

1992 Montezuma County Commissioners' Minutes

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AUTHENTICITY CERTIFICATE

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September 2004

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Building A-4
Durango, CO 81303
970-385-5195

Minutes 01/06/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JANUARY 6, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA) JAN 13 1992

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 6, 1992, at the Courthouse in Cortez, Colorado, there were present:

Robert L. Maynes, Chairman
Bob Brubaker, Vice-Chairman
Thomas K. Colbert, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

ELECTION OF OFFICERS! Comm Brubaker made a motion to elect Comm Colbert as Chairman of the Board of Commissioners for 1992, seconded by Comm Colbert and carried.

Comm Colbert moved to elect Comm Brubaker as vice-Chairman for 1992, seconded by Comm Brubaker and carried.

Comm Colbert moved to elect Comm Maynes as Commissioner of Deeds for 1992, seconded by Comm Brubaker and carried.

Chairman Colbert chaired the rest of the meeting.

MINUTES of the previous regular meeting held Monday, December 30, 1991, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's Report for the month of December was received.

PAYROLL: General Fund vouchers #6710 thru #6808 in the amount of \$103,361.88, #14834 in the amount of \$64,935.16, #14833 in the amount of \$11,199.36 and Road Fund vouchers #6809 thru #6849 in the amount of \$53,607.11 and #5565 in the amount of \$34,087.13 were approved for payment.

ENGINEER Roach will check on a request from property owner Helen Brinkerhof to upgrade the end of CR 20.

SHERIFF Wood asked that the Board reconsider what is allowed to be purchased with the Clothing Allowance of \$320 per person. At this time boots can not be purchased with the allowance. The Board agreed to include boots as an approved purchase, with the stipulations that the Sheriff have control of ordering the uniforms and boots, and that the purchases stay within the allotted amount. The Sheriff's Department was complemented for keeping Workman's Comprehensive costs down. Sheriff Wood attributed this to the new mandatory physical fitness program. The Sheriff notified the Board that he would be attending a meeting in Denver to give input and support to Senator Hopper to get legislation passed to make money available to counties from the Impact Funds. These funds will be used to help pay for any problems created by gambling on the Ute Mountain Ute Indian Reservation at Towaoc, Colorado. He will give an updated report to the Board next Monday.

01-06-92

HEALTH DEPARTMENT Nurse Betty Sutter presented a report on the recent Nursing Convention she attended. Two concerns noted were: (1) A proposed law to require Home Health Care Agency personnel to be licensed by the State at the cost of \$250 per person. There would be no waiver for Medicare certification which all Montezuma Health personnel have at this time. Administrator Weaver will check on the proposed bill. (2) The impact that gambling is making on Health and Social Service Departments for the counties already involved. These impacts include an increase in accidents, fighting, alcohol use, child abuse, etc.

HOLIDAY SCHEDULE: A motion was made by Comm Maynes to approve the Official County Holidays for 1992, seconded by Comm Brubaker and carried.

ABATEMENTS: Assessor Cruzan and Deputy Assessor Jim Snow being present, a petition for abatement of property tax was presented for Jess and Betty Lancaster, 1989, erroneous assessment, \$446.51 and 1990, erroneous assessment, \$437.36. Jess and Betty Lancaster were present Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Perry and Bonnie Rae McDonald, 1989, erroneous assessment, \$54.46 and 1990, erroneous assessment, \$53.79, Comm Maynes made a motion to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Ricky Lightfoot and Melissa Gould, 1990, erroneous assessment, \$151.49. Comm Brubaker made a motion to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Louise Hicks, 1989, erroneous assessment, \$117.46 and 1990, erroneous assessment, \$116.01. Comm Maynes made a motion to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Harry and Marianne Freeman, 1989, erroneous assessment, \$425.65 and 1990, erroneous assessment, \$425.28. Comm Brubaker made a motion to approve this petition, seconded by Comm Maynes and carried. Petition for abatement property tax was presented for W. H. Freeman, 1989, erroneous assessment, \$121.31 and 1990, erroneous assessment, \$121.10. Comm Maynes made a motion to approve this petition, seconded by Comm Brubaker and carried. All the petitions were recommended by Assessor Cruzan. All proceedings were taped for the record and the roll was called.

ASSESSOR Cruzan reported the audit on the Assessor's office has started.

ROAD DEPARTMENT Foreman Don Yeomans reported that the District Foremen had been made aware of the problem of too much comp time. The District Foremen are scheduled to have all planning done by Friday. Work scheduled includes graveling school bus turnouts on CR 30 & R and CR 33.5 and then CR L & 22, installing a culvert on CR P, and extending a pipe on the McElmo Canyon Road. The underground storage tanks have been scheduled to be removed tomorrow. Engineer Bud Roach will be present and samples will be taken. A complaint about CR J which is a county road but not a county maintained road was noted. Comm Brubaker reported a request from Clarence Calhoun for fencing to be repaired on CR 21, north of CR P. Boulders broke down the fencing when the road was widened. It was noted that the Foremen need to keep track of pot holes. Pot holes on CR 39 will be done today, and ones on the McElmo Canyon Road will be done next. A meeting with the District Foremen will be held Tuesday, January 17th at 9:00 A.M. to discuss the 1992 Road Plan. It was noted that employee DUI offenders, losing their drivers license, should be informed of action that will be taken if there is a second offence. Two District Foremen will attend the U.S West. meeting on the Dolores-West Fork area.

PLANNING: Planning resolution P-1-92 was presented whereby Don, and Patty Randolph would be granted a variance to the subdivision regulations to create a 4.33 acre tract, a 3.18 acre tract and a 1.38 acre tract which will be added to the adjoining landowners property creating a 4.33 acre tract for J. B. Lopez in Section 7, T.36N., R.15W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried.

01-06-92

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the December 9, 1991 minutes.

TREASURER Spore reported all monies from the Centrust pool were received December 26, 1991.

The amount of approximately \$900,000 has been invested in T bills at 3.7% interest.

FAIRGROUNDS: A motion was made by Comm Maynes to accept the Right-of-Way Agreement from C. Ann Wilson Brown to the County of Montezuma for a permanent easement for construction and maintenance of an underground pipeline and appurtenances, seconded by Comm Brubaker and carried. The right-of-way was donated by Ms. Brown.

LANDFILL ORDER: Brubaker made a motion to direct the Clerk to issue an order to the County Treasurer to draw a warrant on the Landfill fund in the amount of \$3,911.31 payable to the Colorado Department of Health, HSRF Accounting Department, Room 400, 4210 East 11th Avenue, Denver, Colorado 80110 as the fourth quarter payment, copy attached. Motion was seconded by Comm Maynes and carried.

FAIRBOARD: Pam White withdrew as a Montezuma County Fairboard member; Kay Garlinghouse was appointed to replace her.

ADMINISTRATOR Weaver stated Workman's Comprehensive Insurance claims were up for the Road Department in 1991. It was suggested that the Road Department schedule safety meetings to cut down on future claims. A request for the installation of a sink and cabinets for the Administration staff was approved. Weaver made note of three upcoming meetings with (1) landowners and the Bureau of Reclamation concerning an irrigation pipe on CR N, (2) Darrell Veach to discuss the Dolores-Norwood Road and, (3) veterinaries to discuss the dog problem on January 14th. Receipt was noted of two bids to fix the older Senior Citizens Bus. Hank's Auto Body submitted a bid in the amount of \$1,133.50 and Peterson's Body & Frame bid was for \$1,295.73.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 2:30 P.M.

Deputy Clerk Chairman

SEAL

01-13-92

SHERIFF Wood reported he had met with Senator Hopper and others in Denver concerning the gaming legislation. If the amendment passes, the County will then be able to go to the Impact Fund Board to present any need for funds in connection with gambling at Towaoc. It was noted that any monies received will come from the State not the Tribe. Sheriff Wood will check and report back on the Emergency Fire Fund cap of \$25,000 for all the counties in Colorado. At this time Sheriff Wood is serving on the Fire Board with three commissioners and two other sheriffs from Colorado. Wood asked that the Contingency Fund be checked for funds to replace the Bronco that was totalled in an accident last week. He will check on the purchase price for a replacement vehicle, and let the Board know. He noted that the Van to transport prisoners has been ordered.

TREASURER Bobbie Spore presented the Annual Depository Accounts and Quarterly Report on Public Trustee Fund. Comm Brubaker moved to approve these reports, Comm Maynes seconded and carried. It was noted that money from the National Forest had been received in the amount of \$51,175.25. The Board approved that the apportionment continue to be 5% to the School and 95% to the Road and Bridge Department.

PLANNING: Mr. Leon Shepherd met with the Board to request a variance to the subdivision regulations for Ms. Sharon Hurst Smith to sell a parcel of land off of Highway 184. The variance was denied until a 60-foot easement could be secured to the property. A planning resolution P-2-92 was presented whereby Merrilee Laas would be granted a variance to the subdivision regulations to sell a 13 acre parcel in Section 32, T36N., R.13W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Tentative approval for a variance to the subdivision regulations was given to James Cooley to purchase 5 to 10 acres out of 34 owned by a corporation. A verbal request for a variance to the subdivision regulations was denied for Dean and Barbara Nutt of WDN Construction to sell the business and garage together as one parcel and sell the house as another parcel. A verbal request for a variance to the subdivision regulations was denied for R. Smith to sell a 3 acre tract.

ACCOUNTS PAYABLE: General fund vouchers #14832 thru #15007 in the amount of \$120,314.59 and Road fund vouchers #5571 thru #5623 in the amount of \$28,429.33 were approved for payment.

TAXPAYER Ed Novotny presented concerns about harassment from the Sheriff's Department. A Deputy had issued him speeding ticket on a State Highway, which he felt was not within the Deputy's jurisdiction.

SHERIFF POSSE member Lonnie Elliott stated they have someone to haul gravel for the driveway at the Posse grounds. The Board approved the request for 15 loads.

FAIRGROUNDS: Engineer Roach noted Stanley Hindmarsh has signed the agreement for the County to purchase the remaining right-of-way for the easement at the fairgrounds for \$1,000.

BOARD OF SOCIAL SERVICES was conducted,

ADJOURNED FOR LUNCH with U.S. West. Communications.

BUREAU OF LAND MANAGEMENT (BLM) Area Manager Sally Wisely and Multi Resource Staff Chief Mark Hollis met with the Board. Area Manager Wisely reported that all four governors had signed the Four-Corners Heritage Council Agreement. To date two people have been appointed by New Mexico and three people by Colorado to serve on the Council. It was not known if Arizona and Utah had designated any one yet. In the near future, the Board will meet with the three appointed from Colorado which were Jim Judge, Ernest House and Jane Prancan. Ms. Wisely will keep the Board informed of any new developments concerning the Council. Ms. Wisely stated that all the information is still being studied on the proposed TransColorado pipeline. She complimented Montezuma County for doing a good job of compiling the comments from the public. The Board had no objections to

01-13-92

BLM's request to acquire 520 acres of land on CR 20, which was foreclosed on by FHA, with the stipulation that an easement be guaranteed to other property owners. Wisely assured the Board that an easement would be granted. A letter will be written to BLM confirming this action. It was noted that approximately 1,600 acres of BLM land have been approved for sale in Montezuma County. Staff Chief Hollis stated that BLM will keep the Board advised of any grazing policy changes.

DAVES MOTOR COMPANY owner Dick Daves met to offer his help in locating a vehicle for the Sheriff's Department. He will get with the Sheriff.

911 AUTHORITY BOARD: Motion was made by Comm Maynes to direct the Clerk to issue orders to the Treasurer, to transfer the amount of \$189.74 from the 911 account to the Farmers Telephone Company, Inc., and to transfer the amount of \$1,148.76 out of the 911 account and pay this amount to U.S West Communications, Denver, Colorado. Motion seconded by Comm Colbert and seconded.

ADMINISTRATOR Weaver reported a request from Jimmy Owens of the Adams Ranch to snow plow 1/4mile of road off Highway 184. It was also reported that the underground storage tanks have been removed and the procedure approved.

ADJOURNED at 3:30 P.M.

Deputy Clerk Chairman

SEAL

Online Copy

01-20-92

CR L. One removed underground tank had contaminated dirt around it which was removed and taken to an area at the dump. It is permissible for petroleum products to be aerated. The tanks were also taken to the dump. A fence will be built around the tanks as a preventative measure. In approximately 10 years the tanks can be sold as scrap. Engineer Roach has worked up a design to redo the Stapleton Bridge. It was noted that the District Foremen need to watch projects to make sure that the work is being done right. The Road Department has recently received two written compliments.

PLANNING: A verbal request for a variance to the subdivision regulations was approved for Ella Bland to split 54 acres on CR L into a 16 acre and a 38 acre parcel. A verbal request for a variance to the subdivision regulations was approved for Perry McDonald to split into 2 pieces acreage on CR 27.5.

ADJOURNED FOR LUNCH with the Town of Mancos.

LANDFILL ORDER: Comm Maynes made a motion to direct the Clerk to issue an order to the Treasurer to draw a warrant on the Landfill fund in the amount of \$500.00 payable to the Colorado Department of Health, Solid Waste Program Account #4206, Room 3, 4210 East 11th Avenue, Denver, Colorado 80220 as the 1992 solid waste registration fee. Motion was seconded by Comm Colbert and carried.

ADMINISTRATOR WEAVER submitted an Animal Shelter Policy.

ASSESSOR Cruzan met with the Board to discuss the question of taxing Indian lands. It was felt that the questions and case involving such do open the door to see if there is any basis for the possibility of taxation of Indian lands. It was noted that each tribe has different laws and regulations. Laws will be checked to see if there is any reason to pursue the issue.

ADJOURNED at 2:00 P.M.

Deputy Clerk Chairman

SEAL

Minutes 01/27/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JANUARY 27, 1992

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 27, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

FEB 3 1992

MINUTES of the previous regular meeting held Monday, January 20, 1992, were read. Comm Maynes moved to approve these minutes, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Letters concerning the Road Kill policy and a request to upgrade the McElmo Canyon Road to Utah were received.

ANNEX BUILDING: There are tentative plans to hold a ground breaking ceremony for the new addition at the Annex Building next week. All seniors will be invited to attend.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a 3.2% beer license for the Mesa Oasis Campground. Sheriff Wood found no problem with the renewal. Comm Brubaker moved to approve this application, seconded by Comm Maynes and carried.

TREASURER Bobbie Spore presented the Six Month report for the Treasurer's Office.

SHERIFF Wood gave an updated report on the Gaming Bill. Comm Colbert requested a report on the Sheriff's Property Fund. In the future, the Sheriff will give quarterly and yearly reports on this fund. Three vehicles will be put out for auction.

STATE LAND BOARD MEETING: It was noted that Bill Martinez, a member of the State Land Board will have to do a physical inspection of the leased land by the Fairgrounds before any further action can be considered. The meeting with him is tentatively planned for sometime in April. A proposed plan for use of the land will be requested from Tony Scheikle, representative for the Southwest Film Commission.

BOARD OF SOCIAL SERVICES was conducted.

CORTEZ DEVELOPMENT COUNCIL Director Alan Klein met with the Board to inquire about any new improvements planned for the Fairgrounds. It was stated that future plans include ball parks, soccer fields, and an outdoor arena. The Board presented a map showing some of these plans. Also discussed was the need for additional jobs in the Cortez area and the proposed National Anasazi Park.

ROAD DEPARTMENT Supervisor Roberts stated they have met with U.S. West and gone over plans concerning the West Dolores road. The Board requested that the Annual Road Plan be submitted by December 31st of each calendar year. Arrangements have been made with Jim Sattley; time the road is tied up will be kept to a minimum. They are crushing gravel this week. Several employees will be attending a three day safety related workshop in Durango. The underground tank in Mancos will be dug up this week. Roberts will check to see what improvements Utah has made to their road coming into Colorado (McElmo Road).

01-27-92

SOUTHWEST COMMUNITY RESOURCES (SCR) representatives Joe Huggins, Terri Wheeler and Remigio Candelaria met with the Board. Terri Wheeler presented a final draft of SCR's goals for the 1992 Annual Plan. These were discussed.

ADJOURNED FOR LUNCH with the Town of Mancos.

OFFICE OF COMMUNITY SERVICES: Mike Preston and Sam Burns were present to discuss possible work plans for the 1992 Budget year. The Office of Community Services is budgeted to continue work on the Subdivision regulations and a site plan for the Montezuma County Fairgrounds. New projects to consider are getting county considerations, with respect to public utilities corridor, into the new San Juan Forest Plan. The commissioners also discussed their opposition to the proposed Anasazi National Park. Sam Burns will get back in touch with Administrator Tom Weaver to discuss the final contract.

AMBULANCE SERVICES: Bill Wilderson appeared with questions about the Ambulance and Rescue services in the County.

ADJOURNED at 4:30 P.M.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 02/03/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 3, 1992

STATE OF COLORADO)

)ss.

FEB 10 1992

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 3, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, January 27, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's Monthly report for January 1992 and a copy of Senate Bill 92 from Senator Hopper showing changes in the Gaming Bill were received.

MANCOS VALLEY MULESKINNERS RENDEZVOUS Chairman Horace Greer presented a packet showing plans for this year's MuleSkinner Rendezvous, a Lion's Club activity scheduled for July. Twelve acres have been leased for one year with the prospect of a long-term grant for the rendezvous. Mr. Greer requested monies from the lottery fund to build a roping arena. At this time the funds are not available. A donation of gravel for the parking area will be offered.

ABATEMENTS: Assessor Cruzan being present, a petition for abatement of property tax was presented for Lazy Acres Sod, 1991, erroneous assessment, \$97.26. Mr. Paul Burchar was present. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Locals Only c/o Randy Rodd, 1991, erroneous assessment, \$116,77. Mrs. Marian Rodd was present. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Darrold Pickens, 1991, erroneous assessment, \$337.25. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Triple L Mining, Inc., 1990, erroneous assessment, \$114.40. Assessor Cruzan recommended this petition be tabled until further information was received. Comm Maynes moved to table this petition, seconded by Comm Brubaker and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

SHELL OIL COMPANY: Assessor Cruzan reported there is still a need for clarification of guidelines from the Oil and Gas Commission concerning ad valorem taxes. A letter to ask that the guidelines become a priority will be written to the Oil and Gas Commission, the Department of Property Taxation and other interested parties.

HEALTH DEPARTMENT Nurse Betty Sutter asked that the Board complete a questionnaire from the Region 9 Health work session held in September 1991. The information will be used for input to the Colorado Department of Health. Nurse Sutter invited the Board to the "Mile of Pennies", a fund raiser for the Cancer Society being put on by students February 11 at the Junior High School. The Board will attend this function.

02-03-92

PLANNING: A planning resolution P-3-92 was presented whereby Richard Tibbits would be granted a variance to the subdivision regulations to create 5 separate tracts in Section 2, T.36N., R.16W. Permission was given to Mr. Tibbits by the Planning Commission at their meeting January 14, 1992 to create these tracts called Lewis Tracts. Tract 6 is to be sold to an adjoining landowner and can not be sold as a separate tract. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried. A planning resolution P-4-92 was presented whereby Guyrene Ward would be granted a variance to the subdivision regulations to create three separate tracts in Section 11, T.36N., R.15W. Permission was granted for this division by the Montezuma County Planning Commission on January 14, 1992. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried.

TRANSCOLORADO PIPELINE: BLM representative Chuck Finch, FS representatives Miles Weaver and Paul Peck, and TransColorado representative Margy Masson and Richard Chamberlain met with the Board. Engineer Bud Roach was also present. Mr. Finch gave a report on the status of the final EIS. He remarked there were a lot of comments received, which will be incorporated into the final with the Bureau's answer to each. The agencies have selected the Mancos Valley East (Alternate E) route as their preference. Each agency involved will issue two documents, a Final EIS and a Record of Decision, which is the official document. They hope to have the Final EIS out by July. There will be a 30-day period for the EIS to be reviewed and any appeals to be made. If no appeals are made, then the Record of Decision will be issued. Concerns were discussed about two areas where there still may be problems to be worked out. These include the Dolores River crossing and the Southern Ute Indian crossing. Other items noted were: (1) It was agreed that the Montezuma County will go along with the Forest Service Plan that Alternate E will be an established corridor. (2) It was mentioned that the county wants to be more involved with the Forest Service Plan. (3) There is no need for the Board to re-state their position for the Final EIS. It was agreed by all that the process did work. The BLM, FS, and TransColorado representatives complimented Montezuma County and the Commissioners for their valuable input and participation. Proceedings were taped for the record. A requested copy of the tape was sent to FS representative, Miles Weaver.

ADJOURNED FOR LUNCH with the City of Cortez.

BOARD OF SOCIAL SERVICES was conducted.

PAYROLL: General Fund vouchers #6864 thru #6967 in the amount of \$110,135.13, #15022 in the amount of \$12,278.43, #15023 in the amount of \$70,001.20 and Road Fund vouchers #6968-7008 in the amount of \$56,191.16 and #5628 in the amount of \$37,306.78 were approved for payment.

EXTENSION AGENT Bob Seaton, at the Board's request, appeared to talk about the Weed program.

ROAD DEPARTMENT Supervisor Roberts gave the road department report.

ADJOURNED FOR GROUND BREAKING CEREMONY at the Annex Building.

WEED PROGRAM: Visited with Ron Lanier about the program.

ADJOURNED at 4:30 P.M.

Deputy Clerk Chairman

SEAL

02-10-92

SENIOR NUTRITION Director Sue Fletcher appeared to ask if repairs could be done on the 1987 Astro van. The repairs were approved.

COUNTY ROAD 41: Jerry Rapp owner of Rapp's Guide Service appeared to request that CR 41 be upgraded and presented photos and magazine articles promoting the area, and information on future uses proposed by outfitters and movie companies. Engineer Bud Roach will check on expense, etc. of the project and will keep in touch with Mr. Rapp. It was agreed that the Mancos crew could probably work the upgrading of the road into their schedule.

ADJOURNED FOR LUNCH with the Dolores Town Board.

ROAD DEPARTMENT Foreman Don Yeoman reported that all the underground fuel tanks will be out this week. The crews are gravelling on CR 20, CR 21, CR T west of CR 20 and CR U. They have about 98 hundred yards of gravel crushed for Dolores County and approximately the same amount for Montezuma County. They will widen the McElmo Canyon Road around the Jimmie Porter place. Foreman Yeoman asked about First Aid/CPR training for the Road Department. Adm Weaver will check on this, He also asked if the County would be getting a different type of mowing machine; a used one will be looked for. Complaints had been received for CR D.6 and CR F east of CR 25; these will be checked. They have changed speed control signs on CR A.

BOARD OF SOCIAL SERVICES was conducted.

ACCOUNTS PAYABLE: General fund Vouchers #15009 thru #15217 in the amount of \$177,827.01 and Road fund vouchers #5627 thru #5699 in the amount of \$55,685.80 were approved for payment.

BUREAU OF RECLAMATION representative Mike Rasmussen appeared to make the Board aware of problems concerning CR A. Engineer Bud Roach was present. The problems discussed were: (1) Several years ago the old county road had been moved to a section line. (2) Will there be access to all the land owners. (3) The question of whether it was used as a public road and can it still be used as such. The Bureau of Reclamation will continue to try and work out the problems with the land owners.

ANNEX BUILDING BIDS: Bids were opened for the plumbing and concrete work for the Annex Building improvements. VF Construction representatives Von R. Flaugh and George Schmalz were present. The Plumbing Contract was awarded to Rick's Plumbing with a low bid of \$8,397.00. The Concrete Contract was awarded to Bill King with a low bid of \$11,745.00.

ADJOURNED at 3:30 P.M.

Deputy Clerk Chairman

Minutes 02/18/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 18, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, February 18, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

FEB 25 1992

MINUTES of the previous regular meeting held Monday, February 10, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The County Clerk's report for the month of January 1992 was received. Two checks totaling \$1,689.45 were received from Montezuma County senior citizens fund raisers. The monies will be used toward the operating expenses of the new senior citizens van. It was noted that an Oil and Gas Hearing held on January 29, 1992, resulted in new rules being proposed for the commission.

COMMUNITY SERVICES: Comm Brubaker moved to approve a Letter of Agreement between the Office of Community Services, Fort Lewis College and Montezuma County to provide community development assistance through Mike Preston and other members of the Community Services staff. Comm Maynes seconded and carried. Items to be researched will be the (1) Federal Lands issue, (2) Subdivision Plan, and (3) Fairgrounds Plan.

ROAD 29.75: Attorney Stan Morris, representing several people who own property on Road 29.75, appeared to request a letter from the Board stating that Road 29.75 is a county road. The request will be considered.

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for Larry and Suvian Daves to sell to Northwest Pipeline Corporation a 11.98 acre tract. A verbal request for a variance to the subdivision regulations was tentatively denied because of access, for Charles and Sally Cole to sell a 30 acre tract. If any further action is requested they will need to appear before the Board. A verbal request for a variance to the subdivision regulations was tentatively approved for Gary and Kim Sheek to sell a 10 acre tract. It was suggested that persons making verbal requests for variances to the subdivision regulations present such requests in person to the Board.

ROAD SUPERVISOR Kyle Roberts reported that due to the recent snow storm the road crews worked over the 3 day weekend. A complaint about snow removal on CR 22 will be checked. They are working on extending a pipe on the McElmo Road by the Fred Thomas property. They received the stacker and were very pleased with the design. Comm Colbert noted he had received a request to widen a culvert on CR 41. This will be checked. Roberts reported that the crusher crew will be attending a seminar in Denver. There was some discussion on whether the snow removal equipment is classified as an emergency vehicle with the right to back up and do unconventional turns. It was noted that if the Court orders a county employee to enroll in a rehab program because of a DUI ticket, the employee is responsible for paying for the program. Supervisor Roberts will check with Engineer Roach on the proposal to lease a gravel pit from the town of Mancos.

02-18-92

ADMINISTRATOR Weaver stated there will be a meeting February 19 to identify the problems with the EMS Plan. All interested entities have been notified. Also noted was that a meeting will be scheduled in Alamosa with Bill Martinez, State Land Board member, to talk about future plans for the State leased land by the Fairgrounds. Mr. Tony Scheikle, SW Film Commission will be invited to attend.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the February 3, 1992 minutes.

REAPPORTIONMENT: Gary Shaw and Wayne Schwindt, representatives for the Bipartisan Committee to Keep Montezuma County Whole, gave an update on their trip to Denver to meet with the American Civil Liberties Union lawyers. A Statement of Objection will be filed with the Colorado Supreme Court by February 20th. They thanked the Commissioners for their support and requested approval for transportation costs if another trip to Denver has to be made in order to meet the 20th deadline. The request was approved.

GOOD SAMARITAN CENTERS: It was noted that the Mancos and Cortez Good Sam centers are now being managed separately. A request for funds by the Mancos manager was referred to Social Service Director JoAnna Goldenbaugh.

HEALTH DEPARTMENT Nurse Bette Sutter presented the Health Department's Annual Budget Summary Report for 1991 and goals for 1992. Contracts for Occupational Therapy, Speech Therapy and Physical Therapy between the Montezuma Health Department and the Southwest Memorial Hospital were also presented. Comm Maynes moved to approve these contracts. Comm Brubaker seconded and carried.

ENGINEER Bud Roach reported on the status of Road 29.75.

ADJOURNED at 3:30 P.M.

Deputy Clerk Chairman

SEAL

Minutes 02/24/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 24, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 24, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MAR 02 1992

MINUTES of the previous regular meeting held Tuesday, February 18, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ROAD 29.75: Clifton Combee, property owner on Road 29.75, and children, Charles Combee and Sandra Bryan, presented maps and deeds showing easements, etc. for the roadway in question. It was noted that the questionable lower portion does not match the road shown on the County map as a non-maintained County Road. Mr. Combee stated he would consent to the top one-quarter mile being upgraded to county road specifications, if the others involved would be willing to donate the other 30 feet of access in order to have the required width needed for a county road, and if the County would install a cattleguard and gate for him. It was noted that access to the lower portion could be developed on the other landowners property and if brought up to county standards could be classified in the future as a maintained county road. A public hearing would then be held to close the lower one-quarter mile. Administrator Weaver will contact the Realtor representing the other property owners with the above proposal.

WEED ADVISORY BOARD: All members will be notified that Joe Mahaffey volunteered to serve on the Weed Board and his request was approved.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a retail liquor license for the Stoner Lodge. The Sheriff's Office reported no problems with this outlet. Comm Brubaker moved to accept the application, seconded by Comm Maynes and carried.

SENIOR CITIZENS using the Masonic Hall in Mancos to serve lunches have requested a handicap ramp be installed in this facility. The request will be considered.

BOARD OF SOCIAL SERVICES was conducted.

PLANNING: Planning resolution P-6-92 was presented whereby Larry R. and Suvian R. Daves, owners of 149 acres, more or, less, would be granted a variance to the subdivision regulations to create a 11.98 acre tract located in Section 10, T.38N., P.17W., to sell to Northwest Pipeline Corporation. Comm Maynes moved to adopt the resolution, Comm Brubaker seconded and carried. A variance to the subdivision regulations was tentatively approved for Charles and Sally Cole to sell a 30 acre tract.

ADJOURNED FOR LUNCH with the Town of Mancos.

02-24-92

NORTHWEST PIPELINE was advised that a public hearing will have to be scheduled before a permit can be issued for them to build a proposed Compressor Station. They were requested to notify all the adjacent landowners of the date of the hearing and be present to answer any questions about the proposed station. ROAD DEPARTMENT Supervisor Roberts reported that they are blading lower, McElmo Road, working on the Annex and will try and start work on the Airport underground fuel tank. There was discussion and clarification of the comp time policy. Roads and areas that need checking were CR 13-CR BB, a big low place holding water; CR W-CR 21, the sign is down again; South of N Road on CR 22; CR H, needs gravel and the Fairgrounds lower parking lot. Roberts stated he will check with J. Porter before widening the road by his place on McElmo Road. The evaluations are done. The board complimented the road crew on the snow and ice removal this winter.

FOREST ROAD AGREEMENT between the U.S. Department of Agriculture and Montezuma County for Schedule A roads was presented by Forest Service representative John Noland. The Agreement will be reviewed by the County Attorney and Engineer. Other items commented on were the Jackson Bridge, the Ormiston Gravel pit, and continued education about Leafy Spurge. Mr. Noland thanked everyone for all the help they received last year on the forest roads. Road Supervisor Roberts and Engineer Bud Roach were present.

ADJOURNED at 3:00 P.M.

Deputy Clerk

Chairman

SEAL

Minutes 03/02/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 2, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 2, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MAR 09 1992

MINUTES of the previous regular meeting held February 24, 1992, were read. Comm Maynes moved to approve these minutes, seconded by Comm Brubaker and carried. A motion was made by Comm Maynes to correct the January 13, 1992, minutes to show the appointment of Bob Slough as Attorney, Board of Commissioners instead of County Attorney, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. A request from Attorney David Duncan for a variance for Eugene Stramel was noted. The Sheriff's Report for the month of February was received.

PAYROLL: General Fund vouchers #7017 thru #7118 in the amount of \$112,586.48, #15225 in the amount of \$12,278.43, #15226 in the amount of \$71,505.76 and Road Fund vouchers #7119 thru #7159 in the amount of \$55,883.98, #5701 in the amount of \$37,034.03 were approved for payment.

MONTEZUMA COUNTY DEVELOPMENT COUNCIL Director Alan Klein introduced Michael and Beverly McGuire. Mr. and Mrs. McGuire presented their request for financial support thru the County Revolving Loan Fund to establish a new downtown business. The business would sell medium-priced western boots and larger women's apparel. They were advised to continue working with their bank and keep the Board informed on what level the County would be asked to participate.

BOARD OF SOCIAL SERVICES was conducted.

ABATEMENTS: Assessor Cruzan being present, petition for abatement of property tax was presented for Charles L. Mitchell and Lyle C. Cox, 1991, erroneous assessment, \$999.00. Mr. Mitchell and Mr. Cox were present, Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Donald E. and Carla C. Hopkins and Jan E. Redwood, 1991, erroneous assessment, \$377.85. Mr. Hopkins and Ms. Redwood were present. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Gilbert and Diana Tweedale, 1991, erroneous assessment, \$320.72 for Schedule Number 12-5355-242-02-003; 1991, erroneous assessment, \$264.93 for Schedule Number 12-5355-242-02-013. Mr. Tweedale was present. Comm Maynes moved to approve these petitions, seconded by Comm Brubaker and carried. Petition for abatement of Property tax was presented for Thomas H. and Carole W. Arnold, 1990, erroneous assessment, \$79.95 and 1991, erroneous assessment, \$159.33. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for M. A. and Erma R. McKenzie, 1991, erroneous assessment, \$183.59. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Frank V. Green and D. J. Elkins, 1990, erroneous assessment, \$35.81, and 1991,

03-02-92

erroneous assessment, \$44.43 for Schedule Number 12-5611-221-00-005-K2; 1990, erroneous assessment, \$254.28, and 1991, erroneous assessment, \$265.99 for Schedule Number 12-5611-221-00-005-K1. Comm Brubaker moved to approve these petitions, seconded by Comm Maynes and carried. Petition for abatement of property tax for Vonnie and Dolores Pickering was tabled until they are notified. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

ROAD V.6: Landowner Art Warner appeared to request maintenance for Road V.6. The Sunnyside Estates subdivision road will be checked to see if it comes up to county specs. If anything further needs to be done to bring the road up to county standards, the owner of the subdivision will be notified. Mr. Warner will be kept informed about the status of the road.

SENIOR FOOD DISTRIBUTION: George Houghton appeared to represent several senior citizens who were upset about volunteers locking the facility for food distribution before 1:00 p.m., which was the closing time published in the newspaper.

REAPPORTIONMENT: Wayne Schwindt, representative for Bipartisan Committee To Keep Montezuma County Whole, reported that a Supreme Court hearing is scheduled for March 6, 1992, in Denver, Colorado, on the reapportionment issue.

HEALTH DEPARTMENT Director Betty Sutter presented a Title III Contract for signature. Action was tabled until the insurance requirement is clarified.

ADMINISTRATOR Weaver will notify Road Supervisor Roberts that CR M at CR 16 needs to be checked.

ADJOURNED at 12:00 noon until Tuesday, March 3rd.

MEETING called to order on Tuesday, March 3, 1992, with all members of the Board present.

CLUB 20 representative Bill Bauer reported that the recent Club 20 meeting went very well. The Board appointed Jerry Wiltgen as alternate for Bill Bauer. It was noted that Mike Preston will be asked to make a presentation about public land issues at the next Western District meeting.

EMERGENCY FIRE FUND AGREEMENT voucher in the amount of \$3,700 was approved for payment.

INITIAL ATTACK AIRCRAFT AGREEMENT FOR WILDFIRE SUPPRESSION between the Colorado State Forest Service and Montezuma County was received for signature. Comm Maynes moved to sign the agreement as amended, Comm Brubaker seconded and carried.

OFFICIAL COUNTY ROAD MAP: Engineer Bud Roach met with the Board to explain and clarify roads shown on the present county road map. The statutes regarding the requirements by law for an official county map were read. After discussing these requirements, it was decided that Engineer Roach would prepare an official county map showing primary, secondary and other roads. It was noted that the "primary" and "secondary" classification will indicate roads that the County has responsibility for, which includes maintenance and administration. The classification of "other roads" would indicate, State Highways, roads for general information, etc. A public hearing will be scheduled for comments before the adoption of the new official county map.

ADJOURNED at 12:00 noon.

Deputy Clerk Chairman

SEAL

Minutes 03/09/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 9, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

MAR 16 1992

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 9, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy County Clerk

MINUTES of the previous regular meetings held March 2, 1992 and March 3, 1992, were read, Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. An invitation to attend a State Highway meeting March 25, 1992, in Durango, was noted.

ACCOUNTS PAYABLE: General fund vouchers #15219 thru #15441 in the amount of \$118,810.93 and Road fund vouchers #5702 thru #5771 in the amount of \$53,485.01 were approved for payment.

SHERIFF Wood presented for signature the Joint Operating and Financial Plan between the U.S Forest Service and Montezuma County Sheriff Department. Comm Maynes made a motion to accept this contract, Comm Brubaker seconded and carried. It was noted that the Emergency Fire Fund Advisory Board allocates funds as needed, and then the Colorado Forest Service office administers those funds. A requested copy of the by-laws for the Emergency Fire Fund Advisory Board will be submitted to the Board at a later date. Wood explained that the Initial Attack Aircraft Agreement for Wildfire Suppression contract makes available an additional amount before the Emergency Fire Fund monies are used. The Sheriff will prepare for approval a contract for Dr. Bloink to be appointed as the physician for the inmates at the county jail. The Sheriff stated that the Ute Mountain Ute Indian tribe has expressed a desire to have a cooperative agreement between the Sheriff's Department and the Tribe. He presented a copy of a similar agreement which was proposed and signed in 1929 by all the participants except the Tribe. An agreement will be considered. He also gave an updated report on the gaming legislation.

ABATEMENTS: Assessor Cruzan being present, a petition for abatement of property tax was presented for Triple L. Mining, Inc., 1990, erroneous assessment, \$114.40. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Cortez Associates, 1991, erroneous assessment, \$1,506.29. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Robert A. Fahrion, Jr., 1990, erroneous assessment, \$171.92 and 1991, erroneous assessment, \$190.42. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

FAIRGROUNDS: A meeting will be scheduled with the Rodeo Club to discuss any problems relating to the use of the fairgrounds.

03-09-92

COUNTY REVOLVING LOAN FUND: Comm Brubaker moved to approve a guaranteed \$12,500.00 loan from the Loan Fund for Michael and Beverly McGuire, Comm Maynes seconded and carried.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$189.74 out of the 911 account and pay this amount to Farmers Telephone Company, Inc. at PO Box 369, Pleasant View, Colorado 81331 and to transfer the amount of \$631.97 out of the 911 account and pay this amount to U.S. West Communications, Denver, Colorado and to transfer the amount of \$225.00 out of the 911 account and pay this amount to U.S. West Communications, Dept. 356, Denver, Colorado 80271, Comm Maynes seconded and carried.

PUBLIC HEARING - NORTHWEST COMPRESSOR STATION: It being the time set aside, a Public Hearing was conducted for a proposed Compressor Station for Northwest Pipeline to be located in Section 2, Township 35N., Range 13W. N.M.P.M. These proceedings were tape recorded, the role was called, and the Public Notice was read. Northwest Pipeline representative, Dick Massimo was present. Also in attendance were Mike Mikkelson, Marion Dalene, and Gary Shaw. Mr. Massimo stated that building the compressor station was the alternative to constructing another pipeline. He also noted that the proposed compressor had passed all the EPA noise standards. If approved, they would start construction around the end of March or the first of April. Also, in connection with the compressor station are two communications towers that need approval. Comm Maynes moved to continue the hearing next Monday, March 16, 1992, after notice is published in the newspaper to include the towers, Comm Brubaker seconded and carried.

ROAD EASEMENT: Property owners, Mr. and Mrs. Art Thomas and Chuck and Daisy MaHaffey appeared to discuss a disputed road easement involving a neighbor, Nike Susuras. Public road statutes were read.

GRAVEL PIT: Information will be prepared for a contract to purchase land for a proposed gravel pit from the town of Mancos.

COUNTY TREASURER Bobbie Spore presented the Treasurer's monthly report for the month of February 1992.

ROAD V.6 was accepted and classified as a secondary county maintained road.

MANCOS PROJECT CANAL ROAD: Statutes were read; and it was noted that the County has the authority to maintain the road.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the February 18, 1992 minutes.

PLANNING: Planning resolution P-7-92 was presented whereby Dean and Barbara Nutt would be granted a variance to the subdivision regulations to create a 9.41 acre parcel in Section 12, T.36N., R.15W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried.

LANDOWNER Joe Dean presented a request for a variance to the subdivision regulations. The request was tabled until next Monday.

ROAD DEPARTMENT Supervisor Roberts reported that the test holes for the gravel pit were dug. He noted that Kelly Hill is slipping again and they will be researching the problem. Dolores County has requested more gravel. The underground fuel tank clean-up at the Airport is on hold until approval from the State Health Department. After the approval, the City will help complete the project by supplying some dirt and equipment, CR 37, CR road east of Cortez cemetery, CR P.6 and CR 33 need to be checked. Roberts stated that the problems at the shop have been addressed and there is a need for procedures, duties, etc. to be defined better.

03-09-92

BOARD OF SOCIAL SERVICES was conducted.

COMMUNITY SERVICES: A report was given by Mike Preston.

ADJOURNED at 3:45 p.m.

Deputy County Clerk Chairman

SEAL

Online Copy

Minutes 03/16/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 16, 1992

STATE OF COLORADO)
) ss. MAR 24 1992

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 16, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, March 9, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The County Clerk's report was received for the month of February 1992.

PUBLIC HEARING - NORTHWEST PIPELINE COMPRESSOR STATION AND TWO COMMUNICATION TOWERS: It being the time set aside, a Public Hearing, continued from last week, was conducted for a proposed Compressor Station and two towers. The roll was called and the Public Notice was read. The hearing included the proposed station and one tower to be located in Section 2, Township 35N., Range 13W., N.M.P.M. and a proposed upgrading of a microwave radio relay station located in Section 2, Township 35N., Range 13W., N.M.P.M. A telephone conference call was placed to Northwest Pipeline representative, Dick Massimo. Resource Management Specialist Steve Budd-Jack, representing Mesa Verde National Park, was also present. Both 80-foot towers will have four dishes. The proposed towers have been cleared through the FCC and FAA. Mr. Budd-Jack asked Mr. Massimo two questions. (1) Is there any data on the current emission from the first compressor station and what will be the increment of increase? Mr. Massimo stated that this information is included in their request for an air quality permit from the Colorado Department of Health. Northwest will contact Mr. Budd-Jack when the permit is received. (2) Does the compressor station need electricity to run? Mr. Massimo answered no; it will run off of the pipeline. A requested copy of the minutes will be sent to Mr. Massimo. Comm Brubaker moved to approve the application for the compressor station and the two communication towers, seconded by Comm Maynes and carried. These proceedings were tape recorded.

MONTEZUMA COUNTY ECONOMIC DEVELOPMENT COUNCIL Director Alan Klein presented a request for a letter of support for the M & M Truck Stop to be included in the Cortez Sanitation District. M & M Truck Stop representative, Mark R. Larson and Cortez Sanitation District representatives Chuck Jordan and Stan Pierce were present. Mr. Larson explained that they are presently hauling waste from the facility three to four times a week and sometimes daily to the county land fill. It has become a cost prohibitive problem. Also mentioned was a future expansion of the facility, thus compounding the problem. The Board expressed their full cooperation. Director Klein will draft a letter for the Board's approval to apply for monies from a Federal grant to help with the project. It was noted that the proposed sewer line would also serve any future development in the area.

03-16-92

SHERIFF Tim Wood reported that the changes made by the Board on the Initial Attack Aircraft Agreement for Wildfire Suppression State contract made it null and void, since it had been pre-signed by the State. A new contract will be submitted by the State. The Compact meeting between the Ute Mountain Ute Tribe and the State is being held today without Montezuma County participation. Plans are for the Contiguous County Limited Gaming Impact Fund to have an impact board; however, the law presently does not allow a representative from Montezuma County. The contract with Dr. Bloink to be appointed jail physician was signed.

ABATEMENTS: Assessor Cruzan being present, a petition for abatement of property tax was presented for Vonnie Lee and Dolores Margaret Pickering, 1991, erroneous assessment, \$18.81. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Edward E. and Barbara C. Cowan, 1991, erroneous assessment, \$80.86. Mr. Cowan was present. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Mary L. Hardenbrook, 1991, erroneous assessment, \$52.23. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

ASSESSOR Cruzan reported that inquiries have been sent to seven companies asking for an explanation about differences in prices reported for advalorem taxes to the County, and prices and volumes reported to the State Oil and Gas Commission. All but two have replied; Notices of Evaluation will be prepared and sent to those two. The companies that did reply have requested an extension of time to prepare and collect the information requested. This has been granted.

COUNTY ROAD N resident Gerry Wolf appeared to discuss the condition of CR N. The road traffic has increased greatly over the last few years and as a consequence there is a dust problem. Mr. Wolf stated he would be willing to pay for dust retardant again. The Board will make a physical inspection of the road with Road Supervisor Roberts today at 1:45 p.m.

GENTRY TRACKS: Prospective land owner Linda Baker met to ask if a variance had been approved for property she was interested in purchasing in the Gentry tracks on Summit Ridge. It was stated that no variances will be approved until the subdivision road has been brought up to county specifications. It was noted that the County will still furnish the gravel when the road meets county specs.

PLANNING: Planning resolution P-5-92 was presented whereby Fred Wilkins, owner of 10.05 acres and William Dean, owner of 29.80 acres, located in Section 22, T.37N., R.14W., would be granted a variance to the subdivision regulations. Mr. Wilkins and Mr. Dean wish to redivide this property and create an 18.74 acre tract and an 21.11 acre tract. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations, after the fact, was tentatively approved (with the restriction of a closed sewer system) for Southwest Bean Producers to sell two one-acre acreages with a quanset building on each acre. A verbal request for a variance to subdivision regulations was tentatively approved for Lloyd Wallace to purchase 70 acres.

JAIL INSPECTION was conducted at 11:30 a.m.

BOARD OF SOCIAL SERVICES was conducted.

COUNTY ROAD 43: A request by Don Yeomans for the county to furnish gravel for CR 43 was approved. Mr. Yeomans will take care of hauling the gravel.

03-16-92

ADMINISTRATOR Weaver presented a report on cost and income for the Fairgrounds.

FOOD DISTRIBUTION: For now, the food distribution time will continue to be set by the Director of the program.

ADJOURNED at 1:45 p.m. to meet with Road Supervisor Roberts to inspect CR N.

Deputy County Clerk Chairman

SEAL

Online Copy

Minutes 03/23/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 23, 1992

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 23, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, March 16, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

COUNTY ROAD 40.2 RESIDENTS: Carl L. and Claudine Wilhite, Halvor and JoAnne Hill, and Frank and Ann Boskovich, all property owners on CR 40.2, appeared to ask for help on maintaining the road. The road is also called FS #693 and goes around Joe Moore Lake to the beginning of the private property. Engineer Bud Roach reported that there is an agreement pending between the Forest Service and Montezuma County for the county to blade .8 of a mile of the road, which would include the area referred to by the residents. The landowners were encouraged to also meet with the Forest Service about the condition of the road. Also noted, by Mr. Wilhite was a problem with the addresses in the area being changed to conform to the grid system now being used in the Assessor's office. Assessor Cruzan stated that the new system is being implemented for use by emergency services, utility companies and the post office. Mr. Wilhite also had a question in regard to his property taxes. He will file an abatement.

3M DUPLI-CARD MACHINE: County Clerk Jean DeGraff and Deputy Clerk Kelly Murphy requested approval to purchase a used 3M Dupli-Card machine to replace the Minolta now being used in the County Clerk's office. The 1990 3M model is not under a service contract. The purchase was approved. The old Minolta will be sold or traded to the La Plata County Clerk's office. A fee increase for doing dupli-cards for other entities will help pay for the cost of the new equipment.

ABATEMENTS: Assessor Cruzan being present, a petition for abatement of property tax was presented for Janice Martinez, 1991, erroneous assessment, \$74.16. Ms. Janice Martinez was present. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Maximo and Bernice Martinez, 1991, erroneous assessment, \$553.30. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Jo Ann Riffel, 1990, erroneous assessment, \$421.31 and 1991, erroneous assessment, \$495.61. Comm Brubaker moved to approve this petition, seconded by Comm Brubaker and carried.

SHERIFF Wood reported he will testify in Denver this week on the Freedom of Worship - Senate Bill 92-197.

COMMUNITY SERVICES representative Mike Preston gave an updated report on the Federal Lands Issue.

FOUR CORNERS HERITAGE COUNCIL meeting being held this week was noted.

03-23-92

PROSPECTIVE PURCHASER of 110 acres on CR 27, Buck Ward met with the board to discuss subdivision regulations. A copy of the county subdivision regulations was given to him.

ADMINISTRATOR Weaver reported that \$2,000 was received from the Montezuma Hospital District for transportation.

ROAD DEPARTMENT Supervisor Roberts reported CR W has been checked and further checking on what to do about water on the road will be done.

Problems on CR 22 and CR X have been looked at. About one-third of the county road department personnel have received First Aid and CPR training; others will be scheduled in the near future. Concrete barriers have been borrowed from the State Highway Department for Kelly Hill. Roberts noted that Northwest Pipeline will allow the county to dig a cut-off trench to their pipe to help determine the cause of the road deterioration problem on Kelly Hill. Clean up on the West Fork road is done. More gravel is still needed on CR P and CR 20. It was noted that a seismograph company is operating in the county without a permit. This will be checked further, since there is a resolution requiring a permit for this type of activity. As soon as it dries up, they are ready to install the water line at the fairground. Roberts stated the shop problems are being worked out. Comm Brubaker made a request for this year's road plan.

LANDOWNERS Mr. and Mrs. Ronald Gripper met to ask for a variance to the subdivision regulations to split approximately 16 acres into two sections on County Road 26. The request will be considered.

BOARD OF SOCIAL SERVICES was conducted.

RESOLUTION 2-92: Comm Maynes moved to adopt Resolution 2-92 whereas they resolve that Montezuma County and Dolores County join together, declaring their district boundaries and forming one Single Entry Point Agency for Department of Social I Services, Long Term Care, effective March 31, 1992, Comm Brubaker seconded and carried.

CONTINGENCYFUND ORDER: Motion was made by Comm Brubaker that the Clerk be directed to issue an order to the Treasurer to transfer \$9,200.00 from the Contingency Fund the General Fund, seconded by Comm Maynes and carried.

WEED PROGRAM Director Ron Lanier presented prices and information for the purchase of used or new truck and weed spraying equipment. The availability of a new truck will be checked on. It was noted that Don Morris will attend a seminar on weed control in Idaho.

PLANNING: Planning resolution P-8-92 was presented whereby Wes Wilson, dba Southwest Bean Producers, owner of 4.52 acres in Section 26, T.38N., R.17 W., would be granted a variance to the subdivision regulations to sell a one acre tract, with the site limited to a closed sewer system. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried.

A verbal request. for a variance to the subdivision regulations was tentatively approved for Mike Brunk to split 10 acres. A verbal request for a variance to the! Subdivision regulations was tentatively approved for Herbert Sperle to split off three acres. A verbal request for a variance to the subdivision regulations for Cocono Corporation to split property on CR G was denied because of restrictions.

TRACTOR PURCHASE was discussed. Hansen Equipment sent photos of a tractor that is available. A decision will be made in the future regarding purchasing a tractor for mowing weeds.

ADJOURNED at 4:00 p.m.

Deputy Clerk

SEAL

Chairman

Minutes 04/06/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 6, 1992

STATE OF COLORADO)
) ss. APR 14 1992
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 6, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

Students and their instructors were present from the Southwest Open High School and the Dolores High School. Attached is a complete list of the attendees.

MINUTES of the previous regular meeting held Monday March, 23, 1992 were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: General fund vouchers #7167 through #7268 in the amount of \$113,931.41, #15447 in the amount of \$69,697.61, #15446 in the amount of \$12,278.43 and Road fund vouchers #7269 through #7309 in the amount of \$56,535.18 and #5773 in the amount of \$37,784.92 were approved for payment.

PROPERTY OWNER Geraldine Brunk requested a variance to split 30 acres into two parcels. The variance was tentatively approved with the stipulation that the 60' road easement be a permanent access to all the properties.

PRAIRIE DOG CONTROL: Doug Dean, Manager for Basin Coop, Arriola, CO., presented a report on new EPA regulations and restrictions for use of chemicals to control prairie dogs. Mike Preston, Community Connections, Walter West and Dick Stacey were also present. Restrictions for use are being imposed because of the blackfooted ferret, which is on the endangered species list. It was noted that the uncontrolled prairie dog problem does affect farmers and the county's agricultural economy. More information will be compiled and included in the County Economic Plan. Also discussed was the cost and time spent by the landowner in complying with the required EPA survey to establish the possible existence of ferrets on their land. Immediate solutions include (1) contacting Logan County, where a county-wide survey was done last year, and (2) the attendance of local persons to a training in Wyoming that would certify them to do the surveys. A meeting being held at the Red Lion Inn in Durango, Monday evening with the new Commissioner of Agriculture was noted and will be attended by some.

An explanation of dealing with Federal, and State rules and regulations was given to the students.

HEALTH DEPARTMENT DIRECTOR Bette Sutter presented a contract for Aids Counseling and Testing. Comm Maynes made a motion to accept the contract, Comm Brubaker seconded and carried.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a 3.2 liquor license for the Maverick County Store. The Sheriff's Office reported no problems with this outlet. Comm Brubaker moved to accept the application, seconded by Comm Maynes and carried.

04-06-92

SKYLINE STORE owner Dick Swanner appeared to ask if the Commissioners could meet April 9th at his business to discuss the access problem. He noted that the State Highway Department Director, Phil Demettris is scheduled to be there. Administrator Weaver will contact the Transportation Commissioner to ask him to attend also. The commissioners affirmed they would go.

LIGHTS: Dolores High School Teacher Joe Melendez asked if there were any funds available for help to install lights at basketball and tennis courts in Dolores. The request will be considered, if enough funds are not available from the town of Dolores and the athletic program.

STUDENT remark about the need to have more recreational facilities in Cortez was addressed. It was noted that any suggestions or proposals from the students would be welcome and would be looked at and considered.

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for Keith Tucker to create two parcels. A verbal request for a variance to the subdivision regulations was tentatively approved for Cocono Corporation to create two parcels. A verbal request for a variance to the subdivision regulations was tentatively approved for Robert and Ruth Roessel to split off 16 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Jimmy Porter to create three tracts. A verbal request for a variance to the subdivision regulations was tentatively approved for George and Judy Johnson to split property into two parcels. An application for site approval for domestic wastewater treatment for Lee's Mobile Home Park was signed.

SMM QUARTERLY REPORT was received from County Clerk Jean DeGraff.

REGION 9 representative Ed Morlan gave an updated report on Region 9. Also presented was a request for County back-up in the amount of \$34,000.00 for the P&D Grocery loan request, since the State office has not formally approved the loan. He stated that the need for this action was so he could submit a commitment letter to the Small Business Association, and the process would not be held up any longer. Concerns were expressed and discussed about the long length of time involved in waiting for loan approvals from the Region 9 revolving loan fund. The request will be considered after the State Region 9 Director has been contacted.

ADJOURNED FOR LUNCH with the City of Cortez and the students. All were treated to pizza and pop.

COMMUNITY SERVICES: A report was given by Mike Preston on (1) the Four Corners Heritage Council meeting, (2) future BLM Plans for a Critical Environmental Concern's plan and the possibility of a Cooperative Agreement between BLM and Montezuma County concerning land uses, and (3) the Forest Service timber cutting program.

FAIRGROUNDS Supervisor Dante Sena reported that the proposed fairground arena and the Muleskinner arena at Mancos could both be installed for approximately \$6,000, if permanent pipe was used instead of panels. Pipe will be located to bid on.

REALTOR Betty Williams, representing the Peterson Family Trust, asked if there would be any problem with splitting a 30-acre parcel into two parcels. This was tentatively approved after the required 60' road easement was discussed. Also mentioned was the possible purchasing and subdividing of a 45 acre parcel. A copy of the county subdivision regulations was given to her.

SHERIFF Tim Wood appeared to invite the Board to a meeting about gaming to be held at the Holiday Inn Express in Cortez at 10:30 a.m., Friday, April 10th. Several dignitaries from Denver will attend.

BOARD OF SOCIAL SERVICES was conducted.

04-06-92

SENIOR NUTRITION Director Sue Fletcher presented bids for a proposed kitchen to be installed in the County Annex facility. She will check on used items at the Army Surplus Store in Denver.

ROAD DEPARTMENT Supervisor Roberts reported they have approval from the State Health Department to remove the underground tanks at the airport. He reported that several items were sold and bought at the auction held over the week-end and a complete report will be submitted later. Problems reported on CR S and CR 28 will be checked. Supervisor Roberts and Engineer Roach have met with the first contractors and U.S. West, and will meet with the second contractors in the near future for the Dolores exchange work. The pipe is across McElmo Creek and the fairgrounds will possibly have water in a week. They will be clearing the brush at the fairgrounds where the new rest rooms will be constructed. The 1992 ROAD PLAN was received.

CR CC (MARGE GAI ROAD): Engineer Roach reported that he will contact residents involved with the decision to either abandon or preserve CR CC off the West Fork road by Stoner Lodge.

LANDFILL ORDER: Comm Brubaker made a motion to direct the Clerk to issue an order to the Treasurer to draw a warrant on the Landfill fund in the amount of \$3,661.32 payable to the Colorado Department of Health, HSRF Accounting Department, Room 400, 4210 East 11th Avenue, Denver, Colorado 80110, as the first quarter payment. Motion seconded by Comm Maynes and carried.

ADJOURNED at 3:40 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

04-13-92

property tax was presented for Werner Helms, 1991, erroneous assessment, \$173.66. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Records for the recently filed Tolar case will be sent to the Board of Appeals in Denver.

FEDERAL AND STATE STATUTES were read on Gaming and on new laws pertaining to economic development in connection with Federal Lands programs with the Department of Interior (BLM) and Department of Agriculture (FS).

LANDOWNER Sue Broderick and daughter, Neita Muniz reported a problem with dividing property because of roads platted on the old proposed townsite of Lebanon. Statutes for vacating an old townsite that never existed will be researched, and Mrs. Broderick will be notified of the results.

NATIONAL GAMING COMMISSION: A letter will be written to the National Gaming Commission requesting they not approve any ordinance from the Ute Mountain Ute Tribe, until funds are allocated to help fund operations of local governmental agencies in connection with the impact of gaming on the county. Copies of the letter will be sent to the Ute Mountain Ute Tribe, the State, and Governor Romer.

WEED TRUCK: The purchase of a new truck and the purchase and installation of equipment on the truck to spray for weeds was approved. The time frame for purchasing the truck and the installation of the equipment will be approximately one and one-half months.

PRAIRIE DOG CONTROL: Mike Preston presented a draft proposal to address prairie dog control and submitted a report on the county-wide survey done in Logan County last year.

EXTENSION OFFICE Supervisor Bob Seaton and Jan Brandt reported on the Extension office activities. Activities coming up are (1) CSU Horse Clinic, (2) 4-Corners All Breed Bull Sale, (3) Composite Cattle Breeders Conference, (4) Conservation Tillage and Irrigation workshop, (5) 4-Corners Home and Garden workshop, (6) a Sports-Athletic workshop (CSU), and (7) seven scheduled horse shows. They are also working on a fruit tree program which includes studying different methods of preventing frost damage. It was noted that 4-H enrollment is increasing and the newsletter for new parents has been well received. A list of current Endangered Species was presented.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the April 6, 1992 minutes.

AIRPORT RENTAL AGREEMENT was signed.

ROAD DEPARTMENT Supervisor Roberts reported that work is about done on removing the contaminated dirt which was around the underground tanks at the airport. CR CC at road 12 will be checked. Cost for work planned on the CR at the end of Empire will be split between the city, county, and state. Work is being done at the Annex as needed. The pipeline at the fairgrounds is half done. It was noted that the Hanson Equipment tractor was the only tractor looked at. Also noted was communication received from an attorney in regard to the relocation of CR A. A resolution has been adopted by the City of Mancos in connection with the purchase of the Mancos gravel pit by the county. The preliminary design for the outside arena at the fairgrounds is done. The Road Department may need to hire two seasonal employees. A new product for dust abatement will be tried out on a test area. A dust abatement advertisement will be done. Residents wanting dust abatement should contact the Road Department. There was some discussion about using local names and designated county numbers on county roads.

PLANNING: Planning resolution P-9-92 was presented whereby James Porter, owner of 114 acres, located in Section 29, T.35N., R.16W., would be granted a variance to the subdivision regulations to create a three acre tract. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and

04-13-92

carried. A verbal request for a variance to the subdivision regulations tentatively approved for Ella Bland to create two parcels. A verbal request for a variance variance to the subdivision regulations was tentatively approved for Jo Wofford to sell five acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Bill Johnson to create two parcels.

BOARD OF SOCIAL SERVICES was conducted.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$189.74 from the 911 to Farmer Telephone Company, Inc. at P. O. Box 369, Pleasant view, Colorado 81331, and to transfer the amount Of \$631.97 out of the 911 account and pay this amount to U.S. West Communications, Denver, Colorado 80271. Motion seconded by Comm Maynes and carried.

SHERIFF Tim Wood gave an updated report on meetings in connection with gaming. A Cooperative Enforcement Agreement was mentioned and will be considered. The Sheriff's Department is doing a law enforcement impact study working with statistics from other areas. The need to set up an impact team to address all the areas of impact was discussed.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

04-20-92

Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Dortha N. Hover, 1991, erroneous assessment, \$44.61. Comm Maynes moved to approve this petition with the notation that since Ms. Hover inadvertently was not notified of the hearing it can be re-opened if there is any problem, Comm Brubaker seconded and carried.

LEBANON LANDOWNERS Sue Broderick and daughter, Neita Munizi appeared to hear statutes pertaining to vacating an old townsite. After discussing the statutes, it was recommended that they talk with the Title Company again. It was mentioned that there would be no problem with the variance process for the property, which will need to be done through the county.

RECLAMATION PERMIT: Operator Westley Potts presented a "Notice of Filing Application" for his Colorado Mined Land Reclamation Permit which was noted as received by Chairman Colbert.

ADJOURNED FOR LUNCH with the Town of Mancos.

ROAD DEPARTMENT Supervisor Roberts reported the work is done at the airport. The department has done some leveling at the fairgrounds and the water line is done. The widening job by Jimmy Porters is done except for the guard rail; the road is now 30' wide instead of 18'. The crusher has been moved to the Mancos pit; the Ormiston pit has a good supply of gravel. Contact was made with persons involved in CR X upgrading, and it will be worked over to be an all weather road. Property need, leveling around the quanset buildings in Pleasant View so the area can be mowed; this will be checked on. CR CC was checked last week; needs graveling. The Mancos Nursing Home access and need for communication with the contractor on the project was mentioned. Supervisor Roberts and Engineer Roach will check on CR U. No sub-contracting of the Ormiston pit will be allowed.

SAN JUAN FORUM: Chairman Colbert was appointed as the Board's representative for the San Juan Forum.

COLORADO DEPARTMENT OF HEALTH Contract FAA CPD920200 for increase of funding to provide for additional services for 1991-1992 effective April 30 was presented. Comm Maynes moved to accept the contract, Comm Brubaker seconded and carried.

MANCOS NURSING HOME representative Dick Loucks gave an updated report on the construction of the new facility. He expressed appreciation for all the support received from the Commissioners.

PLANNING: Planning resolution P-10-92 was presented whereby Robert and Ruth Roessel, owners of 67 acres, located in Section 7, T.36N., R.14W., would be granted a variance to the subdivision regulations to create a 16 acre tract to sell. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried. Planning resolution P-11-92 was presented whereby Geraldine Brunk, owner of 41 acres, located in Section 31, T.36N., R.16W., would be granted a variance to the subdivision regulations to create a 4.25 acre tract. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Herbert Sperle to create a 3 acre tract for his children with the stipulation that the property can not be further divided unless a 60' road easement is done. A verbal request for a variance to the subdivision regulations for Sarah Bradford to split property three ways was tabled until it can be determined if area is in a subdivision.

TRACTOR PURCHASE: Comm Brubaker made a motion to purchase a weed mowing tractor from Hanson Equipment, Comm Maynes seconded and carried.

REGION 9 REVOLVING LOAN FUND GUIDELINES were read and it was noted that loans turned down or reduced can be appealed to the Region 9 Board.

04-20-92

BOARD OF SOCIAL SERVICES was conducted.

MANCOS GRAVEL PIT: The Marcos Gravel Pit was purchased from the Town of Mancos for \$50,000. It was noted that an Exhibit B was added to the deed by the Town of Mancos.

ADJOURNED AT 2:30 P.M. for Region 9 Revolving Loan Fund meeting at. Durango.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 04/27/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 27, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 27, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MAY 05 1992

MINUTES of the previous regular meeting held Monday, April 20, 1992, were read. Comm Maynes moved to approve these minutes, as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

WEST FORK ART AND FRAMES owner Harry Freeman presented the company's Business Plan for 1992 and requested a short term loan. The request will be considered after the bank is contacted.

GAMING: Several Montezuma County business representatives (see attached list) appeared to express their concerns for the economy of the county. Spokesperson Cal Rickle stated that the business community does support the proposed gaming and encouraged the Board to sign any document that the tribe needs. Sheriff Wood was also present. Mr. Levi Garrett asked that the Board be in a good position with the Tribe "prior to the fact" instead of "after the fact". It was noted that the Board was invited only two weeks ago to have any input in the process and does agree that any agreement should be done right. An amendment to the proposed agreement will be submitted which covers some of the impact concerns. A letter from Tribal Chairman Judy Knight-Frank requesting regular meetings with the Board in the future was noted. It was mentioned that long-standing jurisdiction problems perhaps can now be addressed and resolved.

CEMETERY SPECIAL DISTRICT representative George Wickstrom reported that the construction at the cemetery is finished. He asked for an advancement for funds to pay the contractor. He was advised to check with the Treasurer for a Registered Warrant since the district is backed by taxes.

PROPERTY OWNER Galen Larson expressed a concern about the effect of gaming on property taxes for retirees on fixed incomes. He noted that California has a law that states the property tax stays the same until the property is sold.

HEALTH DEPARTMENT Nurse Betty Sutter presented a contract for Women's Health, Child Health and Services to Children With Special Health Care Need. The contract will be reviewed. After some discussion, it was decided to discontinue the EPS-DT program, which involves a case manager for medicaid children and pregnant women.

RE-DISTRICTING OF JUDICIAL DISTRICTS: Judge Merlo, Attorney Guy Dyer, and District Attorney George Buck reported that a State proposal has been made to combine Judicial Districts 6 and 22. The new five-county judicial. district would include Dolores, San Miguel, Montezuma, La Plata and Archuleta counties. The problems involved with this were explained and discussed. A letter will be written to the Committee on Administrative Structure to express non-support of such action. A resolution protesting the re-districting will also be submitted at the next CCI meeting.

04-27-92

ROAD DEPARTMENT Supervisor Kyle Roberts reported that the work on CR J and CR H to built shoulders and clean ditches has been done incorrectly by the Mancos crew. The work will be redone to correct the problem. Work is being done on the access at the Mancos Nursing Home. Some equipment is being moved to CR X, and work will be done on that road with cooperation from the Water Conservancy District. Two contractors are working on the Dolores Exchange. There is some patching being done, mag chloride will be put down at the fairgrounds, work is still being done on CR N and mag chloride will be put on that road. The airport project is completed.

AGREEMENT BETWEEN THE MONTEZUMA COUNTY SHERIFF'S OFFICE, STATE OF COLORADO AND THE UTE MOUNTAIN UTE TRIBE was presented by Executive Director Wilfred Madrid. Exhibit A: Funding of increased Costs in Operation to Local Government Agencies Related to Ute Mountain Ute Tribal Gaming was attached as an amendment to the agreement. Sheriff Wood was present and signed the agreement. Comm Maynes made a motion to enter into the agreement, Comm Brubaker seconded and carried. Director Madrid stated he would send a copy of the proposed resolution and a final signed copy of the Agreement to the Board. BOARD OF SOCIAL SERVICES was conducted.

A PUBLIC HEARING will be scheduled for Monday, June 1, 1992, to address the concerns about the dump.

ADMINISTRATOR Weaver presented photos of a tractor for sale by Southwest. Agriculture. Purchase of the tractor for the fairgrounds will be considered.

MANCOS VALLEY ASSOCIATION'S request for funds was considered and a check for \$500 will be issued.

ADJOURNED at 2:30 p.m.

Deputy Clerk Chairman

SEAL

05-04-92

COMMUNITY SERVICES: A report was given by Mike Preston. It was noted that the public's lack of information about the multiple-use policy for federal lands is one area that needs to be addressed.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for change from consumption off premises to consumption on and off premises for the 3.2% beer license for the Mesa Oasis Campground. Owner Leonard E. Blanton was present. Comm Brubaker moved to accept the application, seconded by Comm Maynes and carried. Later, Deputy Davis stated she had contacted Matt Cook, Investigator for the Liquor Enforcement Division in Denver about the Mesa Oasis Campground's license change request. He stated that the decision was a local authority decision. It was recommended that the premises be posted, a public notice be published in the local newspaper, and a public hearing be held. Comm Maynes made a motion to revoke the earlier motion and table the application at this time, seconded by Comm Brubaker and carried. Comm Maynes made a motion to post the premises, publish a public notice in the newspaper, and schedule a public hearing on June 8, 1992 at 9:00 a.m. for the proposed Mesa Oasis Campground 3.2% beer license premise change, seconded by Comm Brubaker and carried.

PLANNING: Planning resolution P-12-92 was presented whereby Joe Wofford would be granted a variance to the subdivision regulations to create a 8.41 acre parcel in Section 20, T.37N., R. 16W. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-13-92 was presented whereby Ellie Ward would be granted a variance to the subdivision regulations to create a 15/65 acre tract and a 4.98 acre tract in Section 20, T.36N., R.16W. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Bill Johnson. A verbal request for a variance to the subdivision regulations was denied for Leon Sheperd representing Merle and Marcia Runck to split lots within the Orchard Acres subdivision. It was noted that before any consideration can be made concerning the changes, approval from all the owners within the subdivision is needed.

PUBLIC HEALTH DEPARTMENT Nurse Betty Sutter introduced new Health Department employee, Nurse Denise Bartley. Contract FAA PPG 920950 for Community Teen Pregnancy Prevention guidelines was signed.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the April 13, 1992 minutes.

JUNK AND TRASH ORDINANCE: It was noted that the county can pass a junk and trash ordinance.

ROAD DEPARTMENT Supervisor Roberts reported that the crusher is fixed and they will start crushing rock soon. The responsibilities of the District Foremen and the efficient use of crews was discussed. Two positions need to be filled. Supervisor Roberts will prepare job descriptions for the positions. It was noted that employees should be encouraged to show initiative in applying for new positions within the department and perhaps some cross training would help achieve that. Supervisor Roberts will meet with the Summit Ridge Water District to determine if all conditions for the release have been met. CR R will be checked. The upcoming meeting with the utility companies about use of the county rights-of-way was mentioned.

BOARD OF SOCIAL SERVICES was conducted.

INITIAL ATTACK AIRCRAFT AGREEMENT FOR WILDFIRE SUPPRESSION: Comm Maynes made a motion not to sign this agreement between the Colorado State Forest Service and Montezuma County, seconded by Comm Brubaker and carried.

ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Minutes 05/11/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 11, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 11, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MAY 18 1992

MINUTES of the previous regular meeting held Monday, May 4, 1992, were read. Comm Brubaker moved to approve these minutes, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

ACCOUNTS PAYABLE: General fund vouchers #15643 thru #15814 in the amount of \$113,271.82 and Road fund vouchers #5853 thru #5923 in the amount of \$58,059.14 were approved.

MANCOS VALLEY MULESKINNERS representative Horace Greer requested more help with the area being prepared for the muleskinners rendezvous. Mr. Greer expressed his appreciation for all the help that has been received so far. After checking the area, Engineer Roach reported that the fill needed was such a large amount that the request was not feasible. It was noted that maybe another area should be found for future events.

SHERIFF Wood submitted the Sheriff's Report for the month of April 1992, and a projected budget for gaming. Also presented was a modified law enforcement contract between the Sheriff's Department and BLM. Comm Brubaker moved to adopt the contract, seconded by Comm Maynes and seconded.

PUBLIC HEARING - BURCH'S TRADING COMPANY: It being the time set aside, a Public Hearing was conducted for Burch's Trading Company for an application for a 3.2% Beer License for consumption off premises, The roll was called and the Public Notice was read. Present were owners Danny and Cheryl Rudder, former owner Byron Pyle, Sheriff Department Investigator Steve Penhall, County Clerk Jean DeGraff and Deputy Clerk Betty Davis. Deputy Davis reported that the action had been approved by the State Health Department. Investigator Penhall submitted a polling report that showed the following: (1) The four residents which live within the 1/2 mile radius of the establishment all expressed opposition to the proposal. (2) Judy Frank-Knight was contacted and also expressed opposition. (3) The Ute Mountain Ute Tribal Council could not be reached and no others were polled who lived on the reservation. (4) The Valley National Bank was contacted and they stated that the Rudder's were in good financial standing with the bank. (5) All character references checked on were favorable for the Rudders. (6) Distances from churches and schools were approved. (7) The floor plan submitted was approved. Former owner Byron Pyle commented that another establishment approximately five miles up the road had been approved for a 3.2% beer license and he felt there should not be any problems with the proposed license. Investigator Penhall stated that polling is a state law, not a county law and the items that have to be considered are the needs and desires of the neighbors, the proximity of churches and schools and the character of the applicant. A decision was made to increase the polling area to two miles and continue the hearing next Monday, May 18, 1992, at 9:00 A.M. These proceedings were tape recorded. Later, a fax was received from the Ute Mountain Ute Tribal Council stating they were opposed to the proposed license.

COUNTY CLERK DeGraff asked for clarification on how expenses for the investigative process should be handled on liquor license investigations. The Board concurred that the County Clerk's office is not responsible for hourly salary or mileage if the Sheriff department is doing the investigation. It was noted that it is the responsibility of the Sheriff's department to keep track of the time and mileage.

UP WITH PEOPLE representatives Brian McCartley and Terese Cagianello met to request use of the fairgrounds for an evening program on May 20th. In keeping with the policy established for use of the fairgrounds by nonprofit organizations, the charge of \$350 will be donated back to the organization. A clean up and damage deposit will not be required since the organization stated that there will be no food or drinks served and it is their policy to always clean up after an event.

ARCHEOLOGIST Patricia Flint presented a prepared statement about the recently passed "Bone Bill" and the draft proposed regulations to implement the bill which is now law. She stated that the records do not show that any archeology surveys have ever been done on the State leased property where the fairgrounds is now located, on the State leased land behind the fairgrounds, or on the area that is now the county dump. It was suggested that the State Archeologist or her assistant be contacted for advice and help on correcting this oversight. There was some discussion about who should be responsible for doing the surveys and who would pay for such. Archeologist Flint stated that the Gaming Commission was formed primarily to set aside money to be used for historical preservation projects. Names of several surveying companies were mentioned. The State Archeologist will be contacted.

ABATEMENTS: Assessor Cruzan and Deputy Snow being present, a petition for abatement of Property tax was presented for Foyle K. and Julia Howerton, 1990, erroneous assessment, \$22.65, and 1991, erroneous assessment, \$16.38. Mr. Howerton was present. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for William E. Branch, Jr. 1991, erroneous assessment, \$491.56. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Fred C. and Doris Kempf, 1990, erroneous assessment, \$193.46, and 1991, erroneous assessment, \$240.83. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Russell D. and Patsy R. Brown, 1990, erroneous assessment, \$110.64, and 1991, erroneous assessment, \$115.61. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for George E. Jr., James R. and Thyra Hershberger, 1991, erroneous assessment, \$501.20. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Edward E. and Barbara C. Cowan, 1990, erroneous assessment, \$42.95. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Robert H. Eiman, 1990, erroneous assessment, \$243.47 and 1991, erroneous assessment, \$272.95. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Ray M. and Guyrene Ward and Leslie Sesler, 1991, erroneous assessment, \$195.25. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Robert L. and Debra S. Kennedy, 1990, erroneous assessment, \$105.38. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

ASSESSOR Cruzan presented a copy of the report sent to the Board of Assessment of Appeals in Denver for the Tolar case. A letter signed by the Board concurring with the report filed by the Assessor will be sent to the Board of Appeals.

CORTEZ ADDICTION RECOVERY SERVICE representative Dan Sturtz met to ask for help in keeping the present service active. Sources for possible funds include: a State grant, client pay, the Montezuma Hospital District, Montezuma County, Dolores County, the City, and the Ute Mountain Ute Tribe. A brochure and several letters of application were presented. Funding in the past was received from the State and administered by the Durango Community Hospital, but now will be administered by the Mercy Hospital in Durango. Mr. Sturtz is asking for support to continue this service as a locally-funded program, instead of relying on funds administered by Mercy Hospital. He will present an updated report to the Board next month.

PLANNING: Planning resolution P-12-92-Amended was presented whereby Joe Wofford, owner of 200 acres, located in Section 20, T.37N., R.16W., be granted a variance to the subdivision regulations to create a 8.41 acre parcel. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Planning resolution P-15-92 was presented whereby Herbert Sperle, owner of 61 acres, located in Section 17, T.37N., R.15W., be granted a variance to the subdivision regulations to sell a 57.67 acre parcel and keep a 3.3 acre parcel. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried. A verbal request for a variance to the subdivision regulations for Milton and Erma Morrill to split off two 3-acre tracts from 34 acres was tentatively approved.

COMMUNITY SERVICES representative Mike Preston stated he will attend the Region 9 meeting in Durango May 18th. He reported that a Colorado Gaming and Community Development work shop will be held May 29th in Denver. He asked if the Board wanted him to attend, since it will cover how the economic development and social impacts will affect the communities involved with gaming. This was affirmed.

PRAIRIE DOG SURVEY TRAINING held in Wyoming in connection with the black-footed ferret was attended by Ron Lanier. He is now certified to do prairie dog surveying in the county. It was noted that there is a need for a meeting with all the agencies involved in the ferret clearance process to prepare a Memorandum of Understanding for the Division of Fish and Wildlife's signature stating what has to be done and what needs to be done. A letter will be written to the State Department of Agriculture with a copy to the Division of Fish and Wildlife requesting the meeting.

MEETING ON THE SHERIFF'S BUDGET FOR GAMING was held at the Sheriff's Office.

PROSPECTIVE LAND OWNER Max Jarrett appeared for a variance to the subdivision regulations to split 35.87 acres into three parcels. He was referred to the Planning Commission.

GRAVEL: A request for gravel and a request to then add this section of road to the county road system for maintenance was received from Buddy Rogers for a road off West Fork. Engineer Roach will check to see how much gravel is needed and then make a recommendation to the Board.

ROAD SUPERVISOR Kyle Roberts reported that the two positions have been posted. Summit Ridge Water District representative Mr. Kay Anderson contacted the department asking for the release to be signed. Two foremen reported that they felt that all the problems have been taken care of. The Board will contact and meet with Summit Ridge about the release. It was noted that perhaps the bond with the contractor Triple L is what needs to be released. One tank of mag chloride has been put on CR N and another will be put on today to finish up. CR 38 needs to be checked. They have completed the dirt work on the Great Cut Dike road. They are hauling materials to chip and seal CR S and CR W and north to CR 21. It was noted that Supervisor Roberts talked with W. T. Butler concerning CR R; the road has been regravelled and seems to be good. CR U will be checked.

O5-11-92

4

MANCOS RESTAURANT OWNER Candace Jarbow requested help in the form of a \$15,000 CD guaranteed by the Board to buy new equipment and update old equipment. The request will be considered after the bank is contacted.

ACCOUNTANT Mary Ann Sanders reported there is a problem with receiving bills for payment from the County Road Department in a timely manner. The problem will be addressed.

BOARD OF SOCIAL SERVICES was conducted.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$189.74 out of the 911 account and pay this amount to Farmers Telephone Company, Inc. at P. O. Box 369, Pleasant View, Colorado 81331, and to transfer the amount of \$606.65 out of the 911 account and pay this amount to U.S. West Communications, Denver, Colorado 80271. Motion seconded by Comm Maynes and carried unanimously.

COUNTY TREASURER Bobbie Spore presented the Treasurer's Monthly Report for April and the Land Fill Report.

FOREST ROAD AGREEMENT between the U.S Department of Agriculture and Montezuma County was signed.

ADJOURNED at 4:30 p.m. until 8:30 a.m., Tuesday, May 12th.

MEETING continued from 4:30 P.M. and called to order at 8:30 a.m., Tuesday, May 12, 1992, with all members of the Board present.

NATIONAL GAMING COMMISSION: It was noted that the Board has decided not to write a letter to the Federal Gaming Commission due to a change of circumstances with the Ute Mountain Ute tribal council in Towaoc.

ROAD SUPERVISOR Kyle Roberts met with the Board of Commissioners with Tom Weaver, Administrator present. The Board discussed the possibility of Mr. Roberts accepting an alternate position with the road department other than supervisor. Mr. Roberts indicated that due to his health problems, that he felt were primarily related to stress, he would like to explore the possibility of working in the Roundup District. The Board offered to leave Mr. Roberts present salary in place through the remainder of the 1992 calendar year but Mr. Roberts said he did not feel that it was fair to others in the department and it should be set at what others make. The Board will confer with Foreman Jim Beecher about the possibility of moving Mr. Roberts to the Roundup District.

ADJOURNED at 9:30 a.m.

Deputy Clerk Chairman

SEAL

Minutes 05/18/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 18, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 18, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MAY 26 1992

MINUTES of the previous regular meeting held Monday, May 11, 1992, were read. Comm Maynes moved to approve these minutes, seconded by Comm Colbert and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of a letter from Attorney Kent F. Williamson concerning Kristine Click and Montezuma County Sheriff's Department was noted. A letter stating there is not a need for branch voter registration and the County Clerk's report for the month of April was received from the County Clerk.

PUBLIC HEARING - BURCH'S TRADING COMPANY: It being the time set aside, a Public Hearing continued from last week, was conducted for Burch's Trading Company for an application for a 3.2% Beer License for consumption off premises. Present were owner Danny Rudder, Sheriff Department Investigator Steve Penhall, Joey Chavez, Bill Cowan, and Ute Mountain Ute Tribe members Art Cuthair, Michael Elkriver, and Jerald Peabody. Investigator Penhall submitted a Supplemental Report of Investigation. The polling report showed that within the amended radius of two miles there were an additional ten residents. He was able to contact nine of them and also ask them the following two questions: (1) Do you feel there is a need for this license? and (2) Do you want this license issued? A final tabulation which included last week's polling showed four affirmatives, eight against and one no opinion to the first question. For the second question he received a count of four affirmatives, seven against, and two no opinions. He contacted the Tribal Council and also received the fax stating their opposition to the proposed license. The Ute Mountain Ute Tribal Council members expressed that the council's concern was based on the safety and welfare of the tribal members because Burch's is located near the reservation. There was some discussion about the possibility of the Tribe selling liquor in the future. It was noted that if this application is denied there is a time period of one year before the applicant can re-apply for the same type of license; but can apply immediately for a liquor license. The statutes were read for the malt beverage license process. Mr. Peabody, as an individual home owner close to Burch's, stated a concern about the individual members not being contacted about the proposed license. Comm Maynes moved to deny the application for a 3.2% Beer License for consumption off premises for Burch's Trading Company on the basis of the survey of the neighborhood. Mr. Peabody thanked the Board for this action. These proceedings were taped for the record and it was noted that all the Commissioners were present except for Comm Brubaker.

DOLORES PARKS AND RECREATION representatives Joe Rowell, Douglas Call, Jan Ritter, J. Cattle all appeared to request support and funds. They gave a report on all the recreational fields maintained in Dolores. The specific need was help to fund the installation of lights for one ball park in the amount of \$6,000. They expressed some concern about the proposed ball parks at the fairgrounds and stated that they supported the idea of upgrading all the existing parks before constructing new ones. Two points were clarified - (1) that the initial work at the fairgrounds is being done by the county, but the rest will be done by volunteers and (2) the county does not plan to have a Park and Recreation Department. The request for funds will be considered.

05-18-92

LIQUOR LICENSES: Deputy Clerk Betty Davis presented an application for renewal for a retail liquor license for Hilltop Liquor and a 3.2% beer license for Skyline Foodmart. The applications were tabled until a new lease for the premise is secured and corrected dates entered on the applications. Also presented was an application for renewal for a liquor license for Thrift Way Market. The Sheriff's Office reported no problems with this outlet. Comm Maynes moved to accept the application, seconded by Comm Colbert and carried.

BOARD OF SOCIAL SERVICES was conducted.

RESIDENT Galen Larson met to reinforce his idea that the community needs to encourage retirees to settle in the area.

BOARD OF ASSESSMENT OF APPEALS - TOLAR HEARING: The Assessor and the Attorney for the Commissioners will take part in the Tolar hearing scheduled Friday, May 22, 1992, in Denver, by way of a telephone conference call.

OFFICE OF COMMUNITY SERVICES: A report was given by Mike Preston. He will attend a meeting at the Red Lion Inn in Durango which will be addressing the need for economy to be generated from sources other than tourism. He reported an invitation from BLM Area Manager Sally Wisely to meet with BLM representatives for an on-site inspection in July, of areas being looked at for their revised Resource Management Plan. It was affirmed that the Commissioners will attend, The Board requested a copy of the speech presented in a workshop promoting recreational uses of pipelines built through the National Forest.

ADJOURNED FOR LUNCH with the Road Department.

ADJOURNED at 2:00 p.m.

Deputy Clerk Chairman

Minutes 05/26/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 26, 1992

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, May 26, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, May 18, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Colbert and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of a letter from Mr. Tolar stating he had withdrawn his appeal with the Board of Assessment of Appeals was noted.

LIQUOR LICENSES: County Clerk Jean DeGraff presented corrected applications for renewal of the retail liquor license for Hilltop Liquor and for renewal of the 3.2% beer license for Skyline Foodmart. The Sheriff's Office reported no problems with these outlets. Comm Maynes moved to approve the applications, seconded by Comm Colbert and carried.

SHERIFF Wood presented a Letter of Intent Agreement for signature. The agreement was signed to enter into law enforcement services between the Ute Mountain Ute Tribe, the Montezuma County Board of Commissioners and the Montezuma County Sheriff's Department. (See attached for a copy of the signed agreement.)

FAIRGROUNDS: The possibility of trading County owned mineral rights to the State of Colorado for surface ownership of the fairgrounds was discussed. The State Archeologist was contacted about the need for an archeology survey at the fairgrounds. A survey will be done on the fairgrounds and the state leased land behind the fairgrounds, even though the county is under no obligation to do so.

RESIDENT Erling Olson requested gravel for CR 35.9 in the Summit Ridge area. This will be checked.

BOCS representative Ann Miller and Job Service representative Ellen Holston met to ask for use of the class room at the Annex Building. Ms. Miller stated that she works with the Adult Basic Education program and would like to have use of the room to have day classes two and one half hours twice a week. At this time they only have use of the Middle School facility in the evenings. Ms. Holston noted that job service participants need to attend these classes and this would increase the availability to them. Ms. Miller was given permission for rent-free use of the facility beginning in September 1992. Scheduling will be worked in as available.

RESIDENT Byron Phillips met to discuss the following items: repeated irrigation spray on the roads; the weed control program; prairie dog control; road repairs and the condition of roads; any controls for products such as fruit, bees and meat going out of State and coming into the State; dust retardant; and culverts.

05-26-92

OFFICE OF COMMUNITY SERVICES: Mike Preston reported the livestock survey will be out by the end of the week. He is continuing the work on the economic model. A comment will be submitted for the EIS update on the LaPlata Project requesting that the construction be kept on schedule. He also gave an updated report on the Federal Lands issue.

ROAD DEPARTMENT Assistant Supervisor Don Yeomans reported that due to the recent rains the blade-patching schedule will have some changes. He presented a brochure from McDonald Equipment promoting equipment for fixing pot holes and cracks in roads. The company has offered a lease-to-buy plan to try out their demo for \$3600 per month. After some discussion it was agreed that the company would be contacted and the road department would try out the demo. A District Foremen's meeting was held Friday. Assistant Yeomans has received three inhouse applications for the Road Supervisor's job. It was noted that interviews will be conducted next Monday for the road supervisor job. Applications have been received and will be reviewed this week for the Shop secretary/clerk job. CR 33.25 is scheduled to be gravelled. He stated almost all the mag chloride has been shot. CR 25 and CR 35.9 will be checked.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 2:30 p.m. to meet with Jim Lambert at the Pleasant View Fire House.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 06/01/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 1, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 1, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

JUN 11 1992

MINUTES of the previous regular meeting held Tuesday, May 26, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

RESIDENT Alvin Carver stated that after some large machinery got stuck on CR F there has been a problem with run off water. Engineer Roach will check on the problem.

PUBLIC HEARING - MONTEZUMA COUNTY SOLID WASTE DISPOSAL SITE: It being the time set aside, a Public Hearing was conducted by the Montezuma County Board of County Commissioners on fix, modify and collect service charges from users of Montezuma County Solid Waste Disposal Site for the purpose of financing solid waste management in Montezuma County. The roll was called and the Public Notice was read. Present were Glenn (Cotton) and Thelma Fletcher, Alvin Carver, Merry Freestone and Ann Miller. Administrator Weaver presented the current service charges. Mr. Fletcher noted that some loads are covered, but not contained and nails, etc. vibrate out of the trucks. The residents have talked with the Sheriff Department about creating a neighborhood watch program for the area and will pursue this further. Statutes on litter were read. The residents were informed that a magnet is being purchased for use on the road. Comm Brubaker moved to double the current rates for any loads that are not totally covered, contained and secured, Comm Maynes seconded and carried. It was also agreed that a sign stating the new rates and conditions imposing such will be posted at the site entrance with the effective date of July 1, 1992. Other signs will be installed along the road stating that "Littering is Prohibited by Law and will be Strictly Enforced". The new rates will be published in the local newspaper. These proceedings were taped for the record.

CHAMBER OF COMMERCE Director Lynn Hartman reported she has received a request from a group composed of approximately 100 Air Stream travel trailers to use the fairgrounds rent-free for a convention type gathering for four to five days this summer. The request was denied, on the basis that the fairgrounds is not a campground facility. An invitation was extended to the Board to meet the new City Manager at a luncheon June 4th.

PAYROLL: General Fund vouchers #7473 thru #7576 in the amount of \$114,658.66, #15820 in the amount of \$12,181.30, #15821 in the amount of \$69,896.80 and Road Fund vouchers #7577 thru #7619 in the amount of \$58,806.07 and #5926 in the amount of \$39,029.55 were approved for payment.

06-01-92

ABATEMENTS: Deputy Assessor Jim Snow being present, petition for abatement of property tax was presented for Cortez Camera Shop, 1991, erroneous assessment, \$997.84. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Cortez Center, Inc., 1991, erroneous assessment, \$413.98. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Vern J. and Anna Ruth Koppenhafer, 1991, erroneous assessment, \$239.86. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for North American Baptist Loan Assn. Inc., 1990, erroneous assessment, \$169.56 and 1991, erroneous assessment, \$166.55. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Mountain View Baptist Church (1967 Magnolia MH), 1990, erroneous assessment, \$33.11, and 1991, erroneous assessment, \$87.16. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Mountain View Baptist Church (1978 Champion MN), 1990, erroneous assessment, \$45.80, and 1991, erroneous assessment, \$42.14. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for William H. and Norine Runck, 1991, erroneous assessment, \$138.68. Comm Maynes moved to approve this abatement of property tax was presented for James C. and Pansy Irene Sheek, 1991, erroneous assessment, \$919.68. Mr. Sheek was present earlier. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for James P., Patsy L. and Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Bradley M. and Terry Ann Wayt, 1991, erroneous assessment, \$644.18. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Buford C. and Dorothy J. Wayt, 1990, erroneous assessment, \$303.96. Petition for abatement of property tax was presented for Carl L. and Claudine Wilhite, 1990, erroneous assessment, \$108.86 and 1991, erroneous assessment, \$197.96. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried.

ROAD SUPERVISOR Kyle Robert submitted his resignation from employment with the county effective August 31, 1992. Comm Brubaker moved to accept Mr. Roberts resignation and the following stipulations: Mr. Roberts will cease working for the county June 1, 1992, and will receive severance pay in three monthly increments, with insurance and retirement benefits until August 31, 1992, which will be the effective date of his resignation. Comm Maynes seconded this motion and carried.

BRANCH VOTER REGISTRATION: Having received the proper letters from the two party chairpersons and the County Clerk, Comm Maynes made a motion that branch registration will not be held in Montezuma County for 1992, seconded by Comm Brubaker and carried.

ADJOURNED FOR LUNCH with the City of Cortez.

AIRPORT RENTAL AGREEMENTS: Comm Maynes made a motion to accept the Airport Rental Agreements from Doris Walters, DBA U-Save Auto Rental, Larry Gillaspy, and Durango Car Rentals, seconded by Comm Brubaker and carried.

ROAD DEPARTMENT District Foreman Bill Striegel reported that the chip and seal scheduled for this week has begun. The bar ditch where grass has been planted by a resident and the need for gravel will be checked on CR 34. Problems reported on CR N and CR 23.5 will be checked. Work will begin this week to install the septic system at the fairgrounds. There will be a meeting with the utility companies this week.

06-01-92

SHERIFF Wood presented a copy of a letter from Attorney General Norton to Governor Romer urging him to sign the Contiguous County Senate Bill 184. It was noted that he has talked with CR F and CR 25 residents about training for a neighborhood watch program.

OFFICE OF COMMUNITY SERVICES: Mike Preston gave a report on the Colorado Gaming and Community Development workshop he attended in Denver.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 3:15 to conduct interviews for the Road Supervisor position.

ROAD DEPARTMENT SUPERVISOR POSITION: Billy Striegel was appointed as Road Supervisor.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 06/08/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 8, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commisisoners, Montezuma County, Colorado, held on Monday, June 8, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, June 1, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff's report was received for the month of May 1992. Receipt of the approved Airport Committee Meeting minutes for May 4, 1992, was noted.

PUBLIC HEARING - MESA OASIS CAMPGROUND LIQUOR LICENSE: It being the time set aside, a Public Hearing was conducted by the Montezuma County Board of County Commissioners for an application for a change from consumption off premises to consumption on and off premises for the 3.2% beer license for the Mesa Oasis Campground. Mesa Oasis Campground owner Leonard E. Blanton, Sheriff Department Investigator Steve Penhall, and Deputy Clerk Betty Davis were present. No one was in the audience for or against. Comm Brubaker moved to approve the application for a change from consumption off premises to consumption on and off premises for the 3.2% beer license, Comm Maynes seconded and carried. These proceedings were taped for the record.

RODEO PARADE: It was noted that the County Commissioners will be represented in the parade to be held June 12 & 13.

BOARD OF SOCIAL SERVICES was conducted.

GAMING: Resident Galen Larsen presented several articles from "The "Denver Post." on the impacts of gaming. It was noted that the Ute Mountain Ute Tribe is a sovereign nation. Resident Ed Novotny also expressed concern about the gaming impacts.

FOREMAN Don Yeomans requested clarification about employee position appointments in the Road Department. It was noted that it is the responsibility of the Road Supervisor to appoint and enforce all position appointments.

CLUB 20 member Bill Bauer reported that BLM has proposed a preliminary reorganization plan for a two-tier management system composed of State and District offices. It was noted that the proposal includes Cortez as a District office.

SHERIFF Wood reported concern about Governor Romer's veto of the Contiguous County Senate Bill 184. It was noted that the Rainbow group will be holding their meeting in Delta County, instead of Montezuma County.

OFFICE OF COMMUNITY SERVICES: A report was give by Mike Preston. He noted that the information from the livestock survey is due back June 17th. A list of entities in the county that will be impacted by gaming will be compiled.

06-08-92

CORTEZ ADDICTION RECOVERY SERVICE representative Dan Sturtz reported that the State grant he applied for was denied due to the fact that a local governing body had not been appointed for the program. His request for the Board of Commissioners to act as a temporary Governing Board was tabled until next week.

ROAD DEPARTMENT Assistant Supervisor Kirk Stauffer reported that all the chip and seal jobs have been done with the exception of CR T. It was noted that as a result of the meeting with the utility companies and the exchange of plans, it will be easier to coordinate work areas.

PLANNING: Planning resolution P-16-92 was presented whereby Sarah Bradford, owner of 51.41 acres in Section 31, T.37N., R.15W., be granted a variance to the subdivision regulations to create a 23.55 acre parcel and a 27.86 acre parcel. Comm Brubaker moved to adopt this resolution, Comm Colbert seconded and carried. Planning resolution P-17-92 was presented whereby Charles and Sally Cole, owners of 145 acres in Section 13, T.37N., R.16W., be granted a variance to the subdivision regulations to sell a 30.986 acre parcel to Doug and Sheri Bowman. Comm Brubaker moved to adopt this resolution, Comm Colbert seconded and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Brian Cleveland to split a 5 acre parcel into two parcels. A verbal request for a variance to the subdivision regulations was tentatively approved for Larry Hollstein to sell a 10 acre tract. A verbal request for a variance to the subdivision regulations was tentatively approved for Larry Plum to sell a 20 acre parcel, pending approval of highway access. A verbal request for a variance to the subdivision regulations was tentatively approved for Larry Riggott to give a 5.77acre parcel to his son. A verbal request for a variance to the subdivision regulations was tentatively approved for Bill Simmons to sell only the 6 acre tract because of poor access. A verbal request for a variance to the subdivision regulation was tentatively approved for Dan Stevenson to sell a 12-1/2 acre parcel with the stipulation that Mr. Stevenson be informed that the property is in the old Lebanon Townsite which has platted roads. A request for six parcels to be replatted in the Butler Subdivision was tabled until next week.

ADJOURNED at 12:30 p.m. for the CCI meeting in Steamboat Springs, CO.

Deputy Clerk Chairman

SEAL

Minutes 06/15/1992 Regular

JUN 23 1992

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 15, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 15, 1992, at the Courthouse in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday June 8, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of a letter from Attorney Kent F. Williamson concerning County wages for Kristine Click was noted.

ACCOUNTS PAYABLE: General fund vouchers #18221 thru #18351 in the amount of \$159,844.49 and Road fund vouchers #18352 thru #18483 in the amount of \$105,243.04 were approved for payment.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal for a retail liquor license for the Dawson Lake Store. The Sheriff's Office reported no problems with this outlet. Comm Maynes moved to accept the application, seconded by Comm Brubaker and carried. The County does not charge an application fee at this time for changes. A cost figure will be arrived at and on the recommendation of the County Clerk a handling fee will be set for the County.

LANDOWNER Bob Sellers and associate Walt McIver met to request a variance to the subdivision regulations for approximately 3 parcels to be split differently. The property is located on Highway 145 just before the Rag-A-Muffin Ranch. Mr. Sellers stated that the State Highway Department had approved access. He presented three legals for the tracts involved. Because of a question concerning the type of sanitation systems needed for the tracts, the variance was tabled at this time. Later in the day, Sanitation Manager Periman, Bob Sellers and Walt McIver met with the Board. The Sanitation Manager will do an inspection and tests on the property and will decide what system can be allowed for each of the three tracts. Mr. Sellers will keep the Board informed and will meet with them again if any further action is needed.

PROSPECTIVE PROPERTY OWNER Norm Harden presented a request for a variance to the subdivision regulations to split approximately 14 acres into two parcels on Highway 666. The variance was tentatively approved.

CORTEZ ADDICTION RECOVERY SERVICE representative Dan Sturtz reported that Mercy Medical Center will act as the Governing Board for the program for six months. A decision for the amount of the grant will now be made by the State. He will present a complete program plan next week.

06-15-92

ABATEMENTS: Assessor Bob Cruzan and Treasurer Bobbie Spore being present, petition for abatement of property tax was presented for Michael D. and Kimberly D. Threlkeld, 1990, erroneous tax, \$162.18 and 1991, erroneous tax, 1991, \$165.05. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax, was presented for the Cortez Trap Club, 1991, erroneous assessment, \$189.31. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for abatement of property tax was presented for Southwest Ceramics, 1991, erroneous assessment, \$312.10 plus penalty, \$40.96 for a total of \$353.06. Comm Brubaker moved to approve this petition, seconded by Comas Maynes and carried. A petition for abatement of property tax was presented for Laurance S. Worth, 1991, erroneous assessment, \$394.27. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for refund of property tax was presented for the Mesa Verde Company, 1989, based on an erroneous Court Decision, \$34,171.07 and 1990, based on an erroneous Court Decision, \$21,635.82. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. All proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present.

ASSESSOR Cruzan presented a request to the Treasurer to remove old Mobile Homes from the tax roll for the years of 1989 and 1990. The total tax to be removed from the roll is \$407.86. Comm Brubaker made a motion to approve removal of the parcels, seconded by Comm Maynes and carried.

TREASURER Bobbie Spore presented the Treasurer's report for the month of May 1992.

ROAD COMMITTEE member Whetsel Allen asked if the committee was going to meet this year. It was explained that the individual districts met with the road committee members in their district earlier in the year, and perhaps Mr. Allen could not have been reached at that time. A copy of the 1992 Road Plan was given to Mr. Allen. It was noted that in the near future the District Foremen will try and get together with all the members of the Road Committee.

ADMINISTRATOR Weaver stated that an archeologist has been hired to do the required survey at the fairgrounds.

OFFICE OF COMMUNITY SERVICES: Receipt of Mike Preston report was noted.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$189.74 from the 911 account to Farmers Telephone Company, Inc. and to transfer the amount of \$629.77 from the 911 account to U.S. West Communications. Motion seconded by Comm Maynes and carried.

PLANNING: A verbal request for a variance to the subdivision regulations was denied for Lee Stevens, owner of a track in the Curtis Subdivision to split a labelled Phase II lot into three parcels. The reason for the denial was the parcel is represented on the map as a tract that will remain un-subdivided and be left as one big tract. The developer will need to go through the regular subdivision process to change the parcel. A verbal request for a variance to the subdivision regulations was tentatively approved for Joe Wofford to split 10 acres from a 30 acre parcel. A request by Bill Simmons for the Board to physically inspect a six acre parcel he desires to split and sell was noted. The inspection will be done in the near future.

HEALTH DEPARTMENT Director Betty Sutter presented her reasons for not signing a Prenatal Program Agreement stating a decrease in funds available from the State. A letter will also be written by the Board explaining that with the impacts of gaming the need will be even greater for funds for this program. The Board was invited to a meeting this week pertaining to a grant for "Healthy Community Initiatives" available through the Colorado Trust.

BOARD OF SOCIAL SERVICES was conducted.

BAHA'I FAITH representatives Nancy Dickey and Ron Avitable presented a booklet "Statement on Race Unity." The organization is promoting a celebration of differences in races.

ROAD DEPARTMENT Supervisor Bill Striegel presented a report on chip and seal costs and the roads now done. It was recommended that the worst be done first. Chip and seal has not been done on CR N because of the application of mag-chloride which will cause the chip and seal job to deteriorate. The residents on the road will be informed of the problem. A ridge on CR L west. of Hwy 666 was mentioned. The Mancos Bridge (Chicken Creek) is being worked on. The Montezuma Water Company reported a utility problem with a gas company on CR 29. It was noted that the utility companies still need to coordinate between themselves. Summit Lake Community Church is ready to haul gravel supplied by the county. The operator job will be posted. A request from the Arriola Bible Church to build a fence was noted.

SHERIFF Wood met to report information concerning the Civil Rights case in regard to Barbara Grossman. He was advised to contact the insurance company. Receipt of a packet from John Nelson was noted.

COUNTY CLERK Jean DeGraff presented the County Clerk's report for the month of May 1992. A five month report on the collection of SMM fees and tax will be presented next week if available.

ARA MESA VERDE COMPANY: A motion was made by Comm Brubaker not to file a motion for rehearing with the Colorado Supreme Court in regard to the ARA Mesa Verde Company decision, seconded by Comm Maynes and carried. It was noted that a special meeting will be held for all the people affected by the recent Supreme Court ruling.

WEED CONTROL PROGRAM: Ron Lanier reported a conversation with a weed program representative from Larimer County. It was noted that Montezuma County is doing more weed control than most counties. A cost-share program which involves help for individuals willing to do spraying on their property will be investigated.

ADJOURNED at 4:15 p.m.

Deputy Clerk Chairman

SEAL

Minutes 06/22/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 22, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 22, 1992, at the Courthouse in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

JUN 29 1992

MINUTES of the previous regular meeting held Monday, June 15, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of the Older American's Act Title 111 Service Providers contract for FY 92 from AAA Director Charlie Speno was noted.

RETIREMENT RESOLUTION #3-92 was presented whereby Montezuma County congratulates and expresses appreciation to Louise Valdez for her 14 years of service to the County. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried.

HEALTH DEPARTMENT Director Betty Sutter noted some of the pros and cons for the proposed grant for "Healthy Community Initiatives" available through Colorado Trust.

RESIDENT Buck Ward met to express his concern about hunting, fishing, timber, etc. rights being in jeopardy for the residents in Montezuma County and the Four Corners area. Mike Preston was also present.

CORTEZ ADDICTION RECOVERY SERVICE (ARS) representative Dan Sturtz and Montezuma County Hospital Marketing Director Margaret Kolata presented a five-year plan beginning January 1, 1993 through December 31, 1997 for the program to become a local service. It was noted that the Board offered to host a meeting between all the interested entities.

SUMMONS: A summons was served to the Clerk to the Board of Commissioners at 10:15 a.m., June 22, 1992, from Kristine Click vs. County of Montezuma, Board of County Commissioners for Montezuma County and the Montezuma County Sheriff's Department.

GENERAL LIABILITY INSURANCE BIDS: Chairman Colbert was excused because of a conflict of interest. Attorney Bob Slough who is related to Greg Wolcott was excused because of a similar conflict. Comm Brubaker presided as Chairman. Wolcott Insurance Services representatives Bentley Colbert and Greg Wolcott and Martin Agency representative Jim Engel presented bids. A bid was also received from CCI. A decision to award the contract was tabled until next Monday, since the bids did not include the new State statute liability limit increase.

RESOLUTION #5-92 was presented whereby Montezuma County wishes to comply with Section 519 of Public Law 101-144, The HUD Appropriations Act for the expenditure of Community Development Block Grant Funds. Comm Brubaker moved to adopt this resolution prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against an individual engaged in non-violent civil rights demonstrations, seconded by Comm Maynes and carried.

06-22-92

ARA MESA VERDE COMPANY: Treasurer Bobbie Spore presented a report showing the breakdown of the taxes and interest refunded as per the Mesa Verde Company abatement petition. The refund check will be sent today by certified mail to the Mesa Verde Company. A meeting is scheduled for July 3rd at 7:00 a.m. with all the entities affected by the recent Supreme Court ruling.

MEETINGS on June 23, 1992 include: (1) Weed and Pest Control with the Department of Agriculture Re: Prairie Dog Control at 9:00 a.m., (2) Colorado Transportation Commission in Durango from 1:00 to 3:00 p.m., and (3) 1990 Americans With Disabilities Act at the Anasazi Heritage Center, Dolores at 6:30 p.m.

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for Sharon Palmer to split 17 acres into 2 parcels. A verbal request for a variance to the subdivision regulations was tentatively approved for Mr. McCarty to split approximately 37 acres into 2 parcels and a .56 acre be added to the adjoining property.

ROAD DEPARTMENT Supervisor Bill Striegel stated that the residents on CR N were informed that the road will not be chip and sealed until next year. Engineer Roach will inspect and note what is needed for the road by the Summit Lake Church. Problem with graveling on private property road which begins after CR 40.2 (Joe Moore Lake) was noted. A physical inspection of the road in question will be done today at 5:30 p.m. by the Commissioners. CR CC needs spot gravelling. Mr. Striegel will contact Catapiller to do demo on blades. It was noted that the Cortez District does not have enough blades. Kelly Hill still has a problem with drainage. The department will use the Retriever demo for 10 days. Mr. Striegel stated that the District Foremen's meetings will be scheduled for Monday mornings instead of Friday.

JOB SERVICE representative Ellen Holston gave a report on the AFDC and Food Stamp job programs. She extended an invitation for the Commissioners to attend the Grand Opening, June 26th, at 3:00 p.m. in Durango for the new location of the Durango Job Service office.

BOARD OF SOCIAL SERVICES was conducted.

WEED CONTROL PROGRAM: Ron Lanier noted that TransColorado will be asked to submit their re-seeding plan to the County.

BUTLER SUBDIVISION PLAT: A revised plat for the Twin Spruce Ranch was signed.

ADJOURNED at 5:00 p.m.

Deputy Clerk Chairman

SEAL

Minutes 06/29/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 29, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 29, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, June 22, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

GENERAL LIABILITY INSURANCE BIDS: Chairman Colbert was excused because of a conflict of interest. Attorney Bob Slough was also excused due to a similar conflict. Comm Brubaker presided as Chairman. Wolcott Insurance Services representatives Bentley Colbert and Greg Wolcott presented a bid for \$86,667. Martin Agency representative Jim Engel presented a bid for \$98,320. A bid was also received from CCI for \$114,998. Comm Maynes moved to accept the Wolcott Insurance bid of \$86,667, Comm Brubaker seconded and carried, Comm Colbert did not vote. The new insurance policy will be effective July 1, 1992.

PUBLIC HEARING - AMEND 1992 BUDGET: The roll was called and it was noted that all were present including the Budget Officer. The Public Notice was read by the Deputy Clerk. There was no one in the audience either for or against. There being no protest against proposed amendment to the 1992 Budget, motion was made by Comm Brubaker to approve Resolution 4-92 (see attached) whereas Montezuma County adopted an operating budget for the General Fund, Road and Bridge Fund and Social Services in December 1991 for the ensuing year, and; after adoption of the 1992 budget, received unanticipated revenues or revenues not assured at the time of the adoption of the budget other than the local government's property tax mill levy; now, therefore be it resolved that the Board of County Commissioners of Montezuma County, the governing body, may authorize the expenditure of such funds by enacting a supplemental budget and appropriation, seconded by Comm Maynes and carried.

RESIDENT Wayne Jones, owner of 27 acres, requested a variance to the subdivision regulations to convey 12 acres to another party. Mr. Jones was advised to check with the County Clerk's office to determine if the plat map had been recorded as a subdivision. If it has been recorded Mr. Jones will need permission for the change from the adjoining property owner. The easement also needs to be clarified, Tentative approval was given if both these requirements are met.

ORDER: Motion was made by Comm Brubaker to direct the Clerk to issue an order to the Treasurer to transfer the amount of \$12,802.73 from the Emergency Telephone Assistance Fund (911 Fund) to the General Fund, seconded by Comm Maynes and carried.

COLORADO TRUST FUND: La Plata Health Care Project representative Dave Wesch presented information about a possible grant from Colorado Trust for "Healthy Community Initiatives." He stated that the grant is not service related but is to be used to write a plan and to work with the National Civic League in implementing the plan.

06-29-92

HANDICAPPED resident James Roberts presented an idea for making the Courthouse accessible to handicap persons.

POOL TABLE DONATION: Corky McClain was thanked for his donation of a pool table for the Annex Building. MANCOS POST OFFICE representative Darlene Floyd met to request that the grid system for assigning addresses in the county be used consistently. Assessor Cruzan was present. A new policy will be implemented whereby addresses will have to be assigned for variances and subdivision plats before they are brought to the Commissioners for approval.

ABATEMENT: Assessor Cruzan presented at petition for abatement of property tax for Colorado-Ute Electric Association, by Order of the Treasury, adjustment of the statewide valuation, 1989, \$19,299.02. Comm Maynes made a motion to approve this tax roll correction, seconded by Comm Brubaker and carried.

MOUNTAIN LIONS: Weber Canyon residents Paul Jones, Mrs. Lloyd Doerfer, Pete Doerfer, and Marilyn Colyer met to ask for help with the problem of mountain lions killing sheep, goats, etc. Also present was Justin Ewing and the Colorado Division of Wildlife (CDOW) representatives Robin Olterman and Mike Zgainer. It was noted that the animals do not seem to have a fear of humans and concern about the safety of children and adults in the area was also expressed. The CDOW representative presented their policies in dealing with the problems. A meeting with the CDOW Commission will be scheduled to pursue the idea of a special policy for the area.

BOARD OF SOCIAL SERVICES was conducted.

KELLY HILL: Road Supervisor Bill Striegel, Patching Foreman Bill McLaughlin and consultant Kenny Brown reported on the condition of Kelly Hill and possible ways to correct the problems. It was recommended that the ROW be checked before any widening. It was noted that the residents should be contacted and asked for input for the proposed repairs which might include the chip and seal being replaced by gravel for a period of two years to stabilize the road.

ROAD DEPARTMENT Supervisor Bill Striegel reported there is a need for another tractor. He stated that the Sanitation Landfill fence was torn down again by vandals. He will check with Bud Roach about where to use leftover guard railing. A request for signing on CR 25 & H was noted, it was noted that temporary part-time help is covered by workman's comprehensive insurance.

PLANNING: Planning resolution P-18-92 was presented whereby Larry Hollstein, owner of 40 acres, located in the Section 2, T.36N., be granted a variance to the subdivision regulations to split off 40 acres for loan purposes. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for, a variance to the subdivision regulations for Warren Davis to sell a one acre and a two acre parcel was tentatively denied. A verbal request for a variance to the subdivision regulations for Ken and Barbara Stocks to create two tracts differently and then sell 16 acres was tentatively approved.

ADJOURNED at 3:15 p.m.

Deputy Clerk Chairman

SEAL

Minutes 07/06/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 6, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 6, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, June 29, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

SHERIFF Tim Wood presented a new policy from the Department of Corrections whereby the State will only reimburse the County \$8.31 per day instead of the current rate of \$40.00 per day to house State prisoners. The applicable statutes will be checked. Comm Maynes made a motion to accept a short-term Mutual Aid Agreement between the Montezuma Sheriff Department and the Rio Grand Sheriff Department, who will host the Earth First group for three days this month, Comm Brubaker seconded and carried.

NON-MAINTAINED COUNTY ROAD 36.5 resident, Gene Stramel requested clarification of the County gravel policy for upgrading CR 36.5. The following will apply for CR 36.5 to the gate (cattleguard). The gravel will be bid on; the County will pay for the gravel; and, the residents will pay to have the gravel hauled to bring this portion of road up to County specifications, Stramel is to keep County Engineer Bud Roach informed about when the road is ready for the gravel so Roach can inspect the preliminary road bed. Tree removal will only be done as necessary.

NEW GRAVEL POLICY: As a result of a meeting held Monday, July 6th with area contractors the following will be the new County Policy on supplying gravel to bring a road up to county specifications: (1) If the road belongs to the County: (a) gravel will be furnished by the County, and (b) the residents will pay for the hauling. (2) If the road does not belong to the County there will be no County help with the gravel, with the only exception of Forest Service roads that are used as access to public lands.

MESA VERDE COMPANY (ARA): An article will be submitted to the Cortez newspaper covering the meeting with the Mancos Board of Education and the Mancos Public Library on July 3rd about the Supreme Court action concerning the Mesa Verde Company.

ASSESSOR Bob Cruzan gave an updated report on the Oil and Gas audit. Notice of Evaluations were sent to 25 companies, excluding Shell Oil. The Assessor will work with Shell individually. It was noted that a new procedure being proposed by the Oil and Gas Commission will decrease tax liability. The contract with CRS will be reviewed. Cruzan also noted that general reappraisals have to be done next year and project water lands will all need to be reappraised. The Assessor mentioned that the assessor's office may need extra help to meet this schedule. Request to approve Deputy Assessor Jim Snow's attendance to a National's User Group meeting was given. Cruzan noted he will have State certification to do appraisals as soon as he takes the appropriate test.

07-06-92

PAYROLL: General fund vouchers #7628 thru #7737 in the amount of \$124,924.81, #16008 in the amount of \$12,181.30, #16009 in the amount of \$73,686.04 and Road fund vouchers #7738 thru #7784 in the amount \$62,572.25 and #6015 in the amount of \$40,338.28 were approved for payment.

BOARD OF SOCIAL SERVICES were conducted.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the June 1, 1992 minutes.

ROAD DEPARTMENT Supervisor Bill Striegel reported that there is a problem with damage done by the Montezuma Water Company on CR 27. County Engineer Roach was present. A broken pipe had to be repaired and the newly bladepatched road was not returned to the original condition. It was noted that any company doing work on county roads need to satisfy the County Road Supervisor in bringing the road back up to county specs. A meeting is scheduled for July 7th with the Water Board to address the problem. Striegel reported that blade patching will start tomorrow and gravel trucks are hauling in Mancos. It was noted that the Cortez District needs a total of four blades. There was some discussion about the efficiency of the pot-hole machine. The pot-holes done with the machine will be watched. The rest of the chip and seal will begin August 1st. Engineer Roach noted that he will begin working on the new county road map this week.

AIRPORT RENTAL AGREEMENT: An Airport Rental Agreement with Currey Enterprises, Inc. was signed.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented a Progress Report on the Federal Lands Program. Application is being made for an Energy Impact grant, to purchase GIS software. The computerized mapping software will be used to generate a good set of maps for public use.

LANDFILL ORDER: Comm Maynes made a motion to direct the Clerk to issue an order to the Treasurer to draw a warrant on the Landfill fund in the amount of \$5,390.29 payable to The Colorado Department of Health, HSRF Accounting Department, Room 400, 4210 East 11th Avenue, Denver, Colorado 80220 as the second quarter payment. Motion seconded by Comm Brubaker and carried.

ATTORNEY Slough reported on the Americans With Disability Act. It was noted that the political and the legal issues are two different items. Since the Act does not address how to take care of all the problems, the regulations will need to be acquired from the U.S. Department of Justice and be reviewed.

PLANNING: Planning resolution P-19-92 was presented whereby Bill Simmons, owner of 72.62 acres located in Section 35, T.36N., R.16W., be granted a variance to the subdivision regulations to create a 8.18 acre tract. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

SEAL

07-13-92

SUMMIT LAKE WEST UNIT 2 LANDOWNERS Jimmy and Bonnie Kennedy asked for a variance to the Subdivision regulations to sell 3 acres and deed another tract to their children from a 39 acre parcel. Tentative approval was given for a variance to the subdivision regulations to sell 3 acres because the tract is separated by two distinct public roads and the other tract is separated from their property by a public road. The Commissioners made the following stipulations before this tract will be granted a variance from the subdivision regulations: (1) Septic site pre-approval must be done prior to the property being sold on the 3-acre tract. (2) The roads leading to the property being split must be built to county specifications so that all tracts about a road built to county specifications.

RESIDENT Alvin Carver reported that the problem on CR F has not been corrected. It was noted that Engineer Roach has checked the road and work does need to be done on the road. Road Supervisor Striegel will be notified of the problem.

HEALTH DEPARTMENT Nurse Betty Sutter presented State Health Department Nursing Contract (Child Health) and Sanitation Contract. Comm Maynes made a motion to accept both the contracts, Comm Brubaker seconded and carried.

PLANNING: Planning resolution P-21-92 was presented whereby Milton and Erma Jean Morrill, owners of 27 acres in Section 9, T.36N., R. 15W, would be granted a variance to the subdivision regulations to create two 3 acre tracts. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried. Planning resolution P-22-92 was presented whereby Dean and Barbara Nutt, owners of 49 acres in Section 12, T.36N., R. 15W., would be granted a variance to the subdivision regulations to create two 24.58 acre tracts. Comm Maynes made a motion to adopt this resolution, seconded by Comm Brubaker and carried.

ASSESSOR Cruzan presented a map of the Mancos area showing needed address changes. A meeting that will include representatives from the Assessor's office, the Mancos Post office and the residents of the area will be planned. The meeting will be to inform the residents of the reason and need to change the present address system to a more accurate system.

SUMMIT RIDGE WATER BOARD representative Gary Shaw invited the Board of Commissioners to the Water Board's August meeting. Items to be discussed include: road crossings, future expansion and a possible utility Agreement. An invitation was also extended for all the local Public Officials and candidates, to attend an Old Fashioned Pie Supper and Meet the Candidates Night, July 24, 6:30 p.m., at the Community Church across from Summit Lake.

WEED PROGRAM representative Ron Lanier reported next week he will attend a two day seminar in Montana sponsored by the DOW Chemical Company who will pay all his expenses. He stated the new weed spraying truck will be delivered the first week in August and at that time instructions will be given on how to use it.

RESOLUTION 6-92: Comm Maynes made a motion to adopt resolution #6-92 that through the Montezuma County Revolving Loan Fund \$15,000.00 be placed in a Certificate of Deposit at the Mancos Valley Bank as collateral for Candy Jarbo dba Candy's Country Cafe, Comm Brubaker seconded and carried.

ADMINISTRATOR Weaver presented the Cultural Resource Inventory report, for the fairgrounds done by John M. Mabry under the supervision of L. C. Hammack of Complete Archeological Services Associates. The report concluded that no cultural resources were found at the fairgrounds.

07-13-92

RACE TRACK: Representatives from the Race Track Board (see attached list), Jimmy and Marian Rodd and Security Guard Eugene Deal met to discuss the reported alcohol use at the race track. Fairground Supervisor Dante Sena was also present. It was noted that the Board has received complaints from families about alcohol use at the races. It was agreed that there is a problem and the Racing Club would take responsibility to stop alcohol use on the premises.

ROAD DEPARTMENT: Assistant Road Supervisor Kirk Stauffer reported that the mower needs major repairs. He stated repairs would cost \$3,436 while a new mower can be purchased for \$3900. Approval to purchase a new DB 150 rotary mower was given. The problem on CR F was reported. A request was made for Road Supervisor Striegel to submit a job description for the Assistant Road Supervisor position.

MONTEZUMA COUNTY HOSPITAL DISTRICT FOUNDATION (MCHD) representative Levi Garrett and President of the Board Fay Kautz presented the floor plan for a proposed project to create a garden area to be used by the Vista Grande Nursing Home residents. The project will be done in two phases, with the initial phase costing approximately \$35,000. A total of approximately \$20,000 has been raised for Phase I, which includes donations of time, materials, and monies. A request for additional funds from the County was made. Comm Brubaker made a motion to contribute \$10,000 for the project, Comm Maynes seconded and carried. A request for the City of Cortez to match the County funds will be made by the Foundation.

EMS COUNCIL APPOINTMENTS: Comm Brubaker made a motion to accept all the below listed appointment for the EMS Council, seconded by Comm Maynes and carried. Lewis-Arriola: Dennis Beaty (delegate), Bill Garland (alternate); Mancos: Blake Mitchell (delegate), Lyle Cox (alternate); Cortez: Kent Lindsay (delegate), Jim Candelaria (alternate); Sheriff: Richard Crespin (delegate), William Connor (alternate); State Patrol: Walter Sandburg, (delegate); MCHD: Chris Carlisle (delegate), Claudia Applin, (alternate); Vo-Tech: Pat Donely (delegate), Dominic Aspromone (alternate); Towaoc: Darwin Whitman, Sr. (delegate), Darwin Whitman, (alternate); Pleasant View: Lloyd Hartle (delegate) and Southwest Region 9: Chuck Melvin (delegate). Other delegates and alternates may be added later.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 3:30 p.m.

Deputy Clerk Chairman

07-20-92

PLANNING: Planning resolution P-20-92 was presented whereby Harold and Dollie Riggott, owners of 10.73 acres in Section 7, T.36N., R.15W., would be granted a variance to the subdivision regulations to create a 5.35 acre for their son. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-23-92 was presented whereby Ken and Barbara Stocks, owners of 96.58 acres in Section 9, T.37N., R16W., would be granted a variance to the subdivision regulations to sell a 15.68 acre tract. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. A verbal request was tentatively approved for a variance to the subdivision regulations for Mary Day to change a tentatively approved variance from a 5 acre parcel to a 6 acre parcel.

REALTOR Betty Williams representing Gerald Sampson, owner of 35 acres, more or less, requested a variance to the subdivision regulations for Mr. Sampson to sell 24.36 acres. The request was tentatively approved, with the stipulation that pre-approval for a septic site must be done prior to the property being sold.

CORTEZ ADDICTION RECOVERY SERVICE (ARS) representative Dan Sturtz gave an updated report on the program. The request for funds will be considered when the 1993 Budget is prepared.

JAIL INSPECTION was conducted.

ROAD DEPARTMENT: Assistant Road Supervisor Kirk Stauffer reported on the meeting with Buford Wayt concerning CR P. Stolen equipment at the Hay Camp gravel pit and vandalism at the Mancos gravel pit were reported. The problem on CR F is being corrected. Road Engineer Roach reported that they are waiting on bids from contractors for concrete work to be done on bridges. Approval was given to order a new blade.

GENERAL LIABILITY INSURANCE: It was agreed to purchase an Extended Reporting Period Endorsement insurance policy for a period of two years from Martin Agency, Inc. representative Jim Engle.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 2:50 p.m.

Deputy Clerk Chairman

SEAL

Minutes 07/27/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 27, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 27, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert O. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, July 20, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

NEW POLICIES: (1) No County officials, newly elected County officials or County employees should do business with the County. (2) No County employee should attend meetings or conventions or any type of seminar at the expense of a particular company that the County does business with.

ENGINEER Roach reported on bids for the Stapleton Bridge. Triad Western submitted a bid of \$84,300 and Mountain Gravel \$89,600. Both the bids were submitted with the understanding that the county would furnish the steel and take out the old bridge. Both bids were rejected. Comm Brubaker made a motion not to contract the Stapleton Bridge, Comm Maynes seconded and carried. Authorization was given to advertise for bids for concrete.

LANDOWNER Wayne Lee was informed by telephone that his requested variance to the subdivision regulations for a three way split was denied. He was advised to go to the Planning Board.

BOARD OF EQUALIZATION: It being 9:00 a.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 27, 1992, to sit as the Board of Equalization. These proceedings were tape recorded. The Board, Assessor Bob Cruzan, Appraiser Jim Snow and Kathleen Tarr representing Gary Speece were in attendance.

(1) Gary and Beverly Speece through representative Kathleen Tarr filed a protest to the Board about the taxes assessed on Parcel 41-5359-104-08-007. Comm Maynes made a motion to deny an adjustment, seconded by Comm Brubaker and carried.

(2) Shell Western's protest to the Board about the taxes assessed on Parcel #12-7712-000-00-001-OG (7712, 7710, 7727, 7726, 7725) was tabled.

The Board of Equalization adjourned at 9:40 a.m.

TREASURER Bobbie Spore presented the Treasurer's report for six months.

07-27-92

ABATEMENTS: All proceedings were taped for the record and it was noted that Assessor Cruzan and Appraiser Snow were present. A petition for abatement of property tax was presented for Ponderosa Timber Company (42-8830-000-00-011-P), 1990, erroneous assessment, \$999.00. Larry D. Suckla was present. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for New Mexico Land & Mortgage Co. (42-5359-191-00-001), 1990, erroneous assessment, \$371.79 and 1991, erroneous assessment, \$381.56. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for abatement of property tax was presented for New Mexico Land & Mortgage Co. (42-5359-191-00-002-K2), 1990, erroneous assessment, \$191.14 and 1991, erroneous assessment, \$181.02. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for New Mexico Land & Mortgage Co. (42-5359-191-00-002-K1), 1990, erroneous assessment, \$6,633.34 and 1991, erroneous assessment, \$6,807.59. Assessor Cruzan recommended this petition be tabled until an appeal to the County Board of Equalization is scheduled. The Board agreed with the recommendation. A petition for abatement of property tax was presented for Daniel Perez Bermejo, 1991, erroneous assessment, \$60.37. Patricia Perez Bermejo was present. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for abatement of property tax was presented for Diane Roberts, 1990, erroneous assessment \$33.07 and 1991, erroneous assessment, \$32.74. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for Fred G. and Virginia L. Cline, 1991 erroneous assessment, \$328.05. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for Patrick Lynn Harden, 1991, erroneous assessment, \$99.59. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried.

ASSESSOR Cruzan reported that the Assessor's Office can now process all abatements under \$1,000 without approval from the Board. He recommended that only abatements under \$100 be done without approval from the Board.

A LETTER OF APPRECIATION was presented by R. B. Cellar from several CR 25 residents for recent repairs and resurfacing of the road.

BOARD OF SOCIAL SERVICES was conducted.

ROAD DEPARTMENT Billy Striegel asked for clarification of a request from V. J. Koppenhafer for gravel for CR 37. If the road needs to be done immediately the county will furnish the gravel, but Mr. Koppenhafer will have to haul it. If there is no hurry (after the gravel plan is completed), the county can help with the hauling. The off-set disk is still in Denver because of shipping problems. Magchloride was purchased by Dolores County. Delivery date of the rotary mower will be approximately August 10th. CR 34, CR 26, and CR 29 will be checked. Engineer Roach reported a culvert will be installed and the road upgraded to the Gardner Pit; crushing will begin in about two weeks.

ROAD TOUR was conducted. The Commissioners visited CR A with Wayne Schwindt. The intersection of CR F and 25 where sight distance will be improved by mowing weeds and cutting back the bank. The overlay on CR 29 was also looked at.

PLANNING: Planning resolution P-24-92 was presented whereby Dan Stevenson, owner of 30 acres in Section 22, T.37N., R.16W., would be granted a variance to the subdivision regulations to create a 12.50 acre tract to sell. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried. Planning resolution P-25-92 was presented whereby Gerald Sampson, owner of 35 acres in Section 12, T.36N., R.15W., would be granted a variance to create a 10.65 acre tract and a 24.36 acre tract. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried.

07-27-92

U.S. SENATOR HANK BROWN'S representative KEOTA BURKE met with the Board. Others present included Mancos Water Conservancy District representative Gary Kennedy, Senior Citizens Nutrition representative Sue Fletcher, Community Services representative Mike Preston and local newspaper representative Jerome Magg. Ms. Fletcher presented a request for support for the Older American's Act. Mr. Preston gave a report on Multi-Use of Public Lands in the county and the effects these lands and uses have on the economy of the county. Mr. Kennedy asked for support in the form of a letter to help get legislature to built a Hydropower Plant for the District. Comm Maynes made a motion to support this effort in the form of a letter, Comm Brubaker seconded and carried. Ms. Burke stated she will present all these concerns to Senator Brown.

ADJOURNED at 4:40 p.m. to tour the Center with Ms. Burke.

Deputy Clerk Chairman

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Minutes 08/03/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 3, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 3, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

AUG 11 1992

MINUTES of the previous regular meeting held Monday, July 27, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of an application for Impact Assistance from the town of Dolores was noted.

SENIOR CITIZENS representative Sue Fletcher requested that one-way rides be allowed for Dolores and Mancos children wanting a ride to the Cortez pool on the Montezuma Senior Citizens bus, if room is available. It was noted that the county would just be providing transportation. Written parental consent will be required and a fee will be charged for each ride.

RESIDENT Galen Larson presented ideas on truck farming as a new industry for the area.

WEED CONTROL PROGRAM representative Ron Lanier presented a request for the purchase of a 30'x40' steel building to be used as storage for the new weed truck. Comm Brubaker made a motion to purchase the building, seconded by Comm Maynes and carried.

PAYROLL: General fund vouchers #16205 in the amount of \$12,262.24, #7795 thru #7909 in the amount of \$174,837.19, #16206 in the amount of \$77,770.58 and Road fund vouchers #6092 in the amount of \$39,974.69 and #7910 thru #7959 in the amount of \$63,542.56 were approved for payment.

BOARD OF EQUALIZATION: It being 9:30 a.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, August 3, 1992, to sit as the Board of Equalization. These proceedings were tape recorded. The Board, Assessor Bob Cruzan, Appraiser Jim Snow, New Mexico Land & Mortgage Co. representative Larry D. Suckla and Patricia Perez Bermejo were present.

(1) New Mexico Land & Mortgage Co. filed a protest to the Board about the taxes assessed on Parcel 42-5359-191-00-002-K1 (old plywood plant building). Comm Brubaker made a motion to approve an adjustment, Comm Colbert seconded and carried.

(2) Daniel and Patricia Perez Bermejo filed a protest to the Board about the taxes assessed on Parcel #42-5359-312-00-016. Comm Brubaker made a motion to deny an adjustment, Comm Colbert seconded and carried.

(3) Shell Western, Inc. representatives were not present. Assessor Cruzan recommended that this adjustment be denied. A motion to deny an adjustment on Parcel #12-7712-000-00-001-OG (7712, 7710, 7727, 7726, 7725) was made by Comm Brubaker, Comm Colbert seconded and carried.

(4) Steve and Kathrine Nowlin were not present. A physical inspection was made of Parcel #62-5363-131-01-002. Comm Brubaker made a motion to deny an adjustment, Comm Colbert seconded and carried.

The Board of Equalization adjourned at 10:15 a.m.

08-03-92

RESIDENTS Marcia McDaniel and Cheryl Soderberg presented a complaint against the Department of Social Services. Later in the day they met with the Commissioners and Social Service Director Goldenbough. Ms. McDaniel will meet later in the week with Director Goldenbough.

PLANNING: A verbal request for a variance to the subdivision regulations presented by Wayne Lee for James Cooley to purchase 5 to 10 acres from the Cohaco Building Specialist, Inc. involving a possible 3-way split was denied. Mr. Lee will take it to the Planning Commission. A verbal request was tentatively approved for a variance to the subdivision regulations for James Robertson to change the direction of a split of a parcel of an approved variance.

DOLORES PUBLIC LIBRARY DISTRICT: Statutes will be checked in regard to the request for the commissioners approval of a special election to raise the mil levy from 1.5 mils to 4 mils for the District.

ADJOURNED FOR LUNCH with the City of Cortez.

OFFICE OF COMMUNITY SERVICES: A report was given by Mike Preston. A Timber Industry survey is being prepared.

NEW WEED TRUCK was inspected.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at. 5:00 p.m.

Deputy Clerk Chairman

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Minutes 08/10/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 10, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 10, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

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MINUTES of the previous regular meeting held Monday, August 3, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

RESIDENT Gerald C. Wolf reported that CR N had been bladed and the dust problem was bad again. Water will be put on the road and the Road Department will be notified that the road is not to be bladed.

TREASURER Bobbie Spore presented her monthly report for the month of July 1992.

LANDOWNER Billy Foster requested a variance to the subdivision regulations to change a road and property lines of a parcel in the Mountain View Subdivision. Also, requested was approval for two 3 acre parcels to be split from property in a designated Unit 2 of the subdivision which was never approved by the Planning Commission. He was advised to go to the Planning Commission.

ACCOUNTS PAYABLE: General fund vouchers #16203 thru #16432 in the amount of \$109,771.02, and Road fund vouchers #6093 thru #6175 in the amount of and \$182,585.97 were approved for payment.

SHERIFF Tim Wood reported on the new Contiguous County Bill and the need to have a representative from Montezuma County on the Impact Fund Board.

RESIDENTS Patricia Higgins, William Blair and Tom Carver requested gravel for unimproved CR 18 for approximately 1-1/4 mile. Engineer Roach will inspect the road and make recommendations on what is needed. As it can be scheduled, the County will furnish the gravel (spread, blade, shape). The residents will haul the gravel and furnish the culverts. Ms. Higgins will be notified if the work can not be done this year.

PLANNING: Planning resolution P-26-92 was presented whereby Mary Day owner of 35 acres in Section 36, T.37N., R.16W., would be granted a variance to the subdivision regulations to create a 6.24 acre tract to sell. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-27-92 was presented whereby Warren Davis owner of 3 acres in Section 14, T.36N., R.16W., would be granted a variance to the subdivision regulations to create a 2 acre tract and a 1 acre tract of property originally purchased as two separate tracts. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-28-92 was presented whereby Marjorie Karas owner of 23.80 acres in Section 11, T.36N., P.14W., is applying for an after-the-fact variance to the subdivision regulations. This tract was part of a 47.60 acre tract. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried. A verbal request for a variance to the subdivision

08-11-92

regulations was tentatively approved for Reuben and Mary Lisenbury to create a 6.69 acre tract and a 5.20 acre tract. Planning resolution P-29-92 was presented whereby Reuben and Mary Lisenbury owners of 11.89 acres in Section 33, T.37N., R.15W., desire to create a 6.69 acre tract and a 5.20 acre tract. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-30-92 was presented whereby Wayne and Laverne Jones owners of 31 acres in Section 14, T.36N., R.16W, would be granted a variance to the subdivision regulations to create a 13.36 acre tract and a 18.49 acre tract. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried. A verbal request was tentatively approved for a variance to the subdivision regulations for Lavena Saunders to create a 3 acre tract for her son. A verbal request was tentatively denied for a variance to the subdivision regulations for Ellie Ward to create two 20 acre tracts to sell. Ms. Ward will be advised to go to the Planning Commission. A verbal request was tentatively approved for a variance to the subdivision regulations for Larry Everett to sell 16.14 acres to an adjoining landowner. A verbal request was tentatively approved for a variance to the subdivision regulations for Gary and Kim Sheek to create two 10 acre parcels; the verbal request to give a third piece to the county in exchange for gravel was denied.

PUBLIC HEARING: Comm Maynes moved to set up a public hearing to amend the subdivision regulations, Comm Brubaker seconded and carried.

COLORADO TRUST FUND: Joe Huggins and Patricia Sturman appeared to request a letter of support for a possible grant from Colorado Trust for the "Healthy Community Initiatives" plan. The letter of support was tabled. In the near future, a meeting with La Plata Health Care Project representative Dave Wesch and all the entities involved will address the question of how the money from the grant can be used.

DOLORES PUBLIC LIBRARY DISTRICT board member Mike Green and Secretary Christie Shaw met to explain the District's request for the commissioners approval of a special election to raise the mil levy from 1.5 mils to 4 mils for the District. The approval was given to hold the election.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application for renewal of a retail liquor license for Last Chance Liquors. The Sheriff's office reported no problems with this outlet. Comm Brubaker moved to approve this application, seconded by Comm Maynes and carried.

COLORADO DEPARTMENT OF TRANSPORTATION'S District Engineer Al Shablo requested support for a project to extend the snow shed on Hwy 550 (Red Mountain Pass) by 250 feet. After some discussion, it was noted that the Commissioners do support the project, but do not want it to supersede the projects already planned for Southwest Colorado. A letter, stating this, will be presented at the upcoming Transportation Department meeting. Mr. Shablo will set up a workshop with the Board in the near future to discuss the Transportation Department's Five-Year Plan for the area.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$227.76 from the 911 account to Farmers Telephone Company, Inc., and to transfer the amount of \$632.25 from the 911 account to U. S. West Communications, Comm Maynes seconded and carried.

COUNTY ROAD A: Landowner Sheldon Zwicker and Bureau of Reclamation representative Chuck Sullivan met to discuss the disputed public access for CR A.. Mr. Zwicker's adamant position was that the newly created CR A is a private road. It was stated that the concern of the Board is that no one be landlocked in the County. No decision was made by the Commissioners. Engineer Roach and Road Department Supervisor Billy Striegel were also present.

08-10-92

ROAD DEPARTMENT Supervisor Billy Striegel reported that the weeds have been bladed on the corner of CR F and 25. An electrician will be hired to install new overhead lights for the Mancos Shop. Culvert procedures were discussed. Chuck McComb, a resident on CR 21, will be notified that he needs to purchase a culvert for his driveway.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

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Minutes 08/17/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 17, 1992

STATE OF COLORADO)
) ss.

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 17, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

AUG 25 1992

MINUTES of the previous regular meeting held Monday, August 10, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff Department's monthly report for the month of July 1992 was received.

PUBLIC HEARING - CELLULAR, INC. TOWER: It being the time set aside, a Public Hearing was conducted for an application for a permit to construct a proposed cellular telephone facility for Cellular, Inc. on the existing communications site at Menefee Mountain. The roll was called and the Public Notice was read. Project Manager DeLayne Dillard stated that the proposed 80' tower has been registered with the FCC and FAA. The old 60' tower that was maintained by the former lease holder, Four States Communication, will be taken down and the new tower installed in its place. At this time Cellular, Inc. is trying to purchase the Four States' equipment shelter. No building permit is required. It was affirmed that this would be the last public hearing for the facility. No public comment was presented. Comm Brubaker made a motion to approve the application and issue the permit, seconded by Comm Maynes and carried. These proceedings were taped for the record.

EXTENSION OFFICE: Manager Bob Seaton and Jan Brandt presented a Halogeton plant which is a noxious weed harmful to sheep and cattle. The plant found west of Ship Rock was brought in by a resident of that area. It was noted that usually it does not grow in the higher elevations. Manager Seaton stated that he will be retiring December 31, 1992. Ms. Brandt explained the rehiring process. A letter requesting that the position be filled as soon after Mr. Seaton's retirement as possible will be written at the appropriate time.

FAIRGROUND Manager Dante Sena presented a non-advertised bid from Coca Cola for a fountain dispenser. After discussion, it was agreed that the need for a dispenser should be advertised for bids. Sena will get input from the users, come up with specifications and advertise for bids. Horace Greer will be contacted about the pipe which was to be used for the Mule Skinners outdoor arena at Mancos. The pipe will be brought back to the fairgrounds and stored. It can be taken back later if needed. The tractor will be fixed this week.

COUNTY CLERK Jean DeGraff presented the Clerk's monthly report for the month of July 1992. Clerk DeGraff presented a report on the ballot counters. Only two counters are left of the original five; three have been borrowed from La Plata County. The need for new counters will be considered after a representative for the CES system comes in September. It was noted that the Dolores Public Library District's special election can not use the County Clerk's judges. The Clerk's office provides a list of registered voters to them. Since the change in personnel, the VIN and SMM programs may need to be revamped. The Clerk has discussed this problem with the Sheriff; perhaps having a Sheriff's Deputy do field inspections once a week. Clerk DeGraff again stated the need for more space, perhaps moving the law library and using that room for Recording. Tabled.

08-17-92

RESIDENT Chan Chaffin reported on a piece of property that he wants to purchase. The property which he thought was owned by the county is actually owned by the State of Colorado. He will contact them.

ADMINISTRATOR Weaver presented, from the Access Elevators Company, the only bid received for equipment to be installed at the courthouse for handicap access. The total bid came to \$42,215. Comm Brubaker made a motion to accept the bid for the purchase of one Stair-Lift Model GSL with a safety audio-visual alert and two Evacu-Tracs, Comm Maynes seconded and carried.

SPACE: Administrator Weaver will meet with Engineer Roach to prepare preliminary plans for remodeling the courthouse to address the need of more space for several offices.

BOARD OF SOCIAL SERVICES was conducted.

CRS SERVICES: Assessor Cruzan presented a request from CRS Services to amend their Agreement for Services Contract with the County. The request was tabled. A meeting with CRS Services representative Chuck Norman will be scheduled for Monday, August 24, 1992.

ADJOURNED FOR LUNCH with the City of Cortez. The Airport Committee approved the August 3, 1992 minutes.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the blade at Dolores was brought to Cortez. It was noted that any request for employee pay change needs to be justified by the job description. Work has started on the Stapleton Bridge. The request from residents to upgrade unimproved CR 18 is a major job. The residents will notify the county if they decide to go ahead with the upgrading. They will start this week on CR 37. Gravel will be furnished and two turn-outs will be built. The dust problem on CR N is better. The mower is on the assembly line. A deadline was suggested for the undelivered new off-set disk which is now in Grand Junction. Several compliments to the Road Department from county residents were noted. One of the flat bed pickups will be used as a service tire truck and will be outfitted with a hoist and compressor. Water overflow problem on CR W will be looked at.

COUNTY ROAD UPGRADING POLICY: The electrical service for a new residence will have to be in place before any upgrading by the County will be done on unimproved county roads.

ENERGY IMPACT PRIORITY APPOINTMENTS: Comm Maynes made a motion that the below listed persons be appointed for the Energy Impact Priority Board, seconded by Comm Brubaker and carried: Cortez Mayor Roger Smith, Dolores Mayor Jim Cattles, Mancos Mayor Ed Hallam and Mary Mahaffey.

COMMUNITY SERVICES: Mike Preston reported that all the Forest Service surveys are in. Surveys for the milling, logging and lumber companies will be done by phone. GIS mapping was discussed at a meeting with the BLM and Park Service. A gaming impact meeting will be scheduled in the near future.

WEED CONTROL PROGRAM representative Ron Lanier presented before and after photos of recently sprayed Leafy Spurge.

PLANNING: Corrected planning resolution P-29-92 was presented whereby Reuben and Mary Lisenbury, owners of 11.89 acres in Section 33, T.37N., R.15W., would be granted a variance to the subdivision regulations to create a 6.73 acre tract and a 5.16 acre tract. Comm Brubaker moved to adopt this corrected resolution, seconded by Comm Maynes and carried. A verbal request was tentatively approved for a variance to the subdivision regulations for Robert Willburn to create a 3 acre tract for their son. A verbal request was denied for a variance to the subdivision regulations for Ernie Maness, owner of 40 acres to create two 5 acre tracts to sell. Mr. Maness will be referred to the Planning Commission. A verbal request was tentatively approved for a variance to the subdivision regulations for Gary and Sherry Siscoe to sell a 5 acre tract.

08-17-92

COLORADO TRUST FUND: Joe Huggins, Judi Lichliter, Margarat Kolata, Dawn Farrington, David Wesch, Bob Diederich, Bill Ray, Roger Smith and Bill Smart met to discuss the proposed grant from Colorado Trust for the "Healthy Community Initiatives" plan. Mr. Huggins presented a more concise fact sheet on the program. The advocates of the plan stated they were not asking for funding at this time, just supprt in the form of participation for the proposed grant. At this point, Mancos has endorsed the proposed grant and the Ute Mountain Ute Tribe have stated that they will submit their own letter of support is checked, Mr. Huggins will be notified of the Board's decision.

AMERICANS WITH DISABILITIES ACT: Judi Lichliter commented on available equipment from the Access Elevators Company to help make the courthouse accessible for handicapped Persons.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

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Minutes 08/24/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 24, 1992

STATE OF COLORADO)
) ss. SEP 1 1992
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 24, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, August 17, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

BOARD OF SOCIAL SERVICES was conducted.

SAN JUAN NATIONAL FOREST: Comm Brubaker made a motion to accept the Project Agreement between Montezuma County Commissioners, Montezuma County and the San Juan National Forest, USDA Forest Service, seconded by Comm Maynes and carried. The agreement is for the upgrading of the West Mancos Jackson Reservoir inlet bridge on FDR 561, CR 42.

RESOLUTION 7-92: Comm Brubaker made a motion to adopt resolution 7-92, whereas upon the application of the Dolores Library District to hold an election for the purpose of determining if the voters will support an increase in the mill levy to four mills, it is resolved, that the Dolores Public Library Distict is hereby authorized to hold such election, Comm Maynes seconded and carried.

ABATEMENTS: All Proceedings were taped for the record and it was noted that the Assessor and all the Commissioners were present. Petition for abatement of property tax was presented for New Mexico Land & Mortgage Co. (formerly Bull Pine Land Co.), #42-5359-191-00-002-K1, 1990, erroneous assessment, \$7,293.25 and 1991, erroneous assessment, \$7,293.26. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Petition for abatement of property tax was presented for Robert A. and Sue S. Bradley, 1991, erroneous assessment, \$65.89. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Petition for abatement of property tax was presented for Nellie Moore c/o Fred Prowse, 1988, erroneous assessment, \$545.13 and 1989, erroneous assessment, \$519.39. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried.

ASSESSOR Cruzan reported on the recent audit. The Commissioners were invited to a meeting this week with the Assessor and the Auditors. It was noted that the Assessor's office is still gathering information on agriculture land re-evaluations.

PLANNING: Planning resolution P-31-92 was presented whereby Ellie Ward, owner of 40.19 acres, would be granted a variance to the subdivision regulations to create a 20.00 acre tract and a 20.19 acre tract in Section 20, T.36N., R16W. This request was approved by the Planning Commission. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-32-92 was presented whereby James and Sally Robertson, owners of 41.46 acres, would be granted a variance to the subdivision regulations to create a 10.35 acre tract and a 31.11 acre tract in Section 9, T.36N., R.13W. Comm Brubaker moved to adopt this

08-24-92

resolution, seconded by Comm Brubaker and carried. A verbal request for an after the fact variance to the subdivision regulations was tentatively approved for Ted Cordova to sell 5.6 acres. A verbal request for a variance to the subdivision regulations was tentatively approved for Charles Goff to give his daughter 20 acres. VARIANCE requirements were reviewed and revised.

STATE REPRESENTATIVE Jim Dyer met with the Board. Items discussed were: the ARA court decision, gaming impact bill, timber industry and San Juan Basin Vo-Tech.

SHERIFF Tim Wood presented an agreement for signature. Comm Brubaker made a motion to sign the Law Enforcement Agreement between Montezuma County and the Ute Mountain Ute Tribe, Comm Maynes seconded and carried.

RESIDENT Charles Campbell expressed a concern about plans for chip and seal on CR 25 (Lebanon Road). He questioned whether the work planned for the road could be completed before winter, and if not, stated that there would be a dust problem. Assistant Road Supervisor Kirk Stauffer was present. He also mentioned that U.S. West did not return CR 25, CR 24 to CR S to their original state after the company installed a new line. These concerns will be checked by the Road Department and they will get back with Mr. Campbell.

ROAD DEPARTMENT: Assistant Supervisor Kirk Stauffer reported that the off-set disk has been received and they have tried it out. Cement work on the Stapleton Bridge has started. The type of oil used over roads previously treated with mag-chloride may be a problem. The pad has been started for the new weed control building. They will need to bore under the road to put in a culvert for CR W. It was reinforced that the Road Plan needs to be done by the end of the year. It was stated that if possible, the Road Supervisor needs to be available to meet with the Commissioners each Monday.

PROSPECTIVE LANDOWNER Dave Gibson requested a variance to the subdivision regulations to split 35 acres into three parcels. He was referred to the Planning Commission.

CRS SERVICES representative Chuck Norman explained the request to amend their Agreement for Services Contract with the County. Assessor Cruzan was present. Comm Maynes moved to accept the Amendment to Agreement For Services as corrected, seconded by Comm Brubaker and carried. Mr. Norman was authorized to continue to try and come up with a value for Shell Oil Company's CO2 production and report this information to the Board. It was noted that condensate, which is a by-product of the CO2 process, has never been reported by Shell as production.

RESIDENT Lloyd Wallace's verbal request for a variance to the subdivision regulations was tentatively approved to sell 20 acres.

SPACE: The Commissioners met with County Clerk Jean DeGraff at the courthouse to inspect space in the basement.

ADJOURNED at 4:15 p.m.

SEAL

Clerk Chairman

Minutes 08/31/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 31, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 31, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Jean DeGraff, Clerk

SEP 9 1992

MINUTES of the previous regular meeting held Monday, August 24, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

PAYROLL: Road fund payroll warrants #8129 through #8175 and #6185 in the amount of \$103,983.68; General fund payroll warrants #7966 through #8128 and #16435 in the amount of \$204,115.25; and General fund District Attorney payroll warrant #16434 in the amount of \$12,262.24 were approved.

PLANNING: A request from Joe Dean for another variance to the subdivision regulations for a different split was referred to the Planning Commission for consideration. A request from Sue Broderick for a variance for a 2 ½ acre tract was given tentative approval. A request from a realtor representing Bob Sellars for a variance to split 8 acres into two four acre tracts was given tentative approval provided they have checked with the Sanitarian. A request from Norm Harden for a variance to divide 14 acres was tabled. A request from John Stramel for information on how to subdivide 40 acres was referred to the Planning Commission.

LANDFILL: A report was submitted by Ginger Black of the Administration Office concerning the Present landfill. It was noted that 1/3 of the garbage dumped was coming from out-of-state. A representative of the Navajo Reservation had called requesting permission to dump at the landfill from Chinle, Ft Defiance and Window Rock. A statement from Les Baker of Baker Sanitation was read. After discussion, Comm Brubaker made a motion to allow Baker Sanitation to dump 24, 40 yard loads, per month at the landfill for two years to honor existing agreement with Baker, but not to accept any other garbage from out of state. Motion seconded by Comm Maynes and carried.

SHELL: Assessor Cruzan, Gary Mahaffey and Bill Watson discussed the possible abatement of property taxes of Shell Western which might be forthcoming if the State Board of Assessment Appeals should approve Shell's request.

PLEASANT VIEW FIRE PROTECTION DISTRICT: Comm Brubaker made a motion authorizing Commissioner of Deeds Robert L. Maynes to sign a warranty deed from Montezuma County to the Pleasant View Fire Protection District a tract of land in Section 31, T39N, R17W. Motion seconded by Comm Brubaker and carried. Deed will be recorded and sent to the District.

PAGE 2 CMO83192

ROAD SUPERVISOR Bill Striegel reported that the new mower is here and running also the Retriever. It was suggested that a grass retardant could be used in the barrow ditches. Striegel stated that he needed an additional truck driver. Board suggested that he review present employees to fill that position. Striegle was asked by the Board to review the present Road Plan and report back what could be done this year.

ADJOURNED at noon.

Clerk/Deputy Chairman

SEAL

Online Copy

Minutes 09/08/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 8, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday, September 8, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, August 31, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The Sheriff Department's monthly report for the month of August 1992 was received. The Consolidated Cost Allocation Plan and indirect Cost Rate Proposal for Montezuma County prepared by Greenlee was signed.

ADDENDUM TO LETTER OF INTENT: Chairman Colbert read the Addendum to the Letter of Intent Between the Ute Mountain Ute Tribe, Montezuma County Board of Commissioners and the Montezuma County Sheriff's Department. Comments were made that the Letter of intent dated and signed May 26, 1992 was revised and a copy was sent to Ute Mountain Ute Tribal Chairman Judy Knight-Frank for review and signature in July. At the scheduled date for opening the Casino, no action had been taken by Chairman Knight-Frank on the document. Chairman Knight-Frank after looking at the document, at this late date, had some objections to the wording and her attorney made changes in the document. Comm Maynes moved to ratify the Board of Commissioners actions of September 4, 1992, to accept the Addendum to the Letter of Intent, Comm Brubaker seconded and carried. It was noted that all the parties have a time limit not to exceed 30 days from the execution of this agreement to finalize and execute a Comprehensive Law Enforcement Agreement. (See attached for original signed Addendum.)

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$227.76 from the 911 account to Farmers Telephone Company, Inc., and to transfer the amount of \$632.09 from the 911 account to U.S. West Communications, Comm Maynes seconded and carried.

SHELL OIL COMPANY: Statutes were read regarding: (1) determination of actual value of CO2 production for property tax purposes, and (2) severance taxes. It was noted that the Board of Equalization is for equal taxation and the Assessor's Office does not bind the Board of Commissioners acting as such.

COLORADO TRUST FUND: Joe Huggins and Patricia Sturman gave an updated report on the proposed grant from Colorado Trust for the "Healthy Community Initiatives" plan. If the grant is received, \$7,500 would be available for technical help and to do the plan, and \$62,000 would be available as seed money to implement the plan. Comm Maynes moved to sign the letter of support for the plan, with the understanding that the County may not be able to support any future request for funds, Comm Brubaker seconded and carried.

PLANNING: A verbal request for a variance to the subdivision regulations was denied for Carl and Carol Mills to split 6 acres into two 3 acre parcels. They need to obtain permission from all the residents of the Great Cut Dike Estates subdivision. A verbal request for a variance to the subdivision regulations was tentatively approved for Hermona Beardsee to split a 40 acre tract into two 20 acre parcels, with the stipulation that the road to both parcels be brought up to county specs. A verbal request for a variance to the subdivision regulations was tentatively approved for Roy Lasamm, owner of 74 acres, to split off and sell 5 acres with a house. A verbal request for a variance to the subdivision regulations was tentatively approved for Donnie Story, owner of 82 acres, to split off 3 acres. A verbal request for a variance to the subdivision regulations was denied for Rodney Carriker, owner of 106 acres, to create two 25 acre parcels. Mr. Carriker will be referred to the Planning Commission.

WEED CONTROL PROGRAM manager Ron Lanier gave a report on weed spraying in the county.

HEALTH DEPARTMENT Nurse Betty Sutter presented a summary report on the recent cholesterol screenings and blood pressure checks done for County employees.

LIQUOR LICENSE: Deputy Clerk Betty Davis presented an application from Ute Mountain Trading Post owner Charles Schroeder to change a trade name on his 3.2 beer license from Ute Mountain Ute Trading Post to Eagle Claw. The application was signed. Deputy Davis also presented a new application for a retail liquor license which includes a walk-up window service for Eagle Claw. A Public Hearing will be scheduled for October 12, 1992, at 10:00 a.m. An investigation will be done by the Sheriff's Department with a set radius of 3 miles.

COUNTY CLERK Jean DeGraff reported that a representative for the CES system presented a new type of ballot counter called the Optic Scan that would change the whole process. This system would cost \$27,000, not counting the cost of printing new ballots. The card reader system looked at last year can be purchased for \$23,000 with a yearly maintenance fee of \$2,700. Brad Nelson with Elections Operations Services in Glendale, Arizona, has offered to bring this card reader system ballot counter and do the general election for us for the cost of his transportation and expenses. This was affirmed. If the machine works well for the general election, the purchase price of \$8,200 will be included in the Clerk's 1993 Budget request. It was noted that there is no problem with the card reader system.

MANCOS VALLEY MULESKINNERS representatives Bob and Bel Tischmacher, Horace Greer and James Allison presented a letter signed by the Mancos Valley Lions Club members requesting help with a proposed arena for the Muleskinners. A meeting will be scheduled with all the parties that might have an interest in the proposal.

TWIN LANDFILL CORPORATION President Les A. Liman from Steamboat Springs, Co., did a presentation on how to run a landfill. His request for a contract to manage the Montezuma County landfill will be considered after he sends a letter summarizing his plan.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the mower and disk retriever are doing good. The truck is ready, but a driver has not been assigned yet. They are hauling gravel from the Ormiston pit. One bridge is finished. The dust has settled down on CR N, but the holes are bad. They have re-shot the dump road with mag-chloride. The weeds were cut at the intersection of CR F and CR 25; speed is a problem at that location. A request for rock for CR 15 north of Pleasant View will be checked. It was noted that nothing further has been received on the Pat Higgins road request. A problem with a culvert at the Airport will be checked. A request for a water line to be run down the bar ditch on CR 24.5 was noted. Evaluations have not been done yet. It was proposed that they be done twice a year by the District Foremen.

09-08-92

3

BOARD OF SOCIAL SERVICES was conducted.

GAMING IMPACT MEETING was held with representatives from all entities that might have an interest in any gaming impacts. (See attached for complete list of persons attending.) After discussion, it was agreed that the community needs to establish levels for both the positive and negative impacts created by the gaming on the Ute Mountain Ute reservation. Indicators need to be arrived at to show trends and specific information may need to be obtained in to have correct information to use for these trends. A letter from each of the entities expressing their particular impact concern will be submitted to Administrator Weaver by next week. Another meeting will be scheduled to go over these concerns. It was noted that the Tribe has agreed to meet with the Gaming Impact representatives every three months from the date they opened the casino, which was September 4, 1992.

ADJOURNED at 4:30 p.m.

Deputy Clerk

Chairman

SEAL

Online Copy

09-14-92

RESIDENT Helen McClellan requested clarification about donated equipment for the Annex, in particular a piano and a desk. Minutes of September 8, 1990, were read. It was affirmed that all equipment donated to the Annex belongs to the County.

DONATED EQUIPMENT TO THE ANNEX: Comm Brubaker made a motion (1) that by necessity the County owns the donated equipment in the Annex Building because of insurance coverage, (2) that if there is any personal property at the Annex it should be taken home, and (3) that no disposal or selling of any donated equipment will be authorized without first receiving a recommendation from the Senior Citizens Advisory Board. Comm Colbert seconded and carried.

ROAD DEPARTMENT Supervisor Billy Striegel reported they are still working on the bridges. He stated the D8 cat now being used at the gravel pits does not meet Mining Law noise level requirements anymore. The installation of an air conditioner and further insulation will be considered to correct the problem. The truck driver position has been filled.

JOBS PROGRAM: Maxine Maestas and Ellen Holston gave an updated report on the Jobs Program. Jobs created by the gaming and the impact of these jobs on the program will be kept and reported. It was noted that the Plan signed for the Program is binding even tho a contract as of July 1, 1992, has not been written or signed.

WEED CONTROL PROGRAM representative Ron Lanier reported that the weed building is ready to move. They are still spraying the dry lands. He requested that both he and Don Morris attend a weed control meeting in October. This was affirmed.

BOARD OF SOCIAL SERVICES was conducted.

PLANNING: A verbal request for a variance to the subdivision regulations was denied for Lee and Mildred Stevens to split 3 acres off of 25 acres in the Curtis Subdivision. They will need permission from all the residents of the subdivision and all the residents need to sign off on the subdivision plat change.

SENIOR CITIZEN representative Sue Fletcher reported she will be attending a Budget meeting this week in Durango.

REVOLVING LOAN FUND: A request for a short-term loan for a new cedar log home business in Dolores was affirmed.

LIQUOR LICENSE: The radius set for Eagle Claw's application for a retail liquor license which includes a walk-up window service was reset to two miles.

ADJOURNED at 3:00 p.m.

Deputy Clerk Chairman

SEAL

As requested w/minor change.
M.A. McEVOY

Received OCT 26 1992
Tom W.

Printed on Recycled Paper

Online Copy

Minutes 09/21/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 21, 1992

STATE OF COLORADO)
) ss. SEP 30 1992
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado; held on Monday, September 21, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, September 14, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Colbert and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

RESIDENT Paul Pearson reported dumping was being done in a large hole not far from his resident on CR 18. Mr. Pearson requested signs be installed stating "No Dumping" and "Dead End Road". An on-site inspection will be made by the Commissioners and the Road Department supervisor.

COLORADO FARM BUREAU: Comm Brubaker made a motion to proclaim the week of September 21 through 25, 1992, as "National Farm Safety Week", seconded by Comm Colbert and carried. Representatives of the Colorado Farm Bureau Ms. Landis Porter and Nellie Donovan were presented the signed proclamation.

DISABLED VETERANS: Coordinator John Cox from the Veterans Services in Durango reported that a van has been donated to be used as needed to transport Four-Corners veterans to the Veterans Hospital in Grand Junction. Pick-up locations have been arranged in Mancos and Cortez and they have plans to soon have pick-up locations in Dolores and Telluride.

CORTEZ ADDICTION RECOVERY SERVICE (ARS) representative Dan Sturtz gave an updated report on the project. It was noted that he should present any request for funds at the Budget Hearing for 1993.

COUNTY ENGINEER Bud Roach reported that speed limits for the West Fork road need to be set by Montezuma County and Dolores County.

COMMUNITY SERVICES: Mike Preston gave a report on the planning process for the upcoming economic development meetings. A timber meeting with all interested entities is being set up. They are still working on the grazing surveys. Mike will serve on a panel on Land Use at the Colorado Cattlemen's Association meeting in December. A draft copy of the Sandstone Allotment has been received and will be commented on.

SHERIFF Tim Wood presented Resolution #8-92 approving the Law Enforcement Assistance Fund (LEAF) Contract L-28-93. Comm Brubaker made a motion to adopt this resolution, seconded by Comm Colbert and carried. Also presented was Addendum No. 1, for Division of Youth Services. Comm Brubaker made a motion to sign this addendum, Comm Colbert seconded and carried.

09-21-92

ROAD DEPARTMENT Supervisor Bill Striegel reported he had been checking on reports of someone stealing gravel at the Ormiston gravel pit. It was affirmed that a gate should be installed to discourage theft at the pit. Due to prohibitive freight costs, a county truck was used to pick up the steel and snowblowers from Greeley. They will continue to get information about installing insulation and an air conditioner to take care of the D8 cat noise level problem. The Fiat will be fixed. They have started crushing at the Gardner pit. It was noted that an outside company needs to be hired to install gates at the gravel pits. A problem with people parking on CR D.6 and signing needed on CR 37 will be checked.

BOARD OF SOCIAL SERVICES was conducted,

EPSDT CONTRACT between the State of Colorado and the Montezuma County Department of Social Services was signed.

WEED CONTROL PROGRAM representative Ron Lanier reported that all the notices have been sent out for the Weed Advisory Meeting next week.

SHELL WESTERN OIL COMPANY: Shell Western representatives Terry Thomas, Production Foreman, Rich Hansen, Public Relations, and Marilyn McEvoy, Property Tax Manager for Shell in Colorado met to answer questions raised by the CRS Services, Inc. audit of wellhead prices on CO2 production. Also present were Assessor Bob Cruzan and Deputy Assessor Jim Snow and interested public, Helen McClellan, Frank Dean, Nancy E. Newman, Gary Mahaffey and Duane Lanier. Ms. McEvoy gave a presentation on four areas of concern which included: (1) volume, (2) value, (3) the bid process/Shell contracts, and (4) condensate. Ms. McEvoy stated that future production volume reports to the State of Colorado and Montezuma County will show the same figures. It was affirmed that Shell Western will drop the pending State Board of Assessment of Appeals case and Montezuma County will close the audit by CRS Services, Inc., for the tax year on Shell's appeal and all prior years, with the understanding that Shell Western will cooperate with the County and the County will continue to do whatever is necessary to determine the actual value of CO2 production for each year subsequent to the above. CRS Services, Inc, representative Chuck Norman was not present.

ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Online

09-21-92

ROAD DEPARTMENT Supervisor Bill Striegel reported he had been checking on reports of someone stealing gravel at the Ormiston gravel pit. It was affirmed that a gate should be installed to discourage theft at the pit. Due to prohibitive freight costs, a county truck was used to pick up the steel and snowblowers from Greeley. They will continue to get information about installing insulation and an air conditioner to take care of the D8 cat noise level problem. The Fiat will be fixed. They have started crushing at the Gardner pit. It was noted that an outside company needs to be hired to install gates at the gravel pits. A problem with people parking on CR D.6 and signing needed on CR 37 will be checked.

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ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Online

09-21-92

ROAD DEPARTMENT Supervisor Bill Striegel reported he had been checking on reports of someone stealing gravel at the Ormiston gravel pit. It was affirmed that a gate should be installed to discourage theft at the pit. Due to prohibitive freight costs, a county truck was used to pick up the steel and snowblowers from Greeley. They will continue to get information about installing insulation and an air conditioner to take care of the D8 cat noise level problem. The Fiat will be fixed. They have started crushing at the Gardner pit. It was noted that an outside company needs to be hired to install gates at the gravel pits. A problem with people parking on CR D.6 and signing needed on CR 37 will be checked.

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ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Date:

I have read the minutes from the September 21, 1992 meeting between the Shell Oil Company and Montezuma County Commissioners and find they accurately reflect the agreement that was made at that time.
(as changed)

Signature: M.A. McEvoy

Minutes 09/28/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 28, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

OCT 06 1992

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 28, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert. D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, September 21, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

STATE LAND BOARD: Administrator Weaver reported on the meeting with the State Land Board last week. ASSESSOR Cruzan requested a meeting be set up with CRS Services, Inc. representative Chuck Norman to clarify what Mr. Norman is expected to do in the future for the County. A meeting will be set up. Cruzan invited the Board to attend a GIS Mapping meeting that his office is hosting September 30th.

NOTICE OF INTENT TO SUE was presented to the Board in regard to Claimant Warren Thomas Williams. The intent, which was a result of an arrest by the Sheriff's Department, has been referred to the Insurance Company.

TRASH STATUTES were read to clarify questions relating to trash dumping on private land.

LAW ENFORCEMENT AGREEMENT meeting was attended by Sheriff Tim Wood, State Gaming representatives Susan Stuart and Gary Herbert from Denver, Ute Mountain Ute Tribal Chairman Judy Knight-Frank, Ute Mountain Ute Tribe Administrator Wilfred Madrid, Tribal Gaming Commission representative Charles R. Banks, Commissioner candidates Helen McClellan and Frank Dean. At the request of Helen McClellan, the agreement was read. Comm Maynes moved to enter into this Law Enforcement Agreement between the Ute Mountain Ute Tribe, Montezuma County Sheriff's Department through The County of Montezuma, seconded by Comm Brubaker and carried. Comm Maynes noted that the agreement could not bind future Boards or future Tribal Council members due to turnovers in such, and as a result the contract could be revisited.

TOWN OF DOLORES representatives Joe T. Rowell, Bill Filener and Jim Cattles presented building plans for a proposed Pre-School and Adult Education facility to be built in Dolores. A Federal grant to construct the facility has been approved. The representatives asked for help from the County's Road Department to move dirt at the proposed building site. It was affirmed that County Engineer Bud Roach and Road Supervisor Billy Striegel will check on what needs to be done and if it can be worked into the County schedule. They will be in contact with the above representatives.

PUBLIC HEARING ON PROPOSED SUBDIVISION ON CR 26.5: A Public Hearing concerning the proposed development of a subdivision by Gerald Fisher on CR 26.5 will be scheduled for Tuesday, October 13, 1992, at 7:00 p.m.

JAIL INSPECTION was conducted.

MONTEZUMA COUNTY FAMILY CHILD CARE ASSOCIATION members Connie Baginski, Shirley Randolph and Virginia Howey met with concerns about new State licensing rules and regulations. Social Services Director JoAnna GoldenBough was also present. Concerns discussed were: (1) jeopardy of losing their daycare licenses if they accept emergency referrals from the Social Services Department and these referrals put the number of children over and above the number approved by the State for that day, and (2) Title 20 reimbursement rates of licensed daycare providers versus preschools. A meeting will be scheduled with a State Social Service Department representative in the near future.

LANDOWNER Don O'Brien expressed a concern about a request for an easement through his property which is off of CR 30. He also stated he desires to split 18 acres from a 34 acre parcel behind Swanner's Food Mart and is working on access to the property.

POOL TABLE DONATION: Senior Citizens representative Sue Fletcher will sign a receipt for tax purposes for the donation of a pool table from Kay Van Dover.

PLANNING: Planning resolution P-34-92 was presented whereby Frank and Neita Muniz, owners of 12.96 acres would be granted a variance to the subdivision regulations to create a 10.05 acre tract and a 2.91 acre tract in Section 15, T.37N., R.16W. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried. Planning resolution P-35-92 was presented whereby Lavena Saunders, owner of 214 acres would be granted a variance to the subdivision regulations to create a 3.91 acre tract for her son in Section 32, T.37N., R.16W. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-36-92 was presented whereby Robert Willburn, owner of 278 acres would be granted a variance to the subdivision regulations to create a 3.1 acre tract for his son in Section 11, T.35N, R.14W. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution P-37-92 was presented whereby Joe Dean, owner of 20.67 acres would be granted a variance to the subdivision regulations to create a 17.12 acre tract and a 3.55 acre tract in Section 14, T.35N., R.16W. Mr. Dean agrees to relinquish Resolution P-33-83 in order to obtain this variance. This request was approved by the Planning Commission. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried. Planning resolution P-38-92 was presented whereby Robert Sellers, owner of 8.60 acres would be granted a variance to the subdivision regulations to create two 4.40 acre tracts in Tract 41 (Sections 6 and 7), T.38N., R.12W. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and carried. A verbal request for a variance to the subdivision regulations was tentatively approved for Kay Net Rathjen to split 30 acres.

BOARD OF SOCIAL SERVICES was conducted

GRAVEL LEASE CONTRACT: Comm Brubaker made a motion to sign the Gardner Addendum Gravel Lease Contract between Montezuma County and Lavena E. Saunders, seconded by Comm Maynes and carried.

ROAD DEPARTMENT: Supervisor Billy Striegel reported that air conditioning for the D8 cat can not be effective, due to the cab not fitting. He will check on taking the cab off to take care of the noise factor. The scraper and the D8 are being used at the dump. It was affirmed that a 1985 D8L be leased until January 1, 1993, with the option to purchase. Striegel reported there is a lot of reclamation work to be done. The Fiat will be taken to San Juan Basin VoTech for repairs. Other items discussed were: (1) the need to do 3/4" gravel instead of chips at the Gardner pit, and (2) cost effectiveness for weighing the county gravel trucks. A request for grading on CR 21 between CR P & S will be checked.

09-28-92

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MANCOS VALLEY MULESKINNERS: The Mancos gravel pit will be reclaimed to be used by the Mancos Lions Club for an arena for the Muleskinners.

ADJOURNED at 3:30 p.m.

Deputy Clerk Chairman

SEAL

Online Copy

Minutes 10/05/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 5, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 5, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

OCT 13 1992

MINUTES of the previous regular meeting held Monday, September 28, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

LIQUOR LICENSE: Deputy Betty Davis presented the State approved application for owner Charles Schroeder to change the trade name on his 3.2% beer license from Ute Mountain Ute Trading Post to Eagle Claw Trading Post. Comm Maynes moved to approve this application, seconded by Comm Brubaker and carried. Also presented was an application for renewal of a 3.2% beer license for the Priest Gulch Campground. Comm Maynes moved to approve this application, seconded by Comm Brubaker and carried.

ADMINISTRATOR Weaver read a letter from West Fork Art and Frames owners Harry and Marianne Freeman requesting Montezuma County release the Deed of Trust on their home and put it on their business. A Title Insurance Policy on the business will be ordered by Montezuma County, and if the information is acceptable, the request will be granted. Administrator Weaver will attend a Western Slope Landfill meeting in Glenwood Springs, Co this week.

BOARD OF SOCIAL SERVICES was conducted.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented the agenda for the meeting scheduled October 21, 1992, concerning the San Juan National Forest Timber Program. The meeting will include U.S. Forest Service representatives, County Commissioners and local Timber Industry representatives, and Congressional representation. An overall economical development planning session will be held October 29, 1992.

GOLDEN AGE 55+ DANCE CLUB representatives met to express their concerns about the specifications for the installation of the hardwood floor for the new addition at the County Annex. Their request for a copy of the latest specs from the contractor will be checked on. The Senior Citizens Advisory Board will call a special meeting to meet with the contractor about these concerns.

COUNTY CLERK Jean DeGraff met to discuss the "Voting Rights Language Assistance Act of 1992". Letters will be written to several entities asking for clarification in regard to the status of the Ute Mountain Ute language. The inquiries will address the question of whether the language is "historically" a written or unwritten language. The letters will be sent Certified-Return Receipt and all letters received from the entities contacted will be retained in a permanent file.

ADJOURNED FOR LUNCH with the City of Cortez.

10-05-92

ROAD DEPARTMENT Supervisor Billy Striegel reported that the first steel has been done on the Stapleton bridge. They will start making 3/4" chips at the Gardner gravel pit tomorrow. Supervisor Striegel will continue to check on different possibilities for acquiring a newer cat. The fence will be put up again and one gate will be installed at the Gardner pit. The county will weigh their own gravel loads. The mower is going again. The new weed building has been moved to the County yard.

MONTEZUMA COUNTY CARE ASSOCIATION members Shirley Randolph and Virginia Howey, State Social Services Department representative Dora Widdison and Social Services Director JoAnna GoldenBough met to talk about State licensing rules and regulations. Ms. Widdison stated that stricter rules and regulations are imposed state-wide for the daycare centers, which explains some of the rate differences for daycare homes and daycare centers. She noted, at this time, there is no dual licensing for a daycare and foster home. A waiver application for a variance to this rule was presented to Ms. Widdison from Shirley Randolph and signed by Social Services Director GoldenBough and Chairman Colbert as a statement of their support. Ms. Widdison noted that each case involving a waiver is handled individually by the State. Liability issues were also mentioned.

ENGINEER Bud Roach presented a bid proposal for the Montezuma County Municipal Solid Waste Facility from ACZ Engineering Company.

COLORADO STATE EXTENSION SERVICE representative Bill Raley reported on the process used for filling positions in the Extension Office.

ADJOURNED at 3:45 p.m.

Deputy Clerk Chairman

SEAL

Minutes 10/12/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 12, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 12, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

OCT 20 1992

MINUTES of the previous regular meeting held Monday, October 5, 1992, were read. Comm Brubaker moved to approve these minutes, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue orders to the Treasurer to transfer the amount of \$227.76 from the 911 account to Farmers Telephone Company, Inc., and to transfer the amount of \$632.09 from the 911 account to U.S. West Communications, Comm Maynes seconded and carried.

LANDFILL ORDER: Comm Brubaker made a motion to direct the Clerk to issue an order to the Treasurer to draw a warrant on the Landfill Fund in the amount of \$5,994.10 payable to the Colorado Department of Health. HSRF Accounting Department, Room 400, 4210 East 11th Avenue, Denver, Colorado, 80220 as the third payment. Motion seconded by Comm Maynes and carried.

PAYROLL: General fund vouchers #8185 thru 8296 in the amount of \$125,031.21, #16657 in the amount of \$12,262.24, #16658 in the amount of \$76,337.56 and Road fund vouchers #8297 thru #8341 in the amount of \$59,072.80 and #6286 in the amount of \$39,254.07 were approved for payment.

ACCOUNTS PAYABLE: General fund vouchers #16594 thru #16826 in the amount of \$113,305.88 and Road fund vouchers #6287 thru #6369 in the amount of \$94,241.84 were approved for payment.

PUBLIC HEARING - McALLAMAN ESTATES SUBDIVISION: It being the time set aside, a public hearing was conducted concerning the revised plat of the McAllaman Estates subdivision. Present were Bob Durant, Sandy Zisman, Jerry McComb, Wayne Lee, and Commissioner Candidates Helen McClellan and Frank Dean. It was noted that the revision included the elimination of the common open area designated on the original McAllaman Estates subdivision plat. Adjoining lots to the open area will be increased in size and some lots will have line shifts to fit the terrain. The verbal request for a variance to the subdivision regulation was tentatively approved with the stipulation that permission for the changes be obtained from all the residents and the residents all sign off on the revised subdivision plat. These proceedings were tape recorded, the role was called and the Public Notice was read.

PUBLIC HEARING - EAGLE CLAW TRADING POST: It being the time set, aside, a Public Hearing was conducted for the consideration of a retail liquor license to sell malt, vinous and spiritous liquor. Application for a retail liquor license which includes a walk-up window service was received from Charles K. Schroeder dba Eagle Claw Trading Post. Present were

Deputy Clerk Betty Davis, representing owner Charles Schroeder, Attorney Stan Morris representing Mr. Schroeder, Sheriff Department Investigator Larry Staats, Eagle Claw employee Sally Wayman and Commissioner Candidates Helen McClellan and Frank Dean. Investigator Staats submitted a Report of Investigation. The polling report showed that within the radius of two miles, 35 residents were randomly polled. The following questions were asked: (1) Do you feel there is a need for this license; and (2) Do you want this license issued? The survey showed 23 against, 7 affirmative and 5 no opinion for both questions. It was noted that the random polling was conducted four different times during one business day and one evening from 6 p.m. to 9 p.m. A check list was used and no names were recorded. Investigator Staats also reported that all character references checked on were favorable for Mr. Schroeder, and distances from churches and schools were approved. Attorney Morris called two witnesses which were sworn in by Chairman Colbert. Exhibit A was presented. Exhibit A represented a poll done by witness Ms. Sally Wayman. The survey report showed that within the radius of two miles, 41 residents were randomly polled. The following questions were asked: (1) Should Mr. Schroeder have the right to sell malt, vinous and spiritous liquor? (2) How many times had they been in the Eagle Claw Trading Post recently? (3) Were they polled by the Sheriff's Department? The poll showed 36 affirmative and 7 against the first question. The second question was answered by most, either as a lot of times or seldom, with 2 People stating they had not been in the store at all. In answer to the third question, 4 stated they had been contacted by the Sheriff's Department. Signatures from the residents were obtained for Exhibit. A. Exhibit B was presented. Exhibit B represented a petition prepared by witness Mr. Charles Schroeder in favor of the license, and signed by approximately 500 customers from all over the 4-Corners area. Also noted was that 98% of these signatures were from people outside the two mile radius. Deputy Davis stated that the owner does have the right to do his own survey. Comm Maynes moved to grant a retail liquor license to sell malt, vinous and spirituous liquor for Eagle Claw Trading Post, seconded by Comm Brubaker and carried. These proceedings were taped, the roll was called and the Public Notice was read. ASSESSOR Bob Cruzan presented the final "Abstracts of Assessment" for signature, HEALTH DEPARTMENT Nurse Bette Sutter gave an updated report on the follow-up meeting held in Durango to address regional health problem.

AMENDMENT 2: Dan Kardokus read a statement and presented a pamphlet on Amendment 2.

ADJOURNED FOR LUNCH at the Dolores Senior Center with Senior Nutrition Director Sue Fletcher. CRS SERVICES, INC, representative Chuck Norman met to discuss future work to be done for the County by CRS Services and the method of payment for such work. Future review of Shell Western E&P 1992 taxes and future taxes, and a review of 1992 taxes for all the companies will be addressed at a later time. If possible a meeting will be scheduled next Monday, October 19, 1992, with Property Tax Manager for Shell Marilyn McEvoy and CRS Services representative Chuck Norman to talk about the confidentiality question.

PLANNING: Planning resolution P-39-92 was presented whereby Marvin Roofe, owner of 13.81 acres, would be granted a variance to the subdivision regulations to sell a 8.04 acre tract and a 5.77 acre tract in Section 31, T.35N., R.16W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried, Planning resolution P-40-92 was presented whereby Lloyd Wallace, owner of 17.15 acres, would be granted a variance to the subdivision regulations to create a 8.41 acre tract and a 8.74 acre tract in Tract 39, T. 38N., R. 12W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Planning resolution P-41-92 was presented whereby Gunther Hardt, owner of 100 acres, would be granted a variance to the subdivision regulations to create three 10 acre parcels in

10-12-92

3

Section 3, T.37N., R15W. Mr. Hardt was given permission by the Planning Commission on September 8, 1992, to make this three-way split. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried. Planning resolution P-42-92 was presented whereby Benton Dean, owner of 34.93 acres, would be granted a variance to the subdivision regulations to do a three-way split. This request was granted by the Planning Commission on September 8, 1992. Comm Brubaker made a motion to adopt this resolution, seconded by Comm Maynes and carried. A verbal request for a variance to the subdivision regulations was tabled for Gwen Johnson to split 36.7 acres in half, until Engineer Roach inspects the 60' easement to be sure that the road meets county specs, Perspective buyer Pat Blackmer was present and presented photos of the road. A verbal request for a variance to the subdivision regulations was tentatively approved for Ernest Maness to sell 2 to 3 acres to an adjoining landowner. A verbal request for a variance to the subdivision regulations was tentatively approved for Dan Cline to sell 6 acres.

BOARD OF SOCIAL SERVICES was conducted.

HEARING - EMPLOYEE: It being time set aside, a hearing was conducted for Road Department employee William McLaughlin in regard to his DWI arrest after work hours on October 6, 1992. He was informed that he had a right to a private hearing. This was declined. At this time he does have a temporary driver's license. Mr. McLaughlin is contenting he was not drunk. Insurance policy rates which are determined by any action regarding employee driver licenses were discussed. Comm Maynes moved to postpone the decision in regard to Mr. McLaughlin's employment until the day after the first determination, which would be whichever comes first: (1) the decision of the Administrative hearing, which will address whether Mr. McLaughlin is entitled to retain his driver's license, or (2) the Court's decision of guilty or not guilty. Comm Brubaker seconded the motion and carried. These proceedings were taped for the record and the roll was called.

ROAD SUPERVISOR Bill Striegel asked if a wing for the new maintainer needs to be ordered. This was affirmed. It was noted that county employees who are volunteer firemen should use good judgment as to whether or not they should answer an emergency call depending on how far they are from the situation, etc. The culvert for Wayne Rogers has been installed. All the evaluations are done. Supervisor Striegel stated that most of the reports for the Road Plan have been received from the District Foremen. A meeting with the Advisory Road Committee will be scheduled. A need for a school bus turn-out on the Jackson Lake Road will be checked on by Supervisor Striegel and Engr Roach. A bid for a Crawler tractor was submitted. They have moved the trucks from the Mancos gravel pit to the Gardner pit. McElmo Road has been bladed - did not use water trucks. Report of weeds at the intersection of CR X and 16 will be checked. Engr Roach will check on the reported problem of run-off water on CR F.

COUNTY ROAD A: Bureau of Reclamation employee Chuck Sullivan reported that the BuRec had been contacted by Mr. Troy Weyand about a problem with a culvert installed recently on CR A. It was determined that the culvert had been installed by the County, not the BuRec. A meeting will be scheduled with Mr. Weyand.

ADJOURNED at 4:00 p.m.

Deputy Clerk Chairman

SEAL

Minutes 10/19/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 19, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 19, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, October 12, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The County Clerk's Monthly Report for September 1992 was received. Correspondence was received from the Attorney's representing Barbara Grossman's Sexual Harassment Claim.

MONTEZUMA COUNTY HOSPITAL DISTRICT FOUNDATION: Receipt of a letter from the Foundation with three choices for the selection of a name for the new outside area at the Vista Grande Nursing Home was noted. It will be returned with the suggestion that the people living there name the new area.

CRS SERVICES, INC. representative Chuck Norman met to present an "Amendment to Agreement for Services." Comm Brubaker made a motion to accept the Amendment to Agreement for Services for tax years 1986 through 1991 and 1992, seconded by Comm Maynes and carried. Comm Brubaker made a motion to order the Treasurer to pay CRS Services, Inc. \$30,000 out of funds collected from the CRS audit, seconded by Comm Maynes and carried. It was noted that CRS Services will also do a market survey for the County for an additional \$3,500.

ASSESSOR Bob Cruzan was given approval to hire a temporary clerk to work on the agriculture reappraisals. RESIDENTS on County Road 29, Jerry C. Harkins and Jim Bridgewater stated they have been maintaining the county right-of-way ditches on their properties. Recently the ditches were bladed by the Road Department and the grass is now torn up. The Board will do an on-site inspection at noon. At a later time it was affirmed that the Road Department will smooth out the ditches and the above residents and resident Paul Youngmark will maintain the ditches on their properties in the future, as they have done in the past.

SENIOR NUTRITION PROGRAM Director Sue Fletcher presented the "Donated Foods Agreement" for signature.

ADJOURNED at 11:00 a.m. to make an on-site inspection on County Road 29 and for lunch at the Mancos Senior Center with Senior Nutrition Director Sue Fletcher.

10-19-92

PLANNING: Planning resolution P-44-92 was presented whereby Kaynet Rathjen, owner of 30.55 acres, would be granted a variance to the subdivision regulations to sell a 17.02 acre tract and a 13.53 acre tract in Section 4, T.35N., R.16W. Comm Brubaker moved to adopt this resolution, Comm Brubaker seconded and carried.

COUNTY ROAD DEPARTMENT employee Lloyd Everett presented quotes from Wagner Equipment Company for a new D8N Cat. After some discussion, it was agreed that he should get quotes from Wagner on the D8N and a D7H cat with the option of a larger down payment and a 2-year pay off, and quotes from any other interested companies.

ROAD DEPARTMENT Assistant Supervisor Kirk Stauffer reported on the rock slide on the Dunlap Road above Dolores. Adm Weaver noted that the chain of command for road department emergencies needs to be looked at and a list be compiled. The request that CR 29 residents be allowed to maintain their ditches was noted and affirmed.

HEALTH DEPARTMENT Nurse Betty Sutter met to discuss a letter received from the State concerning the "Prenatal" program problem. A letter will be written for the Board's signature.

BOARD OF SOCIAL SERVICES was conducted.

COUNTY ROAD A: Resident Troy Weyand met about the water running into his ditches due to the culvert installed by the County. A meeting will be scheduled with Wayne Schwindt with the proposal of installing three pipes to take care of the problem. Bureau of Reclamation representative Chuck Sullivan was also present. It was noted that a solid pipe would not work due to the problem of keeping the pipe cleaned out.

PERSPECTIVE LANDOWNER Marcia Reichenau presented a concern about purchasing property on CR G and 25. She asked if the county would accept the section of road accessing the property as a county maintained road. Engr Bud Roach will be asked to check whether or not the road meets county specs. Ms. Reichenau will be notified.

ADJOURNED at 4:15 p.m.

Deputy Clerk

Chairman

SEAL

10-26-92

PLANNING: Resolution P-45-92 was presented whereby Eugene Stramel, owner of 35 acres, was granted a variance to the subdivision regulations to sell a 10.31 acre tract in Section 17, T.37N., R.14W., on March 16, 1992. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried.

Resolution P-46-92 was presented whereby Donald and Sandy Story, owners of 82 acres, be granted a variance to the subdivision regulations to create a 4.56 acre tract and a 4.86 acre tract in Section 6, T.36N., R.15W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried.

A verbal request for a variance to the subdivision regulations was tentatively approved for Lavena Saunders to sell a 23+ parcel. A verbal request for a variance to the subdivision regulation was tentatively approved for Gerald Huddleston to divide 38+ acres into a 20 acre tract and a 17 acre tract. A verbal request for a variance to the Subdivision regulations was tabled for Deborah Kinney and Jerry Tate to split property on CR D.6 into two ten acre parcels until the easement is clarified. Other planning items noted were: (1) A new State statute, effective June 1, 1992, which will affect the requirements needed for approval of variances to the subdivision regulation, was discussed. (2) A continuation of a verbal request for a variance to the subdivision regulations for Gwen Johnson to split 36.7 acres in half was tabled until the road meets county specs; and in order to comply with the new statute effective June 1, 1992, permission be obtained from all the residents of the subdivision and all the residents sign off on an amended subdivision plat. (3) The road that perspective landowner Marcia Reichenau requested be accepted as a county maintained road is a private road, therefore, the Board can not address the request.

ADMINISTRATOR Weaver will get quotes for installing carpet in the Annex Building.

DISTRICT ATTORNEY George Buck presented information on the Task Force on Family Issues.

RESIDENT on CR 24 Barney Phillips met with the Commissioners about a dirt pile at the Lewis Cemetery. The pile is causing water to run out onto the pavement. He requested they move the dirt so he can build a fence.

Road Supervisor Striegel will meet with him.

RETIREMENT RESOLUTION #9-92 was presented whereby Montezuma County congratulates and expresses appreciation to Lola Roberts for her 21 years of service to the County. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. A Certificate of Appreciation from the Montezuma County Health Department was also given to Ms. Roberts.

SHELL WESTERN E & P, INC. correction of the minutes for September 21, 1992, page 2, was noted and is as shown on the attached.

ROAD DEPARTMENT Assistant Supervisor Kirk Stauffer stated the dirt piled from the cemetery property onto the Dave Totman property will be returned to the cemetery property. A complaint from Joe Smith on CR 22 that a culvert on the road is dumping water on his property was noted. A request was received from Lonnie Dennison to trade the wrecked truck in the yard in exchange for sand blasting. This was denied. The County will have to advertise sale of the truck or take it to an auction. The sand-blasting will have to be paid for. The gates are up at the crusher. The estimates on crusher costs are estimated now at \$2.83 per yard which includes royalties; the corrected figures will be presented as soon as they have them. It was affirmed that they should look into the possibility of having a third party figure the cost per yard to get an accurate figure.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 3:30 p.m.

Deputy Clerk

Chairman

SEAL

09-21-92

ROAD DEPARTMENT Supervisor Bill Striegel reported he had been checking on reports of someone stealing gravel at the Ormiston gravel pit. It was affirmed that a gate should be installed to discourage theft at the pit. Due to prohibitive freight costs, a county truck was used to pick up the steel and snowblowers from Greeley. They will continue to get information about installing insulation and an air conditioner to take care of the D8 cat noise level problem. The Fiat will be fixed. They have started crushing at the Gardner pit. It was noted that an outside company needs to be hired to install gates at the gravel pits. A problem with people parking on CR D.6 and signing needed on CR 37 will be checked.

BOARD OF SOCIAL SERVICES was conducted.

EPSDT CONTRACT between the State of Colorado and the Montezuma County Department of Social Services was signed.

WEED CONTROL PROGRAM representative Ron Lanier reported that all the notices have been sent out, for the Weed Advisory Meeting next week.

SHELL WESTERN E & P, INC: Shell Western representatives Terry Thomas, Production Foreman, Rich Hansen, Public Relations, and Marilyn McEvoy, Property Tax Manager for Shell in Colorado met to answer questions raised by the CRS Services, Inc. audit of wellhead volume and value on CO2 production. Also present were Assessor Bob Cruzan and Deputy Assessor Jim Snow and interested public, Helen McClellan, Frank Dean, Nancy E. Newman, Gary Mahaffey and Duane Lanier. Ms. McEvoy gave a presentation on four areas of concern which included: (1) volume, (2) value, (3) the bid process/Shell contracts, and (4) condensate. Ms. McEvoy stated that future production volume reports to the State of Colorado and Montezuma County will show the same figures, It was affirmed that Shell Western will drop the pending State Board of Assessment of Appeals case and Montezuma County will close the audit by CRS Services, Inc., for the tax year on Shell's appeal and all prior years, with the understanding that Shell Western will cooperate with the County and the County will continue to do whatever is necessary to determine the actual value of CO2 production for each year subsequent to the above, CRS Services, Inc. representative Chuck Norman was not present.

ADJOURNED at 4:00 p.m.

Deputy Clerk

Chairman

SEAL

Online

Minutes 11/02/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 2, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 2, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, October 26, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of a letter from the Montezuma County Family Child Care Association was noted.

WINGSPREAD SUBDIVISION residents Sam and Joan Roth and R. E. and Nedra Dils asked that designated CR U.6 be considered for county snow removal. Since the subdivision is only 30% occupied, the request was denied. For future reference, Engr Bud Roach will check and see if the road is up to county specs.

HOMELESS CHILDREN'S HOME representative Maria Dent presented information on a private facility which is being proposed to be build in the county. No funds from the county will be solicited. Ms. Dent was referred to Montezuma County Economic Development Director Alan Klein.

ABATEMENT: All proceedings were taped for the record and it was noted that the Assessor, and all the Commissioners were present. Church of the First Born representative Wayne Rust was also present. A petition for abatement of property tax was presented for the Cortez Church of the First Born, 1990, erroneous assessment, \$941.46 and 1991, erroneous assessment, \$978.37. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried.

SHERIFF Tim Wood presented the Sheriff Department's Monthly Report for October 1992. He reported that the Dolores County Commissioners had contacted him about being included in the 911 Emergency service. If the service was made available to them, they would pay for any installation costs and make payments for the service to the 911 Authority Board. It was noted that the Commissioners were designated by several entities as the 911 Authority Board. The Sheriff will compile cost figures for the request, all the entities that signed the original 911 agreement will be contacted for their input, and he will report the information to the Board. The Sheriff also presented figures (for gaming impact information) on the traffic counter placed about six miles north of Towaoc.

BATTLE ROCK SCHOOL Teacher Audrey Allmon asked for dust retardant in front of the school house on McElmo Road. She stated that the dust is creating a problem with their computers and they have had to call in a repairman several times. It was noted that it was agreed last year that the retardant should be kept on the road. It was reaffirmed that this will be done.

11-02-92

ACZ INC. - Engineering and Environmental Services representative Robert Peterson presented a proposal for the Montezuma County Municipal Solid Waste Facility. Engineer Bud Roach was present. It was noted that the proposed contract could be submitted in phases and that local surveyors, drillers, etc. could be used. The company would charge on an hourly basis for time and materials. The Board requested a proposed contract for the first phase.

ROAD DEPARTMENT Supervisor Billy Striegel presented prices for a low boy, a new and a used D8 cat and a D7 cat. It was noted that a low boy can be rented for \$500 each time that equipment needs to be moved, regardless of how far the equipment is hauled. It was affirmed that renting would be more cost effective. Purchase of a cat was tabled. The dirt pile that Barney Phillips requested be moved has been moved. Speed limit signs have been put up on CR 36.5.

HEALTH DEPARTMENT Nurse Betty Sutter presented the WIC (Women, infants, and Children) Contract for signature. A letter written to the State concerning the problems with the Prenatal program was noted.

PLANNING: Planning resolution P-43-92 was presented whereby Dan Cline, owner of 39.05 acres, was granted a variance to the subdivision regulations to create a 6.16 acre tract in Section 3, T.37N., R.16W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Planning resolution P-47-92 was presented whereby Gerald and Janice Huddleston, owners of 38.13 acres, was granted a variance to the subdivision regulations to divide the property into a 17.32 acre tract and a 20.81 acre tract in Section 36, T.36N., R.18W. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried. Planning resolution P-48-92 was presented whereby Ernie Maness, owner of 40 acres, was granted a variance to the subdivision regulations to split the property into a 28.76 acre tract, 5.60 acre tract and a 5.60 acre tract in Section 3, T.37N., R.15W. The Planning Commission approved this split on September 8, 1992. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Planning resolution P-49-92 was presented whereby Charles Goff, owner of 100 acres, was granted a variance to the subdivision regulations to give a 20.50 acre tract to his daughter in Section 13, T.36N., R.14W. Comm Brubaker moved to adopt this resolution, Comm Maynes seconded and carried. Planning Resolution P-50-92 was presented whereby Lavena Saunders, owner of 227 acres, was granted a variance to the subdivision regulations to sell a 22.51 acre tract in Section 30, T.37N., R.16W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. A verba; request for a variance to the subdivision regulations was tentatively approved for Fred Cline to create two tracts. A verbal request for a variance to the subdivision regulations was tabled for Redd Livestock to sell 5 acres until the total acreage of the parcel is checked.

CRS SERVICES, INC. - MARKET SURVEY CONTRACT: Comm Maynes made a motion to sign the contract with CRS Services, Inc. for analysis of certain economic variables associated with carbon dioxide CO2 production facilities. CRS will be paid \$70 per hour, up to a \$3,500 maximum, which will be payable upon completion and acceptance. Comm Brubaker seconded and carried.

CORRECTED EPSDT CONTRACT: The contract with the correction that the contract is between the Department of Health and the Board of County Commissioners was signed.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 3:00 p.m. at the invitation of County Clerk Jean DeGraff, to watch a demonstration of the card reader system ballot counter loaned to the Clerk's office for the general election.

Deputy Clerk Chairman

SEAL

Minutes 11/09/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 9, 1992

STATE OF COLORADO)

) ss.

Nov 17 1992

COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 9, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, November 2, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of a letter concerning the need for a Planning Committee to work on the Highway Transportation Plan was noted.

TIMBER MEETINGS: Comm Tom Colbert reported on the meeting he and Mike Preston attended in Denver with the U.S. Forest Service Regional Director for the states of South Dakota, Colorado and Wyoming. Information that more timber will be available at a lower price was noted. They also met with the Timber Industry Association the next day. Both sessions were productive.

PAYROLL: General fund vouchers #8349 thru #8458 in the amount of \$120,121.37, #16829 in the amount of \$12,262.24, #16830 in the amount of \$73,082.79 and Road fund vouchers #8459 thru #8502 in the amount of \$59,045.08 and #6372 in the amount of \$39,577.32 were approved for payment.

TRANS COLORADO PIPELINE: Receipt was noted of a letter from the Federal Energy Regulatory Commission to TransColorado Gas Transmission Company stating the following, "the proposal presently before the Commission does not reflect fairly significant routing changes recommended in the FEIS by the Bureau of Land Management". Richard Chamberlain of TransColorado will be contacted for clarification.

TREASURER Bobbie Spore presented the Treasurer's Monthly report for the month of October 1992. Other information submitted was: (1) Receipt of \$169,917.00 from the State of Colorado for Mineral Leasing for the third quarter. (2) The Landfill account now has \$161,620.00. (3) Monies collected as a result of the CRS Services Inc. audit are \$114,000; \$22,000 is still uncollected. The companies were billed for the interest. CRS Services, Inc. has been paid \$30,000 and the account now has \$84,000. All costs will be deducted from the total collected from the first contract and the amended contract before any money is distributed to any of the districts.

ABATEMENTS: All proceedings were taped for the record and it was noted that the Commissioners, Assessor Cruzan and Deputy Assessor Snow were present. A petition for abatement of property tax was presented for Jim Lusk and Velma R. Hollen, 1990, erroneous assessment, \$58.80 and 1991, erroneous assessment, \$57.50. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for F. Ron Kotarski (5359-113-00-010), 1991, erroneous assessment, \$266.90. Comm Maynes moved to approve this petition,

11-09-92

seconded by Comm Brubaker and carried. A petition for abatement of property erroneous petition, property tax was presented for F. Ron Kotarski (5359-113-00-010-TD2), 1990, erroneous assessment, \$232.84. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of tax was presented for Gene E. and Thelma Patton, 1990, erroneous assessment, \$53.61 and 1991, erroneous assessment, \$52.59. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for abatement of property tax as presented for Verl C. and Goldie H. Hamilton (5611-271-00-005-K2), 1990, erroneous assessment, \$580.29 and 1991, erroneous assessment, \$515.31. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for Verl C. and Goldie H. Hamilton (5611-271-00-K1), 1990, erroneous assessment, \$187.71 and 1991, erroneous assessment, \$196.14. A petition for abatement of property tax was presented for the John D. Carver Estate NFY: Leonard J. Fabiano (see attached), 1988 erroneous assessment, \$542.95 and 1989, erroneous assessment, \$359.41. Comm Brubaker moved to approve this petition on the recommendation of Assessor Cruzan, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for Gary A. and Gloria D. Schmidlin, 1990, erroneous assessment, \$368.20 and 1991, erroneous assessment, \$379.25. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. A petition for abatement of property tax was presented for Ada E. Setser, 1990, erroneous assessment, \$154.52 and 1991, erroneous assessment, \$144.43, Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. A petition for abatement of property tax was presented for Joel Milton and Charlotte J. Brisbin, 1990, erroneous assessment, \$127.39 and 1991, erroneous assessment, \$80.37.

Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried.

WINGSPREAD SUBDIVISION: Engineer Bud Roach presented a letter stating what is needed to be done to bring designated CR U.6 up to county specs. Administrator Weaver will write a letter to the subdivision owners explaining the policy for 50% occupancy for a subdivision before it can be accepted for county maintenance. Engr Roach's letter with the recommendations to bring the road up to county specs will be attached.

STAPLETON BRIDGE: Engr Roach reported that work on the bridge is behind schedule. The contractor, J-M Constructors, has not been punctual at showing up for scheduled work.

WEST FORK ROAD: Engr Roach recommended the release of the Federal Highway Federation and the acceptance by the County of the West Fork Road for county maintenance.

PLANNING: Planning resolution P-51-92 was presented whereby Paul and Viola Redd was granted a variance to the subdivision regulations to make a 5 acre tract in Section 31, T.36N., R.12W. The tabled verbal request was tentatively approved since the Redds own 1640 acres. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Comm Maynes moved to withdraw the tentative approval on November 2, 1992, for a verbal request for a variance to the subdivision regulations for Fred Cline to two tracts, Comm Brubaker seconded and carried. Planning resolution P-34-90 was noted which stated that no more variances would be granted and any further variance requests for the property in this area by Mr. Cline would need to go through the Subdivision regulation process. A verbal request for a variance to the subdivision regulations was tentatively approved for Richard Neal to trade 5 acres to Neal Lynn and Lynn to trade a like amount to Neal. A verbal request for a variance to the subdivision regulations was denied for Tom Stevenson to create two 3 acre tracts out of 60 acres. It was recommended that Mr. Stevenson be advised he could create one 3 acre tract or go through the Planning Commission. It was noted that a request for a variance to the subdivision regulations from Jim Robertson, which involves a possible need for a correction on his deed, can not be resolved with a variance. Also, it was noted that a request for a variance to the subdivision regulations from the Comisky estate, which involves a title question, can not be resolved with a variance.

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AMENDMENT I was discussed. Assessor Bob Cruzan and Deputy Assessor Jim Snow were present. OFFICIAL COUNTY ROAD MAP proposed changes were presented by Engineer Roach. It was affirmed that one Public Hearing will be scheduled.

ROAD DEPARTMENT Supervisor Striegel reported that the dust retardant has been done in front of the Battle Rock School. Three blades are ditching the McElmo road. They are behind on the work at the Stapleton Bridge because the contractor has not been showing up as scheduled. The part-time employees are still needed. Purchase of a cat is still tabled. A letter from Empire Electric was noted, concerning a guy wire being wiped out by the road department. The Road Department will check with Empire about future guy wire problems. It was noted that the town of Dolores can use a loader and roller for the construction of a new preschool and that the county will furnish the gravel for their trucks to haul. A Court hearing is scheduled for December 13th and an Administrative hearing for December 17th for Road Department employee William McLaughlin.

NEW POLICIES AMENDED: Reference is made to the July 27, 1992, minutes addressing New Policies. The New Policies are now amended to read: (1) No County officials or newly elected County officials should do business with the County. (2) No County employees should do business with the County unless approved by the Board. (3) No County employee should attend meetings or conventions or any type of seminar at the expense of a particular company that the County does business with. These policies will be added to the personnel policy book and a memo stating these changes will be sent to all employees.

BOARD OF SOCIAL SERVICES was conducted.

ADJOURNED at 2:45 p.m. to inspect problems reported by Dorthea Fury on CR J. County Road Department Supervisor Striegel was also at the inspection.

Deputy Clerk Chairman

SEAL

Minutes 11/16/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 16, 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 16, 1992, at the County Annex Building in Cortez, Colorado, there were present.

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting hold Monday, November 9, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Receipt of a Thank you letter from the Battle Rock School for work done on McElmo road was noted.

SHERIFF Tim Wood reported that sometime this week he will be submitting gaming impact data from the county to Senator Hopper for her pre-filing of the Contiguous County bill.

LANDFILL ORDER: Comm Brubaker made a motion to direct the Clerk to issue an order to the Treasurer to pay \$500.00 for the second annual billing for the solid waste disposal sites and facilities registration fee and remit to the Colorado Department of Health, Solid Waste Program Account #4206, 4300 Cherry Creek Drive South, Denver, Co 80222-1530. Motion seconded by Comm Maynes and carried.

911 AUTHORITY BOARD: Motion was made by Comm Brubaker to direct the Clerk to issue an order to the Treasurer to transfer the amount of \$632.09 from the 911 account and pay this amount to U.S. West Communications, Denver, Colorado 80271. Motion seconded by Comm Maynes and carried.

ACCOUNTS PAYABLE: General fund vouchers #16817 thru #17028 in the amount of \$119,354.54 and Road fund vouchers #6371 thru #6452 in the amount of \$49,376.23 were approved for payment.

CORTEZ LION'S CLUB: Members of the Cortez Lion's Club met with the Board to talk about the damage done to ceiling tiles during use of the County Annex facility. The Club leased the Annex for an annual Halloween fund raiser and then leased individual spaces to other clubs. The "Esteem" group hung tarps from the ceiling and the corners of several tiles were chipped off. The Board waived the damage cost of replacing the tiles. Suggestions for future use included a walk-through of club members with maintenance personnel before use of the facility to note any previous damage and a walk-through after to assess any problems.

CORTEZ ADDICTION RECOVERY SERVICE (ARS) representative Dan Sturtz asked for an update on his request for funds for the ARS program. It was noted that until the question of how Amendment I will impact the county's budget is addressed, no amount can be considered for the program. He was encouraged to contact agencies that the program might help for some of the needed funds.

RESIDENT Galen Larsen appeared to mention an article in the "Denver Post" stating that a large number of people are moving to Colorado. He felt this might indicate a future need for a land use plan in the county.

11-16--92

PLANNING: Planning resolution P-33-92 was presented whereby Ted Cordova, owner of 6.22 acres, was granted a variance to the subdivision regulations. This property was a part of a larger tract owned by James Taylor. A variance was never obtained by Mr. Taylor on this tract in Section 36, T.36N., R.16W. The "after the fact" fee was charged. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. Planning resolution P-52-92 was presented whereby Gary and Kim Sheek, owners of 100.64 acres, were granted a variance to the subdivision regulations to create a 4.26 acre-tract and a 4.28 acre tract in Section 13, T. 36N., R.13W. Comm Maynes moved to adopt this resolution, Comm Brubaker seconded and carried. A verbal request for a variance to the subdivision regulations was tabled for Kenneth Riley to split 40 acres into two 20 acre tracts until plat recordation is checked. A verbal request for a variance to the subdivision regulations was tentatively approved for William Small to split 28 acres into an 18 acre tract and a 10 acre tract. A verbal request for a variance to the subdivision regulations was denied for L. D. Gleeson to create out of 14 acres a 4 acre and a 3 acre parcel. Mr. Gleeson will be referred to the Planning Commission.

LETTER OF APPRECIATION to the San Juan Vo-Tech School for work done by the welding class on the outdoor arena at the fairgrounds was signed.

COLORADO STATUTES will be checked concerning the application of the Developers Discount for property taxes in connection with the percent of occupancy of subdivisions.

MONTEZUMA COUNTY COOPERATIVE EXTENSION ADVISORY BOARD APPOINTMENTS: Comm Maynes moved to appoint the following to serve on the Board for a 2-Year Term: Adrian Fisher, Janice Harvey, Jimmy Porter and Phyllis Snyder; and a 3-Year Term: Keith Hindmarsh, Bunny McComb, Kit Schmidt, Marty Spitzer, and Dave Vigil, seconded by Comm Brubaker and carried.

OFFICE OF COMMUNITY SERVICES: Mike Preston presented a copy of a letter written to Louisiana-Pacific Corporation by Congressman Campbell concerning the timber issue. Also presented were updated report on the Timber, grazing fee and Wilderness Bill issues.

ROAD DEPARTMENT Supervisor Striegel reported that the Forest Service is putting in a culvert at the Joe Moore Reservoir and has requested 12 yards of gravel. This was affirmed if the Forest Service hauls the gravel. A request for snow removal on CR 36.5 was denied, since all the road has not been completely brought up to county specs. The Mancos loader is fixed and will be picked up from Vo-Tech and the Fiat will be taken to Vo-Tech for repair. The old Stapleton Bridge will be removed this week. The proposed 1993 ROAD PLAN was submitted. Supervisor Striegel will inform the Board of the decisions from the William McLaughlin hearings as soon as he knows.

BOARD OF SOCIAL SERVICES was conducted.

THE GOOD SENSE COMPANY (Trash Grinder/Composting Operation) representative Sandy Zuehlke from Telluride, Colorado, presented his proposal for a Solid Waste Management Plan for Montezuma County. No action was taken at this time.

ADJOURNED at 4:30 p.m.

Deputy Clerk Chairman

SEAL

Minutes 11/23/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 23, 1992

DEC 08 1992

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 23, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the previous regular meeting held Monday, November 16, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. The County Clerk's monthly report for the month of October 1992 was received. Receipt of a letter was noted from Commissioner Mark Maryboy of San Juan County, Utah, in which he asked about Montezuma County's plans, if any, for paving McElmo Road to the Utah border.

COLORADO COUNTIES, INC. MEETING: Comm Colbert and Adm Weaver reported on the meeting they attended, which addressed the interpretation of Amendment I.

RETIREMENT: Marion Steerman stated he will retire the first of January, 1993. He will continue to work part-time for Senior Nutrition Director Sue Fletcher. He was advised to check with Jim Engle, Martin Agency, about continuation of his Blue Cross Insurance.

CR U AND CR 21: Due to heavy truck use, a need for gravel and maybe dust retardant for these two roads was discussed.

HEALTH DEPARTMENT Nurse Betty Sutter presented the State of Colorado PreNatal Contract and the HIV Testing program for signature. Comm Brubaker moved to accept the Pre-Natal Contract, Comm Maynes seconded and carried. Comm Maynes made a motion to sign the HIV Testing program, Comm Brubaker seconded and carried.

RACE TRACK: A request to pay Empire Electric to move an electrical pole at the race track will be addressed as a budget item.

HOME HEALTH CARE PROCLAMATION honoring home health care providers in Montezuma County was presented by Health Department Nurse Linda Bouet. Comm Brubaker made a motion to sign the proclamation declaring the week of November 29 through December 5, 1992 as Home Health Care Week in Montezuma County, Comm Maynes seconded and carried.

PLANNING: A verbal request for a variance to the subdivision regulations was tentatively approved for Sue Jackson to split and sell to any interested party 6.52 acres, when the access problem is cleared up. A verbal request for a variance to the subdivision regulations was tentatively approved for Robbie Sward to sell 90+ acres and keep 6 acres. A verbal request for a variance to the subdivision regulations was tabled for Dan Cline to split out of 1,400 acres a 3 acre tract until access is approved. A verbal request for a variance to the subdivision regulations was tentatively approved for Wesley Case to give his daughter 3 acres out of a 17 acre tract. A verbal request for a variance to the subdivision regulations was tentatively approved for Kenneth Riley to split 40 acres into two 20 acre tracts.

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UNITED SEARCH AND RESCUE members, Andy Watkins, Steve Williams, Kim George and Joe Morrison met to ask if the county could supply them with a place to store their equipment. They would want to later construct a building on the site to keep some of their equipment out of the weather. Several places were mentioned and will be checked on. They thanked the commissioners for all their past support.

DOLORES COUNTY COMMISSIONERS, Louis Bucher, Renay Neely and Billy Moffat met to talk about using Justice Building dispatchers in connection with the 911 emergency program needed in Dolores County. This was affirmed.

Suggestions to get the program under way were that Dolores County create a 911 Authority Board. Before finalization, a co-operative agreement between Montezuma County and Dolores County will need to be signed. The Dolores County Commissioners asked for input from the Board on bringing only trash to the Montezuma County landfill, since it has been recommended that the County landfill be closed. Several ideas were expressed but no decision was made.

ADJOURNED FOR LUNCH with the Dolores County Commissioners.

PROPOSED CHILD ADVOCACY CENTER: Representative for the center Olon Lindemood, presented a proposed co-operative agreement between the Center and Montezuma County for signature. The agreement was not signed. A letter of cooperation will be written to the Child Advocacy Center Board instead. Social Service Director JoAnna Goldenbough was also present.

BUSINESSMAN Darrell Dennison asked if he could do sandblasting for the County in exchange for an engine from a wrecked county truck. It was noted that the engine will be advertised in the paper and he can bid on it at that time. The County pull the engine and the rest of the truck will be taken to Belt. Salvage.

ROAD DEPARTMENT Supervisor Bill Striegel asked what to do with several items that are no longer useful to the Road Department. A list of the items will be made and taken to the next auction. He reported he is pricing PCV pipe to cover a drainage ditch that runs through the County yard. Snow plowing times and routes have been revamped. It was affirmed that the Norwood road would be plowed 2 to 3 more times. A request for the Pine Lake Subdivision road to be accepted for county maintenance will be checked on. The road has to be up to county specifications before it can be accepted as a County maintained road. Supervisor Striegel will get with Engr Bud Roach about what needs to be done to reclaim the area of the Mancos gravel pit that will be used by the Mancos Lions Club (Muleskinners). It was noted that it needs to be done before spring if possible. Supervisor Striegel will see if volunteer G. W. McCutcheon will move the pile of dirt at the airport.

MONTEZUMA COUNTY ECONOMIC DEVELOPMENT COUNCIL Director Alan Klein presented a "Welcome Letter" for signature. The letter was signed.

BOARD OF SOCIAL SERVICES was conducted.

SENIOR NUTRITION Director Sue Fletcher invited the Commissioners to a Thanksgiving luncheon on Wednesday. She asked if a pile of gravel be moved from the Annex parking lot. The gravel will be moved.

ADJOURNED at 4:00 p.m.

Deputy Clerk

Chairman

SEAL

Minutes 12/07/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 7, 1992

STATE OF COLORADO)
) s.s. DEC 15 1992
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma county, Colorado, held on Monday, December 7, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk
Helen McClellan, Commissioner-elect.

MINUTES of the previous regular meeting held Monday, November 23, 1992, were read. Comm Brubaker moved to accept these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

FAIRGROUNDS Manager Dante Sena reported that the 4H Horse Leaders were booking events for tentative dates which conflict with dates which could be confirmed for money raising events such as a two day auction. 4H people feel that they are getting bumped and will write to the Commissioners. Sena feels that rates should be raised before next year as the present rate doesn't equal actual costs. The county has been subsidizing costs of fairgrounds, Stats will be prepared and presented to all users at a special meeting at the Fairgrounds to be held at 7:00 pm on December 14, 1992. Budget, rates and scheduling will be discussed.

DOLORES FIRE PROTECTION DISTRICT: Board member Wayne Carrigan questioned why the district couldn't receive PILT funds.

ABATEMENTS: Assessor Cruzan presented Petitions for Abatement of Property Taxes as follows: Bobby Kimmel, 5611-131-00-003, erroneous assessment, recommended by the Assessor, 1990, \$236.84; 1991, \$214.17. Mr Kimmel was present. Comm Brubaker moved to approve this petition, seconded by Comm Maynes, motion carried. Donald L. Campbell, 5359-103-09-006, erroneous assessment, recommended by the Assessor 1990, \$28.68. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried. Verl C and Goldie H Hamilton, 5611-224-00-039, erroneous assessment, recommended by the Assessor, 1991, \$928.66, 1992, \$971.40. Comm Brubaker moved to approve this petition, seconded by Comm Maynes and carried. Robert C. Reynolds, 5361-344-00-032, erroneous assessment, recommended by the Assessor, 1991, \$165.46. Comm Maynes moved to approve this petition, seconded by Comm Brubaker and carried, These proceedings were taped for the record.

ATTORNEY Bob Slough reported that he had received a Notice of Claim from the attorney for Leslie Keith Carlson who had been injured in an accident and another Notice of Claim from the attorney for Tara Lee Skelton who had also been injured in a separate accident. Eng. Roach will be instructed to check the intersection of County Road T.5 and State Highway 145 for safety.

PAYROLL: General fund payroll vouchers #8519 thru 8685, #17033 and #17030 in the amount of \$218236.70 and Road fund payroll vouchers #8686 thru #8729 and #6465 in the amount of \$98419.49 were approved.

HEALTH Nurse Bette Sutter presented a contract between the Colorado State Health Dept. and Montezuma County concerning screening. Comm Brubaker moved to enter in to this contract, seconded by Comm Maynes and carried. A draft copy of a contract with the State Health Dept concerning Aids care was left for review.

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JOB TRAINING PARTNERSHIP ACT: Mark Larson, a member of the Private Industry Council for JTPA, reported on the letter received by the Montezuma County Commissioners from another region who wanted to regionalize the west slope. Mr. Larson noted in person and in a letter that he was opposed to this action as it was not in the best interests of their clients. The local Service Delivery Area is represented by Training Advantage and has been noted by many for its exceptional training. The Board will get a further consensus from other Council members.

BUDGET It was noted that a meeting will be held with Department Heads on Thursday at 10:00 to discuss the effects of Amendment 1 and other items concerning the proposed 1993 budget.

ROAD DEPARTMENT Superintendent Bill Striegel reported on road maintenance. He stated that the road across the dike to X Road has not been plowed. The Board replied that that was a BuRec road. A McElmo Road resident has refused to allow the plow on her road. It being the date stated, bids were received and opened for the 3208 salvage motor as follows: D & L, \$100, Triple L, \$480; Darrell Dennison, \$426; Jerry Lucas \$610. Comm Maynes moved to accept the bid of Jerry Lucas in the amount of \$610 for the 3208 salvage motor, seconded by Comm Brubaker and carried. The Board will meet with the Road Advisory Committee within the next two weeks.

PLANNING: Planning resolution #P53-92 was presented whereby Richard Neal would be granted a variance to the sub-division regulations to trade his 4.99 acre tract to Neal Lynn for a 2.27 acre tract in Section 16, T36N, R15W. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning Resolution #P54-92 was presented whereby James Cooley would be granted a variance to the subdivision regulations to create three parcels out of 26.73 acres in Section 24, T39N, R14W. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. A request for a variance to the sub-division regulations was made by S & S Welding to split 1 acre off from 4.27 acres. This was referred to the Planning Commission. The plat of the second amendment of the Knollwood Estates Subdivision was presented for final approval. Comm Brubaker moved to approve this plat seconded by Comm Maynes and carried.

BOARD OF SOCIAL SERVICE CONDUCTED.

Meeting adjourned at 3:30 p.m. to meet with Assessor Cruzan at his office.

Clerk Chairman

SEAL

Minutes 12/14/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 14, 1992

STATE OF COLORADO)
) s.s.
COUNTY OF MONTEZUMA)

DEC 28 1992

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 14, 1992, at the County Annex Building in Cortez, Colorado, there were present:

- Thomas K. Colbert, Chairman
- Robert D. Brubaker, Vice-Chairman
- Robert L. Maynes, Commissioner of Deeds
- Bob Slough, Attorney
- Thomas J. Weaver, Administrator
- Jean DeGraff, Clerk
- Helen McClellan, Commissioner-elect.

MINUTES of the previous regular meeting held Monday, December 7, 1992 were read. Comm Brubaker moved to accept the minutes as read, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted. Clerk's and Treasurer's reports for November were received.

911 AUTHORITY: The Board of Commissioners then sat as a 911 Board. Comm Brubaker moved to direct the Clerk to issue an order to the County Treasurer to transfer the amount of \$632.09 out of the 911 account and pay this amount. to U. S. West Communications, Denver, Colorado 80171. Motion seconded by Comm Maynes and carried.

HOUSING: Comm Maynes made a motion to send a letter of support approving Peter Tregillus as the Environmental Certifying Official for the 1992 Guide for Housing Grant and Loan Programs prepared by the Colorado Division of Housing. Motion seconded by Comm Brubaker and carried.

MANCOS RECREATION COMMITTEE members Deanna Yeomans and Cathy Kennedy and Mancos Mayor Ed Hallam presented a history and future plans for this Committee. They requested any type of help they could get. During the discussion, a previous request by Dolores for lottery funds in the amount of \$6,000 was mentioned. It was noted that lottery funds in the amount of \$6,000 will be available for Dolores and a match of that amount will also be available for Mancos. They would also like to have gravel put down on the road up Chicken Creek to the turn around. They thanked the Board for the use of their roller on the soft ball field at Mancos Days.

WINGSPREAD SUBDIVISION: Robert Dils, Nedra Dils, Sam Roth and Joan Roth appeared to ask the Board to reconsider their decision to not plow County Road U.6 in the winter. Some of the residents have health problems and it is getting difficult for them to find someone to hire to plow out the cul-de-sac. Eng. Roach was also in attendance. After discussion, the Board stated that the Road Department could plow the additional 1000 feet and the residents would be charged a set fee.

AIRPORT Manager Bill Ray presented a draft resolution which would amend County Resolution 17-80 to include certain language that reaffirms the ability to issue revenue bonds in the name of the County on behalf of the airport. This was tabled for further study.

DOLORES SENIOR CITIZENS: The Board had lunch at Dolores with the Seniors.

ALCOHOL RECOVERY UNIT Dan Sturtz of the ARU Board approached the Board for funding for the program. He stated that there was the possibility of incorporation in the near future and requested whether or not a Commissioner would want to serve on the Board. The Board did not indicate any response to the request. They stated that there is a good possibility that no funding would be available from the County.

ROAD DEPARTMENT Supervisor Bill Striegel discussed mail boxes in the Mancos area. Foreman Yeomans will request residents to move them. Cattleguard on C R 32 was replaced. A horse had fallen in the old one. Radios are not being repaired properly. Personnel was discussed. It was noted that former Supervisor Roberts had purchased turkeys for Road employees last Christmas, not the County. Wingspread Subdivision was discussed. Mrs. Coppinger had complained about visibility on Roads P and 26. A tree obstructs vision.

PLANNING: Planning resolution P55-92 was presented whereby Wayne Lee would be granted a variance to the subdivision to create a three-way split in Section 31, T37N, R15W. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Planning resolution #P56-92 was presented whereby Pattie Sword would be granted a variance to the subdivision regulations to create a 6.61 acre tract out Section 30, T37N, R16W. Comm Brubaker moved to adopt this resolution, seconded by Comm Maynes and presented whereby Orville (Buck) and Betty Morris would be granted a variance to the subdivision regulations to create a 1C) acre tract out of 177.7 acres in Section 18, T35N, R16 Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried. Verbal approval for an after the fact variance give for Gary Walker as he needs highway access.

BOARD OF SOCIAL SERVICES conducted.

Meeting adjourned.

Clerk Chairman

SEAL

Online Copy

Minutes 12/21/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 21, 1992

STATE OF COLORADO)
) DEC 28 1992
COUNTY OF MONTEZUMA)
DEC 18 1992

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 21, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy
Helen McClellan, Commissioner-elect

MINUTES of the previous regular meeting held Monday, December 14, 1992, were read. Comm Maynes moved to approve these minutes as corrected, seconded by Comm Brubaker and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

SENIOR NUTRITION Director Sue Fletcher will compile cost figures for her request that preparation of meals be done at the Annex Building instead of in Dolores.

COUNTY ENGINEER Bud Roach reported that the new County Road Map is done. A meeting will be planned with the Road Advisory Committee and the County Road Foremen to review the new map. A public hearing will be scheduled after the meeting.

CHILD PROTECTION GROUP: Approximately 35 interested people including the Child Protection Team appeared to talk about the recent cut of a full-time child protection caseworker position in the Child Protective Services and other problems in the program. Social Services Director JoAnna Goldenbough, State representative Tom Graham and Sheriff Deputy Mike Brunk were also present. It was noted that the number of positions in the Child Protective Services is determined by the cases reported by the county. A recent audit by the State indicated that the cases had decreased. Audience response was that the cases actually entered into the computer did not represent the true amount of cases in the county. A suggestion was made that a volunteer program might help with the administrative work in the department. A committee was appointed to meet later in the day to further address the issues. The members of the committee were Desiree Kline, Nancy Secor-Brunk, Joe Huggins, Betty Sutter and Roxanne Colvin.

SOUTHWEST MATTRESS COMPANY owner Roxanne Colvin gave a presentation on her that makes speciality mattresses. She requested a \$6,000 loan County Revolving Loan fund, to help further establish her business. No decision was made. She was referred back to her banker, Harold Welage.

MCALLAMAN ESTATES SUBDIVISION representative Jerry McComb presented a plat for the McAllaman subdivision. The plat was approved by the Committee. All the present landowners in the subdivision had the changes and signed the revised plat. Comm Maynes made a revised plat for the subdivision, Comm Brubaker seconded and carried.

12-21-93

MAJOR MEDICAL INSURANCE: Chairman Colbert was excused because of a conflict of interest. Attorney Bob Slough was also excused due to a similar conflict. Comm Brubaker presided as Chairman. Western Slope Insurance representative Clint Jaworski presented his proposal for a partially self-funded Insurance Plan. Insurance representatives Bentley Colbert and Don Neal presented their proposal for a partially self-funded and a fully self-funded Insurance Plan. Mr. Neal whose home office is in Montrose, Co., stated he would be working directly for the County. Both of the proposed plans will be considered and a decision will be made before the first of next month.

ROAD DEPARTMENT Supervisor Billy Striegel reported that the road department has been plowing lots of snow. It was noted that comp time needs to be controlled and it was suggested that the time should be taken off during the middle of the week. A resident requested that the county continue doing maintenance on CR U.5. This will be checked on.

A STATEMENT OF AGREEMENT between the Mancos School District RE 6 and the Montezuma Health Department was submitted. Comm Maynes made a motion to sign the agreement, Comm Brubaker seconded and carried.

CRS SERVICES, INC.: Comm Brubaker made a motion to order the Treasurer to pay CRS Services, Inc., \$2,652.00 out of the monies collected from the CRS audit before distribution, Comm Maynes seconded and carried.

PLANNING: A verbal request for a variance to the subdivision regulation was tentatively approved for Tom Weaver to split off a 2.51 acre parcel. A verbal request for Henry and Brenda Siracusan to split off a one acre parcel was tentatively approved with the restriction of a closed septic system.

ADJOURNED to attend Extension Office Manager Bob Seaton's retirement party.

BOARD OF SOCIAL SERVICES was conducted.

CHILD PROTECTION TEAM COMMITTEE: All the members of the committee were present. Social Services Director JoAnna Goldenbough and State representative Tom Graham were also present. The volunteer program was discussed. It was noted that confidentiality was a concern. An area that could possibly be done by the program was in transportation. Information will be compiled from other counties and states that use volunteer programs. The request to reinstate the caseworker position was considered. The following will be done: (1) Contact the State to see if the position can be reinstated as a County position, if the salary for the caseworker can be raised by a community effort. (2) Contact the caseworker to see if she is interested in being reinstated. (3) If the position can be reinstated by the County with the above conditions, a time period of one month will be given to the Committee to raise the money for the salary for the position for one year and training expenses, if a new person has to be hired.

ADJOURNED at 6:00 p.m.

Deputy Chairman

SEAL

Minutes 12/28/1992 Regular

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 28, 1992

STATE OF COLORADO)
) ss. JAN 05 1993
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 28, 1992, at the County Annex Building in Cortez, Colorado, there were present:

Thomas K. Colbert, Chairman
Robert D. Brubaker, Vice-Chairman
Robert L. Maynes, Commissioner of Deeds
Bob Slough, Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk
Helen McClellan, Commissioner-elect.

MINUTES of the previous regular meeting held Monday, December 21, 1992, were read. Comm Brubaker moved to approve these minutes as corrected, seconded by Comm Maynes and carried.

MISCELLANEOUS CORRESPONDENCE was read and contents noted.

AMEND 1992 BUDGET HEARING: There being no protest against proposed amendment to the 1992 Budget, motion was made by Comm Brubaker to approve Resolution 13-92, whereas Montezuma County adopted an operating budget for the General Fund, and Road and Bridge Fund in December 1991 for the ensuing year, and; after adoption of the 1992 budget, received unanticipated revenues or revenues not assured at the time of the adoption of the budget other than the local government's property tax mill levy; now therefore be it resolved that the Board of County Commissioners of Montezuma County, the governing body, may authorize the expenditure of such funds by enacting a supplemental budget and appropriation, seconded by Comm Maynes and carried. These proceedings were tape recorded and the roll was called.

BUDGET HEARING: There being no protest against proposed budget, motion by Comm Brubaker to approve Resolution 11-92, whereas, the Commissioners have adopted the annual budget in accordance with Local Government Budget Law and Amendment I passed November 3, 1992, To Appropriate Sums of Money, seconded by Comm Maynes and carried. Motion was made by Comm Maynes to approve Resolution 12-92 To Set Mill Levies, seconded by Comm Brubaker and carried it was noted that the mill levy is exactly the same amount as set in 1992 and that the monies generated will be \$250,000 less than in 1992. A motion was made by Comm Brubaker to establish an Emergency Reserve Fund in accordance with Amendment I passed on November 3, 1992, seconded by Comm Maynes and carried. A motion was made by Comm Maynes to establish an Indian Water Rights Settlement Reserve Fund, seconded by Comm Brubaker and carried. A motion was made by Comm Brubaker to establish an Unallocated Reserve Fund, seconded by Comm Maynes and carried. A motion was made by Comm Brubaker to approve Resolution 15-92 to establish the Cortez-Montezuma Airport as an enterprise in accordance with Amendment I passed on November 3, 1992, now therefore be it resolved that Montezuma County Resolution 17- 80 is hereby amended by the inclusion of the following additional language, seconded by Comm Maynes and carried. "The County, acting through the Board of County Commissioners, may issue revenue bonds or other debt instruments in the name of the Montezuma County and on behalf of the airport." A motion was made by Comm Brubaker to declare in accordance with Amendment I passed on November 3, 1992, that the Landfill operations is constituted as an enterprise and that the existing Landfill Fund is the enterprise fund, seconded by Comm Maynes and carried. ORDERS: Comm Maynes made a motion to direct the County Clerk to issue an order to the Treasurer to transfer \$50,000 from the General Fund to the Indian Water Rights Settlement Reserve Fund. Motion seconded by Comm Brubaker and carried. Comm Brubaker made a motion to direct the County Clerk to issue an order to the Treasurer to transfer \$130,000 from the Capital Fund to the Road and Bridge Fund.

12-28-92

Motion seconded by Comm Brubaker and Comm Brubaker made a motion to direct the County Clerk to issue an order to the Treasurer to transfer \$130,000 from the Capital Fund to the Road and Bridge Fund. Motion seconded by Comm Maynes and carried. Comm Maynes made a motion to direct the County Clerk to issue an order to the Treasurer to \$250,000 from the General Fund to the Emergency Reserve Fund. Motion seconded by Comm Brubaker and carried. Comm Brubaker made a motion to direct the County Clerk to issue an order to the Treasurer to transfer \$800,000 from the General Fund to the Unallocated Reserve Fund. Motion seconded by Comm Maynes and carried. It was noted that Montezuma County does not know how actions by the State of Colorado will impact the county budget. These proceedings were tape recorded and the roll was called. HOLIDAY SCHEDULE: Comm Brubaker made motion to approve the Official County Holidays for 1993, seconded by Comm Maynes and carried.

ROAD DEPARTMENT Assistant Supervisor Kirk Stauffer reported that recent rains have made the roads icy. He stated that due to Amendment 1 there will be a cut back in the number of roads that can be dusted with cinders. Comm Colbert noted that safety is the first factor and will have to be considered. Comp time was discussed and it was mentioned that the comp time policy might need to be revised. Assistant Stauffer stated that all the department employees are willing to make concessions. The suggestion that a meeting to encourage the involvement of all the employees in ways to save money will be considered. It was noted that all personnel needs to pull their weight on the job. The system to keep track of gravel from Hay Camp Gravel is working good.

BOARD OF SOCIAL SERVICES was conducted.

PLANNING: A verbal request for two variances to the subdivision regulations was tentatively approved for John Stramel to split two 5-acre parcels from 80 acres.

SPECIAL COUNTY ATTORNEY CONTRACT: The contract for a Special County Attorney will be advertised for bids. The contract is to provide legal services for Child Protection Services for the Montezuma County Department of Social Services.

MAJOR MEDICAL INSURANCE: Martin Insurance Agency representative Jim Engel and Ken Bates, CHC presented their proposal for a fully-funded insurance plan with Blue Cross and Blue Shield on Tuesday, December 22, 1992. Comm Maynes moved to accept the Blue Cross and Blue Shield bid for a fully-funded major medical insurance plan for the county, Comm Brubaker seconded and carried. Comm Colbert abstained because of a conflict of interest.

RETIREMENT RESOLUTION #14-92 and a plaque were presented whereby Montezuma County congratulates and expresses appreciation to Marion M. Steerman for his 22 years of service to the County. Comm Maynes moved to adopt this resolution, seconded by Comm Brubaker and carried.

1992 CERTIFICATES OF MILL LEVIES AND REVENUES submitted by Gale W. Greenlee, Inc., were signed.

AMPOLEX (TEXAS) INC. OIL AND GAS LEASE: Comm Maynes moved to sign an Oil and Gas Lease with Ampolex Inc., and sign an Agreement to become part of the Unit involved with the lease, Comm Brubaker seconded and carried. As a result of this lease and agreement the county will receive royalty from the well(s) producing within the Unit.

ADJOURNED

Deputy Clerk Chairman

SEAL