

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JANUARY 6, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 6, 2003, at the courthouse in Cortez, Colorado, there were present:

J. Kent Lindsay, Chairman
Glenn E. "Kelly" Wilson, Jr., Vice-Chairman
G. Eugene Story, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, December 31, 2003, were read. Comm Wilson moved to approve these minutes, seconded by Comm Story and carried.

PAYROLL: General fund warrants in the amount of \$227,335.84, District Attorney fund warrant #40592 in the amount of \$20,280.88, Treasurer fund warrant #40593 in the amount of \$177,689.75; Road Department fund warrants in the amount of \$61,274.76, Treasurer fund warrant #16390 in the amount of \$55,042.92; and Landfill fund warrants in the amount of \$11,998.74, Treasurer fund warrant #3334 in the amount of \$8,512.70 were approved for payment.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented annual precipitation totals in the County. These were discussed.

CLERK-ELECT Carol Tullis gave an update on complaints in regard to the ballot de-Brucing question that passed in the November election.

TREASURER-ELECT Sandy Greenlee presented information about a proposed resolution regarding the deposit of funds by the County Treasurer. Action was tabled on the resolution.

ROAD DEPARTMENT: Lloyd Everett reported on department activities: (a) hauling sand out of McElmo Canyon pit, (b) moving crusher to Ormiston gravel pit, and (c) will break down landfill chips. Discussed: (1) National Guard armory (which is on county owned land) and (2) question about road department budget in regard to employees work – snow plowing, blading, gravel hauling, etc.

HEALTH DEPARTMENT Director **Lori Cooper** presented State of Colorado Department of Health – Montezuma **Nursing Services Contract** (immunization) for review. Comm Story moved to sign the contract, seconded by Comm Wilson and carried. Also presented was "Montezuma County Health Department Emergency Operations Plan – Basic Plan." The plan was discussed.

NATIONAL GUARD ARMORY: Representative of the Search and Rescue (USAR) and Sheriff Posse organizations **Wanda Martin** stated that both entities would like to use the facility and submitted letters asking for consideration when this decision is made. Other representatives of the two entities **Jerry Ayers, Lyle Rice, R. L. Goffinett, and Joe Morrison** were also present.

PLANNING Manager **Karen Welch** presented information about a request for an after-the-fact exemption to the subdivision regulations on a ten-acre parcel recently purchased by Gay and Judy Balfour without proper documentation. **Gay and Judy Balfour** were present. Action on the request was tabled. Presented **HIP No. 449 – CountrySide Disposal (Herman Rosas)** with findings for signature.

LINE CAMP RECLAMATION ADVISORY COMMITTEE representatives **Bruce Lightenburger and Richard Lincoln** and Four States Aggregate, LLC representatives **Aryol Brumley and Terry Gorsuch** met to discuss cooperation between the company and the advisory committee. Planning Manager **Karen Welch** read several mitigation items listed in the original high impact permit, which was approved September 28, 2000. Reclamation requirements and time allotments were discussed. Suggestion was made that the two groups continue to meet, if discussion is needed to address any **reclamation** problem.

SENIOR NUTRITION CENTER – COUNTY ANNEX: Manager **Sue Fletcher and Mary Holaday** and Maintenance Manager **Bill Bedker** met to discuss annex acoustic problems. Lighting, carpeting and lowering of the ceiling were discussed. Will advertise for bids to lower the ceiling (which will include redoing lights, installing insulation, and extending heater ducts). Discussed annex fees. Manager Fletcher will compile a list of activity use at the facility. **Loretta Murphy** was also present.

INVITATION TO BID – Volrath 10x16x8 foot tall walk-in freezer (old jail) – bids were received from the following: (1) Gordy's Family Restaurant - \$1,250.00, (2) Charles Fillian - \$600.00 and (3) Justin and Susie Honaker - \$650.00. Comm Wilson moved to award the bid to **Gordy's Family Restaurant - \$1,250.00**, seconded by Comm Story and carried.

PLANNING - GIS MAPPING: **Rob Peterka** presented a draft copy of the "Landowner Initiated Zoning Map" for review.

ADJOURNED at 2:00 p.m.

Deputy Clerk
January 6, 2003

Chairman

for the record. Present were San Juan Forest/Dolores District Ranger **Mike Znerold and Patrick McCoy**, Planning Manager **Karen Welch**, and Comm-elect **Dewayne Findley**. Manager Welch presented the Planning Commission's recommendation. Ranger Znerold presented several maps, plats and drawings describing the project. These were reviewed and discussed. Also discussed proposed septic system, lighting, heli-pad, etc. Comm-elect Findley asked if there was a Wildfire Mitigation Plan – this was affirmed. There were no other public comments. Manager Welch read a letter expressing concerns from neighbors, Kevin and Joyce Schuebel (see attached). Comm Story made a motion to approve the application for High Impact Permit No. 453, contingent on specified mitigating measures. The motion was seconded by Comm Wilson and carried. The Planning Department will draft findings and High Impact Permit No. 453 for review and signature.

MUSEUM ASSOCIATION representatives **Helen McClellan, Bill and June Head, Chuck Haley, Bob Maynes, Walter Ertel, Billy and Virginia Graham** met to discuss their need for space to store donated historical items. Ms. McClellan stated that they have items in several locations, and asked if the county would consider letting them use the space in the basement of the old Justice Building for storage. Adm Weaver said the space is available and no other entity has shown any interest in using it. The Board affirmed that this area could be used for storage by the organization until a permanent museum facility is obtained.

PLANNING Manager **Karen Welch, Gay and Judy Balfour** and the following realtors **Jerald Cauley, Cindy Culbertson, Alyne Eakins, Bob Durant, and Ted Saunders** met to discuss the request for the after-the-fact exemption to the subdivision regulations on a ten-acre parcel recently purchased by Gay and Judy Balfour without proper documentation. Discussed the need to comply with the land use code. Several options were mentioned and fees discussed. Interested parties will continue to work with Manager Welch to resolve the problems and create a legal parcel. ******Later** in the day, Manager Welch presented and discussed with the Board: (1) information on proposed increase for land development fees, (2) proposed residential planned unit development (PUD), and (3) a verbal request from Rodney and Deborah Hager to amend P-5-87, (8 acre and 11 acre parcel – split 5 acres from the 8 acre parcel and add it to the 11 acres – resulting in the final creation of a 16 acre parcel and a 3 acre parcel). The request was tentatively approved.

SHERIFF Joey Chavez presented “Resolution #200, 2003 Series Law Enforcement Contract” for review. Comm Story moved to sign the Contract between Montezuma County, Montezuma County Sheriff's Office (County) and the Town of Dolores (Dolores), seconded by Comm Wilson and carried.

ADJOURNED at 3:00 p.m.

Deputy Clerk
January 13, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JANUARY 20, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 20, 2003, at the courthouse in Cortez, Colorado, there were present:

J. Kent Lindsay, Commissioner
Glenn E. "Kelly" Wilson, Jr., Commissioner
H. Dewayne Findley, Commissioner
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, January 13, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

ELECTION OF OFFICIALS FOR 2003: Comm Lindsay moved to elect Comm Wilson as Chairman of the Board of Commissioners, seconded by Comm Findley and carried. Comm Findley moved to elect Comm Lindsay as Vice-Chairman, seconded by Comm Wilson and carried. Comm Lindsay moved to elect Comm Findley as Commissioner of Deeds, seconded by Comm Wilson and carried.

APPOINTMENTS FOR 2003: Comm Lindsay moved to appoint Bob Slough as County Attorney and Thomas J. Weaver as County Administrator and Budget Officer, seconded by Comm Findley and carried. Comm Lindsay moved to appoint the following persons to the several different offices and boards, seconded by Comm Findley and carried.

Director of Social Services: Dennis Story
Health Officer: Dr. Gerald Griebel
Southwest Community Resources Board: Comm Wilson
Long-term Health Care Board: Comm Lindsay
Region 9 Economic Development Board – TPR: Comm Findley Alternative: Comm Lindsay
Area Agency on Aging (AAA) Board: Comm Wilson (see minutes 12-30-02)

Noted: Legal Publications: Cortez Journal, Mancos Times, Dolores Star
Veteran's Officer: W. (Bud) Carriere – 3 years (2002-2003-2004)

ACCOUNTS PAYABLE: General fund warrants #40594 thru #40787 in the amount of \$188,729.60; Road department fund warrants #16399 thru #16475 in the amount of \$117,399.62; Landfill fund warrants #3343 thru #3369 in the amount of \$37,396.51; and Correction facility fund warrants #135 thru #138 in the amount of \$10,428.56 were approved for payment.

NOTICE OF CLAIM pursuant to C.R.S. 24-10-109 received in regard to **Sharon Vaughn**, plaintiff vs State of Colorado through Colorado Department of Agriculture – Commissioner and Brand Commissioner, and Board of County Commissioners through Montezuma County Sheriff Department, defendants. The notice will be sent to the Insurance Company.

ROAD DEPARTMENT: **Randy Smith** gave information on bid for new loader. After discussion, Comm Lindsay moved to accept the bid from Wagner Equipment for a CAT loader, seconded by Comm Findley and carried. Other department activities were reported as follows: (a) sealing cracks, (b) hauling gravel from

Ormiston gravel pit to several county roads, (c) crushing rock left over from Landfill at McElmo gravel pit, and (d) Foreman Palmer looking at available State equipment. Discussed: (1) road repair – CR 30 and CR 29 (Totten Lake road) – county will take care of problem, and (2) need to list road equipment in State Fire Plan.

HEALTH DEPARTMENT: Adm Weaver gave information to the Board in regard to request from Health Department Director Lori Cooper to increase the department's budgeted mileage rate. Comm Lindsay moved to increase the mileage rate from 28 cents to 35 cents, seconded by Comm Findley and carried.

SENIOR NUTRITION CENTER – COUNTY ANNEX: Manager **Sue Fletcher** presented (1) 2002 Annual Cost Report for Meals: Cortez – Dolores – Mancos Centers, and (2) Annex Facility User Fee Chart with comparison figures of other facilities in area. These were discussed. Proposed fee changes will be presented at a later date.

SOUTHWEST HEALTH SYSTEMS – SOUTHWEST MEMORIAL HOSPITAL: Administrator **Bob Peterson** and Chief of Operations **George Brisson** presented Southwest Memorial Hospital quarterly and annual financial documents and "Comparative 2001 Colorado Hospital Data" for review. Discussed funding, etc. for proposed expansion of the hospital. Southwest Health Systems Board (SHS) member **Chuck McAfee** was present.

PLANNING Manager **Karen Welch** presented planning resolution **P-01-03E After-the-Fact**, whereas **Robert V. DeNyke and Michael B. Whitworth**, owners of 29.88 acres, would be granted an after-the-fact exemption to the subdivision regulations to record an exemption in Section 28, T.37N., R.15W. Comm Lindsay moved to adopt this resolution, seconded by Comm Findley and carried. Discussed: (1) applications for Planning Commission appointments, (2) proposed residential PUD – State Statutes read – recommended 2-lot subdivision apply, (3) proposed gravel pit on forest service land – applicant needs forest service approval before county considers proposal.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** gave an update on Canyon of the Ancients National Monument advisory committee. Discussed (a) West Fork and Dolores/Norwood Roads in regard to forest service improvements, and (b) McPhee access.

ADJOURNED at 12:30 p.m.

Deputy Clerk
January 20, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JANUARY 27, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 27, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, January 20, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

WEST FORK ROAD: Landowner **Mark Rodgers** stated he supported any plans for paving and improvements of the West Fork Road. He also presented support letters from other landowners.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) hauling gravel to Yellow Jacket area, (b) mag-chloriding roads as needed, (c) hauling rock from Ormiston, and (d) crack sealing on CR 29 (Totten Road). Discussed: (1) CR 30 and Hwy 184 problem - done and (2) dirt section of Road 21.

HEALTH DEPARTMENT Director **Lori Cooper** and **Danette Jackson** and **Alissa Moore Sims**, Site Development Specialist for the "Invest in Kids" program met with the Board. Statewide and local information was presented about the nurse home visitation program for 2003, and discussed.

LIQUOR LICENSE: Deputy Clerk **Judy Follman** presented an application for renewal of a **3.2% beer** license for the **Mesa Oasis Campgrounds**. The Sheriff's office reported no problems with this outlet. Comm Lindsay moved to approve the application, seconded by Comm Findley and carried.

LEWIS-ARRIOLA COMMUNITY CENTER - LOTTERY FUNDS: Representative **Chan Chaffin** gave an update on the center. He made a request for lottery funds to help with some outside projects. After discussion, Comm Lindsay moved to give \$2,000.00 in lottery monies, seconded by Comm Findley and carried.

PLANNING Manager **Karen Welch** presented the following **High Impact Permits** with findings (see attached) for signature: **(1) HIP No. 452 – Dan Belt – Parking and Storage Area Immediately South of Existing Belt Salvage Site:** condition – submitting of a screening plan to the Planning Department. **(2) HIP No. 453 – Mancos/Dolores Ranger District Field Office With Warehouse, Bunkhouse, Horse Corral, Tack Shed and Helipad:** conditions – (a) approved CDOT access permit, (b) security lighting is low impact to the neighbors, and (c) flight paths are considered when the helipad is constructed. Manager Welch also presented the recommendation from the Planning Commission that the following proceed to the Board of County Commissioners for public hearings for high impact permits: **(a) Western Excelsior Corporation** – hearing scheduled for Monday, February 10, 2003, at 10:00 a.m., and **(b) Richard McClellan – proposed sandstone/gravel pit on surface-owned forest service lands.** Tabled scheduling of public hearing. Will ask Mr. McClellan to provide letter to the Board from the Forest Service stating they are in agreement to Mr. McClellan proceeding to a public hearing with the Board of County Commissioners.

VERDE VUE SUBDIVISION: Comm Lindsay moved to approve and sign the final plat for the Verde Vue Subdivision (Huseby), seconded by Comm Findley and carried.

KINDER-MORGAN CO2 COMPANY – 2003 DRILLING PERMITS: Representative **Bob Clayton** asked for a letter from the Board supporting the 2003 drilling program in the Canyon of the Ancients National Monument in southwest Colorado. The request was discussed. Comm Findley made a motion to sign a support letter, which will be sent to U.S. Senator Allard, U.S. Senator Campbell and U.S. Representative McInnis. The motion was seconded by Comm Lindsay and carried.

NOXIOUS WEED CONTROL PROGRAM: Manager **Ron Lanier and Destri Tucker**, and Weed Board representative **Steve Miles** met with the Board on weed control issues. Mr. Miles presented the Weed Control 2003 calendar. He gave input on proposed projects to use biological controls for Russian knapweed, etc., and the need to raise money to help with more research. Mr. Miles was asked to compile more information on the research project, and submit it to the Commissioners at a later time. This was affirmed. The Commissioners were invited to the inter-agency weed meeting scheduled for February 12th.

2003 ANNUAL FIRE OPERATING PLAN FOR MONTEZUMA COUNTY – COLORADO STATE FOREST SERVICE was presented by Sheriff **Joey Chavez**. The plan was affirmed.

SHERIFF Joey Chavez reported that the Treatment Center facility is now being used.

CANNON FOREST PRODUCTS representative **Mike Williams** met to discuss his proposal to cut dead pinon trees east of the fairground building. No action taken.

ARAMARK SPORTS AND ENTERTAINMENT SERVICES, INC.: Comm Lindsay made a motion to approve settling with Aramark their possessory property taxes for years 1991, 1992, 1993, 1994 and 1995 in the total amount of \$25,000.00. The motion was seconded by Comm Findley and carried.

RECESSED for lunch with the Dolores County Commissioners.

LANDOWNER Richard McClellan met to discuss the postponement of a public hearing for his proposed high impact permit for a sandstone/gravel pit on forest service land. It is reiterated that he needs to provide a letter to the Board from the Forest Service stating they are in agreement to Mr. McClellan proceeding to a public hearing with the Board of County Commissioners.

FAIRGROUNDS IMPROVEMENT COMMITTEE: Fairgrounds Manager **Daryl Buffington** and **Carla Harper** met to discuss the priority list of proposed improvements for 2003. Comm Lindsay moved to approve Priority No. 1 – purchase of heaters for barns, seconded by Comm Findley and carried. Discussed the following: (a) other listed priorities will be considered at a later time, (b) appointment of more members – will advertise in paper, and (c) funding - GOCo grant.

ADJOURNED at 4:00 p.m.

Deputy Clerk
January 27, 2003

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 3, 2003**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 3, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, January 27, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

PAYROLL: General fund warrants in the amount of \$234,625.54, District Attorney fund warrant #40796 in the amount of \$21,863.44, Treasurer fund warrant #40797 in the amount of \$182,226.68; Road department fund warrants in the amount of \$60,098.16, Treasurer fund warrant #16479 in the amount of \$53,103.59; and, Landfill fund warrants in the amount of \$12,751.89, Treasurer fund warrant #3373 in the amount of \$8,912.89 were approved for payment.

911 AUTHORITY BOARD ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-03-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

TREASURER OFFICE: Received list of institutions designated as Public Depositories for the deposit of public funds of Montezuma County (see attached). Comm Lindsay moved to sign the list, seconded by Comm Findley and carried.

DISMISSAL ORDER FOR CASE NUMBER 02 CV 151 – James O. Spencer v. Board of County commissioners of Montezuma County, Colorado was received and noted.

EXTENSION AGENT Kenny Smith gave an update on the Army Cutworm epidemic in southwest Colorado. Discussed the problem and possible ways of treatment. Also mentioned and discussed the pinon beetle problem in the county.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented precipitation amounts for the last three years (2000,2001 and 2002) and current month. These were discussed.

PLANNING Manager **Karen Welch** presented the following: (a) dismissal of James O. Spencer case, (b) applications for consideration of appointments to the Planning Commission - interviews will be scheduled for next week, and (c) information in regard to requested letter from the Forest Service to proceed to public hearing on HIP application by Richard McClellan for proposed sandstone/gravel pit (see January 27, 2003 minutes) – The Forest Service at this time has not submitted a letter – no action taken.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** and **Jim Sisco** gave information about rangeland monitoring.

NOXIOUS WEED CONTROL PROGRAM: Weed Board representative **Steve Miles** presented additional information on funding needed to do research for proposed projects for biological controls of Russian knapweed, etc. Discussed information and affirmed at this time there is no action on request for funding. **Destri Tucker** was present.

HEALTH DEPARTMENT Director **Lori Cooper** presented the following for review: (1) Change Order for the ESPDT Program contract - Comm Lindsay moved to sign the change order, seconded by Comm Findley and carried. (2) Health Department "Revenue Report for 2002" - discussed.

SHERIFF Joey Chavez presented the following contracts in connection with the operation of the Treatment Center: (a) "Detoxification Housing Agreement between Montezuma County Sheriff Office and the Town of Telluride (2/1/03 thru 2/1/04), (b) Detoxification Housing Agreement between Montezuma County Sheriff Office and Dolores County (2/1/03 thru 2/1/04), and (c) Prisoner Housing Agreement between Montezuma County Sheriff Office and Dolores County (2/1/03 thru 2/1/04) for review. Comm Findley made a motion to sign the three contracts, seconded by Comm Lindsay and carried.

FAIRGROUNDS: Fairground Manager **Daryl Buffington** and Fairground Advisory Board member **Carla Harper** presented "Revised 2003 Fairground Improvement Recommendations" from the Fairground Advisory Committee. Comm Lindsay moved to approve the revised recommendations, seconded by Comm Findley and carried.

ADJOURNED at 3:00 p.m.

Deputy Clerk
February 3, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 10, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 10, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman - absent
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, February 3, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Wilson and carried.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) working on CR 29 – discussed repairs to existing driveways where they adversely affect the county road, (b) digging holes for guardrail – CR G (airport road), and (c) will replace missing speed sign on CR 30. Discussed: (1) oil quotes of \$11,000 per lift per one mile, and (2) report of sliding rocks on CR G – will check.

LANDFILL Manager **Debby Barton** presented "Profit and Loss Statement for month of January 2003" for review. Discussed other landfill activities, large tree disposal, SB 03-048 (user fees) and SB 03-055 (waste services).

BOARD OF SOCIAL SERVICES was conducted.

PUBLIC HEARING – WESTERN EXCELSIOR – PROPOSED HIGH IMPACT PERMIT NO. 456: It being the time set aside, a public hearing is held concerning a High Impact Permit application submitted by Western Excelsior for a proposed expansion to include a warehouse and loading dock. The property consists of 34.63 acres, located on the south side of Hwy 160, situated in Section 29, T.36N., R.13W., N.M.P.M. The physical address is 901 Grand Avenue, Mancos, CO. The roll was called, the proof of publication was read, and the proceedings were taped for the record. Present were Western Excelsior representative **Norm Birtcher** and Planning Manager **Karen Welch**. It was noted that Comm Lindsay is absent, and Comm Findley was recused because of a conflict of interest. For lack of a quorum, the public hearing was continued until Tuesday, February 11, 2003, at 3:00 p.m.

PLANNING Manager **Karen Welch** met with the Board to discuss planning resolution **P-7-88** (Noyes property). Present were the owners of the 80 acres **Marvin and Louella Noyes** and several other family members (see attached list). The resolution was discussed. No action was taken. **Loretta Murphy** was present.

ALL NATIONS MEDICINE LODGE representatives **Arthur Neskahi and Dave Wilson** and other (see attached list) met to discuss the non-profit lodge. Mr. Neskahi gave an informational review on the history and use of the property. **Mr. Wilson** gave information on the proposed June 2003 activities planned for the property. Historical use was discussed. It was reiterated that the historical use is a grandfathered use, and can be used as such, if CDOT issues a temporary access permit for the planned events. It was noted that: (1) if there is any expanded use, the mitigation measures set forth in HIP No. 389 (approved August 28, 2000) will need to be met, and (2) if they wish to appeal the mitigation issues, another public hearing to address this will need to be scheduled. Planning Manager **Karen Welch** was present.

CITY OF CORTEZ – JAIL FACILITY: City of Cortez representatives Manager **Hal Shepherd**, Attorney **Jim Hatter**, Chief of Police **Roy Lane**, Sheriff **Joey Chavez**, Attorney **Cameron Secrist** representing the sheriff met to discuss what entity (City, State, or County) is responsible for payment of the “Failure to Appear” (FTA) in Court warrants in regard to prisoners who are originally classified as municipal prisoners. Other interested persons present were **Gay Hall, Sam Hager, and Gary Gardner**. Statutes were read. Discussed the contract dated August 19, 1996, entitled, “Prisoner Housing Agreement” between the County of Montezuma and the City of Cortez. After discussion, it was affirmed that: (1) Sheriff Chavez will submit a new contract agreement for consideration to the City of Cortez and Montezuma County, and (2) the City needs to make a decision by April 1, 2003, in regard to (a) the payment of the outstanding bill for FTAs in the amount of \$23,604.05, and (b) payment of future FTAs.

CORONER Charlie Rosenbaugh asked for clarification about the Coroner’s salary and funding for the deputy positions. Statutes were read. The 2003 coroner budget was discussed. Finance Officer **Mary Ann Sanders** was present. Action was tabled.

STATIONERY BID: One bid was received from Pleasant Press (public notice published on 1/30/03). Comm Findley moved to accept the bid from Pleasant Press, Dolores, CO for printing and stationery for 2003, seconded by Comm Wilson and carried.

PLANNING COMMISSION APPOINTMENTS: Planning Manager **Karen Welch** presented applications for the advertised vacancies on the Planning Commission received from the public and by persons whose terms have expired. Interviews were conducted. Comm Findley made a motion to appoint **Gerald Hart** to a 3-year term (2003, 2004, 2005) and **Bob Riggert** to a 3-year term (2003, 2004, 2005). The motion was seconded by Comm Wilson and carried. Action was tabled on appointments for the alternate vacancies.

RECESSED until 3:00 p.m., Tuesday, February 11, 2003.

FEBRUARY 11, 2003

CONTINUED PUBLIC HEARING – WESTERN EXCELSIOR – PROPOSED HIGH IMPACT PERMIT NO. 456: It being the time set aside, a continued public hearing is held regarding a High Impact Permit application submitted by Western Excelsior for a proposed expansion to include a warehouse and a loading dock. The roll was called and the proceedings were taped for the record. It was noted that Comm Lindsay was absent and Comm Findley was recused because of a conflict of interest. Lack of a quorum constitutes the necessity to continue the public hearing until Wednesday, February 12, 2003, at 3:00 p.m.

RECESSED until 3:00 p.m. Wednesday, February 12, 2003.

FEBRUARY 12, 2003

CONTINUED PUBLIC HEARING – WESTERN EXCELSIOR – PROPOSED HIGH IMPACT PERMIT NO. 456: It being the time set aside, the continuation of the public hearing for Western Excelsior was re-convened on Wednesday, February 12, 2003. The roll was called and the proceedings were taped for the record. Present were all three members of the Board, Attorney Bob Slough and Adm Tom Weaver, who also acted as Deputy Clerk to the Board. The continued public hearing is held regarding a High Impact Permit application submitted by Western Excelsior for a proposed expansion to include a warehouse and loading dock. Comm Findley was recused because of a conflict of interest. Evidence pertaining to the proposed high impact permit that would address the expansion of the warehouse at the present location was presented. A rendition of the plans for expansion was presented by Western Excelsior Plant representative **Norm Birtcher**, who explained the need for additional plant space and asked for consideration in regard to the two threshold standards – building footprint and setbacks from the property line. Mr. Birtcher was asked about the portion of the building that is in the Town of Mancos and the portion located within the County. He explained that 14% of the building is located within the incorporated city limits of Mancos and 86% located in the County. There was no public present. Comm Lindsay made a motion to approve High Impact Permit No. 456, contingent on specified mitigating measures. The motion was seconded by Comm Wilson and carried. The Planning Department will draft findings and High Impact Permit No. 456 for review and signature.

ADJOURNED at 3:45 p.m.

Deputy Clerk
February 10 - 12, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
FEBRUARY 24, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 24, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, February 10, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

HIGHWAY USER TRANSPORTATION FUND (HUTF) REPORT: Rob Peterka presented the HUTF report. Comm Lindsay moved to sign the report, seconded by Comm Findley and carried.

ROAD DEPARTMENT: Lloyd Everett reported they are repairing pot holes today. Discussed: (a) pot holes on CR 26 south of CR M, and CR M east of Hwy 145 – will check, and (b) CR 37 – vandals mud bogging, tearing up fences, etc. – signs have been order to block this area off.

SUMMONS – Case Number: 02 CV 189, Dewey P. Plumb and Peggy A. Plumb, plaintiffs, vs Sean T. Vaughn, Ann M. Vaughn, Kevin A. Vaughn, Kelly I. Vaughn, and the Board of County Commissioners of Montezuma County, CO (served on February 12, 2003) was noted.

E-911 AUTHORITY BOARD: City of Cortez Chief of Police Roy Lane gave information about upgrades needed for dispatch. He asked if 911 funds were available to help with the cost. Dispatch funds will be checked - action was tabled. Chief Lane stated he was contacted by the National Weather Service with a request to install a warning device on the Dolores Tower. It was affirmed that this may be done if it doesn't disrupt any existing use, and appropriate charges are paid for the use. Sheriff Chavez was present.

COMMUNITY CORRECTIONS FACILITY: Sheriff Joey Chavez and Lynn Williams gave information on the contract with the State of Colorado to house clients. Medical liability issues were discussed. Comm Lindsay made a motion to accept the housing of State clients in the Community Corrections Facility, seconded by Comm Findley and carried.

SHERIFF Joey Chavez presented a proposal to purchase four new Dodge Dakota 4X4 pickups. He presented a contract and asked for approval to use forfeiture funds to help pay for the purchase. Comm Findley moved to approve \$28,000.00 from the forfeiture funds and sign the Contract – Addendum to Note No. 2550 for the purchase of the four pickups, seconded by Comm Lindsay and carried.

FAIR BOARD APPOINTMENTS: Member Harry Siebert stated they received two applications for the two advertised positions on the Fair Board. Comm Findley moved to appoint Doug Dean and Susan Northern to the Fair Board, seconded by Comm Lindsay and carried.

TREASURER Sandy Greenlee presented the following reports: (a) 6-month, (b) January report, (c) List of Investment funds, (d) copy of all jail warrants to date and (e) sales tax revenues (jail). These were discussed.

HOME BUILDERS ASSOCIATION OF MONTDOLORES President **Jim Candelaria** presented a request from the association and local plumbers for the adoption of a local plumbing inspector for the County. Mr. Candelaria noted that the position would be totally run by the State of Colorado. After discussion, a public hearing to consider the proposal is scheduled for Monday, March 17, 2003, at 2:00 p.m. Also present were **Betty Farlow** and Planning Manager **Karen Welch**.

“DARE TO BE YOU PROGRAM” representative **Susan Blair** presented information about a nutritional training program for low-income families. She asked for a support letter for grant monies from the Colorado State University for the program. Comm Lindsay moved to sign the support letter, seconded by Comm Findley and carried.

WEED CONTROL PROGRAM: Manager **Ron Lanier** presented news release (see attached) about the State Weed Program Funding Budget Cuts that will be run in the local papers.

ABATEMENT: Assessor **Mark Vanderpool** being present, a petition for abatement of possessory interest assessment (Forest Service grazing permit) was presented for **Bolack Minerals Company, 2001**, assessment, \$84.90, and **2002**, assessment, \$46.28. Assessor Vanderpool recommends denial. Comm Lindsay moved to deny this petition, seconded by Comm Findley and carried. Discussed Statute 39-1-113 -- abatement and refund of taxes in regard to review of petitions less than \$1,000. A resolution will be prepared. **Scott Davis** was present.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** presented information on Transfer Development Rights (TDRs).

DORENKAMP SUBDIVISION: Comm Lindsay made a motion to approve and sign the final plat for the Dorenkamp Subdivision, seconded by Comm Findley and carried.

PLANNING Manager **Karen Welch** submitted the following items: (1) planning resolution **P-02-03E**, whereas **Curtis and Lucy Cowan**, owners of two adjacent parcels (3 acres and 53.4 acres), would be granted an exemption to the subdivision regulations to record an exemption to adjoin 13.67 acres of the 53.4 acre parcel to the 3 acre parcel for a total of 16.67 acres in Section 30, T.36N., R.15W. Said exemption does not create a separate tract. The remaining acreage in the larger parcel is 39.73 acres and the 16.67 acre parcel is zoned commercial. Comm Findley moved to adopt this resolution, seconded by Comm Lindsay and carried. (2) Discussed **Richard McClellan’s** application fee for a proposed sandstone/gravel pit on surface-owned forest service lands. It was determined that the application fee will be returned to Mr. McClellan since the Forest Service has not submitted information stating they are in agreement to Mr. McClellan proceeding to a public hearing with the Board of County Commissioners. (3) **High Impact Permit No. 456 – Western Excelsior** (see attached) with findings for signature: conditions – (a) variance to the building threshold footprint and (b) setbacks to 15 feet of the property line. (4) **Resolution No. 01-2003**, in regard to the framework within which the Planning Commission operates (terms, etc.) for consideration. Comm Lindsay moved to adopt **Resolution 01-2003**, seconded by Comm Findley and carried.

PLANNING COMMISSION APPOINTMENTS: Comm Lindsay made a motion to appoint the following persons as alternates: **Glen Fish** to a 1-year term (2003), **Chuck McAfee** to a 1-year term (2003), and **Jesse Sattley** to a 1-year term (2003). The motion was seconded by Comm Findley and carried. Planning Manager **Karen Welch** was present.

SENIOR NUTRITION CENTER – COUNTY ANNEX: Manager **Sue Fletcher** presented two contracts between Montezuma County and the Colorado Department of Transportation (CDOT) for the purchase of a bus. After the contracts, which are in the form of resolutions, were reviewed and discussed, Comm Lindsay made a motion to sign **Resolution No. 02-2003** – agreement with CDOT for the provision of transportation services for elderly persons and persons with disabilities – Section 5310. The motion was seconded by Comm Findley and carried. Comm Lindsay made a motion to sign **Resolution No. 03-2003** – agreement with CDOT for the provision of public transportation services in non-urbanized areas. The motion was seconded by Comm Findley and carried. **Mary Holaday** was present.

CANNON FOREST PRODUCTS representative **Mike Williams** met to discuss his proposal to cut dead pinon trees east of the fairground building. No action taken.

2003 ANNUAL COUNTY FIRE OPERATING PLAN FOR MONTEZUMA COUNTY: Comm Findley moved to sign the Fire Operating Plan, seconded by Comm Lindsay and carried.

CORONER: It was affirmed that the Coroner position will be treated like any other elected official.

KINDER-MORGAN CO2 COMPANY: A support letter was signed in regard to the drilling program in the Canyon of the Ancients National Monument in southwest Colorado and sent to U.S. Senator Allard, U.S. Senator Campbell and U.S. Representative McInnis.

BUDGET: During a budget review, expenditures were discussed in regard to the District Attorney's 2003 Budget. A meeting with the District Attorney to discuss budget problems is tentatively scheduled for Monday, March 17, 2003, at 10:00 a.m.

ADJOURNED at 4:25 p.m.

Deputy Clerk
February 24, 2003

Chairman

Online Copy

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 3, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 3, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds -- absent
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, February 24, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

PAYROLL: General fund warrants in the amount of \$242,887.57, District Attorney fund warrant #41013 in the amount of \$20,652.61, Treasurer fund warrant #41014 in the amount of \$185,165.60; Road Department fund warrants in the amount of \$60,017.79, Treasurer fund warrant #16570 in the amount of \$53,143.96; and, Landfill fund warrants in the amount of \$12,455.80, Treasurer fund warrant #3410 in the amount of \$8,583.91 were approved for payment.

911 AUTHORITY BOARD ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-04-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

CANCELLATION OF MONTEZUMA COUNTY WARRANTS: Comm Lindsay moved to cancel warrants (see attached) issued by Montezuma County that have not been cashed by said payees, seconded by Comm Wilson and carried.

DIVISION OF WILDLIFE (DOW) representatives **Scott Wait** and **Tony Gurzick** gave an update on the lynx program. Presented and discussed the "Summary of Augmentation Program." They were asked to continue to keep the Board updated.

TRASH – CR G (McELMO CANYON) - resident **Marcia M. Boon** asked if there was any plan in place for removal of trash along CR G (McElmo Canyon). She was referred to the Sheriff's office (chain-gang program).

PLANNING Manager **Karen Welch** reported on the following: (1) presented the recommendations from the Planning Commission that the following proceed to the Board of County Commissioners for public hearings for high impact permits: (a) **Farm Goods for Kids – Jay Stringer** – proposed expansion of warehouse - public hearing scheduled for Monday, March 17, 2003, at 10:30 a.m., and (b) **Mitchell Ward**, proposed hot asphalt mix plant on BLM land (Daren Stone gravel pit area) – public hearing scheduled for Monday, March 17, 2003, at 11:00 a.m. (2) In regard to the adoption of a local plumbing inspector for the County, it was noted that there may not be a guarantee of State funded support for the inspector (public hearing set for Monday, March 17, 2003, at 2:00 p.m.). Home Builders Association of MontDolores representative **Betty Farlow** was present and stated she would check for more information about the situation. Manager Welch stated that a copy of the "International and Uniform Plumbers Code for 2000" will be on file in her office for any interested persons to review. (3) Discussed again, **Richard McClellan's** application for a proposed sandstone/gravel pit on surface-owned forest service lands – no action taken.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) plowing snow, and (b) blading roads. Presented proposed agreement between Montezuma County and Dolores County. Comm Lindsay moved to approve the "Exchange Agreement between Montezuma County and Dolores County" -- Montezuma County acquisition of a 1997 Ford ¾ ton pickup in exchange for gravel, seconded by Comm Wilson and carried. Discussed potholes on CR P (from Hwy 666 east to CR 25). **Rob Peterka** gave an update on the traffic count project – does not anticipate a need for new equipment, but maybe new software for the system.

FIBER OPTIC: **Rob Peterka** reported that the courthouse is now on fiber optic, and in the near future, the Annex will be also connected.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** gave an update on the proposed Fire Plan and TDR legislation.

CANNON FOREST PRODUCTS representative **Mike William** met to check on any opposition for his proposal to cut dead pinon trees east of the fairground building. It was noted that the public notice has not been submitted to the paper yet. No action was taken. He was referred to the planning department for an answer about his question on high impact permits.

ADJOURNED at 12:00 noon.

Deputy Clerk
March 3, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 10, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 10, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, March 3, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

TREASURER'S SIX-MONTH REPORT (July 2002 – December 2003): Finance Officer **Mary Ann Sanders** stated that the Commissioner's warrants balance with the Treasurer's fund.

TREASURER'S report for the month of February 2003 was received and noted.

MESA VERDE COUNTRY ECONOMIC DEVELOPMENT OFFICE representative **Bruce Johnson** gave an update on the auction planned by Acirca Company, Dolores, CO.

LANDFILL Manager **Debby Barton** presented "Profit and Loss Statement for month of February and Addendum to February Statement" for review. Discussed the statement, chipper pros and cons, and other landfill activities.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) CR S bridge (east of Rd 23) is in bad shape – Noted: Repairs need to be done as soon as possible (will repair with used materials on hand), and have contacted Engineer Bud Roach, and (b) lots of pot-holes - fixing larger ones since department is low on cold mix (looking for supplier). Discussed use of skid shoes on snowplows.

CORTEZ CULTURAL CENTER representatives **Betty Ramirez-Atkins, Jerry Cohoe, and Charles Hubbard** presented a letter (see attached) asking for lottery funds to support the Pueblo to Pueblo Run, the Hawkins Preserve, and the Cinco de Mayo celebration. Comm Lindsay moved to donate lottery funds in the amount of \$2,500.00, seconded by Comm Findley and carried.

ABATEMENT: Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for **Lizard Head Brewing Co LLC dba Mesa Cerveza Brewing, 2002, (8801-000-01-138)** assessment \$1,675.36. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommends approval. Owner **Rudolf H. Baeumel** was present. Comm Lindsay moved to approve this petition, seconded by Comm Findley and carried.

PRISONER HOUSING AGREEMENT **By and Between Montezuma County and the City of Cortez:** Sheriff **Joey Chavez** presented the contract agreement for review (see attached). Comm Lindsay moved to sign the agreement, seconded by Comm Findley and carried.

ANNUAL COOPERATIVE LAW ENFORCEMENT AGREEMENT AND FINANCIAL PLAN: Sheriff **Joey Chavez** presented, for review, the contract agreement between the Montezuma County Sheriff Department and the USDA Forest Service, San Juan National Forest from January 1, 2003 thru December 31, 2003. Comm Lindsay moved to sign the agreement, seconded by Comm Findley and carried.

HOME BUILDERS ASSOCIATION OF MONTDOLORES representative **Betty Farlow** presented two additional letters, which makes a total of ten letters received from the local plumbers.

PLANNING Manager **Karen Welch** presented a verbal request from **Jerry Jones**, owner of 227 acres, for an exemption to the subdivision regulations to create a separate 12 to 14 acre parcel, which is split from the acreage by a road. Planning Commission representative **Dudley Millard** was present. Discussed the problem of these types of requests in lieu of the land use regulations. Action was tabled. A work session, which will include the Planning Department and Commissioners is scheduled for Tuesday, March 18, 2003, to address concerns about such requests. Presented information about a request from **Robert Newman** asking that a 1972 variance for 20 acres be reconfigured. Mr. Newman was present and explained that he currently owns the 20 acre parcel and an adjoining 35 acre parcel – each with an access. He would like to create a 17 acre parcel and a 38 acre parcel. After discussion, he was advised to (1) submit a letter to the Planning Department from his Homeowners' Association stating that they agree with his proposal, and (2) then make application to create a 2-lot minor subdivision.

HEALTH DEPARTMENT Director **Lori Cooper** presented the following for review: (1) change orders for two contracts between the Department of Public Health and Environment and the Board of County Commissioners of Montezuma County – (a) “Environment Health Officer Program”, and (b) “Public Health Nursing Program,” and (2) “HIPAA Business Associate Addendum” -- privacy rule (needs to be in compliance by April 1, 2003). Comm Findley moved to sign the two change orders and the HIPAA Addendum, seconded by Comm Lindsay and carried.

PROPOSED HIGH IMPACT PERMIT – SANDSTONE/GRAVEL PIT: **Richard McClellan, Kelly McClellan and Craig Warel** met to discuss the proposed high impact permit for a sandstone/gravel pit on forest service land. After discussion, it is reiterated that the Board needs to receive a letter from the Forest Service, as surface owners, giving their permission to Mr. McClellan to proceed with the high impact permit process.

VESTED PROPERTY RIGHTS STATUTES were reviewed and discussed.

ADJOURNED at 2:45 p.m. to inspect the jail.

Deputy Clerk
March 10, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 17, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 17, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, March 10, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

ACCOUNTS PAYABLE: General fund warrants #41011 thru #41196 in the amount of \$311,284.48; Road department fund warrants #16571 thru #16644 in the amount of \$65,469.33; Landfill fund warrants #3419 thru #3455 in the amount of \$24,224.92; and Correction facility fund – no expenses for February 2003, were approved for payment.

ROAD DEPARTMENT Foreman **Don Yeomans** reported on department activities: (a) plowing, (b) crushing at Ormiston, (c) and noted complaint about pulled ditches on CR F – muddy. Discussed: (1) available cold mix – still checking on, (2) pot holes – patching when can, (3) proposed chip/seal - CR 42, (4) snow blower, (4) lift truck – doing good, and (5) paint striping machine.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented 2003 annual precipitation by the month through March 17, 2003 report. This was discussed.

BOARD OF SOCIAL SERVICES was conducted.

HEALTH DEPARTMENT Health Educator **Linda Bellush** gave an update on the tobacco settlement monies and stated that the payment may be in jeopardy. She presented information (a) about the need for an increase of the State tobacco excise tax on cigarettes, and (b) on sales taxes imposed on tobacco products in other counties. Discussed proposed letter to Governor Owens to encourage an increase of the excise tax. No action was taken at this time. Ms. Bellush stated she will keep the Board updated on future information about the issue.

BUDGET - DISTRICT ATTORNEY OFFICE: District Attorney **Joe Olt** and **Anita Squire** met to discuss concerns about the overall budget of the District Attorney office. DA Olt presented the following reports (see attached): (1) 2002 Adjustments – Budget, (2) Office Expenses – January 2003, (3) Office Expenses – February 2003, (4) Supplement to February 2003 Expenses, and (5) General Fund Expenses as of February 13, 2003. These were discussed. DA Olt stated (a) that there were miscalculations last year, (b) promised this will not happen in 2003, and (c) believes he can stay within the 2003 budget by departmental cuts in travel and training. The Board reiterated that he stay within his Budget. Finance Officer **Mary Ann Sanders** was present.

PUBLIC HEARING – FARM GOODS FOR KIDS - PROPOSED HIGH IMPACT PERMIT NO. 310 AMENDED: It being the time set aside, a public hearing is held concerning a High Impact Permit application to amend HIP No. 310 as submitted by owner **Jay Stringer** regarding a proposed expansion of an existing warehouse facility on property located at 41190 Road G, Mancos, CO. The property is situated in Section 9, T.35N., R.23W., lying on the south side of Road G, lying east of Road 41. The roll was called, the proof of

publication was read and the proceedings were taped for the record. Present were owner **Jay Stringer**, interested neighbors – **Chris Kloster, Jeff Corbin and Tim Miller**, and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address building footprint and traffic. Mr. Stringer explained the need to expand the existing facility from 12,750 sq. ft to 21,250 sq ft (maximum building footprint threshold standard will be exceeded). He stated that he anticipates the traffic will stay the same. The Board asked for public comments. The following concerns were expressed: (1) Tim Miller -- traffic (dust and speed), future expansion, property values, and adverse impact on other properties in the area. (2) Chris Kloster -- unpredictable use of the property in the future if Mr. Stringer decides to leave. (3) Jeff Corbin – change of the character of the neighborhood (okay with the present business). Discussed concerns about the dust control - use of mag-chloride as a dust abatement or pavement of a section of the road from Road 41 to the west neighbor. Comm Lindsay made a motion to approve High Impact Permit No. 310 Amended, contingent on specified mitigating measures. The motion was seconded by Comm Findley and carried. The Planning Department will draft findings and High Impact Permit No. 310 Amended for review and signature.

PUBLIC HEARING – MITCHELL WARD--PROPOSED HOT ASPHALT MIX PLANT – HIGH IMPACT PERMIT NO. 457: It being the time set aside, a public hearing is held to consider a High Impact Permit application submitted by Mitchell Ward for a proposed hot asphalt mix plant on property owned (surface) by the Bureau of Land Management (BLM). The property is situated in Sections 12 and 13, T.35N., R.17W, lying west of Road 21, south of Road F. The roll was called, the proof of publication was read, and the proceedings were taped for the record. Present were **Mitchell Ward, Daren Stone, Kathy Stone, J. C. Bass, Larrie Rule, Carla Richardson, Betty Morris**, and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to review traffic, noise, and dust. The proposal by Mitchell Ward, Daren and Kathy Stone, dba Stone Crushing to locate the hot asphalt plant at the Stone Crushing site was discussed. Kathy Stone stated they have received the Technical Revision of the Stone's mining plan as requested by BLM, the surface owner, and presented such document for review. Mitchell Ward and Daren Stone described the project. The Board asked for public comments. (1) Carla Richardson expressed concerns about noise, air quality, smell, road condition, and the plant being in a rural agricultural area. (2) J.C. Bass stated he had no problem with the project. (3) Betty Morris expressed concerns about unit being portable (set backs), noise, dust, and possible increase in production, and requested "no through truck signs" be installed on CR F. (4) Larrie Rule stated he does not believe that the smell or noise will be bad, since this is a small plant. Set backs were discussed. It was affirmed that the road department will be contacted for installation of the "no through truck signs" for CR F. Comm Findley made a motion to approve High Impact Permit No. 457, contingent on specified mitigating measures. The motion was seconded by Comm Lindsay and carried. The Planning Department will draft findings and High Impact Permit No. 457 for review and signature.

DOLORES/MONTEZUMA COMMUNITY SUMMIT representative **Dena Guttridge** presented (a) information about the Summit, (b) brochure – "People In Action For Better Communities," (c) list of contributors, and (d) budget. She invited the Board to participate in the Summit, and made a request for a donation of \$1,000.00 to help with expenses. The Board stated they will try and attend the Summit, but denied the request for monies to help with the expenses.

PUBLIC HEARING – PLUMBING INSPECTIONS: It being the time set aside, a public hearing is held to consider a request to the Colorado State Department of Regulatory Agencies, **Colorado State Plumbing Board**, for mandatory plumbing inspections for all commercial and residential remodeling and new construction. The roll was called, the proof of publication was read, and the proceedings were taped for the record. A copy of the International and Uniform Plumbing Code was noted. Present were Home Builders Association of Montdolores, President **Jim Candelaria**, **twenty-two** other interested persons (see attached list) and Planning Manager **Karen Welch**. President Candelaria gave an update on the request, and stated that ten letters (see attached) from local plumbers requesting this have been presented to the Board. A letter from the City of Cortez Service Center (see attached) was noted. The request was discussed at length by the audience in regard to: permit fees, older plumbing, enforcement, responsibility of all the different entities (gas company, propane companies, water company, plumbers, homeowners, etc.). Miscelle Allison asked several questions about the International and Uniform Plumbing Code and promotion of the request. The Board and the Home Builders Association will ask for documentation from the State stating that the State will accept this request, and pay for the inspector to carry out these inspections. It was affirmed that the hearing is continued until Monday, March 31, 2003, at 10:00 a.m.

REPLAT OF LOT 6 CEDAR KNOLLS SUBDIVISION: Comm Lindsay moved to approve and sign the Replat of Lot 6 – Cedar Knolls Subdivision (Hart and Ludeman), seconded by Comm Findley and carried.

PLANNING Manager **Karen Welch** presented additional information about the verbal request from **Jerry Jones**, owner of 227 acres, for an exemption to the subdivision regulations to create a separate 9-acre parcel, which is split from the acreage by CR G. It was affirmed that this request will be referred to the Planning Commission for review. Presented recommendation from the Planning Commission that the following proceed to the Board of County Commissioners for a public hearing for a High Impact Permit – **Lighthouse Baptist Church** – addition to existing building – hearing scheduled for Monday, March 31, 2002 at 11:00 a.m.

TOWN OF MANCOS - ANNEXATION OF FIRE HOUSE ADDITION: It was affirmed that the Board does not oppose the annexation of the fire house addition by the Town of Mancos.

CORTEZ AIR SERVICE: Comm Lindsay moved to have Chairman Wilson sign a letter asking for continued “Essential Air Services” (EAS) funding for the Cortez Municipal Airport, seconded by Comm Findley and carried. The letter will be sent to U.S. Senator Wayne Allard, U.S. Senator Ben Nighthorse Campbell, and U.S. Representative Scott McInnis.

ADJOURNED at 4:25 p.m.

Deputy Clerk
March 17, 2003

Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MARCH 31, 2003**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 31, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. “Kelly” Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, March 17, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

911 AUTHORITY BOARD ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-05-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

ROAD DEPARTMENT Foreman **Jim Sattley** reported on department activities: (a) plan to start work on CR S bridge soon, (b) gravelling on CR 21, and (c) doing maintenance catch up work.

REGION 9 - REGIONAL TRANSPORTATION PLANNING COMMISSION – CERTIFICATION OF PARTICIPATION: Comm Lindsay made a motion to sign the “Certification of Participation” in an Intergovernmental Agreement for The Southwest Transportation Planning Commission appointing Comm Findley as Montezuma County’s representative and Comm Wilson as alternate. The motion was seconded by Comm Wilson and carried.

CANYONS OF THE ANCIENTS NATIONAL MONUMENT: Bureau of Land Management (BLM) representatives **LouAnn Jacobson, Laura Kochanski, and Victoria Atkins** and Crow Canyon Archaeological Center representative **Gayle Prior** asked the Board to support and sign applications for grant monies from the Colorado State Historical Society for the following proposed projects: **(1)** Cannonball Pueblo Preservation Project (a collaborative effort between the McElmo Canyon Research Institute, Petro Graphics Inc., the BLM, and the National Park Service). **(2)** Ancient Images and Pueblo Perspectives: Documentation and Traditional Interpretations of Imagery at Painted Hand Pueblo and Lowry Pueblo (Crow Canyon Archaeological Center in conjunction with the BLM-Canyons of the Ancient National Monument and the Anasazi Heritage Center). Comm Lindsay moved to support and sign the two applications, seconded by Comm Findley and carried.

CROW CANYON ARCHAEOLOGICAL CENTER representatives **Mark Varien and Gayle Prior** presented “The Southwest Colorado Archaeological Research and Education Program: Reconstructing the Past, Learning in the Present, and Preserving for the Future” project. They asked the Board to support and sign the application for grant monies from the Colorado State Historical Society for the proposed project. Comm Findley moved to support and sign the application, seconded by Comm Lindsay and carried.

PUBLIC HEARING – PLUMBING INSPECTIONS: It being the time set aside, a public hearing is continued to consider a request to the Colorado State Department of Regulatory Agencies, **Colorado State Plumbing Board**, for mandatory plumbing inspections for all commercial and residential remodeling and new construction. It was noted that all the Commissioners, approximately **thirty-four** interested persons (see attached list), and Planning Manager **Karen Welch** were present. Comm Wilson stated that the hearing is to be

continued to Monday, April 7, 2003 at 3:00 p.m. He noted that a representative from the Colorado State Plumbing Board is scheduled to attend this meeting, and be available to answer questions and address concerns. He said the meeting today is to gather more information and opened the floor to public input. Five people gave input -- which included comments about State information, water company and propane company responsibilities, land use plan and a request to have the April 7th meeting held at the Annex (more seating capacity). The proceedings were taped for the record. It was affirmed that the hearing is continued until Monday, April 7, 2003, at 3:00 p.m. at the Annex Building.

FAIRGROUNDS SPEEDWAY: Representative **Duane Randol** presented the "2003 Fairgrounds Speedway Schedule" (see attached). Mentioned the water situation and items that need to be upgraded at the speedway. These were discussed.

LIQUOR LICENSES: Deputy Clerk **Tammy Neely** presented the following applications: **(1) Smitty's Liquor** – renewal of a retail liquor license; and **(2) Wild Wild Rest** – renewal of a 3.2% beer license "on and off premises." The Sheriff's office reported no problems with the two establishments. Comm Lindsay moved to approve the two applications, seconded by Comm Findley and carried. Clerk **Carol Tullis** was present.

CLERK Carol Tullis gave an update on activities in the Clerk's office, which included discussion about mail ballots, need for more space, need to update basement space, etc.

COUNTY LODGERS TAX BOARD: The vacancy on the Lodgers Tax Board was advertised and one application was received. Comm Findley moved to appoint **Raymond Simanson, Jr.** to the Lodgers Tax Board, seconded by Comm Lindsay and carried. **Raymond Simanson, Jr.** was present.

PUBLIC HEARING – LIGHTHOUSE BAPTIST CHURCH – HIGH IMPACT PERMIT NO. 448: It being the time set aside, a public hearing is held to consider construction of a family life center as submitted by the Lighthouse Baptist Church. The property is located at 11578 Hwy 145, Cortez, Co, situated in Section 18, T.36N., R.15W., lying on the east side of Hwy 145, south of Road M. The roll was called, the proof of publication was read, and the proceedings were taped for the record. Present were Lighthouse Baptist Church representative **Steve Chappell** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing. She stated that the plans have changed since the project was presented to the Planning Commission and asked if the hearing should be continued until a blueprint is available. The Board asked for more information in regard to the change in plans. Mr. Chappell stated that they have decided to purchase a pre-fab steel building, instead of building the facility. One letter of concern was noted (see attached) from **Barbara Cowan**. Set backs and a privacy fence were discussed. Comm Lindsay made a motion to approve High Impact Permit No. 448, contingent on specified mitigating measures. The motion was seconded by Comm Findley and carried. The Planning Department will draft findings and High Impact Permit No. 448 for review and signature.

CORTEZ CHAMBER OF COMMERCE representative **Kristine Acott** asked if the Board could attend a get together with the "Ride the Rockies" group on June 14th. This was affirmed. She stated they would like to appoint a commissioner as an advisory member to the Chamber Board. Comm Findley volunteered and it was affirmed that one of the other commissioners will try attend the monthly meetings if Comm Findley is unable to attend. She also gave an update on the main street lighting project and other Chamber activities. Member **Slim McWilliams** was also present.

ABATEMENT: Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for the **Navajo Nation Oil & Gas Company, 2002, (5611-341-03-005)**, assessment \$2,397.91. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommends approval. Comm Lindsay moved to approve this petition, seconded by Comm Findley and carried.

HEALTH DEPARTMENT Director **Lori Cooper** gave an update on activities and personnel. She presented the "Caring for Colorado – Foundation for the Young Parents Plus Project" grant. Comm Findley moved to sign the grant agreement, seconded by Comm Lindsay and carried. Presented the Women, Infant and Children (WIC) Program – Change Order No. 1, Contract #03-FAA-00802, (10-01-02 thru 09-30-03) for review and signature. Comm Lindsay moved to sign the change order, seconded by Comm Findley and carried.

MESA VERDE MUSEUM ASSOCIATION representative **Shana Diederichs** presented the following and asked the Board to support and sign the applications for grant monies from the Colorado State Historical Society for the two projects: (1) “Mesa Verde Interns” – Partners in Parks (partnership between Fort Lewis College and Mesa Verde National Park) project. Comm Lindsay moved to support and sign the application, seconded by Comm Findley and carried. (2) “A New Site Survey Within the Long Mesa Burn Area” project. Comm Lindsay moved to support and sign the application, seconded by Comm Findley and carried.

LAST CHANCE MINOR SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Last Chance Minor subdivision (Dean), seconded by Comm Lindsay and carried.

PLANNING Manager **Karen Welch** presented information about a tentative approval (see April 1, 2002 minutes) for a verbal request from **Cordy Englehart** for an exemption to the subdivision regulations to split off a 24.9 acre parcel divided by the highway from 323 acres. **Cordy Englehart** and **Ernest Maness** were present. The wordage in the proposed resolution was discussed. After discussion, Comm Findley moved to tentatively approve the verbal request for an exemption to the subdivision regulations, contingent on a change of wordage in the proposed resolution and a plat note in regard to any development, seconded by Comm Lindsay and carried. Manager Welch presented the following recommendation from the Planning Commission that the following proceed to the Board of County Commissioners for a public hearing for a high impact permit: **Dan Bjorkman – 18-hole Golf Course (Echo Basin Ranch)** – hearing scheduled for Monday, April 14, 2003, at 11:00 a.m. Presented a verbal request from **Jerald Cauley** (Proffit) to amend planning resolutions P-05-00E and P-17-97 – boundary line change. No action taken. Presented findings for signature: (1) **High Impact Permit No. 310-Amended – Farm Goods for Kids** (see attached): condition - (a) varied building footprint for any one building, (b) Mr. Stringer is to apply magnesium chloride from the intersection of Roads G and 41, east to his parcel for dust mitigation. (2) **High Impact Permit No. 457 – Hot Asphalt Mix Plant on BLM Property (current site of Stone Gravel Pit) – Mitchell Ward** (see attached): conditions - (a) all State and Federal permits being obtained, (b) future extraction along Road 21 will require a 200’ setback for the asphalt plant and 300’ setback for the crusher, and (c) signage on Road F: “no through asphalt and gravel trucks.”

OFFICE OF COMMUNITY SERVICES: **Mike Preston** met to discuss the agenda for upcoming community meetings in regard to the Dolores River Valley Plan.

COUNTY TRANSPORTATION: Adm Weaver asked for permission to procure one new Dodge Dakota pickup from the Sheriff’s Department Contract when they trade in their used pickups for new vehicles. This was affirmed.

COLORADO DIVISION OF WILDLIFE IMPACT ASSISTANCE GRANT APPLICATION was signed.

ADJOURNED at 4:15 p.m.

Deputy Clerk
March 31, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 7, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 7, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, March 31, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

TREASURER'S report for the month of March 2003 was received and noted.

PAYROLL: General fund warrants in the amount of \$239,602.15, District Attorney fund warrant #41197 in the amount of \$21,040.87, Treasurer fund warrant #41198 in the amount of \$183,786.51; Road Department fund warrants in the amount of \$60,120.16, Treasurer fund warrant #16646 in the amount of \$53,210.56; and Landfill fund warrants in the amount of \$12,322.59, Treasurer fund warrant #3457 in the amount of \$8,526.93 were approved for payment.

GENERAL FUND ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-06-03** to the Treasurer to transfer \$77,696.61 from the General fund to the Social Services fund – quarterly HCBS (see attached). The motion was seconded by Comm Findley and carried.

ROAD DEPARTMENT Foreman **Jim Becher** reported on department activities: (a) have received patching material – patching potholes, (b) gravelling – CR P and CR 21, and (c) building detour road – for work on CR S bridge. Discussed: (1) still need price for chip seal oil – do plan to chip seal this year, and (2) noted that the department will be switching back to a four 10-hour day work week.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented precipitation amounts for 2003, and mentioned this year's possible fire danger level. These were discussed.

EXTENSION OFFICE Director **Jan Sennhenn** presented proposed cost cuts by the State of Colorado, CU program that partially funds the Montezuma County Extension office. She asked if the Board would consider an increase in Montezuma's salary formula to retain current staff and programs. Discussed the request. No action was taken.

SHERIFF OFFICE: Undersheriff **Sam Hager** presented a gaming impact fund application request for support and signature. Comm Lindsay made a motion to support and sign the State of Colorado Department of Local Affairs, Local Government Limited Gaming Fund Application for a "Mobile Data Reporting System" for the Sheriff's office. The motion was seconded by Comm Findley and carried.

CLAXTON MINOR SUBDIVISION: Comm Findley moved to approve and sign the final plat (2-lot minor) for the Claxton Minor Subdivision (Claxton), seconded by Comm Lindsay and carried.

LIQUOR LICENSES: Deputy Clerk **Judy Follman** presented the following: (1) Application for renewal of a Resort Complex liquor license for the **Echo Basin Ranch**. The Sheriff and Health departments reported no problems with this outlet. Comm Lindsay moved to approve this application, seconded by Comm Findley and carried. (2) Application for renewal for a 3.2% beer license for **Schroeder-Colorado, Inc./Eagle Claw Trading Post**. The Sheriff department reported no problems with this outlet. Comm Lindsay moved to approve this application, seconded by Comm Findley and carried. (3) Application for renewal for a retail liquor license for the **Schroeder-Colorado Inc./ Eagle Claw Trading Post Retail Liquor Store**. The Sheriff department reported no problems with this outlet. Comm Lindsay moved to approve this application, seconded by Comm Findley and carried.

OPEN RECORDS STATUTE: Discussed statute in regard to letters received from **Miscelle Allison** - dated March 21, 2003 and March 28, 2003. Questions asked in these two letters were considered, and it was affirmed that the only request for records is paragraph 5 of the letter dated March 28, 2003. Information answering this question, which pertains to non-profit organizations (2002 and 2003), will be given to her.

COUNTY HEALTH-DENTAL-LIFE INSURANCE information was presented by Finance Officer **Mary Ann Sanders**. Information was discussed. No action taken.

CANNON FOREST PRODUCTS representative **Mike Williams** met to discuss his bid to cut dead pinon trees east of the fairground building. It was noted that a public notice for bids has been run in the newspaper, and Mr. Williams was low bidder. Mr. Williams requested a waiver releasing him from carrying workmen comp insurance, if he accepts the job. The request was denied. Mr. Williams refused the job.

PUBLIC HEARING – PLUMBING INSPECTIONS: It being the time set aside, a public hearing is continued to consider a request to the Colorado State Department of Regulatory Agencies, **Colorado State Plumbing Board**, for mandatory plumbing inspections for all commercial and residential remodeling and new construction. The hearing was held at the Annex. The roll was called. Present were approximately **sixty-one** interested persons (see attached list) and Planning Manager **Karen Welch**. Comm Wilson introduced Superintendent and Supervisor of the State Plumbing Board, **Don Watts**, and invited the public to ask him questions. Mr. Watts made available to the public copies of “The Examining Board of Plumbers, Colorado State Law, Rules and Regulations, Colorado Plumbing Code Amendments, January 2003.” Approximately 30 persons asked questions and made comments - pro and con - for the request. The proceedings were taped for the record. The Board thanked Mr. Watts for attending the meeting and addressing the questions from the public. It was affirmed that the hearing is continued until Monday, April 14, 2003, at 11:30 a.m.

ADJOURNED at 5:30 p.m.

Deputy Clerk
April 7, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 14, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 14, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, April 7, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

SHERIFF'S report for March 2003 was received and reviewed.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) blade patching on CR 29 (Hwy 160 to Hwy 184, (b) hauling asphalt from Farmington, (c) have removed bridge on CR S – discussed schedule of work, and (d) have received signage for CR F – will install in near future. Discussed: (1) Dolores/Norwood road, and (2) Schedule "A" (forest service) roads – need to review policy.

LANDFILL Manager **Debby Barton** presented (a) Profit and Loss Statement for month of March 2003, (b) Financial Information Summary for the Period from March 1 to March 31, 2003, (c) Tonnage Breakout for the Year to Date 2003, and (d) other quarterly reports. Discussed other activities at the landfill.

COUNTY LODGERS TAX BOARD: Use of monies was discussed. A meeting with the Lodgers Tax Board will be scheduled.

PLANNING Manager **Karen Welch** presented the following for information and discussion: (1) question about Belt Salvage fencing – will contact, and (2) set backs on second mobile home on a grand-fathered parcel (Miller).

PUBLIC HEARING – ECHO BASIN RANCH - 18 HOLE CHAMPIONSHIP GOLF COURSE – HIGH IMPACT PERMIT NO. 458: It being the time set aside, a public hearing is held regarding a High Impact Permit application for construction of an 18-hole championship golf course at the Echo Basin Ranch property, Dan Bjorkman, owner. The property is located at 43747 Road M, Mancos, CO, situated in Section 11, T.36N., R.13W., lying on the north side of Road M. The roll was called and the public notice was read. Present were Echo Basin Ranch owner **Dan Bjorkman** and representatives **Matt Rauh V and Matt Rauh IV**, approximately **twelve** interested persons (see attached list), and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address traffic, road issues, soil erosion measures during construction, air quality, noise, lighting, ditch maintenance and easement, vegetation outside turf area, etc. Mr. Bjorkman with his representatives presented a power point show and maps. He explained the project and use of the artificial TourTurf. TourTurf was presented. Approximately six persons made comments and expressed concerns – pros and cons about the proposed project. The proceedings were taped for the record. The hearing was closed. **Later** in the afternoon, findings were discussed. Present were Dan Bjorkman and Planning Manager Karen Welch. Comm Findley moved to approve High Impact Permit No. 458, contingent on written findings. The motion was seconded by Comm Lindsay and carried. The Planning Department will draft findings and High Impact Permit No. 458 for review and signature.

PUBLIC HEARING – PLUMBING INSPECTIONS: It being the time set aside, a public hearing is continued to consider a request to the Colorado State Department of Regulatory Agencies, **Colorado State Plumbing Board**, for mandatory plumbing inspections for all commercial and residential remodeling and new construction. Present were the Commissioners, approximately **twenty-two** interested persons (see attached), and Planning Manager **Karen Welch**. There was no public input. The commissioners made comments in regard to the request. The proceedings were taped for the record. Comm Lindsay made a motion (a) to invite the Colorado State Plumbing Board to carry out mandatory plumbing inspections for all commercial and residential remodeling and new construction in the unincorporated areas of the county, (b) to allow inspections be done for a interim period of one year effective July 1, 2003, and (c) to re-address the inspection policy on June 7, 2004. The motion was seconded by Comm Findley and carried.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA): Health Office Director **Lori Cooper**, Sheriff **Joey Chavez**, Sheriff office representatives **Vici Worcester and Jackie Connelly**, LPN met to discuss HIPAA – privacy of medical health records. After discussion, Comm Lindsay made a motion that the Board of Commissioners finds that Montezuma County is a hybrid covered entity under the Health Insurance Portability and Accountability Act (HIPAA), and finds that the Montezuma Health office provides medical care and maintains records; and, the Montezuma County Sheriff office provides medical care and medical records; and, the County Administration office is a receiver of some limited information from the Health Plan Administrator and Health Plan and has provided an agreement (see attached) which the County Administrator has signed; and, hereby approves and adopts the attached for covered Montezuma County offices to comply with HIPAA. The motion was seconded by Comm Findley and carried.

COUNTY HEALTH-DENTAL-LIFE INSURANCE (CEBT) information was presented by Finance Officer **Mary Ann Sanders**. Comm Lindsay moved to accept the PP03 Plan, effective July 1, 2003, with CEBT, seconded by Comm Findley and carried.

ADJOURNED at 4:00 p.m.

Deputy Clerk
April 14, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 21, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 21, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, April 14, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

ACCOUNTS PAYABLE: General fund warrants #41199 thru #41397 in the amount of \$160,739.34; Road department fund warrants #16655 thru #16736 in the amount of \$349,320.58; Landfill fund warrants #3466 thru #3508 in the amount of \$53,581.54; and, Correction facility fund warrants #142 thru #144 in the amount of \$7,951.78 were approved for payment.

ROAD DEPARTMENT: **Lloyd Everett** presented "Montezuma County Road Plan 2003." The plan was discussed. Reported on department activities: (a) working on CR S Bridge and (b) blade patching. Discussed: (1) complaint – CR 23 (off Hwy 666) side caved off – will check, and (2) question about a section of Road 30 – whether it is still a county road (has been deleted from county road map) – will check history.

BOARD OF SOCIAL SERVICES was conducted.

HOME BUILDERS ASSOCIATION OF MONTDOLORES: Executive Officer **Betty Farlow** presented a letter (see attached) asking for clarification in regard to "setbacks" as stated in the Land Use Code. A meeting will be scheduled to address the question.

PLANNING Manager **Karen Welch** presented information for discussion on the following: (1) Echo Basin Ranch - 18 hole championship golf course - drafted written findings. (2) Tucker Construction, owner of six acres – proposal to give one acre to the Arriola Fire District. (3) Gay Balfour - final plat. ***** **Later** in the afternoon, Manager Welch presented the following **High Impact Permit** with written findings (see attached) for signature: **HIP No. 458 – Echo Basin Ranch – 18 Hole Championship Golf Course – Dan Bjorkman:** contingent on the following mitigation measures: (1) compliance with all Threshold Standards as provided in the Montezuma County Land Use Code, Resolution No. 4-2002, (2) Pay \$39,000.00 to the Montezuma County Road Department to provide oil for 3 coats of chip seal from Road 44 to entrance of Echo Basin property on Road M, (3) letter from Colorado Department of Transportation stating compliance with all CDOT requirements at the intersection of Hwy 160 and Road 44, (4) all new construction and remodeling of commercial buildings and public buildings must be built according to the Uniform Building Code, 1997 Edition and inspected for the same, (5) pave ranch parking and main loop roads at Ranch for dust control according to the application, (6) removal of septic lagoon and compliance with the laws regarding septic systems, (7) no night lighting of golf course, (8) all lighting will be confined to the property, (9) removal of trash pit and provide commercial trash hauling service, (10) chip woody materials for mulching, (11) air quality: burning is discouraged and absolutely no burning after 11:00 a.m., (12) no interference with Weber Reservoir Ditch maintenance and operation, and (13) special events require a High Impact Permit. High Impact Permit No. 458 was signed. The proposal from Tucker Construction was mentioned again and information presented and discussed in regard to similar land split situations. **Loretta Murphy** was present.

NOXIOUS WEED CONTROL PROGRAM: Weed Advisory Committee member **Gayel Alexander** met to discuss weed management funding. She gave an update on the program, which has funds to take care of the 2003 program. She stated that information, at this time, indicates that the Soil Conservation (State) grant monies for the control of noxious weeds will not be available for the 2004 program (fiscal year July 2003 – July 2004). Discussed matching county funds. The Board asked for more information, and encouraged the committee to check on other entities for grants that can be matched with county funds.

AFLAC insurance representative **Amy Ball** presented a packet containing AFLAC's supplemental insurance plans. She reiterated the company's proposal to offer supplemental insurance plans to the county employees and set up such for payment by payroll deductions under Section 125. It was noted that any supplemental insurance proposal would have to be bid out, and no action can be considered until the first of next year.

LIQUOR LICENSE: Deputy Clerks **Tammy Neely** and **Judy Follman** met to discuss options for the **Cloud 9** establishment in regard to liquor use at concerts held in the golf course area. Options discussed were an application for (1) "report of modifications" for each concert or (2) annual "optional premises." This information will be given to the Cloud 9 owners.

SOUTHWEST HEALTH SYSTEMS – SOUTHWEST MEMORIAL HOSPITAL: Administrator **Bob Peterson** and Chief of Operations **George Brisson** presented "Southwest Health System, Inc., Accountant's Report and Financial Statements, December 31, 2002 and 2001. The audit and hospital expansion and remodeling project were discussed.

CIVIL AIR PATROL member **Don Benoit**, instructor for the cadet training program for flying model airplanes, met to discuss a proposal to use the fairgrounds' race track for their training program. After discussion, it was noted that the Board affirmed the use, contingent on appropriate insurance for the cadets, and approval from the Race Track Board for use of the track.

ADJOURNED at 3:00 p.m.

Deputy Clerk
April 21, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
APRIL 28, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 28, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney - absent until 10:30 a.m.
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, April 21, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

ROAD DEPARTMENT is blade patching this week.

911 AUTHORITY BOARD ORDER: Comm Findley made a motion to direct the Clerk to issue **Order Number 0-07-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Lindsay and carried.

ORMISTON MEDICAL TRUST FUND ORDER: Nila Tortoriello presented a request for funds from the Clara Ormiston medical trust. Comm Lindsay moved to pay a total of **\$1,500.00**. After discussion, Comm Lindsay amended the motion to pay a total of **\$1,533.21** from the Ormiston medical fund to providers listed on **Order Number 0-08-03**, seconded by Comm Findley and carried.

DEPARTMENT OF SOCIAL SERVICES: Nila Tortoriello gave an update on funding for the "Aid to the Needy Disabled" (A&D) and the "Old Age Pension" (OAP) programs. The programs and funding were discussed.

HOME BUILDERS ASSOCIATION OF MONTDOLORES: Executive Officer **Betty Farlow** met to discuss scheduling a meeting in regard to their questions about Land Use Plan set-back requirements. The meeting was set for Monday, May 5, 2003, at 2:00 p.m. Planning Manager **Karen Welch** was present.

PLANNING Manager **Karen Welch, William Smith, Phyllis Smith, Radonna Vinger**, and representative for the Trust, Attorney **Jon Kelly** met to discuss metes and bounds of a Court probated lot, which was referred to the Planning Commission (see minutes of December 30, 2002). No action taken. *******Later in the day**, Manager Welch presented the following recommendations from the Planning Commission that the following proceed to the Board of County Commissioners: **(1) Shirley and John McCarey** - approval - rezone 90 acres AR35+ - Comm Lindsay moved to approve this rezoning request, seconded by Comm Findley and carried; and **(2)** that the following proceed to the Board of County commissioners for public hearings for high impact permits: **(a) Black Resources, Inc.** – proposed gas pipeline – hearing scheduled for Monday, May 12, 2003, at 11:00 a.m., and **(b) Kinder Morgan** – drill three wells – hearing scheduled for Monday, May 12, 2003, at 2:00 p.m.

EXTENSION OFFICE Director **Jan Sennhenn** gave an update on proposed cost/personnel cuts by the State of Colorado, CU program.

HEALTH DEPARTMENT Director **Lori Cooper** presented for signature the “Health Insurance Portability and Accountability Act (HIPAA) – Business Associate Contract No. 03-00314” between the Colorado Department of Public Health and the Montezuma Board of County Commissioners, for the Caring for Colorado – Pre-Natal Home Care program. Comm Findley moved to sign the contract, seconded by Comm Lindsay and carried. She invited the Board to the “Jungle/Mobile” activity scheduled on Tuesday, April 29, 2003.

PLUMBING INSPECTIONS – RESOLUTION NO. 4-2003: Comm Findley made a motion to sign Resolution No. 4-2003, whereas, the State of Colorado has promulgated the Colorado Plumbing Code of standards determined by the Examining Board of Plumbers, pursuant to C.R.S. 12-58-101, which allows for the licensing of plumbers and the inspection of their work, and whereas, the State of Colorado has the trained personnel and administrative and financial capability to carry out the dictates of the statute. Now therefore be it resolved, that the Board of County Commissioners for Montezuma County hereby requests that the Examining Board of Plumbers of the Department of Regulatory Agencies of the State of Colorado provide inspectors and charge fees for making inspections of plumbing work as defined by the Colorado Revised Statutes, as amended, in the unincorporated areas of Montezuma County pursuant to said Code, and such inspections will become effective and mandatory as of July 1, 2003. Be it further resolved that this Resolution will sunset on June 30, 2004, unless action is taken by the Board of County Commissioners of Montezuma County to renew this Resolution. The motion was seconded by Comm Lindsay and carried.

RESIDENT Galen Larson met to discuss property at the intersection of CR 22 and CR L. He expressed concerns: (a) about whether the property has an approved septic system, and (b) about the approximately 75 old vehicles that the owners have moved onto the property. He asked that these two items be checked. This was affirmed.

LIQUOR LICENSE: Deputy Clerk **Judy Follman** presented an application for renewal of a Hotel/Restaurant liquor license for **Stoner Creek**. Comm Findley moved to approve the application, contingent on no problems being reported from Sheriff and Health Departments on the establishment, seconded by Comm Lindsay and carried.

RECESSED FOR LUNCH with CDOT representative **Steve Parker**. Problem road areas and intersections in the county were discussed.

HEALTHY FORESTS RESTORATION ACT LEGISLATION – CONFERENCE CALL was held with representatives from Congressman McInnis office - **Mike Hesse, Josh Penry, Melissa Simpson, Christopher Hatcher and invited community leaders**. The legislation is to address wildfire risk on our nation’s forests.

LIQUOR LICENSE: Deputy Clerk **Tammy Neely** presented an application submitted by the “**Rollo Foundation**” (a non-profit organization) “Special Events Permit” - liquor (a benefit event for the Cortez Animal Shelter). The event will be held at Cliffrose on June 19, 2003, between 6:00 p.m. and 10:00 p.m. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** presented the “Dolores River Valley Plan – Citizen Working Group Agenda” for the scheduled Community Meeting on Tuesday, April 29, 2003, at the Dolores Community Center at 7:00 p.m.

SENIOR CENTER ADVISORY BOARD – establishment, operation, etc. was discussed.

ADJOURNED at 4:00 p.m.

Deputy Clerk
April 28, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 5, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 5, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, April 28, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

TREASURER report for April 2003 was received and reviewed.

PAYROLL: General fund warrants in the amount of \$241,305.84, District Attorney fund warrant #41100 in the amount of \$20,196.41, Treasurer fund warrant #41401 in the amount of \$186,484.08; Road Department fund warrants in the amount of \$60,277.88, Treasurer fund warrant #16738 in the amount of \$53,221.81; and Landfill fund warrants in the amount of \$12,475.33, Treasurer fund warrant #3510 in the amount of \$8,607.73 were approved for payment.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented report on current precipitation amounts. This was discussed.

COUNTY LODGERS TAX BOARD representative **Susan Scott** presented proposed fund distribution for the \$75,000.00 allotted monies for 2003. The proposal was discussed. The Board of County Commissioners presented their recommended changes. Ms. Scott will present the proposed changes at the next Lodgers Tax Board meeting. She was asked to come back with the Lodgers Tax Board's proposed final fund allocations. This was affirmed. Cortez Chamber of Commerce member, **Kristine Nunn** was present for some of the discussion.

SECTION OF UNIMPROVED COUNTY ROAD 38: Resident **Vance Koppenhafer** met to discuss his proposal to install a guardrail on a section of unimproved CR 38. He presented pictures of the area, and stated that the proposed guardrail probably would not come up to county specs. No action was taken. Mr. Koppenhafer was asked to meet with Road Department Foreman Don Yeomans about the proposal.

LIQUOR LICENSES: Deputy Clerks **Tammy Neely** and **Judy Follman** presented the following applications: (1) renewal of a 3.2% beer license for **ARAMARK Sports and Entertainment Services, Inc. (Mesa Verde Point Kampark)**. The Sheriff's department reported no problems with the establishment. Comm Lindsay moved to approve the application, seconded by Comm Findley and carried. (2) renewal of a retail liquor store for **Mac's Liquor**. The Sheriff's department reported no problems with the establishment. Comm Lindsay made a motion to approve the application, contingent on installation of signage cautioning patrons when backing out of the parking lot per HIP No. 435 approval (see minutes of July 15, 2002). The motion was seconded by Comm Findley and carried. Discussed procedures in regard to violations. Invited the Board to an upcoming liquor license class.

CLERK Carol Tullis presented the following items for information and discussion: **(1) Election:** (a) requirement for three years of signatures for “signature captures” – no way to scan - discussed need for scanner; (b) asked for dedicated line to update records; and (c) discussed different entities that may request a mail ballot this November. **(2) Records:** (a) asked that all subdivision and survey plats be submitted to the Clerks office on mylar instead of paper – affirmed. Clerk’s office will notify the Planning Department of the change; and (b) reported on collected recording monies. **(4) Election Judges:** discussed using SOS staffing.

PENMAN LOT CONSOLIDATION AND MINOR SUBDIVISION: Comm Lindsay moved to approve and sign the final plat for the Penman Lot Consolidation and Minor Subdivision (Penman), seconded by Comm Findley and carried.

POFF MINOR SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Poff Minor Subdivision (Balfour), seconded by Comm Lindsay and carried.

PLANNING: Loretta Murphy presented a verbal request from **Donald Story** to record an exemption to the subdivision regulations for a 16-acre parcel, which is split from 104 acres by the canal. It was affirmed that the request be referred to the Planning Commission with the recommendation that it be considered as an exemption. *****Later**, a verbal request to amend P-45-89A was presented and discussed.

PLANNING – GIS MAPPING: Rob Peterka met to discuss bid requirements (insurance) on the request for proposal for Flood Plain Insurance Study. Affirmed that bids need to be submitted on same information. **Jim Sisco** was present.

COMMUNITY CORRECTIONS BOARD APPOINTMENTS: Sheriff **Joey Chavez** presented applications for advertised vacancies on the Community Correction Board. Four applications were received from persons whose terms have expired. After discussion, Comm Findley made a motion to re-appoint to four-year terms - **George Buck, Laird Carlson, Shirley Dennison, and Don Wolf** and appoint **Jim Bollinger** to a four-year term. The motion was seconded by Comm Lindsay and carried.

HOME BUILDERS ASSOCIATION OF MONTDOLORES: Jim Candelaira, Dean Matthews, and approximately **eight** other persons (see attached list), met to discuss the Land Use Plan in regard to property line and county road set backs, and enforcement of such. After discussion, it was affirmed that these issues will be considered. No action was taken.

ADJOURNED at 3:30 p.m.

Deputy Clerk
May 5, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 12, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 12, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, May 5, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

AMENDED MINUTES – IN REGARD TO MILEAGE RATE: Comm Lindsay made a motion to amend the minutes of January 20, 2003, page 2, heading - "Health Department" as follows: "Increase the mileage rate from 28 cents to 35 cents for all County departments (not just the Health department)." The motion was seconded by Comm Findley and carried. Finance Officer **Mary Ann Sanders** was present.

SHERIFF report for April 2003 was received and reviewed.

ROAD DEPARTMENT Foreman **Jim Sattley** reported on department activities: (a) preparing roads for chip/seal – plans are to start chip/sealing in June, and (b) will start doing mag-chloride this week. Discussed: (1) CR P (needs maintenance and more mag-chloride) - Later in the day, Kinder Morgan representative Bob Clayton agreed to purchasing mag-chloride for the road – county will put down. (2) Complaints about CR E.5, CR V.6 and CR 21.6 – will check. Noted that request for signs - "Slow – Children at Play" for CR 21.6 need to be purchased by residents – county will install. (3) Fire danger in the county.

LANDFILL Manager **Debby Barton** presented "Profit and Loss Statement for the month of April 2003" and discussed other activities at the landfill.

MONTEZUMA COUNTY CSU COOPERATIVE EXTENSION ADVISORY BOARD President **Linda Bellush** presented a letter expressing the value of the extension office and their support of the present staffing. Budget concerns for the extension office and the Yellow Jacket experimental station were discussed. Later in the day, letters were written and signed by the Board of County Commissioners stating their continued support for the extension office personnel and the experimental station.

COLORADO "CLICK IT OR TICKET" CAMPAIGN: Representative **Toleda Cluff** gave an update on the seat belt program. She read the "Colorado Click It or Ticket Campaign - Honorary Proclamation" and asked if the Board would show their support by signing the proclamation. Comm Lindsay moved to sign the Honorary Proclamation, seconded by Comm Findley and carried.

CITIZENS FOR HISTORIC PRESERVATION: Representatives of the Montezuma County Historical Society, **Tom Vaughan**, the Montezuma County Historical Society – 40s+ Bunch, **Vivienne Kenyon**, the Mancos Valley Historical Society, **Jean Bader**, and the Mancos Opera House Association, **Merlin Perkins** met to request that the Board consider and enact a resolution creating a "Montezuma County Historical Commission" for the purpose of establishing a voluntary "Montezuma County Register of Historic Places." The proposal, resolution, and statutes were discussed. After discussion, a public hearing was scheduled for June 2, 2003, at 11:00 a.m. to address the request.

SHERIFF OFFICE: Undersheriff **Sam Hager** gave an update on the recent shooting of a State Highway Patrolman. Discussed jurisdiction in regard to billing issue – suspect’s self-inflicted injuries. Finance Officer **Mary Ann Sanders** was present.

PUBLIC HEARING – BLACK RESOURCES, INC. – PIPELINE – HIGH IMPACT PERMIT NO. 459:

It being the time set aside, a public hearing is held regarding a High Impact Permit application for a pipeline project as submitted by Black Resources, Inc., William D. Black, President. The roll was called and the proof of publication was read. Present were Black Resources, Inc. representative **Bill Black** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission’s recommendation that the application proceed to the Board of County commissioners for a public hearing. It was noted that the pipeline will be on forest service lands and lands owned by two private landowners (Bill Ortiz and Val Truelsen). Mr. Black explained the project and addressed the issues brought up by the Planning Commission: (a) review of bond for county road use – not needed, (b) dust – will mag-chloride, (c) private property – rights-of-way signed, (no bond needed for reclamation), and (d) visible pipe up steep slopes – will use subtle pipe. Letters from the two landowners, Road Department, and Forest Service were noted. Map of the project was presented and discussed. Noted that the original compressor station was to be in Montezuma County, but was amended – compressor station will be adjacent to TransColorado compressor station in Dolores County. Discussed traffic and need for “caution” signage. There was no public comment. The proceedings were taped for the record. Comm Lindsay made a motion to approve High Impact Permit No. 459, contingent on written findings. The motion was seconded by Comm Findley and carried. The Planning Department will draft findings and High Impact Permit No. 459 for review and signature.

RESIDENT Galen Larson met again about concerns in regard to property at the intersection of CR 22 and CR L (see minutes of April 28, 2003). Discussed septic situation and blight (old cars). No action taken.

PLANNING – GIS MAPPING: Rob Peterka presented a draft “Services Agreement” for review from the bids received for the aerial photography and surface elevation project. **** **Later**, Comm Lindsay made a motion authorizing Comm Wilson to sign the “Services Agreement between Montezuma County and Sanborn Colorado, L.L.C. – Aerial Photography and Surface Elevation Data For the Dolores River Suitable for D.F.I.R.M Mapping,” contingent on acceptance of the agreement by Sanborn Colorado, L.L.C. The motion was seconded by Comm Findley and carried.

PUBLIC HEARING – KINDER MORGAN CO2 COMPANY – WELLS – HIGH IMPACT PERMIT NO. 460 (YD-4, Yellow Jacket) and HIGH IMPACT PERMIT NO. 461 (HF-1 & HC-4 - Hovenweep): It being the time set aside, a public hearing is held regarding High Impact Permit applications with respect to Kinder Morgan CO2 Company Well Sites YD-4, HF-1 and HC-4, which are all on Bureau of Land Management property. The roll was called and the public notice was read. Present were Kinder Morgan representative **Bob Clayton** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission’s recommendation that the applications proceed to the Board of County Commissioners for a public hearing to address traffic and dust abatement. Mr. Clayton explained the project – two new wells (HF-1 and HC-4) will be drilled and one old well (YD-4) will be re-drilled (horizontally). He stated that (a) BLM has been notified, (b) the bond posted last year has been renewed, and (c) dust abatement will be done. There was no public comment. The proceedings were taped for the record. Comm Findley made a motion to approve High Impact Permit Nos. 460 and 461, contingent on written findings. The motion was seconded by Comm Lindsay and carried. The Planning Department will draft findings and High Impact Permit Nos. 460 and 461 for review and signature.

NOLAND RANCH COMMERCIAL P.U.D.: Comm Lindsay made a motion to approve and sign the final plat for the Noland Ranch Commercial P.U.D. (Noland). The motion was seconded by Comm Findley and carried.

PLANNING Manager **Karen Welch** noted that the request from **Donald Story** will be submitted to the Planning Commission for rezoning consideration (16 acre parcel – from AR35 to AR10-34). Gave an update on land use plan set- back issue.

ADJOURNED at 4:00 p.m.

Deputy Clerk
May 12, 2003

Chairman

Online Copy

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
MAY 19, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 19, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, May 12, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

ACCOUNTS PAYABLE: General fund warrants #41402 thru #41586 in the amount of \$141,567.46; Road department fund warrants #16739 thru #16813 in the amount of \$151,265.35; Landfill fund warrants #3519 thru #3545 in the amount of \$14,119.00; and Correction facility fund warrant #145 in the amount of \$10,003.97 were approved for payment.

ROAD DEPARTMENT Foreman **Jim Becher** reported that they will be mag-chloriding this week.

LANDOWNER Lynn Gardner met to report that a fence has been built across a section of road 10 and AA by new owners of property in the area. Mr. Gardner presented information on the history of this section. Discussed the status of the road, and looked at the deed involving the land in regard to this section of roadway. Adm Weaver will contact the party who built the fence and relay to them the information that was discussed today. Present were **Jim Becher, Rob Peterka** and **Loretta Murphy**. Mr. Gardner also expressed concerns about TDR's in the Dolores River Valley plan. He was referred to Jim Sisco.

BOARD OF SOCIAL SERVICES was conducted.

LIQUOR LICENSE: Deputy **Judy Follman** presented two applications for the **Cloud 9** establishment – renewal for a Hotel/Restaurant liquor license and an Annual Optional Premises. It was noted that the Health Department inspection has not been completed. Action was tabled until receipt of Health Department action. *******Later**, Deputy Follman presented the Health Department information. The Sheriff's Department and the Health Department reported no problems with the business. Comm Lindsay moved to approve the applications, seconded by Comm Findley and carried.

PLANNING Manager **Karen Welch** presented the following High Impact Permits with written findings (see attached) for signature: (1) **No. 172 – Noland Ranch Storage Units – expansion:** conditions - approved Planned Unit Development (PUD) plan. (2) **No. 459 -Black Resources, Inc. – pipeline:** conditions - providing dust abatement on County Road 31 from the point where the first residence is located to the entrance to Forest Service Lands on the east end of Road 31, and signage is posted along truck routes advising of truck traffic. (3) **No. 460 - Kinder Morgan CO2 - YD-4 well site at Yellow Jacket Facility (redrill):** conditions - continued application of dust palliative on affected county roads, continued posting of signage along affected county roads, and that the \$50,000.00 bond for the use of affected county roads is continued. (4) **No. 461 – Kinder Morgan CO2 – HF-1 and HC-4 well sites at the Hovenweep facility:** conditions - continued application of

dust palliative on affected county roads, continued posting of signage along affected county roads, and that the \$50,000.00 bond for the use of affected county roads is continued. Noted that a letter, with attached approved High Impact Permit Nos. 460 and 461, will be sent to the Bureau of Land Management to be included in their comment period for such wells. Manager Welch presented information about a proposed building site on property formerly owned by Jerry Hall. It was determined that the exemption to create this parcel was prior to the Land Use Plan; therefore the proposed building site was affirmed.

LANDOWNER Marguerite Rogers stated that she owns 3 acres and is inquiring about an additional septic tank, if she converted a structure on the property to a small apartment. She was referred to Sanitation Manager Mick Periman. Planning Manager **Karen Welch** was present.

EXTENSION OFFICE: Agent **Kenny Smith** presented a copy of his letter to CSU resigning from his position in the Extension Office, effective June 13, 2003. The Board expressed their appreciation for his years at the Extension Office.

COUNTY LODGERS TAX BOARD: Montezuma County Lodgers' Tax distribution reconsideration was presented (see attached). Comm Findley moved to approve the fund distribution, seconded by Comm Lindsay and carried.

HEALTH DEPARTMENT Director **Lori Cooper** and **Jane Duncan** presented and discussed the following issues: (a) cuts in the mental health program, (b) procedure for birds in regard to West Nile disease, (c) will receive some "tobacco" monies, and (d) EPSDT program. Presented the Statewide Tuberculosis Control Service contract. After discussion, it was affirmed that the contract be refused.

DISTRICT COURT SPACE (FIRST FLOOR) - ADDITION AND RECONFIGURATION: Treasurer **Sandy Greenlee**, Clerk **Carol Tullis**, and six employees from the Clerk and Treasurer offices presented a list of safety concerns (see attached) about the use of the hallway and other areas outside the two offices by persons appearing in matters connected to the District Court. Also present were **Rob Peterka** and **Karen Welch**. After discussion, it was affirmed that a meeting will be scheduled with Judge Hansen, Treasurer Greenlee and Clerk Tullis.

DE-BRUCE – (TABOR) – AMENDMENT 1 – 2002 Montezuma County November Election: Letter by the District Attorney, Seventh Judicial District, Gunnison, CO (see attached) was received. It is noted that the letter stated that the election process and results as related to Ballot Issue 1A are valid.

RECESSED FOR LUNCH at Crow Canyon and inspection of the jail at 2:30 p.m.

PLANNING – GIS MAPPING: **Jim Sisco** gave an update on the Flood Plain Insurance Study (plot and aerial photos). Mr. Sisco stated that he talked with Mr. Gardner about his concerns in regard to proposed TDR's in the Dolores River Valley plan. TDR incentives were discussed.

ADJOURNED at 4:45 p.m.

Deputy Clerk
May 19, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 2, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 2, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, May 19, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

911 AUTHORITY BOARD ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-09-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

PAYROLL: General payroll in the amount of \$256,543.00, District Attorney warrant #41587 in the amount of \$19,821.20, Treasurer warrant #41588 in the amount of \$196,165.06; Road department payroll in the amount of \$60,277.88, Treasurer warrant #16815 in the amount of \$53,221.81; and Landfill payroll in the amount of \$13,214.38, Treasurer warrant #3547 in the amount of \$8,814.86 were approved for payment.

OFFICE OF COMMUNITY SERVICE: **Mike Preston** throughout the day gave updates on several different ongoing programs, meetings, and projects in the area.

ROAD DEPARTMENT Foreman **Jim Becher** reported that the department is mag-chloriding this week. Discussed (a) condition of CR P – ditches pulled and (b) CR S repair update.

LANDOWNER Robert Lynn Gardner met again about the situation on road 10 and AA (see minutes of May 19, 2003). Adm Weaver presented photos taken on-site. After discussion, it was affirmed that a letter will be written to property owner, Leonard Wyatt requesting that he remove the fence within 15 days, and stating that if this is not done, the county will remove the fence. Road Foreman **Jim Becher** was present.

LANDOWNERS Mara Baxstrom and **Tammy Neely** met to discuss the condition of CR V.6 between CR 21 and CR W (Sunnyside Subdivision). They brought up four issues: (1) a 1/4th mile of road, which the county put clay and gravel on, gets very slick when it rains, (2) road is rough, (3) need for speed signs, and (4) patch of weeds. Foreman **Jim Becher** was present and stated they were aware of the road problems. Suggestion was made to re-gravel the slick area with Hay Camp gravel. The Board will do an on-site inspection of the road. Ms. Baxstrom and Ms. Neely are informed that they need to contact the Sheriff for any speed signs.

LIQUOR LICENSES: Deputy **Tammy Neely** presented an application for renewal of a retail liquor license for **Hilltop Liquor** and an application for renewal of a 3.2% beer license for the **Skyline Foodmart**. The Sheriff Department reported no problem with these establishments. Comm Lindsay moved to approve the applications, seconded by Comm Findley and carried.

DISTRICT COURT SPACE (FIRST FLOOR): Judge **Sharon Hansen**, District Court Clerk **Sandy Weaver**, Clerk **Carol Tullis**, Treasurer **Sandy Greenlee**, and five other interested persons (see attached list) met to discuss the list of safety concerns, etc. (see minutes of May 19, 2003) in regard to use of the hallway and other areas outside the two offices by persons appearing in matters connected to the District Court. Discussed concerns, security, suggestion for signage, etc. Judge Hansen affirmed that all the attorneys will be notified of the concerns. She asked that her office be contacted if any problem continues to occur.

FAIRGROUND Manager **Darryl Buffington** stated that he does not have access to the racetrack concession building for maintenance, or use of water and electricity outside the building. Cheryl Dean, who runs the concession stand for the races, has locked the building and stores equipment and merchandise in the building all week, not just the day of the racetrack event. It was affirmed that Ms. Dean will be notified by a letter that (a) from this period forward the concession stand at the racetrack will be occupied on the day of the event only, (b) storage of any merchandise or equipment on a weekly, monthly, or annual basis will not be permitted, and (c) any property she owns in the building must be removed immediately. (See attached letter.)

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented report on current precipitation amounts. The report was discussed.

LEIGHTON ACRES ESTATES SUBDIVISION: Comm Findley made a motion to approve and sign the final plat for the Leighton Acres Estates Subdivision (Leighton). The motion was seconded by Comm Lindsay and carried.

SWEARINGEN MODERATE SUBDIVISION: Comm Findley made a motion to approve and sign the final plat for the Swearingen Acres Estates Subdivision (Swearingen). The motion was seconded by Comm Lindsay and carried.

RESUBDIVISION OF LOT 2 – WATSON MINOR SUBDIVISION: Comm Lindsay made a motion to approve and sign the final plat for the Resubdivision of Lot 2 – Watson Minor Subdivision (Watson). The motion was seconded by Comm Findley and carried.

LISENBURY MINOR SUBDIVISION: Comm Findley made a motion to approve and sign the final plat for the Lisenbury Minor Subdivision (Branson - Vinger). The motion was seconded by Comm Lindsay and carried.

O'TRAYNOR SUBDIVISION: Comm Findley made a motion to approve and sign the final plat for the O'Traynor Subdivision (O'Traynor). The motion was seconded by Comm Lindsay and carried.

EXTENSION OFFICE Director **Jan Sennhenn** presented the 10-year old job description for the position held by Agent Kenny Smith, who resigned effective June 16, 2003. She asked for input in regard to any changes needed in the job description before the position is filled. Discussed other issues in connection with budget cuts by CSU.

PUBLIC HEARING - CITIZENS FOR HISTORIC PRESERVATION: It being the time set aside, a public hearing is held to consider the establishment of a voluntary Montezuma County Historical Register and a Montezuma County Historical Commission. Representatives of the Mancos Valley Historical Society – **Tom Vaughan**, and **Jean Bader**, Montezuma County Historical Society - **Bill Head**, **June Head** and **Maurine McNeill**, the Montezuma County Historical Society – 40s+ Bunch – **Vivienne Kenyon**, and the Mancos Opera House Association – **Merlin Perkins** were present. Mr. Vaughan explained the need for the register and commission. Discussed funding and the need to be self-sustaining. There was no one present that was against the proposal. Comm Findley made a motion for the formation of the Montezuma County Historical Commission to establish a voluntary historical register, with the agreement that the Historical Commission recommends to the County Commissioners the membership, terms, etc., and that no county funding be requested. The motion was seconded by Comm Lindsay and carried.

SENIOR NUTRITION CENTER – COUNTY ANNEX: Manager **Sue Fletcher** presented, for review, "Application for Financial Assistance" - Colorado Department of Transportation under the Section 5311 Grant Program – providing transportation county-wide to Senior Citizens, handicapped, Vo-Tech, to school, shopping, doctors, physical therapy, hospital and jobs. **** Later in the day, the application was reviewed again. Comm Findley made a motion to sign the application for 2004-2005 grant monies to cover bus transportation operating and maintenance costs, seconded by Comm Lindsay and carried.

RESIDENT Galen Larson reiterated his concerns about property at the intersection of CR 22 and CR L (see minutes of April 28, 2003). He was informed that Sanitation Manager Periman is checking on the septic situation.

HEALTH DEPARTMENT Director **Lori Cooper** presented two contracts for review: (1) Public Health Nursing and (2) Area Agency on Aging (AAA). Comm Findley moved to sign the Public Health Nursing Contract – July 1, 2003 thru June 30, 2004, seconded by Comm Lindsay and carried. Comm Lindsay moved to sign the Area Agency on Aging (AAA) Contract – January 1, 2003 thru December 31, 2006, seconded by Comm Findley and carried.

PLANNING Manager **Karen Welch** presented the following items: (1) the continuation of two public hearings set for June 9, 2003 -- reset for June 16, 2003 (there will not be a quorum for the June 9th meeting since two members will be going to CCI meeting); (2) an update on Echo Basin high impact permit; (3) an update on Dolores River Valley Plan activities, and information about request for extension of EAIF grant for Plan – tabled; and (4) an update on Lighthouse Baptist Church HIP – no action; (5) information on Thomas and Helen Stevenson’s “Gold Bed” mining claim. Mr. Stevenson is deceased and his son is trying to establish ownership of the claim (see June 1, 1960 minutes). The Board advised Adm Weaver to contact Joel Stevenson to request that he present a Quit Claim deed for the Board’s consideration; and, (6) a list of commercial properties that existed before the adoption of the Land Use Plan to be considered for commercial zoning status. Comm Findley was recused because of a conflict of interest. Comm Lindsay made a motion that letters be sent to all the listed commercial property owners stating that the properties will be classified as commercially zoned, unless they contact the Planning Department stating otherwise. The motion was seconded by Comm Wilson and carried.

NOTICE OF CLAIM received from the District Attorney’s office Victim Compensation Administrator in behalf of Kimberly Hammock has been sent to the Insurance Company.

ADJOURNED at 4:30 p.m.

Deputy Clerk
June 2, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 16, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 16, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, June 2, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

ACCOUNTS PAYABLE: General fund warrants #41589 thru #41749 in the amount of \$150,024.34; Road department #16824 thru #16886 in the amount of \$55,767.44; Landfill fund warrants #3556 thru #3583 in the amount of \$10,125.35; and, Correction facility fund warrant #145 in the amount of \$4,565.53 were approved for payment.

TREASURER report for May 2003 was received and noted.

LANDOWNER Bob Wright met about his proposed 4-lot subdivision on CR G. Planning Manager **Karen Welch** was present. Discussed deeded easement vs county spec 18' road easement. No action taken.

PLANNING Manager **Karen Welch** presented "Energy & Mineral Impact Assistance Fund Contract Amendment, EIAF #4429 – Montezuma County Dolores Valley Plan" for review. Comm Lindsay moved to sign the Amendment (see attached), seconded by Comm Wilson and carried. Presented information on a verbal request for an exemption to the subdivision rules and regulations from Bill Edgerton -- change in property lines on parcels created in 1960 (1), 1988 (2) and 1965 (1). Action was tabled. ****Later in the day, presented "Process for Review and Adoption of Dolores River Valley Plan."

ROAD DEPARTMENT: Randy Smith reported on department activities: (a) chip sealing – CR 29 to CR M, CR 25, CR 31 to bridge, etc., (b) crushing gravel, (c) mag-chloriding, and (d) bladed CR 42. Discussed: (1) complaint on CR S – will discuss at June 17, 2003, road meeting, and (2) CR V.6 (see minutes of June 2, 2003) – on-site inspection done – will check.

LANDFILL Manager **Debby Barton** presented (a) Profit and Loss Statement for month of May 2003, (b) info on monitoring Well #4, and (c) "Proposal for 2003 Engineering and Environmental Services" (NorthWest Colorado Consultants, Inc.). Discussed other activities at the landfill.

SANITATION Manager **Mick Periman** presented information about septic systems on property at the intersection of CR 22 and CR L that resident Galen Larson asked to be checked (see minutes of April 28, 2003). He stated the following: (a) there is no sewage on the surface of either one of the parcels (no health problem), (b) the smaller parcel has a septic permit and the system is functioning, and (c) no permit on the larger parcel – septic system was there in the 1960s. The owners will be notified that they have a reasonable time to research information on the larger parcel for a septic permit or history thereof.

ABATEMENT: Assessor **Mark Vanderpool** being present, petitions for abatement of property tax were presented for: (1) **Chester W. and Norma Jean Roach (5637-033-01-003)**, 2001, assessment, \$1,614.91 and 2002, assessment, \$1,624.69. Assessor Vanderpool recommended approval. Comm Lindsay moved to approve the petition, seconded by Comm Findley and carried. (2) **Bison Glove Works – Van A. Willis (8839-000-00-145P)**, 2000, assessment, \$1,252.96. Assessor Vanderpool recommended approval. Comm Lindsay moved to approve the petition, seconded by Comm Findley and carried. The roll was called and the proceedings were taped for the record.

FAIRGROUND – RACE TRACK CONCESSION STAND: Concessionaire **Cheryl Dean** met to discuss issues about use of the concession stand at the fairground race track. After discussion, it was affirmed that: (1) there will be no change in procedure for the remainder of this year's schedule, (2) issues about the use of the concession stand will be considered before next year's bid, (3) county will purchase the water heater which will be drained by the fairground Manager each fall, (4) Ms. Dean will bring a key to the concession stand to Adm Weaver, and (5) Ms. Dean donates the door she installed to the county.

COMMUNITY CORRECTIONS: Sheriff **Joey Chavez** presented two sub-contracts between the Montezuma County Community Corrections, and Colorado Department of Public Safety, Division of Criminal Justice with COMCOR, Inc. and Hilltop House/SWCCC, Inc. - State fiscal year 2003-2004, for review and signature. Comm Findley moved to sign the contracts, seconded by Comm Lindsay and carried.

SHERIFF Chavez discussed possible fire ban and proposal to revise the ban to issue individual burn permits instead of blanket fire ban. No action taken.

KINDER MORGAN CO2 COMPANY representative **Bob Clayton** presented copies of several letters (see attached) addressed to BLM from congressmen supporting the drilling of carbon dioxide gas wells in the Canyon of the Ancients National Monument. Discussed use of CR P by Kinder Morgan. Mr. Clayton stated that they have rerouted trucks and their minimal use of this road does not warrant the continuation of the company mag-chloride program for this road. Adm Weaver asked for a copy of their new truck route.

PUBLIC HEARING – SIMBECK AND ASSOCIATES, INC. – LOT 1 OF THE SWENSON SUBDIVISION – EXPANSION OF STORAGE/MAINTENANCE BUILDING – HIGH IMPACT PERMIT NO. 462: It being the time set aside, a public hearing is held regarding a High Impact Permit application for expansion of the storage/maintenance building on Lot 1 of the Swenson Subdivision as submitted by Jon and JoAnne Simbeck. The property is located at 38256 Hwy 160, Mancos, CO, situated in Section 36, T.36N., R.14W. The roll was called and the proof of publication was read. Present were owner **Jon Simbeck** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address footprint, set backs, and CDOT highway access permit. These items were discussed in regard to the after-the-fact preliminary construction, which ceased pending the high impact permit public hearing. There was no public comment. Comm Lindsay made a motion to approve High Impact Permit No. 462, contingent on CDOT highway access permit. The motion was seconded by Comm Findley and carried. The proceedings were taped for the record. The Planning Department will draft written findings and High Impact Permit No. 462 for review and signature.

PUBLIC HEARING – LEWIS-ARRIOLA FIRE PROTECTION DISTRICT – FIRE SUBSTATION – HIGH IMPACT PERMIT NO. 463: It being the time set aside, a public hearing is held regarding a High Impact Permit application for a fire substation as submitted by the Lewis-Arriola Fire Protection District on property owned by R. Tucker Construction, 12993 Hwy 666, Cortez, CO. Said property is situated in Section 9, T.36N., R.16W., lying on the south side of Road N. The roll was called and the proof of publication was read. Present were Arriola Fire District representative **George Deavers** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing. Comm Lindsay and Comm Findley both stated, for the record, that they are members of the Cortez Fire District and the Dolores Fire District Board, respectively, but have no direct interest in the Lewis-Arriola Fire Protection District. Discussed deeded property vs leased property for the substation. There was no public comment. Comm Findley made a motion to approve High Impact Permit No. 463, contingent on the property being leased from R. Tucker Construction. The motion was seconded by Comm Lindsay and carried. The Planning Department will draft written findings and High Impact Permit No. 463 for review and signature.

BOARD OF SOCIAL SERVICES was conducted.

RECESSED for lunch with the Health Department.

QUIT CLAIM DEED – GOLD BED MINING CLAIM: Comm Lindsay made a motion that the quit claim deed between Montezuma County, grantor, and Joel I. Stevenson, grantee (see attached) be signed. The motion was seconded by Comm Findley and carried. Commissioner of Deeds Findley signed the quit claim deed.

LANDOWNERS Robert Lynn and Alice Gardner met for an update on the fence situation in regard to Road 10 and AA. Planning department representative **Loretta Murphy** presented 1989 deed information. Action was tabled.

NOXIOUS WEEDS – PIPELINE EASEMENT: Landowner **Kevin DesPlanques** stated that he lives in the Summit Ridge area, and there are lots of noxious weeds on Mapco's pipeline easement in the area. Noxious Weed Program Manager **Ron Lanier** was present. Discussed the company's bond, which should address this problem. Expiration date of the bond will be checked. Manager Lanier will contact Mapco to discuss weed control compliance in the easement.

AFLAC insurance representatives **Amy Ball, Clint Allen, Laurie Clark, Laura Dodge** and six persons (see attached list) from the Sheriff's office met with the Board in regard to supplemental insurance. Ms. Ball stated that a presentation was given to Sheriff department employees and some of the employees showed an interest in having the supplemental insurance option. It was reiterated that any supplemental insurance proposal would have to be bid out.

LIQUOR LICENSE: Deputy Clerk **Judy Follman** presented an application for renewal of a retail liquor license for the **Dawson Lake Store**. The Sheriff department reported no problems with the establishment. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

CITY OF CORTEZ Manager **Hal Shepherd** presented information on a resolution passed at the Cortez City Council meeting on June 10, 2003. The resolution authorized the application for a planning grant from the Rivers, Trails and Conservation Assistance Program of the National Park Service – for a proposed bike/hiking trail. He asked for a letter of support from the Board. Comm Findley made a motion to write a letter of support for the application for a planning grant for the proposed bike/hiking trail between Denny Lake, Montezuma County Fairgrounds, and the entrance of Mesa Verde National Park. The motion was seconded by Comm Lindsay and carried.

DOLORES RIVER VALLEY PLAN (DRV): **Richard Lincoln** stated that he feels another informational meeting needs to be scheduled to include persons (snow-birds, absent landowners, etc.) who were not here to attend other meetings about the DRV Plan. This was affirmed. Suggestion was made for the meeting to be held at the Dolores Community Center.

CORRECTED PLAT – PENMAN LOT CONSOLIDATION AND MODERATE SUBDIVISION: Comm Findley made a motion to approve and sign the Corrected Plat – Penman Lot Consolidation and Moderate Subdivision (Penman). The motion was seconded by Comm Lindsay and carried.

ADJOURNED at 4:00 p.m.

Deputy Clerk
June 16, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 23, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 23, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, June 16, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) graveling roads, (b) finishing mag-chloride projects, and (c) crushing at Ormiston. Discussed: CR S (Hay Camp) – will check (proposal is to shape, mag-chloride, then chip-seal).

HEALTH DEPARTMENT Assistant Director **Jane Duncan** presented "**Single Entry Point Agency Contract**" (long-term home health care effective July 1, 2003). Comm Findley moved to sign the contract, seconded by Comm Lindsay and carried.

LIQUOR LICENSE: Deputy **Judy Follman** presented an application submitted by the "**Crow Canyon Archeological Center**" (a non-profit organization) for a "Special Events Permit (Liquor)." The event will be held at the Center on July 19, 2003. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

PLANNING: **Loretta Murphy** presented information on a request to change property lines on parcels created in 1960, 1988 and 1965 (see minutes of June 16, 2003). **William (Bill) Edgerton** was present. Discussed different options – exemption, subdivision, etc. No action was taken. Presented information on a proposed "change of use" for the Lebanon Schoolhouse Bed & Breakfast. It is affirmed that a high impact permit application needs to be processed.

GIS/MAPPING – PLANNING: **Rob Peterka** gave an update on the Dolores Valley River Plan aerial photo project. It was affirmed that the photos will be the property of Montezuma County.

RENEW, INC. – VIOLENCE PREVENTION COALITION: Renew representative **Pat McClenny** presented the Renew, Inc. "Summary for 2002" – Victims & Services and Budget" and "Domestic Violence" brochure. These were discussed. Violence Prevention Coalition representative **Randy Todd** was present and presented information on the Violence Prevention Coalition organization.

RECESSED for lunch with the Assessor's Office.

ORDINANCE NO. 1-96 – OPEN FIRE BAN: Comm Lindsay presented information on fire indicators in the county. He stated that the majority of the Fire Chiefs were in favor of a ban on open fires based on the competent evidence that the danger of forest and grass fires is high throughout the unincorporated areas of Montezuma County. Comm Findley made a motion to adopt **Resolution No. 5-2003** (see attached). The motion was seconded by Comm Lindsay and carried.

COLORADO DEPARTMENT OF HUMAN SERVICES – FOOD STAMP PROGRAM representatives from the State of Colorado offices – **Danelle Young, Mark Tandberg, Ron Rice and Lana Tapia** met with the Board. A letter of commendation and a plaque were presented to the Department of Social Services recognizing their dedication and accuracy in implementing the Food Stamp program in Montezuma County. The following Department of Social Services employees were present: Director **Dennis Story, Nila Tortoriello, Sylvianne Johnson, Valerie Neuwirth, and Kathy Talcott.**

PERSONNEL ISSUE: **Rhoda Colloza**, Social Services Director **Dennis Story** and **Nila Tortoriello** met with the Board. The roll was called and the proceedings were taped for the record. Ms Colloza affirmed that she wished to have an open hearing, and presented information in regard to the matter. Director Story and Ms. Tortorillo gave information regarding the matter. Also present was Ms. Colloza's brother, **John McMullen**, who made a statement. Others present were **B.J. McMullen** and Finance Officer **Mary Ann Sanders.** After discussion, it was affirmed that the hearing is continued to Monday, June 30, 2003, at 1:30 p.m.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** updated the Board on (a) the upcoming "Growth Committee" meeting agenda and (b) the Dolores River Valley Plan.

CONTRACT – REAL PROPERTY: Comm Lindsay made a motion to authorize Comm of Deeds Findley to sign the "Real Property Contract" between **Rick and Julia Peters**, seller, and the Montezuma County Board of County Commissioners for **Montezuma County**, buyer (see attached). The motion was seconded by Comm Findley and carried. Comm of Deeds Findley signed the contract.

ADJOURNED at 5:00 p.m.

Deputy Clerk
June 23, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JUNE 30, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, June 30, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman - absent
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, June 23, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

PAYROLL: General fund warrants in the amount of \$244,649.07, District Attorney warrant #41750 in the amount of \$20,183.83, Treasurer warrant #41751 in the amount of \$185,312.86; Road department fund warrants in the amount of \$60,929.23, Treasurer warrant #16891 in the amount of \$52,570.46; and, Landfill fund warrants in the amount of \$14,100.98, Treasurer warrant #3585 in the amount of \$9,259.53 were approved for payment.

911 AUTHORITY BOARD ORDER: Comm Findley made a motion to direct the Clerk to issue **Order Number 0-10-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest Denver, CO 80244-0001. The motion was seconded by Comm Lindsay and carried.

OFFICE OF COMMUNITY SERVICE: **Mike Preston** discussed scheduling for Dolores River Valley study area meeting.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented reports on current precipitation amounts, and local forecasts for the 4-corners area. These were discussed.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) roads are very dry and dusty, (b) about done with mag-chloriding, and (c) have eleven more miles of chip/seal to do. Discussed: (1) request to co-op chip/seal - Mildred Estates – probably can not do since this is a red-signed non-county road, and (2) striping schedule – will need to do all of the roads at once (probably in late summer).

LANDOWNER Robert Lynn Gardner came in to discuss the fence situation on road 10 and AA. No action taken.

TREASURER Sandy Greenlee presented reports on the following: jail bond payment, sales tax receipts, cash book, and copy of investments. These were discussed. Also presented a bid for the tax bill forms from "Budget Business Forms." After discussion it was affirmed that this item needs to be re-bid.

HEALTH DEPARTMENT Director **Lori Cooper** presented one contract for review. Comm Findley made a motion to sign the "Task Order/Consumer Protection – Environmental Health" contract effective July 1, 2003 thru June 30, 2004. The motion was seconded by Comm Lindsay and carried. Discussed: (a) ICS training workshop, (b) rabies contract info, (c) child health program, and (e) personal care provider program.

CORTEZ CULTURAL CENTER representatives Executive Director **Bill Wilson**, and Center Board members **Ann Brown and Charles Hubbard** met about activities at the Center. Director Wilson gave an update on the Center's finances and their planned applications for grant monies. He asked for a letter of support from the Board. Comm Findley moved to write a letter of support for the Center in their endeavor to obtain grants, seconded by Comm Lindsay and carried.

SOFTWARE – BOARD OF COUNTY COMMISSIONERS MINUTES: Clerk **Carol Tullis**, **Rob Peterka** and Deputy Clerk **Nelda Jenkins** presented information on continuing the process of converting and maintaining the minutes in the Acrobat Reader file for search purposes. It was affirmed that the project be continued with Microfilm & Imaging of Durango, Inc.

AMENDED PLAT TRACT 3, DEER PARK SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Amended Plat Tract 3, Deer Park Subdivision (Dennison), seconded by Comm Lindsay and carried.

PLANNING Manager **Karen Welch** presented the following High Impact Permit with written findings (see attached) for signature: **HIP NO. 462 – Simbeck and Associates - proposed expansion of the office facility (Simbeck):** conditions – current CDOT access permit. Presented the following Planning Commission's recommendation: approve – AR10-34 zoning for a 16 acre tract owned by **Don and Sandy Story** – approved. Presented the following recommendations from the Planning Commission that the following items proceed to the Board of County Commissioners. **(1) High Impact Permit – Lanoga Corporation – expansion of truss plant** – set for public hearing. Public hearing is scheduled for July 7, 2003, at 11:00 a.m. **(2) High Impact Permit – Kingdom Truth Fellowship Church – expand and remodel church house.** Public hearing is scheduled for July 14, 2003, at 11:00 a.m. **(3) High Impact Permit – Four Corners Broadcasting L.L.C. – tower** – set for public hearing. Public hearing will be set sometime in the near future. Discussed notification procedures to residents about the upcoming Dolores River Valley study area meeting.

PROPERTY AND CASUALTY LIABILITY INSURANCE BIDS: **Wolcott Insurance Services** submitted bids from two separate companies: **(1) The St. Paul Property & Liabilities Insurance** and **(2) Trident Insurance Services.** Attorney Slough was recused because of a conflict of interest. Wolcott's representative **Bentley Colbert** was present and reviewed the bids with the Board. Finance Officer **Mary Ann Sanders** was also present. Action was tabled. ***** **Later,** Comm Findley moved to accept the Trident Insurance Services bid, seconded by Comm Lindsay and carried.

RECESSED for lunch with the Clerk's and Treasurer's Offices.

PERSONNEL ISSUE: **Rhoda Colloza**, Social Services Director **Dennis Story** and **Nila Tortoriello** met with the Board for continuation of the hearing held on June 23, 2003. The roll was called and the proceedings were taped for the record. Ms. Colloza affirmed that she wished to continue to have an open hearing. Others present were **Mary Ann Sanders** and **Josh Holder.** After discussion, Comm Finley moved to uphold Director Story's decision to terminate Ms. Colloza's employment with the Department of Social Services, seconded by Comm Lindsay and carried.

CONTRACT – REAL PROPERTY: Additional information was presented in regard to the "Real Property Contract" between Rick and Julia Peters, seller, and the Montezuma County Board of County Commissioners for Montezuma County, buyer (see June 23, 2003 minutes). Planning department representative **Loretta Murphy** was present and stated that the county has authorized and requested a title insurance policy from the Montezuma/Dolores Title Company on the subject real property.

SHERIFF **Joey Chavez** and Undersheriff **Sam Hager** met, at the Board's request, to address liability insurance coverage issues. Discussed the possibility of "no liability insurance coverage" for the sheriff's department, if insurance claims continue, as in the past. Sheriff Chavez explained their procedures. Suggestions were made to help alleviate the problems. **Mary Ann Sanders** was also present.

ADJOURNED at 4:30 p.m.

Deputy Clerk
June 30, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 7, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 7, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman – absent until 9:35 a.m.
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, June 30, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Wilson and carried.

TREASURER report for June 2003 was received and noted.

ROAD DEPARTMENT: **Lloyd Everett** reported and discussed the following in regard to department activities: (a) lease for the National Guard Armory building – Board will do an on-site inspection – lease reviewed; (b) CR 28 complaint – need moisture; (c) water available for department use (not much); (d) CR 42 – possible petition for chip/seal; (e) complaint about CR 32 – on road plan for blade patching and eventually chip/seal – need to do barrow ditches; and (f) affirmed commitment to blade roads as soon as there is moisture – some areas need at least ½ inch.

FOUR CORNERS BROADCASTING L.L.C. – TOWER: **Donald O-Brian**, owner of the property where the tower was originally going to be built, met with the Board. It was noted that the application for a high impact permit (see June 30, 2003 minutes) has been cancelled. He stated that the tower is now going to be built on Dolores School District property. He felt that government entities should not be in competition with private persons. He was referred to the Dolores School District Board. Planning Manager **Karen Welch** was present.

STATUTE on rodents (beavers) was presented and discussed.

PUBLIC HEARING – UBC TRUSS PLANT – LANOGA CORPORATION – HIGH IMPACT PERMIT NO. 465: It being the time set aside, a public hearing is held regarding a High Impact Permit application for expansion of the UBC Truss Plant located in Lot 2 of the Hoffman Subdivision, 27151 Road M, Dolores, CO, Lanoga Corporation, owner. Said property is situated in Section 6, T.36N., R.15W., N.M.P.M., lying on the north side of Road M, east of Hwy 145. The roll was called and the proof of publication was read. Comm Findley was recused because of a conflict of interest. Present were Lanoga Corporation representative **Stella Archuleta**, Planning Manger **Karen Welch**, **Al** and **Maria Romero**, and **Betty Farlow**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address threshold standards and building footprint. Ms. Archuleta stated the change consists of enclosure of an existing carport and adding an enclosed 25 feet on the west side of the existing building. Neighbor to the property, Ms. Romero expressed concerns about the turning radius of trucks entering/leaving the business property. She presented photos. Ms. Farlow stated that there is signage that warns traffic that there are trucks turning into/out of the property. Comm Lindsay made a motion to approve High Impact Permit No. 465, contingent on written findings. The motion was seconded by Comm Wilson and carried. The proceedings were taped for the record. The Planning Department will draft written findings and High Impact Permit No. 465 for review and signature.

FAIRGROUND Manager **Darryl Buffington** reported and discussed the following in regard to fairground activities: (a) have received keys to the concession stand; (b) AgExpo - question grow or not grow? – need for another building for activities; and (c) grants/monies for improvements.

RECESSED for lunch with Sheriff office employees.

ADJOURNED at 1:45 p.m.

Deputy Clerk
July 7, 2003

Chairman

Online Copy

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 14, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 14, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, July 7, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

SHERIFF'S report was received and noted.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** met to discuss various items – stewardship (grazing) meeting, Dolores River Valley plan – news coverage, statutes on Transfer Development Rights (TDR's), etc.

REGION 9 – ECONOMIC DEVELOPMENT DISTRICT OF SOUTHWEST COLORADO – ENTERPRISE ZONE DEVELOPMENT PROJECTS: Comm Lindsay made a motion to approve and sign Region 9's Resolution #03-09 designating the Power Plant Renovation and Outdoor Events Plaza as an Enterprise Zone Development Project and Resolution #03-10 designating the Adult Education Center of Durango, Inc. as an Enterprise Zone Development Project. The motion was seconded by Comm Findley and carried.

ROAD DEPARTMENT - COUNTY ROAD 28: County Road department representative **Lloyd Everett**, Lee's Mobil Home Park owner/resident in area, **Rick Lee**, residents **Joan Rainbolt, Joe Johnson and Ben Quinnett** met to discuss the condition of CR 28. Concerns were expressed - dust, no grading, horse trailer traffic from CR P, weeds, water on the road (sprinklers not set right), and dangerous intersection (safety issues – speed and Dolores school bus turning around). Discussed signs that Mr. Lee has and wants installed, traffic counts, cost of mag-chloride program or chip-seal. After discussion, suggestions were made that the residents consider mag-chloride (co-op with the county program) as a temporary solution, and/or chip-seal as a permanent solution to the road's problems. It was affirmed that Mr. Lee will again survey what the residents in the neighborhood want, and will come back with a report at a later time. Mr. Everett will contact (a) the resident owning property in the intersection area – about more right-of-way, (b) the school district - request that the bus not turn around at the intersection, and (c) person using sprinklers – not to allow water on the road, and will look at signs that Mr. Lee needs help in installing along the road.

LANDFILL Manager **Debby Barton** presented (a) Profit and Loss Statement for Month of June, (b) Tonnage Breakout report for April-June 2003 and other reports in regard to baled tons, (c) Year 2003 – Income versus Expenses, (d) Year 2003 Annual Operating Budget vs Year to Date Execution, and (e) Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division, Solid Waste Inspection Report for review. These reports and other activities at the landfill were discussed.

DOLORES LIBRARY representatives **Shawna Valdez and Debbie Caldwell** gave an update on the new proposed Dolores Library, bids, and funding for the project. They asked if the county could supply fill for the property, and paving for the parking lot. After discussion, it was affirmed that some material might be available for fill, per policy, but the request to help with paving was denied.

CLERK Carol Tullis presented information about an upcoming Secretary of State meeting in regard to fiscal input – changes in election policies. Clerk Tullis stated that there is to be a coordinated election in November with the School Districts. The School Districts have requested a mail in ballot. She asked for a resolution stating such. Comm Lindsay made a motion to approve the request to conduct the election of November 4, 2003, by mail ballot. The motion was seconded by Comm Findley and carried.

PLANNING Manager Karen Welch presented a verbal request for an amended plat for the Deer Meadow Subdivision (increase acreage of Lot 1 and combine Lots 4 and 5 into one lot). Tentative approval was affirmed. *******Later** in the afternoon, Manger Welch presented draft proposal amendments to the Land Use Code -2003 for review. These were discussed.

PUBLIC HEARING – KINGDOM TRUTH FELLOWSHIP CHURCH – HIGH IMPACT PERMIT NO. 466: It being the time set aside, a public hearing is held regarding a High Impact Permit application for expansion and remodeling of the existing Kingdom Truth Fellowship Church as submitted by James Lambert. The property is located at 17120 Rod Z, Yellow Jacket, CO, situated in Section 16, T.38N., R.17W, lying on the west side Hwy 666. The roll was called and the proof of publication was read. Present were Kingdom Truth Fellowship Church representative **James Lambert** and Planning Manger **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address threshold standards. Mr. Lambert explained the proposed expansion and remodeling plan. There was no public comment. Comm Lindsay made a motion to approve High Impact Permit No. 466, contingent on written findings. The motion was seconded by Comm Findley and carried. The proceedings were taped for the record. The Planning Department will draft written findings and High Impact Permit 466 for review and signature.

ASSESSOR Mark Vanderpool submitted the following: (1) per 39-8105(1) CRS a memorandum reporting the 2003 assessed valuation of taxable property in Montezuma County (see attached), and (2) 2003 Protest Results - Assessor level report. These were discussed.

BOARD OF EQUALIZATION: It being 11:30 a.m., the time set aside, the Montezuma County Commissioners convened on Monday, July 14, 2003, to sit as the Board of Equalization. The roll was called, the public hearing proof of publication was read, and the proceedings were taped for the record. Assessor **Mark Vanderpool** and Appraiser **Scott Davis** were present.

WALLACE, CLIFFORD R. OR RITA LOUISE TRUSTEE UNDER R & R FAMILY TRUST, 615 DETROIT, CORTEZ, CO 81321: **Clifford Roy and Rita Wallace** appeared concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on the following Parcel Numbers: 5611-341-09-007, -008, -009, -010, - 011 and -012, and 5611-341-15-015, -016, -017, -018, -019, -020, -021, -022, -023, -024, -025, -026, and -028 (total 19 parcels). Action was tabled. Board of Equalization was recessed until an on-site inspection was conducted in the afternoon. Board of Equalization reconvened at 3:00 p.m. on Monday, July 14, 2003. Comm Findley moved to adjust the valuation for assessment on each of the above parcel to \$750.00, seconded by Comm Lindsay and carried.

The Board of Equalization recessed until Monday, July 21, 2003, at 10:30 a.m.

RECESSED for lunch with Sheriff office employees and inspection of the Community Correction facility.

COMISKY MINOR SUBDIVISION: Comm Findley made a motion to approve AR10-34 zoning for the subdivision, and approve and sign the final plat for the Comisky Minor Subdivision (Comisky) in the NW 1/4 of Section 8, T.36N., R.16W., N.M.P.M., Montezuma County, Colorado. The motion was seconded by Comm Lindsay and carried.

ADJOURNED at 4:30 p.m.

Deputy Clerk
July 14, 2003

Chairman

Online Copy

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 21, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 21, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney - absent
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, July 14, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

ACCOUNTS PAYABLE: General fund warrants #41752 thru #41934 in the amount of \$300,890.09; Road fund warrants #16888 thru #16978 in the amount of \$329,223.82; and Landfill fund warrants #3595 thru #3627 in the amount of \$33,218.80 were approved payment.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** met to discuss a recent meeting in regard to the Dolores River Valley Plan, etc.

ROAD DEPARTMENT: **Lloyd Everett** met with the Board. Discussed (a) armory contract, (b) request by resident for stop sign at the intersection of CR P and 22 – will check on trimming tree to solve problem, and (c) CR 28 and P intersection – after an on-site inspection and contact with Dolores School Bus driver the following suggestions are made to make the intersection safer: (1) cut corner off west side (if can get permission from landowner), and (2) trim tree to make safer school bus turn-around.

BOARD OF SOCIAL SERVICES was conducted.

LIQUOR LICENSE: Deputy Clerk **Judy Follman** presented an application for renewal of a retail liquor license for **G. Whil Liquors**. The Sheriff department reported no problems with the establishment. Comm Lindsay moved to approve this application, seconded by Comm Findley and carried.

SOUTHWEST HEALTH SYSTEMS – SOUTHWEST MEMORIAL HOSPITAL: Administrator **Bob Peterson** introduced Interim Chief of Operations **Mike Anderson**. They presented Southwest Memorial Hospital financial figures through June 2003. Also gave an update on the proposed expansion project of the hospital.

ENTERPRISE ZONE CONTRIBUTION PROJECT Director of Development **John Greenemeir** presented information in regard to the Southwest Memorial Hospital Foundation in it's effort to create and establish an Enterprise Zone. He gave information about the proposal and presented a resolution supporting such. Comm Findley moved to sign **Resolution No. 06-2003 – Enterprise Zone Contribution Project** (see attached), seconded by Comm Lindsay and carried.

BOARD OF EQUALIZATION: It being 10:30 a.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 21, 2003, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Mark Vanderpool**, Appraisers **Scott Davis**, **Cynthia Claytor**, **Samantha Sunseri** and **Darrell Mott** were present.

LOUIS AND EDITH KATZ, C/O JERRY T. KATZ -- Appraiser **Scott Davis** presented an appeal from Jerry Katz (Louis and Edith Katz) concerning his appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5637-073-02-003. Comm Lindsay moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Findley and carried.

JEROME AND VIRGINIA KATZ -- Appraiser **Scott Davis** presented an appeal from Jerome and Virginia Katz concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5637-073-02-006. Comm Lindsay moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Findley and carried.

ARNOLD G. HAMPSON (Trustee – Arnold G. Hampson Trust) appeared concerning his appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5359-103-22-012. Comm Lindsay moved to adjust the valuation for assessment to \$325,750.00, seconded by Comm Findley and carried.

JESS HARKNESS (Jan Harkness) appeared concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5359-222-02-011. Comm Lindsay moved to adjust the valuation for assessment to \$179,130.00, seconded by Comm Findley and carried.

GEORGE E. COMPTON, JR. appeared concerning his appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5611-261-03-021. Comm Findley moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Lindsay and carried.

The Board of Equalization recessed until Monday, July 28, 2003, at 10:30 a.m.

RECESSED for lunch at the Cortez Senior Nutrition Center.

TREASURER Sandy Greenlee presented information on delinquent tax list – will submit additional information at a later time. No action taken.

PLANNING Manager **Karen Welch** presented a verbal request from **Dirk Hood**, owner of approximately 40 acres, for an exemption to the subdivision regulations to sell 20 acres to BLM. Tentative approval was given, contingent on a letter from BLM stating their intentions of purchasing the 20 acres. Noted that the Planning Department has received 3 letters in regard to pros/cons for the Dolores River Valley Plan after the last fact finding meeting.

MONTEZUMA COUNTY, COLORADO ACCOUNTANTS' REPORT AND GENERAL PURPOSE FINANCIAL STATEMENTS, DECEMBER 31, 2002, prepared by Majors and Haley, P.C. Certified Public Accountants, was presented by Adm Weaver. **Chris Majors**, P.C. and Finance Office **Mary Ann Sanders** were present. The audit was reviewed and discussed.

ADJOURNED at 4:00 p.m.

Deputy Clerk
July 21, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
JULY 28, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, July 28, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, July 21, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

ORDER OF DISMISSAL WITH PREJUDICE was received and noted in regard to U.S. District Court, Civil Action No. 02-N-2059 (OES), **David W. Bowen**, plaintiff v. the Board of County Commissioners of the County of Montezuma, Joey M. Chavez, Montezuma County Sheriff, individually and in his official capacity, and Sam Hager, Montezuma County Undersheriff, individually and in his official capacity, defendants.

911 AUTHORITY BOARD ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-11-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Findley and carried.

PAYROLL: General fund warrants in the amount of \$244,096.42, District Attorney warrant #41936 in the amount of \$20,649.00, Treasurer warrant #41937 in the amount of \$199,829.54; Landfill fund warrants in the amount of \$12,462.70, Treasurer warrant #3629 in the amount of \$9,479.67; and Road department fund warrants in the amount of \$60,082.50, Treasurer warrant #16981 in the amount of \$56,928.34 were approved for payment.

LANDOWNER Lynn and Alice Gardner met to discuss action in regard to a fence built across a section of road 10 and AA by Mr. and Mrs. Leonard K. Wyatt. **Loretta Murphy** presented deeds, etc. Discussed options. As a result of this unsolved problem, a letter was written to the Wyatts (see attached) -- (a) asking the Wyatts to move the fence 30 feet to the south, and (b) in the event this is not done immediately, Montezuma County Road Department employees will remove the fence and stock pile the materials on their property commencing at 10:00 a.m. on Monday, August 4, 2003.

ROAD DEPARTMENT: Lloyd Everett reported that for the next two weeks they will be working on chip/sealing the following county roads: 25, T, S, 23, 31 and J. Discussed complaints about Dolores/Norwood road and noted the following: (1) this is a forest service road with Schedule A road maintenance – bladed 1 to 3 times a year – discussed policy for Schedule A roads, and (2) will check road. Affirmed that as soon as sufficient moisture is received, roads will be bladed on a priority basis.

GREAT CUT ESTATES SUBDIVISION: Property owner of approximately 10 acres in the subdivision, **Elizabeth Kuhstoss** stated she would like to split the acreage - keep five acres and sell the rest. One family has declined to sign off on the amended plat. Other lot owners in the subdivision, **Tim Dietz** and **Josephine Pinder**, were present and both stated they had no problem with the split. The Board reaffirmed that the Montezuma County Land Use Plan states -- "all owners within a subdivision must sign off on any amended plat." She was encouraged to settle the matter with her neighbors. Planning Manager **Karen Welch** and **Loretta Murphy** were present.

PLANNING Manager **Karen Welch** presented the following recommendations from the Planning Commission: (1) certified proposed amendment to the Comprehensive Land Use Plan as pertains to the Dolores River Valley Plan to the Board of County Commissioners for public hearing – set for September 8, 2003, at 1:30 p.m. (2) certified proposed Land Use Code Amendments to the Board of County Commissioners for a public hearing – set for September 15, 2003, at 11:00 a.m. Presented planning resolution **P-03-03E**, whereas **Cordy O. Wallace**, owner of 323 acres, would be granted an exemption to the subdivision regulations on 24.89 acres in Section 2, T.38N., R.14W. Comm Findley moved to adopt this resolution, seconded by Comm Lindsay and carried.

CANYON RIM ACRES SUBDIVISION: Landowner **Marv Wood** and **Bill Wood** met to discuss access to their property in the subdivision. **Loretta Murphy** presented information and a plat of the subdivision. It was affirmed, that Marv Wood owns a one 6-acre parcel instead of two 3-acre parcels; therefore, access is available.

BOARD OF EQUALIZATION: It being 10:30 a.m., the time set aside, the Montezuma County Commissioners reconvened on Monday, July 28, 2003, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Mark Vanderpool**, Appraisers **Scott Davis**, **Cynthia Claytor**, **Samantha Sunseri** and **Darrell Mott** were present.

GERALD AND GISELA LICHON – Appraiser **Cynthia Claytor** presented an appeal from Gerald and Gisela Lichon concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5607-212-07-109. Comm Findley moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Lindsay and carried.

DONALD JOLOVICH (Judy Jolovich) appeared concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5611-014-00-030. Comm Findley moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Lindsay and carried.

DENNIS CLAYTON (Joyce Clayton) appeared concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5359-073-06-003. Comm Findley moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Lindsay and carried.

HARVEY AND MONICA ACHATZ – Appraiser **Scott Davis** presented an appeal from Harvey and Monica Achatz concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5615-364-00-013. Comm Lindsay moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Findley and carried.

RONALD AND LINDA BUNK -- Appraiser **Scott Davis** presented an appeal from Ronald and Linda Bunk concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5605-283-36-033. Comm Lindsay moved to accept the Assessor's office recommendation and adjust the valuation for assessment to \$22,000.00, seconded by Comm Findley and carried.

The Board of Equalization recessed until 2:00 p.m.

RECESSED for lunch with the following departments: Fairgrounds, Grounds and Building, Extension, and Senior Nutrition.

BOARD OF EQUALIZATION: It being 2:00 p.m. the time set aside, the Montezuma County Commissioners reconvened to sit as the Board of Equalization.

ERTEL INVESTMENTS, INC. – representative **Walter Ertel** appeared concerning their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5611-342-00-010. Comm Lindsay was recused because of a conflict of interest. Comm Findley moved to accept the Assessor’s office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Wilson and carried.

WALTER ERTEL (Barbara Ertel) appeared concerning their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcels 5609-072-02-003, 5609-072-02-005, 5609-072-02-006, 5609-072-02-007, 5609-072-02-010, 5609-072-02-011, 5609-072-02-012, 5609-072-02-013 and 5609-072-02-014. Comm Lindsay was recused because of a conflict of interest. Comm Findley moved to accept the Assessor’s office recommendation and deny the petitions to adjust the valuations for assessment, seconded by Comm Wilson and carried.

DANIEL G. VALVERDE – Appraiser **Darrell Mott** presented an appeal from Daniel G. Valverde concerning his appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5359-073-01-001. Comm Findley moved to adjust the valuation for assessment to \$174,520.00, seconded by Comm Lindsay and carried.

MIDWEST LIMITED -- representatives **Edward and Beulah Novotny** appeared concerning their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5611-092-00-006. Comm Lindsay moved to accept the Assessor’s office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Findley and carried.

MIDWEST LIMITED – representatives **Edward and Beulah Novotny** appeared concerning their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5611-233-01-012. Comm Findley moved to accept the Assessor’s office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Lindsay and carried.

SUNRISE INVESTMENTS – **Edward and Beulah Novotny** appeared concerning their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5359-162-00-024. Comm Lindsay moved to adjust the valuation for assessment to \$10,000.00, seconded by Comm Findley and carried.

SUNRISE INVESTMENTS – **Edward and Beulah Novotny** appeared concerning their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5611-043-00-008. Comm Findley moved to adjust the valuation for assessment to \$268,310.00, seconded by Comm Lindsay and carried.

The Board of Equalization recessed until Monday, August 4, 2003, at 10:45 a.m.

ARMORY BUILDING - LEASE AGREEMENT: Comm Lindsay made a motion to sign the Armory Building Lease Agreement between The State of Colorado, acting by and through the Department of Military and Veterans Affairs (lessor) and Montezuma County (lessee). The motion was seconded by Comm Findley and carried. Commissioner of Deeds Findley signed the lease.

ADJOURNED at 4:30 p.m.

Deputy Clerk
July 28, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 4, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 4, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, July 28, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

TREASURER'S SIX-MONTH REPORT (January 2003 – July 2003): Finance Officer **Mary Ann Sanders** stated that the Commissioner's warrants balance with the Treasurer's fund.

TREASURER monthly report for July 2003 was received and noted.

SUMMONS AND COMPLAINT, Case Number 03 CV 120: Leonard K. Wyatt and Phyllis J. Wyatt, plaintiff vs Montezuma County Board of County Commissioners, and all unknown persons who claim any interest in the subject matter of this action (served on August 1, 2003) was received. **Later,** it was affirmed that County Attorney Slough will defend the County in this lawsuit.

ORDER OF DISMISSAL, Case Number 02 CV 189, Division 1: Re: Dewey P. Plumb and Peggy A. Plumb, plaintiffs vs **Sean Vaughn, Ann M. Vaughn, Kevin A. Vaughn, and Board of Commissioners for Montezuma County** (see minutes of February 24, 2003), defendants. The District Court orders the dismissal and removal of the Board of Commissioners for Montezuma County from this case.

GENERAL FUND ORDER: Comm Findley made a motion to direct the Clerk to issue **Order Number 0-12-03** to the Treasurer to transfer \$76,355.62 from the General fund to the Social Services fund – quarterly HCBS (see attached). The motion was seconded by Comm Lindsay and carried.

EXTENSION OFFICE Director **Jan Sennhenn** presented, for review, two applications for a vacant position in the office.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented precipitation amounts for 2003 and the month of July 2003. These were discussed.

ORMISTON MEDICAL TRUST FUND: Nila Tortoriello presented a request for funds from the Clara Ormiston medical trust. Approved uses of the trust fund were discussed. The request was tabled.

ROAD DEPARTMENT: Lloyd Everett reported on department activities: (a) Sunday bladed approximately 10 – 15 miles of roads, (b) received report – bladed Dolores/Norwood road in good shape, and (c) chip/sealing CR S (Hay Camp). Discussed request for road sign at intersection of CR T and 24 (for T off 24), and speed limit signs for the two roads – will check.

DISABILITY ACCESS representative **Judy Lichliter** met to discuss several problems at the fairgrounds during the County Fair: (1) disabled could not comfortably access parking spaces, (2) need to locate the ramp that has been used in the past for better access in some areas, and (3) need signs showing what displays are upstairs. These concerns were discussed, and will be conveyed to fairground Manager **Daryl Buffington**.

FOUR WINDS SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Four Winds Subdivision (Akin Adventures, A Colorado Corporation), seconded by Comm Lindsay and carried.

PUBLIC HEARING – K&T ANIMAL BOARD AND BATH – PET CREMATORIUM – AMENDED HIGH IMPACT PERMIT NO. 17: It being the time set aside, a public hearing is held regarding an Amended High Impact Permit application for a proposed expansion of use to include a pet crematorium at the K&T Animal Board and Bath as submitted by Ken and Tina Saunders. The property is located at 25628 Road L, Cortez, Colorado, situated in Section 23, T.36N., R.16W., N.M.P.M. The roll was called and the public hearing notice was read. Present were **Ken and Tina Saunders, Lavena Saunders, Richard Stafford**, and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to review threshold standards, (not exceeded) -1997 UBC. Mr. and Mrs. Saunders gave information about the proposed crematorium and presented a plat showing the proposed building and floor plan. Public input included (a) question about where property is located, and (b) comment from one person stating they are in favor of the proposal. Comm Lindsay made a motion to approve Amended High Impact Permit No. 17, contingent on written findings. The motion was seconded by Comm Findley and carried. The proceedings were taped for the record. The Planning Department will draft written findings and Amended High Impact Permit No. 17 for review and signature.

RECESSED to attend funeral for former Comm Roy Henneman.

NOXIOUS WEED PROGRAM Manager **Ron Lanier** invited the Board to a meeting Tuesday, August 19, 2003, at 9:00 a.m. at the Dolores Town Hall which will be about concerns in regard to the Tamarisk plant.

RECESSED for lunch at the Senior Nutrition Dolores Center.

PUBLIC HEARING – LEBANON SCHOOLHOUSE BED AND BREAKFAST – AMENDED HIGH IMPACT PERMIT NO. 412: It being the time set aside, a public hearing is held regarding an Amended High Impact Permit application for expansion of use of the existing Lebanon Schoolhouse Bed and Breakfast as submitted by Ken Hahn. The property is located at 24925 Road T, Dolores, Colorado, situated in Section 15, T.37N, R.16W., N.M.P.M, lying on the north side of Road T, lying west of Road 25. The roll was called and the public hearing notice was read. Present were **Ken and Laura Hahn** and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address traffic, parking, septic system, etc. Mr. Hahn stated they have contacted (1) Sanitation Manager Mick Periman – septic is okay, and (2) Health Department – okay. The Hahns explained the expansion of use – weddings and receptions, and the proposed plan for traffic, etc. There was no public input. Comm Findley made a motion to approve Amended High Impact Permit No. 412, contingent on written findings. The motion was seconded by Comm Lindsay and carried. The proceedings were taped for the record. The Planning Department will draft written findings and Amended High Impact Permit No. 412 for review and signature.

PUBLIC HEARING – MINI STORAGE UNITS – HIGH IMPACT PERMIT NO. 467: It being the time set aside, a public hearing is held regarding High Impact Permit application for proposed mini storage units as submitted by Wayne Williford. The property is located at 26980 Road M, Cortez, Colorado, situated in Section 13, T.36N., R. 16W., N.M.P.M., lying on the south side of Road M, west of Hwy 145. The roll was called and the public hearing notice was read. Present were **Wayne Williford, Valley Jean Williford, Marian Rodd**, and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission's recommendation that the application proceed to the Board of County Commissioners for a public hearing to address exceeded threshold standards. Mr. Williford gave an overview of the proposed Unit 1 and Unit 2 mini storage buildings. Neighbor to the property, **Marian Rodd** asked about fencing along the southern boundary. Mr. Williford stated

that he plans to install fencing sometime this fall. Discussed threshold standards, need for a stop sign (CR M), lighting, fencing, etc. Comm Findley made a motion to approve High Impact Permit No. 467, contingent on written findings. The motion was seconded by Comm Lindsay and carried. The proceedings were taped for the record. The Planning Department will draft written findings and High Impact Permit No. 467 for review and signature.

CONTRACT – REAL PROPERTY: Closing papers between **Rick and Julia Peters**, seller, and the Montezuma County Board of County Commissioners for **Montezuma County**, buyer (see minutes of June 23, 2003), will be signed Tuesday, August 5, 2003, at 9:00 a.m.

BOARD OF EQUALIZATION: It being 2:30 p.m. the time set aside, the Montezuma County Commissioners reconvened on Monday, August 4, 2003, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Mark Vanderpool**, Appraisers **Scott Davis, Cynthia Claytor, Samantha Sunseri and Darrell Mott** were present.

RICHARD GELTING (Susan Gelting) – During a conference call with **Richard Gelting**, Appraiser **Cynthia Claytor** presented their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5361-283-02-008. Comm Findley moved to accept the Assessor’s office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Lindsay and carried.

GERALD STANSBURY -- representative Attorney **Jon Kelly** appeared concerning Mr. Stansbury’s appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcels #5611-261-00-030 and #5611-261-00-031. Comm Findley moved to: (1) accept the Assessor’s office recommendation and deny the petition to adjust the valuation for assessment on Parcel #5611-261-00-031, and (2) adjust the valuation for assessment to \$845,050.00 on Parcel #5611-261-00-030, seconded by Comm Lindsay and carried.

DONALD L. ALLEN appeared concerning his appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5637-094-08-005. Comm Lindsay moved to adjust the valuation for assessment to \$12,000.00, seconded by Comm Findley and carried. It was noted that his appeal on Parcel #5611-223-42-002 was not received by the July 15, 2003, deadline; therefore, no action was taken.

GEORGE J. KRAJNIK appeared concerning his appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5611-352-12-002. Comm Lindsay moved to accept the Assessor’s office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Findley and carried.

HENRY ANTHOLZ (Roberta Lee Antholz) appeared concerning their appeal on the “Notice of Valuation” for 2003 by the Assessor’s office on Parcel #5609-074-00-002. Comm Wilson was recused because of a conflict of interest. Comm Findley moved to adjust the valuation for assessment to \$17,020.00, seconded by Comm Lindsay and carried.

The Board of Equalization for 2003 adjourned at 4:10 p.m.

BUREAU OF LAND MANAGEMENT representative **LouAnn Jacobson** presented information on a proposed workshop “Community Based Stewardship” (Canyon of the Ancients National Monument) and a list of potential attendees. She asked for a letter of support and endorsement of the workshop. After discussion, it was affirmed that the Board of County Commissioners would lend support to the workshop process only. List of potential attendees and possible additions were discussed.

ENERGY/MINERAL IMPACT ASSISTANCE PROJECT GRANT CONTRACT – EIAF #4435 – MONTEZUMA COUNTY SEPTAGE RECEIVING STATION: Comm Findley moved to sign the Energy/Mineral Impact Assistance Project Grant Contract, seconded by Comm Lindsay and carried.

SENIOR NUTRITION: Contracts submitted by Manager **Sue Fletcher** were reviewed. Comm Findley moved to sign San Juan Basin Area on Aging (AAA) Contract for (B) Transportation & Outreach, Montezuma County - July 1, 2003 thru June 30, 2004, State of Colorado General Funds, seconded by Comm Lindsay and carried. Comm Findley moved to sign two (after-the-fact) extension agreements: (1) Montezuma County NPE Services, Colorado General Funds – July 1, 2002 thru June 30, 2003 between Montezuma County and San Juan Basin Area on Aging (AAA); and (2) Montezuma County “B” Service, Colorado General Fund – July 1, 2002 thru June 30, 2003 between Montezuma County and San Juan Basin Area Aging (AAA), seconded by Comm Lindsay and carried.

ADJOURNED at 5:20 p.m.

Deputy Clerk
August 4, 2003

Chairman

Online Copy

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 11, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 11, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, August 4, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

OFFICE OF COMMUNITY SERVICE: **Mike Preston** met to discuss the "Community Based Stewardship" workshop in regard to the Canyon of the Ancients Monument. Later, a letter of support for the workshop was signed by all of the commissioners.

ROAD DEPARTMENT: **Randy Smith** reported on department activities: (a) chip/seal done on CR S and 31, (b) still crushing at the Ormiston gravel pit (for approximately 2 more weeks), and (c) purchasing equipment (out of town). Discussed: (1) complaint about CR P – need more moisture, (2) CR 16 – rough, (3) lower CR G – losing pavement (large area) – will need approximately 50 loads of asphalt to fix the problem, and (4) Mancos gravel pit area (proposed soft ball fields by Town of Mancos).

LANDFILL Manager **Debby Barton** presented "Profit and Loss Statement for month of July 2003." This report, other activities at the landfill, and disposal of wood debris were discussed.

FAIR BOARD members **Don Bain and Harry Siebert** met about the 2003 County Fair. They presented information about the County Fair budget. They asked the following questions: (1) Should the fair be a County Fair, with added activities, etc, or should it just be a livestock show and sale? (2) Is the budgeted \$12,000 to be used for the County Fair, or only for 4-H and FFA projects. (3) May permission be granted for the County Attorney, as representative for the Commissioners, to look at the Fair Board by-laws? Extension Office Director **Jan Sennhenn** was present and presented information on the use of the 5% commission from 4-H and FFA sales. After discussion, it was affirmed that: (A) The County Fair should include other activities, in addition to the livestock show and sale. (B) County Attorney may look over Fair Board by-laws. It was suggested that the Fair Board and persons representing the livestock activities schedule another meeting with the Commissioners in the near future to discuss issues.

EXTENSION Office Director **Jan Sennhenn** discussed qualification requirements for the vacant position in the Extension Office.

ANNEX REMODEL: Affirmed that the remodel for the suspended ceiling and lighting is to be bid out.

MOSQUITO CONTROL- SPECIAL DISTRICT: Discussed complaints about services. It was affirmed that (a) the Service Plan needs to be looked at, and (b) the Board will meet with the Mosquito Board about complaints.

PLANNING Manager **Karen Welch** presented, in regard to **Echo Basin Ranch – 18 hole championship golf course – High Impact Permit No. 458**, an “Irrevocable Letter of Credit, Standby Letter of Credit Number 562, dated August 7, 2003, First National Bank of Durango, CO, for the account of E.B. Dude and Guest Ranch, LLC up to the aggregate amount of \$39,000 to be presented not later than February 7, 2005. Comm Lindsay moved to sign the “Irrevocable Letter of Credit” which is accepted instead of cash, (see minutes of April 21, 2003 -- written findings for Permit No. 458), seconded by Comm Findley and carried. *****Later**, Manager Welch presented planning resolution **P-5-87 Amended**, to record an exemption to the subdivision regulations for parcels in Sections 7 and 8, T.36N., T.15W., as follows: Whereas, **Jack Gerrish** recorded an exemption to the subdivision regulations, P-5-87 on February 1, 1989, creating a 7.95 acre parcel (Parcel A) and an 18.32 acre parcel (Parcel B), and whereas **Jacqueline A. Hubbard** is current owner of Parcel A and is desirous of retaining 3 acres and a 60’ wide driveway easement for herself; selling 4.95 acres to **Rodney C. and Deborah D. Hager**, the current owners of Parcel B, to be adjoined to their existing parcel, and whereas, Parcel B originally contained 18.32 acres and the Hagers are desirous of selling 2.29 acres, lying on the south side of the Towaoc Canal to **Janice Hager** to be adjoined to her 109 acres. The 2.29 acre tract is not a separate parcel for sale, and whereas, Rodney and Deborah Hager will retain Parcel B with 16.20 acres (see attached resolution). Comm Lindsay moved to adopt this resolution, seconded by Comm Findley and carried.

COUNTY CORONER Charlie Rosenbaugh met to discuss his services as County Coroner in regard to the Ute Mountain Ute Tribe, Towaoc, CO. Suggestions were made that he (a) visit with an appropriate Towaoc person to resolve the “billing for services” problem, and (b) if the problem is not resolved, send a letter stating how it will be addressed.

RECESSED for (a) lunch with the Social Services department employees and Veteran Officer Bud Carriere, and (b) jail inspection.

EAGLE COMPUTER SYSTEMS, INC., AGREEMENT: Amended Agreement presented by **Rob Peterka** was discussed. After discussion, Comm Findley moved to sign Amendment No. 1, by and between Montezuma County, CO and Eagle Computer Systems, Inc. requesting more equipment, seconded by Comm Lindsay and carried.

ADJOURNED at 4:15 p.m.

Deputy Clerk
August 11, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 18, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 18, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman - absent until 1:00 p.m.
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, August 11, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

CORTEZ JOURNAL Reporter **Steve Grazier** introduced **Lewis McCool**, the new Managing Editor for the newspaper.

SHERIFF report for the month of July 2003 was received and noted.

ACCOUNTS PAYABLE: General fund warrants #41938 thru #42174 in the amount of \$161,229.31; Road department fund warrants #16980 thru #17070 in the amount of \$383,537.68; Landfill fund warrants #3638 thru #3668 in the amount of \$30,567.68; and Community Corrections (no expenditures this month) were approved for payment.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** presented information on Referendum A – asking voters this November to enact a statute authorizing up to \$2 billion in state-issued revenue bonds for water project financing. Proposed Referendum A was discussed.

ROAD DEPARTMENT: **Lloyd Everett** reported on equipment purchases. Discussed: (a) equipment needs at the Landfill – blade, and water truck, and (b) Dolores West Fork road – large rocks have fallen to the edge of road – will check.

NEIGHBORHOOD CRIME WATCH PROGRAM: **Sparky Wedell** stated that he is trying to re-start the program. He presented a pamphlet about the program and asked for support from the Board. They affirmed their support. It was noted that the program was done in the past through the Sheriff's department. It was suggested that he contact Sheriff Chavez, and gain community support by giving information to the local newspapers.

BOARD OF SOCIAL SERVICES was conducted.

SOCIAL SERVICES Director **Dennis Story** presented the "**2003 Memorandum of Understanding (MOU) for the Colorado Works Program and the Colorado Child Care Assistance Program**" - July 1, 2003 thru June 30, 2004 – between the State of Colorado Department of Human Services and the Board of County Commissioners of Montezuma County for review. Comm Findley moved to sign the MOU, seconded by Comm Lindsay and carried.

TAX ROLL CLEAN UP: Treasurer **Sandy Greenlee** and Assessor **Mark Vanderpool** met to discuss issues relating to tax roll clean up.

SHERIFF DEPARTMENT: Undersheriff **Sam Hager** presented the application for the Law Enforcement Assistance Fund (LEAF) contract for review. Comm Findley moved to sign the contract, seconded by Comm Lindsay and carried. He presented jail facility counts for January thru July 2003. Discussed Neighborhood Crime Watch Program. He stated they have resources - film, pamphlets, etc., and could help with the program.

CORTEZ 2ND AND 3RD WARDS, DURANGO COLORADO STAKE PUD: Comm Findley moved to approve and sign the final plat for the Cortez 2nd and 3rd Wards, Durango Colorado Stake PUD, seconded by Comm Lindsay and carried.

PLANNING Manager **Karen Welch** presented the following High Impact Permit with written findings (see attached) for signature: **HIP NO. 412 (Amended) – Lebanon Schoolhouse Bed and Breakfast – expansion of use to include weddings and receptions (Ken and Laura Hahn):** conditions – (1) Temporary signage during the weddings/receptions advising traffic to slow down. Mr. Hahn will also notify the Sheriff's Department. (2) Parking on the Garner property will be off of Road 25. A barrier will be installed on the parking site to protect the phone pedestal, the culvert, and ditch. The same measures will be taken on the Hahn property across the road.

LIQUOR LICENSE: Deputy Clerk **Tammy Neely** presented an application by the “**McElmo Canyon Resource Institute**” (a non-profit organization) “Special Events Permit” – liquor. The event will be held at Kelly's Place on Tuesday, September 16, 2003. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

CANYON OF THE ANCIENTS NATIONAL MONUMENT Advisory Board Member **Comm Wilson** reported on the meeting he, other advisory board members, BLM, and other entities attended this morning to address planning in regard to the monument.

NOXIOUS WEED CONTROL PROGRAM Manager **Ron Lanier** reminded the Board of the meeting tomorrow at the Dolores Town Hall, which will be about concerns in regard to the Tamarisk plant.

ADJOURNED at 3:45 p.m.

Deputy Clerk
August 18, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
AUGUST 25, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, August 25, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds -- absent
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, August 18, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Wilson and carried.

911 AUTHORITY BOARD ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order Number 0-13-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Wilson and carried.

ROAD DEPARTMENT: **Lloyd Everett** reported that they are blading roads (includes CR H to Trap Club). Discussed: (a) need for county to own water shares – will contact Water District, and (b) use and traffic on Roads 16 and BB.

FARMERS MARKET representatives **Rosie Carter and Mary Wilson** gave an update on the Farmers Market held on Saturday at the courthouse parking lot. They asked (1) if outside electrical outlets can be turned on so they might have use of electricity for live music, and (2) if the Humane Society can bring abandoned cats, in cages, for the purpose of finding homes for them. Both of these requests were affirmed.

ORDINANCE NO. 1-96 – OPEN FIRE BAN: Sheriff **Joey Chavez** asked that the Board suspend the fire ban (see June 23, 2003, minutes – Resolution No. 5-2003). He reported that he has contacted representatives of the Fire Chiefs, and they unanimously agreed to recommend that the fire ban be suspended. He stated he supports the recommendation. Comm Lindsay made a motion to adopt **Resolution No. 7-2003**, a resolution suspending the ban on open fires in Montezuma County. The motion was seconded by Comm Wilson and carried.

ABATEMENT – POSSESSORY INTERESTS: Assessor **Mark Vanderpool** being present, petitions for abatement of possessory interest for 2001 and 2002 were presented for the below listed entities with their representatives being present. The roll was called and these proceedings were taped for the record. All representatives agreed to proceed as a unit rather than waiting until their scheduled agenda times.

Lively Logging Inc. – Gary Lively
Intermountain Timber Products, LLC – Nancy Fishing
Western Excelsior Corporation – Norm Birtcher
Bill F. Ragland & Son's Logging – Bill Ragland and Douglas Ragland

Assessor Vanderpool stated that these possessory interest abatements were in regard to timber logging on forest service lands. Spokesperson for the above listed timber companies, Nancy Fishing stated their concerns about the method used to value possessory interest. Attorney Slough gave an explanation of possessory interest. After discussion, it is affirmed that more information needs to be submitted by each of the timber companies. The abatement hearing is continued to Monday, September 8, 2003, at 10:00 a.m.

RESIDENTS Richard Williams and Jerry Wright met to discuss their concerns about septic systems on property adjacent to their properties. They presented a map of the area. Their concerns will be referred to Sanitation Manager Periman.

TERM LIMITS: Democratic representatives **Earl Rohrbaugh and Graham Johnson** presented information in regard to termination of local term limits, with the option of voters voting on each elected office individually (Board of County Commissioners not included). They asked that the Board pass a resolution to put the term limit issue to the vote of the people on the general election ballot. Women League of Voters representatives, **Mary Lou Asbury and Rita Burke** were present and expressed that the league continues to support termination of local term limits. No action was taken. ***** **Later**, the Board denied the request for a resolution.

RECESSED for lunch at the Mancos Senior Nutrition Center.

PHELPS FARMS SUBDIVISION: Comm Lindsay moved to approve and sign the final plat for the Phelps Farms Subdivision (Phelps), seconded by Comm Wilson and carried.

PLANNING Manager **Karen Welch** presented planning resolution **P-04-03E**, whereas **Donald E. Story, Jr. and Clasandra Jo Story**, owners of 104.33 acres, would be granted an exemption to the subdivision regulations on 14.69 acres in Section 6, T.36N., R.15W. The 14.69 acre tract is separated from the main parcel by the Towaoc Canal. Comm Lindsay moved to adopt this resolution, seconded by Comm Wilson and carried.

PROPOSED REFERENDUM A was discussed. No action.

ADJOURNED at 3:45 p.m.

Deputy Clerk
August 25, 2003

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 8, 2003**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 8, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, August 25, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

TREASURER'S report for August 2003 was received and noted.

PAYROLL: General fund warrants in the amount of \$245,908.06, District Attorney fund warrant #42177 in the amount of \$16,747.84, Treasurer fund warrant #42178 in the amount of \$198,622.16; Road department fund warrants in the amount of \$60,082.50, Treasurer fund warrant #17075 in the amount of \$56,928.34; and Landfill fund warrants in the amount of \$12,604.57, Treasurer fund warrant #3670 in the amount of \$9,864.70 were approved for payment.

2003 ABSTRACT OF ASSESSMENT: Abstract of Assessment (CRS 39-5-123), Colorado Department of Local Affairs – Division of Property Taxation was received and signed.

CASE NO. 03CV 142 – APPEAL OF A DECISION OF THE MONTEZUMA COUNTY, COLORADO, BOARD OF EQUALIZATION – plaintiff, **Gerald Stansbury** vs defendants, **Montezuma County, Colorado, Board of County Commissioners**, sitting as the Montezuma County Board of Equalization, and **Assessor Mark Vanderpool**, in his capacity as the Assessor for Montezuma County, Colorado, was received. Affirmed that Attorney Slough will handle the case in court.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented report on current precipitation amounts and long-range moisture forecast. These were discussed.

ROAD DEPARTMENT: Lloyd Everett reported on department activities: (a) crusher moved to Hay Camp gravel pit, (b) trucks back in Cortez shop for a short time, (c) gravelling CR 26 to R (back to Hwy 145), and (d) blading roads. Discussed: (1) CR 42 (Jackson Lake Road) – petition to pave, (2) schedule for striping approximately 30 miles – plan to start next week, (3) work that needs to be done on CR G, and (4) need for county owned water shares.

LANDFILL Manager Debby Barton presented (a) Profit and Loss Statement for Month of August 2003 and (b) Financial Information Summary. These and other activities at the landfill were discussed.

HEALTH DEPARTMENT Director **Lori Cooper** presented the following four contracts: (1) San Juan Basin Area Agency on Aging Colorado General Fund Contract for B and D services covering the period July 1, 2003, through June 30, 2004. The two service categories are combined into the one contract, with separate budgets and scope of service descriptions attached. (2) Renewal Letter Number 1 for the Women, Infants, and Children (WIC) Program from October 1, 2003, through September 30, 2004, between the Colorado Department of Public Health and Environment and the Board of County Commissioners of Montezuma County, (3) Health Care Program for Children with Special Needs (HCP) between the Colorado Department of Public Health and Environment and the Board of County Commissioners of Montezuma County, for use of the Montezuma County Nursing Service, and (4) Tuberculosis Program, between the Colorado Department of Public Health and Environment and the Board of County Commissioners of Montezuma County. Comm Findley moved to sign the four contracts, seconded by Comm Lindsay and carried.

MOSQUITO CONTROL – SPECIAL DISTRICT: Representative **Jason Carruth** gave an update on the mosquito control program, criteria of spraying, and species that carry the **West Nile** virus. Health Department Director **Lori Cooper** presented information about procedures to diagnose the mosquito borne West Nile virus. These were all discussed.

CONTINUED ABATEMENTS – POSSESSORY INTEREST: Assessor **Mark Vanderpool** being present, a continuation is held for the petitions for abatement of possessory interest for 2001 and 2002 for the below listed entities with their representatives being present. The roll was called and these proceedings were taped for the record. Comm Findley was recused because of a conflict of interest. The taxpayers mentioned below and Assessor Mark Vanderpool all provided testimony pertaining to the valuation of timber possessory interest.

Lively Logging, Inc., R990128 - Gary Lively

Intermountain Timber Products, LLC, R990123 – Nancy Fishing

Western Excelsior Corporation, R990127 – Norm Birtcher

Bill F. Ragland & Son's, R990124 and R990125 – Bill Ragland and Douglas Ragland

Comm Lindsay moved to adjust the actual value of pine sales to \$20 per acre and aspen sales to \$50 per acre, seconded by Comm Wilson and carried. The hearing is continued to this afternoon at 2:50 p.m., at which time adjusted figures will be presented. ***** At 2:50 p.m., Assessor Vanderpool presented the following for the accounts involved for tax years 2001 and 2002 abatements, in part: (1) **Lively Logging, Inc., R990128**, 2001, abatement - \$305.52, and 2002, abatement - \$210.61; (2) **Intermountain Timber Products, LLC, R990123**, 2001, abatement - \$334.59, and 2002, abatement - 239.86; (3) **Bill F. Ragland & Son's Logging**, (a) R990124, 2001, abatement - \$1,265.47, and 2002, abatement - \$815.79 and (b) R990125, 2001, abatement - \$3,207.98, and 2002, abatement - \$2,779.95; (4) **Western Excelsior Corporation, R990127**, 2001, abatement - \$558.82, and 2002, abatement - \$256.16. Comm Lindsay moved to approve the abatement petitions, seconded by Comm Wilson and carried.

CROW CANYON ARCHAEOLOGICAL CENTER representative **Ricky Lightfoot** asked the Board to support and sign an application for grant monies from the Colorado State Historical Society for "Documenting the Goodman Point Ruin Group, Hovenweep National Monument Project." Comm Findley moved to support and sign the application, seconded by Comm Lindsay and carried.

MESA VERDE AERIAL TRAMWAY STEERING COMMITTEE: **Gary Shaw, Rudolph Baeumel, Pete Montano, Scott Tipton, and Dorothy Wayt** presented information about the proposed Mesa Verde Aerial Tramway. They asked for support (see attached August 24, 2003, letter and attachment of supporting signatures). The proposed project was discussed. Comm Findley moved to support the proposal with a written resolution, seconded by Comm Lindsay and carried.

PUBLIC HEARING - PROPOSED AMENDMENT TO THE MONTEZUMA COUNTY COMPREHENSIVE LAND USE PLAN – DOLORES RIVER VALLEY PLAN: It being the time set aside, a Public Hearing is held on the proposed amendment to the Montezuma County Comprehensive Land Use Plan as it pertains to the Dolores River Valley Plan. The roll was called, proof of publication was read, and the proceedings were taped for the record. Planning Manager **Karen Welch**, Planning Resource Specialist **Jim Sisco**, and approximately thirty interested persons (see attached list) were present. Manager Welch stated that the Planning Commission at their July 24, 2003, meeting, certified the proposed amendment to the Comprehensive Land Use Plan as pertains to the Dolores River Valley Plan to the Board of County Commissioners for a public hearing. Resource Specialist Jim Sisco gave a power point presentation (see

attached). Dolores River Valley Plan working group representative **Marianne Mate** spoke in behalf of the work done by the group, and asked that the Board approve the proposed amendment. The hearing is opened up for public input. A comment letter was submitted (see attached). The working group was thanked for all their work on the project. After comments and discussion, Comm Findley made a motion to accept the recommendation of the Planning Commission to approve the proposed amendment to the Montezuma County Comprehensive Land Use Plan as it pertains to the Dolores River Valley Plan. The motion was seconded by Comm Lindsay and carried.

SCHEUERMAN SUBDIVISION- A CLUSTER INCENTIVE PUD: Comm Findley moved to approve and sign the final plat for the Scheuerman Subdivision – A Cluster Incentive PUD (Scheuerman), seconded by Comm Lindsay and carried.

LAKE VIEW SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Lake View Subdivision (Grosso - see attached Power of Attorney for Pamela A. Tolleen), seconded by Comm Lindsay and carried.

PLANNING Manager **Karen Welch** presented information on proposed amendment to P-15-94. **Loretta Murphy** was present. No action was taken. Discussed: **(1)** The Land Use Code in regard to cisterns. **(2)** Case Number 02 CV 189: Plumb, plaintiffs vs Vaughns and the Board of County Commissioners, defendants – Summons and Order of Dismissal. All interested parties will be invited to meet with the Board of County Commissioners to reconsider planning resolution P-05-02E, which is involved in this case. **(3)** Echo Basin proposed zoning change (cluster PUD) – need for county to hire its own consultants.

ADJOURNED at 4:30 p.m.

Deputy Clerk
September 8, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 15, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 15, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, September 8, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

CASE NO. 00 CV 196 – STIPULATION AND MOTION FOR DISMISSAL – plaintiffs **Carol Stepe and Jack Akin** vs defendants **Board of County Commissioners of Montezuma, Colorado** and **Duvall Truelson** was received. Approval was give for County Attorney Slough to sign the "stipulation and motion for dismissal."

ACCOUNTS PAYABLE: General fund warrants #42179 thru #42357 in the amount of \$167,869.19; Road department fund warrants #17072 thru #17145 in the amount of \$112,359.35; Landfill fund warrants #3679 thru #3707 in the amount of \$12,638.49; and Community Corrections (no expenditures this month) were approved for payment.

SENIOR CITIZENS BUS FUND ORDER: Comm Lindsay made a motion to direct the Clerk to issue **Order No. 0-14-03** to the Treasurer to transfer \$8,755.00 from the Senior Citizens Bus Fund to the General Fund – purchase of bus. The motion was seconded by Comm Findley and carried.

ROAD DEPARTMENT: **Lloyd Everett** reported the department is taking care of plugged culverts, and repairing washed out spots. Foreman **Jim Sattley** was present. Discussed: (a) complaint from homeowner on Road U.5 – area has been checked and noted that it needs ditches pulled, blading, and brush cut, and (b) rain damage on CR G (McElmo Canyon) – not much.

COUNTY ROAD 28: Lee's Mobile Home Park owner/resident in area, **Rick Lee**, residents **Joe Johnson and Bob Sesler**, Road Department representative **Lloyd Everett** met to discuss CR 28 (see July 14, 2003 minutes). Mr. Lee stated he followed through with a survey of what residents in the neighborhood wanted and collected monies to support their decision. They indicated to him that they prefer chip/sealing, rather than mag-chloriding, a section of the road for about one mile. It was noted that the chip/seal would be a stand-alone section, with graveled roadway on each end. Mention was made that the road department planned to do an experimental chip/seal test next year. It was suggested that this section of CR 28 be designated as that test site. The test will check and see if one lift will last for a three-year period (equal cost for mag-chloride being done each year). After discussion, Mr. Lee agreed that he would check with owners on the following, as a cooperative effort with the county: (1) accept the area as a test site for one lift, (2) pay \$6,500.00 for one mile of chip/seal – 24' road surface, (3) no locked in circumstances for them, if the one lift for the 3 years does not work, and (4) county would blade up at time of it not working.

PUBLIC HEARING – AMENDMENTS TO THE MONTEZUMA COUNTY LAND USE CODE: It being the time set aside, a public hearing is held on amendments to the Montezuma County Land Use Code. The roll was called, proof of publications read, and the proceedings were taped for the record. Present were Planning Manager **Karen Welch**, interested persons **Betty Farlow, Jerry Giacomo and Inga Rippetow**. Manager Welch stated that the Planning Commission recommended the amendments to the Montezuma County Land Use Code to the Board of County Commissioners. Manager Welch read the proposed amendments. The hearing was opened up for public input. Changes were discussed with audience participation. Comm Findley moved to accept the proposed amendments to the Montezuma County Land Use Code, seconded by Comm Lindsay and carried. Finalized amendments will be submitted next week for signature.

SOUTHWEST 2030 REGIONAL TRANSPORTATION PLAN: Present were URS representative **Phil Anderson**, CDOT representative **Laurie Blanz**, State Representative **Mark Larson**, State Senator **Jim Isgar**, and Mesa Verde Country Economic Development Office representative **Bruce Johnson**. Mr. Anderson presented an update on the plan done in 1999. Comm Findley volunteered to be a representative for the county on the Southwest Transportation Advisory Committee. Ms. Blanz presented 2030 Transportation Plan Outreach questionnaire for completion. Plan and areas that need to be included were discussed.

MODEL TRAFFIC CODE: Sheriff **Joey Chavez** and Attorney **Mike Green** presented information on the Model Traffic Code and need to adopt an updated ordinance. It was noted that Ordinance No. 1-2000 was adopted on May 15, 2000. Model Traffic Code books were requested before a public hearing date for the proposed updated ordinance can be set. Sheriff Chavez stated he will supply these by next Monday.

BOARD OF SOCIAL SERVICES was conducted.

MOSQUITO CONTROL: Concerned residents **Inga Rippetow, Dave Dove, Donald Dove and Donnie Tanner** met to discuss what they feel is a lack of mosquito control. Ms. Rippetow presented the following: (1) concern about lack of adequate spraying of mosquitoes in the county and city by the Mosquito Control Special District contractor, (2) concern for lack of any mosquito control on the public lands in the county, and (3) information from State Health representatives in regard to the West Nile virus. Ms. Rippetow and Mr. Dave Dove stated they have both attended Mosquito District Board meetings, and feel that the District Board is not responding to the needs of the people for mosquito control. Aerial spraying was discussed. Mr. Tanner stated Tanner Flying Service is prepared, if asked, to spray. The Board thanked them for their comments. No action taken.

THOMPSON MODERATE SUBDIVISION: Comm Lindsay moved to approve and sign the final plat for the Thompson Moderate Subdivision (Thompson), seconded by Comm Findley and carried.

RECESSED for Annual Landfill visit.

REFERENDUM A – RESOLUTION TO OPPOSE: Comm Findley made a motion to adopt **Resolution No. 8-2003**, a resolution to oppose Referendum A on the ballot as a State wide Ballot initiative. The motion was seconded by Comm Lindsay and carried.

WORLD CLASS AERIAL TRAMWAY – RESOLUTION TO SUPPORT: **Resolution No. 9-2003**, a resolution to support the World Class Aerial Tramway as an alternative method of transporting visitors to and from Mesa Verde National Park was signed (see minutes of September 8, 2003).

EMERGENCY PREPAREDNESS PROGRAM discussed.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** discussed process for drafting to amend the Land Use Code pertaining to the Dolores River Plan. **Jim Sisco** was present.

ADJOURNED at 4:30 p.m.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 22, 2003**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 22, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman -- absent
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, September 15, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Wilson and carried.

ROAD DEPARTMENT: **Lloyd Everett** reported on department activities: (a) they have started striping, but have had trouble with the paint machine, (b) affirmed that the test site for one lift will be scheduled for a section of CR 28, if residents accept the offer (see minutes of September 15, 2003), and (c) hot mix plant operating – will be blade patching. Discussed: (1) Road H.8 – need to talk with residents on this section of road about any concerns they may have – gravel, blading, etc., (2) CR 42 – chip/seal petition, and (3) former Armory – will do an on-site inspection this afternoon. ***** Later, discussed culvert replacement policy, use of irrigation ditch water by the department, and gravel truck/rock incident.

BOARD OF SOCIAL SERVICES was conducted.

PLANNING Manager **Karen Welch** presented "Amendments to the Montezuma County Land Use Code" accepted on September 15, 2003, for signature (see attached).

HIGH SCHOOL FORUM ON GOVERNMENT BUDGET ISSUES: Southwest Colorado Greens Party representative **Leslie Sesler** presented information on the forum. Discussed scheduling of at least two commissioners and Adm Weaver to participate in a student forum at the High School auditorium on October 23, 2003, from 8:50 am. to 11:50 a.m. Comm Wilson, Comm Findley, and Adm Weaver affirmed their participation.

ADJOURNED at 1:45 p.m. for an on-site inspection of the Armory.

Deputy Clerk
September 22, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
SEPTEMBER 29, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, September 29, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, September 22, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

NOTICE OF CLAIM was received and noted from Attorney at Law Kelly R. McCabe in regard to claimant **Harry R. Rogers vs Office of Montezuma County Sheriff and County of Montezuma**, acting by and through its agents and employees, **Deputy Adrian Tucker and Deputy Daniel Pope**. Notice will be sent to the Insurance Company.

911 AUTHORITY BOARD ORDER: Comm Findley made a motion to direct the Clerk to issue **Order Number 0-15-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. the motion was seconded by Comm Lindsay and carried.

COUNTY ROAD 28: Lee's Mobile Home Park owner/resident in area **Rick Lee**, resident **Bob Selser**, and Road Department Foreman **Jim Sattley** met to discuss CR 28 (see minutes of July 14 and September 15, 2003). A "Letter of Credit" must be received from Mr. Lee and residents - \$6,500.00 for their portion of the experimental test for one lift from the intersection of CR N to just past the mobile home park. Affirmed that the county and the residents will commit to just the first lift, and if the test doesn't work, it will be re-visited at that time. Noted the need for information from other counties that have done this experimental testing. No action taken.

ROAD DEPARTMENT Foreman **Jim Sattley** reported on department activities: (a) striping – working on CR G (McElmo Canyon) today, and (b) plan to start work on Road U.5 (Dolores). Discussed: (1) CR S (Hay Camp) – soft spot – will check, also need to do some chip/seal work on the intersection (CR S and Hwy 184), (2) the need to work on CR L, (3) Dolores Shop, and (4) the condition of CR 33 and CR P.

MC ELMO CANYON RESEARCH INSTITUTE representative **Kristie Carriker** and Bureau of Land Management (BLM) representative **Laura Kochanski** presented "Resurvey and Documentation: Southwest Archeology Program," project. They asked the Board to support by signing an application for grant monies from the Colorado State Historical Society for the proposed project. Comm Findley moved to support by signing the application, seconded by Comm Lindsay and carried.

LIQUOR LICENSE: Deputy Clerk **Judy Follman** presented an application for renewal of a retail liquor license for **Log Cabin Liquors**. The Sheriff's department reported no problems with the establishment. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

CONCERNED CITIZEN Mischelle Allison met about the following items: (a) proposed Mesa Verde tramway, (b) lawsuits in regard to county liability insurance, and (c) Southwest Transportation plan. The items were discussed.

ROAD DEPARTMENT – CULVERT REPLACEMENT POLICY: Comm Findley made a motion to adopt the following Culvert Replacement Policy: "The Montezuma County Road Department will replace irrigation culverts over which a county road crosses, when condition of the culvert warrants replacement due to failure of the culvert because of rust, damage or any other factor, where it is demonstrated the welfare or safety of the roadway is compromised. In the event it becomes necessary to replace a culvert as outlined, Montezuma County will install exactly the same size culvert as was previously in place." (See attached.) The motion was seconded by Comm Lindsay and carried.

GAMEWELL MINOR SUBDIVISION: Comm Lindsay made a motion to approve and sign the final plat for the Gamewell Minor Subdivision (Gamewell) with the following plat note: Location of 5.00 acre tract as per Resolution No. P-38-86, and B.590, P.874-876 to be abandoned by this plat. The motion was seconded by Comm Findley and carried.

PLANNING Manager Karen Welch presented an umbrella contract, and time and materials work order for consideration – "Agreement for Professional Services" from the URS Corporation. This proposed contract would be with the firm to look at information submitted by an engineer hired by Echo Basin Acres developer to evaluate the site condition for the proposed development. Changes in the contract will be noted by Attorney Slough, and the contract will be submitted to URS Corporation.

RESIDENT Wade Wilson asked for input about whose responsibility it is to fix holes on a road east of CR 19 and Z, before going onto the BOR canal bridge. After discussion, it is noted that the county road department needs to fix this particular problem. He also asked if it is okay for him to add some 4-inch gravel to an eight foot area on CR AA – this was affirmed.

SHERIFF Joey Chavez and Undersheriff **Sam Hager** presented the following items: (1) jail assessment done – will receive report within a month's time, and (2) site map and information on proposed warehouse type steel building for various uses – meetings, search and rescue, etc. Discussed proposal and funding. Approved submission of proposal to City of Cortez planning and zoning department. Discussed: (a) info on recent Police Academy classes, (b) proposed "Model Traffic Code" – will re-submit at a later time, (c) Community Correction program, and (d) Safepro program.

RESIDENTS Galen Larson and **Wade Wilson** met to discuss (a) bio-farming (GMO) and (b) proposal for entities to sell local beef.

MONTEZUMA COUNTY HOUSING AUTHORITY BOARD vacancy was advertised and one application was received. The Housing Authority Board recommends the appointment of Donald Etnier to fill the vacancy created by Doug Hill. Comm Findley moved to appoint **Donald Etnier** to the Housing Authority Board, seconded by Comm Lindsay and carried.

CANCELLATION OF MONTEZUMA COUNTY WARRANTS: Finance Manager **Mary Ann Sanders** presented a list of warrants to be cancelled. Comm Lindsay moved to cancel warrants (see attached) issued by Montezuma County that have not been cashed by said payees, seconded by Comm Findley and carried.

FAIRGROUND Manager **Daryl Buffington** met to discuss information about being contacted by persons that are interested in using the racetrack facility. It is reiterated that the scheduling policy is on a “first come, first serve basis,” and that the facility is county owned and controlled. It was suggested that this entity contact the Racing Association and discuss their proposals, etc. Manager Buffington will let the association know that there is another interested party, and will send policy information to the interested party. Fairground rates were discussed. Comm Lindsay moved to increase all fairground rates by 5% as of January 1, 2004, for all events in 2004, seconded by Comm Findley and carried.

ADJOURNED at 12:30 p.m.

Deputy Clerk
September 29, 2003

Chairman

Online Copy

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 6, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 6, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman -- absent
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, September 29, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

TREASURER REPORT for the month of September 2003 was received.

PAYROLL: General fund warrants in the amount of \$234,337.43, District Attorney fund warrant #42360 in the amount of \$19,679.77, Treasurer fund warrant #42361 in the amount of \$89,580.66; Road department fund warrants in the amount of \$60,082.50, Treasurer fund warrant #17148 in the amount of \$56,928.34; and, Landfill fund warrants in the amount of \$12,527.84, Treasurer fund warrant #3709 in the amount of \$9,855.46 were approved for payment.

ROAD DEPARTMENT Foreman **Jay Palmer** reported on department activities: (a) blading – most roads done, (b) sweeping, and (c) striping – new paint machine working great. Discussed: (1) CR 28 – smaller chips may do better than large ones when doing, (2) road damage from rains – not much, (3) plugged culverts – taking care of, and (4) Armory: gravel, location of equipment (there will be no immobile equipment stored at the Armory property), and fencing – need to contact and work with closest neighbor. Received two complaints about speed and dust on recently graded road.

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented report on current monthly and year-to-date precipitation amounts. These were discussed.

FAIRGROUNDS Manager **Darryl Buffington** and **Destri Tucker** presented proposed rates for the fairgrounds and the racetrack facilities. **Betty Farlow** was present and asked for clarification of a proposed rate change. This was discussed. Comm Findley moved to amend the motion made – see minutes of September 29, 2003 – and approve the proposed rates for the fairgrounds and racetrack facilities (see attachments), seconded by Comm Lindsay and carried. The following items were noted: (1) new rates are to address operational costs; (2) Montezuma County controls the fairgrounds and the racetrack facilities and any improvements or additions must be approved by the county, (3) old rates will be honored for contracts in effect as of October 5, 2003, for 2004, -- new rates will apply for 2004, effective as of October 6, 2003.

FAIR BOARD APPOINTMENTS: Comm Findley made a motion to appoint the following persons to the Fair Board with the following terms: **Susan Philips** – 1 year, **April Buck** – 3 years, and **Juan Contreras** – 3 years. The motion was seconded by Comm Lindsay and carried.

LANDOWNERS Robert and Nancy Hill met to request approval to defer the building of an access road for their two-lot subdivision. They noted that the access road is to property sold to Mr. Hill's brother, who will not be building on the property for six years. Based on the land use code, the request was denied. Planning Manger **Karen Welch** was present.

PLANNING Manager **Karen Welch** presented planning resolution **P-15-94 Amended**, whereas **Charles Stallard of S&S Farming Corporation**, recorded exemption resolution on March 31, 1994, and whereas Mancos State Bank is the current owner of the property and is desirous of amending the exemption resolution to provide for a 30' wide easement and whereas .25 acres will be adjoined to the existing parcel to amend the eastern boundary line as it currently bisects the garage, and whereas an exemption would be granted to the subdivision regulations for this property in Section 6, T.38N., R.18W. Comm Findley moved to adopt this resolution, seconded by Comm Lindsay and carried. **** **Later** in the afternoon, Manager Welch and Jim Sisco met to discuss the set back thresholds in the land use plan.

VAN KEUREN MODERATE SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Van Keuren Moderate Subdivision (Van Keuren), seconded by Comm Lindsay and carried.

LANDOWNERS Rick Smith and Anne Keller met to discuss setbacks in regard to the foundation (which was recently built within twelve feet of the national forest land boundary) for their new home. Also present were **Bill Blair, David Reineke, Glen Fish** and Planning Manager **Karen Welch**. Property owners, Rick Smith and Anne Keller asked for a variance to the setback thresholds as stated in the land use code. They and their contractor/builder Bill Blair stated they had inquired and received misleading information in regard for the need to apply county setback thresholds to the forest boundary. Neighbor David Reineke stated that he has no problem with the location of the property, and noted that it is about the only building site on the property that is not in the flood plain. After discussion, Comm Findley moved to grant a variance on the setback thresholds and impose a civil penalty of \$150 for the variance, contingent on receipt of a letter from the Forest Service to the Planning Department in regard to the setback situation, seconded by Comm Lindsay and carried.

PROPOSED MODEL ORDINANCE: Comm Findley made a motion to: (1) introduce the proposed **Ordinance No. 1-2003** (see attached) by reading of the proposed ordinance by Attorney Slough, (2) note the "Model Traffic Code for Colorado" Colorado Division of Transportation, State of Colorado, revised 2003 Book, in compliance with State statutes, and (3) set the public hearing to consider the proposed ordinance for Monday, November 17, 2003, at 10:00 a.m. The motion was seconded by Comm Lindsay and carried. The proposed ordinance will be published once a week for four consecutive weeks in the Cortez Journal, Mancos Times, and Dolores Star and once in the monthly Free Press.

RESIDENT Galen Larson presented additional information on bio-farming, etc.

ADJOURNED at 2:30 p.m.

Deputy Clerk
October 6, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 13, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 13, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, October 6, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

GENERAL FUND ORDER: Comm Findley made a motion to direct the Clerk to issue **Order Number 0-16-03** to the Treasurer to transfer \$77,078.46 from the General fund to the Social Services fund – quarterly HCBS (see attached). The motion was seconded by Comm Lindsay and carried.

SHERIFF monthly report for September 2003 was received and noted.

ORDER OF DISMISSAL, Case Number 00 CV 196 -- Re: Carol Stepe and Jack Akin, plaintiffs vs Board of County Commissioners of Montezuma County, Colorado and Duvall Truelson, defendants was received and noted.

ROAD DEPARTMENT Foreman **Jim Becher** reported on department activities: (a) striping – looks good, and (b) graveling CR P to CR 25. Discussed: (1) CR 21 – needs patching (water has been standing on road), (2) CR M (east) water on road – culvert is not plugged, and (3) Armory – will get bids for fencing. Noted Foreman Jay Palmer and Foreman Jim Sattley will be attending CCI meeting in December.

LIQUOR LICENSE: Deputy Clerk **Tammy Neely** presented an application submitted by the "**Dolores Club House**" (non-profit organization) for a "Special Events Permit" – liquor. The event will be held at Four Seasons on December 4, 2003, between 4:00 p.m. and 9:00 p.m. Comm Findley moved to approve the application, seconded by Comm Lindsay and carried.

COUNTY MAINTENANCE DEPARTMENT: **Phillip Falleur** presented concerns.

EMERGENCY PREPAREDNESS PLAN: Health Department Director **Lori Cooper, Nancy Falleur and Kay Garlinghouse** presented information about the need for an update of the "1987 Emergency Preparedness Plan." The update needs to be done by November 1, 2003, in order to be eligible for FEMA grant monies. It was noted that the Health Department will be the lead organization for gathering the information needed.

LANDFILL Manager **Debby Barton** presented (a) Profit and Loss Statement for the Month of September 2003, and (b) Quarterly Reports. These and other activities were discussed.

PLANNING Manager **Karen Welch** met to discuss a request from Kinder-Morgan/TransColorado for a waiver to the land use code to construct a compressor station, east of Mancos, CO - on forest service land. Present were Attorney **Matt Smith**, representing Kinder-Morgan/TransColorado, TransColorado representative **Paul Gayer** and Kinder-Morgan representatives **Albert Hughes and Jim Atwater**. The project was explained and discussed. After discussion it was noted that: (1) The waiver is denied. (2) They need to comply with the county high impact permit process. (3) They need to submit a letter to the Planning Department from the Forest Service, stating that the Forest Service is agreeable for the plans to proceed.

FAIR BOARD representative **Don Bain** and Sentinel Building Systems representative **Jim Hershberger** met to discuss construction of an additional building at the fairgrounds. Mr. Hershberger presented figures and information about the proposed steel building. Monies available and the Fair Board budget were discussed. They will come back with funding options, after they get the electrical bids, and complete total cost figures.

MODEL AIRCRAFT AIRPORT: Civil Air Patrol member **Don Benoit, Dr. John Dickson, and Jerry McComb** presented "Radio Control Flying Field Proposal" packets. The proposal asked for the building and use of a 60' x 350' landing field at the fairgrounds. Discussed: (a) runway surface – clearing, dirt, gravel, chip/seal, (b) placement of big tires to block off access, (c) lighting, etc. It was reiterated that Montezuma County maintains management over the fairgrounds, and any improvements will be controlled and owned by the county. After discussion, it was affirmed that they could contact Manager Buffington to clear the area for a dirt runway (for the time being). They were asked to come back with further information in regard to their needs. The Board will do an on-site inspection of the area.

AMENDMENT 32 - RESOLUTION TO SUPPORT: Comm Findley made a motion to adopt **Resolution No. 11-2003**, a resolution to support Amendment 32 on the ballot as a State-wide Ballot initiative in regard to taxable value of residential property (see attached). The motion was seconded by Comm Lindsay and carried.

ADJOURNED at 3:30 p.m.

Deputy Clerk
October 13, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
OCTOBER 20, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, October 20, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney - absent afternoon
Thomas J. Weaver, Administrator – absent afternoon
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, October 13, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried. **Correction:** September 22, 2003, minutes – the following should have been included: **AMENDMENTS TO THE MONTEZUMA COUNTY LAND USE CODE - Resolution No. 10-2003** – “A resolution amending resolution Nos. 2-98, 12-2000 and 4-2002 the Montezuma County Land Use Code” was approved September 15, 2003, and signed September 22, 2003 (see attached).

ACCOUNTS PAYABLE: General fund warrants #42359 thru #42540 in the amount of \$206,081.35; Road department fund warrants #17155 thru #17229 in the amount of \$89,706.79; and, Landfill fund warrants #3717 thru #3756 in the amount of \$27,151.46 were approved for payment.

ROAD DEPARTMENT Foreman **Jim Sattley** reported on department activities: (a) still striping – working with town of Dolores for one or two streets, (b) installing pipe on CR 37, (c) doing catch up work, (d) re-gravelling CR P – then will do mag-chloride, (e) working on CR U.5 (Dolores), (f) armory – gravelling, (g) CR 34 – blade patching, and (h) CR 28.2 and 28.3 (Mountain View Subdivision) – have redone mag-chloride. Discussed: (1) Highland Terrace – needs to be bladed, (2) CR 21 – needs patching, (3) CR M, west of Hwy 145 - plugged ditch – will check, (4) Lost Canyon road approach on CR 35, (5) blade for landfill – repairs being done (landfill should have blade sometime this week), and (6) CDOT trimmed tree limbs – intersection of CR S and Hwy 184. Planning Manager **Karen Welch** mentioned, in compliance with High Impact Permit No. 435 for Mac’s Liquor, that the county road department needs to put up “dangerous intersection” and “reduced speed” signs on both sides of CR S (east and west) -- intersection with Hwy 491 (formerly Hwy 666). It was affirmed that this would be done.

BOARD OF SOCIAL SERVICES was conducted..

LIQUOR LICENSE: Deputy Clerk **Tammy Neely** presented an application for renewal of a “Hotel/Restaurant Liquor License” for **Roundup Junction Restaurant, Inc.** The Sheriff and Health departments reported no problems with the establishment. Comm Lindsay moved to approve the application, seconded by Comm Findley and carried.

EMERGENCY PREPAREDNESS PLAN: Undersheriff **Sam Hager** discussed the plan, etc. He presented, the Sheriff’s draft of the “Montezuma County, Colorado – Continuity of Government” document in regard to the emergency operations plan. He will present additional information on Monday, October 27, 2003 at 1:30 p.m. At that time the issues will be discussed with appropriate county departments and other entities.

KOKOPELLI BIKE CLUB – LOTTERY FUNDS: Kokopelli Bike Club representative **Scott Clow** presented information on the Club’s activities and a map of a bike trail referred to as “Phil’s World” located on State land, across from the fairgrounds. He stated that they have plans to lease the area and have raised \$500 to help with the amount needed for a five-year lease. He asked for \$2,500 from the lottery fund. Others present were Greater Dolores Action representative, **Marianne Mate, Bobbi Jo Post, and Wendy Mimiaga.** The request was discussed – more information will be presented at a later date. No action was taken.

SOUTHWEST HEALTH SYSTEMS – SOUTHWEST MEMORIAL HOSPITAL: Administrator **Bob Peterson** introduced Chief Financial Officer **Dan Jessup.** Interim Chief of Operations **Mike Anderson** was also present. They presented Southwest Memorial Hospital financial figures through September 2003, and gave an update on the hospital expansion project and other activities at the hospital.

RESIDENT Galen Larson met to discuss state ballot questions.

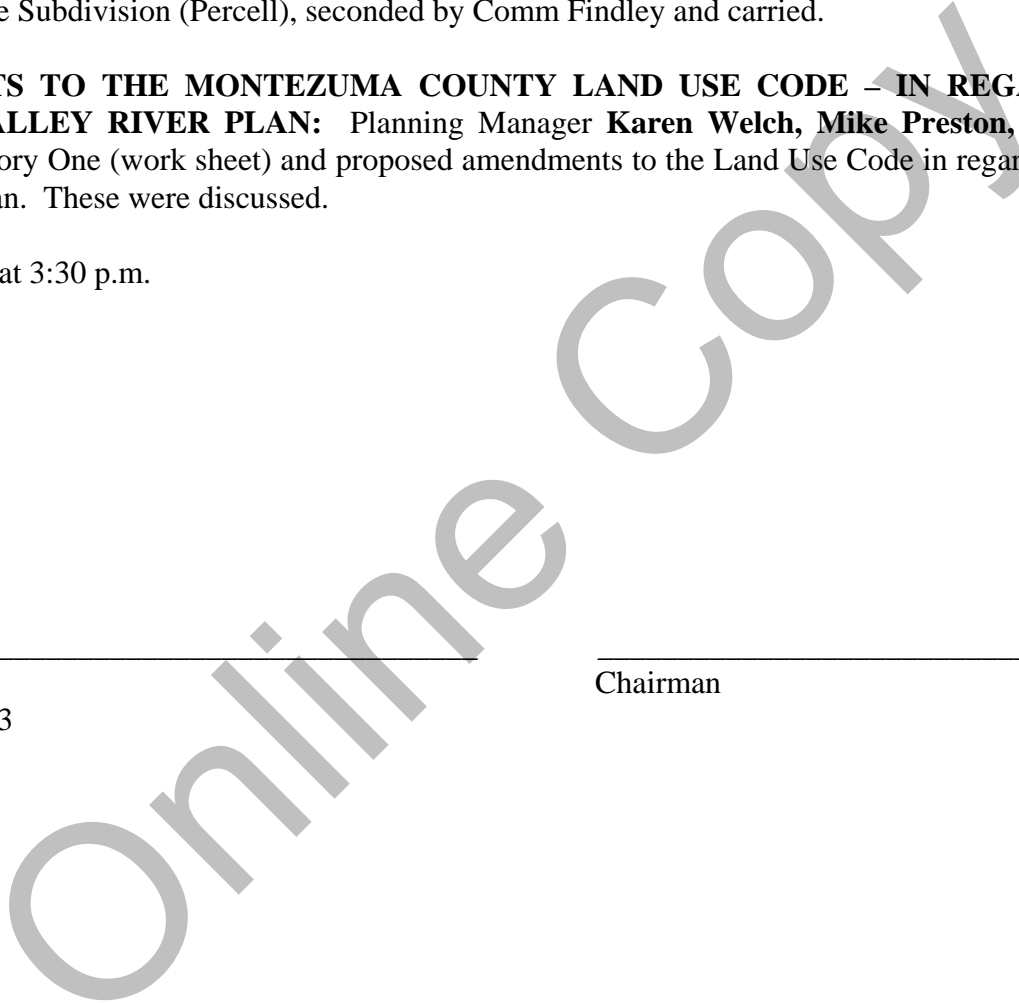
PERCELL MODERATE SUBDIVISION: Comm Lindsay moved to approve and sign the final plat for the Percell Moderate Subdivision (Percell), seconded by Comm Findley and carried.

AMENDMENTS TO THE MONTEZUMA COUNTY LAND USE CODE – IN REGARD TO THE DOLORES VALLEY RIVER PLAN: Planning Manager **Karen Welch, Mike Preston, and Jim Sisco** presented Category One (work sheet) and proposed amendments to the Land Use Code in regard to the Dolores Valley River Plan. These were discussed.

ADJOURNED at 3:30 p.m.

Deputy Clerk
October 20, 2003

Chairman



CANYON OF THE ANCIENTS NATIONAL MONUMENT: **Marilyn Boynton** presented written concerns and suggestions in regard to the monument. She was advised to submit these to the Monument's Advisory Committee for their consideration.

AMENDED PLAT OF LOT 2 OF TRAILS END SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Trails End Subdivision (Melton), seconded by Comm Lindsay and carried.

PLANNING Manager **Karen Welch** presented recommendation from the Planning Commission that the following proceed to the Board of County Commissioners for public hearings for high impact permits: **(a) Kinder Morgan** (compressor station) – hearing scheduled for Monday, November 10, 2003, at 2:00 p.m.; **(b) Buddy's B-B-Q – Joey Dugger** (smokehouse) – hearing scheduled for Monday, November 17, 2003, at 1:30 p.m.; and **(c) Reflection in Metals - Michael Krob** (expansion) – hearing scheduled for Monday, November 17, 2003, 2:00 p.m. Discussed: (1) proposed amendments to the Land Use Code in regard to the Dolores Valley River Plan, and (2) preparation of a "official" Dolores River Valley Map.

FOUR CORNERS RIFLE & PISTOL CLUB representative **Roger Lawrence** presented information about the increase in acreage that they have leased from the State, some of which has been used in the past by bikers and 4-wheelers. He stated that the new leased area would be fenced for safety reasons, and that they would endeavor to clean up the large amount of trash within the area. He asked if landfill fees could be waived – no action was taken. Bike club member **Scott Clow** was present. Maps comparing the areas involved in old and new leases were discussed.

USDA – WILDLIFE SERVICES: Representative **Larry Domnoske** introduced himself as the new trapper for predator control in the area. Discussed the program.

PREDATOR CONTROL AGREEMENT: Comm Lindsay made a motion to sign "Cooperative Agreement No. 04-7308-0310-RA WorkPlan/Financial Plan for the period of January 1 through December 31, 2004" between the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services and the Montezuma County Commissioners, Colorado. The motion was seconded by Comm Findley and carried.

RESIDENTS Ron and Celia Penman met to discuss the county insurance company's refusal to replace their smashed windshield. They believe the windshield was broken by something that fell from a county road department truck. Discussed their concerns. No action was taken.

NOXIOUS WEED PROGRAM Manager **Ron Lanier** reported on regional meeting in regard to the Tamarisk plant eradication.

EMERGENCY OPERATIONS PREPAREDNESS PLAN: The following persons met to discuss the needed update of the "1987 Emergency Preparedness Plan" and application for FEMA grant monies: **Patricia Gavelda** (Department of Local Affairs Regional Planner), **Frank Cavaliere** (Fire districts), **David Wylie** (Ute Mountain Ute Tribe), **Lori Cooper** (Health Department Director), **Nancy Falleur**, **Kay Garlinghouse**, **Joey Chavez** (Sheriff), and **Sam Hager** (Undersheriff). Time frame for the application, assessment, need for checklists, and the creation of an Emergency Management Board were all discussed. Action tabled.

SHERIFF Joey Chavez presented the Law Enforcement Assistance Fund (LEAF) Contract No. L-36-04, January 1, 2004 through December 31, 2004, and Resolution No. 12-2003 approving the term, conditions and obligations of the LEAF Contract and authorizing the appropriate authority to sign the Contract on behalf of the Count of Montezuma. Comm Findley moved to sign the Contract and **Resolution No. 12-2003**, seconded by Comm Lindsay and carried. Discussed draft jail contract between La Plata and Montezuma Counties. No action taken. Undersheriff **Sam Hager** was present.

BOB WRIGHT SUBDIVISION: Comm Findley moved to approve and sign the final plat for the Bob Wright Subdivision (Wright), seconded by Comm Lindsay and carried.

PLANNING - GIS MAPPING: Rob Peterka met to discuss use by other entities of the county's GIS data. User fees were discussed. No action taken.

ADJOURNED at 4:00 p.m.

Deputy Clerk
October 27, 2003

Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 3, 2003**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 3, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, October 27, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

PAYROLL: General fund warrants in the amount of \$241,046.86, District Attorney fund warrant #42543 in the amount of \$20,041.80, Treasurer fund warrant #42544 in the amount of \$193,362.36; Road department fund warrants in the amount of \$60,082.50, Treasurer fund warrant #17232 in the amount of \$56,928.34; and Landfill fund warrants in the amount of \$12,501.77, Treasurer fund warrant #3758 in the amount of \$9,640.37 were approved for payment.

911 AUTHORITY BOARD ORDER: Comm Findley made a motion to direct the Clerk to issue **Order Number 0-17-03** to the Treasurer to pay \$2,097.73 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm Lindsay and carried.

ROAD DEPARTMENT Foreman **Don Yeomans** reported that a culvert has been installed on CR 37. Discussed: (a) CR 25 – resident/business - question of whether boats are in county right-of-way, and (b) need to check the following roads (blade): CR G (east of 4-way stop), CR 25 approach (south), and CR H off of CR 27 – will check. Noted that signage has been put up on both sides of CR S (east and west)-intersection with Hwy 491 (Mac's Liquor area).

COOPERATIVE WEATHER OBSERVER NOAA, NWS representative **James Andrus** presented a report on current month and year-to-date precipitation amounts. These were discussed.

COUNTY ROAD 30: Landowner **Russell Hindmarsh** met to discuss a locked gate on a section of road that he believes is a county road. An on-site inspection will be done.

COUNTY ROAD AA: **Kay Anderson** met to discuss a section of CR AA.

PLANNING Manager **Karen Welch** met to discuss proposed amendments to the Land Use Code in regard to (1) the Dolores Valley River Plan, and (2) single lot development. A public hearing is scheduled for Monday, December 15, 2003, at 2:00 p.m. Noted that the high impact permit public hearing for Reflection in Metals – expansion (Michael Krob) scheduled for Monday, November 17, 2003, at 2:00 pm. has been postponed.

11-03-03

2

RESIDENT Galen Larson met to discuss items mentioned before (see September 29, 2003 minutes).

CANYON OF THE ANCIENTS NATIONAL MONUMENT: Discussed grazing issues. **Mike Preston** was present.

ADJOURNED at 12:00 noon.

Deputy Clerk
November 3, 2003

Chairman

Online Copy

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 10, 2003**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 10, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. “Kelly” Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, November 3, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

TREASURER’S report for October 2003 was received and noted.

COUNTY TECHNICAL SERVICES, IND. (CTSI) representatives **Jon Wagner** and **Allen Chapman** met with the Board. Mr. Wagner presented the following reports: (1) Montezuma County Workers’ Compensation Pool – (a) Loss Ratio Reports as of September 30, 2003 with accompanying graphs, and (b) Five Year Claims from 1998 to 2002 - Loss Analysis (County, Division & Pool), (2) Loss Prevention Training Brochure, and (3) CTSI Loss Prevention File Library Information. These were discussed. Mr. Chapman presented information on the (1) Colorado Counties Casualty and Property Pool and (2) The County Health Pool and talked about changes in the world of insurance coverage. He encouraged the county to consider becoming a member of these two pools. No action taken.

LANDFILL Manager **Debby Barton** presented (a) Profit and Loss Statement for the Month of October 2003, (b) Proposed Montezuma County Landfill Rate Structure – proposed effective date of January 1, 2004, and (c) Minimum Rate Analysis for Year 2003 versus Year 2004. These reports and other activities at the landfill were discussed. Comm Findley moved to adopt the “County Landfill Rate Structure Effective January 1, 2004” (see attached), seconded by Comm Lindsay and carried.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS - REVOLVING LOAN FUND HOUSING PROGRAM - HOUSING SOLUTIONS (HS): Representative **Christina Cordalis** gave information about the grant and housing program. She presented the following documents for signature in regard to the CDBG grant application: (1) A Joint Resolution and Agreement of the Boards of County Commissioners of Archuleta, Dolores, La Plata, Montezuma and San Juan” (see attached) with San Juan County as the lead jurisdiction, and (2) Application: (a) Residential Anti-displacement and Relocation Assistance Plan for the Community Development (CDBG) Program, (b) Citizen Participation Plan – Montezuma County for all Colorado Division of Housing (CDOH) Loan/Grant Programs, and (c) Assurances and Certifications. Comm Findley made a motion to authorize Chairman Wilson to sign the above in regard to the CDBG grant funds. The motion was seconded by Comm Lindsay and carried.

NATIONAL FOREST SERVICE “100 YEAR ANNIVERSARY” CELEBRATION – 2005: **Steve Kelly** gave an update on plans for the celebration -- the National Forest Service was created in 1905 and the San Juan National Forest in 1906. He asked for suggestions from the Board in regard to activities that the county might support and/or be a part of the planned celebration. **Carla Harper** was present. After discussion, he was asked to contact Carla Harper (primary contact) or Mike Preston for input about county participation.

PLANNING Manager **Karen Welch** presented planning resolution **P-10-79 Amended**, whereas **Fred G. and Virginia Cline and Fred A. and Homa Louise Cline**, were granted an exemption for a 3.08 acre tract via Resolution P-10-79 on January 29, 1979, and Fred G. and Homa L. Cline are desirous of amending this resolution to adjoin an additional .33 acres to the 3.08 acre tract for a total of 3.41 acres, and whereas an exemption would be granted to the subdivision regulations for this property in Section 2, T.37N., R.16W. Comm Lindsay moved to adopt this resolution, seconded by Comm Findley and carried.

PLANNING – GIS MAPPING: Rob Peterka and Jim Sisco met to discuss procedures for any requests for copies of preliminary/not certified GIS information. Statutes in regard to the “Colorado Open Records Act” were read. It was noted that a disclaimer must be signed by any person receiving preliminary/not certified copies of GIS information. Proposed fee rates for GIS information were presented and discussed. Comm Findley moved to set the below fee rate schedule, seconded by Comm Lindsay and carried.

<u>Per Each Request</u>	
\$15.00	set up fee
\$ 1.00	each CD
\$ 35.00	each aerial image (1/2 mile x 1/2 mile)
\$ 35.00	each contour data (1 township)

MODEL AIRCRAFT AIRPORT: Dr. John Dickson, other interested persons (see attached list), and Fairgrounds Manager **Darryl Buffington** met to discuss the aircraft landing field at the fairgrounds. It was noted that (a) the fairgrounds fee rate schedule will apply to their use of the area, and (b) they should continue to work with Manager Buffington in regard to the landing field.

FAIR BOARD representative **Don Bain** and Fairgrounds Manager **Darryl Buffington** met to discuss the proposed construction for an additional building at the fairgrounds. It is affirmed that they will advertise for bids for the proposed building.

PUBLIC HEARING – KINDER MORGAN, INC./TRANS COLORADO GAS TRANSMISSION COMPANY – PROPOSED HIGH IMPACT PERMIT NO. 469 – COMPRESSOR STATION: It being the time set aside, a public hearing is held concerning a High Impact Permit application for a proposed compressor station as submitted by Kinder Morgan for the TransColorado Gas Transmission Company on Forest Service property located at the top of Mancos Hill. Said property is situated in Section 29, T.36N., R.12W. The roll was called, the public hearing notice read, and the proceedings were taped for the record. Present were spokespersons for TransColorado/Kinder Morgan **Paul Gayer** and **Doug Schminke**, Attorney **Matt Smith**, representing TransColorado/Kinder Morgan, other TransColorado/Kinder Morgan personnel (see attached list), five interested landowners in the area (see attached list), Forest Service/BLM- Dolores Office representative **Patrick McCoy**, closest landowners to the proposed site, **Larry Ott and Peggy Holmes-Ott**, and Planning Manager **Karen Welch**. Manager Welch presented the Planning Commission’s recommendation that the application proceed to the Board of County Commissioners for a public hearing to address the threshold standards. She read into the record the receipt (1) of a letter from Forest Service Supervisor (Dolores Office) Mike Znerold stating their agreement for the plans to proceed, and (2) names of 18 persons submitting letters about the project. Mr. Gayer gave an update on the application, project, concerns - with reference to a letter from TransColorado responding to concerns raised by landowners in the area, and photos. Discussed the location of the proposed station, tentative starting date of May or July 2004, tentative starting date for operations of August 2004, and threshold standards. The Board asked for public comments. Four persons expressed concerns (noise, traffic, safety, wildlife, air quality, visual impacts, property values, life of project, etc.) and opposition to the project – three others expressed concerns, but were not against the project. Several asked that the final decision be postponed until all information, photos, etc. can be more fully examined. The public hearing is continued until Monday, November 24, 2003 at 10:00 a.m.

ADJOURNED at 4:25 p.m.

Deputy Clerk
November 10, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 17, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 17, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, November 10, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

SHERIFF'S report for the month of October 2003 was received and noted.

ACCOUNTS PAYABLE: General fund warrants #42542 thru #42714 in the amount of \$179,445.88; Road department fund warrants #17231 thru #17318 in the amount of \$102,143.81; Landfill fund warrants #3765 thru #3795 in the amount of \$13,035.13; and Community Corrections (no expenditures this month) were approved for payment.

ROAD DEPARTMENT Foreman **Jay Palmer** reported on department activities: (a) pipe installed on CR 27 (road will be rough until it settles), (b) cleaned pipe at CR M and Hwy 145 – need to contact Gas Company for gas line location, and (c) blading roads. Discussed: (1) Highland Terrace road and CR BB & 10 – rough need blading, (2) road 4 miles west of CR CC – needs to be checked, (3) Rd 20 – north before canal – culvert short and both sides are caved in, (4) CR H.6, and (5) noted that gate is up on the north side of county yard.

EXTENSION OFFICE: **Destri Tucker** presented four applications for the vacant position in the Extension office. Interviews will be held on Thursday, November 20, 2003.

LEWIS-ARRIOLA FIRE PROTECTION DISTRICT member **Bob Brubaker** presented a recorded plat correction showing a 60' easement on property deeded to the Fire Protection District. Discussed the public hearing for High Impact Permit (HIP) No. 463 (see minutes of June 16, 2003), with approval based on contingency that the .95- acre parcel be leased from R. Tucker Construction, instead of being deeded to the District. Mr. Brubaker stated that the property was deeded to the District by a quitclaim deed and a corrected plat has been recorded showing the easement. Tabled until the Board can revisit the action taken in regard to approval of HIP No. 463.

PUBLIC HEARING – PROPOSED MODEL TRAFFIC CODE ORDINANCE NO. 1-2003: It being the time set aside, a public hearing is conducted to consider the adoption of proposed Ordinance No. 1-2003, as the traffic ordinance for the unincorporated areas of Montezuma County. Said Ordinance provides for the adoption by reference of the 2003 edition of the "Model Traffic Code for Colorado" and providing penalties for violation thereof. The roll was called, the proof of publication was read, and the proceedings were taped for the record. Sheriff **Joey Chavez** was present. Sheriff Chavez gave a summary of the importance of adopting the revised code. **Marilyn Boynton** asked for more information about the code. Sheriff Chavez explained the code and proposed ordinance. There was no other public comment. Ordinance No. 1-2003 will be voted on next Monday, November 24, 2003, at 11:00 am.

BOARD OF SOCIAL SERVICES was conducted.

MONTEZUMA LAND CONSERVANCY representatives **Dave Nichols, Marianne Mate and Melissa Gould** gave updates on the activities of the organization, information about “voluntary” conservation easements, and presented a “Fact Sheet” article and book “Preserving Family Farms.” Discussed designated use of lottery funds and referral in the Montezuma County land use plan for open space. They asked for a donation of \$3,000 from the lottery funds to help with operating costs for program. The request will be considered at a later time. No action taken.

PLANNING - GIS MAPPING: **Marilyn Boynton** discussed the “Colorado Open Records Act” in regard to her request for preliminary/not certified GIS information (FEMA-flood plain data - Dolores River Valley). **Rob Peterka and Jim Sisco, Attorney Jim Preston, and Chalmers Emigh** were present. Letters from her attorney requesting aerial images, and a later letter requesting contour data information were reviewed. Fee rates were discussed. **Chalmers Emigh** presented cost figures he thought were appropriate for reproduction of some of the data requested. Ms. Boynton asked that the requested information be available within three days, at which time she will sign the disclaimer and pay for it, at the rate set by the county. This was affirmed.

RESIDENTS Richard Williams, Jerry Wright, Connie Wright, and Sharon Williams met to reiterate their concerns about a lack of approved septic systems on property adjacent to their properties (see August 25, 2003, minutes). **Jim Sisco** was present and stated that former Sanitation Manger Mick Periman informed him that there is one approved septic permit for the property. The neighbors stated there are several older mobile homes on the parcel of land – too many they believe for the one permit. They presented and left with the Board a home video they prepared that shows the extra homes, etc. The Board may do an on-site inspection. They were asked to contact the Sheriff in regard to gun shooting on the property.

RESIDENT Jack Hartaway stated he had some concerns about the proposed adoption of the “Model Traffic Code.” His concerns included increased fines imposed for use of red diesel and speeding in school zones. His remarks will be considered.

RESIDENT Galen Larson again expressed concerns about property at the intersection of CR 22 and CR L (see April 28, 2003 minutes). Discussed the septic situation and the old junk cars on the property.

PUBLIC HEARING – PROPOSED HIGH IMPACT PERMIT NO. 470 – SMOKEHOUSE: It being the time set aside, a Public Hearing is held concerning a High Impact Permit application for a proposed smokehouse as submitted by Joie Dugger, 21635 CR G, Cortez, CO 81321. Said property is situated in Section 7, T.35N., R.16W, lying north of Road G and east of Road 21. The roll was called, the proof of publication read, and the proceedings were taped for the record. Owner **Joie Dugger** was present. Administrator Weaver presented the Planning Commission’s recommendation that the threshold standards be reviewed. Mr. Dugger gave information about the project. There was no public comment. Comm Lindsay made a motion to approve the application for the high impact permit, contingent on specified mitigating measures. The motion was seconded by Comm Findley and carried. The Planning Department will draft written findings and High Impact Permit No. 470 for review and signature.

DEPARTMENT HEAD 2004 BUDGET MEETINGS: Proposed department budgets were reviewed and discussed. Finance Manager **Mary Ann Sanders** and the following were present from the departments: Assessor – **Mark Vanderpool**; Clerk – **Carol Tullis**; Treasurer – **Sandy Greenlee**; Health – **Lori Cooper**; Coroner – **Charlie Rosenbaugh**; Senior Nutrition – **Sue Fletcher**; Sheriff – **Joey Chavez** and **Sam Hager**; and District Attorney – **Joe Olt** and **Anita Squires**.

SHERIFF DEPARTMENT - GAMING IMPACT FUND: Sheriff **Joey Chavez** presented Contract No. F04GA319 made between the State of Colorado for the use and benefit of the Department of Local Affairs, and the Montezuma County Board of Commissioners for review. Comm Findley moved to sign the contract (upgrade the Montezuma County Sheriff’s data system - installation of computers in cars), seconded by Comm Lindsay and carried.

ADJOURNED at 5:00 p.m.

Deputy Clerk November 17, 2003
November 17, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
NOVEMBER 24, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, November 24, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, November 17, 2003, were read. Comm Lindsay moved to approve these minutes, seconded by Comm Findley and carried.

JOB WAITING SERVICE AND COUNTY-WIDE JOBS MINISTRY PROGRAMS: Representatives **Mel Heath** and **Vernon Harrell** presented a request for \$5,000 to support the programs. Mr. Heath gave information about the job waiting service. Mr. Harrell presented information about help they give to released prisoners and other unfortunate individuals. No action taken; request will be considered at a later time.

ROAD DEPARTMENT Foreman **Jim Sattley** reported on department activities: (a) putting fence up – lower end of CR 38 – co-op the landowners, (b) graveling roads, and (c) doing catch-up work. Discussed: (1) CR CC (rough) – has been done, (2) CR F off of CR G (airport road) – need to fix large pot hole and mark intersection with reflectors – will check, (3) CR P.5 – needs signage and eventually need to install used guardrail – will check, and (4) Adm Weaver presented survey plat for CR AA – county will need to reestablish county road. **Kay Anderson** thanked the road department for gravel on CR 21. Other compliments were noted: CR S looks good, and appreciation for work done on CR H.6

FAIRGROUNDS SPEEDWAY: **Cheryl Dean** presented the "2004 Schedule" for the Speedway Racing Association. **Jani Hurford** and **Wayne Odell** were also present. One other entity has submitted their proposed racing schedule for 2004. Overlapping dates will be scheduled in accordance with county policy. The Board encouraged the Racing Association to continue to work with the other entity.

CONTINUED PUBLIC HEARING – KINDER MORGAN, INC./TRANS COLORADO GAS TRANSMISSION COMPANY – PROPOSED HIGH IMPACT PERMIT NO. 469 – COMPRESSOR STATION: It being the time set aside, a public hearing is continued concerning a High Impact Permit application for a proposed compressor station as submitted by Kinder Morgan for the TransColorado Gas Transmission Company on Forest Service property located at the top of Mancos Hill. Said property is situated in Section 29, T.36N., R.12W. The roll was called and the proceedings were taped for the record. Present were spokesperson for TransColorado/Kinder Morgan **Paul Gayer** and **Doug Schminke**, Attorney **Matt Smith**, representing TransColorado/Kinder Morgan, other TransColorado/Kinder Morgan personnel (see attached list), 13 interested landowners in the area (see attached list), Forest Service/BLM-Dolores Office representative **Patrick McCoy**, and Planning Manager **Karen Welch**. Adm **Tom Weaver** read the written findings from the November 10th public hearing. Manager Welch presented four additional letters for the record. Chairman Wilson asked for comments on the written findings. **Jeff Russell** read and presented additional items he asked to be added to the written findings (see attached). The Board asked for public comments. Approximately eight persons expressed concerns (noise, chemical spills, compliance, lower property taxes, need to relocate proposed station, receipt of site and construction plans, long-term maintenance, weeds, visual issues - tree planting, etc.)

Weed issue was discussed. Trans/Colorado/Kinder Morgan representatives stated that a copy of the information submitted to FERC is in the Mancos Library for public review. Comm Lindsay made a motion to approve the application for the high impact permit, contingent on specified mitigating measures. The motion was seconded by Comm Findley and carried. The Planning Department will draft written findings and High Impact Permit No. 469 for review.

MODEL TRAFFIC CODE – ORDINANCE NO. 1-2003: Sheriff **Joey Chavez** met to discuss the adoption of the proposed Model Traffic Code (see minutes of November 17, 2003). Comm Findley made a motion to adopt **Ordinance No. 1-2003 – Model Traffic Code**, as the traffic ordinance for the unincorporated areas of Montezuma County with attachment of the 2003 edition of the “Model Traffic Code for Colorado.” The motion was seconded by Comm Lindsay and carried. The ordinance will be published one time in the local newspapers - Cortez Journal, Mancos Times, Dolores Star and Free Press, and will be effective 30 days from the publication date.

HEALTH DEPARTMENT Director **Lori Cooper** presented a change order for the statewide Tuberculosis Control Service contract #04FHA0047. Comm Findley moved to sign the Change Order, seconded by Comm Lindsay and carried.

EASEMENT - MONTEZUMA COUNTY WATER DISTRICT NO. 1: **Charles and Wanda Martin** presented an “Easement” between Montezuma County, grantor and Montezuma County Water District No. 1, grantee for a domestic water line. Comm Lindsay moved to have Commissioner of Deeds Findley to sign the document giving an easement over and across alleged Montezuma County property to the Montezuma County Water District No. 1, seconded by Comm Findley and carried. Commissioner of Deeds Findley signed the easement.

RESIDENT Phil Weiser met to discuss concerns he has about several issues in regard to the Canyon of the Ancients National Monument – law enforcement, private property rights on federal lands, water rights, etc. These were discussed. He was advised to meet with the Monument Advisory Committee with the concerns. Discussed grant monies received by county entities. Sheriff **Joey Chavez** was present.

LANDFILL Manager **Deb Barton** met to discuss the landfill department’s proposed budget for 2004. Presented and discussed information on Colorado Solid Waste Assessment Project – 2004 Legislative Proposal.

CANYON OF THE ANCIENTS NATIONAL MONUMENT: **LouAnn Jacobson, Laura Kochanski and Penny Wu** presented information for a grant proposal entitled “Monument Travel Management Inventory Project” for funds from the Colorado State Parks. A letter was signed supporting the request for funding. Discussed Advisory Committee member meetings.

EMERGENCY OPERATIONS PREPAREDNESS PLAN: **Nathan Barton** stated he feels that the plan and continuing updating of such plan is needed in the county. The following were discussed: (a) funding – grants, (b) creation of a web page to collect and keep information current, (c) active official Emergency Planning Board, and (d) identification of work that needs to be done, etc. No action taken – need more discussion.

PLANNING Manager **Karen Welch** presented information about the deeded property to the Lewis-Arriola Fire Protection District in regard to High Impact Permit No. 463 (see minutes of November 17, 2003). Because of public health, welfare, and safety issues an exemption will be prepared.

NOXIOUS WEED CONTROL PROGRAM: Manager **Ron Lanier** and **Destri Tucker** presented a summary of the cost-share monies expended for 2003. Manager Lanier stated there are a few of the applications that are still outstanding. He asked for approval to pay remaining cost-share amounts from income generated by the weed program. Discussed expense/income figures. Remaining cost-share amounts will be paid.

DEPARTMENT HEAD 2004 BUDGET MEETING: Department budgets were finalized. The following were present: Clerk **Carol Tullis**, District Attorney **Joe Olt**, Sheriff **Joey Chavez**, Treasurer **Sandy Greenlee**, Coroner **Charlie Rosenbaugh**, Health Department Director **Lori Cooper**, Assessor **Mark Vanderpool**, Extension Office Director **Jan Sennhenn**, Planning Department Manager **Karen Welch** and **Rob Peterka**.

SUPPLEMENTAL INSURANCE: Two companies submitted proposals for supplemental insurance for county employees – (1) Aflac - representative Amy Ball and (2) Aflac and Allstate - representative Jim Engle. Comm Findley moved to accept Jim Engle’s proposal that offers Aflac or Allstate supplemental insurance programs, seconded by Comm Lindsay and carried. Final consideration of the Engle proposal will be made after it is determined how many employees are interested in the supplemental insurance proposal.

CSU COOPERATIVE EXTENSION OFFICE Director **Jan Sennhenn** announced that they have hired Tom Hooten to fill the vacant position in the extension office.

OFFICE OF COMMUNITY SERVICES: **Mike Preston** met to discuss federal lands issues – grazing allotments.

ADJOURNED at 4:30 p.m.

Deputy Clerk
November 24, 2003

Chairman

Online Copy

LANDFILL Manager **Debby Barton** presented (a) Profit and Loss Statement for the Month of November 2003, and (b) Local Test Requirements for Solid Waste Financial Assurance and Review for 2003. These and other activities at the landfill were discussed.

PUBLIC HEARING – 2003 AMENDED BUDGET AND 2004 BUDGET: It being the time set aside, a Public Hearing is conducted regarding the 2003 amended budget and the proposed 2004 budget. The roll was called, the proofs of publications were read, and the proceedings were taped for the record. **2003 AMENDED BUDGET:** Finance Officer **Mary Ann Sanders** presented and explained the unanticipated revenues and expenditures of such funds that created the need for the amended budget. There being no protest against the proposed amended budget, a motion was made by Comm Lindsay to adopt **Resolution No. 13-2003**, authorizing the Supplemental Budget and Appropriation. The motion was seconded by Comm Findley and carried. **2004 BUDGET:** Budget Officer **Tom Weaver** presented the proposed 2004 budget. There being no protest against the proposed budget, a motion was made by Comm Findley to adopt **Resolution No. 14-2003**, To Adopt a Budget for Montezuma County, Colorado For the Calendar Year Beginning on the First Day of January 2004 and Ending on the Last Day of December 2004. The motion was seconded by Comm Lindsay and carried. Comm Lindsay made a motion to adopt **Resolution No. 15-2003**, To Set Mill Levies. The mill levy is set at 14.254, as per vote of the people on November 5, 2002. The motion was seconded by Comm Findley and carried. Comm Findley made a motion to adopt **Resolution No. 16-2003**, To Appropriate Sums of Money (\$20,233,465.00) in accordance with Local Government Budget law on December 8, 2003. The motion was seconded by Comm Lindsay and carried.

AFLAC representative **Cindy McKnight** met to discuss (1) their denied proposal to the county for employee supplemental insurance, and (2) the Board's decision (see minutes of November 24, 2003) to accept Jim Engle's proposal which offers two options to county employees - Aflac or Allstate supplemental insurance. It was reiterated that final consideration of the Engle proposal will be made after it is determined how many employees are interested in the supplemental insurance. No action was taken.

ARMORY: **Mark Rodgers**, property owner adjacent to the Armory, met to discuss the county's lease of the Armory. He stated he feels that the lease is a deterrent to developing his adjacent acreage. He presented two proposals to mitigate his concerns: (1) Build a high fence for approximately \$35,000.00, with the county providing some monies to help with the fencing. After discussion, it was noted that the county had plans to construct a fence in the same area; therefore, those monies could possibly be used in the co-operative fencing of the area, if this option is elected. (2) Land Trade – county shop and acreage for land and turn-key buildings at a different location. Noted, if this option is elected, an application for a high impact permit would need to be submitted and approved. No action was taken on either of the options.

SHERIFF Joey Chavez presented "Certification of Compliance with Regulations Office for Civil Rights, Office of Justice Programs for Sub-grants Issued by The Colorado Division of Criminal Justice" and "Colorado Division of Criminal Justice Statement of Grant Award (SOGA)" - Local Law Enforcement Block Grant for review. Comm Findley moved to sign the "Certification of Compliance" and "Local Law Enforcement Block Grant Number 23-LB-51-40-1, effective January 1, 2004 to December 31, 2004, seconded by Comm Lindsay and carried. Presented a letter from the Colorado State Forest Service in regard to cost for participation in the Emergency Fire Fund Contract Agreement For Forest and Watershed Fire Control (EFF). Discussed possible creation of an Emergency Plan Coordination Board.

NOXIOUS WEED CONTROL PROGRAM: Manager **Ron Lanier** mentioned (a) he will be unable to attend the annual weed meeting, and (b) there is a vacancy on the Weed Board – will advertise.

FOUR CORNERS COMMUNITY BAND members **Paul Bostrom** and **Karen Harbaugh** gave an update on the band and its activities. They asked for lottery monies to help support the band. Since lottery funds may only be used for governmental entities, the request was denied.

COUNTY EMERGENCY MANAGEMENT - HOSPITAL SURGE CACHE MEMORANDUM OF UNDERSTANDING: Comm Lindsay made a motion to sign the MOU between the State of Colorado through the Department of Public Health and Environment and the Board of County Commissioners of Montezuma County, effective December 15, 2003 through and including December 14, 2008. The motion was seconded by Comm Findley and carried.

COMMUNITY CORRECTIONS BOARD: A letter was signed to approve recommendation to allow “position persons” to appoint a proxy to attend Community Corrections Board meetings (see attached).

JOB WAITING SERVICE AND COUNTY-WIDE JOBS MINISTRY PROGRAMS: Comm Findley moved to donate \$500.00 to these programs (see minutes of November 24, 2003), seconded by Comm Lindsay and carried.

LOTTERY FUND - THE MONTEZUMA LAND CONSERVANCY: Comm Findley moved to donate \$500.00 from the lottery fund to The Montezuma Land Conservancy (see minutes of November 17, 2003) , seconded by Comm Lindsay and carried.

ADJOURNED at 3:00 p.m. for the Commissioners Christmas Reception.

Deputy Clerk
December 8, 2003

Chairman

Online Copy

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 15, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 15, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, December 8, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

ACCOUNTS PAYABLE: General fund warrants #42717 thru #42910 in the amount of \$245,247.67; Road department fund warrants #17327 thru #17398 in the amount of \$70,574.39; Landfill fund warrants #3804 thru #3826 in the amount of \$10,385.89; and Community Corrections (no expenditures this month) were approved for payment.

RESIDENT Bud Poe met to discuss Resolution No. 15-1980 (see minutes of May 27, 1980), which declared -- "that portion of County Road "J" is abandoned from the 1/4 line of Section 34, T.36N., R.17W., along the alignment as now constructed to its intersection with County Road "N" or the west section line of Section 1, T.36N., R.17W." After discussion the following is noted: (1) This section named as CR N in Resolution No. 15, is now referred to as CR 20, which is a section of dirt road that is classified as graded and drained (once a year); and, (2) If residents want this section abandoned (see attached map – section is pink), they need to present to the Board a petition requesting the abandonment to the Board. A public hearing will then be scheduled.

COUNTY ROAD 42 resident **Kerry O'Brian** stated he feels that there is a speeding problem on CR 42 and that there needs to be additional signage to alert traffic to slow down because of (a) dangerous curves, and (b) resident and horse traffic in the area. After discussion, it was noted that residents need to purchase the special signs, and the road department will install them. He was advised to contact Lloyd Everett at the Road Department for the signs and the Sheriff for enforcement of the speed limits. Proposed trail in county 60' right-of-way along CR 42 was discussed. Because of liability, the county is not interested in the proposal.

BOARD OF SOCIAL SERVICES was conducted.

BOARD OF EQUALIZATION: It being the time set aside, the Montezuma County Commissioners convened on Monday, December 15, 2003, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor **Mark Vanderpool**, Appraisers **Scott Davis**, **Darrell Mott** and **Samantha Sunseri** were present.

CHARLES AND DAISY MAHAFFEY appeared for the Board's decision concerning their appeal on the "Notice of Valuation" for 2003 by the Assessor's office on Parcel #5613-103-00-041. Comm Lindsay moved to accept the Assessor's office recommendation and deny the petition to adjust the valuation for assessment, seconded by Comm Findley and carried. In regard to the Mahaffey's request for services the following is noted: (1) snow plowing on a section of CR 18 - road department will do limited snow removal, and (2) weed control – referred to Weed Manager Ron Lanier.

CORTEZ CEMETERY DISTRICT BOARD APPOINTMENT: One application was received from the advertised public notice of a vacancy on the Cortez Cemetery District Board. Comm Lindsay moved to appoint **Ed Hicks** to a 3-year term (2004, 2005, 2006), seconded by Comm Findley and carried.

PUBLIC HEARING – AMENDMENTS TO THE MONTEZUMA COUNTY LAND USE CODE: It being the time set aside, a public hearing is held to consider proposed amendments to the Montezuma Land Use Code. The roll was called, proof of publications read, and the proceedings were taped for the record. Present were Planning Manager **Karen Welch**, Planning Department Resource Specialist **Jim Sisco**, interested persons **Pat Kantor and Andy Logan**. Resource Specialist **Jim Sisco** gave a power point presentation in regard to the Dolores River Valley Plan. The hearing was opened up for public input. Comm Findley moved to adopt **Resolution No. 17-2003**, seconded by Comm Lindsay and carried.

PLANNING COMMISSION BOARD MEMBER – TERM APPOINTMENT POLICY CHANGE: Comm Findley moved to allow Planning Commission members to serve three 3-year terms, instead of two 3-year terms, seconded by Comm Lindsay and carried.

COLORADO COUNTY OFFICIALS AND EMPLOYEES RETIREMENT ASSOCIATION (CCOERA) – RETIREMENT PLAN: Comm Lindsay moved to change, as a Montezuma County/Participating Employer, the Vesting Schedule from ten-year vesting to five-year vesting, seconded by Comm Wilson and carried.

ADJOURNED at 3:30 p.m.

Deputy Clerk
December 15, 2003

Chairman

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
DECEMBER 22, 2003

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, December 22, 2003, at the courthouse in Cortez, Colorado, there were present:

Glenn E. "Kelly" Wilson, Jr., Chairman
J. Kent Lindsay, Vice-Chairman
H. Dewayne Findley, Commissioner of Deeds
Bob D. Slough, County Attorney
Thomas J. Weaver, Administrator
Nelda Jenkins, Deputy Clerk

MINUTES of the regular meeting held on Monday, December 15, 2003, were read. Comm Findley moved to approve these minutes, seconded by Comm Lindsay and carried.

FAIRGROUNDS Manager **Darryl Buffington** met to discuss the racetrack scheduling, and the new multi-use building being constructed at the fairgrounds.

ROAD K.4 resident **Carrie Baikie** stated that the school bus will not come down the non-maintained county road to pick up their children. She presented a policy letter from the Mancos School District RE6 bus driver. Bus turn-around areas, some of which the county helped create, and other improvements to the main county road were mentioned. After discussion, she was encouraged to contact the School District Board about the situation. No action taken.

SHERIFF Joey Chavez presented the following contract – "Detoxification Housing Agreement between Montezuma County and the Town of Mancos" for the period of January 15, 2004 thru December 31, 2004 for review. The contract will be reviewed each year. Comm Findley moved to sign the contract, seconded by Comm Lindsay and carried. Town of Mancos Administrator **Tom Glover** was present. Other sheriff department activities were discussed.

FAIR BOARD members -- Chairman **Joel Stevenson, Don Bain, Tom Hooten, April Buck and Juan Contreras** presented proposed "Fair Board Rules" for review. Changes were suggested and discussed. Changes will be made and proposed rules will be presented later for review.

2004 CERTIFICATION OF LEVIES AND REVENUE BY MONTEZUMA COUNTY COMMISSIONERS: Comm Lindsay moved to sign the "2004 Certification of Levies and Revenues," seconded by Comm Findley and carried.

PLANNING Manager **Karen Welch** presented a proposal to change the septic permit fees. Statutes were reviewed. Comm Findley moved to increase septic permit fees from \$150.00 to \$200.00 – per permit for new or repair – to help offset actual processing costs, seconded by Comm Lindsay and carried.

SENIOR NUTRITION CENTER Manager **Sue Fletcher** presented Resolution No. 18-2003, a resolution authorizing the Board President to enter into an Agreement with the State Department of Transportation, Division of Transportation Development, for the provision of Public Transportation Services in non-urbanized areas. Comm Lindsay moved to authorize Chairman Comm Wilson to sign **Resolution No. 18-2003**, seconded by Comm Findley and carried.

LOCAL GOVERNMENT SALES TAX INFORMATION SYSTEM - MEMORANDUM OF UNDERSTANDING RE: CONTROL OF CONFIDENTIAL DATA was signed by Comm Wilson.

ROAD DEPARTMENT: Discussed: (a) access to Dolores shop, and (b) condition of CR N – complaint from school bus driver. **Lloyd Everett** was present.

MESA VERDE AERIAL TRAMWAY STEERING COMMITTEE: **Slim McWilliams, Scott Tipton, Rudolph Baeumel and Dorothy Wayt** presented information about a proposed “economic feasibility study plan” and asked for a pledge of \$10,000.00 to support the \$45,000.00 study plan. They listed entities that have pledged support, and others who will be contacted. Planning Manager **Karen Welch** was also present. After discussion, Comm Findley moved to pledge up to \$10,000.00 to support the study plan, seconded by Comm Wilson and carried.

FINANCE OFFICER Mary Ann Sanders presented the following items for discussion: (a) purchase of new furniture for the Commissioner Room – approved, and (b) additional Amendment to 2003 Budget – public notice for hearing will be put in newspapers.

ADJOURNED at 3:00 p.m.

Deputy Clerk
December 22, 2003

Chairman

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