanner and Architect Fred Groves discussed the Justice Building. It was decided that all outstanding bills and monies are to be sent to the bonding company. \$2000 will be placed in escrow for warranties. Groves discussed change order that Flaugh wouldn't sign. Mr. Tanner discussed paving of Mildred Road past new hospital, Board reported that this project has #1 priority. City would work on moving mail boxes, power and phone lines etc., tentative opening date for the hospital is October 1, 1977. Fairground land was discussed. Groves has sent a brief sketch to Fred Carpenter for review. No report from his as yet.

Road Department Supervisor E. Boren reported on road and equipment maintenance. Highway meeting is to be held at the Ramada Inn, Durango, May 12th at 10:00 a.m. There has been another accident at the old bridge in Dolores. Barricades not working. Mike Harpham thanked the Board for the work they did on his road. Mr. Creeden again requested work done on his road NW of Cortez. If the County has right-of-ways, farmers should be put on notice not to plow ditches.

Maxine Maestas, Leon Murdock and Norm Schultz of the Department of Employment reported that proposals for CETA, Title 6 employees must be written by contracting agency now. Board will contact Coordinator Denton to write proposals.

Assessor Denny and Olen Noland appeared to discuss property tax. Mr. Denny needs more time to work up an adjustment, and he will report back Monday. Mr. Noland was advised by Mr. Denny to pay tax now and get an abatement later.

Jim Vandapool and Betty Witherbee of the District Court apologized to the Board for having Custodian put up reserved parking signs without contacting the Board. Mrs. Witherbee needs a space closer to the Courthouse as she works late. Mr. Vandapool just wants to know he has a space as he leaves the building quite often. The Board, realizing the problem of parking, asked Custodian to ascertain number of employees driving to work and the number of spaces

They will then assign numbers to employees for parking in parking lot. Custodian was also directed to install a reservation sign for Mrs. Witherbee in the first space next to carport. Commissioner will move to another space. Custodian also directed to install a railing along side of Attorneys building to prevent damage to building. Steerman reported that the bank doesn't want to go with paving in exchange for parking.

Mrs. Ethel Head, President of Cortez Senior Citizens discussed cooking meals in building. She was advised to check their by-laws. She also requested permission to enlarge the kitchen. The Board stated that that was up to the members. Also discussed the stove that was given to the Senior Citizens.

Board of Social Services conducted.

A letter was written to Senator Noble with a copy to Representative DeNier supporting  
H.B. 1316, increasing tax on gas 2cents.  
Meeting was adjourned at 4:00 P.M.  
Clerk Chairman

Online Copy

## **Minutes 04/04/1977 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 April, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Floyd Ray

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P17-77

WHEREAS: Vaughn D. and Shirley J. Fairbanks, owners of 22.05 acres, more or less, in the Southeast One-Quarter (SE1/4) of Section 4, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 9.39 acres, more or less, to a separate owner as a commercial tract of land.

A tract of land in the SE1/4 of Section 4, T.35N, R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the north R/W line of McElmo Canyon Road in the SE1/4 of Section 4, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE Corner of said Section 4 bears S.88degrees52'01"E. a distance of 1413.15 ft.;

thence, N.0degrees13'W. a distance of 1280.00 ft.;

thence, S.89degrees46'W. a distance of 218.60 ft.;

thence, S..0degrees13'E. a distance of 930.00 ft.;

thence, S.89degrees46'W. a distance of 370.00 ft.;

thence, S.0degrees13'E. a distance of 350.00 ft. to the north R/W line of McElmo Canyon Road;

thence, N.89degrees46'E. a distance of 588.60 ft. along the north R/W line of McElmo Canyon Road to the point of beginning, and containing 9.39 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: Vaughn D. and Shirley J. Fairbanks 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 9.39 acres, more or less, to a separate owner as a commercial 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

Online Copy

## **Minutes 04/04/1977 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 April, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent: Floyd Ray

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P18-77

WHEREAS: Clifford C. Fossum and M. Lynn Patten, owners of 470 acres, more or less, in the W1/2 of Section 34, the E1/2 of Section 33 and the SE1/4SE1/4 of Section 28, all in Township 37 North Range 15 West, N.M.P.M., Montezuma County, Colorado, wish to sell an existing house and 3.16 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the NW1/4 NW1/4 of Section 34, T.37N., R.15W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the south R/W line of the County Road in the NW1/4 NW1/4 of Section 34, T.37N., R.15W., N.M.P.M., Montezuma County, Colorado, from which point the NW Corner of said Section 34 (a 3/4" steel rod driven flush) bears N.68degrees05'34"W. a distance of 52.32 ft.;

thence, S.16 degrees 49'17"E. a distance of 319.05 ft.;

thence, S.53 degrees 5'12"E. a distance of 39.01 ft. to a fenceline;

thence, S.06 degrees 39'24"W. a distance of 171.93 ft. along a fenceline;

thence, S.87 degrees 36'24"E. a distance of 242.09 ft. along a fenceline;

thence, North a distance of 508.53 ft. to the south R/W line of

thence, N.89 degrees 49'00"W. a distance of 345.54 ft. along the south R/W line of the County Road to the point of beginning, and containing 3.16 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: Clifford C. Fossum appeared before the Montezuma County Planning Department on behalf of himself and M. Lynn Patten, 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 an existing house and 3.16 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

Online Copy

R E S O L U T I O N      No. 6-77

It was moved by Commissioner Floyd Ray and  
duly seconded by Commissioner Clay Bader 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, a three acre tract 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, Township 37 North, Range  
16 West, N.M.P.M., from which point the NE  
Corner of said Section 7 bears N 13°32'38" E.,  
a distance of 1469.47 feet; thence S 00°29'15" E.  
a distance of 361.50 feet; thence S 87°35'17" E.  
a distance of 361.50 feet to the East line of  
said Section 7; thence N 00°29'15" W. a distance  
of 361.50 feet along the East line of said Sec-  
tion 7 to the South right of way line of Colorado  
Highway No. 147; thence N 87°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 March 8, 1977 at 7:00 o'clock P.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 District  
Courtroom in the 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 Commis-  
sioners, and,



WHEREAS, at said Public Hearing the application, the Investigator's Report and other pertinent material submitted by the applicant were reviewed by the Commissioners. Testimony was presented by the applicant as to his character, past experience, his residence, the layout of the buildings, parking, his equipment, number of employees, the character of the neighborhood, the hours his business would be open, the need for such an outlet, and the desires of the neighborhood. The applicant further testified that he would insulate the ceiling of his building in order to muffle the sound of music coming from his establishment to avoid disturbing the peace and quiet of nearby neighbors. The applicant also testified that he would hire a qualified person to check identification and to control the behavior of the crowd during his open business hours. The applicant also presented one petition signed by 101 persons recommending that he be granted a 3.2 beer license, and, another petition signed by 14 persons opposing the granting of the license.

Applicant further testified that parents and other adults would be welcome to visit the club at anytime. The applicant was then questioned by the Commissioners and members of the audience. Sheriff Bob Hampton gave testimony in behalf of the applicant and stated that the area would be patrolled by his deputies. William Kvasnicka testified that he lived in the neighborhood and urged that the license be granted, as did Abe L. Imel and Jack Johnson, all of whom stated there was a need for such an establishment in the neighborhood. Stan Chaffin, a brother of the applicant, gave a resume of his law enforcement background and stated he would be employed by Club 76 to check the identification of the patrons and to maintain control inside the club and in the parking lot. Testimony was then presented in opposition to the granting of the license by Roger Davis, Ken Stocks,

Marva Davis, Ealine Riffey, Renay Neeley and Gary Nielson.

The opposition presented a petition opposing the granting of the license signed by 47 persons. Some testifying in opposition expressed concern over noise from loud music, increase in traffic on the roads, and bad location for such an establishment, while others stated they did not approve of the drinking or the selling of beer, either on religious or moral grounds. Before the end of the hearing, six young people, over the age of 18, gave testimony as to the need for such an establishment for the benefit of the young people in the area. It was stated that the nearest 3.2 beer establishment was in Cortez, approximately 10 miles away. At the close of the hearing thirty-seven persons stood up in favor of the application and 14 persons stood up opposing the application, and,

WHEREAS, the applicant has agreed to insulate his ceiling in such a manner as to prevent the sound of loud music from disturbing the peace and quiet of nearby residents in the neighborhood, and has agreed to employ a person capable of maintaining order and checking the identification of patrons in his establishment, and to encourage his patrons to drive on the paved roads, and,

WHEREAS, the Public Hearing was closed on the same date and the matter was taken under advisement by the Commissioners, and the Commissioners, after reviewing all of the testimony, evidence and exhibits, have made a decision in regard to said application.

NOW, THEREFORE, BE IT RESOLVED that the application submitted by Gary Chaffin for a 3.2 beer license for consumption on the premises of Club 76, in Montezuma County, Colorado, be granted with the understanding that the ceiling of the establishment will be adequately insulated against the transmission of sound through it, and that a qualified

person will be employed to maintain order in the establishment, for the following reasons:

1. Desires of the Inhabitants:

The applicant has presented a petition signed by numerous residents in the neighborhood recommending approval of said application. The opposition has also presented a petition signed by residents in the neighborhood expressing opposition. In determining the desires of the inhabitants, it was noted that much of the opposition, as stated by those who attended the hearing, was based on religious and moral grounds, as well as increase in traffic and noise associated therewith. It would appear from the evidence presented, that there was a greater number of residents in favor of granting the license than those opposed.

2. Need of the Neighborhood:

There is no similar outlet in this neighborhood. The nearest similar outlet is in the town of Cortez, some 10 miles away. There are no schools or churches within the two mile radius.

On polling the Board, Commissioner Honaker voted "aye", Commissioner Ray voted "aye" and Commissioner Bader voted "aye", in favor of the motion to approve the resolution. The motion was carried.

\* Lewiston Honaker  
Lloyd M. Ray  
Clay V. Bader

ATTEST

[Signature]  
County Clerk and Recorder

Given under my hand and seal and dated this 14th day of March, 1977.

+ [Signature]  
County Clerk and Recorder

## **Minutes 03/28/1977 Regular**

APR 5 1977

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 March, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held March 14, 1977 were read and approved.

Miscellaneous correspondence was read and contents noted. Board received \$1613.98 from the City of Cortez for prisoner care for February and \$225.00 from State Highway Dept. for maintenance of State Highway #184. A written agreement was received from Addressograph- Co. for the purchase of a machine for the Assessor's office. Purchase agreement has been signed and will be sent to the company.

Commissioner Ray reported on his meeting with the Senior Citizens.

Custodian Steerman reported that the County building on S. Elm has been winterized and the heat cut off. Commissioner Ray made a motion to accept the bids received on the old stove and 18 swivel chairs, seconded by Commissioner Bader and carried.

Discussion was had on the parking lot between the County building and the old Roseberry building.

Board directed the Custodian to post this parking lot immediately. Board has been contacted by the Citizens State Bank that if the County would pave and mark the parking area on the corner of First and Chestnut the County would access to all but 30 parking spots. Board will investigate this possibility.

Wilma Herndon, member of the Board of Trustees of Cortez Library Association, invited the Board to a workshop at the Library on Thursday evening, April 7th at 8:30. National Library week is April 17th through the 23rd. Mrs. Herndon thanked the Board for their financial support in the past and reported on various activities of the Library.

Nurse Supervisor Frances Koppenhafer and Dr. Griebel presented a copy of a news release which is being sent to the media. concerning the outbreak of venereal diseases. Also requested additional space for clinics.

Planner W. L. Glenn requested and received tentative approval for variances to the subdivision regulations for Cliff Fossum, Lynn Patton, and Ed and Caroline Murphy.

Final approval requests were made as follows: Margaret E. Dean to sell 9.26 acres more or less to Denver Daly in Section 21, T37N, R16W. Commissioner Ray made a motion to approve this variance, seconded by Commissioner Bader and carried. Planning resolution #13-77 was signed. Ken & Betty Lifflefair to convey 3 acres more or less to their daughter Fermina Kay Littlefair and 6.30 acres, more or less to daughter Robbie Jean Endsley in section 16, T37N, R16W. Commissioner Bader made a motion to approve this request, seconded by Commissioner Ray and carried. Planning resolution #P15-77 was signed. Amended resolution for David A. &

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, March 28, 1977

Sybil Decker to sell 20 acres more or less to a separate owner in Section 4, T35N, R13W. Commissioner Bader made a motion to approve this amended resolution, seconded by Commissioner Ray and carried. Planning Resolution #16-77 amending Planning Resolution #P29-76 was signed.

Coordinator Denton introduced Mr. Short of the San Juan Regional Commission who is involved with OEDP. He presented a 701 contract between Department of Local Affairs, Division of Planning and San Juan Regional Commission and Counties of Archuleta, Dolores, La Plata, Montezuma and San Juan. This was signed by Chairman Honaker.

Mr. Short is working on a Colorado prospectus to be ready in December.

Mr. Denton presented copies of material and letters to be sent to Washington concerning the Dolores Project. County Road signs are ready to be picked up in Denver for both Montezuma and Dolores Counties.

George Gore, trapper, applied for a predator permit and reported that he would only trap in Montezuma County at this time. He explained his methods of trapping.

Joe Dean, A1 Penassa, Norma Duncan and Ann Humiston of the County Fairboard discussed the possibility of obtaining land for fairgrounds. There is still a possibility that land belonging to the Carpenter Estate might be obtained. Plans have been sent to Mr. Fred Carpenter. Additional space is needed by the Fairboard to store cages, shelving etc.

Clerk DeGraff reported that she had hired a full time clerk, experienced in typing and bookkeeping. She requested and received approval for a starting salary of \$400.00 per month, for a probationary period.

Discussion was had of the Clara Ormiston fund. Clerk was directed to write to the First National Bank in Denver and request funds.

Bob Leighton reported on a County road into his property northwest of Cortez. No one is living by this road at this time and there has been considerable vandalism recently.

Permissio was given for a gate to be installed but the County won't maintain the road past the gate.

Commissioner Ray reported on the recent meeting of the Housing Authority of Montezuma County. Due to the fact that there is some expense in getting started, postage etc., Commissioner Ray made a motion to advance \$200 to the Housing Commission out of Revenue Sharing Fund. Seconded by Commissioner Bader and carried.

Road Department Supervisor Earnest Boren and Bill Head reported on road maintenance. One employee has resigned and a new employee will be hired. Discussion was had on posting speed limits on various County paved roads as recommended by State Patrol.

Discussion of Service Plan and related documents of the proposed Mancos Fire Protection District was held. Commissioner Bader made a motion to hold a Public Hearing on this Service Plan on Monday, April 25, 1977 at 3:00 p.m. in the Commissioner's Room. Motion seconded by Commissioner Ray and carried. See Resolution #5-77 attached.

Fred Jones, Holdo Lister, Ed Lee, W. C. Wheatland and Bill Hendrickson reported on the Winterization Project of the Regional Commission. Terms of the grant read that only 10% of the monies can be used for labor. They have the materials ready for insulating but no manpower. This project is for primarily elderly and handicapped persons. Twenty three applications have been received. Board will check with the Employment Office for

possibility of obtaining a CETA employee for manpower. Mr. Jones will check with various civic organizations for volunteer help.

Board authorized having windows repaired in the Senior Citizens building.

Attest:

Clerk    Chairman

Online Copy

Page No. 3

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

Date Monday, March 28, 1977

Gary and Stan Chaffin reported that Gary is selling 80 acres on Goodman Point but the buyer wants to be sure that approximately 1/2 mile of road can be built on the section line. Chaffin can obtain the right-of-way. They were referred to the BLM to see if their fences can be moved.

Bookkeeper Marge Ketchem reported that \$25.55 had been received. for the old chairs and \$981.56 had been received from Retirement Ass'n. as rebate on George Buck.

Discussion was had on vacation time. It was decided that if an employee started work during the year his first vacation time would be computed on the time earned from the starting date to the end of that year. This would put all employees on a fiscal basis.

Board of Social Services conducted.

Board discussed possible stipulations to the 3.2% beer license for Gary Chaffin dba "76" Club. It was the decision of the Board that noise had to be kept down and traffic had to be watched in that patrons should be encouraged to use the paved roads.

Nurse Supervisor Koppenhafer requested that the Board protest the possibility of decreasing State financial assistance being cut from 25%.

Meeting adjourned at 4:45 P.M.

Attest:

Clerk Chairman

### **Minutes 03/28/1977 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 28th day of, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P13-77

WHEREAS: Margaret E. Dean, owner of 37 acres, more or less, in the West One-Half, Northeast One-Quarter (W1/2NE1/4) of Section 21, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wishes to sell 9.26 acres, more or less, to Denver Daly as an agricultural tract of land.

A tract of land in the W1/2 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 W1/2 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.61degrees55'45"E. a distance of 1494.09 ft.;

thence, S.0degrees21'36"E. a distance of 1102.35 ft. along the east line of the W1/2 NE1/4 of said Section 21;

thence, S.89degrees06'49"W. a distance of 660.48 ft. to the centerline of Leavell Draw; thence, N.23degrees17'32"E. a distance of 641.92 ft. along the centerline of Leavell Draw;

thence, N.57degrees41'38"E. a distance of 249.79 ft. along the centerline of Leavell Draw;

thence, N.14degrees59'18"E. a distance of 403.44 ft. along the centerline of Leavell Draw;

thence, S.89degrees48'59"E. a distance of 84.19 ft. to the point of beginning, and containing 9.26 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 9.26 acres, more or less, which is an isolated tract separated by a natural draw. This tract adjoins the buyer's agricultural land and can be farmed by him without the natural draw causing any problems.

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

Online Copy

## **Minutes 03/28/1977 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 28th day of, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P15-77

WHEREAS: Ken and Betty Littlefair, owners of 13.5 acres, more or less, in the Southeast One-Quarter Southeast One-Quarter (SE1/4SE1/4) of Section 16, Township 37 North; Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to convey 3.00 acres, more or less to their daughter, Fermina Kay Littlefair, and 6.30 acres, more or less, to another daughter, Robbie Jean Endsley, as residential tracts of land.

A tract of land in the SE1/4 SE1/4 of Section 16, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the south line of Section 16, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE Corner of said Section 16 bears S.89degrees48'59"E. a distance of 801.27 ft.;

thence, N.36degrees37'35"E. a distance of 92.40 ft. along the centerline of Leavell Draw;

thence, West a distance of 318.32 ft.;

thence, N.01degrees16'31"E. a distance of 273.26 ft. to the south R/W line of the County Road;

thence, N.79degrees48'07"W. a distance of 108.19 ft. along the south R/W line of the County Road;

thence, N.41degrees28'45"W. a distance of 243.60 ft. along the south R/W line of the County Road to the west line of the SE1/4 SE1/4 of said

Section 16;

thence, S.0degrees21'30"E. a distance of 547.35 ft. along the west line of the SE1/4 SE1/4 of said Section 16 to the south line of said Section 16;

thence, S.89degrees48'59"E. a distance of 521.51 ft. along the south line of said Section 16 to the point of beginning, and containing 3.00 acres, more or less.

A tract of land in the SE1/4 SE1/4 of Section 16, 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 Section 16, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the SE Corner of said Section 16 bears South a distance of 399.79 ft.;

thence, North a distance of 241.71 ft. along the east line of said Section 16 to the south R/W line of the county Road;

thence, S.52degrees15'55"W. a distance of 279.80 ft. along the south R/W line of the County Road;

thence, S.86degrees34'54"W. a distance of 345.06 ft. along the south R/W line of the County Road;

thence, S.78degrees33'10"W. a distance of 502.65 ft. along the south R/W line of the County Road;

thence, S. 01degrees16'31"W. a distance of 273.26 ft.;

thence, East a distance of 318.32 ft. to the centerline of Leavell Draw;  
thence, N.36degrees37'35"E. a distance of 39.33 ft. along the centerline of Leavell Draw;  
thence, N.53degrees08'08"E. a distance of 222.56 ft. along the centerline of Leavell Draw;  
thence, N.81degrees04'35"E. a distance of 205.08 ft. along the centerline of Leavell Draw;  
thence, S.67degrees36'42"E. a distance of 133.39 ft. along the centerline of Leavell Draw;  
thence, N.64degrees07'34"E. a distance of 111.13 ft. along the centerline of Leavell Draw;  
thence, N.42degrees44'08"E. a distance of 174.91 ft. along the centerline of Leavell Draw to the point of beginning, and containing  
6.30 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: Ken Littlefair appeared before the Montezuma County Planning Department on behalf of himself and his wife, Betty Littlefair, requesting an exemption from the Montezuma County Subdivision Regulations stating they were not dividing their land in the intent of the Regulations, but merely conveying this isolated tract to their daughters as residential tracts of land. He further stated this land was in a draw, and could not be used as agricultural 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 and Recorder  
Montezuma County, Colorado

### **Minutes 03/28/1977 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 28th day of March, 1977, with the following persons in attendance:

Commissioners: Clay Bader, Floyd Ray and Curtis Honaker

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P16-1977

Amends Resolution P29-1976

WHEREAS: David A. and Sybil Decker, owners of 46 acres, more or less, in the West one-half, Southeast one-quarter (W1/2SE1/4) of Section 4, Township 35 North, Range 13 West, N.M.P.M., Montezuma County, Colorado, wish to sell 20.0 acres, more or less to a separate owner as a residential tract of land.

A tract of land in the NW1/4SE1/4 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 NW1/4SE1/4 of Section 4, thence South 660 feet, thence west 1320 feet, thence North 660 feet along a county road, thence East 1320 feet to the point of beginning 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: 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 20.0 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 03/28/1977 Regular**

STATE OF COLORADO     )

) ss.

COUNTY OF MONTEZUMA )

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the County Courthouse, in Cortez, Colorado, being the regular meeting place of said Board, at the hour of 9:30 o'clock a.m. on Monday the 28th day of March, 1977.

There were present:

Chairman:	Curtis Honaker
Commissioners:	Floyd Ray, Clay V. Bader
County Clerk and Recorder	Jean DeGraff
County Attorney:	Grace Merlo

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

The Chairman informed the Board that a Service Plan, supplemental documents and the required processing fee had been filed for the proposed Mancos Fire Protection District and a request made that a Hearing on said Service Plan be called and held.

Thereupon Commissioner Bader introduced the following Resolution:

5-77

R E S O L U T I O N

#5-77

WHEREAS, a Service Plan, supplemental documents and a processing fee have been filed relating to the proposed Mancos Fire Protection District; and

WHEREAS, the law requires that a Hearing be called and held within 30 days of this meeting concerning the adequacy of said Service Plan;

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

Section 1. That a Hearing on the Service Plan, as filed, for the proposed Mancos Fire Protection District be and the same is hereby set for the hour of 3:00 o'clock p.m., at the County Courthouse, in Cortez, Colorado, the regular meeting place of the Board of County Commissioners, on Monday, the Twenty-Fifth day of April, 1977.

Section 2. That the Clerk of this Board is hereby directed to cause the Notice of Hearing to be published in the Mancos Time Tribune, Mancos, Colorado, newspaper of general circulation within the County, once each week for a period of three successive weeks by three publications, the first publication to be at least 20 days prior to the date of Hearing.

Section 3. That the Clerk is hereby further directed to provide written Notice of the Hearing to the Petitioners and to the governing body of any existing municipality of special district which has levied an ad valorem tax within the next preceding tax year and has boundaries within a radius of three miles of the proposed Mancos Fire Protection District, and also to the Planning Commission of Montezuma County.

Section 4. That said Notice shall be in substantially the following form:

Montezuma County Courthouse  
Cortez, Colorado 81321

PHONE 565-7484

STATE OF COLORADO     )  
                              )  
COUNTY OF MONTEZUMA    )     ss.

NOTICE OF HEARING

PUBLIC NOTICE IS HEREBY GIVEN that there was filed with the County Clerk and Recorder of Montezuma County, a Service Plan and related documents for the proposed Mancos Fire Protection District, the purpose of which is generally to provide facilities for a fire station and fire fighting equipment and personnel. Said Service Plan and related documents are now on file in the office of the County Clerk and Recorder and are available for public inspection.

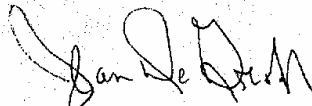
NOTICE IS FURTHER GIVEN that, by order of the County Commissioners of Montezuma County, Colorado, a public hearing on said Service Plan and related documents will be held at the Montezuma County Commissioner's Room, Montezuma County Courthouse, in Cortez, Colorado, at 3:00 p.m. on Monday, the 25th day of April, 1977.

The purpose of said Hearing shall be to consider the adequacy of the Service Plan of the proposed Mancos Fire Protection District and form a basis for adopting a Resolution approving, conditionally approving or disapproving said Service Plan.

The proposed Mancos Fire Protection District has the following boundaries: Beginning at the NE corner of Section 30, Township 37 North, Range 12 West; Thence South to the SE corner of Section 7, Township 36 North, Range 12 West; Thence East to the NE corner of Section 17, Township 36 North, Range 12 West; Thence South following the Section boundaries to the point where the East boundary of Section 20, Township 36 North, Range 12 West intersects the Montezuma County boundary; Thence Southerly and Westerly to the point where the Montezuma County boundary intersects the South boundary of Section 23, Township 36 North, Range 12 West; Thence West to the SW corner of Section 35, Township 36 North, Range 13 West; Thence South to the SE corner of Section 27, Township 35 North, Range 13 West; Thence West to the SW corner of Section 30, Township 35 North, Range 13 West; Thence North to the NW corner of Section 30, Township 35 North, Range 13 West; Thence West to the SW corner of Section 23, Township 35 North, Range 14 West; Thence North to the NW corner of Section 23, Township 35 North, Range 14 West; Thence West to the SW corner of Section 15, Township 35 North, Range 14 West; Thence North to the West Quarter corner of Section 15, Township 35 North, Range 14 West; Thence West to the Center of Section 16, Township 35 North, Range 14 West; Thence North to the Center of Section 4, Township 35 North, Range 14 West; Thence West to the West Quarter corner of said Section 4; Thence North to the NW corner of said Section 4; Thence West to the SW corner of Section 31, Township 36 North, Range 14 West; Thence North to the West Quarter corner of Section 19, Township 36 North, Range 14 West; Thence West to the Center of Section 24, Township 36 North, Range 15 West; Thence North to the North Quarter corner of said Section 24; Thence West to the NW corner of

said Section 24; Thence North to the West Quarter Corner of Section 13, Township 36 North, Range 15 West; Thence East to the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 13; Thence North to the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 13; Thence East to the NE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 13; Thence South to the SE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 13; Thence East to the East Quarter corner of said Section 13; Thence North to the West Quarter corner of Section 7, Township 36 North, Range 14 West; Thence East to the Center of said Section 7; Thence North to the North Quarter corner of said Section 7; Thence East to the NE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 10, Township 36 North, Range 14 West; Thence North to the Northwest Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 34, Township 37 North, Range 14 West; Thence East to the NE corner of Section 36, Township 37 North, Range 14 West; Thence North to the NW corner of Section 30, Township 37 North, Range 13 West; Thence East to the Point of Beginning.

THIS NOTICE GIVEN BY ORDER of the Board of County Commissioners of Montezuma County, Colorado, this 29th day of March, 1977.



Jean DeGraff, Clerk to the  
Board of Commissioners  
Montezuma County, Colorado

Publish three consecutive weeks beginning 3-31-77



After reading the foregoing Resolution, Commissioner Bader then moved that said Resolution be passed and adopted. Commissioner Ray seconded the motion.

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

Those voting AYE: Curtis Honaker, Floyd Ray and Clay V. Bader.

Those voting NAY: None

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

Curtis Honaker  
Chairman  
Board of County Commissioners  
Montezuma County, Colorado

MONTEZUMA COUNTY, COLORADO  
SEAL  
1888  
ATTEST:  
[Signature]  
County Clerk and Recorder  
Montezuma County, Colorado

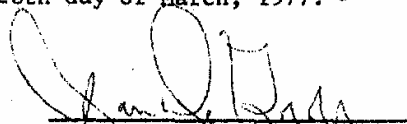
STATE OF COLORADO     )  
                              )  
COUNTY OF MONTEZUMA    )     ss.

I, Jean DeGraff, County Clerk and Recorder of the County of Montezuma, State of Colorado, do hereby certify that the foregoing pages numbered 1 to 5, inclusive, constitute a true and correct copy of the record of proceedings of the Board of County Commissioners of said County, taken at a regular meeting held on the 28th day of March, 1977, at the Montezuma County Courthouse, Cortez, Colorado, insofar as said minutes relate to a Resolution, a copy of which is therein set forth; that the copy of said Resolution contained in the minutes is a full, true and correct copy of the original of said Resolution as adopted by the Board of County Commissioners at said meeting; that the original Resolution has been duly signed and approved by the presiding officer of the Board of County Commissioners and myself, as County Clerk and Recorder, sealed with the corporate seal of the County and recorded in the Book of Resolutions of the County kept for that purpose in my office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County of Montezuma, Colorado, this 28th day of March, 1977. \*



  
County Clerk and Recorder  
Montezuma County, Colorado

STATE OF COLORADO     )  
                              )  
COUNTY OF MONTEZUMA    )     ss.

CERTIFICATE OF MAILING  
AND OF PUBLICATION

IN RE THE ORGANIZATION OF THE     )  
MANCOS FIRE PROTECTION DISTRICT    )  
MONTEZUMA COUNTY, COLORADO        )

IT IS HEREBY CERTIFIED by the undersigned, Jean DeGraff, County Clerk and Recorder of Montezuma County, Colorado, as follows:

1. That on the 28th day of March, 1977, the Board of County Commissioners of Montezuma, Colorado, did act to call and set a Hearing for Monday, the 25th day of April, 1977, at the hour of 3:00 o'clock p.m., in the Montezuma County Courthouse in Cortez, Colorado, concerning the Service Plan and related documents for the propose Mancos Fire Protection District.

2. That, as a part of said action, directions were given that copies of the Notice of Hearing for said Hearing be given or sent to the Petitioners, and to the governing body of any existing municipality or special district which has levied an ad valorem tax within the next preceding tax year and which had boundaries within a radius of three miles of the proposed District, and in addition, to the Planning Commission of Montezuma County.

3. That in compliance with said directions a copy of said Notice of Hearing was personally delivered to the representative of the Petitioners, and additional copies were deposited in the United States Mail, postage prepaid, registered with return receipt requested, to the Planning Commission of Montezuma County and to the governing bodies of the municipalities or special districts listed on the following page 8, which municipalities and special districts constitute all such municipalities or special districts within the class required by law to be given such Notice.

IN RE THE ORGANIZATION OF THE )  
 )  
MANCOS FIRE PROTECTION DISTRICT )  
 )  
MONTEZUMA COUNTY, COLORADO )

(Give names and addresses of municipalities and special  
districts to which the Notice of Hearing was mailed)

Mancos Cemetery District, John Ritter, Mancos, Colorado 81328

Mancos Water Conservancy District, Lloyd Doerfer, Mancos, Colorado 81328

Montezuma Mosquito Control District, Cal Beaver, Dr. L., Cortez, Colo. 81321

Southwest Water Conservancy District, Archie B. Toner  
Box 475, Durango, Colorado 81301

Montezuma County Hospital District, Virginia Graham  
Box 1319, Cortez, Colorado 81321


LaPlata County Commissioners, LaPlata County Courthouse, Durango, Colo 81301

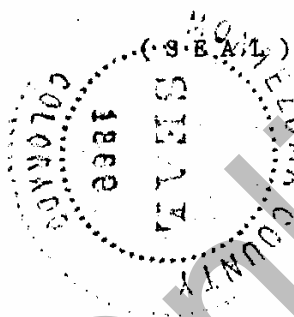
Town of Mancos, Geraldine Wallace, Clerk, Mancos, Colorado 81328

Montezuma County Planning Commission, Charlie Rogers, Rt 2, Mancos, Colo  
81328

4. That said Notice of Hearing was also caused to be published in the Mancos Time Tribune, Mancos, Colorado, newspaper of general circulation within Montezuma County, Colorado, in the editions dated March 31, April 7, and 14, 1977, as required by law and the directions of the County Commissioners, and a Proof of Publication thereof is attached to page 10 hereof and is on file in my office as evidence thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Cortez, Colorado, this 14 day of March 1977.

  
County Clerk and Recorder  
Montezuma County, Colorado



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

(Attach Affidavit of Publication of Notice of  
Hearing on Service Plan)

Online Copy

**Minutes 03/14/1977 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 14th day of March 1977 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd M. Ray, and Clay Bader.

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

WHEREAS, Montezuma County has entered into a project agreement with the United States Department of Agriculture, Soil Conservation Service, and, WHEREAS, the cost of seeding in the above mentioned project is as follows:

1/2 cost of seeding burn-out area in Cortez                      \$ 272.34

20% of cost of seeding approximately 23 miles

along County roads, Yellow Jacket    \$ 3431.30

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners, Montezuma County, do order the above sums to be paid out of Conservation Trust Funds.

Commissioners voting Aye in favor of the Resolution were: Honaker, Ray and Bader.

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 14th day of March, 1977.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

4-77

## Minutes 03/14/1977 Regular

MAR 29 1977

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 March, A. D. 1977 there were present:

Curtis Honaker	Chairman
Floyd Ray	Commissioner
Clay V. Bader	Commissioner
	County Attorney
Jean DeGraff	Clerk

Absent: Grace S. Merlo

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

Miscellaneous correspondence was read and contents noted. Cigarette tax refund for the County for the month of January in the amount of \$719.18 was received. Clerk's report for the month of February was received and reviewed.

Resolution #4=77 was read as follows: Whereas, Montezuma County has entered into a project agreement with the United States Department of Agriculture, Soil Conservation Service, and Whereas, the cost of seeding in the above mentioned project is as follows: 1/2 cost of seeding burn-out area in Cortez \$272.34 and 20% of cost of seeding approximately 23 miles along County roads, Yellow Jacket, \$3,431.30. Now therefore be it resolved, that the Board of Commissioners, Montezuma County, do order the above sums to be paid out of Conservations Trust Funds. Commissioner Bader moved to adopt this resolution, seconded by Commissioner Ray and carried.

Officer Bob Myers, Colorado State Patrol, made several recommendations concerning safety on County roads, Toten Lake Road, Lakeview #1 and McElmo Road. He suggested posting the speed limit on these roads at 40 miles per hour. Also certain roads feeding into these paved roads were recommended for stop signs. These recommendations will be given to the Road Department.

Sheriff Hampton reported that the Search and Rescue communications bus needs to be finished and he has received bids for materials. Money for this project has been approved in the '77 budget. Commissioner Bader made a motion to permit Sheriff Hampton to proceed with phase 1 of this project, seconded by Commissioner Ray and carried.

Discussion was had concerning the Four Corners Monument. It is in bad shape. It was decided that letters should be written to the Governor and to Senators and Representatives to see if this monument could be designated for a National park or monument.

The Board, having received a letter from Nielson's Inc. concerning the proposed 2cent increase on motor fuel, decided to write letters to CCI with copies to Nielson's, Senator Noble and Rep. DeNier stating that this Board would approve this proposal if assurance could be made that the off-the-top expenses would not increase.



Assessor Denny reported that his old addressograph was in bad repair and needed to be replaced. However he had not budgeted for it in '77 budget. If arrangements could be made for payment in 1978, he would like to order the new machine now. Board agreed this

Attest:

Clerk

Chairman

Online Copy

Page No. 2

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

Date Monday, March 14, 1977

could be done if the Addressograph Co. would state in writing that this arrangement would be approved. Cost of new machine would be approximately \$10,500. Mr. Denny also notified the Board that Appraiser Bob McGraw had resigned and Bob Teague had been hired to replace him.

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

Dave R. & Ila M. Umberger to sell 18 acres more or less to Stephen L. & Mary Jo Patterson in section 14, T37N, R16W. Commissioner Bader moved to approve this request, seconded by Commissioner Ray and carried. Planning Resolution #P8-77 was signed.

Ernest J. & Bettie Jo Jacques to sell 18.04 acres more or less to Orval Gray in Section 10 & 15, T35N, R16W. Commissioner Ray moved to approve this request, seconded by Commissioner Bader and carried. Planning Resolution #p9-77 signed.

Dale W. & Laurie A. Winemiller to sell 26.21 acres more or less to Clarence L. and Marjorie M. Calhoun in Section 24, T37N, R17W. Commissioner Bader moved to approve this request, seconded by Commissioner Ray and carried. Planning Resolution #P7-77 was signed.

Coordinator D.M. Denton appeared with Walt Posey of the Dolores Water Conservancy District. Mr. Posey discussed the forthcoming hearing before the Department of Interior concerning the Dolores Project to be held March 21st in Grand Junction. He stated that it is extremely important to have as many people attend as possible. Testimony is also important. There will also be a Congressional hearing in Washington D.C. on March 28, equally as important as the Grand Junction hearing. Material for testimony will be gathered by Mr. Denton. Mr. Denton also discussed safety on County roads, HUTF, and Air Quality meeting on March 17. Mr. Denton and Commissioner Bader will attend this meeting. Mr. Denton requested permission to have a quantity of County maps printed. Permission was given and these will be sold to the public for 25 cents each.

General Fund Vouchers #33869 thru #34002 in the amount of \$38,380.81, Road Fund Vouchers #3257 thru #3291 in the amount of \$9,713.92, Contingency Fund Voucher #76 in the amount of \$47.42 and Conservation Trust Fund Vouchers #1 thru #2 in the amount of \$3,703.64 were allowed and ordered paid.

Custodian Steerman was notified to winterize the old church building to cut off water and heat.

District Attorney George Buck was called in to discuss the polygraph equipment which he has in his office. Mr. Buck stated that he had no use for the equipment but wanted to be sure that Dolores County had no money involved in it and then he would turn it over to the Sheriff's office.

A service plan was received from Attorney Kent Williamson for a proposed Mancos Fire Protection District. Since County Attorney Merlo is ill today, no date was set for public hearing and this was tabled for the next meeting.

Assessor Denny being present, petitions for abatement of property tax were reviewed as follows:

J.M. Paris, erroneous assessment, recommended for abatement by Assessor Denny in the amount of \$757.24. Commissioner Ray moved to approve this petition, seconded by Commissioner Bader and carried.

C. L. Grenz, erroneous assessment, not recommended for abatement by Assessor Denny in the amount of \$127.27. Commissioner Ray made a motion to disapprove this petition, seconded by Commissioner Bader and carried. Mr. Grenz will be so notified. This being the date set aside to receive bids on junked chairs, etc., and having no bids received, the Board will dispose of these items as they see fit. Board of Social Services conducted.

Attest:

Clerk

Chairman

Online Copy

Page No. 3

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

Date Monday, March 14, 1977

Walt Tomsic, Hal Knott and Chuck Peters of the State Housing Commission appeared with Montezuma County Housing Authority Chairman Roy Henneman and Cortez City Manager Dwayne Longenbaugh. Housing Commissioners, Floyd Ray, Dale Frederick, and Hank DiRe having been sworn in by the Clerk throughout the day, Chairman Roy Henneman was sworn in by the Clerk. Discussion was had of the County needs for housing. A meeting will be held this evening of the County Housing Authority and the State people. Appointee V.T. Boyd was out of town and not sworn in this date.

Nurse Supervisor Koppenhafer discussed the possibility of a Western Colorado Health Agency. A contract with Southwest Memorial Hospital for physical therapy was signed by Chairman Honaker. Health Department secretary will be on vacation next week and the office will be closed part time.

On advice per phone call, of County Attorney Merlo and due to the need of the Board to attend the hearing in Grand Junction concerning the Dolores Project March 21, the Board will not have a regular meeting on March 21. If the need arises, a special meeting will be called Wednesday, the 23rd.

After study and discussion, Commissioner Ray made a motion to grant a 3.2% beer license to Gary Chaffin, dba the "76" Club subject to stipulations which will be made at the next regular meeting March 28th. Motion seconded by Commissioner Bader. On polling the Board, Commissioner Honaker voted "aye", Commissioner Ray voted "aye" and Commissioner Bader voted "aye". Motion carried. A written decision will be made later.

Assessor Denny presented a purchase contract from Multigraphics Division, AM Corp. for a Model 5000 Addressograph machine complete with 3 column lister for a total price of \$10,567.28. This purchase contract was signed by Chairman Honaker and will be held pending receipt of a letter from this company stating they will wait for payment until January, 1978.

Meeting was adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

**Minutes 03/14/1977 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 14th day of March 1977 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd M. Ray, and Clay Bader.

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

WHEREAS, Montezuma County has entered into a project agreement with the United States Department of Agriculture, Soil Conservation Service, and,

WHEREAS, the cost of seeding in the above mentioned project is as follows:

1/2 cost of seeding burn-out area in Cortez \$ 272.34 20% of cost of seeding approximately 23 miles along County roads, Yellow Jacket \$3431.30

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners, Montezuma County, do order the above sums to be paid out of Conservation Trust Funds.

Commissioners voting Aye in favor of the Resolution were:

Honaker, Ray and Bader.

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 14th day of March , 1977.

(SEAL)

County Clerk and Recorder of  
Montezuma County, Colorado

#4-77

### **Minutes 03/14/1977 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 14th day of March, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P7-77

WHEREAS: Dale W. and Laurie A. Winemiller, owners of 36.21 acres, more or less, in the Northwest One-Quarter (NW1/4) of Section 24, Township 37 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, wish to sell to Clarence L. and Marjorie M. Calhoun 26.21 acres, more or less, as a residential tract of land.

A tract of land in the NW1/4 of Section 24, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the west line of Section 24, T.37N., R.17W., N.M.P.M., Montezuma County, Colorado, from which point the NW Corner of said Section 24 bears N.0 degrees 06'04"W. a distance of 1749.69 ft.,

thence, N.82 degrees 59'40"E. a distance of 1023.54 ft. to a fenceline;

thence, S.15 degrees 59'45"E. a distance of 1081.49 ft. along a fenceline to the south line of the NW1/4 of said Section 24;

thence, N.89 degrees 39'23"W. a distance of 1312.35 ft. along the south line of the NW1/4 of said Section 24 to the west line of said Section 24;

thence, N.0 degrees 06'04"W. a distance of 906.91 ft. along the west line of said Section 24 to the point of beginning, and containing 26.21 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: Dale W. Winemiller appeared before the Montezuma County Planning Department on behalf of himself and his wife, Laurie A. Winemiller, 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 26.21 acres, more or less, to Clarence L. and Marjorie M. Calhoun 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 land 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

Online Copy

### **Minutes 03/14/1977 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 14th day of March, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P8-77

WHEREAS: Dave R. and Ila M. Umberger, owners of 30 acres, more or less, in the Southwest One-Quarter Northwest One-Quarter (SW1/4NW1/4) of Section 14, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 18 acres, more or less, to Stephen L. and Mary Jo Patterson as a residential tract of land, more particularly described as all that part of the East 30 acres of the SW1/4 NW1/4 of Section 14, Township 37 North, Range 16 West, lying North and West of County Road No. 25 as now constructed, and containing 18 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 Dave R. and Ila M. Umberger, 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 18 acres, more or less, to Stephen L. and Mary Jo Patterson 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 03/14/1977 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 14th day of March, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P9-77

WHEREAS: Ernest J. and Bettie Jo Jacques, owners of 180 acres, more or less, in the East One-Half of the West One-Half (E1/2W1/2) of Section 10, and the East One-Half Northwest One-Quarter (E1/2NW1/4) of Section 15, Township 35 North, Range 16 West, N.M.P.M. Montezuma County, Colorado, wish to sell 18.04 acres, more or less, to Orval Gray as a residential tract of land.

A tract of land in the E1/2 NE1/4 NW1/4 of Section 10, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:  
Beginning at a point 60 ft. west of the N1/4 Corner of Section 10, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado (an iron bar in the County Road);  
thence, S.0 degrees 42'06"W. a distance of 1300.85 ft. to a fenceline;  
thence, S.88 degrees 28'22"W. a distance of 599.74 ft. along a fenceline to the west line of the E1/2 NE1/4 NW1/4 of said Section 10;  
thence, N.0 degrees 34'12"E. a distance of 1314.40 ft. along the west line of the E1/2 NE1/4 NW1/4 of said Section 10 to the north line of said Section 10;  
thence, N.89 degrees 37'40"E. a distance of 602.37 ft. along the north line of said Section 10 to the point of beginning, and containing 18.04 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: Ernest J. and Bettie Jo Jacques appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they were not subdividing their property in the intent of the Regulations, but merely selling 18.04 acres, more or less, to Orval Gray 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 a 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

Online Copy

## **Minutes 03/08/1977 Public Hearing**

Page No. 1

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

STATE OF COLORADO ss. At a Public Hearing

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 8<sup>th</sup> day of March, A. D. 1977 there were present:

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

Absent:

Public Hearing, 3.2% Fermented Malt Beverage License Applicant: Gary Chaffin dba "76" Club

Roll call: Curtis Honaker, Chairman, Commissioner Floyd Ray, Commissioner Clay Bader, County Attorney Grace Merlo, Clerk Jean DeGraff all present.

All proceedings taken by Betty Witherbee, District Court Reporter.

Opening remarks by Chairman Honaker.

Applicant Chaffin represented by Attorney David West.

Investigator Jim Vandapool gave his report under oath and was questioned, by David West, Grace, Merlo, Roger Davis, Joe Bruner, Elain Riffey and Gary Nielson.

Clerk DeGraff read the proof of publication of the notice of publication and stated that the application appeared to be in order and proper fees received. Application marked for Commissioner Exhibit A, Proof of Publication from Mancos Times marked Commissioner Exhibit B, Proof of Publication, Montezuma Valley Journal marked Commissioner Exhibit C.

Applicant Chaffin gave testimony under oath. Applicants exhibit as follows:

#1 Floor Plan of "76" Club, #2 picture of parking lot, #3 picture of outside of building, #4 letter of reference from VFW signed by Lauren D. Woodard #5 a poll containing signatures of persons in favor of application and #6 a poll containing signatures of persons opposing the application. Mr. Chaffin was questioned by Attorney West, Attorney Merlo, Commissioner Ray, Commissioner Bader, Mr. Johnson, Roger Davis, Darryl Dike, Gary Nielson, and Kim Johnson.

Sheriff Hampton gave testimony under oath. Questioned by West, Commissioner Bader, Attorney Merlo, Roger Davis, Joe Bruner, Gary Nielson, Marva Davis, Darryl Dike.

William Kvasnicka gave testimony under oath. Questioned by Attorney West and Marva Davis.

Abe L. Imel gave testimony under oath. Questioned by Attorney West, Roger Davis, Commissioner Ray, Attorney Merlo.

Jack Johnson gave testimony under oath. Questioned by Attorney West, and Commissioner Ray.

Stan Chaffin gave testimony under oath. Questioned by Attorney West and Attorney Merlo.

Attest:

Clerk                      Chairman

Page No. 2

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

Date Tuesday, March 8, 1977

This concluded Applicant's formal witnesses.

Roger Davis gave testimony under oath opposing application. Questioned by Attorney West and Attorney Merlo.

Ken Stocks gave testimony under oath opposing application. Questioned by Attorney Merlo and Gary Nielson.

Marva Davis gave testimony under oath opposing application. Questioned by Attorney Merlo and Attorney West.

Ealine Riffey gave testimony under oath opposing, application.

Renay Neeley gave testimony under oath opposing application.

Gary Nielson gave testimony under oath opposing application.

At this time a head count was taken. 37 persons stood up in favor of the application, 14 persons stood up opposing the application.

Vernal Aulston gave testimony under oath in favor of the application. Jack Reed gave testimony under oath in favor of. Questioned by Roger Davis,

Terry Wilson gave testimony under oath in favor of the application. Questioned by Attorney West and Roger Davis.

Julie Chaffin gave testimony under oath in favor of the application.

Joe Bruner gave testimony under oath opposing the application. Questioned by Johnny Burris and Randy Hill.

Florie Hill gave testimony under oath in favor of the application. Questioned by Roger Davis.

Darryl Dike gave testimony under oath opposing the application.

All proceedings were taken under advisement. Decision will be given 3:30 P.M. on Monday, March 21, 1977, at a regular Commissioner's meeting.

Hearing adjourned at 11:30 P.M.

Attest:

Clerk Chairman

## **Minutes 03/07/1977 Regular**

MAR 15 1977

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 7<sup>th</sup> day of March, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting read and approved. Miscellaneous correspondence read and contents noted. Sheriff's and Treasurer's reports for the month of February were received and reviewed.

Clerk DeGraff requested and received adjustment in salaries for recording department. Also an experienced person has been hired for the Election Department and the Board approved a starting salary of \$460.00. She presented a bid for a microfilm cabinet which is considerably lower in cost than budgeted and was granted permission to purchase this cabinet and two secretarial chairs.

Mory Plumlee, Dolores Cemetery Custodian, requested graveling on roads within the Cemetery. Board agreed to haul the requested amount of gravel to the cemetery at a cost of \$2.00 per yard.

R. E. Hindmarsh, presented a petition for abatement of property tax for the Southwest Colorado Medical Speciality Group. This petition was not approved by Assessor Denny. Tabled for discussion with the Assessor.

Custodian Steerman requested permission to paint the Clerk's offices. Approved.

Nurse Supervisor Frances Koppenhafer reported that Dr. Griebel was out of town. Mr. Allar has accepted the position of Sanitarian and is on the job. Mrs. Koppenhafer reported on the meeting of Western Colorado Health Council held last week in Grand Junction. Regionalization was discussed.

Sheriff Hampton submitted his report for February and discussed deputies attending CO. LETA. Approximately 25% of those attending are still on the job. Others have left for better paying jobs. The Sheriff introduced a new Deputy, Ed Perkins, who will replace Stan Chaffin who has resigned. Deputy Perkins is experienced in investigations and polygraph equipment. Sheriff Hampton would like to acquire the polygraph equipment now at the District Attorney's office for use at the Justice Building. On checking, this equipment was purchased by the County at a cost of 2514.00 in December, 1975. Board will check. Another used State Patrol car has been purchased by the Sheriff's office, a 1973 Plymouth at a total cost of \$649.00:

Planner W. L. Glenn requested and received tentative approval for variances to the subdivision regulations for the following people:

Attest:

Clerk	Chairman
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Page No. 2

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

Date Monday, March 7, 1977

Zane Frazier to give 3 acres to his son

Ernest Jacques to sell 20 acres

Duane Stephens to sell .93 acres, isolated tract

James O. Spencer to sell 5 acres

Orville L. Lewis to sell 13 acres

Dale Winemiller to sell 26.21 acres

Helen Pritchett and Ralph Marlow to switch acreage

Assessor Wayne Denny was called in to discuss the petition for abatement for Southwest Colorado Medical Specialty Group. He stated that the notice was mailed to the Group and therefore could not recommend the abatement. Another petition for abatement was received for Snow Lumber and this was discussed and recommended by Assessor Denny. Mr. Denny also discussed minig claims. These will be picked up on tax roll as an addition and not shown on abstract. Board agreed these should be put on at the minimum amount.

Commissioner Ray made a motion to approve the petition for abatement for Southwest Colorado Medical Specialties Group for erroneous assessment in the amount of \$504.24. Motion seconded by Commissioner Bader and carried.

Commissioner Bader made a motion to approve the petition for abatement of Snow Mountain Lumber Co. for erroneous assessment in the amount of \$425.47. Seconded by Commissioner Ray and carried.

Harold Bradford, Coordinator of this area for the Governor's Advisory Council, notified the Board of Water Quality meeting to be held in Durango, April 1, 1977. Time and place to be announced later.

Dick Berkholz, State Forest Service, discussed a fire control agreement they would like to have the County enter. This would be for private and state lands and the cost would be based on total acres involved. The Board is interested in such an agreement and asked Mr. Berkholz to bring in additional statistics.

County Agent Bob Seaton and Agent Norma Duncan reported on activities since January 1, 1977. Mrs. Duncan reported on Young Homemakers, metric program and 4H leaders forum. Mr. Seaton reported on use of County car, Bean Growers, 4H, weed control district and Mountain meadows research. Three air conditioners have been acquired for the County.

Coordinator Denton reported on his trip to Denver, permits on gravel pits, State draw down monies, county road signs and Dolores landfill.

Cortez City Manager Longenbaugh presented copies of an agreement with FAA for a lease of a 12' piece of ground for a storage building. Agreement was signed by Chairman Honaker, Board was notified that Hal Knott of the State Housing Division will be in Cortez March 14, 1977, for a meeting with the County Housing Authority.

Jack and Velma Jennings requested road repair and maintenance to their property southeast of Cortez. County will provide blading and Road Department will be so notified.

Board of Social Services conducted.

Whetsell Allen, Chairman of the Road Commission and Coordinator Denton discussed possible appointees for the Commission. Lower Valley: Lawrence Nichols, first choice, Mickey Periman, second choice. Pleasant View, Junior Hollen, first choice, Tom Pedigo, second choice. Yellow Jacket: Jess Lancaster, first choice and Joe Mahaffey, second choice. Mr. Denton will contact these people to see if they will serve.

Mrs. Ethel Head, new president of the Cortez Senior American Club visited with the Board.

She asked if one member of the Board could serve on their advisory committee and was assured that

Attest:

Clerk                      Chairman  
one would.

Mrs. Koppenhafer reported the reasons for leaving San Juan Basin Health Unit in 1955 was because there was not enough services for the money the County paid in.  
Meeting adjourned at 4:30 P.M.

Online Copy

## **Minutes 02/28/1977 Regular**

MAR 8 1977

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 February, A.D.

1977 there were present:

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

Absent: Curtis Honaker

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

Miscellaneous correspondence read and contents noted.

Investigator Jim Vandapool presented copies of his investigation of the proposed "76" Club 3.2% beer license. This was reviewed by the Board.

Dr. Griebel and Nurse Supervisor Koppenhafer discussed applications for the position of County Sanitarian. The Board will interview three applicants this afternoon.

J. Val Kruse of Rauh Agency discussed insurance.

County Treasurer R. E. Hindmarsh asked that the Board respond to Colorado Counties Inc. concerning Senate Bill #247 which would provide that the Treasurer shall account for, distribute, and report all school district moneies collected by him within five days after receipt and shall be liable for a penalty of six percent per annum for each day he fails to do so. Commissioner Bader made a motion to disapprove of this proposed bill and to notify CCI of this Board's action, seconded by Commissioner Ray and carried. Board also discussed the proposed 2¢ increase in Motor Fuel Tax. Commissioner Ray made a motion to disapprove this proposal and so notify CCI. Seconded by Commissioner Bader and carried. Clerk was directed to write a letter to CCI informing them of the Board's action.

A petition for abatement of property tax was received from Assessor. Deputy Assessor Helen Diffendaffer was called in to discuss it. This was for Mountain Bell in the amount of \$135.82 on erroneous assessment. Commissioner Ray made a motion to approve this petition, seconded by Commissioner Bader and carried.

A request for variance to the sub-division regulations was received from Planner Glenn for D. Royce and Marie Higgins, who wish to sell 11.91 acres, more or less to a separate owner in section 16, T35N, R16W. Commissioner Bader made a motion to approve this petition, seconded by Commissioner Ray and carried. Planning resolution #P6-77 was signed.

Cortez City Manager Longenbaugh and Architect Fred Groves discussed the Justice Building.

Mr. Groves has written a letter to the bonding company requesting advise as to the procedures required to have the bonding company fulfill Flaugh Construction Co. obligations.

(See attached) This letter was signed by Commissioner Bader.

Attest:

Clerk                      Chairman



Page No. 2

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

Date Monday, February 28, 1977

Road Department Supervisor E. Boren reported on road and equipment maintenance. Titles have not been received for belly dumps. Commissioner Ray is checking on this problem.

Petition for abatement of property tax was received from Marilyn Colyer for erroneous assessment in the amount of \$35.34. Deputy Assessor Diffendaffer was called in to discuss this as it was not approved by Assessor Denny. After discussion, Commissioner Ray made a motion to approve this petition, seconded by Commissioner Bader and carried.

Deputy Clerk Edith Denton reported to the Board that she has to take a three month leave of absence due to disability on Dr. Nagle's recommendation. She asked about continuing insurance coverage while on leave. She would pay the premium. County Attorney Merlo checked the master policy and reported that this was covered in the policy. The Board granted the leave of absence and continuation of insurance. She was asked to submit doctor's reports periodically while on leave.

Chuck Mahaffey, Glenn Wilson, Gerald Neal and Agent Bob Seaton discussed forming a weed control district in the dry lands area. The Board thought this would be a good idea and the committee will procede.

Gary Chaffin, applicant for a 3.2% beer license for the "76" Club requested use of an exhibit which was presented last year at the prior hearing. He was referred to the Court Reporter.

Board of Social Services conducted.

David Yarbrough, John Sand and John Allar were all interviewed for the position of Sanitarian Frances Koppenhafer was called in to discuss the position of Sanitarian. Mr. Sawyer's last day is Thursday the 3rd and a new sanitarian should start working immediately. Commissioner Bader made a motion to hire John Allar at a salary of \$775 per month effective 3/1/77 for a four month period. If at that time he appears to be doing a good job salary will increase to \$825. Motion seconded by Commissioner Ray and carried. Dr. Griebel will notify Mr. Allar and letters will be sent to other applicants.

Meeting adjourned at 4:30 P.M.

Attest:

Clerk Chairman

## **Minutes 02/28/1977 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 28th day of February, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P6-77

WHEREAS: D. Royce and Marie Higgins, owners of 17.91 acres, more or less, in the South One-Half North One-Half, Southwest One-Quarter (S1/2N1/2SW1/4) of Section 16, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 11.91 acres, more or less, to a separate owner as a residential tract of land.

A tract of land in the S1/2 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 S1/2 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 S.33degrees05'29"W. a distance of 2011.68 ft.;

thence, S. 25degrees09'38"W. a distance of 66.95 ft. along the easterly R/W line of U.S. Highway 160-666;

thence, N.88degrees49'53"E. a distance of 741.15 ft.;

thence, South a distance of 327.54 ft. to the south line of the S1/2 N1/2 SW1/4 of said Section 16;

thence, N.89degrees47'34"E. a distance of 863.40 ft. along the south line of the S1/2 N1/2 SW1/4 to the east line of the S1/2 N1/2 SW1/4 of said Section 16;

thence, N.0degrees32'34"W. a distance of 651.79 ft. along the east line of the SW1/4 of said Section 16 to the north line of the S1/2 N1/2 SW1/4 of said Section 16;

thence, S.89degrees50'25"W. a distance of 531.16 ft. along the north line of the S1/2 N1/2 SW1/4 of said Section 16;

thence, S.01degrees10'07"E. a distance of 259.16 ft.;

thence, S.88degrees49'53"W. a distance of 1043.85 ft. to the point of beginning, and containing 11.91 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: Marie Higgins appeared before the Montezuma County Planning Department on behalf of herself and her husband, D. Royce Higgins, 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 11.91 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

Online Copy

## **Minutes 02/22/1977 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 22nd day of February, A.D.

1977 there were present:

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

Absent:

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

Discussion of oil and gas leases. Clerk noted that one parcel of land containing 200 acres was leased to two different oil companies. Clerk was directed to write a letter to the most recent lessee, Kissinger Oil Co. and so notify them.

Miscellaneous correspondence was read and contents noted.

Discussion was held on the President's decision to delay funding on the proposed Dolores Project. The Board ordered telegrams sent to President Carter, Senators Gary Hart and Floyd Haskell and to Representative Frank Evans. (See attached)

Custodian Steerman reported that a doorway had been made in the Health office between the reception office and the Supervisor's office. A new door has been ordered. He also reported that he couldn't get a plumber to fix a leak last week, so he bought \$85.00 worth of items to fix it himself.

Sanitarian Bob Sawyer submitted a letter of resignation effective March 4, 1977, due to low cost-of-living increases in salary. He thanked the Board for their support while he was Sanitarian.

Gwen Decker appeared concerning a problem over property in Mancos. She was referred to an outside attorney.

Planner W. L. Glenn requested and received tentative approval for variances to the subdivision regulations for Dave Umberger, Glenn Thompson and Marie Higgins. He also presented a request for a variance to the sub-division regulations for Charlie F. and Sue Kaiser to sell property in Section 32, T35N, R16W. This request meeting all the criteria, Commissioner Bader made a motion to grant the variance, seconded by Commissioner Ray and carried. Planning resolution #P5-77 was signed. Mr. Glenn reported for Coordinator Denton on acquiring fork lifts for the road department and stated that Mr. Denton and Mr. Glenn would be attending a Land Use workshop next Monday. Commissioner Bader made a motion to go along with the recommendations of the Regional Planning Commission concerning 701 funding, seconded by Commissioner Ray and carried. Dolores land fill agreement was discussed.

The following petitions for abatement of property tax were presented by Assessor

Denny:

Attest:

Clerk                      Chairman

Page No.2

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

Date Tuesday, February 22, 1977

#1977-3-Blanket - (see attached)	\$ 439.64
#1977-6-Marvin Elliott, erroneous assessment	128.26
#1977-7-Mary C. Dufur, illegal assessment	112.18
#1977-8-Sportsman Center, illegal assessment	518.81
#1977-9-Christian Revival Fellowship, Inc. Erroneous assessment	498.89

Commissioner Bader made a motion to allow these abatements, seconded by Commissioner Ray and carried.

After discussion, the following people were appointed to the Montezuma County Housing Authority Board of Commissioners: Roy Henneman, Cortez, five year term; Floyd Ray, four year term; Henry DiRe, Cortez, three year term; Dale Fredricks, Mancos, two year term; V. T. Boyd, Dolores, one year term. Roy Henneman was designated as First Chairman of this Board. Clerk DeGraff was directed to send letters of appointment to the above appointees.

County jail inspection was made at the Justice Building. The jail was in good condition. Cortez City Manager Longenbaugh and Councilman Mel Reddy discussed the possible uses of the old Safeway building which has been given to the City. The Board also decided that the Four Corners Helicopter could have landing rights at the airport in exchange for buying gas there.

Road Department Supervisor E. Boren reported on road and equipment maintenance. Bob Wright visited with the Board concerning a bridge south of the old rendering plant. Also discussed was the possible rebuilding of part of the road south to the land fill. Board of Social Services conducted.

Employees pay period was discussed. Commissioner Bader made a motion that time sheets should be received by the bookkeeper the 28th of each month except February when they will be received the 25th. Motion seconded by Commissioner Ray and carried.

Wide cost allocation plan agreement with Department of Health, Education and Welfare was signed by Chairman Honaker.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Vice Chairman

1977 BLANKET ABATEMENT #3											
NAME	DESCRIPTION	YEAR	DIST.	ORIGINAL VAL.	TAX	ABATE VAL.	TAX	BALANCE VAL.	TAX	REASON	ABATE OR REFUND
Hicks, W. C. 805 Cornett St. Cortez, Colo.	5 1/2 Lots 9-13 Blk. 4 Cornett Sub.	1976	1-A	\$3390	\$287.95	\$ 345	\$ 29.30	\$3045	\$258.65	Assessed for 5 lots (only 2 1/2 lots)	Abate
Willis, Van & Zelma NFY Goodall, Box 444 Cortez, Colorado	4 1/2 Lots 1-4 Blk. 3 Cornett Sub	1976	1-A	3500	297.23	345	29.30	3155	267.99	Assessed for 4 Lots (only 2 Lots)	Abate
Evans, Douglas C. Box 103 Aguila, Arizona 85320	Tr. in S 1/4 NW 1/4 16-35-16	1976	1-D	980	68.62	880	61.62	100	7.00	Value adjusted. Plate didn't get changed.	Abate
Koller, Joseph 539 E. Montezuma Cortez, Colo.	Tr. 85' X 134 E. of Coffins	1976	1-A	6460	548.71	310	26.33	6150	522.38	Error in land calculation.	Abate
Lambert, Paul Lewis, Colo.	Imps. Only	1976	1-M	4390	315.68	475	34.16	3915	281.52	Illegal assessment	Abate
Wilson, Lewis L. Rt. 1, Box 1-C Cortez, Colo.	Lots 13-15 Blk. 7 Lebanon	1976	4-K	1315	97.67	1315	97.67	00	00	Error in transferring. Exempt prop.	Abate
Rocky Mt. Homes Drawer D Cortez, Colo.	Lots 1-5 Blk 1 Lot 1 Blk 2 Lot 1 Blk 3 McBride #2	1976	1-A	2400	203.85	1110	94.28	1290	109.57	Transferred to School. Exempt	Abate
Hields, Barbara Rt. 4, Box 17-A Dolores, Colo.	Trs 3-5 Stapleton	1976	4-F	6255	478.82	875	66.98	5380	411.84	Imp. Property. Didn't get 14% discount.	Abate
Total				\$28,690	\$2298.59	\$5655	\$439.64	23,035	\$1858.95		

## **Minutes 02/22/1977 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 February, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P5-77

WHEREAS: Charlie F. and Sue Kaiser, owners of 228 acres, more or less, in the South One-Half of the Northwest One-Quarter (S1/2NW1/4); the North One-Half of the Southwest One-Quarter (N1/2SW1/4); and the Southwest One-Quarter of the Southwest One-Quarter (SW1/4SW1/4) of Section 32, Township 35 North, Range 16 West, N.M.P.M., and a tract of land in the Southeast One-Quarter of Section 31, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado wish to sell the above described land to Ronald D. and Marlene M. Frederick, reserving their home and 19.95 acres, more or less, as a residential tract of land.

The northerly 400 feet of the South One-Half, Southeast OneQuarter (S1/2SE1/4) of Section 31, Township 35 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, excepting that portion conveyed for highway purposes in Book 220, Page 147, and a tract described as follows:

Beginning at a point on the east line of Section 31, T.35N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the E1/4 Corner of said Section 31 bears N.02degrees00'20"W. a distance of 1331.61 ft.;  
thence, S.89degrees20'32"W. a distance of 2398.24 ft. to the easterly R/W line of U.S. Highway 160-666;  
thence, S.35degrees20'00"W. a distance of 74.16 ft. along the easterly R/W line of U.S. Highway 160-666;  
thence, N.89degrees20'32"E. a distance of 2443.23 ft. to the east line of said Section 31;  
thence, N.02degrees00'20"W. a distance of 60.02 ft. along the east line of said Section 31 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: Joe Dean, agent for Charles F. and Sue Kaiser, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they were selling their land to Ronald D. and Marlene M. Frederick and retaining their home and 19.95 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

Online Copy



## Minutes 02/14/1977 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 14<sup>th</sup> day of February, A. D. 1977 there were present:

FEB 23 1977

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

Absent:

Pledge of allegiance given. Minutes of the last regular meeting held 2/7/77 were read and approved.

Miscellaneous correspondence was read and contents noted.

Cigarette tax refund for Montezuma County was received in the amount of \$866.65.

Letters were sent to Dolores County, Town of Dolores and Town of Mancos notifying them of the charge rate, \$12.00 per day, for prisoner care effective 2/1/77.

Clerk's and VA's reports for the month of January were received and reviewed.

Sanitarian Bob Sawyer reported that there could be a problem in the Blue Door area.

Sewage systems are failing because of poor drainage. With new buildings being built in that area and also Lakeview and Lebanon areas, new systems will be necessary.

Sheriff Bob Hampton reported that the new fire truck is here and in good condition except that it needs new paint and a few minor repairs. Also discussed the possibility of putting gas tanks at Pleasant View for use of Sheriff's car and a diesel tank for use of county road trucks. Board will check with Road Supervisor Boren.

Planner W. L. Glenn requested tentative approval for Norman Butler to receive a variance to the sub-division regulations to sell 1 1/2 acres to a separate owner. Mr. Butler was in attendance and was told that the minimum acreage for a variance was three acres. After discussion, Commissioner Bader made a motion to disapprove this request for 1 1/2 acres, but would approve a variance for three acres. Motion seconded by Commissioner Ray and carried. Planner Glenn then discussed the engineering contract for the Bureau of Reclamation.

Custodian Steerman reported that the maintenance agreement with Orkin in regards to termite control would expire February 15, 1977, and that a yearly contract be made with the company at a cost of \$140 per year. This was approved by the Board. Mr. Steerman also requested that a larger volume of supplies be ordered from Acme Sanitary Co. since these supplies could be stored in the newly acquired building. This was approved.

Coordinator Denton presented a copy of the Forest Service proposed major planning effort on the Southern Rockies. A letter will be written to Craig W. Rupp, Regional Forester in response. Also a letter will be written to Alan Merson, Chairman of Colorado Land Use

Attest:

Clerk                      Chairman

Page No. 2

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

Date Monday, February 14, 1977

Commission in response to the Land Use recommendations previously discussed. Mr. Denton reported that there was about \$200 left in the public works fund. The Board stated that these funds should be used in payment of bill for baby scales and dry cleaning bills incurred during the remodeling for the law library. Mr. Denton also reported that the dump road south of Cortez is badly littered again and must be cleaned.

District Attorney George Buck reported that, with the approval of the Board, he would deposit Title 4D monies he had received from the Social Services be deposited in his account and a check given by him would be deposited with the County Treasurer to the General fund.

After discussion, the Board decided that on the third Monday of the month, bi-monthly, the department heads would be invited to a dutch treat lunch to discuss matters of concern. Clerk was directed to find a suitable restaurant and notify the department heads that the first of these luncheons will be held March 21st.

Nurse Koppenhafer notified the Board that her office will be closed on February 16th and 17th as she and her secretary will be in Denver for a workshop.

Jim Chapman, Cortez City Engineer, reported that Manager Longenbaugh was out of town. He presented copies of the rental agreement on hangar space at the airport between the City, County and Nielson's Inc. for Chairman Honaker's signature.

Road Department Supervisor Boren reported on road maintenance and equipment. Lynn Harvey stated that he is selling Amzoil brand of synthetic oil and by-products. He was referred to the road purchase agent Bill Head. Board approved the sale of an end-dump trailer for \$8000.00. There is also a problem in getting titles to the new belly-dumps.

Discussion of tanks at Pleasant View and the possibility of fencing the yard at Pleasant View. Don Noland of the Forest Service reported that San Juan Forest Co. had torn up the McPhee Road by plowing and they will repair it. Also there is a cattle guard in the river road by Nielson's gravel pit and they would like to remove it. This was approved by the Board if all right with landowners. E. S. Kalvar of Faris Machine Co. visited with the Board.

Maxine Maestas of the Department of Employment introduced Gary Adams and Leon Murdock who are working with the WIN program. Mr. Adams explained how the program worked. He will work up a news release for the media.

Mike Kennedy, State Liquor Enforcement Inspector visited with the Board.

Board of Social Services conducted.

Two requests for blanket abatements were received from Assessor Denny. On a motion by Commissioner Bader, seconded by Commissioner Ray and carried, these abatements were approved. (See Attached).

General Fund Vouchers #33704 thru #33866 in the amount of \$31,819.65, Road Fund Vouchers #3216 thru #3255 in the amount of \$10,089.23, Contingency Fund Voucher #75 in the amount of \$95.44, Revenue Sharing Vouchers #72 thru #75 in the amount of \$10,750.00 and Public Works Vouchers #145 thru #147 in the amount of \$1,358.19 were allowed and ordered paid.

Meeting was adjourned at 5:30 P.M.

Attest:

Clerk

Chairman

## 1977 BLANKET ABATEMENT #1

NAME	DESCRIPTION	YEAR	DIST.	ORIGINAL VAL.	TAX	ABATE VAL.	TAX	BALANCE VAL.	TAX	REASON	ABATE OR REFUND
Maley, Paula J. Box 414 Cortez, Colo.	Lot 5 Less N. 2' Blk. 2 Crites Sub.	1976	1-A	\$5520	\$468.87	\$1285	\$109.19	\$4235	\$359.68	Foreclosure by F.H.A. in Oct. 1976	Abate
Martin, Charles & Dorsa, Box 544 Cortez, Colo.	Personal Property	1976	1-C	730	66.96	730	66.96	00	00	Double Assessment,	Abate
Johnson, Elston Rt. #1, Box 146 Dolores, Colo.	Tr S 1/2 SE 1/4 30-37-16	1976	1-L	10085	622.97	165	10.43	9920	612.54	Error in inventory	Abate
Union Oil Company Box 7600 Los Angeles, Ca.	Personal Property	1976	1-A	250	21.24	250	21.24	00	00	Sign removed June 5, 1975	Abate
Wintersteen, Robert Route #1 Dyersburg, Tenn.	Tr. W of Montezuma Heights	1976	1-A	305	25.91	255	21.66	50	4.25	Tr. reduced. Plate wasn't changed.	Abate
Navajo Gospel Crusade Rt. 1, Box 7 Cortez, Colo.	Tr. in NE 1/4 NE 1/4 22-36-16	1976	1-D	1550	108.53	510	35.71	1040	72.32	Exemptly State as of Sept. 1 1976	Abate
Cornet, H. L. Box 728 Cortez, Colo.	N 1/2 Lots 9-13 Inc. Blk 4	1976	1-A	3240	275.21	400	33.98	2840	241.23	Error in land value computation	Abate
Fletcher, Violet Box 147 Cortez, Colo.	S 1/2 Lots 1-4 Inc. Cornett Sub	1976	1-A	2125	180.50	300	25.48	1825	155.02	Error in land value computation	Abate
Millard, Mary Jane Rt. 4-A, Box 62 Dolores, Colorado	Tr in 32-39-13	1976	4-F	915	70.04	465	35.60	450	34.44	Wrong Classification of land	Abate
Total				\$24720	\$1840.23	\$4360	\$360.25	\$20360	\$1479.98		

## 1977 BLANKET ABATEMENT # 2

J. A. BARRETT SUB	1976	1-A	Orig. Value	Tax	Abate Value	Tax	Balance Value	Tax	Error in Land Value Computation
Joe Keesee Drawer X Cortez, Colorado	Lot 1-2-3-4		\$ 6,190	\$ 525.78	\$3600	\$305.78	\$2,590	\$220.00	
Walter H. Bryant 208 La Plata Cortez, Colo.	7		12,215	1037.54	905	76.87	11,310	960.67	
Ray B. Gallagher Rt. 1 Box 87B Cortez, Colo.	8		10,415	884.65	900	76.45	9,515	808.20	
A. C. Burgess 925 Balsam Cortez, Colo.	13		9,875	838.78	900	76.45	8,975	762.33	
Herbert F. Marston 923 Balsam Cortez, Colo.	14		7,775	660.41	900	76.45	6,875	583.96	
Steven Lee 1770 Rampart Cortez, Colo.	15		9,100	772.95	900	76.45	8,200	696.50	
Fredrick Anderson 1804 Rampart Cortez, Colo.	16		10,155	862.57	900	76.45	9,255	786.12	
Donald R. Benoit 1808 Rampart Cortez, Colo.	17		8,190	695.66	905	76.87	7,285	618.79	
Patricia Walker 1812 Rampart Cortez, Colo.	18		7,745	657.86	905	76.87	6,840	580.99	
Ronald E. West 1840 Rampart Cortez, Colo.	19		9,640	818.82	900	76.45	8,740	742.37	
Irwin E. Matlock 2220 Rampart Cortez, Colo.	20		8,755	743.65	900	76.45	7,855	667.20	

Arnold Hampson 1003 Dolores Rd Cortez, Colo.	W $\frac{1}{2}$ of 21	\$ 9,805	\$ 832.84	\$560	\$ 47.57	\$ 9,245	\$ 785.27
Paul Donesky 909 Cherry Cortez, Colo.	24	12,345	1,048.58	905	76.87	11,440	971.71
Cleo J. Harp Box 1330 Cortez, Colo.	Tr A Lot A & B	12,255	1,040.94	1800	152.89	10,455	888.05
John Paul Kellogg 306 La Plata Place Cortez, Colo.	C	13,845	1,175.99	900	76.45	12,945	1,099.54
August Peter Ballode 306 La Plata Place Cortez, Colo.	Tr D	11,785	1,001.02	900	76.45	10,885	924.57
William E. Stroud 310 La Plata Place Cortez, Colo.	E & Tr N. OF E	10,375	881.25	450	38.22	9,925	843.03
James H. Guykendall 100 La Plata Place Cortez, Colo.	F	11,605	985.73	905	76.87	10,700	908.86
Robert T. Sperry 1001 Balsam St. Cortez, Colo.	G	8,480	720.29	900	76.45	7,580	643.84
John Payne 24 Balsam Cortez, Colo.	H	9,750	828.17	900	76.45	8,850	751.72
Maurice Osborn Box 374 Cortez, Colo.	I	8,610	731.33	905	76.87	7,705	654.46
Halworth Tanner 940 Balsam Cortez, Colo.	J	11,160	947.93	905	76.87	10,255	871.06
Totals		\$220,070	\$18,692.74	\$22,645	\$1,923.50	\$197,425	\$16,769.24

## **Minutes 02/07/1977 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 7<sup>th</sup> day of February, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held 1/31/77 were read and approved.

Miscellaneous correspondence was read and contents noted. Treasurer's report for the month of January received and reviewed. Commissioner Ray made a motion to transfer \$50,000 from the Revenue Sharing Fund to the General Fund. Motion seconded by Commissioner Bader and carried. Clerk was directed to issue the order.

Representatives of Mobile Exploration and Products Services Inc. of Dallas, Texas requested permission to do some seismograph work on County road right-of-ways. The Board requested that this company send a letter of responsibility and copy of a \$10,000 bond.

General Fund Payroll #3514 thru #3592 in the amount of \$41,232.89 and General Fund Vouchers #33700 thru #33703 in the amount of \$22,951.27 and Road Fund Payroll #2920 thru #2951 in the amount of \$18,015.03 and Road Fund Vouchers #3214 & #3215 in the amount of \$16,566.66 were allowed and ordered paid.

Nurse Supervisor Frances Koppenhafer reported on the Health Department. She received permission to have some printing of cards done by a local printer.

Board reported that they had received word from the Department of Agriculture that a County Bee Inspector need not be appointed. If a local bee keeper needs assistance they can contact the State inspector through the Department of Agriculture.

After discussing the Motel Owners Ass'n request for help in printing a tourism brochure, it was decided that using County tax money for this would not be appropriate. A letter will be sent to Jerry Black, president of that organization denying their request.

Planner W. L. Glenn requested and was given tentative approval for variances to the subdivision regulations for Kaiser and Littlefair.

District Attorney George Buck discussed his conversion of retirement from CCOERA to PERA. The Board approved his initial retroactive payment to PERA to be paid out of DA's fringe benefits. Joe Shoemaker of CCOERA will be in Cortez February 10, 1977 at 10:00 a.m. to discuss these matters with Board members.

Sheriff Hampton presented his January report and also a yearly report for 1976.

Commissioner Bader made a motion to charge \$12.00 per day for prisoner care effective 2/1/77. This is for prisoners kept for municipalities and Counties, federal and state, outside of Cortez,

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, February 7, 1977

Montezuma County. Motion seconded by Commissioner Ray and carried.

An application for a 3.2% beer license was received from Gary Chaffin dba "76" Club. Proper fees being attached. Investigator Jim Vanderpool was called in and the neighborhood radius for investigation was set for a two mile radius. Commissioner Ray made a motion to set the public hearing for Tuesday, March 8, 1977 at 7:00 P.M. in the District Courtroom. Motion seconded by Commissioner Bader and carried. Notice of public hearing will be published in the Mancos Times and the Cortez Journal on February 24, 1977. Court Reporter Betty Witherbee was contacted and will record this hearing. Mr. Chaffin was asked to bring in three letters of character reference. Mr. Vanderpool also reported that the alarm systems had been checked and were in working order. The problem is that with 9 alarms in the building and one is set off, the police are unable to determine which alarm was triggered. He suggested a lighted panel be installed in the Clerk's office to show which floor the alarm is set. He will obtain prices to show the Board at a later date.

Coordinator Marshall Denton reported on 1041 audit. Meals for planning commission will not be allowed by the auditor in the future. He stated that anti-recession funds need to be earmarked for on-going programs, and requested using some of these funds for engineering coats which were not included in the "77 Road Budget. Board thought this would be all right if it would not be a problem to the bookkeeper. Mr. Denton also discussed the Forest Service proposal on the Dolores-Norwood road, LEAH grants and Land Use Commission recommendations. Mr. Denton reported that Western Geophysical Co. had left holes in the County road after seismograph work. The Board directed Mr. Denton to contact that company putting them on notice that they cannot do anymore drilling in the County until restitution is made and arrangements for future work made with the Board of Commissioners.

Cortez City Manager Longenbaugh and Council members Mel Reddy and Dewey Brown discussed the old Safeway building which will be given to the City as soon as the new store is ready. Various ideas were discussed. Mr. Longenbaugh will get estimates on some of these ideas and meet at a later date with the Commissioners and the fairboard members.

A meeting was held at this time with Capitol Ins. Agent Joe Jarvis, Metropolitan Agent Ralph Christensen and Vern Kessler, Bookkeeper Marge Ketchum and S.S. employees Maurine McNeill and Ruth Stanford. Mrs. Stanford claimed that Metropolitan would have paid more on her recent surgery than Capitol did and that she understood that both companies would have paid the same. Problem is that a medex signed one billing and insurance only pays on a licensed physician. Investigation is being made by Mr. Jarvis and will be brought back to the Board at a later date.

It was noted by the Board that group insurance is a fringe benefit provided by the County.

Norman Schultz of the Colorado Department of Employment reported that in 1976 a savings of \$643,329 was made to Montezuma County by taking people off of welfare and giving them jobs.

Board of Social Services conducted.

Bill Love, Mel Reddy and Jack Hawkins discussed methods of receiving more Highway User Tax funds.

Mr. Denton reviewed Land Use Commission recommendations for legislature. The Board suggested

that Mr. Denton write a response and present it to the Board next week for their consideration.

Custodian Steerman stated that the basement of the church building could be used for storage if placed on a foundation of boards. This was approved. The Board also approved putting in a metal pipe behind the custodian's office so that the trash box won't damage the wall.

Meeting adjourned at 5:30 P.M.

Attest:

Clerk Chairman

Road Supervisor E. Boren discussed the damage done to a County Road by a seismograph company. Also, Dolores has closed their City dump and trash is being dumped outside the gate creating a hazard. Mr. Boren will check with Dolores Mayor V. T. Boyd.



## Minutes 01/31/1977 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 31st day of January, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance was given. Minutes of the previous regular meeting held January 24, 1977 were read and approved.

Miscellaneous correspondence was read and contents noted.

Board received a warrant in the amount of \$2092.11 being the LEAA Grant on the Law Library.

Sheriff discussed the possibility of acquiring an IHC fire truck through Civil Defense for use of the Lewis Arriola Fire District, returning the old 4 by 4 to the Forest Service.

Health Department Dr. Griebel and Nurse Supervisor Frances Koppenhafer reported on the advisory board meeting held last week. It was suggested that the Health Department could be kept in the public eye through the news media. Commissioner Bader made a motion that the Health Department petty cash reserve be raised from \$50.00 to \$200.00. Motion seconded by Commissioner Ray and carried. Mrs. Koppenhafer requested permission to have the custodian knock a door between her office and the Secretary's office. After investigating, permission was given by the Board.

Discussion was had on position of bee inspector. Clerk was directed to write to those persons having applied for the position and inform them that the Board is not appointing a bee inspector at this time.

Custodian Steerman reported that there was a lot of junk in the boiler room and requested permission to dispose of these items. Board will check and possibly put it out for bids. Mr. Steerman also reported that he could not pay his part-time help the \$3.50 as stated in the memo as that was more money than what he made. Commissioner Boader made a motion that the memo concerning part-time pay be rescinded, seconded by Commissioner Ray and carried. The Board agreed to pay \$2.75 per hour for extra hours for Grounds and Buildings employees.

Bookkeeper Merge Ketchem reported that the Assessor was increasing salaries of some of his employees over the 5% allowed in the 1977 budget. Mr. Denny was called in and stated that if he didn't go over his total budget he thought it would be all right. His new employee was put on at \$550.00 per month. Another new employee will be put on starting at \$500.00 and raised in July to \$550.00. Mr. Denny also requested a blind be put up on the west windows.

District Attorney George Buck discussed the law which would allow the Indians to hunt on private land throughout the year. Concern was expressed for public safety. This will be discussed with Governor Lamm on Wednesday.

Attest:

Clerk                      Chairman

Page No. 2

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

Date Monday, January 31, 1977

Gary Klicker inquired about building a road to his new home. He was referred to the Planning Department.

John Goode discussed prairie dog control. He has some supplies from last year and will start next week.

Bruce Hanson and Stan Bulsterbaum of the SCS office and Whetsell Allen and Bill Graham discussed the grass seeding along County roads. Two years of the five year program have been completed. Requested some help from the Road Department in mowing weeds and removing rocks.

Dale Ives reported that a seismograph company was drilling holes in County roads and not covering them.

Road Supervisor E. Boren reported on maintenance and equipment. Representative of the Bureau of Reclamation appeared with Engineer W. L. Glenn. Mr. Glenn presented engineering estimates and discussed the possible access road. Buck Morris reported that water was running across the County road south of the airport. A letter will be written to Art Simmons, owner of the property, requesting that this water should be diverted back into the ditch at the end of the irrigating season.

Doe Maggart sad son and Jerry Black representing the Motel Hotel Keepers Ass'n again requested financial help in putting out a brochure for the Chamber of Commerce. This was tabled.

Assessor Denny presented the following petitions for abatements:

Margory Gai, erroneous assessment, abatement \$192.66

Robert D. & Nancy T. Sawyer, illegal assessment, abatement \$148.01

Laura Blanche Ince, illegal assessment, abatement \$111.27

Commissioner Bader made a motion to approve these petitions, seconded by Commissioner Ray and carried.

Board of Social Services conducted.

Ruth Stanford of the Department of Social Services presented a letter signed by numerous S.S. employees stating that they understood that the Capitol Insurance Co. represented by Joe Jarvis, would pay the same as the previous group insurance, Metropolitan. The Board will discuss this matter with Mr. Jarvis next week. Mrs. Stanford stated that her hospital and doctors bills were not being paid as anticipated.

At the request of the Board, Clerk DeGraff, Assessor Denny, Treasurer Hindmarsh, Nurse Koppenhafer and Agent Seaton were called in to discuss the salary schedule.

Mrs. DeGraff stated that she understood that the County could only allow 5% increases as per the 1977 budget and felt that departments should stay within that increase until a classification method could be worked out.

Assessor Denny stated that it was his understanding that if he had the money in his budget to cover a higher increase, he should be allowed to give it. Part-time and temporary hourly salaries were discussed. Basic probationary salaries were discussed. It was the decision of the Board that if there were a vacancy in any one office, the department head should discuss this with the Board and decide on a beginning salary on an individual basis. Commissioner Ray stated that since Mr. Denny had already told his employees what salary they would be getting, he couldn't very well go back on his word. He then presented a partial salary adjustment for lower paid employees to compensate for the higher raises in the Assessor's office. Commissioner Ray made a motion to allow certain department heads to make partial salary adjustments as attached. Motion seconded by Commissioner Bader and carried. It was also agreed that the department

heads would meet with the Board on a monthly or bi-minthly basis for informal discussions. Mr. Seatorn was given permission to put his secretary on full time status effective 1/1/77. Commissioner Bader made a motion to close the Courthouse on Friday, February 11, 1977, in observance of Lincoln's Birthday as per the Governor's proclamation.

Meeting adjourned at 5:45 P.M.

Attest:

Clerk

Chairman

Online Copy

## **Minutes 01/24/1977 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 January, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous meeting held January 17, 1977 were read and approved.

Miscellaneous correspondence was read and contents noted.

Revenue Sharing warrant in the amount of \$38,588.00 was received from U.S. Treasury for Period 7, July through December 1976.

Warrant received from State of Colorado in the amount of \$708.18 being mill levy monies for Predatory animal.

County Clerk's yearly report for 1976 was received and reviewed.

The Board noted that the Courthouse parking lot is being checked by the Sheriff's office for parking permits.

Dr. Griebel and Nurse Supervisor Frances Koppenhafer reported for the Health Department. Mrs. Koppenhafer requested permission for herself and her secretary to attend a time cost workshop to be held in Denver on February 16, 1977. Commissioner Ray made a motion to allow this trip, seconded by Commissioner Bader and carried. Pay problems were discussed. There will be an advisory board meeting Wednesday evening. Assessor Wayne Denny and Deputy Diffendaffer again requested and were given permission to have two extension phones installed in their office. Mr. Denny stated that he had budgeted for a table for 1977 but that the price had increased and requested permission to purchase a desk for a higher amount. Commissioner Bader made a motion to approve the purchase of the desk, seconded by Commissioner Ray and carried. Abatements were discussed. Mr. Denny stated that some mistakes had been made in the tax rolls and that an excess of 30% in the valuation can be abated as an illegal assessment. Also a house over 30 years old can be remodeled and not be taxed additionally for 5 years. These are changes made by the Department of Property taxation over previous years. Mr. Denny and the Board thought it would be a good idea to have Mr. Denny conduct meetings concerning these matters so that the public would understand.

Coordinator Denton discussed various meetings.

Michael Fitzpatrick applied for the position of Bee Inspector. A letter will be written to the Department of Agriculture in regards to the requirements for this position.

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, January 24, 1977

Gary Chaffin reported that he was circulating petitions prior to his submitting a new application for a 3.2% beer license for the "76" Club.

Jack Elliott representing Gerald Bailey discussed the possibility of the County leasing oil and gas holdings near Mancos. Commissioner Ray made a motion to accept the offer to lease at \$10 per acre bonus. Motion seconded by Commissioner Bader and carried.

(See Resolution 2-77 attached)

The following persons were re-appointed to the various Cemetery Districts:

Marguerite Gardner, Arriola Cemetery District, Six year term expiring 1982

Thelma McCabe, Cortez Cemetery Districts, Six year term expiring 1982

Juanita B. Fredriksen, Dolores Cemetery District, Six year term expiring 1982

Joanne Reed, Fairview Cemetery District, Six year term expiring 1982

Edward Roelf, Lebanon Cemetery District, Six year term expiring 1982

Sid Sheppard, Lewis Cemetery District, Six year term expiring 1982

Harry Halls, Mancos Cemetery District, Six year term expiring 1982

John Pock, Sylvan Cemetery District, Six year term expiring 1982

Clerk was directed to notify individuals of re-appointment.

Marva Davis visited with the Board about petitions and liquor license hearings.

A petition for abatement of taxes for Richard K. & Wilma Jean Reed for erroneous assessment in the amount of \$189.75 was received and reviewed. Commissioner Bader made a motion to approve this petition, seconded by Commissioner Ray and carried.

Assessor Denny requested Board's opinion on assessing unpatented claims. Board agreed with Mr. Denny that they should be assessed.

Cortez City Manager Longenbaugh reported on highway meetings and the Justice Building.

Representatives of the Bureau of Reclamation discussed the proposed access road into the Dolores project. They would like the County to enter into a contract for design and cost estimate. Road would eventually be returned to the County to be a part of the County system. Contract will be studied by Attorney Merlo and the Board and action is tabled for a week from today, January 31, 1977.

Walter Posey of the Dolores Water Conservancy District requested and was given 100% support for the upcoming District election on February 8, 1977.

Road Supervisor Earnest Boren reported on road and equipment maintenance. The Brewer gravel lease has been signed by the new owners William C. Musson and John K. Zell. Mr. Boren will strand an equipment sale this weekend and was given permission to purchase a 22 yard belly dump trailer if a good one is available. One of the end dump trailers owned by the County will be sold.

The Board decided to send D.M. Denton to Grand Junction, January 31, 1977, for a meeting on energy resource, etc.

Board of Social Services conducted.

Probation officer Ralph Rasor introduced Jim Vanderpool, the new probation officer. Mr. Vanderpool will handle the liquor and 3.2 beer license investigations for the County.

Kelly Wilson, Area Development Specialist reported on planning programs.

Meeting was adjourned at 5:30 P.M.

Attest:

Clerk

Chairman

## **Minutes 01/24/1977 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 January 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay V. Bader.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

WHEREAS, Gerald O. Bailey, 748 Equitable Building, Denver, Colorado 80202, had offered to purchase from Montezuma County, Colorado, for the sum of One Thousand Nine Hundred Seventy and 50/100 Dollars (\$1,970:50) an oil and gas lease on the form attached hereto as Exhibit "A", covering all interest which Montezuma County, Colorado, may own in the property described as:

Township 36 North, Range 13, West of the New Mexico Principal Meridian

Sec. 19: Lot 3 (37.05 acres), SE1/4NW1/4, NE1/4SW1/4

Sec. 21: W1/2SE1/4

and containing 197.05 acres, more or less.

WHEREAS, Gerald O. Bailey owns oil and gas leases on other lands adjoining the lands described in Paragraph I or in the immediate vicinity thereof; and

WHEREAS, This Board, in the exercise of its best judgment and deeming such action to be for the best interests of Montezuma County, Colorado, desires to accept the offer of Gerald O. Bailey to lease for oil and gas purposes the lands described in Paragraph I above.

NOW THEREFORE, IT IS HEREBY RESOLVED, That by authority of its statutory power in the premises, this Board, on behalf of Montezuma County, Colorado, does execute and deliver to Gerald O. Bailey an oil and gas lease covering all of its interest in the lands described in Paragraph I above, such lease to be for a term of five (5) years, and such lease to be in the form of the oil and gas lease attached hereto as Exhibit "A".

Commissioners voting Aye in favor of the Resolution were:

Honaker, Ray and Bader.

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 24th day of January, 1977.

(SEAL)

2-77

County Clerk and Recorder of  
Montezuma County, Colorado

## EXHIBIT "A"

## OIL AND GAS LEASE

Tatlock's, Denver, Colo.

AGREEMENT, Made and entered into this 24th day of January, 19 77, by and between Montezuma County, a political subdivision of the State of Colorado, acting by and through its duly authorized Board of County Commissioners party of the first part, hereinafter called lessor, (whether one or more) and Gerald O. Bailey, 748 Equitable Building, Denver, Colorado 80202 party of the second part, hereinafter called lessee.

WITNESSETH: That the lessor for and in consideration of Ten & More (\$10.00) Dollars in hand paid, receipt of which is hereby acknowledged, of the royalties herein provided; and of the agreements of lessee herein contained, hereby grants, demises, leases and lets exclusively unto lessee for the purpose of investigating, exploring, prospecting, drilling and mining for and producing oil, gas, casinghead gas and other hydrocarbons and including all other products produced therefrom; laying pipe lines, building tanks, power stations, telephone lines and other structures thereon to produce, save, take care of, treat, transport, and own said products, and housing its employees, the following described land in Montezuma County, State of Colorado, to-wit:

Township 36 North, Range 13, West of the New Mexico Principal Meridian

Sec. 19: Lot 3 (37.05 acres), SE 1/4, NE 1/4

Sec. 21: W 1/2

(See Rider attached hereto and made a part hereof.)

including all minerals hereinafter named underlying lakes, streams, roads, easements and rights-of-way which traverse or adjoin said lands owned or claimed by lessor, or which may hereafter be established to be owned by lessor, and also in addition to the above described land and rights, any and all strips or parcels of land, other than those constituting regular governmental subdivisions, adjoining or contiguous to the above described land and owned or claimed by lessor, all of the foregoing land being hereinafter referred to as said land or leased premises. For the purpose of calculating the rental payments for which provision hereinafter is made, said land shall be treated as comprising 197.05 acres whether it actually comprises more or less.

TO HAVE AND TO HOLD the same (subject to the other provisions herein contained) for a term of five (5) years from this date (called primary term) and as long thereafter as oil, gas, casinghead gas or other hydrocarbons or either or any of them, is produced therefrom; or as such longer thereafter as the lessee in good faith shall conduct drilling operations or reworking operations thereon and should production result from such operations, this lease shall remain in full force and effect as long as oil, gas, casinghead gas or other hydrocarbons shall be produced therefrom.

In consideration of the premises it is hereby mutually agreed as follows:

1. The lessee shall deliver to the credit of the lessor as royalty, free of cost, in the pipe line to which lessee may connect its wells the equal one-eighth (1/8) part of all oil produced and saved from the leased premises, or lessee may from time to time at its option purchase any royalty oil in its possession, paying the market price thereof prevailing for oil of like grade and gravity in the field where produced on the date of purchase.
2. The lessee shall pay lessor, as royalty, on gas, including casinghead gas or other gaseous substances, produced from the leased premises and sold or used off the premises or used in the manufacture of gasoline or other products, the market value at the well of one-eighth of the gas sold or used, provided that on gas sold the royalty shall be one-eighth of the amount realized from such sale. The amount realized from the sale of gas shall be the price established by the gas sales contract entered into in good faith by lessee and a gas purchaser for such term and under such conditions as are customary in the industry. "Price" shall mean the net amount received by Lessee after giving effect to applicable regulatory orders and after application of any applicable price adjustments specified in such contract or regulatory orders. In the event Lessee compresses, treats, purifies, or dehydrates such gas (whether on or off the leased premises) or transports gas off the leased premises, Lessee in computing royalty hereunder may deduct from such price a reasonable charge for each of such functions performed. If a well capable of producing gas or gas and gas-condensate or distillate in paying quantities located on the leased premises (or on acreage pooled with all or a portion of the leased premises into a unit for the drilling or operation of such well) is at any time shut-in and no gas or gas-condensate or distillate therefrom is sold or used off the premises for the manufacture of gasoline or other products, nevertheless such shut-in well shall be deemed to be a well on the leased premises producing gas in paying quantities and this lease shall continue in force during all of the time or times while such well is so shut-in, whether before or after the expiration of the primary term hereof. Lessee shall use reasonable diligence to market gas or gas-condensate or distillate capable of being produced from such shut-in well but shall be under no obligation to market such products under terms, conditions or circumstances which, in lessee's judgment exercised in good faith, are unsatisfactory. Lessee shall be obligated to pay or tender to lessor within 45 days after the expiration of each period of one year in length (annual period) during which such well is so shut-in, as royalty, an amount equal to annual delay rental herein provided applicable to the interest of lessor in acreage embraced in this lease as of the end of such annual period; provided that if gas or gas-condensate or distillate from such well is sold or used as aforesaid before the end of such annual period, or if, at the end of such annual period, this lease is being maintained in force and effect otherwise than by reason of such shut-in well, lessee shall not be obligated to pay or tender, for that particular annual period, said sum of money. Such payment shall be deemed a royalty under all provisions of this lease. Such payment may be made or tendered to lessor or to lessor's credit in the designated depository bank in the manner prescribed for the payment of delay rentals. Royalty ownership as of the last day of each such annual period as shown by lessee's records shall govern the determination of the party or parties entitled to receive such payment.
3. If operations for the drilling of a well for oil or gas are not commenced on said land on or before one year from this date, this lease shall terminate as to both parties, unless the lessee shall, on or before one year from this date, pay or tender to the lessor or for the lessor's credit in

First National Bank at Cortez, Colorado 81301 or its successor or successors, which bank and its successors are lessor's agents and which shall continue as the depository regardless of changes in the ownership of the bank, or in the oil or gas or the rentals to accrue hereunder, the sum of One Hundred Ninety-seven and 05/100 (\$197.05) Dollars which shall operate as a rental and cover the privilege of deferring the commencement of operations for the drilling of a well for a period of one year. In like manner and upon payments or tenders, the commencement of operations for the drilling of a well may be further deferred for like periods successively during the primary term of this lease. And it is understood and agreed that the consideration first recited herein, the down payment, covers not only the privileges granted to the date when said rental is payable as aforesaid, but also the lessee's option of extending that period as aforesaid, and any and all other rights conferred. All payments or tenders may be made by check, or draft, of lessee or any assignee thereof, mailed or delivered on or before the rental paying date. Lessee may at any time execute and deliver to lessor or place of record a release or releases covering any portion or portions of the above described premises and thereby surrender this lease as to such portion or portions and be relieved of all obligations as to the acreage surrendered and thereafter the rentals payable hereunder shall be reduced in the proportion that the acreage covered herein is reduced by said release or releases.

4. If prior to discovery of oil or gas on said premises Lessee should drill a dry hole or holes thereon, or if after discovery of oil or gas all wells thereon should become incapable of producing for any cause, this lease shall not terminate if Lessee commences operations for additional drilling or for reworking within sixty (60) days thereafter or (if it be within the primary term) commences or resumes the payment or tender of rentals on or before the rental paying date next ensuing after the expiration of sixty (60) days from date of completion of dry hole or cessation of production. If at the expiration of the primary term there is no well upon the leased premises capable of producing oil, gas, casinghead gas or other hydrocarbons, but Lessee has commenced operations for drilling or reworking thereon, the lease shall remain in force so long as operations are prosecuted with no cessation of more than sixty (60) days, whether such operations be on the same well or on a different or additional well or wells, and if they result in the production of oil, gas, casinghead gas or other hydrocarbons, so long thereafter as oil, gas, casinghead gas or other hydrocarbons or either or any of them is produced from the leased premises.
5. If said lessor owns a less interest in the above described land than the entire and undivided fee simple estate herein, then the royalties and rentals herein provided for shall be paid the lessor only in the proportion which his interest bears to the whole undivided fee.
6. Lessee shall have the free use of oil, gas, casinghead gas and water (regardless of the source) from said land, except water from lessor's wells, for all operations hereunder, and the royalty on oil, gas and casinghead gas shall be computed after deducting any so used.

When requested by lessor, lessee shall bury his pipe lines below plow depth. No well shall be drilled nearer than 200 feet to the house or barn now on said premises, without the written consent of the lessor.

7. Lessee shall pay for damages caused by its operations to growing crops on said land, AND ANY OTHER DAMAGE TO THE SURFACE Lessee shall have the right at any time (but not the obligation) to remove all improvements, machinery, and fixtures placed or erected by lessee on said premises, including the right to pull and remove casings.
8. The rights of either party hereunder may be assigned in whole or in part, and the provisions hereof shall extend to the heirs, executors, administrators, successors and assigns of the parties hereto. Notwithstanding any actual or constructive knowledge of or notice to lessee, no change or division in the ownership of the lands, royalties, or rentals, however accomplished, shall be binding upon the lessee (except at lessee's option in any particular case), until sixty (60) days after lessee shall have been furnished with the original, a copy certified by the official recorder of the county where the land or some part thereof is located, or a photostat of the recorded instrument or instruments evidencing the change or transfer, including any intermediate transfer from the lessor or his assigns not theretofore furnished to lessee, and such change or transfer shall not affect any payments made prior to said date whether or not due. In case of death of any person entitled to receive royalties or rentals, the evidence of change in ownership shall consist of letters of administration or final decree of distribution of the estate of the decedent issued by a court of competent jurisdiction of the decedent's estate including his interest in the lands above described. Lessee may until such date continue to pay such royalties and rentals as if such change or transfer had not been made, or may pay the same according to the interests of record as disclosed by the last certification of an abstract in lessee's possession subsequent to the date of the lease, or at lessee's option, may suspend the payment thereof until sixty (60) days after such evidence is received. No change or division in the ownership of the land, royalties, or rentals shall operate to enlarge the obligations or diminish the rights of the lessee. No division of royalties shall be made effective except at the end of a calendar month. If the ownership of royalties becomes changed into separate divided portions of said land and the owner of any such royalty desires separate gauges for production from such separate tracts, he shall request the lessee to set separate measuring and receiving tanks and pay to the lessee in advance the lessee's estimated cost of procuring and setting such tanks and making the connections therefor; and unless and until such is done, lessee may pay such royalties to the separate owners jointly or may suspend payment until such time as said separate owners shall agree in writing upon an apportionment of such royalties and furnish lessee with the original agreement. In event of assignment of this lease as to a segregated portion or portions of said land, all rentals payable hereunder shall be apportionable as between the several leasehold owners ratably according to the surface area of each, and default in rental payment by one shall not affect the rights of other leasehold owners hereunder. The acreage included in any assignment as recited therein in good faith shall be conclusive for the purpose of payment of rentals. Whether or not this lease be owned by one party or by two or more different parties, production under the terms of this lease, or drilling or reworking operations on any portion of the land above described, shall keep this lease in effect upon all the land herein leased. The lessee shall not be liable for the failure of any subsequent owner of this lease, in whole or in part, to perform the terms, conditions and obligations of this lease, express or implied. Offsetting shall never be required to protect one portion of the leased premises against drainage through a well or wells on another portion of the leased premises. If six or more parties become entitled to royalty hereunder, lessee may withhold payment thereof unless and until furnished with a recordable instrument executed by all such parties designating a trustee to receive payment for all.

9. Lessee shall have the right to enter, erect or combine all or any part of the above described lands with other lands in the same general area by entering into a cooperative or unit plan of development or operation approved by any governmental authority and, from time to time, with like approval to modify, change or terminate any such plan or agreement and, in such event, the terms, conditions and provisions of this lease shall be deemed modified to conform to the terms, conditions, and provisions of such approved cooperative or unit plan of development or operation and, particularly, all drilling and development requirements of this lease, express or implied, shall be satisfied by compliance with the drilling and development requirements of such plan or agreement, and this lease shall not terminate or expire during the life of such plan or agreement. In the event that said above described lands or any part thereof, shall hereafter be operated under any such cooperative or unit plan of development or operation, the production therefrom shall be allocated to different portions of the land covered by said plan, then the production allocated to any particular tract of land shall, for the purpose of computing the royalties to be paid hereunder to lessor, be regarded as having been produced from the particular tract of land to which it is allocated and not to any other tract of land; and the royalty payments to be made hereunder to lessor shall be based upon production only as so allocated. Lessor shall formally express lessor's consent to any cooperative or unit plan of development or operation approved by lessor and approved by any governmental agency by executing the same upon request of lessee.

No. \_\_\_\_\_

OIL AND GAS LEASE  
FROM

**Montezuma County, Colorado**

TO

**Gerald O. Bailey**

State of \_\_\_\_\_ } ss.  
County \_\_\_\_\_

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

County Clerk—Register of Deeds.

By \_\_\_\_\_ Deputy.

When recorded return to \_\_\_\_\_



RIDER

Attached to and made a part of that certain Oil and Gas Lease dated January 24, 1977, by and between Montezuma County, a political subdivision of the State of Colorado, acting by and through its duly authorized Board of County Commissioners, Lessor, and Gerald O. Bailey, Lessee.

It is further understood and agreed that if Lessor purchases a supplemental abstract of title covering the lands herein described during the term of the said Oil and Gas Lease or within six (6) months after Lessee surrenders the said Oil and Gas Lease, Lessee will pay that portion of the abstract costs related to the said lease or any assignment thereof.

Date: January 24, 1977

MONTEZUMA COUNTY, A POLITICAL SUB-DIVISION OF THE STATE OF COLORADO

By: Burtion Honesty Chairman

County Clerk & Recorder

Signed by Lessor for identification.

therefore furnished to Lessee, and such change or transfer shall not affect any payments made prior to said date whether or not due. In case of death of any person entitled to receive royalties or rentals, the evidence of change in ownership shall consist of letters of administration or final decree of distribution of the estate of the decedent issued by a court of competent jurisdiction of the decedent's estate including his interest in the lands above described. Lessee may until such date continue to pay such royalties and rentals as if such change or transfer had not been made, or may pay the same according to the interests of record as disclosed by the last certification of an abstract in Lessee's possession subsequent to the date of the lease, or at Lessee's option, may suspend the payment thereof until sixty (60) days after such evidence is received. No change or division in the ownership of the land, royalties, or rentals shall operate to enlarge the obligations or diminish the rights of the Lessee. No division of royalties shall be made effective except at the end of a calendar month. If the ownership of royalties becomes changed into separate divided portions of said land and the owner of any such royalty desires separate gauges for production from such separate tracts, he shall request the Lessee to set separate measuring and receiving tanks and pay to the Lessee in advance the Lessee's estimated cost of procuring and setting such tanks and making the connections therefore; and unless and until such is done, Lessee may pay such royalties to the separate owners jointly or may suspend payment until such time as said separate owners shall agree in writing upon an apportionment of such royalties and furnish Lessee with the original agreement. In event of assignment of this lease as to a segregated portion or portions of said land, all rentals payable hereunder shall be apportionable as between the several leasehold owners ratably according to the surface area of each, and default in rental payment by one shall not affect the rights of other leasehold owners hereunder. The acreage included in any assignment as recited therein in good faith shall be conclusive for the purpose of payment of rentals. Whether or not this lease is owned by one party or by two or more different parties, production under the terms of this lease, or drilling or reworking operations on any portion of the land above described, shall keep this lease in effect upon all the land herein leased. The Lessee shall not be liable for the failure of any subsequent owner of this lease in whole or in part, to perform the terms, conditions and obligations of this lease, express or implied. Offsetting shall never be required to protect one portion of the leased premises against drainage through a well or wells on another portion of the leased premises. If six or more parties become entitled to royalty hereunder, Lessee may withhold payment thereof unless and until furnished with a recordable instrument executed by all such parties designating a trustee to receive payment for all.

8—Lessee shall have the right to unite, pool or combine all or any part of the above described lands with other lands in the same general area by entering into a cooperative or unit plan of development or operation approved by any governmental authority and, from time to time, with like approval to modify, change or terminate any such plan or agreement and, in such event, the terms, conditions and provisions of this lease shall be deemed modified to conform to the terms, conditions, and provisions of such approved cooperative or unit plan of development or operation and, particularly, at drilling and development requirements of this lease, express or implied, shall be satisfied by compliance with the drilling and development requirements of such plan or agreement, and this lease shall not terminate or expire during the life of such plan or agreement. In the event that said above described lands or any part thereof, shall hereafter be operated under any such cooperative or unit plan of development or operation where the production therefrom is allocated to different portions of the land covered by said plan, then the production allocated to any particular tract of land shall, for the purpose of computing the royalties to be paid hereunder to Lessor, be regarded as having been produced from the particular tract of land to which it is allocated and not to any other tract of land; and the royalty payments to be made hereunder to Lessor shall be based upon production only as so allocated. Lessor shall formally express Lessor's consent to any cooperative or unit plan of development or operation adopted by Lessee and approved by any governmental agency by executing the same upon request of Lessee.

## **Minutes 01/17/1977 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 17<sup>th</sup> day of January, A. D. 1977 there were present:

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

Absent:

Pledge of allegiance given. Minutes of the previous regular meeting held 1-10-77 and the reorganizational meeting held 1-11-77 were read and approved.

Correspondence was read and contents noted. State warrant in the amount of \$781.09 for County cigarette tax refund was received.

A claim was received from Mountain Bell in the amount of \$100.50 for road damage. County has a claim against Mountain Bell in the amount of \$199.73 for road damage. It was agreed by the Board that one claim should off set the other. Road Bookkeeper Bill Head will so notify Mountain Bell by letter.

Official bond of County Surveyor Fred Thomas was received for approval. Commissioner Bader made a motion to approve this bond, seconded by Commissioner Ray and carried. Bond signed by Chairman Honaker.

Board received a warrant from U. S. Treasury Department in the amount of \$5873 for anti-recession monies. Also a check was received from Hartford Ins. Co. in the amount of \$1634.82 for settlement on the County Service truck.

Sheriff Bob Hampton reported that the weapons carrier pickup which he had wanted, had a \$460 repair bill against it and he wouldn't get it. However he did want the heavy duty truck. The new car was ready to be picked up and records will be kept on gas useage. He requested permission to purchase a new typewriter from Kindred with a 90 day warranty. Commissioner Bader made a motion to approve this request, seconded by Commissioner Ray and carried.

Nurse Supervisor Frances Koppenhafer reported that she will not be able to follow through on the memo concerning pay for part time help as three people in her office don't make that much and are full time. Personell problems discussed. Public Health discussed. Commissioner Ray made a motion to retain Mrs. Koppenhafer on the Western Colorado Health Systems Agency and have her attend the various meeting in Grand Junction. Motion seconded by Commissioner Bader and carried. Home Health Agency discussed.

Planner W. L. Glenn requested and was granted tentative approval for C. Avon and Mary L. Kirks to sell 5 acres and for John and Sharon Ogier to sell 5 acres.

Commissioner Bader made a motion to approve a request for a variance to the subdivision regulations for John H. & Evelyn Lee to convey 8.47 acres in Section 36,T36N, R14W. Seconded by Commissioner Ray and carried. Planning Resolution P3-77 was signed. Commissioner Bader made a motion

Attest:

Clerk Chairman

Page No. 2

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

Date Monday, January 17, 1977

to grant a variance to the sub-division regulations for Floyd H. and Dorothy L. Hicks to convey 6.93 acres in Section 3, T35N, R17W. Seconded by Commissioner Ray and carried. Planning Resolution #P4-77 signed.

Coordinator Denton presented planning commission reports. The letter from Buford Wayt concerning a traffic hazard on Road "P" was discussed. Mr. Denton was instructed to write a letter to Mr. Wayt stating that the cost of installing guard rails was too high and that signs would be installed in this area. Mr. Denton discussed the Road "L" hazard correction project. The \$18,000 federal funding has been received and if it is not used we could loose it. Motion was made by Commissioner Ray to take advantage of the \$18,000 and use it. Motion seconded by Commissioner Bader and carried. Work order was presented and signed by Chairman Honaker to receive the Federal funding for the McElmo curve #1 project. Total cost was \$85,240.13. Federal funding is \$30,150.00 leaving a cost to the County of \$55,090.13.

J. Val Kruse of the Rauh Agency discussed putting members of the Lewis Arriola fire department under the County Workman's Compensation plan. Board would like more information. Also discussed airport insurance. Cortez City Manager Longenbaugh discussed the Justice Building and stated that the airport insurance has been paid by the City and County.

Petition for an abatement previously approved by the Board was again presented for Frank Noland. This petition has been corrected. Commissioner Bader made a motion to allow this petition, seconded by Commissioner Ray and carried.

Road Supervisor Boren presented a map of the proposed McPhee dam showing the route of the proposed road which the Bureau of Reclamation has requested the County to build. The location of the exit from the State Highway is not a safe choice. Mr. Boren will check with Mr. Brown of the State Highway Department. Brewer gravel lease was discussed. Mr. Brewer has notified the Board that this property was sold to separate owners. Mr. Boren will contact new owners. Other road problems were discussed.

Agreement for purchase of the Christian Church at 26 S. Elm was discussed.

Commissioner Ray made a motion to pay \$39,500 out of Revenue Sharing funds, for this property. Motion seconded by Commissioner Bader and carried.

Commissioner Bader reported that Attorney Geo. Dilts had contacted him in regards to the possible leasing of some parking spaces on the newly purchased lots. The Board agreed to deny this request and a letter will be written to Mr. Dilts so stating.

Bill Girard of Wheeling Pipe Co. visited with the Board.

Ralph Cocheran of the Forest Service discussed a noxious weed control program. He presented copies of a cooperative agreement for the Board's study whereby the Forest Service might furnish chemicals and the County could furnish manpower to spray these weeds along forest roads. The Board stated that they were interested in such an agreement and would study this for later decision.

Gary Chaffin of the "76" Club appeared with L. D. Woodard, Jack Reed and Quincy Adams to state that he would be circulating petitions through the County in regards to reapplying for a 3.2% beer license. The Board thought that this would help in indicating the desires of the neighborhood.

Board of Social Services conducted.

Bids on Legal Publications for 1977 were opened and read as follows:

Cortez Newspapers - legal rate - 23cents per column line

Dolores Star - legal rate - 23cents " " " less 25%

Mancos Times - legal rate - 23cents " " " less 50%

Mancos Times Tribune being the low bidder, the Board awarded the bid to them.

Attest:

Clerk Chairman

General Fund Vouchers #33693 thru # 33698 for the month of December in the amount of \$1,329.40 and Voucher #33699 for the month of January in the amount of \$4,953.93, Road Fund Vouchers #3200 thru #3212 in the amount of \$9,259.35, and Contingency Fund Voucher #74 in the amount of \$6.80 were allowed and ordered paid.

Meeting adjourned at 4:30 P.M.

Online Copy

## **Minutes 01/17/1977 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 January, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P3-77

WHEREAS: John H. and Evelyn Lee, owners of 78 acres, more or less, in the NE1/4 SE1/4 of Section 36, T.36N., R.14W., N.M.P.M., and in the NW1/4 SW1/4 of Section 31, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, wish to convey 8.47 acres, more or less, to brother and brother-in-law, Larry Lee, as a residential tract of land.

A tract of land in the NE1/4 SE1/4 of Section 36, T.36N., R.14W., N.M.P.M., and in the NW1/4 SW1/4 of Section 31, T.36N., R.13W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the south R/W line of U.S. 160 in the NE1/4 SE1/4 of Section 36, T.36N., R.14W., N.M.P.M., Montezuma County, Colorado, from which point the SE Corner of said Section 36 bears S.21degrees42'32"E. a distance of 2191.58 ft.;

thence, N.56degrees06'44"E. a distance of 527.36 ft. along the south R/W line of U.S. 160 to a fenceline;

thence, S.07degrees35'36"E. a distance of 56.00 ft. along a fenceline;

thence, N.81degrees15'13"E. a distance of 344.74 ft. along a fenceline;

thence, N.02degrees09'40"W. a distance of 100.77 ft. along a fenceline;

thence, N.84degrees17'04"E. a distance of 407.49 ft.;

thence, S.02degrees01'28"E. a distance of 546.91 ft. along a fenceline;

thence, S.86degrees54'19"-[W. a distance of 2.52.10 ft. along a fenceline-;

thence, S.40degrees53'07"W. a distance of 14.88 ft. along a fenceline;

thence, N.46degrees25'00"W. a distance of 93.24 ft. along a fenceline;

thence, N.55degrees16'11"W. a distance of 129.29 ft. along a fenceline;

thence, N.89degrees54'24"W. a distance of 771.62 ft. along a fenceline

to the point of beginning,, and containing 8.47 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: Eldon Simmons, agent for John H. and Evelyn Lee, 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 conveying 8.47 acres, more or less, to a brother and brother-in-law, Larry Lee, 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 land 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

Online Copy

## **Minutes 01/17/1977 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 January, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution P4-77

WHEREAS: Floyd H. and Dorothy Louise Hicks, owners of 200 acres, more or less, in Lot 4 of Section 3, Township 35 North, Range 17 West, N.M.P.M. and in the SW1/4 SW1/4 of Section 34., Township 36 North, Range 17 West, N.M.P.M., Montezuma County, Colorado wish to convey 6.93 acres, more or less, to a daughter, Peggy Carver, as a residential tract of land.

A tract of land in Lot 4 of Section 3, T.35N., R.17W., N.M.P.M., and in the SW1/4 SW1/4 of Section 34, T.36N., R.17W., N.M.P.M., all within Montezuma County, Colorado, being more particularly described as follows:

Beginning at a fence corner which is the Corner common to Sections 33 and 34, T.36N., R.17W., N.M.P.M., and Sections 3 and 4, T.35N., R.17W., N.M.P.M., all within Montezuma County, Colorado;

thence, N.0 degrees 44'20"W. a distance of 192.45 ft. along a fenceline which is the west line of said Section 34 to the south R/W line of McElmo Canyon Road;

thence, S.57degrees16'27"E. a distance of 279.35 ft. along the south

R/W line of McElmo Canyon Road;

thence, S.01 degrees 16'44"W. a distance of 1360.20 ft. to a fenceline which is the south line of Lot 4 of said Section 3;

thence, N.89 degrees 36'05"W. a distance of 185.19 ft. along a fenceline which is the south line of Lot 4 of said Section 3 to a fenceline which is the west line of said Section 3;

thence, N.0 degrees 44'20"W. a distance of 1317.27 ft. along a fenceline which is the west line of said Section 3 to the point of beginning, and containing 6.93 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: Floyd H. Hicks appeared before the Montezuma County Planning Department on behalf of himself and his wife, Dorothy Louise Hicks, requesting an exemption from the Montezuma County Subdivision Regulations stating they are not subdividing their property in the intent of the regulations, but merely conveying 6.93 acres, more or less, to their daughter 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

Online Copy



## Minutes 01/11/1977 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 11<sup>th</sup> day of January, A. D. 1977 there were present:

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

Absent:

Swearing-in ceremonies were held in the District Courth by District Judge W. W. Rusk, Jr. at 10:00 a.m. A reception was held in the Commissioner's room at 10:30 a.m.

Chairman Clay Bader called the meeting to order at 11:00 a.m. At this time the Board proceeded to re-organize.

An application for renewal of a 3.2% beer license was received and reviewed from Judith P. Clark dba Clark's of the South Route, formerly Judd's Market. Commissioner Honaker made a motion to approve this renewal, seconded by Commissioner Ray and carried.

At this time the Board proceeded to reorganize. Commissioner Ray nominated Commissioner Honaker as Chairman, seconded by Commissioner Bader. Commissioner Honaker was elected Chairman by acclamation, The meeting was turned over to the new Chairman.

Commissioner Bader nominated Commissioner Ray as vice-chairman. Commissioner Ray elected as vice-chairman by acclamation.

Commissioner Bader was elected as Commissioner of Deeds.

Commissioner Ray nominated Stan Morris as the appointee for County Attorney.

Commissioner Bader nominated Grace Merlo as the appointee for County Attorney.

Mrs. Merlo was appointed as County Attorney by acclamation.

List of appointees approved as follows:

Road Superintendent, Earnest Boren

Social Services Director, Maurien McNeill

Auditor, Gale Greenlee

Coordinator, D. M. Denton

Planner, WL Glenn

Veteran's Officer and Civil Defense Director, Dave McNeill

Depositories for County monies as follows:

Citizens State Bank, Cortez

First National Bank, Cortez

Dolores State Bank, Dolores

Mancos State Bank, Mancos

Mesa Verde Savings & Loan, Cortez

Durango Savings & Load, Cortez

Attest:

Clerk Chairman

Page No. 2

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

Date Tuesday, January 11, 1977

Bids for legal publications for 1977 will be accepted and closed next Monday.

Commissioner Bader made a motion that Dr. Griebel be appointed for County Health Doctor if he will accept. Seconded by Commissioner Ray and carried.

Meeting adjourned at 11:30 a.m.

Attest:

Clerk

Chairman

Online Copy

## Minutes 01/10/1977 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 10th day of January, A.D. 1977 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 meeting held January 3, 1977 were read and approved.

Correspondence was read and contents noted. A letter was received from the Town of Dolores stating that the town dump would be closed effective February 1, 1977 subject rules and regulations and fees of the Town Council. Also received was a letter from Buford Wayt requesting the installation of a guard rail on Lakeview 3 road. State Highway Maintenance agreements for highway #184 for the year 1977 were signed by Chairman Bader.

Clerk's, Treasurer's, Veteran's Officer and Sheriff's reports for the month of December received and reviewed.

General Fund Vouchers #33584 thru #33692 in the amount of \$18,256.68, Road Fund Vouchers #3166 thru #3199 in the amount of \$13,940.27, Revenue Sharing Vouchers #67 Thru #70 in the amount of \$1,844.24, Contingency Fund Vouchers #71 thru #73 in the amount of \$294.55 and Public Works Fund Voucher #144 in the amount of \$147.28 were allowed and ordered paid.

Planner W. L. Glenn requested variances to the sub-division regulations for Edward and Susan Roseberry to sell 7 acres more or less to Leroy and Velma Hemphill in Section 14, T37N, R16W. Commissioner McComb made a motion to grant this variance, seconded by Commissioner Honaker and carried. Planning Resolution #P2-77 was signed. A variance to the sub-division regulations was requested for E. H. and Thelma Caldwell to sell 36.85 acres more or less to Nielson's Inc. in Section 7, T37N, R14W.

Commissioner Honaker made a motion to grant this variance, seconded by Commissioner McComb and carried. Planning Resolution #P1-77 was signed.

Coordinator Denton appeared with Mac Morain, Engineer for the State Highway Department. They reviewed with the Board the State's five year work program. Each project was discussed as to time of preliminary work and construction. The Board gave approval of these plans and will recommend amendments made by the engineering department on this plan at the hearing on January 21, 1977.

Coordinator Denton reported on various grant applications.

Nurse Supervisor Frances Koppenhafer discussed the expense voucher of Nurse Hodges. The Board agreed that the County will pay \$5.95 per day for 8 days on the rental of a car. Mrs. Hodges will absorb the balance. Mrs. Koppenhafer notified the Board that she has been

Attest:

Clerk

Chairman

Page No. 2

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

Date Monday, January 10, 1977

certified as a Community Health Nurse by the American Nurses Ass'n. which is quite an honor as there are only 25 certified in the United States.

Road Supervisor E. Boren reported on maintenance and equipment.

Ron Driscoll of Driscoll and Co. gave a quarterly report on the tax mapping project. The job is 85% complete. The Board accepted his quarterly report.

Sheriff Hampton discussed prisoner cost with the Board.

Tom Gilliland of the Lewis Arriola Fire Department inquired about Workman's Comp. Board of Social Services conducted.

Cortez City Manager Longenbaugh reported on Justice Building problems.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

## **Minutes 01/10/1977 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 January, 1977, 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-1-77

WHEREAS: E. H. and Thelma Caldwell, owners of 40 acres, more or less, in the Southeast One-Quarter, Southeast One-Quarter (SE1/4SE1/4) of Section 7, Township 37 North, Range 14 West, N.M.P.M., Montezuma County, Colorado, wish to sell 36.85 acres, more or less, to Nielson's, Inc., retaining their home and 3.15 acres, more or less, as a residential tract of land.

A tract of land in the SE1/4 SE1/4 of Section 7, T.37N., R.14W., N.M.P.M., Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the South Right-of-Way line of Colorado State Highway No. 145 from which point the Northeast Corner of

the SE1/4 SE1/4 of said Section 7 bears N.63degrees32'E. 698.96 feet;

thence, S.09degrees00'E. 424.88 feet;

thence, S.63degrees32'W. 110 feet;

thence, S.83degrees40'W. 109.77 feet;

thence, N.46degrees23'W. 276.38 feet;

thence, N.16degrees16'W. 157.54 feet to the South Right-of-Way line of Colorado State Highway No. 145, thence along said Right-of-Way

line N.76degrees15'E. 180.79 feet;

thence, N.67degrees08'E. 120.79 feet;

thence, N.63degrees32'E. 110 feet to the point of beginning, and containing 3.15 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 Pierce, agent for E. H. and Thelma Caldwell, appeared before the Montezuma County Planning Department requesting an exemption from the Montezuma County Subdivision Regulations stating that they are selling their land to Nielson's, Inc. as an agricultural tract of land, and retaining their home and 3.15 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

Online Copy

## **Minutes 01/10/1977 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 January, 1977, 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 P2-77

WHEREAS: Edward A. and Susan C. Roseberry, owners of 32 acres, more or less, in the Southwest One-Quarter (SW1/4) of Section 14, Township 37 North, Range 16 West, N.M.P.M., Montezuma County, Colorado, wish to sell 7 acres, more or less, to Leroy and Velma Hemphill as a residential tract of land.

A tract of land in the SW1/4 of Section 14, T.37N., R.16W., N.M.P.M. Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on a fenceline and on the south R/W line of the County Road in the SW1/4 of Section 14, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado, from which point the W1/4 Corner of said Section 14 bears N.82 degrees 32'00"W. a distance of 684.62 ft. and from which point the SW Corner of said Section 14 bears S.10 degrees 08'07"W. a distance of 2728.25 ft.;

thence, S.83 degrees 24'00"E. a distance of 554.15 ft. along the south R/W line of the County Road;

thence, S.21 degrees 27'22"W. a distance of 616.85 ft.;

thence, S.45 degrees 34'13"W. a distance of 410.04 ft. to a fenceline;

thence, N.01 degrees 59'00"W. a distance of 925.39 ft. along a fenceline to the point of beginning, and containing 7.00 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 Edward A. and Susan C. Roseberry, 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 7.00 acres, more or less, to Leroy and Velma Hemphill 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

Online Copy



## Minutes 01/03/1977 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 3<sup>rd</sup> day of January, A.D. 1977 there were present:

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

Absent:

Commissioner Elect Floyd Ray in attendance.

Pledge of allegiance given. Minutes of the previous regular meeting held December 20, 1976 were read and approved.

Correspondence was read and contents noted.

The Board received a check in the amount of \$842.46 from the City of Cortez for November share of Justice Building expenses. A check was received from the State Highway Department for \$225.00 for maintenance.

Discussion was held on employees daily hours and part time employees salary. A memo will be sent to the various departments stating that employees regular full day is seven hours and a half day is 3 1/2 hours. Experienced part time help will be paid \$3.50 per hour. Other than experienced help will be paid at the discretion of the department head, not to exceed \$3.00 per hour.

Dr. Griebel and Nurse Supervisor Frances Koppenhafer reported that the swine flu immunizations have been stopped in the County.

Sheriff Hampton reported that he had received \$1442.92 from the Employment Department for salaries of some of his employees. The cost of the 73 Plymouth car recently purchased from the Colorado State Patrol is \$703.28. Cost of painting the car was \$150.00. Sheriff Hampton requested and was given permission to order equipment budgeted for in the 1977 budget. Justice Building discussed.

Planner W. L. Glenn requested and received tentative approval for E.H. and Thelma Caldwell to have a variance to the sub-division regulations to convey 37 acres.

Coordinator Denton discussed a letter received from the BLM concerning a classification of exchange of land belonging to Richard Tibbits. Mr. Denton recommended the filing of an amended plat of High View Acres sub-division deleting tract 2. A contract of the Flood plan study for a supplemental \$5000 was signed by Chairman Bader. Also discussed was the lease on land owned by Melvin and leased to the County. The Board would like to keep the lease in effect for at least another year. Close out contract on the Justice Building was discussed.

Attest:

Clerk	Chairman
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Page No. 2

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

Date Monday, January 3, 1977

Commissioner Honaker made a motion to adopt the attached resolution #1-77 concerning the dissolution of the San Juan Basin Regional Planning Commission and the creation of the Region 9 Commission. Motion seconded by Commissioner McComb and carried.

Cortez City Manager Dwayne Longenbaugh discussed the bids for the installation of bars at the jail in the Justice Building.

Road Supervisor E. Boren reported on road and equipment maintenance. The service truck has been repaired and is in service again.

District Attorney George Buck reported on his conversation with Mr. Shoemaker, Administrator of the CCOERA.

Board of Social Services conducted.

Custodian requested and was given permission to purchase a work bench out of his capitol outly budget for 1977.

Meeting adjourned at 4:00 P.M.

Attest:

Clerk

Chairman

RESOLUTION NO 1-77 1977 SERIES

A RESOLUTION BY THE COUNTY OF MONTEZUMA, COLORADO TO COOPERATE WITH OTHER COUNTIES AND/OR MUNICIPALITIES IN THE CREATION OF THE REGION 9 COMMISSION.

BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF MONTEZUMA, COLORADO AS FOLLOWS:

Section 1. That it agrees to the dissolution of the San Juan Basin Regional Planning Commission, effective no later than March 31, 1977.

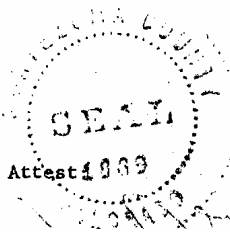
Section 2. That it hereby adopts a plan to cooperate with other political subdivisions in the creation of the Region 9 Commission, as provided for in the Colorado Revised Statutes (1973) 29-1-203, and further adopts the recommended rules, regulation, plan of organization and operation of the Region 9 Commission as set forth in the "Rules of Association" adopted in principle by the official representatives of the several counties, cities, and towns cooperating in the reorganization of the San Juan Basin Regional Planning Commission, dated December 15, 1976, which by reference thereto is hereby expressly made a part of this resolution.

Section 3. The Region 9 Commission, as reorganized, shall have the function, powers, and duties which are prescribed by law.

Section 4. The membership from the County of Montezuma, Colorado shall consist of 1 member and 2 alternates appointed by the County Commission Chairman from the membership of the County Commission.

Section 5. This resolution shall become of full force and effect upon adoption, being 1-5, 1977.

MONTEZUMA COUNTY, COLORADO



Clay Bader  
Clay Bader  
County Commission Chairman