

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
January 9, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 9, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday December 19, 2005 were read. Comm. Koppenhafer moved to approve the minutes as presented, seconded by Comm. Rule, and carried.

**ROAD: Rick Lard** with the Road Department met and the following was discussed: (1) the removal of a sign on Road P. (2) washboards on roads 30 and 31. Mr. Lard said the bad corners had been bladed. (3) bad spots on roads 18 and P. Stated the roads were bladed.

**TREASURER'S REPORT** for the month of December, 2005 was received.

**PAYROLL:** General fund checks in the amount of \$234,961.86, District Attorney fund check #47629 in the amount of \$30,774.18, Treasurer fund check #47628 in the amount of \$198,819.69; Road department fund checks in the amount of \$64,259.35, Treasurer fund check #19221 in the amount of \$54,134.72; and Landfill fund checks in the amount of \$12,752.74, Treasurer fund check #4705 in the amount of \$10,878.59 were approved for payment.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the annual precipitation report for the month of December 2005... (See attached).

**GENERAL FUND ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-02-06** to the Treasurer to transfer \$74,505.31 from the General Fund to the Social Services Fund – 4th quarter 2005 HCBS (see attached). The motion was seconded by Comm. Rule and carried.

**FAIRBOARD members Joel Stevenson, Rick Lard, and others** (see sign in sheet) met to ask for the continued support of the Board. Inquired about having the Paint Horse Club show in conjunction with the Fair. Horse shows can be held in conjunction with the county fair provided that all entry fees are paid to the fair board and all expenses are paid by the fair board. Horse shows are not allowed to benefit financially from the county fair.

**LANDFILL manager Debby Barton** presented the profit and loss statement for the month of December 2005. (See attached)

**ABATEMENT HEARINGS:** It being 10:05 a.m., the time set aside, the Montezuma County Commissioners convened on Monday, January 9, 2006. The roll was called and the proceedings were taped for the record. **Appraisers Scott Davis, Cynthia Claytor and Darrell Mott** was present. The deadline for notifications to the landowners from the Assessor's office was clarified.

**MELVIN F. AND JOYCE C. EVANS: GERALD W. AND DOLORES M. EVANS: KENNETH R. AND KATHLEEN M. EVANS:** It was agreed to hear these three appeals at the same time as they deal with the same classification issue. Appraiser Cynthia Claytor presented appeals from Melvin F. and Joyce C. Evans, Gerald W. and Dolores M. Evans, and Kenneth R. and Kathleen M. Evans concerning the classification from agriculture to residential land. After hearing the evidence presented Comm. Rule moved to deny the petition and agree with the Assessor's recommendation and keep the residential classification on account number R000405 the Melvin F. and Joyce C. Evans property, and on account number R000406 the Gerald W. and Dolores M. Evans property, and on account number R000404, the Kenneth R. and Kathleen M. Evans property. Seconded by Comm. Koppenhafer. Motion carried. Present were Melvin F. Evans, Gerald W. Evans and Kenneth R. Evans.

**MICHAEL D. VANHEMELRYCK AND KIMBERLY S. PORTER:** Appraiser Cynthia Claytor presented an appeal from Michael D. Vanhemelryck and Kimberly S. Porter concerning the classification from agriculture to residential land. After hearing all the evidence presented Comm. Rule moved to deny the petition and agree with the assessor's recommendation and leave the classification as residential, seconded by Comm. Koppenhafer and carried.

**Abatement Hearings** were recessed until 1:00 p.m.

**PUBLIC HEARING – SOPHIA RETREAT AND CONFERENCE CENTER INC.** It being the time set aside, a public hearing is held concerning a hotel and restaurant liquor license application for Sophia Retreat and Conference Center Inc. The roll was called and public notice was read. The proceedings were taped for the record. **Deputy Tammy Neely and Deputy Judy Follman** gave an overview of the application. They stated that the background check, fingerprints and health checks all came back clear. The meeting was then opened to public comments. No public comments were made. **Sanitarian Jim Siscoe** stated a new septic system needed to be installed. **Janet Ruth Gould** representing Sophia Retreat and Conference Center Inc. stated they are

working with Sanitarian Siscoe concerning the septic system. Comm. Koppenhafer moved to approve the license contingent on the installation of a permitted septic system, seconded by Comm. Rule and carried.

**LUNCH: 12:10 P.M.**

**It being** 1:00 p.m. the abatement hearings were re-convened.

**KENNETH R. AND KATHLEEN M. EVANS:** Appraiser Cynthia Claytor presented an appeal from Kenneth R. and Kathleen M. Evans concerning the assessor's valuation of their property. After hearing all the evidence presented Comm. Rule moved to adjust the 2005 assessor's value from \$365,730.00 to \$317,644.00, seconded by Comm. Koppenhafer and carried.

**Abatement hearings were adjourned.**

**FAIRGROUND USERS: Leslie Andrews and Fairgrounds manager Darryl Buffington and others** (see sign in sheet) met with the Board to discuss the fees and users cards. The current fee schedule will remain as is and those who purchase users cards must display them in order to ride and the users may enforce the user's cards. The question was raised concerning youth rates for the rodeo club's practice nights. Comm. Rule moved to charge an evening youth rate of \$15.00 per hour for the indoor arena and does not apply to the lower buildings. Seconded by Comm. Koppenhafer and carried.

**FOREST SERVICE representative Steve Beverlin** and other forest service representatives met with the Board to discuss the policies and management of the roadless areas. He explained theme mapping of areas as to degrees of involvement. The Board said they would like to have quarterly meetings and be updated on the activities of the Forest Service.

**RESIDENT KEVIN KUYKENDALL** met to discuss the removal of his gate from a public road.

**SHERIFF GERALD WALLACE** informed the Board about his concerns of the potential fire danger in Montezuma County. It was suggested the Sheriff's Department have public information available about the extreme fire dangers before implementing a fire ban.

**PLANNING: Manager Karen Welch** presented the **Ten Suns Subdivision (William N. Henley and Linda L. Bellush owners)** for approval Comm. Rule moved to approve the Ten Suns Subdivision with restrictions of no residential or commercial building lot number 4, seconded by Comm. Koppenhafer and carried. Manager Welch then presented the **Young Estates Single Lot Development (owners are William D.,Carolynn J., Shirley and James M. Young and Jacquelynn Franklin)** Comm. Rule moved to sign the Young Estates Single Lot Development, seconded by Comm. Koppenhafer and carried.

**AFTER THE FACT EXEMPTION** was presented for tentative approval from **Scott Walton**. Comm. Koppenhafer move to give tentative approval for an after the fact exemption for Scott Walton, seconded by Comm. Rule and carried.

**RESOLUTION #1-2006:** Comm. Koppenhafer made a motion to sign Resolution #1-2006 recommending to the State Legislature that a bill be introduced and passed re-categorizing Montezuma County from a Category IV county to a Category III county as per CRS 30-2-102. Seconded by Comm. Rule. Voting aye in favor of the resolution were H. Dewayne Findley, Gerald Koppenhafer, and Larrie D. Rule. Motion carried. (See attached)

**GAMING IMPACT FUND:** Comm. Rule moved to sign the gaming contract between the Department of Local Affairs and the Montezuma County Board of Commissioners, seconded by Comm. Koppenhafer and carried. (See attached)

**CERTIFICATION OF LEVIES AND REVENUE:** Comm. Koppenhafer moved to sign the 2006 Certification of Levies and Revenue by Montezuma County Commissioners, seconded by Comm. Rule and carried. (See attached)

**CORRESPONDENCE:** Noted:

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County Clerk  
01/09/2006

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Chairman

Approved.

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
January 16, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 16, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, January 9, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**ROAD: Lloyd Everett** reported the Department is hauling gravel on Roads G. and G.I. He said work was continuing on roads BB & 10. Discussed gates on county roads. The Board wanted pictures of where the gate was removed from the Kuykendall property. (See attached). Since the policy is that gates are not allowed on county roads, the property owner can either remove the gate or apply to abandon the road.

**ACCOUNTS PAYABLE:** General Fund # 47621-47804 in the amount of \$179,734.83, Road Fund # 19219-19283 in the amount of \$95,810.95, and Landfill # 4706-4736 in the amount of \$24,441.11 were approved for payment.

**TREASURER SANDY GREENLEE** presented a list of designated depositories for the deposit of public funds for Montezuma County for approval. Comm. Koppenhafer moved to approve the institutions listed to be designated as public depositories for the deposit of public funds of Montezuma County, seconded by Comm. Rule and carried. (See attached)

**DICK DAVES** voiced concerns about the installation of water plugs in new construction in the county. He mentioned there seemed to be a lack of communication between the water companies and the fire districts. He inquired about the weed control program in the area.

**ELECTRONIC RECORDING GRANT:** Clerk Carol Tullis presented a technology fund grant agreement between the State of Colorado and Montezuma County for signature. Comm. Koppenhafer moved to sign the technology fund agreement for electronic recording, seconded by Comm. Rule and carried. (See attached)

**ELECTIONS OF OFFICIALS FOR 2006:** Comm. Koppenhafer moved to elect Comm. Findley as Chairman, seconded by Comm. Rule, Comm. Findley abstained. Motion carried. Comm. Rule moved to elect Comm. Koppenhafer as Vice-Chairman, seconded by Comm. Findley. Comm. Koppenhafer abstained. Motion carried. Comm. Koppenhafer moved to elect Comm. Rule as Commissioner of Deeds, seconded by Comm. Findley, Comm. Rule abstained. Motion carried.

**2006 APPOINTMENTS:** Comm. Koppenhafer moved to appoint Bob Slough as County Attorney, seconded by Comm. Rule and carried. Comm. Rule moved to appoint Thomas J. Weaver as County Administrator and Budget Officer, seconded by Comm. Koppenhafer and carried. Comm. Koppenhafer moved to appoint the following persons to the several different offices and boards, seconded by Comm. Rule and carried.

Director of Social Services: Dennis Story

Health Officer: Dr. Gerald Griebel

Region 9 Economic Development Board – TPR: Comm. Findley      Alternate: Comm. Rule

Noted: Legal Publications: Cortez Journal, Mancos Times, and Dolores Star.

**BOARD OF SOCIAL SERVICES** conducted at this time 11:15 a.m. Dennis Story and Kathy Talcott present.

**KELLY WILSON** informed the Board of upcoming meetings and activities on Club 20.

**LUNCH: 12:15 P.M.**

**PLANNING:** Manager Karen Welch presented the **Dillon-Mowry Minor Subdivision (Preston S. and Danette M. Dillon owners)** for approval. Comm. Koppenhafer moved to approve and sign the Dillon-Mowry Minor Subdivision, seconded by Comm. Rule and carried. She presented an after-the-Fact exemption for **Leon Risenhoover** for 3.5 acres on Road R. Comm. Koppenhafer moved to give tentative approval for an after-the-fact exemption to Leon Risenhoover for 3.5 acres on Road R, seconded by Comm. Rule and carried. Discussed proposed changes to land use code, no action taken.

**NATHANIELS:** A letter was received from Mancos State Bank requesting assistance from Montezuma County with a pledge of a certificate of deposit as additional security for a loan in the amount of \$25,000.00 for the purchase of equipment for **Nate Funmaker owner of Nathaniels of Colorado**. Nathaniels is a custom hat manufacturer. Comm. Koppenhafer moved to purchase a certificate of deposit as collateral in the amount of \$25,000.00 from the Montezuma County revolving loan fund and that Montezuma County receive all interest accrued from the certificate of deposit. Seconded by Comm. Rule and carried. (See attached)

**HEALTH DEPARTMENT Director Lori Cooper, Sanitarian Jim Siscoe and Melissa Wilson** met with the Board to inform them of complaints received about health hazards at the **Mesa Oasis Campground and Lakeside Mobile Home Park**. Sanitarian Siscoe, Director Cooper and Ms. Wilson will work together concerning the complaints and report back to the Board. Director Cooper presented a quote for a 2006 Ford

escape for the Health Department for approval. Comm. Koppenhafer moved to approve the purchase of a 2006 Ford Escape in the amount of \$15,897.00. Seconded by Comm. Rule and carried.

**MIKE PRESTON** discussed the roadless areas.

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 5:15 P.M.**

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County Clerk  
01-16-2006

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Chairman

Approved

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ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
January 23, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 23, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, January 16, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**ATTORNEY SLOUGH** called Jeffrey Robbins (attorney for Charles McAfee) at 9:00 a.m. to inform him the Board will be discussing the court order (05CV98).

**ROAD: Lloyd Everret** presented the Board with the chip seal standard specifications/chip crushing specifications. Comm. Koppenhafer moved to accept the Montezuma County Road Department chip seal standard and chip crushing specifications as presented, seconded by Comm. Rule and carried. (See attached) The department is still hauling gravel to Road G, east of Road 25. The clean-up on Road BB (Hovenweep road) is continuing. The department is also stockpiling chips. Due to the lack of moisture the roads continue to be rough and will be bladed as soon as ample moisture is received. He was requested to make a list of all gates across county roads and contact those landowners involved.

**MIKE PRESTON** presented a letter to the Keystone Center concerning the roadless areas and the need for local government and citizen involvement. He presented a second letter to the Dolores County Commissioners informing them of Montezuma County's intentions and wanting to discuss working together on these issues. Comm. Koppenhafer moved to sign the letters, seconded by Comm. Rule and carried. (See letters attached)

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-03-06** to the Treasurer to pay \$69.98 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Rule and carried.



**SOUTHWEST MEMORIAL HOSPITAL representative Chuck Bill** presented the financial statements for the quarterly and year to date operations of the hospital for the year ended December 31, 2005. (See attached)

**PLANNING: Manager Karen Welch** met and discussed a court order (05CV98) received concerning the Charles M. McAfee & Company LLP vs The Board of County Commissioners, Stone Crushing Inc and Daren R. and Kathy J. Stone. The applicants are requested to comply with the court order. (See order attached) **Jon Kelly**, attorney for the Stones was in attendance and **Jeffrey Robbins**, attorney for Mr. McAfee was on a conference call. **LATER: Manager Welch** presented the **Blackmer Minor Subdivision Plat (Casey A. Blackmer, owner)** for approval. Comm. Rule moved to accept the Blackmer Minor Subdivision Plat, seconded by Comm. Koppenhafer and carried.

**STEVE MILES with the Dolores Soil Conservation District** gave a power point presentation concerning tamarisk control. He gave an overview of the proposed management plan and proposed projects for 2006. The District would also like to contact landowners as to the tamarisk problems on their property.

**LUNCH: 12:35 P.M.**

**RUTH LAMBERT with the San Juan Mountain Association** gave the Board a power point presentation about the stewardship programs for the preservation of historical sites and of their efforts to protect and preserve our cultural resources.

**HEALTH DEPARTMENT Director Lori Cooper** presented the annual budget review for the Health Department for 2005. (See attached) She updated the Board concerning a plan she is required to write in the event we have a flu pandemic (Asian flu).

**PLANNING COMMISSION: Planning Manager Karen Welch** presented the Board with resumes she received for the openings on the Planning Commission. After reviewing the letters Comm. Koppenhafer moved to appoint Bob Riggert and Guy Drew to a 3 year term. Seconded by Comm. Rule and carried. It was decided to have 2 alternates appointed to the Commission. Comm. Koppenhafer moved to appoint Drew Gordanier and Casey McClellan as alternates to the Planning Commission for one year. Seconded by Comm. Rule and motion carried.

**CORRESPONDENCE:** Noted (Gregory N. Brand, P.E.)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 4:55 P.M.**

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County Clerk  
01/23/06  
Approved

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
January 30, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, January 30, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, January 23, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer, and carried.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-04-06** to the Treasurer to pay \$2,127.97 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Rule and carried.

**ROAD: Lloyd Everret** presented a letter informing the Dolores County Commissioners of an increase in production costs for 2006 to \$5.00 per yard for the trade value of Ormiston gravel to Dolores County. Comm. Koppenhafer moved to sign the letter, seconded by Comm. Rule and carried. (see attached) Mr. Everret stated since some moisture was received the Department was blading roads. The Department had been contacted by Fairgrounds manager, Darryl Buffington about the Department providing equipment and doing some trenching at the Fairgrounds for a water pipeline inside the fairgrounds. The Department will do the trenching only.

**FINANCE MANAGER Mary Ann Sanders** presented the July 1<sup>st</sup> through December 31st, 2005 semi annual report. She stated the report is in balance. (See attached)

**SHERIFF Gerald Wallace** met and discussed the contract between the Town of Dolores and the Montezuma County Sheriff's Office. No action was taken at this time.

**PLANNING: Planning manager Karen Welch** presented requests from **Cransco and M F E West** to be commercially zoned on two separate parcels. Comm. Rule moved to grant the request for Cransco and M F E West to be commercially zoned. Seconded by Comm. Koppenhafer and carried. Manager Welch requested industrial zoning be granted to New Mexico Land and Mortgage Co. Comm. Koppenhafer moved to grant industrial zoning to **New Mexico Land and Mortgage Co.** Seconded by Comm. Rule and carried. Manager Welch also informed the Board that February 13, 2006 at 11:00 a.m. is the time and date set aside for a High Impact Permit for the **Last Refuge Hot Rods (Norbert Bukowski owner)**. She asked for tentative approval to amend the **Bell Subdivision (Scott Bell, owner)** Tentative approval was given.

**HEALTH DEPARTMENT Director Lori Cooper** recommended the sanitarian and septic permit positions are combined with the consumer protection duties of Melissa Wilson.

**LUNCH: 12:10 p.m.**

**TEEN MAZE representatives, Rebecca Larson and Dena Guttridge** informed the Board of the upcoming Teen Maze scheduled for March 2<sup>nd</sup> and 3<sup>rd</sup>, 2006 at the Fairgrounds. This program is geared to helping teens better understand potential outcomes to life decisions they make. They inquired as to fees for the use of the fairgrounds. Comm. Rule moved to charge the current youth rate for 3 days with the total being \$675.00 and make a County donation back to the teen maze program of \$375.00. Seconded by Comm. Koppenhafer. Motion carried.

**SENIOR NUTRITION manager Sue Fletcher** met to discuss the need for a transportation policy and procedure manual.

**KELLY WILSON** updated the Board on the recent Club 20 meeting he attended.

**ASSESSOR MARK VANDERPOOL** discussed the Assessor's office payroll budget with the Board.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried

**MEETING ADJOURNED AT 4:23 P.M.**

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County Clerk  
01/30/06

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
February 6, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 6, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, January 30, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the precipitation report for the month of January 2006 and the three month outlook for 2006. (See attached).

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue Order Number 0-05-06 to the Treasurer to transfer \$9,336.77 from the Retirement Fund to the General Fund for retirement forfeiture. The motion was seconded by Comm. Rule and carried.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue Order Number 0-06-06 to the Treasurer to transfer \$500.00 from the General Fund to the Conservation Trust Fund for a non-eligible project. Seconded by Comm. Rule and carried.

**PAYROLL:** General fund checks in the amount of \$249,908.19, District Attorney fund check #47812 in the amount of \$19,766.85, Treasurer fund check #47811 in the amount of \$195,753.35; Road department fund checks in the amount of \$66,300.32, Treasurer fund check #19288 in the amount of \$56,179.11; and Landfill fund checks in the amount of \$13,187.69, Treasurer fund check #4739 in the amount of \$11,788.38 were approved for payment.

**SANITARIAN Jim Siscoe** informed the Board that The Sophia Retreat and Conference Center has an engineered septic system in place.

**VIC HODGES** met with the Board concerning the removal of gates on a portion of road 24. He stated the landowners wished to keep the road gated. That portion is not maintained and does not access any other public roads and the bridge is in bad shape. Comm. Rule moved to put a bridge out sign on each end of that portion of Road 24, seconded by Comm. Koppenhafer and carried.

**ROAD:** **Lloyd Everret** stated the roads are dry and continue to be rough due to the lack of moisture. The Department is cleaning and repairing signs due to vandalism and graffiti. Discussed problems at the intersection of roads M and 25 with traffic not stopping. The Department will post stop ahead warning signs.

**SAN JUAN BIODIESEL COOPERATIVE representative Jeff Burman** informed the Board of a feasibility study the cooperative is conducting concerning a biodiesel production facility in the four corners area. He wishes to begin discussions with the County at a later date.

**PLANNING: Planning manager Karen Welch** informed the Board of an application to vacate the Bane Subdivision CIPUD. **Robert Baxstrom** was present. She presented the **David Goff Minor Subdivision (David E. Goff owner)** for approval. Comm. Rule moved to accept the David Goff Minor Subdivision, seconded by Comm. Koppenhafer and carried. The **Wayne Robb Amended Minor Subdivision (M. Wayne Robb owner)** was submitted for approval. Comm. Rule moved to approve the Wayne Robb amended Minor Subdivision, seconded by Comm. Koppenhafer and carried.

**LEADERSHIP MONTEZUMA: Joan Luhman** representing Leadership Montezuma met to ask the Board for their continued support of this program. Comm. Rule moved to give Leadership Montezuma \$1,500.00, the same as last year, seconded by Comm. Koppenhafer. Comm. Rule and Comm. Koppenhafer voted aye, Comm. Findley recused himself. Motion carried.

**LETTER OF RESIGNATION:** The Board accepted a letter of resignation from the planning commission from **Harry L. Siebert**. The Board expressed their appreciation to Mr. Siebert for his service on the planning commission.

**GIS SPECIALIST Patrick J. Thorstenson** presented the **Highway Users Tax Fund** report for signature. Comm. Rule moved to sign the report, seconded by Comm. Koppenhafer and carried. (See Attached)

**CORRESPONDENCE** was noted. Letter from Daniel H. Israel. (See attached)

**LETTER OF SUPPORT:** Comm. Rule moved to sign a letter of support requested by the Montezuma Land Conservancy, seconded by Comm. Koppenhafer and carried. (See attached)

**LUNCH: 12:10 p.m.**

**JAIL TOUR** was conducted.

**SHERIFF GERALD WALLACE** presented an extension of agreement with the Town of Mancos and the Montezuma County Sheriff's Office to provide additional law enforcement services for signature. Comm. Rule moved to sign the extension agreement, seconded by Comm. Koppenhafer and carried. (See attached)

He also asked a letter of support be written concerning the Drug Task Force.

**UTE MOUNTAIN ROUNDUP** representatives **Bentley Colbert, Slim McWilliams and David Fraley** informed the Board of their intentions for the use of the fairgrounds for the Ute Mountain Roundup to be held on June 8<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup>, 2006. On their list of things to do was to tie and loop the water system. The committee will furnish the materials, labor and lay the pipe while the County will do the trenching. It was also reaffirmed that any improvement put in at the fairgrounds shall constitute a donation to and be owned by Montezuma County. **Don Bain and Darryl Buffington** was present.

**BOYD HURFORD** presented the racing schedule for 2006. He mentioned the loss of lighting in the pits and their efforts to get it repaired. The County will do the trenching.

**TREASURER'S REPORT** for the month of January, 2006 was received. (see attached)

**ASSIGNMENT OF DEPOSIT ACCOUNT** was signed for Nate Funmaker dba Nathaniel's and Mancos Valley Bank. (see attached.)

**IMPACT ASSISTANCE GRANT APPLICATION:** Signed the Colorado Division of Wildlife Impact Assistance Grant Application for tax year 2005. (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 4:50 P.M.**

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County Clerk  
02/06/2006

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
February 13, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 13, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, February 6, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer, and carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-07-06** to the Treasurer to pay \$124.12 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried.

**HAMILTON MESA ALLOTMENT:** Comm. Koppenhafer moved to sign the appeal settlement proposal on the Hamilton Mesa Allotment. Seconded by Comm. Rule and carried. (See attached)

**ROAD: Lloyd Everret** reminded the Board of the Forest Service meeting on February 22, 2006. He said work was continuing on the Hovenweep Road. The Department is still assisting the fairgrounds with the trenching work. Mr. Everret was asked to write an article to inform people as to where funds are being spent and why Roads BB and 10 are being paved.

**LANDFILL Manager Deb Barton** presented the profit and loss statement for the month of January, 2006. She also informed the Board that she was the only Colorado representative requested to assist in the Navajo Nation Solid Waste planning. (See attached)

**LAW ENFORCEMENT CONTRACT between the Town of Dolores and the Montezuma County Sheriff's Office** was presented for signature. Comm. Koppenhafer moved to sign the law enforcement contract between the Town of Dolores and the Montezuma County Sheriff's Office, seconded by Comm. Rule and carried (See attached)

**PETITION FOR ABATEMENT: Assessor Mark Vanderpool** being present, a petition for abatement or refund of taxes was presented for **Jack and Fayette Davidson** for account # R010533, parcel # 561134100017 for tax year 2005. The roll was called and the proceedings were taped for the record. The Assessor's Office and the taxpayer agreed to an amended 2005 actual value of \$88,190.00 and an assessed value of \$25,570.00 resulting in adjusted tax reduction from \$3,244.42 to \$1,684.81. Assessor Vanderpool recommended the Board approve this abatement petition for tax year 2005. Comm. Rule moved to accept the Assessor's Office recommendation and amend the actual value and assessed value. Seconded by Comm. Koppenhafer and carried. (See attached).

**KSJD'S** request for Co-location of equipment in the Montezuma County Building on the Granath Mesa communications site was presented for signature. Comm. Koppenhafer made a motion to sign the request, seconded by Comm. Rule and motion carried. (See attached)

**PUBLIC HEARING:** It being the time set aside, a public hearing is held regarding **High Impact Permit application number 507** with respect to a warehouse and the manufacture and painting of automobile parts as submitted by **H. Norbert Bukowski, dba Last Refuge Hot Rods**. The roll was called, the proof of publication was read, and the proceedings were taped for the record. The hearing was opened to public comments. No public comments were received. After hearing all the evidence presented, Comm. Koppenhafer moved to approve the high impact permit number 507 contingent on placing stop signs at the property entrances to the county road, meeting the septic system requirements and have a signed letter from the proper fire protection district. Seconded by Comm. Rule and carried.

**PLANNING: Manager Karen Welch** presented the **Darling Single Lot Development (Larry A. and Gail Ann Darling owners)** for approval. Comm. Rule moved to sign the Darling Single Lot Development, seconded by Comm. Koppenhafer and carried. Presented the **J & J Lanier Single Lot Development (Robert D. Lanier, president and Barbara Lanier, secretary)** for approval. Comm. Rule moved to sign the J&J Single Lot Development, seconded by Comm. Koppenhafer and carried. Presented the **Vacation of the Bane Subdivision (Florence A and Wiona V. Bane owners)** for approval. Comm. Rule moved to sign the Vacation of the Bane Subdivision, seconded by Comm. Findley and carried. Voting aye were Comm. Rule and Comm. Findley. Comm. Koppenhafer recused himself.

**CORTEZ CULTURE CENTER** representative **Deb Avery** updated the Board on the activities of the Cortez Culture Center and asked for their support. Comm. Koppenhafer moved to give the Cortez Culture Center \$500.00, seconded by Comm. Rule and motion carried.



**LETTER OF RESIGNATION** was received from Kara Sella wishing to resign from the Montezuma County Fair Board. Comm. Koppenhafer moved to accept the resignation of Kara Sella from the Montezuma County Fair Board, seconded by Comm. Rule and carried. The Board expressed their appreciation for her service on the Fair Board. (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Findley and carried.

**MEETING ADJOURNED: 12:00 NOON**

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County Clerk  
02/13/2006

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
February 27, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, February 27, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, February 13, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-08-06** to the Treasurer to pay \$2,134.08 from the E911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Rule and carried.

**ACCOUNTS PAYABLE:** General Fund # 47806-47990 in the amount of \$463,980.61, Road Fund # 19284-19356 in the amount of \$265,489.53, and Landfill # 4741-4766 in the amount of \$44,866.90 were approved for payment.

**ROAD:** **Lloyd Everret** said work on Roads BB & 10 continues. He discussed the prices for mag chloride and will get pricing information in the newspapers. Discussed a chipper for the department.

**DEPARTMENT OF SOCIAL SERVICES** was conducted at this time 10:45 A.M. Dennis Story was present.

**AGREEMENT FOR LEGAL SERVICES REIMBURSEMENT** between the Montezuma County Department of Social Services and Montezuma County was presented for signature. Comm. Rule moved to sign the agreement for legal services reimbursement, seconded by Comm. Koppenhafer and carried. (See attached)

**CHILD SUPPORT ENFORCEMENT COOPERATIVE REIMBURSEMENT AGREEMENT** between Montezuma Administration and Montezuma County Social Services was presented for signature. Comm. Koppenhafer moved to sign the child support enforcement cooperative reimbursement agreement, seconded by Comm. Rule and carried. (See attached)

**LETTER FROM THE DOLORES COMMUNITY CENTER** was received notifying the Board of an increase in fees for the usage of the Center for the Senior Nutrition Program and food distribution to \$500.00 a month. Comm. Koppenhafer moved to approve the rate change to \$500.00 per month for the use of the Community Center for the Senior Nutrition Program and food distribution. Seconded by Comm. Rule and carried. (See letter attached)

**FOREST SERVICE representative Bill Ivy** presented the Ormiston Pit agreement to the Board for their review, no action was taken at this time. An operating plan for 2006 modification 3 between the Montezuma County Commissioners and the San Juan National Forest, USDA Forest Service was presented for signature. This agreement pertains to applying magnesium chloride to the Dolores-Norwood FSR 526 road. Comm. Koppenhafer moved to enter into the contract between the Forest Service and Montezuma County, seconded by Comm. Rule and carried. (See attached)

**PLANNING: Planning Manager Karen Welch** presented the **Wells Single Lot Development (Dion, Alexis A., Glenn D, and Betty A. Wells owners)** for approval. Comm. Rule moved to approve the Wells Single Lot Development, seconded by Comm. Koppenhafer and carried. Manager Welch discussed an exemption for **Alan & Pam Schafer** and an after-the-fact exemption for **Lewco LLC and Bill Jarrett**. March 13, 2006 at 11:00 a.m. has been the time set aside for a Public Hearing for **Montelores Baptist Church**.

**LIQUOR LICENSE: Deputy Tammy Neely** presented a renewal of a retail liquor store for **2xMC + W LLC dba Mac's Liquor** for approval. She reported the Sheriff's Office stated they had no violations on this facility. Comm. Koppenhafer moved to approve the retail liquor store renewal for 2xMC +W LLC dba Mac's Liquor. Seconded by Comm. Rule and motion carried.

**SHERIFF GERALD WALLACE** informed the Board of the costs charged for the fires in 2005. He reported that the Colorado State Patrol has use of a desk at the Sheriff's Office and would like to be able to use space in the impound yard. Sheriff Wallace stated this would not cause a problem and the CSP would also help in getting grants to replace the gates. He discussed budget concerns due to increases in insurance rates and workmen's comp and consideration of liability insurance costs for law suits that occurred prior to his tenure.

**LUNCH: 12:05 P.M.**

**HEALTH DEPARTMENT** director **Lori Cooper** presented a task order change, letter #5 in reference to the WIC program for approval. Comm. Koppenhafer moved to sign the task order, seconded by Comm. Rule and carried. (See attached)

**MONTEZUMA COUNTY EMERGENCY MANAGER Lori Johnson** presented the Montezuma County Emergency Operations Plan for review. She also presented a continuity of government, letter of agreement, and intergovernmental agreement for emergency management to the Board for signature. Comm Koppenhafer

Moved to sign the Emergency Operation Plan letter of agreement, seconded by Comm. Rule and carried. (See attached) Comm. Rule moved to sign the Intergovernmental Agreement for Emergency Management, seconded by Comm. Koppenhafer and carried. (See attached) Comm. Rule moved to sign the Continuity of Government, seconded by Comm. Findley and carried. (See attached). A proposal to use DOLA grant monies for the construction of a storage building to house emergency equipment to be built on land located by the Sheriff's Office was mentioned. No action was taken at this time. **Lori Cooper, Kent Lindsay and Sheriff Wallace** was present.

**FINANCE MANAGER Mary Ann Sanders** met to request the days be increased from 20 days per year to 45 days per year for use of the sick pool as long as the employee is enrolled. Comm. Koppenhafer moved to increase the days an enrolled employee may pull from the sick poll from 20 days per year to 45 days per year. Seconded by Comm. Rule and carried.

**MIKE PRESTON** discussed the roadless map for public lands.

**GIS SPECIALIST Patrick Thorstenson** presented the County Road Map for review. A public hearing date will be set.

**DAVID FRALEY AND SLIM MCWILLIAMS** with the **Ute Mountain Rodeo Committee** met to inquire about the sale of alcohol at the Fairgrounds in conjunction with the Rodeo. They informed the Board they were looking into opportunities of pursuing grants for additional seating for the event.

**LEWIS-ARRIOLA COMMUNITY CENTER** representative **Chan Chaffin** and others (see sign in sheet) met to ask the Board for their support of a GOCO grant for the Lewis/Arriola Park and Outdoor Recreation Improvements. Comm. Rule moved to sign the grant for the Lewis/Arriola Community Center and for up to \$10,000.00 in gravel for 2 years. Seconded by Comm. Koppenhafer and carried. (See attached)

**CIVIL ACTION NO. 06-CV-0023 REB-CBS (Michael Warren)** was received and presented to the Board. (See Attached)

**CORRESPONDENCE:** The following correspondence was read and contents noted. (See attached)

Letter from **Marvin E. Smith** – abandonment proceedings of county roads.

**Town of Norwood** – inclusion of Norwood-Dolores Road.

**Bill Nix (Gurley Lake Ranch Homeowners Assoc)** -Support of Norwood-Dolores Rd. improvements.

**Town of Mancos** – Support letter for the Drug Task Force.

**Governor Bill Owens** – response letter to social services funding.

**Colorado Department of Revenue**– sales/use tax reporting.

**U.S. environmental Protection Agency Region 8** (to Mary Lou Asbury – League of Women Voters) Four Corners Air Monitoring Request response.

**Letter to the Tri-State Fire Fighters-** welcome from the Commissioners

**02/27/2006**

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**COLORADO DIVISION OF WILDLIFE** Impact Assistance Grant Application was resigned due to valuation error. (See attached)

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED: 5:15 P.M.**

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**County Clerk**

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**Chairman**

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
March 6, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 6, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, February 27, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**ROAD:** No report was received.

**TREASURER'S REPORT** for the month of February, 2006 was received.

**PAYROLL:** General fund checks in the amount of \$252,950.96, District Attorney fund check #47995 in the amount of \$19,777.06, Treasurer fund check #47994 in the amount of \$193,893.32; Road department fund checks in the amount of \$66,187.80, Treasurer fund check #19358 in the amount of \$56,171.63; and Landfill fund checks in the amount of \$12,563.99, Treasurer fund check #4768 in the amount of \$11,319.40 were approved for payment.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the precipitation report for the month of February, 2006... (See attached).

**LETTER OF SUPPORT** was presented for signature for the Twenty-second Judicial District Multi-Jurisdictional Drug Task Force. Comm. Koppenhafer moved to sign the letter of support, seconded by Comm. Rule and carried. (See attached)

**CANYONS OF THE ANCIENTS NATIONAL MONUMENT:** A letter to Lou Ann Jacobson, Manager of the Canyons of the Ancients National Monument, concerning modification of the proposed settlement to grazing appeal. Comm. Koppenhafer moved to sign the letter to Lou Ann Jacobson, seconded by Comm. Rule and carried. (See attached)

**APPLICATIONS FOR ADMINISTRATOR** was discussed and the Board will begin setting up interviews.

**PLANNING: Manager Karen Welch** discussed the conservation easement concerning Dirk Hood.

**CTSI: Loss prevention specialist Mark Wharton** met with the Board to discuss the county workers compensation pool. He presented the Board with a loss analysis for Montezuma County. (See attached)

**MONTEZUMA COUNTY EMERGENCY MANAGER Lori Johnson** presented contract # 6EM43 between the State of Colorado for the use and benefit of the Department of Local Affairs, Division of Emergency Management (CDEM) and Montezuma County for signature. Comm. Koppenhafer moved to sign contract #6EM43, seconded by Comm. Rule and carried. (See attached)

**HIGH SCHOOL RODEO representatives LuAnn Meyer and Tammy Wright** along with **Darryl Buffington**, fairgrounds manager, met to discuss the upcoming High School Rodeo and to confirm the fees and use of the fairgrounds.

**LUNCH: 12:10 P.M.**

**SOUTHWEST WORKFORCE BOARD representatives Mary Layton and Ray Lucero** met to discuss representation for Region 9 counties. They assured the Board that representation for our area will not be lessened due to the retirement of the regional director, Maxine Maestas. **Dennis Story** was present.

**REAPPOINTMENT:** Comm. Rule moved to reappoint **Dennis Story** to the Southwest Colorado Workforce Board effective January 1, 2006 for a one-year term expiring January 1, 2007. Seconded by Comm. Findley and motion carried. (See attached)

**LETTER OF SUPPORT to Senators Allard and Salazar and Congressmen J. Salazar** concerning support of the community-wide request for assistance with the building of a marina and breakwater at McPhee Reservoir was signed. (See attached)

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED: 4:50 p.m.**

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County Clerk  
03/06/2006

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
March 13, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 13, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman - Absent  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Koppenhfer** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, March 6, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer, and carried.

**ROAD: Lloyd Everret** informed the Board that the Department was busy plowing snow. Work is being done on the Ormiston Point road. He stated the State Highway Department will allow the County the use of their chipper as a back up if needed. Mr. Everret also mentioned the Department had to repair or replace signs on county roads due to graffiti.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-09-06** to the Treasurer to pay \$93.70 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried.

**Manager LANDFILL Deb Barton** presented the profit and loss statement for the month of February, 2006 (See Attached). She alerted the Board to HB6-1303 concerning the HSRF fund. Manager Barton gave a presentation on ground water samples of 5 wells that are monitored at the Landfill.

**CINCO de MAYO** representatives **Betty Atkins, Elva Norte, Sybil Jaslowski and Kim Norte-Herrera** asked the Board if they could provide porta-potties for the Cinco de Mayo celebration. Comm. Rule moved to pay for porta-potties for their celebration, seconded by Comm. Koppenhafer. They inquired about the use of the Annex for a dance where alcohol might be served and asked the County to waive the rental fee for the Annex. The Board will look into use of the facility for not for profit organizations concerning the rental fees. The



Representatives will look into any special events licensing for the City and any insurance requirements for the County for the use of the facility and return at a later date. No action was taken on these issues at this time.

**LIQUOR LICENSE:** Deputy **Judy Follman** presented a renewal for a 3.2 beer license for **Mesa Oasis Campground (Leonard Blanton, owner)**. She stated the Sheriff's Office reported no violations were reported on this facility. Comm. Rule moved to renew the 3.2 beer license for Mesa Oasis Campground, seconded by Comm. Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside, a public hearing is held for **High Impact Permit #511** as submitted by the **Montelores Baptist Church**. The roll was called and the proof of publication was read. The hearing was taped for the record. Planning Manager **Karen Welch** and **George Dewell** agent for the Montelores Baptist Church was present. The hearing was open for public comment. Comments were received from audience members with concerns about excess traffic, dust and condition of the road. (See sign in sheet) After hearing all the evidence presented Comm. Rule moved to approve High Impact Permit #511 and for them to consider a co-op on mag chloride and possibly at chip sealing the road. Seconded by Comm. Koppenhafer, motion carried. (See Attached)

**PLANNING:** Planning manager **Karen Welch** presented **Peggy's Ranch** a single lot development plat (**Gary R. Hindmarsh and Carolyn Kilgore owners**) for approval. Comm. Rule moved to approve Peggy's Ranch, seconded by Comm. Koppenhafer and carried. LATER: Manager Welch informed the Board that a Public Hearing for **Stone Crushing** gravel pit has been set for April 3, 2006 at 11:00 a.m.

**LUNCH: 12:00 noon**

**LOTTERY FUNDS:** **Roxanne Stevens** a representative of the **Montelores Little League Girls Softball** asked for lottery funds to help with the purchase of equipment for the girl's softball program. Comm. Rule moved to give the Montelores Little League Girls Softball \$500.00 for the purchase of equipment, seconded by Comm. Koppenhafer and carried.

**SHERIFF GERALD WALLACE** presented a federal equitable sharing agreement with the Montezuma County Sheriff's Office for signature. Comm. Rule moved to sign the federal equitable sharing agreement, seconded by Comm. Koppenhafer and carried. (See Attached) Sheriff Wallace showed the Board the new radios the Department will be using.

**DISCUSSED** the interview process for County Administrator.

**CARLA HARPER** discussed her work with economic development. Mike Preston was present.

**MOTION TO RECESS:** Comm. Rule moved to recess the meeting until Tuesday, March 14, 2006 at 8:00 a.m. Seconded by Comm. Koppenhafer.

**MEETING RECESSED: 3:40 P.M.**

**MEETING RECONVENED AT 8:00 A.M.**

**COMM. FINDLEY** brought the meeting to order by reciting the Pledge of Allegiance.

**PRESENT** were the following H. Dewayne Findley, Chairman, Gerald W. Koppenhafer, Vice-Chairman Larrie D. Rule, Commissioner of Deeds, Bob D. Slough, County Attorney, Thomas J. Weaver, Administrator Carol Tullis, County Clerk, Mike Preston, Carla Harper, and Mary Ann Sanders

**INTERVIEWS** were conducted on the following:

**8:00 A.M. TOM GLOVER**

**8:45 A.M. SHAWNA VALDEZ**

**9:30 A.M. JEFF REINHART**

**10:15 A.M. CURTIS BELCHER**

**LETTER:** Comm. Koppenhafer moved to sign a letter addressed to Mr. Rick Cables, regional forester, USDA Forest Service Rocky Mountain Region. Seconded by Comm. Rule and carried. This letter deals with aspen stands in Western Colorado. (See attached)

**MOTION TO RECESS:** Comm. Rule moved to recess the meeting until Wednesday March 15, 2006 at 8:00 a.m. Seconded by Comm. Koppenhafer and carried.

**MEETING RECESSED: 11:30 A.M.**

**MEETING RECONVENED MARCH 15, 2006 8:00 A.M.**

**PRESENT** were the following H. Dewayne Findley, Chairman, Gerald W. Koppenhafer, Vice-Chairman Larrie D. Rule, Commissioner of Deeds, Bob D. Slough, County Attorney, Thomas J. Weaver, Administrator Carol Tullis, County Clerk, Mike Preston, Carla Harper, and Mary Ann Sanders

**INTERVIEWS** were conducted on the following:

**8:00 A.M. ASHTON HARRISON**

**8:50 A.M. DARYL. K. SHRUM**

**MOTION TO DISMISS APPEAL:** Comm. Koppenhafer moved to sign the motion to dismiss appeal (ALJ docket no. CO-840-05001) concerning the Hamilton Mesa Allotment, seconded by Comm. Rule and carried (See Attached)

**EQUESTRIAN CENTER:** Comm. Koppenhafer moved to sign a letter of support in regards to a Montezuma County Equine/Pedestrian Trail System and Equestrian Center to the Great Outdoors Colorado, seconded by Comm. Rule and carried. (See attached)

**SOCIAL SERVICES: Dennis Story, Lori Higgins, and LouAnn Everret,** met to discuss how to absorb the duties of the position being vacated by Kathy Talcott. Discussed the possibility of splitting the bookkeeping duties between the staff of Social Services and Administration Office. **Mary Ann Sanders and Amber Zickfoose** was present.

03/15/2006

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**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried

**MEETING ADJOURNED: 11:05 A.M.**

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**County Clerk**  
03/13-14-15/2006

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**Chairman**

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
March 20, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 20, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, March 13, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**ACCOUNTS PAYABLE:** General Fund # 47992-48150 in the amount of \$173,549.64, Road Fund # 19361-19421 in the amount of \$94,667.22, and Landfill # 4770-4806 in the amount of \$19,623.11 were approved for payment.

**ROAD: Lloyd Everret** reported the following: (1) The Department is still hauling gravel to Road 10. (2) They have been blading roads. (3) They have the snow plowed off Ormiston. (4) They are looking to begin the mag-chloride programs in April. (5) The Department has about 2/3rds of the chips hauled. He mentioned Brian Wilson is scheduled to meet with the Department on March 21<sup>st</sup> to discuss Roads 10 and BB.

**BOARD OF SOCIAL SERVICES:** It being 9:45 a.m. The Board of Social Services is conducted at this time. **Dennis Story, Kathy Talcott and Lori Higgins** was present.

**SENATOR ALLARD'S** aide **Ann McCoy Herald** informed the Board that Senator Allard urged the U.S. Forest Service to reprogram funds in the agency's 2006 budget and make them available now for the potential fire fighting efforts in Colorado. She then had **Larry T. Weise**, a representative for Mesa Verde National Park, explain the efforts for the Henneman property becoming a boundary expansion to Mesa Verde National Park. Ms. Herald was asked to thank the Senator for his assistance on the work being done on Hwy. 145. The Board also would like to request his assistance for the Dolores-Norwood road and for Hwy. 491 and asked her to convey their concerns on the Canyon of the Ancients National Monument management plan time table.

**LIQUOR LICENSES:** Deputy Tammy Neely presented a retail liquor license renewal for **Eagle Claw Trading Post and Liquor Store (Charles Schroeder owner)** She stated the Sheriff's Office reported no violations for this facility. Comm. Koppenhafer moved to approve the renewal of a retail liquor license for Eagle Claw Trading Post and Liquor Store, seconded by Comm. Rule and carried. Deputy Neely presented a renewal for a retail liquor license for **Smitty's Liquor (Gary A. Schmidlin owner)** She stated the Sheriff's Office reported no violations for this facility. Comm. Koppenhafer moved to approve the renewal of a retail liquor license for Smitty's Liquor, seconded by Comm. Rule and carried.

**ANNEX FEES:** The Board re-enforced the fees for the use of the annex for non-profit fund raisers of \$100.00 and for other non-profit events of \$50.00.

**JOHN CANFIELD:** Due to the weather, Mr. Canfield's plane was delayed. He requested he be rescheduled until 1:30 p.m. rather than 11:00 a.m. The applications for administrator was moved up to 11:00 a.m. The time set aside for planning was rescheduled for 2:35 p.m.

**ADMINISTRATOR** applications were discussed.

**LUNCH: 12:10 P.M.**

**JOHN CANFIELD**, president of Trident Energy Services, Inc, working under contract with Rebuild Colorado spoke to the Board about energy savings upgrades on the courthouse, annex and road department buildings. He also spoke of funding performance contracts. The Board would like to pursue this matter further. **Carla Harper** was present.

**SHERIFF WALLACE** informed the Board of a design flaw in the jail where a door leading to the heating ducts had been breached. The door and locks will be replaced. He also addressed the issue of installing fencing around the yard.

**PLANNING:** Planning manager **Karen Welch** presented resolution **P-01-06E, After-the-Fact (Scott E. and Karleen A. Walton)**. (See attached). Comm. Rule moved to sign resolution **P-01-06E After-the Fact** on the Scott E. and Karleen A. Walton property, seconded by Comm. Koppenhafer and carried. Manager Welch presented resolution **P-02-06E (Alan B. and Pamela J. Schafer)** Comm. Rule moved to sign Resolution **P02-06E** on the Alan B. and Pamela J. Schafer property, seconded by Comm. Koppenhafer and carried.(See attached)

**DIANA BUZA** with the Pinion Project presented an application for Colorado Division of Housing Emergency Shelter Grant Assistance 2006 for signature. Comm. Rule moved sign the Emergency Shelter Grant Assistance 2006 application with modifications, seconded by Comm. Koppenhafer and carried. (See attached)

**SUE SCOTT** representative for the **COUNTY LODGER'S TAX** presented the Board with requests for funding from the Lodger's Tax distributions. Comm. Rule moved the distributions of the County Lodger's Tax will be as follows: **Mesa Verde Country - \$40,000.00. Dolores Chamber of Commerce - \$19,000.00,**

**Mancos Chamber of Commerce - \$19,000.00, and Cortez Welcome Center \$7,000.00**

The motion was Seconded by Comm. Koppenhafer and carried. Total disbursement amount is \$85,000.00.

**STEVE KOCZAN** site management coordinator for the **Archaeological Conservancy** asked the Board for a letter of support to encourage approval of the grant proposal submitted by the Archaeological Conservancy of Colorado Historical Society State Historical Fund establishing the **James A. Lancaster Archaeological Preserve**. Comm. Rule moved to sign a letter of support to establish the James A. Lancaster Archaeological Preserve, seconded by Comm. Koppenhafer and carried. (See attached)

**ROXANN WALKER** owner **Rockin Roxies** approached the Board to discuss her interest in an optional premises liquor license for the County Fairgrounds. She would like to be able to have alcohol sales at the upcoming rodeo. She was told to discuss that option with the rodeo committee. Deputy Clerks Neely and Follman were present.

**A DISTRICT ATTORNEY** employee who was recently released requested a hearing the Board concerning the dismissal. Comm. Rule moved to deny the request stating the District Attorney employees are employees of the District Attorney's Office for the 22nd Judicial District and not employees of Montezuma County. Seconded by Comm. Koppenhafer and motion carried.

**CORRESPONDENCE:** The following correspondence was read and contents noted and attached:  
Letter from Judith Kahl, Division of Property Taxation to Mr. Jack Miller  
Letter from Division of Minerals and Geology concerning abandoned underground coal mine fires.  
City of Cortez concerning the annexation of Brandon's Gate Addition.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED: 5:25 P.M.**

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County Clerk  
03/20/2006

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Chairman

Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
March 25, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Saturday, March 25, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator /Deputy County Clerk

**MEETING** was called to order by **Comm. Findley** at 8:00 a.m.

The Board called this special meeting to accommodate the schedule of Ashton Harrison.

Present in addition to the above mentioned were Ashton Harrison and David Furrey.

The Board of County Commissioners met on Saturday, March 25, 2006 at 8:00 a.m. for a second interview of Mr. Ashton Harrison for the position of County Administrator for Montezuma County. No action was taken at this time.

The matter of the county administrator position was discussed to be put on the agenda for Monday, March 27, 2006 but due to the objections of Mr. David Furrey stating there would not be a 24 hour notice, the Board agreed to set the matter for 8:30 a.m. Tuesday March 28, 2006, which will be a continuance of the regular Monday meeting.

Meeting adjourned 10:00 a.m.

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Deputy County Clerk  
03/25/2006  
Approved

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
March 27, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, March 27, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday March 20, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**ROAD: Lloyd Everret** reported the Department had bladed roads. He stated work on Road 10 continues. The Department was looking at a chipper in Salt Lake City, Utah this week. He informed the Board that Montezuma County blade operators will be meeting Tuesday with blade operators from the U.S. Forest Service. Discussed an informational letter that was circulated in the department concerning the foreman position opening due to the death of Jay Palmer.

**DISCUSSED** posting of the agenda items, and the open meeting laws.

**PUBLIC HEARING: MONTEZUMA COUNTY ROAD MAP.** 10:00 a.m. It being the time set aside, a public hearing is held concerning adoption of the Montezuma County Road Map. The roll was called and public notice was read. The proceedings were taped for the record. **GIS SPECIALIST PATRICK THORSTENSON** presented the county road map for approval. Public comments were made by Darwin Cline, Zea Beaver, and Kay Garlinghouse. Comm. Koppenhafer moved to approve and sign the official road map of Montezuma County, seconded by Comm. Rule and carried

**HEALTH DEPARTMENT Director Lori Cooper** informed the Board of complaints concerning a county residence that is a health, safety, and fire hazard. She reported the residents are currently housed elsewhere but one wishes to return to the residence. Audience members spoke of the condition of the residence and health hazard it poses and that it was unfit for occupancy... (See sign in sheet). The health department will make a request of the property owner in a letter to clean it up at their expense or to consent for the county to clean it up at their expense.

03/27/2006

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**PLANNING: Planning manager Karen Welch** presented the **Richet Single Lot Development (Richard Tibbets, president Richet Enterprises Inc.)** for approval and signature and to zone property as commercial. Comm. Koppenhafer moved to approve and sign the Richet Single Lot Development and to zone the property as commercial. Seconded by Comm. Rule and carried.

**ERIC BIKIS engineer for Wright Paleohydrological Institute** presented a general grant application for the Board's approval to be submitted to the Colorado Historical Society for paleohydrologic investigation of Mug House at Mesa Verde National Park. This request is to investigate the water storage and handling capabilities of the Pueblo II and III inhabitants of the Mug House Dwelling. Comm. Koppenhafer moved to sign the grant application, seconded by Comm. Rule and carried. (See attached)



**PLANNING** manager Welch presented proposed amendments to the land use code for consideration. (See attached)

**LUNCH: 12:10 P.M.**

**LYNN EVANS** and others (see sign in sheet) met to update the Board on the homeless shelter and to ask to use the space in cases of inclement weather conditions. The Board told him to work with Sheriff Gerald Wallace in such cases. Other concerns will be addressed next fall if the facility is used again as a homeless shelter.

**JOEL STEVENSON** representative for the High School Rodeo informed the Board that the fairgrounds had been rented on the Friday before the high school rodeo and would interfere with the set up of the chutes. The Board stated the set up would have to be done after the rented event. Comm. Rule stated he would talk to those involved with the Friday event about a time frame and get back to Mr. Stephenson.

**CORRESPONDENCE** was read and noted: order to dismiss Order #CO-840-05-01 (Steve Wallace) (See attached)

**TOURED THE JAIL** at this time (2:00 p.m.)

**MUSCANELL MILLWORKS** tour was scheduled for 3:00.p.m.

**MEETING WAS RECESSED 5:30 p.m.** until Tuesday, March 28, 2006 at 8:30a.m.

ONLINE COPY

**H. Dewayne Findley, Chairman**  
**Gerald W. Koppenhafer, Vice-Chairman**  
**Larrie D. Rule, Commissioner of Deeds**  
**Bob D. Slough, County Attorney**  
**Thomas J. Weaver, Administrator**  
**Carol Tullis, County Clerk**

**MEETING** was called to order by **Comm. Findley** at 8:30 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday March 20, 2006 were re-read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**MINUTES** of the special meeting held on Saturday March 25, 2006 were read. Comm. Koppenhafer moved to approve the minutes as presented, seconded by Comm. Rule, and carried.

**DISCUSSED** the follow-up interview held on Saturday, March 25, 2006 with Ashton Harrison. Comm. Findley took this time to thank all those who showed interest in applying for the position of Montezuma County Administrator.

**COMM. RULE** made a motion to appoint **Ashton Harrison** to the position of Montezuma County Administrator starting on May 1, 2006 at a beginning salary of \$62,000.00 a year, with a probationary period of 6 months and depending on his performance after that time his salary could increase to \$65,000.00 a year. Seconded by Comm. Koppenhafer and motion carried unanimously.

**COMM. FINDLEY** contacted Mr. Harrison about the appointment, whereby Mr. Harrison accepted.

**RODEO CLUB MEETING:** It was stated the Club wishes to replace some chutes at the fairgrounds. Comm. Rule recommends the Club work out the replacement of the chutes with fairgrounds manager **Darryl Buffington**. Comm. Rule then moved to allow Darryl Buffington to deal with the rodeo club on the replacement of the shoots, seconded by Comm. Koppenhafer and carried.

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 9:05 A.M.**

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County Clerk

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Chairman

03/27-28/2006 Approved

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
April 3, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 3, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman - ABSENT  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Koppenhafer** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday March 27, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer, and carried.

**PAYROLL:** General fund checks in the amount of \$246,988.75, District Attorney fund check #48155 in the amount of \$23,238.26, Treasurer fund check #48154 in the amount of \$195,360.99; Road department fund checks in the amount of \$65,179.87, Treasurer fund check #19424 in the amount of \$55,523.16; and Landfill fund checks in the amount of \$12,931.46, Treasurer fund check #4807 in the amount of \$11,602.46 were approved for payment.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-10-06** to the Treasurer to pay \$2,135.93 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Koppenhafer and carried. (See attached)

**GENERAL FUND ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-11-06** to the Treasurer to transfer \$78,757.36 from the General Fund to the Social Services Fund – 1st quarter 2006 HCBS (see attached). The motion was seconded by Comm. Koppenhafer and carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-12-06** to the Treasurer to transfer \$135,320.00 from the Capital Fund to the Road and Bridge Fund. (Purchase a chipper.)

**MOVING EXPENSES:** To help defray the cost of moving for **Ashton Harrison** to Montezuma County, Comm. Rule made a motion to give Ashton Harrison up to \$1500.00 in moving expenses with proof of receipts, seconded by Comm. Koppenhafer.

**ROAD:** **Lloyd Everret** informed the Board the Road Department has bladed a lot of the county roads recently. He stated work on Road 10 continues. Mr. Everret said the Department purchased a chipper at the Salt Lake City auction at a cost of \$135,320.00. Comm. Rule moved to approve Order #0-12-06 to transfer \$135,320.00 from the Capital fund to the Road and Bridge fund for the purchase of said chipper, seconded by Comm. Koppenhafer and motion carried. Discussed the road from **Brandon's Gate** to Road L. A letter will be written to the City of Cortez concerning the access from Brandon's Gate to Road L. The letter is not in opposition to the subdivision itself but to the traffic impact from the subdivision to the county road.

**SUE FLETCHER** with the Senior Nutrition program presented a supplemental funding award proposed by CDOT for the 2006 FTA/CDOT contract. Comm. Rule moved to sign the award, seconded by Comm. Koppenhafer. Motion carried. (See Attached) She informed the Board of a problem with transportation of an elderly client. He may require the assistance of his caregiver when transported.

**PLANNING:** Planning manager **Karen Welch** presented **Planning Resolution P-03-06E** after-the-fact for **LewCo, LLC** for approval. Comm. Rule moved to approve the resolution P-03-06E after-the-fact for LewCo LLC., seconded by Comm. Koppenhafer and carried (See attached) Manager Welch presented the **1<sup>st</sup> Amended Plat on the Bell Subdivision ( Rinda Bell, owner)**. Comm. Rule moved to sign the 1<sup>st</sup> amended plat for the Bell Subdivision, seconded by Comm. Koppenhafer. Motion carried.

**PUBLIC HEARING:** 11:00 a.m. It being the time set aside, a public hearing is held to supplement the record regarding **High Impact Permit application number 500** submitted by **Stone Crushing, (Daren and Kathy Stone applicants)**. The roll was called, the proof of publication was read, and the proceedings were taped for the record. **Jeff Robbins**, attorney for Mr. Charles McAfee, requested the hearing be continued to review changes to the plan. Jon Kelly, attorney for Daren Stone, objected to the continuance. The Board granted the continuance and the hearing will be continued to Monday, April 10, 2006 at 11:00 a.m.

**OIL AND GAS LEASE:** Oil and gas leases between the Board of County Commissioners, Montezuma County and the **Finney Land Co.** was received for signature. Comm. Rule moved to sign the leases, seconded by Comm. Koppenhafer and motion carried. (See attached)

**TREASURER'S** report for the month of March, 2006 was received. (See attached)

**LUNCH: 12:05 P.M.**

**SHERIFF WALLACE** presented the annual county fire operating plan for 2006 for Montezuma County. Comm. Rule moved to sign the plan, seconded by Comm. Koppenhafer and carried. (See attached) He discussed a quote he received on installing a fence at the jail. Sheriff Wallace stated he is still working with the Ute Mountain Ute Tribe concerning the tower on Ute Mountain.

**CLERK CAROL TULLIS** presented a proposal she received from Diebold Election Systems on the DRE's (touch screens). She then presented an intergovernmental sub grant agreement between the Secretary of State and Montezuma County for the purchase of HAVA compliant voting systems. The allocation and reimbursement CDOS has allocated to Montezuma County is \$75,150.00. Comm. Rule moved to sign the agreement, seconded by Comm. Koppenhafer and carried. (See attached)

**CORRESPONDENCE** received and noted: **Montezuma County** Search and Rescue (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 3:15 p.m.**

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County Clerk  
04/03/2006

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Chairman

Approved

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
April 10, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 10, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman - ABSENT  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Koppenhafer** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday April 3, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer, and carried.

**E-911 Authority Board Order:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-13-2006** to transfer \$52,000.00 from the **ETA Fund (E-911 Dispatch Fees)** to the General Fund and pay the City of Cortez. Motion was seconded by Comm. Koppenhafer and carried. (See attached)

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the precipitation report for the month of March 2006... (See attached).

**ROAD:** **Lloyd Everret** reported the Department is still working of Roads 10 & BB. He is hoping the mag-chloride program will be completed by the end of April. The Department is working on Road 10.5 today.

**EARL ROHRBAUGH** informed the Board that the Democratic Party would like to help with a public reception welcoming the new County Administrator if the Board was going to have one.

**VOTING SYSTEM:** Audience members (see sign in sheet) asked about the Diebold Touch Screen and the accuracy of such a system. Clerk Tullis stated there would be one DRE per polling place and that the regular Accuvote paper voting would still be used.

**LANDFILL: Manager Deb Barton** presented the profit and loss statement for the month of March, 2006. (See attached)

**PLANNING: Planning Manager Karen Welch** presented the **Mahaffey Single Lot Development (Joe L and Mary E. Mahaffey, owners)** for approval. Comm. Rule moved to approve and sign the Mahaffey Single Lot Development, seconded by Comm. Koppenhafer and carried.

**CONTINUANCE OF PUBLIC HEARING:** 11:00 a.m. It being the time set aside, a continuance of a public hearing is held for **High Impact Permit #500** as submitted by **STONE CRUSHING, Daren and Kathy Stone** applicants. The roll was called and the proof of publication was read. The hearing was taped for the record. Jon Kelly, attorney for Stone Crushing and Geologist Douglas Conger spoke concerning the supplemental requirements to the application. The hearing was opened to public comments. Lindsey Nicholson, attorney for Charles McAfee and Company, LLLP and Geologist Michael J. Matheson presented a letter of comments. Comments were received from audience members (see sign in sheet) Having considered all the evidence in this matter Comm. Rule moved to grant gravel pit application High Impact Permit #500. Seconded by Comm. Koppenhafer, motion carried. (See findings attached)

**LUNCH: 12:30 P.M.**

**DISCUSSED** The Brandon's Gate Subdivision's impact on County Road L.

**MIKE PRESTON** informed the Board that Steve Beverlin with the U.S. Forest Service is scheduled to meet with them on Monday, April 17<sup>th</sup> to discuss the roadless map.

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 3:35 p.m.**

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County Clerk  
04/10/06

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Chairman

Approved and signed 4/17/2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
April 17, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 17, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday April 10, 2006 were read. Comm. Rule moved to approve the minutes as presented and to sign the findings on High Impact Permit # 500, seconded by Comm. Koppenhafer, Comm. Findley recused himself from the motion. Commissioners Rule and Koppenhafer voted aye, motion carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-14-06** to the Treasurer to pay \$118.12 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried.

**ACCOUNTS PAYABLE:** General Fund # 48160-48330 in the amount of \$361,076.91, Road Fund #19423-19484 in the amount of \$238,110.74, and Landfill # 4809-4835 in the amount of \$13,142.85 were approved for payment.

**ROAD:** **Lloyd Everett** informed the Board the chipper that was purchased is not meant for driving from place to place and the Department has nothing to haul it with, however, a suitable unit has been found at a cost of \$35,000.00. This unit can also be used to haul other equipment. He said the Department has most of the major graveling done and they are spot graveling now. They are hauling chips today and plan to mag-chloride roads everyday until May 1, 2006. Discussed the speed sign on Road M by the Mormon Church.



**BOARD OF SOCIAL SERVICES:** It being 9:35 a.m. the time set aside, the Board of Social Services was conducted. **Dennis Story, Louann Everett, and Lori Higgins** was present.

**REGION 9 representatives Ed Morlan and Laura Lewis** updated the Board on a survey they are conducting concerning second homeowners and the impact they have on the area, Also discussed the population and employment trends in Montezuma County. (See attached)

**FOUR CORNERS NATIONAL MOTORCYCLE RALLY representatives Dan Bradshaw and Gloria Cisneros** gave the Board an overview of the rally events and discussed interest in moving events from Ignacio o Echo Basin Ranch. The rally organizers stated they are not interested in the use of the County Fairgrounds but would like to hold concerts at Echo Basin Ranch. Audience members expressed some concerns about road conditions and noise. Mr. Dan Bjorkman stated Echo Basin Ranch would be willing to have the concerts there. Mr. Bradshaw and Mr. Bjorkman were informed of the need of a High Impact Permit.

**U.S. FOREST SERVICE: Steve Beverlin, Thurman Wilson, and Jessey Tase** presented a PowerPoint presentation of the roadless area boundaries and what's roadless out on the ground along with the management process, ideas and themes.

**LUNCH: 12:25 P.M.**

**EMPIRE ELECTRIC ASSOCIATION: Doug Sparks and Bobbe Jones** met to update the Board of the activities at Empire Electric. They spoke of the campaign to recycle old refrigerators and of the scholarship programs they do as well as other services they provide.

**LIQUOR LICENSE: Deputy Judy Follman** presented a renewal for a resort complex liquor license for **Echo Basin Ranch (Dan Bjorkman, owner)** Deputy Follman stated the Sheriff's Office has reported no violations on this facility. Comm. Koppenhafer moved to approve the liquor license renewal for Echo Basin Ranch, seconded by Comm. Rule and carried.

**BILL BARRETT CORPORATION: Jim Felton and Kurt Reinke** informed the Board that the Bill Barrett Corporation has leased minerals in Montezuma County and would soon be drilling 4 wells in the next 12 months. They were informed of the High Impact Permit process.

**PLANNING: Planning manager Karen Welch** presented the **Juniper Skye Subdivision** a moderate development (**Peter Carter, manager BCE LLC**) for approval and signature. Comm. Rule moved to approve and sign the Juniper Skye Subdivision, seconded by Comm. Koppenhafer and carried.

**Last Refuge Industrial PUD single lot plat (H. Norbert Bukowski – Benny J. Conley, president)** and findings on High Impact Permit #507 were presented for approval and signature. Comm. Koppenhafer moved to approve and sign the Last Refuge Industrial PUD and sign the findings on High Impact Permit #507 (See attached), seconded by Comm. Rule and motion carried.

**Florence's Place** single lot development was presented for approval and signature. Comm. Rule moved to approve and sign the single lot development for Florence's Place. Seconded by Comm. Findley. Voting aye are Comm. Rule and Comm. Findley, Comm. Koppenhafer recused himself.

04/17/2006

3

**CORRESPONDENCE:** The following correspondence was read and noted. (See attached)

Letter to the editor from Bucky and Nancy Sparks

Letter of support from Town of Mancos for Dave Cluff.

Letter asking for a letter of support for VFW Post 5231 concerning the Mancos Opera House

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 4:10 P.M.**

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County Clerk

Chairman

Minutes of April 17, 2006 were Approved and signed April 24, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
April 24, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, April 24, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday April 17, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer and motion carried.

**ROAD:** **Lloyd Everett** informed the Board of the chip seal oil and tack oil prices. Discussed the lease on the guard armory building.

**A LETTER OF SUPPORT for the Mancos Opera House** restoration project was presented for signature. Comm. Koppenhafer moved to sign the letter of support for the Mancos Opera House, seconded by Comm. Rule and carried. (See attached)

**PLANNING: Planning Manager Karen Welch** presented the following for approval and signature:  
The **Garland Urso Minor Development (Dennis Garland and Sara Urso owners)**. Comm. Rule moved to approve and sign the Garland Urso Minor Development, seconded by Comm. Koppenhafer and carried.

The **Alma Estates Minor Subdivision (James Erger Family Trust, Sharon R. Wallace Trustee)**. Comm. Rule moved to approve and sign the Alma Estates Minor Subdivision, seconded by Comm. Koppenhafer and carried.

**Soaring Eagle Estates Moderate Subdivision (Mark L. and Bonnie L. Johnson owners)**. Comm. Koppenhafer moved to approve and sign the Soaring Eagle Estates Moderate Subdivision, seconded by Comm. Rule and carried.

The following findings and permits were submitted for signature: (See attached)

**Western Excelsior Corporation** permit number 505 approved September 26, 2005. Comm. Koppenhafer moved to sign findings and permit number 505, Western Excelsior Corporation, seconded by Comm. Rule. Voting aye were Commissioners Koppenhafer and Rule, Comm. Findley recused himself. Motion carried.

**Sandstone Gravel Pit, William and Kay Goode applicants** permit number 506, approved November 14, 2005. Comm. Koppenhafer moved to sign findings and permit number 506 Sandstone Gravel Pit, seconded by Comm. Rule and carried.

**Montelores Baptist Church** permit number 511 approved March 13, 2006. Comm. Koppenhafer moved to sign findings and permit number 511, Montelores Baptist Church, seconded by Comm. Rule and carried.

**Questar Exploration and Production Company** permits number 501 (Island Butte II) and 502 (Cutthroat Unit 17), approved May 16, 2005. Comm. Koppenhafer moved to sign findings and permit numbers 501 and 502 Questar Exploration and Production Company, seconded by Comm. Rule and carried.

**COMM. FINDLEY** signed the following findings and permit (See Attached)

**Lewis-Arriola Fire Protection District – Road N Substation.** Permit number 463, approved June 16, 2003.

**Pleasant View Fire Protection District Substation.** Permit number 469 approved, August 30, 2004.

**Questar Exploration and Production Company – Cutthroat Unit #16.** Permit number 478, approved March 29, 2004.

**Questar Exploration and Production Company – Federal #10-24.** Permit number 479, approved March 29, 2004.

**Expansion of City of Cortez Water Treatment Plant – Road N.** Permit number 497, approved Nov. 8, 2004.

**Black Rhino R. V. Park.** Permit number 495, approved August 30, 2004.

**Temporary Baseball Practice Field (Town of Mancos applicant)** Permit number 498, approved November 22, 2004.

**HEALTH DEPARTMENT Director Lori Cooper** presented an agreement between United Way of Southwest Colorado and the Health Department for signature. Comm. Koppenhafer moved to sign the agreement, seconded by Comm. Rule and carried. (See attached) Director Cooper then presented a master contract between the Department of Public Health and Environment and Montezuma County for signature. Comm. Rule moved to sign the Approved Master Contract Program Waiver #154 Master Contract, seconded by Comm. Koppenhafer and carried.

**MANCOS SCHOOL representatives Michael Canzona, Rodney Cox, and Regina Williams** met with the Board and discussed the possibility of obtaining land owned by Montezuma County that adjoins property the school district purchased. They stated the Town of Mancos would also like an easement for a walking trail through the properties. The Board asked the representatives to work out an agreement with the Town of Mancos then approach the Board with a Quit Claim Deed with the legal description of the property and of the easement to the Town of Mancos for a walking trail.

**LUNCH: 12:00 NOON**

**DON GONZALES** approached the Board to question the status of Road K.6. There seems to be an attempt to block the road through their property. The county road map shows K.6 to be a county road through their property to the Bement property. Mr. Gonzales was asked to bring documentation showing that portion is not a county road and discuss it again at a later date.

**SHERIFF GERALD WALLACE** asked if monies from the E 911 emergency fund could be used to help fund software that will enhance the safety of his deputies. This software will enable the officer to call for emergency assistance with the push of a button. He informed the Board he has received two bids for the fence at the Jail.

**CARLA HARPER** met to update the Board on the activities of the economic development plan. **Mike Preston** was also present.

**JOEL STEVENSON** met to discuss a contract with the Casper Baca Rodeo Co. that was signed by only one fairboard member. The fairboard says two signatures are required. He was advised to call a special meeting of the fairboard, with a quorum present and have a Board action to authorize who needs to sign any contract as the fairboard has the authority to enter into contracts that pertains to county fair matters.

**CASE NUMBER 05-CV 89 ORDER:** "MCBCC's "Motion to Dismiss and **ORDER:** Plaintiffs' C.R.C.P. (a)(4) Complaint was noted and reviewed. (See attached)

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED: 3:50 p.m.**

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County Clerk

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Chairman

Minutes of April 24, 2006 were approved and signed May1, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
May 1, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 1, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver and Ashton Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday April 24, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule and motion carried.

**ROAD: Lloyd Everett** reported problems with an inoperable memory card in the chipper. A new card has been ordered. A complaint was received concerning Road F.2 as to the status of the Road. The road is considered as a graded and drained county road. **Jan Redwood and Wayne Combee** approached the Board concerning the right-of-way on Road 29.75. An option for a single lot development would be to have an engineer's design to see if the road will meet county specifications before any decision could be made. It was also stated that if further development beyond a single lot development, would require a 60' easement.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-15-06** to the Treasurer to pay \$2,128.62 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Koppenhafer and carried. (See attached)

**PAYROLL:** General fund checks in the amount of \$240,055.23, District Attorney fund check #48335 in the amount of \$22,627.33, Treasurer fund check #48334 in the amount of \$188,567.43; Road department fund checks in the amount of \$63,831.68, Treasurer fund check #19487 in the amount of \$54,713.15; and Landfill fund checks in the amount of \$12,708.79, Treasurer fund check #4837 in the amount of \$11,343.40 were approved for payment.

**PLANNING: Planning Manager Karen Welch** informed the Board of plans for a high impact permit regarding a fire arms store and indoor shooting gallery for Larry Chandler on Road G. She was asked to look into the Homeland Security regulations concerning the location being in the proximity of an airport. Manager Welch set June 12, 2006 at 11:00 a.m. as the time for a public hearing concerning amendments to the land use code. She stated a public hearing has been scheduled for the Young-Candelaria property for May 22, 2006 at 2:00 p.m. concerning the AR 3 to 9 zoning.

**LIQUOR LICENSE: Deputy Judy Follman** presented a renewal for a retail liquor store license on **G Whil Liquors (Dana Baxstrom, owner)**. The Sheriff's Office reported they had no violations with the owner or facility. Comm. Koppenhafer moved to approve the retail liquor store license renewal for G Whil Liquors, seconded by Comm. Rule and motion carried.

**DON GONZALES** presented the Board with his survey of Road K.6 concerning whether K.6 is a county road or not. The county road map shows it to be a county road.

**SHERIFF GERALD WALLACE AND UNDERSHERIFF DAVE HART** presented a local government limited gaming impact fund application. This grant will help to install digital/audio cameras in the remaining 9 patrol vehicles. Comm. Koppenhafer moved to sign the gaming impact fund application with a local priority of one, seconded by Comm. Rule and motion carried. (See attached)

**HEALTH DIRECTOR LORI COOPER** presented a task order change order letter between the Colorado Department of Public Health and Environment and The Board of Commissioners of Montezuma County for the use and benefit of the Montezuma County Health Department. Comm. Koppenhafer moved to sign the task order change order letter, seconded by Comm. Rule and carried. (See attached)

**LUNCH: 12:00 NOON**

**REGION 9: Comm. Findley** was appointed to the executive committee for Region 9 at their last meeting.

**CORTEZ CITY MANAGER Hal Shepherd** was called to meet with the Board concerning the impact the Brandon's Gate annexation will have on Road L. They also addressed the county impact fees. Mr. Shepherd will discuss the matter with Mr. Bruce Smart and the City Council then meet again with the Board.

**EMERGENCY MANAGER Lori Johnson** asked the Board if they wished for her to pursue a fire mitigation grant. No action will be taken at this time.

**JULIA HESSE** with the Health Department met to ask each Board member to take a survey concerning the Clean Air Act.

**CORRESPONDENCE:** The following correspondence was read and noted;

**U.S. Department of the Interior** – concerning the Hamilton Mesa Allotment settlement agreement.  
(See attached)

**Colorado State Forest Service** – Intergovernmental Review (See attached)

**HB06-1295** – County elected officials' salaries (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 4:25 P.M.**

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County Clerk

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Chairman

Minutes for May 1, 2006 were approved and signed May 8, 2006

ONLINE COPY



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
May 8, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 8, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Thomas J. Weaver and Ashton Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday May 1, 2006 were read. Comm. Koppenhafer moved to approve the minutes as presented, seconded by Comm. Rule and motion carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-16-06** to the Treasurer to transfer \$20,019.02 from the Public Facility Escrow to the County General Fund. The motion was seconded by Comm. Koppenhafer and carried. (see attached)

**TREASURER'S** Report for the month of April 2006 was received. (see attached)

**ROAD:** **Lloyd Everett** reported that the chip seal project is progressing well. Still having problems with the chipper. Still working on BB and 10. Working on irrigation problem on road N. They have been fielding calls concerning the Mag-chloride program. **Jimmy Kennedy** appeared before the Board expressing concerns with dust abatement on Road 35.9. Since road 35.9 is a sub-division road and not county maintained it was suggested he contact an individual contractor for Mag-chloride.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the precipitation report for the month of April 2006 (See attached).

**LANDFILL: Manager Debby Barton** presented the profit and loss statement for the month of April 2006. A letter was received from Environmental Specialists Solid Waste Unit Compliance Program; Donna Stoner indicating the facility was in compliance with the Department Regulations. (see attached)

**ADMINISTRATOR HARRISON** was instructed to write a letter to the local energy companies concerning the reporting to the State their employee numbers. Comm. Koppenhafer moved to have Comm. Findley sign the letter, seconded by Comm. Rule, motion carried.

**PLANNING: Planning Manager Karen Welch** discussed the High Impact permit for Clarity Counsel dated 6/2004 (**owner Donna Spear**). A public Hearing will be set to finalize the permit.

The Board discussed the interpretation of Cluster Incentive PUD and options available to the developer.

**DOLORES RIVER VALLEY PLAN:** a discussion was held regarding a possible violation of the Dolores River Valley Plan concerning a house being built 50' back from the stream bank. **LATER:** Manger Welch was instructed to call and write a letter to the homeowner concerning the problems. She will also contact an engineer to verify the distance from the stream bank.

**SENIOR NUTRITION DIRECTOR: Sue Fletcher and Mary Holaday** informed the Board of the need for a new freezer at the Dolores Senior Center. Freezer to be purchased.

**FINANCE DIRECTOR Mary Ann Sanders** informed the Board that currently participant loans are not allowed from the County's CCOERA retirement plan. Inquiries have been made to change it. Comm. Rule moved that participant loans be allowed in accordance with Article 8 of the plan and loan procedures adopted by the Plan Administrator, seconded by Comm. Koppenhafer, and carried.

#### **LUNCH 12:00 NOON**

**WEED CONTROL Manager Ron Lanier** stated he was contacted by CDOT . They were asking to contract the weed spraying with the county along State highways. Mr. Lanier will inform CDOT the county is to busy to contract with them.

**ELECTIONS: Clerk Carol Tullis** presented a Voting system agreement between Diebold Elections Systems Inc. and Montezuma County for approval and signature. Comm. Koppenhafer moved to approve and sign the agreement in the amount of \$59,958.10 between Diebold and Montezuma County. Seconded by Comm. Rule and carried. (see attached) Clerk Tullis asked that the 2006 election polling places be approved. Comm. Koppenhafer moved to approve polling places as presented. Comm. Rule seconded the motion and carried (see attached). She also asked for approval to begin early voting for the primary election on Friday July 28, 2006 and to end August 4, 2006. Comm. Koppenhafer moved to approve dates for early voting from July 28, 2006 to August 4, 2006. Comm. Rule seconded the motion. Motion carried.

**LIQUOR LICENSE:** Deputy Judy Follman presented a renewal of a beer and wine license for **The Lebanon Schoolhouse Bed and Breakfast (owners Kenneth and Laura Hahn)**. The sheriff's office and health department stated they had no violations with this facility. Comm. Koppenhafer moved to approve the renewal of the beer and wine liquor license for the Lebanon Schoolhouse Bed and Breakfast. Comm. Rule seconded the motion and the motion carried. Deputy Follman presented a renewal for a Hotel / Restaurant liquor license for **Shiloh's at Stoner (owners Larry W and Pamela J Hughey, Sr.)**. The sheriff's office and health department stated they had no violations with this facility. The owners submitted the county fees and will submit the state fees within 90 days from the May 1, 2006 expiration. Comm. Koppenhafer moved to approve the Hotel / Restaurant liquor license for Shiloh's at Stoner contingent upon payment of state fees to be paid within 90 days from the May 1, 2006 expiration. Comm. Rule seconded the motion and the motion carried.

**DAN BJORKMAN with ECHO BASIN RANCH AND DAN BRADSHAW with FOUR CORNERS RALLY IN THE ROCKIES** met to update the Board on the progress of the Rally. Comm. Finley limited the discussion as a high impact permit is in the process.

**COLORADO WORKFORCE BOARD:** Application from **Breeanna McClure** to the Colorado Workforce Board was received from Region 9 Assistant Director Laura Lewis. Comm. Koppenhafer moved to appoint Breeanna McClure to the Southwest Colorado Workforce Board, seconded by Comm. Rule and carried. (see attached)

**LISTENED** to public hearing tape on the onwood Estates. The maintenance of road 27.5 was in question. A letter will be drafted to Attorney Kelly McCabe stating the County's position that it is not a County maintained road.

**CORRESPONDENCE:** Comm. Findley signed the County Veterans Service Officer's monthly report and certification of pay. (See attached)

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED: 4:27 P.M.**

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County Clerk

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Chairman

Minutes for May 8, 2006 were approved and signed May 15, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
May 15, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 15, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday May 8, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer and motion carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-17-06** to the Treasurer to pay \$93.11 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried.

**ROAD: Lloyd Everret** passed around pictures of the progress on Road BB. He stated the new chipper is now working well. The Department is halfway done with the mag-chloride program. Received a complaint of cinder blocks being placed in the roadway on Road 39.

**CHARLIE MITCHELL MEMORIAL** was attended by the Board at this time. (9:45 A.M.)

**LUNCH:**

**PLANNING: Planning Manager Karen Welch** advised the Board of the following High Impact Permit Applications: (1) Off Highway Vehicles Promotions (Randy Rodd) for an off road rally. (2) Echo Basin Ranch (Dan and Kathy Bjorkman) a permit to continue holding special entertainment events. (3) Four Corners Rally in the Rockies (Dan Bradshaw) A rally to be held at Echo Basin Ranch. (4) The Faucet Company, (Charlie Reynolds and Jay Cruzan) a complex to house construction offices.

**Danny Wilkin** appeared on behalf of the Wakley property regarding the setbacks from the stream bank in the Dolores River Valley. Mr. Wilkin requested time to gather information and will get on the agenda for next Monday to discuss the problem. He will also work with Manager Welch on septic and flood plain permits on other homes that may not be in compliance with the stream bank setbacks in the Dolores River Valley. Manager Welch said a Public Hearing has been set for June 19, 2006 at 11:00 a.m. to review the High Impact Permit for **Tierra Properties**. A letter of resignation from the Planning Commission was received from **Vern Aulston**. Manager Welch recommended that Casey McClellan and Drew Gordanier be placed from alternates to full planning commission members. Comm. Koppenhafer moved to move Casey McClellan and Drew Gordanier from the alternate status to full time planning commission members. Seconded by Comm. Rule and motion carried. **Margaret Clausen** tendered her resignation from the Montezuma County Planning Office. The position will be advertised. A letter from the City of Cortez was received concerning the **Chandler High Impact Permit Application** with regard to the sale of firearms and an indoor shooting range being in close proximity to the airport. The letter recommended the County further investigate whether any regulations of the Department of Homeland Security would be violated. Manager Welch will contact the FAA and the Department of Homeland Security. (See attached)

**DAN BJORKMAN** presented an e-mail letter he received from Jeffrey Kraus, president, founder of South Bay Custom Cycles, LLC (SBCC). The letter is thanking Mr. Bjorkman and others for gaining their permission to film the 2006 Rally in the Rockies. (See attached).

**CARLA HARPER** met with the Board to ask her salary be paid at one rate and also if they wished to fund the Economic Development Pilot program until the end of the year. She stated the monies she receives from outside sources when she is not working on economic development projects will be reimbursed to the general fund. Comm. Koppenhafer moved to change the rate and pay her \$35.00 an hour. Comm. Koppenhafer then moved to appropriate up to \$15,000.00 for the Economic Development Pilot Project line item. Both motions were seconded by Comm. Rule and carried.

**RESPONSE LETTER from the City of Cortez** was received concerning the impact fees on County Road L due to the Brandon's Gate Subdivision. Administrator Harrison will try to meet with City Manager Shepherd to discuss the matter and possibly work out an intergovernmental agreement between the City and County.

**HEALTH DIRECTOR Lori Cooper** presented the following contracts between the Colorado Department of Public Health and Environment and the Board of County Commissioners of Montezuma for signature. (1) For care coordination services for the residents of the State of Colorado through the **Tuberculosis Program**. (2) To utilize the current practice of **Public Health Nursing**. And (3) to provide **Consumer Protection Services**. (See all attached) Comm. Koppenhafer moved to sign the contracts between the CDPHE and Montezuma County for the Tuberculosis Program, The Public Health Nursing program and the Consumer Protection Services program. Seconded by Comm. Rule and carried.

**JIM DIETRICH** presented for review a Memorandum of Understanding among the five Region 9 Counties, Fire Departments and fire protection districts, San Juan public lands, Colorado Forest Service, and Southwest Conservation Corps and Fort Lewis College Office of Community Services concerning Region 9 Wildfire Preparedness. (See attached) No action was taken at this time.

**CORRESPONDENCE:** Letter to **Senator Wayne Allard** was sent via facsimile supporting the rights of the Hennemans to sell their property to the Conservation Fund to be incorporated into Mesa Verde National Park. (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 4:35 P.M.**

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County Clerk

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Chairman

Minutes for May 15, 2006 were approved and signed on May 22, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
May 22, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday, May 22, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday May 15, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer and motion carried.

**ACCOUNTS PAYABLE:** General Fund # 48331-48506 in the amount of \$177,459.52, Road Fund # 19486-19559 in the amount of \$375,035.07 and Landfill # 4839-4870 in the amount of \$22,044.73 were approved for payment.

**GOLDLIN WALL** was introduced by Jan Sennhenn with the Extension Office. Goldlin is a CSU student that will be interning in the Extension Office this summer.

**ADMINISTRATOR HARRISON** reported he will be working on the IGA with the City of Cortez in regards to Brandon's Gate and County Road L.

**ROAD: Lloyd Everret** stated the Department hopes to complete the project on Roads BB and 10 on Tuesday. He said they will be hauling hot mix to McElmo and other places to get ready for chip sealing and that Road N is on the schedule for August. Work has been done on the irrigation problem on Road N as well. The Department will look into problems with irrigation ditches in McElmo also. There is to be a lot of stripping of roads to be done. Mr. Everret said the weed mowing program will begin soon. Discussed the mag-chloride program on the Dolores-Norwood.

**BOARD OF SOCIAL SERVICES:** It being 9:45 a.m., the time set aside, the Board of Social Services is conducted. **Dennis Story, LouAnn Everret, and Lori Higgins** was present.

**DAVID FURREY** spoke to the Board concerning the meeting of the Land Use Working Group he recently attended.

**ATTORNEY KELLY McCABE** met to discuss the status of Road 27.5 in the Cottonwoods Subdivision. He stated that according to the public hearing tapes of 1989 the County would not maintain the road but once it was chip and sealed the department would take over the maintenance, however, the County had maintained the road for about 12 years, then stopped with the maintenance about a year or so ago and taken the green road sign down. The road was chip and sealed about a year ago and Mr. McCabe was requesting the county maintain that portion of road which is about 1/3 of a mile to the dead end cul-de-sac. Comm. Rule moved that since that portion of road 27.5 to the cul-de-sac dead end had been maintained by the County for over 10 years and due to the evidence presented, the road will be marked by a green sign and will continue to be maintained by the County, seconded by Comm. Koppenhafer. The motion carried. (See attached)

**PLANNING: Planning Manager Karen Welch** informed the Board that Danny Wilkin called to cancel his allotted time of 11:00 a.m. today and rescheduled for May 30, 2006 at 10:00 a.m. A letter was also received from Attorney Jon Kelly concerning the set backs from the Dolores River on the Wakley property. The letter is to serve as (1) a petition for exemption (2) Petition for variance and (3) petition for waiver. (See attached). Manager Welch presented the **Mesa Sky Estates Major Subdivision (Billy Sanchez and Vernon Hoffman agents for Sisters Two Hofsan LLC)** for signature. Patrick Owens spoke concerning the re-zoning process and problems with the water table. Comm. Koppenhafer moved to sign the Mesa Sky Estates Major Subdivision, seconded by Comm. Rule and carried.

**FIRE PREVENTION OFFICER DAVE CLUFF** presented an overview of the fire prevention services and the need to continue with this service along with letters of support. He requested partial financial support for the fire prevention position from Montezuma County. **Allen Farnsworth**, Fire Mitigation and Education Specialist with the San Juan Public Lands informed the Board of community wildland fire assistance grant funding available for southwest Colorado for this year and encouraged an application be made for any wildland fire-related projects. Mr. Cluff was asked to return with an update on funding for his position after he talks to the other participating agencies and has a better grasp on the amount of funding he needs. No action was taken at this time. (See attached).

**LUNCH: 12:24 p.m.**

**PUBLIC HEARING:** It being the time set aside, a public hearing is held for the purpose of considering zoning issues on property owned by **Elmer Edward and Lavera Young Revocable Trust**, 13800 Road 25, Cortez, Co. **Haybridge Properties, LLC agents**. The roll was called, the proof of publication was read, and the proceedings were taped for the record. The hearing was opened to public comments. Several audience members spoke and presented exhibits (See attached exhibits and sign in sheet). The public comment portion was then closed. After hearing all the evidence presented, Comm. Koppenhafer moved to approve the AR3 to 9 zoning, seconded by Comm. Rule and carried.



**LETTER OR RESIGNATION** was received from **Harry Halls**. Mr. Halls is resigning from the Cedar Grove Cemetery District Board of Directors. Comm. Koppenhafer will contact potential directors listed by Mr. Halls to see if anyone might be interested in serving. (See letter attached)

**CORRESPONDENCE:** The following correspondence was received and read.  
**Letter** from **LouAnn Jacobson**, manager of the Canyon of the Ancients National Monument. A copy of the Proposed Grazing Decision. (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 4:25 p.m.**

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County Clerk

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Chairman

Minutes for May 22, 2006 were approved and signed May 30, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
May 30, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 30, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday May 22, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer and motion carried.

**LETTER** from the Montezuma County Fairboard was received concerning the termination of Lenetta Shull as a board member. Administrator Harrison will write a letter to the Fairboard and Ms. Shull to inform them that a hearing date of June 26, 2006 at 10:00 a.m. has been set for the Board of Commissioners to consider the matter. (See attached)

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-18-06** to the Treasurer to pay \$2,133.04 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Rule and carried.

**ROAD: Lloyd Everret** reported the chip seal project on Roads BB and 10 has been completed and that the new chipper is working well. He stated he had talked to the BLM and was told that 2 cattle guards had been ordered for placement on Roads BB and 10 to be installed by the County. **Bruce Harrison with the Dolores Water Conservation District** came before the Board stating the District was having delivery problems on Roads BB and 10. Mr. Everret said the Department will go back to work on the problem and will coordinate with the District to get the problems taken care of. Mr. Everret said the Department was working on the mag-chloride program in the Cortez district today and he mentioned that participation in the mag-chloride program was down

from prior years. Administrator Harrison informed Mr. Everret that Road 27.5 in the Cottonwood Subdivision was now a green signed road. Sheriff Wallace suggested that the Department look into making the intersections of Road 25 and L and Road 25 and M becoming a four way stop due to the increased amount of traffic and the potential for accidents at these intersections.

**SHERIFF WALLACE AND MONTEZUMA COUNTY EMERGENCY MANAGER LORI JOHNSON** informed the Board that after talking to the area fire chiefs, it was agreed there is a need to implement the fire ban again. Sheriff Wallace presented a cooperative law enforcement agreement between the Montezuma County Sheriff's Department and the U.S. Department of Agriculture, Forest Service San Juan National Forest for the 2006 financial and operating plan. Comm. Koppenhafer moved to approve the contract, seconded by Comm. Rule and carried. (See attached)

**RESOLUTION 3-2006:** Comm. Koppenhafer made a motion to adopt Resolution #03-2006 canceling the suspension of the ban on open fires effective immediately. Seconded by Comm. Rule and carried. The resolution was adopted, signed, dated 05/30/2006 and timed at 9:50 a.m. (See attached)

**PLANNING: Danny Wilkin and Attorney Jon Kelly** addressed alleged violations concerning the set backs from the river bank on a house that Mr. Wilken is building in the Dolores River Valley. Mr. Kelly spoke of the violations and photos were presented of other homes that may be in violation of the set backs as well. Mr. Kelly and Mr. Wilken asked the Board to consider a variance to the land use code. Administrator Harrison, County Attorney Slough, Attorney Kelly and Mr. Wilkin will try to negotiate the matter before the public hearing. **Jim Candelaria** met to discuss the Planning Commission's decision on the Haybridge Properties LLC (Young Revocable Trust) development plans. **Mike Preston** spoke to the Board as a private citizen concerning the Planning Commission's hearing as to the procedures that were followed. A public hearing has been set for June 12, 2006 at 1:00 p.m.

**MANCOS CEMETERY DISTRICT: Kathy Graf and Cathy Kennedy** presented the Board with three applications for directors to the Mancos Cemetery District. The applications are to fill three positions on the cemetery board of directors. Comm. Koppenhafer moved to appoint Steve Davis to serve a 2 year term, Kathy Graf to serve a 4 year term and Cathy Kennedy to serve a 6 year term on the Mancos Cemetery District Board of Directors, seconded by Comm. Rule and carried. (See applications attached).

**LIQUOR LICENSE: Deputy Judy Follman** presented a special events permit for the **Rollo Foundation Inc.** to be held at Cliffrose. Comm. Koppenhafer moved to approve the special events permit, seconded by Comm. Rule and carried. Deputy Follman informed the Board of a new 3.2 beer application for a liquor license for **Charles and Carol Wilson (Silver Mountain Grill)**. They wish to sell 3.2 beer, ice and food at McPhee Marina. They told the Board they have a permit in place from the Forest Service. The Board set a one mile radius to be canvassed and a public hearing was set for July 10, 2006 at 10:00 a.m.

**REGION 9:** Comm. Koppenhafer moved to ratify the signing by Comm. Findley of a letter to the Colorado Department of Local Affairs for the EIAF #5387 Montezuma County/ Region 9 Wildfire preparedness, seconded by Comm. Rule and carried. The letter refers to the administration of EIAF #5387 to be administered by the Fort Lewis College Office of Community services rather than the Montezuma County Board of Commissioners. (See attached)

**LUNCH: 12:25 P.M.**

**CASEY McCLELLAN** met representing the Land Use Working group to discuss a charter proposal. The Board felt the group should work through the Planning Commission Board. Therefore, it was affirmed by the Board of County Commissioners to support the Planning and Zoning Commission to take input from the land use working group with the input to flow from the working group to the Planning Commission then to the Board of County Commissioners.

**HEALTH DEPARTMENT director Lori Cooper** presented a single entry point amendment between the State of Colorado for the use and benefit of the Department of Health Care Policy and financing and the Montezuma County Health Department. Comm. Koppenhafer moved to accept and sign the amended contract, seconded by Comm. Rule and motion carried. (See attached)

**PLANNING CONTINUED:** Casey McClellan informed the Board of his wishes to enter into a bond agreement for infrastructure improvements for phases one and two of the Pinion Hills Development.

Planning Manager Karen Welch set the date for High Impact Permit Public Hearings on the following:

- (1) **Rally in the Rockies** is set for June 19, 2006 at 1:30 p.m.
- (2) **Echo Basin Ranch (Dan Bjorkman)** is set for June 19, 2006 at 3:30 p.m.
- (3) **Randy Rodd (DHV events)** is set for June 26, 2006 at 10:30 a.m.
- (4) **Faucet Co.** is set for June 26, 2006 at 1:30 p.m.

Manager Welch updated the Board of the Planning Commission meeting of May 25, 2006 (See attached)

Manager Welch will contact Ron Lanier with the noxious weed program to inspect for weed control at the Line Camp. This inspection should be done around the first part of June.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 4:40 P.M.**


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 County Clerk

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 Chairman

Minutes for May 30, 2006 were approved and signed June 12, 2006 (No meeting held on June 5, 2006)

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
June 12, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 12, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Tuesday May 30, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule and motion carried.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-19-06** to the Treasurer to transfer \$6,800.25 from the retirement fund to the general fund. The motion was seconded by Comm. Rule and carried.

**PAYROLL:** General fund checks in the amount of \$248,864.72, District Attorney fund check #48509 in the amount of \$23,958.20, Treasurer fund check #48511 in the amount of \$210,729.01; Road department fund checks in the amount of \$65,593.37, Treasurer fund check #19560 in the amount of \$55,106.20 and Landfill fund checks in the amount of \$12,515.23, Treasurer fund check #4871 in the amount of \$11,311.32 were approved for payment.

**FINANCE DIRECTOR Mary Ann Sanders** presented **Resolution No. 2-2006** replacing and renders void any previous resolution to establish a banking relationship and appoint signers at First National Bank, Cortez. Ashton N. Harrison, Administrator and Mary Ann Sanders, Finance Officer as signers. (See attached) Comm. Koppenhafer moved to sign Resolution No. 2-2006, seconded by Comm. Rule. Voting aye are Comm. Findley, Comm. Koppenhafer and Comm. Rule, motion carried. Director Sanders also asked the Board to approve closing the courthouse and giving all county employees Monday, July 3, 2006 off. Comm. Koppenhafer

moved to allow the courthouse to be closed and all county employees be off on July 3, 2006, seconded by Comm. Rule and carried.

**ROAD: Lloyd Everret** discussed the Brandon's Gate access to County Road L. After discussing the safety, traffic and damage to the road Comm. Koppenhafer moved to block access from Brandon's Boulevard to County Road L and from County Road L to Brandon's Boulevard due to safety concerns, road damage and deterioration of the road and not to issue an access permit until the issues are resolved. Seconded by Comm. Rule and motion carried. Mr. Everret mentioned the Department had put a new culvert in on McElmo Road. He also stated the Department had put gravel down on portions of Road 42. He said the Dolores-Norwood road was in good condition as well.

**LANDFILL Manager Debby Barton** presented the profit and loss statement for the month of May, 2006. An energy services bulletin concerning recycling promotion highlighting energy efficiency, local resources was mentioned. She spoke about HB 05-0141 which deals with limitations on disposal of wastes related to motorized equipment such as old tires, lead acid batteries and waste oil. (See attached)

**JULIA HESSE** gave an overview of the Colorado Clean Indoor Air Act of 2006 which deals with a smoke-free environment. The law becomes effective July 1, 2006. (See attached)

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the precipitation report for the month May, 2006... (See attached).

**PUBLIC HEARING: PROPOSED AMENDMENTS TO THE MONTEZUMA COUNTY LAND USE CODE.** It being 11:00 a.m., the time set aside, a public hearing is held concerning proposed amendments to the Montezuma County Land Use Code. The roll was called and public notice was read. The proceedings were taped for the record. The meeting was opened for public comment and several audience members spoke and some presented letters. After much discussion the hearing was continued until Tuesday June 20, 2006 at 7:00 p.m. No action was taken at this time. (See attached letters and sign in sheet)

**PLANNING: Noxious Weed Control Manager Ron Lanier** reported on his inspection of the weed control at the Line Camp gravel pit. **Pat Kantor** representing **CFAR** also spoke about the weed control program at the Line Camp gravel pit. Mr. Lanier will follow-up with Triad to make them aware of the necessary requirements. **Planning manager Karen Welch** set July 10, 2006 at 3:30 p.m. as the date and time for a public hearing requested by **Mr. Dave Wuchert** to discuss his AR 3 - 9 zoning denial by the Planning Commission.

**PUBLIC HEARING:** It being 1:00 p.m., the time set aside, a public hearing is held to review the development plan for a proposed 19 lot major development for **Haybridge Properties LLC**, applicants. The roll was called and public notice was read. The proceedings were taped for the record. The meeting was opened for public comment and several audience members spoke and some presented letters. After much discussion Comm. Koppenhafer moved to continue the hearing until Monday, July 24, 2006 at 2:30 p.m. for time to do a traffic study and other agency reviews. No action was taken at this time. (See attached letters and sign in sheet).

06/12/2006

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**CORRESPONDENCE:** Comm. Findley signed contracts between the Colorado Department of Transportation (CDOT) and the Southwest Regional Planning Commission. (See attached)

**VETERANS AFFAIRS** report for the month of May, 2006 was signed. (See Attached)

**RETIREMENT RECEPTION for Thomas J. Weaver.**

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED**

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County Clerk

Chairman

Minutes for June 12, 2006 were approved and signed June 19, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
June 19, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 19, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Thomasina Neely, Chief Deputy County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, June 19, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer and motion carried.

**ACCOUNTS PAYABLE:** General Fund voucher # 163662-163905 in the amount of \$797,412.81, Road Fund voucher #163817-163874 in the amount of \$630,266.73, and Landfill voucher #163875-163905, were approved for payment.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer directed the Clerk to issue **Order Number 0-20-06** to the Treasurer to pay \$112.79 from the ETA Fund (E911 Dispatch) to **AT&T**. The motion was seconded by Comm. Rule, and carried.

**RACETRACK: Johnny Hurford** met with the Board to discuss funding for adequate lighting on the west end of the racetrack. Comm. Findley requested an estimate for the cost of repair for lighting the west side of the track only.



**ROAD: Lloyd Everett** reported to the Board that roads in Mancos were being graveled, and Mag-Chloride was near completion, two and half miles were added to roads P and 20. A complaint of water collecting from an irrigation ditch and damaged culvert on the McElmo Road is causing a safety issue. Comm. Findley requested research be conducted on the problem. Mowing has started at the north end of P and in the Lebanon area. Comm. Findley inquired about the time frame of paint stripping; a prediction of September was stated.

**BOARD OF SOCIAL SERVICES** was conducted at this time (9:45 a.m.). **Dennis Story and Lori Higgins** was present.

**CITY OF CORTEZ: Jeff Reinhart** with the City of Cortez met to mitigate the intersection of Road L and Brandon's Boulevard. The City of Cortez proposed and Rule moved to accept \$70,000.00 for general construction by the County on Road L over to Road 26, plus the City will spend \$30,000.00 for construction of A and D Lanes at the intersection of Road L and Brandon's Boulevard, and the City to put \$70,000.00 to finish Alamosa Street to Highway 145 by 2008. Also for City and County to have an **Inter Governmental Agreement** in place before any other development access to any County Road. Comm. Koppenhafer seconded and motion carried. (See attached)

**SHERIFF Gerald Wallace and City Police Chief Roy Lane**, requested additional monies from the **911 Fund**. These funds will be used for emergency services for all Law Enforcement entities. Comm. Findley requested estimates and costs for expenses. Roy Lane will put together a budget for the requested funds.

**PUBLIC HEARING: To Review the Challenge Ropes Course and Request for Final Status for High Impact Permit #157 for Clarity Counseling as submitted by Randy and Donna Sue Spear.** It being 11:00 a.m., the time set aside, a public hearing is held concerning a ropes course and final status concerning High Impact Permit #157. The role was called and public notice was read. The proceedings were taped for the record. The meeting was opened for public comment, there was no attendance, nor letters submitted. Comm. Koppenhafer move to approve **High Impact Permit #157** inclusive to the **Ropes Challenge Course**. Comm. Rule seconded, motion was carried. (See attached)

**ADMINISTRATOR Ashton Harrison** submitted the Sheriff's Budget Breakdown line item #1360 insurance & bonds. Comm. Koppenhafer moved to approve \$16095.00 out of the General Fund and add to the Sheriff's budget for workmen's comp. The motion was seconded by Comm. Rule and carried.

**PLANNING: Manager Karen Welch** discussed the Land Use Code with the Board. Landowner Corey Veach requested an after the fact exemption, the exemption was denied and will be processed as a single lot subdivision. Karen submitted a final plat for the **Blackwell Moderate Subdivision**. Comm. Rule moved to accept the Blackwell Moderate Subdivision Plat, seconded by Comm. Koppenhafer, motion was carried.

Manager Karen Welch presented a plat for the **Bott Cluster Incentive PUD Phase II**, Comm. Rule moved to accept the Bott Cluster Incentive PUD Phase II, seconded by Comm. Koppenhafer, motion carried. **K & T Kennel**, owned by **Don and Angela Porter**, requested approval for a veterinary hospital. Comm. Findley requested stop signs be added from the driveway to the road, and a circular drive. Manager Welch questioned information concerning the Technical College. The Technical College is building a new welding shop; it is located on the grounds and did not exceed threshold standards.

**LUNCH: 12:20**

**PUBLIC HEARING: To Review High Impact Permit #514 Application Rally In The Rockies Inc...** It being 1:30 p. m., time set aside, a public hearing is held concerning High Impact Permit #514. The roll was called and public notice was read. The proceedings were taped for the record. The meeting was opened for public comment and several audience members spoke, letters and petitions were submitted for the record. After much discussion the hearing was continued until Monday July 10<sup>th</sup>, 2006 at 1:30 p.m. No action was taken at this time. (See attached letters and sign in sheet)

**PUBLIC HEARING: To review High Impact Permit #515 specific to Special Events Entertainment (concerts) at Echo Basin Ranch as submitted by Dan and Kathi Bjorkman Owners.** It being 3:30 p.m., time set aside, a public hearing is held concerning High Impact Permit #515. The roll was called and public notice was read. The proceeding was taped for the record. The meeting was opened for public comment and several audience members spoke. After much discussion the hearing was continued until Monday July 17<sup>th</sup>, 2006 at 3:30 p.m. No action was taken at this time. (See attached)

**BENTLEY COLBERT of Wolcott Insurance** met with the Board to review the County insurance and for bid award for Property & Liability Insurance. **Attorney Bob Slough** recused himself. Several carrier proposals were submitted. Comm. Rule moved to stay with current carrier **Trident** as proposed for \$172,000, without terrorism coverage, Comm. Koppenhafer seconded and motion carried.

**Meeting adjourned: 5:30 p.m.**

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County Clerk

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Chairman

Minutes for June 19, 2006 were approved and signed on June 26, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
June 20, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 20, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 7:00 p.m. Recited the Pledge of Allegiance.

**CONTINUANCE OF PUBLIC HEARING:** 7:00 p.m. It being the time set aside, a continuance of a public hearing is held concerning the proposed amendments to the Montezuma County Land Use Code. The roll was called and the hearing was taped for the record. The hearing was opened to public comments. Comments were received from audience members (see sign in sheet). The hearing was recessed until July 10, 2006 at 3:00 p.m. No action was taken at this time.

**MEETING WAS RECESSED AT 9:00 P.M.**

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County Clerk

Chairman

Minutes for June 20, 2006 were approved and signed June 26, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
June 26, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 26, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, June 19, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer and motion carried.

**MINUTES** of the special meeting held on Tuesday, June 20, 2006 were read. Comm. Koppenhafer moved to approve the minutes as presented, seconded by Comm. Rule and motion carried.

**ROAD: Lloyd Everret** informed the Board that the Department has completed the Mag-chloride program. The Road department is now hauling asphalt. He discussed the guardrail and the condition of the road in McElmo.

**ADMINISTRATOR Harrison** presented a memorandum of understanding (MOU) in reference to control of confidential data concerning local sales taxes collected and administered by the Department for signature. Comm. Rule moved to sign the memorandum of understanding, seconded by Comm. Koppenhafer and the motion carried. (See attached). Administrator Harrison stated that Four Corners Broadcasting was asking to put their own tower at the same location as the 911 towers. He will research the locations of the towers. Discussed the possibility of expanding the IGA with the City to include the towns of Dolores and Mancos as well. He mentioned the Planning Commission will have workshops before the meetings and that the Commission is looking at a land use master plan. Administrator Harrison asked if the flood plain regulations covered bridges or just structures. Comm. Findley would like to see what regulations the core of engineers has before the County does anything.

**LENETTA SHULL** met to respond to the letter from Montezuma County Fair Board concerning her termination from the Fair Board. Mrs. Shull stated the Fair Board rules needed to be followed and upheld. Comm. Findley read letters to Mrs. Shull from the Fair Board of Directors that was signed by 8 Board members, and a letter from the Board of County Commissioners. (See letters attached). After much discussion Mrs. Shull verbally resigned from the Fair Board and her resignation from said Board was accepted by the Board of County Commissioners. Lenetta Shull, along with Board members Joel Stevenson and Don Bain were present.

**PUBLIC HEARING:** It being 10:35 a.m. the time set aside, a public hearing is held regarding **High Impact Permit application number 516** with regard to an off highway vehicle event as submitted by What Promotions, Randy and Cottin Rodd applicants. The roll was called, the proof of publication was read, and the proceedings were taped for the record. The hearing was opened to public comments. David Furrey spoke in support of the rally and the benefits it could bring to the area. After hearing all the evidence presented, Comm. Rule moved to approve the high impact permit number 516 with a 3 year limit and all other mitigations of the permit being met. Seconded by Comm. Koppenhafer and motion carried. (See attached)

**PLANNING: Planning Manager Karen Welch** asked for approval of the Board for the following: (1) For permit number 17 to be transferred from K & T Animal Bed and Breakfast to Vibrant Pet Animal Hospital, Angela Porter, owner. (2) For a permit for the addition of a welding shop at the Technical College. (3) A request for an amended plat for the High/Duran Subdivision. She then presented the final plat for phases I and II of the Pinion Hills (Casey and Kelly McCellan, DBA Timberline Properties, McClellan Brothers Investments). Comm. Koppenhafer moved to approve the final plat phases I & II of the Pinion Hills Subdivision contingent upon securing an irrevocable letter of credit and payment of property taxes. Seconded by Comm. Rule. Motion carried. Manager Welch updated the Board on the activities at the Planning Commission meeting: (1) The Commission is reviewing the rules and procedures. It was stated to limit the meetings to a time limit of 3 hours. (2) The Chairman would only vote in order to break a tie vote. (3) A quorum would consist of 4 directors. She then informed the Board of the following proposed developments: (1) Rodney and Rebecca Oliver. (2) Danny and Jeannie Wilkin property. (3) Tuffy and Linda Randolph. (4) Mike and Viola Randall. (5) A zoning request from Sisters 2 Hofsan. Manager Welch also presented a request for a variance from Wilbert Porter concerning the setbacks on the length, width and property lines allowed. Comm. Koppenhafer moved to approve the length and width setbacks and the property lines setbacks and to preserve the agriculture integrity of the property. The motion was seconded by Comm. Rule and carried.

**FIRE PREVENTION OFFICER DAVE CLUFF** met with the Board stating the area Fire Chiefs are asking for Montezuma County to become a participating partner to help fund the fire prevention officer's position. Comm. Findley would like to see what each fire district could do as due to budget constraints; the County is unable to commit any funding at this time.

**COREY VEACH** met with the Board and discussed property he and Kevin Partington acquired and is requesting an after-the-fact exemption. He was told this was not the proper way to bring this property into compliance and after-the-fact exemption could not be granted.

**LUNCH: 12:30 p.m.**

**PUBLIC HEARING:** It being 1:30 p.m., the time set aside, a public hearing is held regarding **High Impact Permit application number 517** for Westcor Building Complex, a commercial office, shop and warehouse complex as submitted by the Faucet Company, LLC, Jay Cruzan and Charles Reynolds, applicants. The roll was called, the proof of publication was read, and the proceedings were taped for the record. The hearing was opened to public comments. None being received that portion of the hearing was closed. After hearing all the evidence presented, Comm. Rule moved to approve the high impact permit number 517 with a stop sign being installed on the entrance to Road L and he moved to approve the zoning as commercial. Seconded by Comm. Koppenhafer and motion carried. (See attached)

**SOPHIA LODGE AND RETREAT: Mother Claire Watts** updated the Board on the vision for Sophia Lodge and Retreat. They would like to hold various conferences there and have a peace temple where people could come and pray together. Nothing was approved and no action was taken concerning any further expansion at this time. She was advised to keep the planning department apprised of any future plans for expansion and other activities.

**PUBLIC HEARING:** It being 2:30 p.m., the time set aside, a public hearing is held regarding a variance to the setbacks from the stream bank in the Dolores River Valley on property owned by Wakley Revocable Trust, Danny Wilkin agent. The roll was called, the proof of publication was read, and the proceedings were taped for the record. The hearing was opened to public comments. Various audience members spoke (See sign in sheet) and letter noted. After hearing all the evidence presented, Comm. Koppenhafer moved to assess Wilkin Home Construction \$7,500.00 penalty for being in violation of the land use code in the Dolores River Valley and he moved to grant a variance from the setbacks to the stream bank on the Dolores River. The motion was seconded by Comm. Rule and motion carried.

**NATHAN BARTON** presented a fact sheet concerning permitting and registrations for sand and gravel pits and the 2006 annual report for M-1990-025 (Hay Camp Pit) (See attached).

**DISCUSSED** putting a sales tax question concerning road and bridge and the county fairgrounds on the upcoming November ballot. Greg Kemp reminded the Board that the question failed 2 years ago and felt they needed to have a plan as to where the tax money would go. Also discussed how to inform the public of the needs for the sales tax increase.

**CORRESPONDENCE:** The following correspondence was noted: (see attached)

- (1) Letter from Frazier Shows of America, Inc – congratulating the Ute Mountain Roundup committee and thanking Darryl Buffington for help.
- (2) A thank you letter from Tom Weaver.
- (3) Letter from C. Dexter Gill – Land Use Code.
- (4) Letter from Governor Owens – addressing drought conditions and fire dangers and the implementation of a ban on open burning and use of fireworks on state lands.

(5) Letter from Charles A. Campbell – concerning subdivision roads.

(6) Letter from CDPH&E- signed and executed limited amendment to original contract.

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried

**MEETING ADJOURNED 5:05 p.m.**

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County Clerk

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Chairman

Minutes for June 26, 2006 were approved and signed on July 10, 2006

There was no meeting held on July 3, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
July 10, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 10, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, June 26, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule and motion carried.

**GENERAL FUND ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-21-06** to the Treasurer to transfer \$77,838.71 from the General Fund to the Social Services Fund – 2nd quarter 2006 HCBS (see attached). The motion was seconded by Comm. Rule and carried.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-22-06** to the Treasurer to pay \$6,228.72 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Rule and carried.

**PAYROLL:** General fund checks in the amount of \$248,810.88, District Attorney fund check #48671 in the amount of \$22,574.04, Treasurer fund check #48670 in the amount of \$191,060.75; Road department fund checks in the amount of \$65,402.70, Treasurer fund check #19624 in the amount of \$55,194.31; and Landfill fund checks in the amount of \$12,883.27, Treasurer fund check #4906 in the amount of \$11,589.01 were approved for payment.

**ROAD:** **Lloyd Everret** stated the Department has been blading roads. He mentioned they were doing damage control at Rock Creek in McElmo and they were hauling materials and clearing mud off the road. Complaints were received on Roads 33 and 34 have not been bladed. The Department has been working on Road 34.



Mr. Everret said he had be contacted by Louie Caughey who purchased the Dean property on Road 25 concerning a fence that the County had an agreement to build that has not been constructed. The Department will install the fence. Blade patching is being done on Roads P and S today. Discussed the right of way of a bridge in McElmo in relation to the Ute Mountain Tribal lands. It was discussed that a problem exists with excess irrigation on Road N. Lloyd said he would look into it.

**ADMINISTRATOR HARRISON** presented a bid from **Cortez Electric** on the lighting at the fairgrounds speedway. Comm. Koppenhafer moved to accept the bid in the amount up to \$6,180.00 from Cortez Electric for the lighting at the speedway from the capital fund. Seconded by Comm. Rule and motion carried. (See attached)

It was also mentioned its been the rule that anyone wishing to reserve dates at the fairgrounds for the next year should sign up by December 1<sup>st</sup> and then its first come first served after that.

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the precipitation report for the month of June, 2006... (See attached).

**UTE MOUNTAIN ROUNDUP, INC.** represented by **Sue McWilliams, David Fraley, and Chuck Forth** informed the Board of a Great Outdoors Colorado grant they received for a Montezuma County Equine/Pedestrian Trail System and Equestrian Center (GOCO log #06379) in the amount of \$28,000.00. They asked for a resolution in support of the grant. **RESOLUTION #5-2006** supporting the agreement between Montezuma County and the State Board of the Great Outdoors Colorado Trust Fund for the Montezuma County Equine/Pedestrian Trail System and Equestrian Center was presented. Comm. Koppenhafer moved to authorize Comm. Findley to sign Resolution #5-2006 in support of the grant agreement with Great Outdoors Colorado, seconded by Comm. Rule and motion carried. (See Attached) Comm. Koppenhafer then moved to put out requests for proposals for planning a multi-use equestrian center at the fairgrounds, seconded by Comm. Rule and carried. It was suggested to set a meeting for the purpose of appointing a fairgrounds improvement committee.

**LIQUOR LICENSE: Deputy Tammy Neely** informed the Board that the **Silver Mountain Grill** has withdrawn their 3.2 beer application. She then presented the following liquor license renewals. (1) A renewal for a 3.2 beer license for **Skyline Food and Gas (Kong V Kim owner)**. The Sheriff's Department stated they had no violations for the facility and the health check was done. (2) A retail liquor license renewal for **Hilltop Liquors (Kong V Lim, owner)**. The Sheriff's Department stated they had no violations for this facility. Comm. Koppenhafer moved to approve the renewal for Skyline Food and Gas and to approve the renewal for Hilltop Liquors, seconded by Comm. Rule and carried.

**PLANNING: Planning Manager Karen Welch** along with **Eric Breitenbach** met to request a variance on the setbacks on property Mr. Breitenbach purchased to build a chiropractic office on. He stated the adjacent landowners were in agreement with the granting of said variance. The parcel is smaller than 3 acres and has been a conforming parcel since 1957. No major construction has taken place and has been halted upon notification of violations. Comm. Koppenhafer moved to vary the setbacks as the parcel has been in existence since 1957 and water quality is not crucial to the property as the stream bank setback is not at issue and to assess a \$200.00 penalty for not getting the variance in a timely manner. Seconded by Comm. Rule and carried.

Manager Welch presented letter from Housing Solutions of the Southwest concerning mineral interest (see attached)

**LOU ANN JACOBSON with the Bureau of Land Management and Michael Jensen with the USFS** met to update the Board on the grazing allotments in the Canyon of the Ancients National Monument and also updated them on planning management in the Monument. Ms. Jacobson introduced resource specialist **Heather Musclow. Mike Preston** was present.

**LUNCH: 12:20 p.m. with BLM AND USFS representatives**

**PUBLIC HEARING:** It being 1:30 p. m., time set aside, the continuation of a public hearing is held concerning **High Impact Permit #514, Rally in the Rockies**. The roll was called and public notice was read. The proceedings were taped for the record. The Board heard from various law enforcement agencies, Mancos fire district and a hospital representative concerning the impact the rally would have on their agencies. They listened to attorneys and audience members in support of and in opposition to the rally. (See sign in sheet) After hearing the evidence presented Comm. Koppenhafer moved to deny High Impact Permit #514 – Rally in the Rockies at Echo Basin Ranch due to health, safety, location, and lack of cooperation and support from the agencies in the area. Seconded by Comm. Rule and motion carried.

**PUBLIC HEARING:** It being the time set aside, a public hearing is held for the purpose of reviewing the recommendation from the Planning Commission to deny the AR3-9 zoning on property owned by **David Wuchert**. The roll was called, the public notice was read and the proceedings were taped for the record. The hearing was opened for public comment. Having none that portion of the hearing was closed. After hearing the evidence presented Comm. Koppenhafer moved to approve the AR3-9 zoning on a 2 lot subdivision located at 14460 Road 31, Mancos, Co. Seconded by Comm. Rule and carried.

**PUBLIC HEARING:** It being the time set aside, the continuation of a public hearing is held concerning the proposed amendments to **the Montezuma County Land Use Code**. The roll was called and the proceedings were taped for the record. After some discussion Comm. Koppenhafer moved to remand back to the Planning Commission for further review to the land use code the following: **Bullet 2**, page 2, 1202, last sentence. **Bullet 4**, page 3 – Threshold Standard No. 3 Traffic and **Bullet 11**, road impact fees for cisterns. Comm. Koppenhafer also moved to accept the following amendments to the land use code: **Bullet 1**, page 2, 1201. Change all commercial and industrial to commercial or industrial. **Bullet 3-** page 2, threshold Standard No. 3 Maximum building footprint. **Bullet 5** – page 18, 32031.E page 38, 4201.3A.2. **Bullet 6**, page 44, 5103.7.A. **Bullet 7**, page 48, J. **Bullet 8**, page 56, 5401.2.A. **Bullet 9**, page 59, 5403. And **Bullet 10**, page 68, 7104.2. Seconded by Comm. Rule and carried. (See Attached)

**THE FOLLOWING PERMITS** were presented for signature:

- (1) Permit #17, amended Vibrant Pet Animal Hospital, Angela and Dan Porter applicants.
- (2) High Impact Permit # 516, Off Highway Vehicles Events, Randy and Cottin Rodd applicants.
- (3) High Impact Permit # 157, Tierra Properties – expansion of facility and challenge ropes course, Randall and Donna Sue Spear applicants.
- (4) High Impact Permit # 517, Westcor Building Complex, Jay Cruzan and Charles Reynolds applicants.
- (5) Permit #518, construction of welding shop, San Juan Basin Area Technical College applicant.

Manager Welch presented the **Davies Moderate Subdivision (Kenneth H. and Linda C. Davies owners)** for approval. Comm. Rule moved to sign the Davies Moderate Subdivision, seconded by Comm. Koppenhafer and carried.

Also presented was the **Stiegelmeier Subdivision (Kim LeAnn, Kim L. and Scott Stiegelmeier owners)** Comm. Koppenhafer moved to sign the Stiegelmeier Subdivision, seconded by Comm. Rule and carried.

**THE FOLLOWING CORRESPONDENCE** was noted:

- (1) **Case number 2005CV89.** District Court Order (see attached)
- (2) Letter from **Michael J. Waide** concerning the Wilkins breach of County Land Use Code. (See attached)
- (3) Letter signed by Comm. Findley to **Steven Beverlin**, Manager Dolores Public Lands Office in reference to Preliminary EA for Haycamp/Rio Lado rangeland allotment management plan. (See attached).

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 5:56 p.m.**

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County Clerk

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Chairman

Minutes of the July 10, 2006 meeting were approved and signed July 17, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
July 17, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 17, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, July 10, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule and motion carried.

**ACCOUNTS PAYABLE:** General Fund # 48665 – 48847 in the amount of \$291,320.86, Road Fund # 19623 - 19675 in the amount of \$232,032.17, and Landfill # 4908 – 4935 in the amount of \$107,487.97 were approved for payment.

**ROAD: Jimmy Sattley, and Horton and Darlene Bumguardner** met with the Board to discuss a right-of-way property swap at the Montezuma County Road Department's Dolores yard. The trade would be for the Bumguardner ROW through the center of the yard for the county's ROW on the outside of the yard. This would then make the yard whole. The Bumguardner's will fence their property and put in a gate while the County would fence the yard. A survey will need to be done on said properties. Comm. Koppenhafer moved to accept the proposed ROW exchange of the Montezuma County Road Department's Dolores yard with Horton and Darlene Bumguardner with a survey to be done. Seconded by Comm. Rule and carried. Mr. Everret informed the Board concerning the annual road use permit for Giant Transportation to operate excess weight and length vehicle combinations on Roads BB, 9, 10, and 12. A new resolution will be forthcoming. He also stated the Department is blade patching in McElmo, and Roads 41, G, and 44 in the Mancos area. The weed mowing project has reached Pleasant View and mowing is being done on Road 34 east of Mancos. It was stated that Road 44 needed to be stripped. Since the stripping of roads is scheduled for sometime in September, the installation of a sign stating there is no center line might be an option until it is stripped.

**ADMINISTRATOR HARRISON** informed the Board of the need to shred sensitive documents in the Clerk's Office. A company called Shred It has been contacted. The Clerk's Office would like to try Shred It on a 90 day trial basis. Comm. Koppenhafer moved to approve a 90 day contract with Shred It and the Montezuma County Clerk and Record, seconded by Comm. Rule and carried. Administrator Harrison presented the grant agreement between the State Board of the Great Outdoors Colorado Trust Fund and Montezuma County for the Montezuma County Equine/Pedestrian Trail System and Equestrian Center (contract number 06379) for signature. Comm. Koppenhafer moved to sign said grant agreement with the State Board of the Great Outdoors Colorado (GoCo) for the Equine/Pedestrian Trail System and Equestrian Center, seconded by Comm. Rule and motion carried. (See Attached).

**SHERIFF GERALD WALLACE** introduced **Kirby Lewis with the Colorado Bureau of Investigation (CBI)** to give his account of various motorcycle rallies he has been associated with and the impact these rallies may have on law enforcement. Sheriff Wallace stated his office needs to know in advance of the rally or any event that would impact the community as to what direction to take. He will keep the Board updated concerning these needs.

**BOARD OF SOCIAL SERVICES:** It being the time set aside the Board of Social Services is conducted at this time. **Dennis Story, Lou Ann Everret and Lori Higgins** was present.

**MONTEZUMA CORTEZ SCHOOL DISTRICT RE-1** representatives **Stacy Howser and Jackie Fisher** met to respectfully inform the Board of the school districts intent to put a mill levy override question on the November, 2006 General Election ballot.

**SHERIFF GERALD WALLACE, Cortez Police Department representative Gay Hall and dispatcher Connie Johnson** informed the Board of the increased 911 calls for emergency response. The dispatch department wishes to expand with new work stations and additional staff. Comm. Koppenhafer moved to expend up to \$81,526.00 for capital outlay for new work stations for E911 and up to \$34,344.00 to fund a position at that location which is to be reviewed annually. Seconded by Comm. Rule and carried.

**LUNCH: 12:05 P.M.**

**CONTINUANCE OF PUBLIC HEARING:** 1:30 p.m. It being the time set aside, a continuance of a public hearing is held for **High Impact Permit #515**, specific to special events entertainment (concerts) at the Echo Basin Ranch, as submitted by **Echo Basin Ranch (Dan and Kathi Bjorkman, owners)**. The roll was called and the proof of publication was read. The hearing was taped for the record. Attorney, **William Zimsky**, spoke on behalf of Dan and Kathi Bjorkman and he stated they wished to withdraw High Impact Permit number 515. The Public Hearing was closed.

**COUNTY SANITARIAN Melissa Wilson** presented the Board with a letter she had written on July 14, 2006 to Dan and Kathi Bjorkman, Echo Basin Ranch, informing them of test results from the water she obtained on July 11, 2006 from leach field system 10. The results showed the leach field system 10 exceeded the allowable limits for total coli form and e.coli. (See attached)

**QUESTIONS** were heard from audience members concerning the high impact permit process and about the rally. (See sign in sheet)

**PLANNING: Planning Manager Karen Welch** informed the Board of a request to amend the **Pleasantree Minor Subdivision Plat**.

**RESOLUTION 4-2006** This is a resolution amending resolution nos. 2-98, 12-2000, 4-2002 and 17-2003 to the Montezuma County Land Use Code. Comm. Rule moved to adopt Resolution 4-2006, seconded by Comm. Koppenhafer and motion carried. (See Attached)

**AMI FAIR representing Mesa Verde Country** asked the Board to apply for the designation of Montezuma County as a Preserve America Community. Comm. Koppenhafer moved to sign **Resolution 6-2006** stating the Montezuma County Commissioners will apply for the designation of Montezuma County as a Preserve America Community. Seconded by Comm. Rule and carried. (See attached)

**VETERANS AFFAIRS** report for the month of June, 2006 was presented for approval. Comm. Rule moved to approve Veterans Affairs report for the month of June, 2006, seconded by Comm. Koppenhafer and carried. (See attached).

**DEAN MATTHEWS AND CASEY MCCLELLAN with the Home Builders Association** questioned the Board about putting a question on the November, 2006 general ballot asking the voters if the county should adopt building codes. The issue was tabled and no action was taken at this time.

**HEALTH DEPARTMENT DIRECTOR Lori Cooper** presented a renewal agreement for the child health plan between the Montezuma County Health Department and the State of Colorado Department of Health Care. Comm. Koppenhafer moved to sign the renewal for the child health plan, seconded by Comm. Rule and carried. (See attached). She also presented a contract between the Montezuma County Health Department and John Hall, Tai Chi instructor, for Tai Chi classes. Comm. Rule moved to sign the contract for Tai Chi classes, seconded by Comm. Koppenhafer and carried. (See attached)

**DISCUSSED** putting two sales tax questions on the November, 2006 general election ballot for Road and Bridge and the Fairgrounds. Carla Harper was present.

**CORRESPONDENCE:** The following correspondence was noted:

- (1) A letter to LouAnn Jacobson, Manager, Canyon of the Ancients National Monument (Aztec Canyon Allotment EA: CO-800-2004-059 (See Attached)
- (2) Letter from Housing Solutions for the Southwest – informing the mineral interest owner of 6 townhome units. (See Attached)
- (3) A contract signed by Comm. Findley for Regional Transportation Planning, Southwest Transportation Planning Region TPR. (See Attached)
- (4) Letter from Tommy and Shannon Eubanks concerning Rally In The Rockies denial.(See Attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 5:20 P.M.**

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County Clerk

Chairman

Minutes of the June 17, 2006 meeting were approved and signed June 24, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
July 24, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 24, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, July 17, 2006 were read. Comm. Koppenhafer moved to approve the minutes as presented, seconded by Comm. Rule and motion carried.

**RESOLUTION #7-2006 – ANNUAL ROAD USE PERMIT:** Comm. Koppenhafer moved to sign Resolution # 7-2006 allowing Giant Transportation to operate excess weight and length vehicle combinations on Roads BB, 9, 10, and 12. Seconded by Comm. Rule and carried. (See attached)

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-23-06** to the Treasurer to pay \$27.36 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried. (See attached)

**ORDER # 0-24-06:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-24-06** to the Treasurer to transfer from the Capital Fund to the General Fund \$115,416.00 for the Eagle computer lease payment. Seconded by Comm. Rule and carried.

**ORDER # 0-25-06:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-25-06** to the Treasurer to transfer from the Conservation Trust Fund to the General Fund \$115,000.00 for Fairgrounds operations for 2006. Seconded by Comm. Rule and carried.



**ABATEMENT:** Assessor **Mark Vanderpool** being present, a petition for abatement of property tax was presented for the **Christian Church of Cortez ( Benny Tolin and Charles Story agents** was present) for account # R8505, parcel # 5611-244-20-016 for tax year 2003. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommended approval. Comm. Koppenhafer moved to approve the abatement for tax year 2003 from \$98,310.00 to \$67,300.00 assessed value with a refund due of \$2,254.15. Seconded by Comm. Rule and carried. (See attached)

**BOARD OF EQUALIZATION:** It being 9:10 a.m., the time set aside, the Montezuma County Commissioners convened on Monday, July 24, 2006, to sit as the Board of Equalization. The roll was called and the proceedings were taped for the record. Assessor Vanderpool submitted to the Board for their review a list of all taxpayers who appealed their real property valuations for tax year 2006 and a listing of all the personal property accounts that did not file a personal property declaration schedule and the action taken by the assessor's office. (See attached) Board of Equalization was recessed until 10:00 a.m.

**ROAD: Lloyd Everret** informed the Board that the Department was hauling gravel to Road F in final prep for chip seal. He stated the blade patching was done on Roads T, 25, H, N, and CC. He discussed the chain of command for the Road Department stating they needed some direction. The road committee will deal with the various departments and the road foremen will go through the administrator rather than the Board with any road related issues.

**FINANCE DIRECTOR MARY ANN SANDERS** submitted the semi annual report from January 1, 2006 through June 30, 2006. She stated the report is in balance. (See attached)

**ADMINISTRATOR HARRISON** asked the Board to approve funds from the Conservation Trust Fund for Cortez Electric and for the GOCO grant for the fairgrounds. Comm. Koppenhafer moved to approve payment of \$3,994.75 for Cortez Electric and \$4,700.00 matching funds for the GOCO grant at the Fairgrounds for a total of \$8,694.75 be approved from the Conservation Trust Fund. Seconded by Comm. Rule and carried. Administrator Harrison then asked for approval for additional funding for law enforcement for the Labor Day weekend of up to \$38,082.00. Comm. Koppenhafer moved to approve additional funding for law enforcement for the Labor Day weekend of up to \$38,082.00 from the General Fund, seconded by Comm. Rule and carried.

**BOARD OF EQUALIZATION IS RECONVENED 10:00 A.M.** Roll was called; proceedings were taped for the record.

**BRYON H. MILLER:** Appraiser Cynthia Claytor, presented an appeal from Bryon H. Miller concerning "Notice of Determination" for 2006 by the Assessor's Office on parcel number 53708103001 (22580 Hwy 184). The Assessor's Office recommended the property value of \$127,120.00 is correct. After hearing the evidence presented, Comm. Koppenhafer moved to agree with the Assessor's recommendation and keep the valuation at \$127,120.00, seconded by Comm. Rule and carried.

**PAUL A. AND DYAH PANE:** Appraiser Scott Davis presented an appeal from Paul A. and Dyah Pane concerning the property classification on account #R014924, parcel # 561101101006. The primary use of this parcel is residential according to the Assessor's Office. After hearing the evidence presented, Comm. Rule moved to agree with the Assessor's Office that the primary use of this parcel is residential, seconded by Comm. Koppenhafer and motion carried.

**The Board of Equalization was recesses until Monday, July 31, 2006.**

**COMM. FINDLEY** informed the Board that he attended the City of Cortez' planning and zoning meeting. He spoke to the fact that the Board of County Commissioners has no formal proposal from Mr. Mark Rodgers concerning his development project. He also informed them that the County is looking into the purchase of the armory.

**SENATE BILL 06-090:** The Board reviewed Senate Bill 06-090. An act concerning local government cooperation with federal officials regarding the immigration status of persons in this state. Comm. Koppenhafer moved to comply with senate bill 06-090, seconded by Comm. Rule and carried. Administrator Harrison will write the necessary letters required. (See attached)

**MAJORS AND HALEY P.C. Certified Public Account, Chris Majors** presented the audit for the year ending December 31, 2005 to the Board for approval. Comm. Rule made the motion to approve the 2005 audit report, seconded by Comm. Koppenhafer and carried.

**LANDFILL: Manager Debby Barton** presented the profit and loss statement for the month of June, 2006. She informed the Board of State and Federal regulations requiring inspection for asbestos whenever someone is remodeling, renovating or demolishing buildings. (See attached)

**LUNCH: 12:20 P.M.**

**HOMEBUILDERS ASSOCIATION** representatives **Dean Matthews and Casey McClellan** met to discuss the question for the November, 2006 ballot asking the voters if they would like to implement county building codes. No action was taken at this time.

**CHAN CHAFFIN** representing the **Lewis Arriola Community Center** told the Board they were unsuccessful in their bid for a GOCO grant. He was asking the Board if they would give the same level of support for a new grant application they are writing. Comm. Rule moved to support the Lewis Arriola Community Center in their efforts for a GOCO grant and the County will agree to provide gravel in-kind. Seconded by Comm. Koppenhafer and carried.

**JIM SISCOE** with the **Montezuma Valley Irrigation Co.** mentioned the need for the irrigation company to measure the amount of water the County uses. He suggested a meter be installed at the Fairgrounds and have the county truck drivers keep a log each time they fill. He also discussed the MVI ditches that border county roads. He was wondering if the County would do a cost share with MVI to maintain the roads and ditches. Mr. Siscoe will work with Administrator Harrison and Lloyd Everret with the Road Department to come up with some sort of workable plan.

**CONTINUATION OF PUBLIC HEARING:** It being 2:30 p.m., the time set aside, a continuation of a public hearing is held to review the development for a proposed 19 lot major development on property owned by **Elmer Edward and Lavera Young Revocable Trust**, 13800 Road 25, Cortez, Co. **Haybridge Properties, LLC agents (Lebanon Estates Major Subdivision)**. The roll was called, the proof of publication was read, and the proceedings were taped for the record. The Board was presented with reports from Bechtolt Engineering, Inc and Wasteline, Inc evaluating the traffic impact assessment for said subdivision. (See attached) The hearing was opened to public comments. Several audience members spoke (See attached sign in sheet).

The public comment portion was then closed. After hearing all the evidence presented, Comm. Koppenhafer moved to approve the Lebanon Estates Major Subdivision conditioned upon the following: at the North entrance a concrete structured triangle is placed at that intersection to stop left turns and with adequate turning radius lanes being constructed. Stop signs to be placed at both entrances. The county road will be double striped to prevent vehicles from passing, and then on the south entrance as per the May 22, 2006 minutes, the county will construct the right-hand turn lane. Also required site specific soils testing are done, that upslope irrigation be diverted away from foundations, and recommended that in the covenants mitigation measures be noted regarding erosion control and the number of shares of irrigation water be tied to the land. The motion was seconded by Comm. Rule and carried.

**NATHAN BARTON** spoke to the Board with regard to the asbestos permit and asked if the Board might send a letter to the legislators requesting a change be made in the law to leave small counties and landfills out of the bill. He also mentioned a State requirement for a stack test on cremation systems that are rather costly. He asked for a letter asking for the elimination of a stack test on small businesses. Mr. Barton was asked to draft said letters and bring them before the Board at a later date.

**PLANNING: Planning Manager Karen Welch** presented the **Jan's Gem Moderate Subdivision Plat (Mike and Viola Randall, owners)** for approval. Comm. Rule moved to approve the Jan's Gem Moderate Subdivision Plat, seconded by Comm. Koppenhafer and carried. She advised the Board of a proposed amendment for the **Weber Canyon Ranch CIPUD**.

**FINDINGS AND DENIAL OF PERMIT** on High Impact Permit # 514, **Rally in the Rockies, Inc. Dan Bradshaw applicant**. Comm. Koppenhafer moved to approve the written findings and denial of High Impact Permit # 514, Seconded by Comm. Rule and carried, (See attached)

**FINDINGS AND WITHDRAWAL OF APPLICATION** on High Impact Permit #515 withdrawn on July 17, 2006 for special events – concerts, Dan Bjorkman Trust – Echo Basin Ranch applicants was presented. (See attached).

**FAIRGROUNDS AD HOC COMMITTEE:** Comm. Koppenhafer moved to appoint **Don Bane, Darryl Buffington, David Fraley, Jan Sennhenn, Nancy Sparks, Slim McWilliams and Sue McWilliams** to an ad hoc planning committee limited to the administration of the GOCO grant # 06379 at the Fairgrounds. Seconded by Comm. Rule and carried.

**CORRESPONDENCE:** The following correspondence was noted:

- (1) Letter from Brickhouse Café and Coffee Bar. Supports Rally in the Rockies. (See attached)
- (2) Letter from Jim Bray, General Manager of the Strater Hotel. Supports Rally in the Rockies (See attached).

**MOTION TO ADJOURN** was made by Comm. Rule seconded by Comm. Findley and carried.

**MEETING ADJOURNED 5:30 P.M.**

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County Clerk

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Chairman

Minutes of the July 24, 2006 meeting were approved and signed July 31, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
July 31, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 31, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, July 24, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer and motion carried.

**ORDER # 0-26-06:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-26-06** to the Treasurer to transfer from the Capital Fund to the General Fund \$195,985.00 for the mineral leasing money. Seconded by Comm. Rule and carried.

**ORDER # 0-27-06:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-27-06** to the Treasurer to transfer from the Jail sales tax revenue to the General Fund \$299,577.00 for 2005 treatment center operations, jail operations and \$308,564.00 for 2006 for treatment center operations, jail operations. Seconded by Comm. Rule and carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-28-06** to the Treasurer to pay \$3,775.94 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Koppenhafer and carried.

**PAYROLL:** General fund checks in the amount of \$246,067.13, District Attorney fund check #48850 in the amount of \$22,198.09, Treasurer fund check #48849 in the amount of \$193,734.76; Road department fund checks in the amount of \$64,628.99, Treasurer fund check #19677 in the amount of \$55,009.93; and Landfill fund checks in the amount of \$13,260.85, Treasurer fund check #4939 in the amount of \$11,895.90 were approved for payment.

**ROAD: Lloyd Everret** stated the Department is busy blading roads. He mentioned a list of upcoming projects. The list consisted of gravel and dirt work at the fairgrounds, crushing being done in Mancos, the chip seal project, 56.5 miles to stripe, and the bridge at Ismays. He asked what direction the Board wants the road department to take concerning the work on Road 25.

**ADMINISTRATOR HARRISON** presented letters addressed to Sheriff Wallace concerning the formal notice from the Board regarding C.R.S. §29-29-103 informing the peace officers of the duty to cooperate with state and federal officials regarding immigration. He presented a second letter addressed to Kirk A. Mlinek, director, Colorado Legislative Council stating the Board has provided written notice to the Montezuma County Sheriff's Office regarding the duty of peace officers to comply with C.R.S. §29-29-103. Comm. Rule moved to sign the letters to the Sheriff's Office and the Legislative Council, seconded by Comm. Koppenhafer and carried. (See attached). Administrator Harrison reported on the proposals for the heating and air conditioning for the courthouse. He will keep the Board updated. He mentioned that the trail system planning had already been done by the City of Cortez and could possibly incorporate that plan in the County's GOCO grant at the fairgrounds.

**SOUTHWEST MEMORIAL HOSPITAL representatives Chuck Bill and Dan Jessup** gave the financial statements for the three months of operations ended June 30, 2006. (See attached)

**IT BEING 10:30 A.M. THE BOARD OF EQUALIZATION IS RECONVENED.**

The roll was called, the public notice was read and the proceedings were taped for the record.

**JACK R. AND JANICE J. MILLER:** Appraiser Cynthia Claytor presented an appeal from Jack and Janice Miller concerning the property classification on account number R006230, parcel number 560917101005. The primary use of this property is residential according to the Assessor's Office. After hearing the evidence presented, Comm. Rule moved to agree with the Assessor's Office that the primary use of parcel number 560917101005, account number R006230 is residential, seconded by Comm. Koppenhafer and carried. Jack and Janice Miller were present.

**THE BOARD OF EQUALIZATION** was recessed until 1:00 p.m.

**MR. DICK PERRY** appeared before the Board to request closure of approximately ½ mile of a county road that runs through his property. He stated that the ranchers would be allowed access to the head gate. It was stated there would need to be a public hearing set in order to abandon that portion of road 39.

**JOHN STRAMEL** and **David Kimble** inquired about the road work that is to be done Road L and Brandon's Boulevard. They were told that the Board will plan a project for portions of Road 26 and portions of Road L west to Rolling Road.

**CIVIL ACTION NUMBER 06-CV-01356 ewn-cbs:** Summons 06-CV-01356 ewn-cbs (Rally in the Rockies, Inc, Daniel L. Bjorkman, trustee, dba Echo Basin Ranch) was served on the County Clerk and Recorder on July 26, 2006 at 11:55 a.m. The complaint has been forwarded to the insurance company. Comm. Koppenhafer moved to authorize the Board's attorney to file a complaint for an injunction in the 22<sup>nd</sup> Judicial District Court

against Daniel L. Bjorkman Trust, dba Echo Basin Ranch, Daniel L. Bjorkman individual, and Dan Bradshaw, individual, and Rally in the Rockies, Inc. Seconded by Comm. Rule and carried.

#### **BOARD OF EQUALIZATION RECONVENED 1:00 P.M.**

**1:00 P.M. STEPHEN AND STEPHANIE GLASS:** Appraiser Scott Davis presented an appeal from Stephen and Stephanie Glass concerning property classification on account number R007485. Parcel number 561119401003. According to the Assessor's Office the primary use of this property is residential. After hearing the evidence presented, Comm. Rule moved to agree with the Assessor's Office the primary use of parcel number 561119401003, account number R007485 is residential, seconded by Comm. Koppenhafer and carried. **Stephanie Glass** came after decision was made, however, the Board explained the decision to her.

**1:30 P.M. CHARLES D. AND DELORIS J. WIESEL:** Appraiser Darrell Mott presented an appeal from Charles D. and Deloris J. Wiesel concerning property valuation on parcel number 560728104027, account number R005747. The Assessor's Office valued the property after review at \$256,270.00. After hearing the evidence presented, Comm. Rule moved to agree with the Assessor's Office property value of \$256,270.00 on parcel number 560728104027, account number R005747. Seconded by Comm. Koppenhafer and carried. **Charles Wiesel** was present.

**2:00 P.M. HAROLD P. AND ROBIN L. O'NEAL:** Appraiser Cynthia Claytor presented an appeal from Harold P. and Robin L. O'Neal concerning property classification on account number R004557, parcel number 560515300036. According to the Assessor's Office the evidence presented to the Assessor's Office does not substantiate an adjustment to the classification of the property and the classification has been adjusted to vacant land. After hearing the evidence presented, Comm. Koppenhafer moved to agree with the Assessor's Office classification of vacant land on parcel number 560515300036, account number R004557, seconded by Comm. Rule and carried. Mr. Harold O'Neal was present.

**2:30 P.M. JOHN RICHARD AND MELINDA MARLENE BECHER:** Appraiser Cynthia Claytor presented an appeal from John Richard and Melinda Marlene Becher concerning the property classification on account number R000582, parcel number 533733400028. According to the Assessor's Office the evidence presented to the Assessor's Office does not substantiate an adjustment to the classification of the property therefore the classification has been adjusted to vacant land. After hearing the evidence presented Comm. Koppenhafer moved to re-classify the property as agriculture land on parcel number 533733400028. Account number R000582 located at 29991 Road W, Dolores, Co. and to adjust the value to \$3,960.00 for the year 2005. Seconded by Comm. Rule and carried. John Richard and Melinda Marlene Becher were present.

**3:00 P.M. MARION CARL AND SARAH LEE GREEN:** Appraiser Darrell Mott presented an appeal from Marion Carl and Sarah Lee Green concerning the property valuation on parcel number 535905101004, account number R002563. The Assessor's Office feels the evidence presented them does not substantiate an adjustment to their value, therefore the Assessor's Office recommends the value to be \$186,740.00. After hearing the evidence presented, Comm. Rule moved to accept the Assessor's Office recommendation of \$186,740.00 on parcel number 535905101004, account number R002563. Seconded by Comm. Koppenhafer and carried.

**3:30 P.M. JANE WALLACE DILLARD:** Appraiser Scott Davis presented an appeal from Jane Wallace Dillard concerning the property valuation on parcel number 561130101006, account number R010508. The Assessor's Office adjusted value is \$686,470.00. After hearing the evidence presented, Comm. Rule moved to agree with the Assessor's Office adjusted value of \$686,470.00 on parcel number 561130101006, account number R010508, seconded by Comm. Koppenhafer and carried. Jane Wallace Dillard was present.

**4:00 P.M. LOREN E. AND LINDA WORKMAN:** Appraiser Cynthia Claytor presented an appeal from Loren E. and Linda Workman concerning property classification on parcel number 535907200005, account number R014280. It was the recommendation of the Assessor's Office to lower the value to \$155,000.00 and keep the vacant land classification. After hearing the evidence presented, Comm. Koppenhafer moved to agree with the Assessor's Office to lower the value to \$155,000.00 and keep the vacant land classification on parcel number 535907200005, accounts number R014280, seconded by Comm. Rule and carried. Mr. and Mrs. Workman were not present.

**4:30 P.M. GILBERT B. SCHWARTZ, TRUSTEE:** Assessor Mark Vanderpool presented an appeal from Gilbert B. Schwartz, Trustee concerning property valuations on parcel numbers 561125302002, 561125409003, 561125409004, and 561125310002, account numbers R015078, R014837, R014838, and R014935. It was the Assessor's recommendation the parcels remain as submitted except on account number R014838 which he recommended be changed from \$670,860.00 to \$258,000.00. After hearing the evidence presented Comm. Rule moved to agree with the Assessor's Office on the valuations as presented and to reduce the value on parcel number R014838. parcel number 561125409004 from \$670,860.00 to \$258,000.00. Seconded by Comm. Koppenhafer and motion carried. **Ivan Schwartz** represented Gilbert B. Schwartz, Trustee on a conference call.

**5:00 P.M. LAIRD CARLSON AND CLAUDIA WHITMAN:** Appraiser Darrell Mott presented an appeal from Laird Carlson and Claudia Whitman concerning property classification on account number R004491. It was the recommendation of the Assessor's Office that the primary use of this property was residential. After hearing the evidence presented Comm. Rule moved to agree with the Assessor's Office recommendation and leave the property as a residential classification on account number R004491. Seconded by Comm. Koppenhafer and carried. Claudia Whitman participated in the hearing on a conference call.

**MOTION TO ADJOURN THE BOARD OF EQUALIZATION HEARINGS** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried. Board of Equalization was adjourned.

**PLANNING: Planning Manager Karen Welch** informed the Board that letters from the FAA and TSA has been received concerning the construction of a retail gun sales and indoor shooting range on Road G by **Larry Chandler, permit number 512**. Comm. Rule moved to approve Permit #512 for the construction of a retail gun sales and indoor shooting range and to zone it as commercial. Seconded by Comm. Koppenhafer and carried. She presented the **Tularosa Properties Moderate Subdivision (Robert L. and Sharon L. Baxstrom owners)** for approval. Comm. Rule moved to approve the Tularosa Properties Moderate Subdivision, seconded by Comm. Findley, Comm. Koppenhafer recused himself. Motion carried. **J AND T SINGLE LOT DEVELOPMENT ( Danny and Annette Decker owners)** was presented for approval. Comm. Rule moved to approve the J & T Single Lot Development, seconded by Comm. Koppenhafer and carried. Manager Welch then presented Permit number 519 the **BREITENBACH CHIROPRACTIC OFFICE** for approval. Comm.



Koppenhafer moved to accept permit number 519 and zone the parcel at 18483 Hwy 145, Dolores, Co. as commercial. Seconded by Comm. Rule, Comm. Findley recused himself. The motion carried.

**ALTERNATES TO PLANNING COMMISSION:** Manager Welch informed the Board of applications she received for alternates to the planning commission. The Board will conduct interviews for the respective candidates to the planning commission on August 7, 2006 beginning at 3:30 p.m.

**STORM WATER PERMIT:** Manager Welch discussed a storm water permit required by the state. She will incorporate the permit into the application.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 6:00 P.M.**

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County Clerk

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Chairman

Minutes of the July 31, 2006 meeting were approved and signed August 7, 2006

ONLINE COPY



**ADMINISTRATOR HARRISON** advised the Board not to seek a sales and use tax for roads and bridge at this time until a definite project list is available.

**RESOLUTION: 8-2006** Comm. Rule moved to pass Resolution 8-2006 to place a referred measure on the 2006 General Election ballot in November. Seconded by Comm. Koppenhafer and carried. This measure concerns the county-wide sales and use tax of 0.50% for the purpose of chip seal construction and improvements of Montezuma County roads. (See attached)

**RESOLUTION: 9-2006** Comm. Rule moved to pass Resolution 9-2006 to place a referred measure on the 2006 General Election ballot in November. Seconded by Comm. Koppenhafer and carried. This measure concerns the county-wide sales and use tax of 0.05% for the purpose of funding the Montezuma County Fairgrounds and Racetrack. (See attached)

**MIKE PRESTON** gave a report on the federal lands program and a summary of legislation passed concerning forest health. He presented a letter addressed to Senator Wayne Allard in reference to S 2604- Headwaters Protection and Restoration Act. Comm. Rule moved to sign the letter to Senator Allard, seconded by Comm. Koppenhafer and carried. (See attached)

**LUNCH: 12:10 p.m.**

**SUE FLETCHER** with the Senior Nutrition Program stated she will review the contract with the San Juan Basin Area Agency on Aging and return next week. **Mary Holliday** was also present.

**PLANNING: Planning Manager Karen Welch** informed the Board of a planning workshop 101 on September 9, 2006. She reported on the planning commission meeting of July 27, 2006. She informed the Board of an amended plat for the Lebanon Single Lot Development (Karen Holmgren, owner). Manager Welch presented the **Red Tail Meadows Subdivision (Dean W. Kottmann, manager for KG Land Co.)** Comm. Rule moved to accept the Red Tail Meadows Subdivision, seconded by Comm. Koppenhafer and carried. She presented the **Wesley Ranch Moderate Subdivision (Ronnie L. and Terry A. Linch, owners)**. Comm. Rule moved to accept the Wesley Ranch Moderate Subdivision, seconded by Comm. Koppenhafer and carried. **The Lebanon Estates Major Subdivision (Haybridge Properties LLC, Jim Candelaria)** was presented. Comm. Rule moved to accept the Lebanon Estates Major Subdivision, seconded by Comm. Koppenhafer and motion carried. **The Porter Family Single Lot Development (Wilbert L. and Beryl Ruth Porter, owners)** was presented. Comm. Koppenhafer moved to accept the Porter Family Single Lot Development, seconded by Comm. Rule and carried. The following findings were presented for signature. **High Impact Permit #512** retail store for selling firearms and accessories and an indoor shooting range (**Larry Chandler, applicant**). **High Impact Permit #519** Chiropractic office (**Eric Breitenhach, applicant**). (See attached)

**RESOLUTION 10-2006** Comm. Koppenhafer moved to place Resolution 10-2006 as presented by Attorney Slough on the 2006 November General Election ballot. Seconded by Comm. Rule and carried. This resolution

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deals with asking the voters as to whether or not a building code should be adopted in the unincorporated areas of Montezuma County for future construction of residential structures. (See attached)

**INTERVIEWS FOR PLANNING COMMISSION ALTERNATES:** Interviews were conducted at this time for 3 alternate positions on the planning commission. Those interviewed were: **Dennis Atwater, Wendy Mimiaga, Jon Callendar, Orly Lucero and Tim Hunter**. No alternates were appointed at this time.

**CORE SERVICES PROGRAM: Social Services Director Dennis Story** presented the Core Services Program three year plan changes and modifications for 2005-2007 for Montezuma County. Comm. Koppenhafer moved to accept the Core Services Program three year plan. Seconded by Comm. Rule and carried. (See attached)

**CORRESPONDENCE:** The following correspondence was noted.

Letter from the law office of Cameron C. Secrist. Wrongful death matter. (Lori Goombi, client) (See attached)

Phone message noted from George San Miguel. Expressed support for motorcycle rally decision.

Letter from Krystal S. Brown. Opposes Lebanon Estates Subdivision. (See attached)

E-mail letter from Chris Foran. Concerns forest fire litigation precedent. (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 4:40 P.M.**

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County Clerk

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Chairman

Minutes of the August 7, 2006 meeting were approved and signed August 14, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
August 14, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 14, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Thomasina Neely, Chief Deputy County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, August 7, 2006 were read. Comm. Koppenhafer moved to approve the minutes, seconded by Comm. Rule and motion carried.

**ROAD: Administrator Ashton Harrison** gave an update on the road projects; chip and seal will be completed from McElmo Road to the Landfill. Gravel will be completed at the Fairgrounds. Comm. Koppenhafer requested that a culvert be looked at and repaired on Road G.2, as water is not draining properly.

**Request For Grievance Hearing:** Comm. Rule moved to not have hearings for Sheriff's Deputies, as Deputies are not covered by the Montezuma County Employee Handbook, seconded by Comm. Findley and carried.

**Landfill: Deb Barton** submitted monthly report. (See attached)

**Rob Peterka** submitted a proposal for the renewal of **Tyler Eagle Software** and to replace all hardware. No action was taken at this time.

**Region 9: Ed Morlan and Lora Lewis** submitted a final draft for approval concerning the Community Development Plan. No action was taken as the Board will study the plan further.

**Lane Kim** met with the Board to discuss County Road N.

**Lunch: 12:15**

**Sheriff Gerald Wallace** submitted monthly report. (See attached)

**Health Dept: Lori Cooper**, submitted contracts for approval. Comm. Koppenhafer moved to renew contract for **Task Order Option/WIC Program** for the periods between October 1<sup>st</sup>, 2006 and September 30<sup>th</sup>, 2007. Comm. Rule seconded, motion was carried. Comm. Rule moved to sign the **Maternal & Child Health Task Order Contract Routing Number 06 FLA00727**, seconded by Comm. Koppenhafer motion carried.

Comm. Rule moved to sign **Colorado Mined Land Reclamation Permit** as submitted by **McStone Aggregates LLC.**, Comm. Koppnhafer seconded, motion carried.

**Authority Board:** Comm. Rule moved to direct the Clerk to issue **Order Number 0-29-06** to the Treasurer to transfer \$150.52 from the **ETA Fund** (E911 Dispatch) to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried.

**Administrator Ashton Harrison** discussed with the Board the Land Use Code and code compliance.

**Planning:** Manager Karen Welch submitted Plats for approval. Comm. Koppenhafer moved to sign the **Harvey Single Lot Development**, seconded by Comm. Rule and carried. Comm. Rule moved to sign the **Brubaker Moderate Subdivision**, seconded by Comm. Koppenhafer and carried. Comm. Rule moved to approve **Resolution #P-04-06E Leon and Sara Lynn Risenhoover**, seconded by Comm. Koppnhafer and carried.

**The Board** discussed the purchase of The National Guard Armory. Comm. Koppenhafer moved to proceed to exercise the BOCC's option to purchase, seconded by Comm. Rule and carried.

**Correspondence received: Wesley Orosco/Grievance**

**Meeting Adjourned: 4:40 P.M.**

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County Clerk

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Chairman

August 14, 2006 minutes were approved and signed August 21, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
August 21, 2006 and August 25, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 21, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, August 14, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule and motion carried.

**ACCOUNTS PAYABLE:** General Fund # 48851-49065 in the amount of \$192,454.17 Road Fund # 19678-19742 in the amount of \$338,369.55, and Landfill # 4937-4968 in the amount of \$27,498.35 were approved for payment.

**ROAD: Lloyd Everret** informed the Board that the chip seal on Road CC is finished. The Department is hauling gravel to Road 12. The paint crew is working on striping roads in the Mancos area and will move to the Dolores and McElmo areas. Discussed a problem with a culvert by the ABC RV Park. It was the recommendation of the Road Department to purchase the Guard Armory. Mark Larson commented about the timing of the paint striping being done now in the Mancos area. He was told that it was easier to schedule the department's crew to do the same area at one time rather than move the crew from one place to another.

**ADMINISTRATOR HARRISON** reported on dates for community meetings mostly to get the public's input on the road priority plan. Resident **Roland Hoch** met to express his concerns about public safety and the importance of the land use code in the Rally in the Rockies injunction. He stated he would be a witness as to the public safety issues. Mark Larson felt that the public safety issues were being ignored and he has concerns with sanitation, public safety and law enforcement with the Rally. Jim Merrill reminded the Board of hearings and discussions with regard to concerts at Echo Basin Ranch. He expressed that he would like to see the Judge be asked for an order to prohibit the Rally.

**BOARD OF SOCIAL SERVICES:** It being 10:15 a.m. the time set aside, the Board of Social Services was conducted. **Dennis Story, Lou Ann Everret, Lori Higgins and Nila Tortoriello** was present.

**MANCOS SCHOOL DISTRICT RE-6** representatives **Michael Canzona and Andrew Klotz** with the consulting firm of **RPI Consulting** met to discuss a way for the school district to defray some of the cost for potential impacts caused by the development of new subdivisions in the district. They stated a fee could be charged and paid to the district for each new household and asked if there could be a provision in the subdivision regulations that a paid receipt from the school district for this fee be presented prior to approval. Mr. Klotz cited C.R.S. 30-28-133(4) (a). The Board will look into the adoption of said fee. No action was taken at this time.

**RICK AND HELEN LEE, Joseph Johnson and Joan Rainbolt** met to discuss the chip seal program on Road 28. The residents asked the Board that if the land owners came up with a contribution, will the County do a second lift on the road by furnishing the labor and chips. Due to some misunderstandings, a proposed compromise was reached to do two additional lifts. The County agreed to construct two additional lifts on Road 28 if the residents will pay \$6500.00 in advance. A written agreement will be forth coming as no formal action was taken at this time.

**ABATEMENT:** Assessor **Mark Vanderpool** being present presented a petition for abatement of property tax for tax year 2005 for **Pinon Investments LLC** on account number R0014207 – parcel number 5611-351-00-002. The roll was called and the proceedings were taped for the record. Assessor Vanderpool recommended approval of said abatement as the parcel was dedicated to the City of Cortez in the seconded amended plat of the Southern Bluffs Subdivision and identified as “open space”. Comm. Koppenhafer moved to approve the abatement on parcel number 5611-351-00-002, seconded by Comm. Rule and motion carried. (See attached).

**ASSESSOR VANDERPOOL** presented a list of prospective arbitrators for property valuation appeals to the Board for their approval. Comm. Koppenhafer moved to approve the following named persons to serve as arbitrators in property valuation appeals: **Sharon Wallace, George Buck, James Shaner, Todd Starr, and Maggie Love.** The motion was seconded by Comm. Rule and carried. The list shall be on file in the County Clerk and Recorder’s Office.

**LUNCH: 12:00 NOON**

**MONTEZUMA COUNTY COMMUNITY DEVELOPMENT ACTION PLAN FOR 2006** was presented for review. Comm. Koppenhafer moved to adopt the Montezuma County Community Development Action Plan for 2006 as amended. Seconded by Comm. Rule and carried. (See attached)

**PLANNING: Planning Manager Karen Welch** presented the **Redwood Single Lot Development (Jan E. Redwood, owner)** for approval. Comm. Koppenhafer moved to accept the Redwood Single Lot Development, seconded by Comm. Rule and carried.



**PLANNING COMMISSION ALTERNATES:** Comm. Koppenhafer moved to appoint **Dennis Atwater, Jon Callendar, and Tim Hunter** as alternates to the Montezuma County Planning Commission. The motion was seconded by Comm. Rule and carried. Manager Welch presented a proposal to increase fees in the planning department. The Board will revisit this proposal. No action was taken at this time. (See attached)

**IT MANAGER ROB PETERKA** presented the computer equipment replacement proposal with Tyler-Eagle and the funds needed for the hardware/software replacement. (See proposal attached).

**LIQUOR LICENSE: Deputy Tammy Neely** informed the Board of a new application for a beer and wine license submitted by **Kelly Place Inc.** and of the need to set a public hearing and a radius to be canvassed. The public hearing was set for September 25, 2006 at 10:00 a.m. and a one mile radius is to be canvassed. She also informed the Board that the liquor license for **Shiloh's of Stoner** has been cancelled due to lack of payment of fees.

**FAIRGROUNDS GOCO GRANT COMMITTEE** representatives **Sue and Slim McWilliams** informed the Board that they have been unsuccessful in their selection of a planning contractor. Since there was no proposal submitted after advertising for a contractor they asked the Board to consider hiring contractors on an hourly basis and doing the project in stages beginning with the bleachers. The County will maintain oversight of the overall project and the committee will keep them updated as to the progress of each phase.

**CORRESPONDENCE:** The following correspondence was noted.

Letter from Charles D. Wiesel. Appeal of the CBOE and request for binding arbitration. (See attached)

Lewis/Arriola Community Center grant application for signature. (See attached)

Letter from Vaughan & DeMuro attorneys at law – representing Montezuma County in case #06-CV-01356-EWN-CBS. (See attached)

Letter from Department of the Army – Mesa Towers South project – Mark Rodgers. (See attached)

Withdrawal of Appeal – Intermountain Resources LLC. (See attached)

**MOTION TO RECESS.** Comm. Koppenhafer made a motion to recess until Friday, August 25, 2006 at 9:00 a.m. regarding the Rally in the Rockies. Seconded by Comm. Rule and carried.

**MEETING RECESSED: 4:45 P.M.**

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**RECONVENED** Friday, August 25, 2006 at 9:00 A.M. at Montezuma County Court room at the justice building. There were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman – present a.m. and absent p.m.  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Carol Tullis, County Clerk

The hearing was to consider the injunction filed by Montezuma County against the Rally in the Rockies. The court transcripts of the trial will serve as the minutes of this meeting. No action was taken by the Board of Commissioners.

**MOTION TO ADJOURN** was made by Comm. Rule and seconded by Comm. Findley.

**MEETING ADJOURNED: 6:10 P.M.**

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County Clerk

Chairman

Minutes of the August 21, 2006 and August 25, 2006 were approved and signed August 28, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
August 28, 2006 and August 30, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 28, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman - absent  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, August 21, 2006 and August 25, 2006 were read. Comm. Rule moved to approve the minutes of August 21, and August 25, 2006 as corrected, seconded by Comm. Findley and motion carried.

**CASE NUMBER 06-CV-95: Order granting preliminary injunction.** The Board reviewed the preliminary injunction concerning the Rally in the Rockies. (See order attached)

**PUBLIC NOTICE:** A public hearing will be held on Wednesday, August 30, 2006 at 9:00 a.m. in the Commissioner's hearing room to review the Resort Complex Liquor License for EB Dude and Guest Ranch, LLC, Echo Basin Ranch, Echo Basin Dude Ranch and Daniel L. Bjorkman.

**ROAD: Lloyd Everret** presented a bid proposal from Olin Construction Inc. to strip the pit at Hay Camp Mesa. Comm. Rule moved to accept the bid from Olin Construction Inc., seconded by Comm. Findley and carried. (See attached). Mr. Everret asked about the work that's to be done on Road L. Administrator Harrison will write a letter to the City of Cortez to coordinate the project. The Department is working on finishing the earth moving at the Fairgrounds and will finish crushing gravel this week. He stated they are hauling gravel to Roads 11, 12, Y, and Z and should finish next week. Discussed the problem with large rocks on the West Dolores Road.

**RESIDENT LAURA JOBIN-ACOSTA** met with the Board to discuss the condition of Road 16.

**ADMINISTRATOR HARRISON** discussed the following: (1) the need for computers and software at the Sheriff's Office. (2) The request by the Mancos School District RE-6 for an impact fee that was previously

discussed. The Board stated they would like to have some input from the Town of Mancos and the public. (3) He presented a letter written to Kevin Young in reference to Mr. Young's claim to a right-of-way access across Montezuma County Fairgrounds. (See attached)

**ESCO:** Administrator Harrison gave the Board his recommendations concerning energy performance audits received from Chevron and Ennovate Corporation. His recommendation was to proceed forward. Comm. Rule moved to offer to contract with Ennovate Corporation to proceed with the energy performance audit. Seconded by Comm. Findley and motion carried.

**SENIOR NUTRITION: Sue Fletcher and Mary Holliday** with the Senior Nutrition Program presented the following San Juan Basin Area Agency on Aging contracts for approval. (1) Contract for nutrition services C1 & C2. (2) Contract for (B) transportation. (3) Congregate meals and home delivered meals. (4) Title III-B Older Americans Act personal care services. Comm. Rule moved to approve the contracts for nutrition services C1 & C2, for (B) transportation, congregate meals and home delivered meals, and Title III-B personal care services. (See attached). Comm. Rule also moved to give \$500.00 to the San Juan Basin Area Agency on Aging. Seconded by Comm. Findley and carried. Ms. Fletcher mentioned that they have partnered with Dolores County in hosting forums about services available for seniors in Montezuma and Dolores Counties.

**JAMES DIETRICH AND ADMINISTRATOR HARRISON** presented plans for meetings to be held on September 12, 2006 at the Dolores Town Hall, September 13, 2006 in the Commissioner's Hearing Room, September 14, 2006 at the Lewis Arriola Community Center and on September 11, 2006 at the Mancos Town Hall. These meetings are for the purpose of obtaining public input for the road priority plan.

**LUNCH: 12:15 p.m.**

**DAN BJORKMAN** called the Board concerning the injunction. He was told the Board could only go by what the court order stated.

**PLANNING: Planning manager Karen Welch** asked for tentative approval to amend exemptions on property owned by Larry Svendsen and Gail Rowell. Comm. Rule move to grant tentative approval to amend exemptions on property owned by Larry Svendsen and on property owned by Gail Rowell. She also stated she has a request to vacate a cluster incentive PUD subdivision for the Tate-Spore CIPUD. Comm. Rule moved to deny the request to vacate the cluster incentive PUD subdivision for the Tate-Spore CIPUD. Seconded by Comm. Findley and carried. Manager Welch informed the Board that she will tender her resignation as the planning director for Montezuma County effective December 1, 2006.

**JULIA HESSE** with the Health Department presented a task order on Tobacco Education and prevention program, routing number 07-00441 for approval. Comm. Rule moved to sign the tobacco education and prevention program task order routing number 07-00441. Seconded by Comm. Findley and carried. (Attached)

**ADMINISTRATOR HARRISON** presented an informational financial report on revenues, reserves and expenditures for a 5 year period. (See attached).

**CORRESPONDENCE:** The following correspondence was noted and attached.

- (1) letter from Laird Carlson concerning the Rally in the Rockies.
- (2) letters from Roger Brooks concerning the Rally in the Rockies.
- (3) letter from Vaughan & DeMuro on claim #28669.
- (4) change of address from Kenneth R. Evans
- (5) letter from Sue and John Jackson concerning the Rally in the Rockies.
- (6) Comm. Findley signed the certification of compliance for SB 06-090.
- (7) Letter concerning Montezuma County's participation in DOLA grant application.

**JAIL TOUR:** It being 3:30 p.m. a tour of the jail is conducted.

**MOTION TO RECESS** until Wednesday, August 30, 2006 at 9:00 a.m. in the Commissioner's Hearing Room was made by Comm. Rule, seconded by Comm. Findley and carried.

**THE MEETING WAS RECONVENED** on August 30, 2006 at 9:00 a.m. by Comm. Findley. Recited the Pledge of Allegiance. There were present,

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**PUBLIC HEARING:** 9:00 a.m. It being the time set aside, a public hearing is held to review the Resort Complex Liquor License for EB Dude and Guest Ranch, LLC, Echo Basin Ranch, Echo Basin Dude Ranch and Daniel J. Bjorkman. The roll was called, the public notice was read, and the proceedings were taped for the record. Comm. Findley read that portion of the approved minutes of August 25, 2006 into the record. (See attached), which includes the court proceedings of August 25, 2006 and case number 06-CV-95. **Attorney Bob Slough** referred to C.R.S. 12-47-301(3)(a), C.R.S. 12-47-411(2)(c) and C.R.S. 12-47-601. **Attorney William Zimsky** presented a letter into the record from Attorney Steven J. Bushong addressed to Ms. Gloria Cisneros and Mr. Dan Bradshaw in reference to Echo Basin Dude and Guest Ranch. (See attached). **Daniel J. Bjorkman** read portions of the lease agreement pertaining to the liquor license and sales. He refused to produce a copy of the lease to the Board. The hearing was opened to public comments. (See sign in sheet). The public comment portion of the hearing was closed. A copy of the home page of rally in the rockies.com stating the rally is officially shut down. (See attached) The hearing was recessed at this time and will reconvene at such time as the Sheriff has any information concerning the safety and welfare of the public that may be pertinent to these proceedings. No action was taken at this time.

**The public hearing** was recessed at 10:05 a.m.

Attorney William Zimsky presented a copy of a motion to modify and clarify terms of the preliminary injunction. Comm. Rule moved to oppose the motion to modify except for the allowance of 1200 people at Echo Basin Ranch over night per the recommendation of Sheriff Wallace. Motion seconded by Comm. Findley. Voting aye are Comm. Rule and Comm. Findley. Voting nay is Comm. Koppenhafer.

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 10:55 a.m.**

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County Clerk

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Chairman

Minutes of the meetings for August 28, 2006 and August 30, 2006 were approved and signed September 11, 2006. There was no Commissioner's meeting held on September 4, 2006 a holiday.

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
August 29, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At an emergency meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 29, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

This emergency meeting was called to order by **Comm. Findley** at 11:00 a.m. Recited the Pledge of Allegiance. The following persons were in attendance: Sheriff Gerald Wallace, Undersheriff Dave Hart, emergency management coordinator Lori Johnson, and Eric Hogue from District Court.

**County Attorney Bob Slough** read the definition of "Disaster" as defined by the statute 24-32-2103 (1.5) C.R.S. He then referred to 24-32-2109 C.R.S., local disaster emergencies.

The meeting was called to discuss what preparations need to be made to enforce the injunction as written and to prevent potential problems that could arise. Law enforcement may have to close road 44 once Echo Basin Ranch has met the capacity allowed by the injunction. No decisions were made at this time.

**Sheriff Wallace** stated there was a motorcycle fatality related to the rally already.

**Administrator Harrison** placed a call to the Governor's office to alert them of the possibility of an overwhelming influx of rally participants in our county and the lack of law enforcement manpower to handle an influx of this magnitude and thereby creating a local disaster emergency. He was told someone from the Governor's office will call him back as the person he needed to speak with was out of the office. **Emergency management coordinator Lori Johnson** is trying to get in touch with someone from the Colorado Emergency Board as well and is awaiting a return phone call.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 12:35 p.m.**

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County Clerk

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
September 11, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 11, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, August 28, 2006, August 30, 2006 and an emergency meeting on August 29, 2006 was read. Comm. Rule moved to approve the minutes of August 28th, 30th, and August 29, 2006 as corrected, seconded by Comm. Koppenhafer and motion carried.

**TREASURER'S REPORT** for the month of August, 2006 was received. (See attached).

**VETERANS AFFAIRS** report for the month of August, 2006 was presented for approval. Comm. Koppenhafer moved to approve Veterans Affairs report for the month of August, 2006, seconded by Comm. Rule and carried. (See attached).

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-30-06** to the Treasurer to pay \$3,775.45 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Koppenhafer and carried.

**PAYROLL:** General fund checks in the amount of \$249,367.90, District Attorney fund checks #49071 in the amount of \$21,750.59, Treasurer fund check #49072 in the amount of \$197,937.20; Road department fund checks in the amount of \$64,741.70, Treasurer fund check #19744 in the amount of \$55,064.08; and Landfill fund checks in the amount of \$12,632.53, Treasurer fund check #4970 in the amount of \$11,330.78 were approved for payment.

**ROAD: Lloyd Everret** stated they will open bids on September 18, 2006 for the Yellow Jacket Bridge project. He said the scraper at Hay Camp should be finished today. The Department is blading roads and will be working on road S. Blasting of rock on the upper Dolores Road (Westfork) will begin today. He mentioned he will be presenting a revision to the road and bridge standards for approval at a later date. Mr. T.E. Taylor met



with concerns about a double wide trailer on Road 22. Administrator Harrison will pass his concerns on to the Sheriff's Office.

**ADMINISTRATOR HARRISON** presented the weather report for the month of August, 2006. (See attached). He presented the energy audit contract between Montezuma County and Ennovate Corporation for review. No action taken. Administrator Harrison presented a Memorandum of Understanding (MOU) between Montezuma County and the Southwest Regional Emergency and Trauma Advisory Council (SWRETAC) regarding the provision of office space in county leased premises an in-kind assistance to SWRETAC. Comm. Koppenhafer moved to sign the MOU between Montezuma County and SWRETAC, seconded by Comm. Rule and carried. (See attached). The Board was informed that the Montezuma **County Speedway Assn., Boyd Herford** has not paid the contract fee dues for the use of the racetrack of \$5,250.00. Administrator Harrison will write a letter. (see invoice attached.)

**MATERNAL AND CHILD HEALTH TASK ORDER** (07 FLA 00364) was presented for approval. Comm. Koppenhafer moved to approve the Maternal and Child Health Task Order 07-FLA 00364, seconded by Comm. Rule and carried. (See attached)

**TYLER/EAGLE: IT Manager Rob Peterka** presented the sales agreement and Software support and maintenance agreement between Tyler Technologies, Inc. – Eagle Division and Montezuma County to upgrade the computer system. Comm. Koppenhafer moved to sign the sales agreement and the software support and maintenance agreement with Tyler Technologies, Inc – Eagle Division, seconded by Comm. Rule and carried. (See attached)

**LANDFILL Manager Debby Barton** presented the profit and loss statement for the month of August, 2006. (See attached)

**RESOLUTION NO. 11-2006:** Sheriff Wallace met and stated the fire chiefs recommended the suspension of the ban on open fires. Comm. Koppenhafer moved to sign Resolution No. 11-2006 suspending the ban on open fires. Motion was seconded by Comm. Rule and carried. (See attached).

**SHERIFF WALLACE** presented the Sheriff's Office monthly report for August, 2006 along with an income sheet for 2006. (See attached).

**PLANNING: Planning Manager Karen Welch and Susan Carver** presented the CVAN Single Lot Development (**Cory Van Veach, owner**) for approval. Comm. Rule moved to approve the CVAN Single Lot Development, seconded by Comm. Koppenhafer and carried. They presented an amended plat for the **Chester Leonard Subdivision (Chester C. and Darla J. Leonard owners)** Comm. Rule moved to approve the amended plat for the Chester Leonard Subdivision, seconded by Comm. Koppenhafer and carried. The amended plat for the **Arrowpointe Subdivision (John L. and Janet A. Shriner owners)** to amend lots 7 and 8 was presented for approval. Comm. Koppenhafer moved to approve the amended plat for Arrowpointe Subdivision, seconded by Comm. Rule and carried.

**Susan Carver** gave an overview of the Planning Commission meeting of August 24, 2006. (attached).

**AMENDMENT TO RESOLUTION NO. 1-2003** Planning Manager Welch presented Resolution No. 1-2003 Amended for approval. This amended resolution concerns the terms of the planning commission. Comm. Rule moved to approve Resolution No. 1-2003 as amended, seconded by Comm. Koppenhafer and carried. (See attached).

**PUBLIC HEARING:** It being the time set aside, a public hearing is held regarding the consideration of a resolution to vacate and abandon a portion of County Road 39. The roll was called, the proof of publication was read, and the proceedings were taped for the record. It was stated that the applicant was requested to bring the specific description of the property to the hearing. The applicant did not appear for the hearing. Comm. Koppenhafer moved to continue the public hearing until October 2, 2006 at 11:30 a.m. in order to give the applicant time to come up with a specific description to the property. Motion seconded by Comm. Rule and carried. The public hearing was continued.

**PUBLIC HEARING:** It being the time set aside, a public hearing is held for **High Impact Permit #520** for an application for a natural gas well exploration process as submitted by Bill Barrett Corporation on property owned by Jerroll D., Marianne and Scott Koskie. The roll was called, the proof of publication was read and the proceedings were taped for the record. Several audience members spoke when the hearing was opened to public comments. (See sign in sheet). After hearing all the evidence Comm. Rule moved to approve High Impact Permit #520 with the following criteria being met, \$50,000. road bond in place, using Road 25 as the primary route with Road 23 as the supplemental route, the appropriate road mitigations with proper signage and since the threshold standards will be exceeded during the mobilization; a time frame of 60 days will be given for sustained operations to begin once the rigs come in. Seconded by Comm. Koppenhafer and carried. (See attached)

**LUNCH: 12:25 p.m.**

**LANDFILL TOUR AT THIS TIME (1:30 p.m.)**

**LORI JOHNSON** with emergency management inquired about the certification of compliance with SB06-090. She was given copies of the signed letters. She informed the Board of emergency operations training classes on November 1, 2, & 3, 2006. Also of an upcoming NIMS Compliant training class for elected officials. She informed the Board of a terrorist mass casualty exercise to be held on September 30, 2006. Ms. Johnson stated she had been to Road G to assess the flash flooding at Rock Creek.

**PUBLIC HEARING:** Comm. Rule moved to adjourn the public hearing that was recessed on August 30, 2006 at 10:05 a.m. concerning the review of the resort complex liquor license for EB Dude and Guest Ranch, LLC, Echo Basin Ranch, Echo Basin Dude Ranch and Daniel J. Bjorkman. Seconded by Comm. Koppenhafer and carried. No action was taken.

**DISCUSSED THE FOLLOWING:**

Status of road K.6. Will research it further.

A request from Administrator Harrison on behalf of Health Director Lori Cooper to increase an employee's salary. Board would like to talk to Ms. Cooper first.

Discussed the directions they would like to go concerning the hiring of a planning director. Further discussions needed.

**CORRESPONDENCE:** The following correspondence was noted:

County Administrator's Report (See attached)

Letter from Marvin Smith concerning the Echo Basin Liquor License. (See attached)

Minutes of the regular meeting of the Cortez City Council, Tuesday Aug. 8, 2006 (See attached)

Order issued by Colorado Court of Appeals #06-CV-95 – Rally in the Rockies (See attached)

City of Cortez interoffice correspondence concerning traffic impacts (See attached)

Letter addressed to Charles Wiesel concerning binding arbitration (See attached)

Letter addressed to Bruce Smart with the City of Cortez concerning coordination of Road Construction activities. (See attached)

Signed CHS Grant Application for work at Mesa Verde. (See attached)

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED: 5:20 p.m.**

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County Clerk

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Chairman

Minutes of the September 11, 2006 were approved and signed September 18, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
September 18, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 18, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, September 11, 2006 was read. Comm. Rule moved to approve the minutes of September 11, 2006 as presented, seconded by Comm. Koppenhafer and motion carried.

**ACCOUNTS PAYABLE:** General Fund # 49067-49287 in the amount of \$192,956.10, Road Fund # 19747-19815 in the amount of \$297,394.92, and Landfill # 4972-4991 in the amount of \$24,686.33 were approved for payment.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer moved to direct the Clerk to issue **Order Number 0-31-06** to the Treasurer to transfer \$113.58 from the **ETA Fund** (E911 Dispatch) to **AT&T**. The motion was seconded by Comm. Rule and carried.

**ROAD: Lloyd Everret** stated there were no bids received on the Yellow Jacket bridge project. He said the Department is graveling roads south of Cortez and working on road S.

**ADMINISTRATOR'S REPORT: Administrator Harrison** presented the Ennovate contract for review. The preference was to have the contract address just the energy audit and remove all reference to a performance contract. Administrator Harrison presented a letter of support from the Dolores Soil Conservation District for the Tamarisk Coalition's efforts on the DOLA grant regarding a multi-county tamarisk control effort along with the energy and mineral impact assistance program application for signature. He stated the County might offer GIS services as an in-kind contribution to the effort. Comm. Koppenhafer moved to sign the agreement, seconded by Comm. Rule and carried. (See attached)

**CANCELLATION OF MONTEZUMA COUNTY CHECK:** Comm. Koppenhafer moved to cancel the check number 448143-163019 in the amount of \$24.75 (see attached) issued by Montezuma County that has not been cashed by said payee, seconded by Comm. Rule and carried.

**BOARD OF SOCIAL SERVICES:** It being 10:15 a.m. the time set aside, the Board of Social Services was conducted. **Dennis Story, Louann Everett, and Lori Higgins** was present.

**LIQUOR LICENSE:** Deputy County Clerk **Tammy Neely** presented a renewal for a beer and wine license for the **Inn at McElmo Canyon (Eric and Una Johnson, owners)**. She stated the Sheriff's Office said there were no violations with this facility. Comm. Koppenhafer moved to approve the renewal of a beer and wine liquor license for the Inn at McElmo Canyon, seconded by Comm. Rule and carried. She then presented a 3.2 beer license renewal for the **Maverik Country Stores, Inc.** The Sheriff's office stated there were no violations with this facility. Comm. Koppenhafer moved to approve the renewal of a 3.2 beer license for the Maverik Country Stores, Inc. Seconded by Comm. Rule and carried.

**ROAD AND BRIDGE STANDARD SPECIFICATIONS:** **Nathan Barton** presented an amended standard specification for road and bridge construction in Montezuma County for approval. Comm. Koppenhafer moved to approve the road and bridge standards of September 18, 2006 as presented, seconded by Comm. Rule and carried (See attached)

**LUNCH: 12:35 P.M.**

**DETOX/SHELTER FACILITY PROJECT** was presented by **Matt Patton**. He said the goal was to offer a safe and supportive environment for individuals dealing with some sort of substance abuse. The advisory board for the detox/shelter facility project would like to request a long term lease of county owned land to build a facility. The Board gave tentative support of the concept. Mr. Patton will return with specifics for review at a later date.

**COUNTY FAIRBOARD** representatives **Joel Stevenson and Deb Avery** presented a letter of interest from Brenda Hindmarsh for an opening on the Fairboard. Comm. Koppenhafer moved to appoint Brenda Hindmarsh to the Fairboard, seconded by Comm. Rule and carried. The Fairboard will continue to advertise to fill the vacancies on the board.

**PLANNING:** Planning manager **Karen Welch** presented the **Hart Family Plat** for zoning and approval. (**Craig D. & Karen K. Hart owners**). Comm. Koppenhafer moved to zone lot A AR 3-9 and Lot B AR 10-34 and to approve the Hart Family Plat, seconded by Comm. Rule and carried. Manager Welch presented the proposed fee structure increases for the planning department. Comm. Rule moved to accept the fee structure effective September 19, 2006, seconded by Comm. Koppenhafer and carried. (See attached)

**EMERGENCY SHELTER:** **Lynn Evans, Jackie Barker** and others (see sign in sheet) with **The Bridge Emergency Shelter** is again requesting use of the old community corrections facility to house the homeless during the cold months. The group is asking to expand the area in order to house more clients per night. Comm. Rule moved to provide use of the facility during the 2006-2007 cold weather months. Seconded by Comm. Koppenhafer and carried. (See attached)

**COUNTY WEED MANAGER Ron Lanier** presented letters of interest for the vacant position to the Montezuma County Weed Advisory Board from **Kenny Smith and Gary Gnas**. Comm. Koppenhafer moved to appoint Kenny Smith to the advisory board and to appoint Gary Gnas as an alternate to the advisory board. Seconded by Comm. Rule and carried. (See letters attached)

**ABSTRACT OF ASSESSMENT:** Comm. Rule moved to have Comm. Findley sign the Abstract of Assessment for 2006, seconded by Comm. Koppenhafer and carried. (See attached)

**DISCUSSED** the direction the Board wants the planning department to go.

**CORRESPONDENCE:** The following correspondence was read and noted:

Reclamation permit release request for Mountain Stone, Inc., Sunny Side Gravel Pit (See attached)

Thank You letter from the Sunnyside Estates Home Owners Assoc. (See attached)

Letter from the Montezuma County Weed Advisory Board with reference to roadside weed control on state highways in Montezuma County (See attached)

Letter from Ron Lanier to Colorado Dept. of Transportation, attn: Mike Goolsby and Paul DeJulio concerning Southwest weed control compensation (See attached).

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 5:25 p.m.**

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County Clerk

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Chairman

Minutes of the September 18, 2006 meeting were approved and signed September 25, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
September 25, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 25, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, September 18, 2006 was read. Comm. Koppenhafer moved to approve the minutes of September 18, 2006 as presented, seconded by Comm. Rule and motion carried.

**ROAD: Mike Green**, attorney for **Donald and Gerald Gonzales** met to discuss the status of a portion of Road K.6 running across the Gonzales property. The Gonzales' contend that it is not a county road and they may shut the gate across the boundary line of their property at any time. **Don Yeomans** with the Road department spoke as to any county maintenance done to the road in the past. A public hearing was scheduled for October 30, 2006 at 10:30 a.m. and adjoining landowners will be sent a notice of the hearing. **Lloyd Everret** said there were no bids received on the Yellow Jacket bridge project and that he will re-bid the project with some changes. He stated that the Department was moving rocks from the West Fork road that had been blasted. Mr. Everret reported that the painting of roads has been completed.

**PUBLIC HEARING – KELLY PLACE INC.** It being the time set aside, a public hearing is held concerning a beer and wine liquor license application for Kelly Place Inc. (**Jerene Waite and Marc Yaxley applicants**) The roll was called and public notice was read. The proceedings were taped for the record. **Deputy Tammy Neely and Deputy Judy Follman** gave an overview of the application. It was stated by Ms. Waite she had misplaced the results of the neighborhood canvas but will find it and bring it in. Detective Lieutenant Steve Harmon with the Montezuma County Sheriff's Office gave the results of his investigation. The meeting was then opened to public comments. No public comments were made so that portion of the hearing was closed. After hearing all the evidence presented Comm. Koppenhafer moved to approve the beer and wine license for Kelly Place, Inc., contingent upon the results of the neighborhood canvas being brought in. Seconded by Comm. Rule and carried.

**LIQUOR LICENSE:** Deputy Neely presented a renewal of a retail liquor license for **Log Cabin Liquors (Ted R. Lawrence owner)** for approval. She stated the Sheriff's Office said there were no violations on this facility. Comm. Koppenhafer moved to approve the renewal of a retail liquor license for Log Cabin Liquors, seconded by Comm. Rule and carried.

**ADMINISTRATOR HARRISON** discussed the location of the laundry facilities for the homeless shelter. He stated the facility they indicated is not adequate and he will approach the shelter Board with a different area for the laundry use. He presented a request for a letter of support from the Cortez Cultural Center for a grant application to the U.S.D.A (Rural Development). Comm. Koppenhafer moved to sign the letter of support for the Cortez Cultural Center's grant application. Seconded by Comm. Rule and carried. (See attached).

**HEALTH DEPARTMENT** Director **Lori Cooper** requested an increase in wages for an employee who recently earned her Bachelor of Science in Nursing degree. Comm. Rule moved to allow the salary increase, seconded by Comm. Koppenhafer and carried. Director Cooper said the Health Department is awaiting the arrival of this year's flu vaccine and once it's received is planning on having one mass flu clinic and several smaller clinics to administer the vaccine.

**ECONOMIC DEVELOPMENT: Carla Harper and Ed Morlan** with Region 9 met to discuss the economic development needs of the county and gave proposals for 2007. (See attached)

**JON CALLENDAR** with Crow Canyon Archaeological Center requested a letter of support for a Colorado Historical Society grant. Comm. Koppenhafer moved to sign a letter of support for the grant application to the Colorado Historical Society State Historical Fund. Seconded by Comm. Rule and carried. (See attached)

**LUNCH: 12:05 p.m.**

**COMPUTER EQUIPMENT:** Assessor Mark Vanderpool and IT manager Rob Peterka discussed the purchase of a plat scanner and printer for the Assessor's office. This equipment would allow the Assessor's office to scan plat maps and surveys into the computer system and could scan the Clerk's old books into the system as well. Assessor Vanderpool informed the Board that in December his office would no longer do mapping and would rely on the GIS maps. Assessor Vanderpool and IT manager Peterka will continue to look into the matter.

**PLANNING: Planning manager Karen Welch** presented the **Lone Pine Moderate Subdivision (Harold D. and Linda Randolph owners)** for approval and for AR 3-9 zoning on 3 lots. Comm. Koppenhafer moved to approve the Lone Pine Moderate Subdivision and AR 3-9 zoning on 3 lots. Seconded by Comm. Rule. Commissioners Koppenhafer and Rule voted aye, Comm. Findley abstained. Motion carried.

**Hurst Single Lot Development (Edythe Kay and Boyd Steven Hurst owners)** was presented for approval. Comm. Rule moved to approve the Hurst Single Lot Development, seconded by Comm. Koppenhafer and carried. Manager Welch presented the findings and permit for **High Impact Permit # 520, Natural Gas Well Exploration on J.D. Koskie property, ( Bill Barrett Corporation, applicant)** for signature. (See attached)



She presented a request from **Barbara Lynch** to vary the 50 foot setback on her east property line to 38 feet. Comm. Rule moved to approve the variance from the setbacks on the east property line from 50 feet to 38 feet, seconded by Comm. Koppenhafer and carried.

**VISUAL LEASE SERVICES:** Assessor **Vanderpool** introduced **Ron Sosbee and Philip Buchanan** with Visual Lease Services, Inc. who gave a power point presentation on oil and gas valuations in the ad valorem tax process to assist assessors in equitable property assessments on oil and gas minerals. **Martha Anchando and Dona Dunsmore** from the Assessor’s Office was also present.

**CORRESPONDENCE:** The following correspondence was read and noted.  
Thank you letter from Colorado Dept. of Human Services for signing MOU  
Letter to Boyd Hertford – Montezuma County Speedway Assoc. concerning overdue bill.  
Minutes for the City of Cortez meeting Aug. 22, 2006.  
Minutes from Region 9 meeting Aug. 22, 2006.  
Administrator Harrison’s report for Sept. 25, 2006

**MOTION TO ADJOURN TO DO JAIL TOUR** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 3:40 p.m. Toured Jail**

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County Clerk

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Chairman

Minutes of the September 25, 2006 meeting were approved and signed on October 2, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
October 2, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 2, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds - Absent  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, September 25, 2006 was read. Comm. Koppenhafer moved to approve the minutes of September 25, 2006 as presented, seconded by Comm. Findley and motion carried.

**PAYROLL:** General fund checks in the amount of \$246,937.44, District Attorney fund check #49291 in the amount of \$21,750.59, Treasurer fund check #49290 in the amount of \$195,166.91; Road department fund checks in the amount of \$64,177.64, Treasurer fund check #19818 in the amount of \$55,601.23; and Landfill fund checks in the amount of \$13,175.21, Treasurer fund check #4993 in the amount of \$11,533.18 were approved for payment.

**TREASURER'S REPORT** for the month of September 2006 was presented. (See attached)

**ROAD: Kathleen Butler** met with the Board to discuss problems with vehicles running through her fence on Road 31 and asked if there is not something the Road Department could do to help with the problem. Randy Smith stated that rumble strips might help and he will look into possibly installing guard rails along that section. **Randy Smith and Rick Lard** with the road department presented the proposed plans from the City of Cortez on the intersection improvements at Road L and Brandon Boulevard for approval. Comm. Koppenhafer moved to approve the proposed plan for Brandon Boulevard and the entrance to Road L as described in the map presented. Seconded by Comm. Findley and carried. (See attached) The Road Department will check into the easements on Road 26.

**ADMINISTRATOR HARRISON** informed the Board that no payment has been received from the Speedway Association for the use of the County racetrack. He also presented a letter for signature. The letter stated the County does not have the financial capacity to provide operational funding for a shelter/detox facility and any associated activities but the Board agreed to donate land for the future facility conditional upon the

10/02/2006

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demonstration of sustainable operational funding being available. Comm. Koppenhafer moved to sign the letter, seconded by Comm. Findley and carried. (See attached). Administrator Harrison stated there will be a discussion concerning the sales tax questions hosted by the Green Party on October 19, 2006 at 7:00 p.m. at the Dolores Community Center. He presented copies of the lawsuit against the Sheriff's Office (**06-CV-01729wyd-cbs**) (See attached)

**ABATEMENT HEARING: PETITION FOR ABATEMENT: Assessor Mark Vanderpool** being present, a petition for abatement was presented for **Safeway Stores 46 Inc.** for account #R008847, parcel #5611-252-22-001 for tax year 2005. The roll was called and the proceedings were taped for the record. The Assessor's Office and the taxpayer agreed to an amended 2005 actual value of \$4,029,700.00 and an assessed value of \$1,232,500.00 resulting in adjusted tax reduction from \$81,209.42 to \$76,999.71. The amount of tax to be refunded to the taxpayer is \$4,209.71 Assessor Vanderpool recommended the Board approve this abatement petition for tax year 2005. Comm. Koppenhafer moved to accept the Assessor's Office recommendation and amend the actual value and assessed value on Account #R008847, Parcel #5611-252-22-001 for Safeway Stores Inc. Seconded by Comm. Findley and carried. (See attached). **Dan George** for Safeway was on conference call.

**TDR PRESENTATION: Mike Preston and James Dietrich** informed the Board on the format and concept of tracking the transferable development rights (TDR) in the Dolores River Valley on the plats. They discussed the number of TDRs versus the number of acres and of rounding that number up to the nearest 10<sup>th</sup> of an acre.

**CONTINUATION OF PUBLIC HEARING: 11:30 a.m.** It being the time set aside, a continuance of a public hearing is held to vacate Road 39 on the Perry Ranch. The roll was called and the hearing was taped for the record. Mr. Perry presented a survey of that portion of Road 39 he wishes to be vacated, abandoned, and closed. He stated this road runs through his property where it dead ends and serves no public purpose. The hearing was opened to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Comm. Koppenhafer moved to approve **Resolution No. 12-2006** whereas a portion of County Road 39 located in the SE1/4 Section 1 and N1/2 Section 12, Township 35 North, Range 14 West N.M.P.M. County of Montezuma, State of Colorado is hereby discontinued, vacated, abandoned and closed effective immediately. Seconded by Comm. Findley and carried. (See attached)

**PLANNING: Planning Manager Karen Welch and Susan Carver** presented an amended plat for the Lebanon Single Lot Development (**Angela M. Sauk and Michael W. Ptaszynski**) for approval. Comm. Koppenhafer moved to approve the amended Lebanon Single Lot Development, Seconded by Comm. Findley and carried. Ms. Carver gave an overview of the Planning Commission meeting held on September 28, 2006.

**LUNCH: 12:05 P.M.**

**2007 BUDGET REQUESTS:** the following Departments gave their 2007 budget requests.

**ASSESSOR'S OFFICE: Mark Vanderpool**

**TREASURER'S OFFICE: Sandy Greenlee**

**SHERIFF'S OFFICE: Gerald Wallace, Dave Hart, and Viki Worcester**

**CLERK'S OFFICE: Carol Tullis**

**DISTRICT ATTORNEY'S OFFICE: Jim Wilson and Anita Squires**

**CORONER'S OFFICE: Charlie Rosenbaugh**

Administrator Harrison and Finance Director Mary Ann Sanders were present.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-32-06** to the Treasurer to pay \$3,778.28 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Findley and carried. (See attached)

**ORDER No. 0-33-06:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-33-2006** to the Treasurer to transfer \$2,237.52 from the Contingency Fund to the General Fund to pay Sheriff's Office deputy/detective wages. The motion was seconded by Comm. Findley and carried. (See attached)

**CORRESPONDENCE:** The following correspondence as read and noted.

Letter to District Court Administrator from Deputy Robert Hess. (See attached)

Letter to Michael Canzona Superintendent RE-6 concerning 3 lots in Mancos (See attached)

Letter from the Montezuma County Fair Board concerning Hank Hicks. (See attached)

**MOTION TO ADJOURN** was made by Comm. Koppenhafer and seconded by Comm. Findley and carried.

**MEETING ADJOURNED 4:45 p.m.**

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County Clerk

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Chairman

Minutes of the October 2, 2006 were approved and signed on October 9, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
October 9, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 9, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday, October 2, 2006 was read. Comm. Koppenhafer moved to approve the minutes of October 2, 2006 as corrected, seconded by Comm. Findley and motion carried.

**ROAD: Lloyd Everret** stated the Department has been checking and cleaning culverts and blading roads. He stated they can't get into the gravel pit due to weather conditions. The Department filled holes on the Dolores-Norwood road and he discussed putting guard rails and rumble strips on a portion of Road 31. He talked about gravel for portions of Road W. Laura Kennedy with the Fairview Cemetery asked about gravel for the cemetery. The policy is that the County would provide the gravel but the requesting entity would have to haul it. Administrator Harrison will contact Mrs. Kennedy and inform her of the policy.

**LANDFILL: Manager Debby Barton** presented the profit and loss statement for the month of September, 2006. (See attached) She informed the Board that on November 18<sup>th</sup> and 19<sup>th</sup> are the dates for the electronic waste disposal and that the landfill will again participate in Empire Electric Association's appliance turn in.

**ADMINISTRATOR HARRISON** presented the weather report for the month of September, 2006. (See report attached) He informed the Board that the Green Party will hold a discussion on the ballot issues on October 19<sup>th</sup> at the Calvin Denton Room. He then talked about the budget.

**PLANNING:** Due to a letter of protest sent by **Edward Novotny** to the Board, **Joseph and Jo Ann Silence** was asked to provide information concerning ownership of property previously owned by Mr. Novotny and foreclosed on by the United States, before approval of Mr. and Mrs. Silence's application for a 2 lot minor subdivision. Attorney for Joseph and Jo Ann Silence, **Ramon M. Escure** presented proper ownership records and the Board directed the planning department to proceed with the subdivision application. (See attached).

The following Plats were submitted for approval:

**Goodman Ridge Subdivision (Rodney and Rebecca Oliver owners)** Comm. Koppenhafer moved to approve the Goodman Ridge 4 lot moderate subdivision, seconded by Comm. Rule and carried. Comm. Rule moved to zone the Goodman Ridge 4 lot moderate subdivision as AR 10-34, seconded by Comm. Koppenhafer and carried. **Wildcat Land and Timber (Charles Hancock III, agent)** was presented for approval. Comm. Koppenhafer moved to approve the Wildcat Land and Timber 2 lot minor subdivision, seconded by Comm. Rule and carried. **Cielo Bonito Ranches South (Billy W. and Kathy Sanchez owners)** Comm. Rule moved to approve the Cielo Bonita Ranches South moderate subdivision, seconded by Comm. Koppenhafer and carried. **Broken Heart Subdivision (Michelle Harvey owner)** Comm. Rule moved to approve the Broken Heart single lot subdivision and to zone it as AR 10-34, seconded by Comm. Koppenhafer. Comm. Rule and Comm. Koppenhafer voted aye, Comm. Findley recused himself. Motion carried.

**VISUAL LEASE SERVICES: Assessor Mark Vanderpool** presented a contract between Visual Lease Services and Montezuma County. Comm. Koppenhafer moved to sign the contract contingent upon Visual Lease Services providing the necessary insurance coverage required by Montezuma County, seconded by Comm. Rule and carried. (See attached)

**LUNCH: 12:20 P.M.**

**FAIRGROUNDS Manager Darryl Buffington** met to discuss future plans for the racetrack at the fairgrounds. It was noted that he has not received payment for charges incurred by the Speedway Association. He stated he has received a request for dates for use of the racetrack for 2007. The Board said to go forward with the request subject to the December 1<sup>st</sup> deadline and procedure and inform the interested party that payment is due in advance of each event.

**LIQUOR LICENSE: County Clerk Deputy Judy Follman** presented a renewal for a retail liquor license for **The Dawson Lake Store (Robin Woodson)** The Sheriff's Office reported there were no violations with this facility. Comm. Koppenhafer moved to approve the renewal of a retail liquor license for the Dawson Lake Store, seconded by Comm. Rule and carried.

**LETTER from Rod Hager** was received requesting appointment to the Montezuma County Fair Board. Comm. Rule moved to appoint Rod Hager to the Montezuma County Fair Board, seconded by Comm. Koppenhafer and carried. (See attached)

**SENIOR NUTRITION: Sue Fletcher and Mary Holliday** with the Senior Nutrition Program presented a bilateral change order between the State of Colorado Department of Transportation (CDOT) and Montezuma County for signature. Comm. Koppenhafer moved to sign the bilateral change order between CDOT and Montezuma County, seconded by Comm. Rule and carried. (See attached)

**PAUL YOUNG** met with the Board to discuss the boundary line on a portion of Road B. The current county road map indicates the boundary line ends at a gate erected across the road by a neighbor. The 1995 county road map shows road B as a drained and graded road extending to the section line. The current map will be corrected. The neighbor will be contacted concerning the gate and access. Lloyd Everret was present. Mr. Everret

discussed major problems on a portion of road H.8 in McElmo Canyon due to the road being washed out and the need for culverts. It was stated to come up with a repair plan first then contact the landowners.

**TRANSFERABLE DEVELOPMENT RIGHTS (TDR):** Mike Preston presented a TDR plat and discussed an administrative mechanism to track the TDR'S associated with the plats. It was stated the TDR's needed to be transferred by deed with a legal description rather than be a TDR certificate only.

The Board was informed that a mediation hearing concerning the Rally in the Rockies lawsuit has been scheduled for October 26, 2006 at 9:00 a.m.

**CORRESPONDENCE:** The following correspondence was read and noted.  
The County Administrator's report. A copy of a letter written to Mr. Hank Hicks. (See attached)  
CDOT award letters sent to RPC Chairman Findley. (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 5:15 p.m.**

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County Clerk

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Chairman

Minutes of the October 9, 2006 meeting were approved and signed October 16, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
October 11, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the budget work session of the Board of Commissioners, Montezuma County, Colorado, held on Wednesday October 11, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk  
Mary Ann Sanders, Finance Director

**THIS WORK SESSION** was called to order by **Comm. Findley** at 8:10 a.m. recited the Pledge of Allegiance.

**BUDGET WORK SESSION:** **Administrator Harrison** discussed the following budget items with the Board for their review.

Unallocated Reserve fund.	Sheriff's Forfeiture Fund
Contingency Fund	Emergency Telephone Fund (E911)
Emergency Reserve Fund	Clara Ormsiton Fund
Capital Fund	Conservation Trust Fund
Jail Bond Fund	Social Services Fund
Lodger's Tax Fund	Road and Bridge Fund
Revolving Loan Fund	General Fund

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 12:40 P.M.**

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County Clerk

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Chairman

Minutes of the October 11, 2006 meeting was approved and signed October , 2006



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
October 16, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 16, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman - Absent  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Koppenhafer** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday October 9, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer, and carried. Minutes of the budget work session held on Wednesday October 11, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer and carried.

**ACCOUNTS PAYABLE:** General Fund # 49289-49471 in the amount of \$206,627.77 Road Fund # 19817-19891 in the amount of \$188,037.40, and Landfill # 4994-5018 in the amount of \$14,282.07 were approved for payment.

**VETERAN'S AFFAIRS:** Comm. Rule moved to sign the County Veterans Service Officer's monthly report and certification of pay for September, 2006, seconded by Comm. Koppenhafer and carried. (See attached).

**GENERAL FUND ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-34-06** to the Treasurer to transfer \$73,339.94 from the General Fund to the Social Services Fund – 3rd quarter 2006 HCBS (see attached). The motion was seconded by Comm. Koppenhafer and carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-35-06** to the Treasurer to pay \$94.42 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried.

**ROAD: Lloyd Everret and Rick Lard** along with residents on Road H.8, **Delia Brinton and Dan Petersen**, informed the Board that Road H.8 had washed out again and was wondering what could be done to fix it. After some discussion it was agreed to install a 4' culvert and to place excelsior rolls for erosion control. It was discussed to ask the Ute Mountain Ute Tribe for an easement through Tribal land to possibly re-route the road.  
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**KENNY SMITH** came to thank the Road Department on the job they did on the Hovenweep road. Mr. Everret stated the department is getting ready for an auction that will be held on November 11, 2006 beginning at 10 a.m. at the road department yard. Discussed a letter received concerning Road P and 21.

**BOARD OF SOCIAL SERVICES:** It being 10:00 a.m. The Board of Social Services is conducted at this time. **Dennis Story, and Lori Higgins** was present.

**HEARING:** It being 10:30 a.m., the time set aside, a hearing is held concerning the removal of **Hank Hicks** from the Montezuma County Fair Board. This hearing is in response to a letter signed by Fair Board members recommending Mr. Hicks be removed. The reasons stated in the letter were that Mr. Hicks stated he had previously made all deposits including one for \$65.00 and one for \$4095.00 but the deposits were found to be made the next day. The second reason is that he was not a team player. The roll was called and the proceedings

were taped for the record. Correspondence was submitted by Mr. Hicks (See enclosed). The hearing was opened to public comment. Several audience members spoke (See sign in sheet). The Board of County Commissioners requested the minutes from the September meeting be presented as evidence. The hearing was then continued to October 23, 2006 at 11:00 a.m.

**LUNCH: 12:00 NOON**

**MIKE PRESTON** presented a TDR certificate that will be used as an administrative device of tracking the transferable development rights for approval. Comm. Rule moved to accept the form, seconded by Comm. Koppenhafer and carried. (See attached)

**PLANNING: Susan Carver** with the Planning Department presented the **N.M.B. HOMESTEAD** a single lot development for approval (**Junior L. and Jeanne Smith owners**) Comm. Rule moved to approve the N.M.B. Homestead for approval, seconded by Comm. Koppenhafer and carried.

**PUBLIC HEARING: 3:15 p.m.** It being the time set aside, a public hearing is held for the purpose of reviewing **High Impact Permit number 522** for drilling a CO2 well as submitted by **Kinder Morgan CO2 Co., LP. (Bob Clayton, Production Supervisor)** The roll was called, the proof of publication was read, and the proceedings were taped for the record. Bob Clayton gave an overview of the project and stated the property is owned by Glenna Harris. The hearing was opened to public comment. The public comment portion of the hearing was closed as no comments were made. After hearing all the evidence presented, Comm. Rule moved to approve High Impact Permit number 522, seconded by Comm. Koppenhafer and carried. (See attached)

**PUBLIC HEARING: 3:45 p.m.** It being the time set aside, a public hearing is held for the purpose of reviewing **High Impact Permit number 521** for the construction and rental of 6 guest cabins as submitted by **Ellen Ragsdale**. Susan Carver with the planning department gave an overview of the project. The hearing was opened to public comment. An audience member spoke in favor of the permit. No other comments were received so that portion of the hearing was closed. After hearing all the evidence presented, Comm. Rule moved to approve High Impact Permit number 521 contingent on the following. Proper signage with a stop sign, a one way sign, and a do not enter sign being installed, the construction of 1 septic system for 6 bedrooms, and inspection forms completed for UBC standard inspections being done for each cabin. Seconded by Comm. Koppenhafer and carried. (See attached)

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**NEITA MUNEZ** met with the Board to complain about the condition of the Lebanon Cemetery. She stated there should be more maintenance done on the cemetery and inquired as to how to become a Cemetery Board member. She was told that the Board has to advertise for potential Board members and that they would look into advertising for new members if new members were needed to be appointed.

**DISCUSSED** flooding of buildings at the Fairgrounds. Administrator Harrison will look into getting an engineer to inspect the building.

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 5:05 p.m.**

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County Clerk

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Chairman

Minutes of the October 16, 2006 meeting were approved and signed October 23, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
October 16, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 16, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman - Absent  
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Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Koppenhafer** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday October 9, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer, and carried. Minutes of the budget work session held on Wednesday October 11, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer and carried.

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**KENNY SMITH** came to thank the Road Department on the job they did on the Hovenweep road. Mr. Everret stated the department is getting ready for an auction that will be held on November 11, 2006 beginning at 10 a.m. at the road department yard. Discussed a letter received concerning Road P and 21.

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**HEARING:** It being 10:30 a.m., the time set aside, a hearing is held concerning the removal of **Hank Hicks** from the Montezuma County Fair Board. This hearing is in response to a letter signed by Fair Board members recommending Mr. Hicks be removed. The reasons stated in the letter were that Mr. Hicks stated he had previously made all deposits including one for \$65.00 and one for \$4095.00 but the deposits were found to be made the next day. The second reason is that he was not a team player. The roll was called and the proceedings were taped for the record. Correspondence was submitted by Mr. Hicks (See enclosed). The hearing was opened to public comment. Several audience members spoke (See sign in sheet). The Board of County Commissioners requested the minutes from the September meeting be presented as evidence. The hearing was then continued to October 23, 2006 at 11:00 a.m.

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**PUBLIC HEARING:** 3:45 p.m. It being the time set aside, a public hearing is held for the purpose of reviewing **High Impact Permit number 521** for the construction and rental of 6 guest cabins as submitted by **Ellen Ragsdale**. Susan Carver with the planning department gave an overview of the project. The hearing was opened to public comment. An audience member spoke in favor of the permit. No other comments were received so that portion of the hearing was closed. After hearing all the evidence presented, Comm. Rule moved to approve High Impact Permit number 521 contingent on the following. Proper signage with a stop sign, a one way sign, and a do not enter sign being installed, the construction of 1 septic system for 6 bedrooms, and inspection forms completed for UBC standard inspections being done for each cabin. Seconded by Comm. Koppenhafer and carried. (See attached)

**NEITA MUNEZ** met with the Board to complain about the condition of the Lebanon Cemetery. She stated there should be more maintenance done on the cemetery and inquired as to how to become a Cemetery Board member. She was told that the Board has to advertise for potential Board members and that they would look into advertising for new members if new members were needed to be appointed.

**DISCUSSED** flooding of buildings at the Fairgrounds. Administrator Harrison will look into getting an engineer to inspect the building.

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 5:05 p.m.**

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County Clerk

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Chairman

Minutes of the October 16, 2006 meeting were approved and signed October 23, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
October 23, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

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Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday October 16, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**ROAD: Lloyd Everret and Randy Smith** met and discussed the following: (1) a letter received from Marcia Boon concerning bad road conditions on Roads 21 and P. Comm. Findley and Mr. Everret will look at the road on Tuesday at 8:00 a.m. (2) Discussed the work to be done on Road 26 and L. (3) Mr. Everret stated the pre-bid question and answer session concerning the bids on the Yellow Jacket Bridge upgrade went well. He mentioned the bids are due by November 3, 2006. (4) Plans are underway to hold a public auction at the yard on November 11, 2006. (5) Discussed the work on Road H.8.

**SPECIAL EVENTS LIQUOR LICENSE: Clerk's Deputy Tammy Neely** informed the Board that **United Way of the Southwest** is applying for a special events liquor license to be held at **Four Seasons Nursery** on November 30, 2006. She requested a public hearing date be set. The public hearing will be held on November 13, 2006 at 10:30 a.m. Deputy Neely presented a renewal application for **Sophia's Lodge and Retreat**. The application was incomplete and will be presented upon completion of the application.

**ADMINISTRATOR HARRISON'S REPORT:** Administrator Harrison reported that upon inspection of the building that is settling at the Fairgrounds, a soils analysis is required. He will order a soils analysis be done. Administrator Harrison received a request from **Goodman Point Water Association** asking for a letter of support in their efforts to obtain a USDA grant to deliver water to Goodman Point. Comm. Koppenhafer moved to have Comm. Findley sign a letter of support for the Goodman Point Water Association, seconded by Comm. Rule and carried. (See attached) He presented a letter from the Cortez Fire Protection District concerning lack of smoke detectors and access to the electrical panels. (See attached). He presented a letter of complaint

10/23/06

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submitted by Stacy Leonard concerning a Fair Board member. (See attached) Cortez Culture Center requested funds for 2007.(See attached)

**PLANNING: Susan Carver and Karen Welch** discussed a request for a variance to the road width for **Ellen Ragsdale**. She was asking for a variance of the interior road width to be 15 feet to her guest cabins. Comm. Koppenhafer moved to approve a variance to the interior road width from an 24 foot road to an 18 foot road on High Impact Permit #521 The variance will be approved as to the road design submitted on 10-23-06 by Mrs. Ragsdale with the exception of the 15 foot road being an 18 foot road, as well as all other mitigations set forth in the public hearing of October 16, 2006. (See minutes). And any further expansion shall be re-assessed. Seconded by Comm. Rule and carried. (See attached). Susan Carver presented the findings and permit on **High Impact Permit No. 522**, to drill a CO2 Well on the Harris Property as submitted by Kinder Morgan Applicant, for signature. Signed by Comm. Koppenhafer (See Attached). She then presented the **Grace Estates Subdivision (Anna B. McMullen owner)** for approval. Comm. Rule moved to approve the Grace Estates Subdivision, seconded by Comm. Koppenhafer and carried.

**CONTINUANCE OF HEARING:** 11:00 a.m. the time set aside for a continuance of a hearing concerning the removal of **Hank Hicks** from the Montezuma County Fair Board. The roll was called and the proceedings were taped for the record. The Board of County Commissioners requested a copy of the minutes of the September 18, 2006 Fair Board meeting be presented. (See minutes attached). After some discussion, Mr. Hicks presented a signed letter of resignation from the Fair Board. (See attached) At that point the hearing was closed. Comm. Rule moved to accept Mr. Hick's letter of resignation from the Fair Board, seconded by Comm. Koppenhafer and carried. The discussion turned to how the monies of the Fair Board should be handled in the future. It was stated that by statute all county monies are to be deposited and expended through the County Treasurer. It was re-affirmed that the Fair Board monies collected and spent should be deposited and spent through the County Treasurer as according to statutes. Administrator Harrison will write a letter to the Fair Board advising them of this change.

**STEVE BEVERLIN** with the U.S. Forest Service, Dolores Public Lands Office met to update the Board of the accomplishments of 2006 and the outlook for 2007. (See attached)

**LUNCH: 12:23 P.M. With Dolores County Commissioners**

**BUDGET WORK SESSIONS** were conducted with the **Landfill and Road and Bridge**.

**CORRESPONDENCE:** The following correspondence was read and noted.

Southwest Colorado Regional Transportation planning commission letter.

Letter from Bill Barrett Corporation

Letter from Division of Reclamation – Four States Aggregates, LLC, Hay Camp Pit.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer and seconded by Comm. Rule. Motion carried.

**MEETING ADJOURNED 4:45 p.m.**

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County Clerk

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Chairman

Minutes of the October 23, 2006 meeting were approved and signed October 30, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
October 30, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 30, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Thomasina Neely, Chief Deputy County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday October 23, 2006 were read. Comm. Rule moved to approve the minutes, seconded by Comm. Koppenhafer, and carried.

**ROAD: Lloyd Everett** met and discussed the following: (1) Road 21, graveled and maintained completed this week. (2) Road H.8, pipe is set ,will be adding excelsior rolls, and built a trap. (3) The intersection of Roads P and 21. (4) The Dolores/Norwood Road: hot mix was applied. A guard rail was discussed by the cattle guard. (5) Comm. Koppenhafer moved to approve the purchase of a water tank and a 2001 International Truck Tractor from Hansen Equipment, seconded by Comm. Rule and carried.

**ORDERS:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order # 0-36-06** to the Treasurer to pay \$3,722.36 from the **ETA** (E911 Dispatch) account to **Qwest**, seconded by Comm. Rule and carried. Comm. Koppenhafer made a motion to direct the Clerk to issue **Order #0-37-06** to the Treasurer to transfer from the Capital Fund to the General Fund Computer Budget to purchase software and hardware equipment in the amount of \$108,432.00, seconded by Comm. Rule and carried.

**PAYROLL:** General fund checks in the amount of \$251,328.82, District Attorney fund check #49476 in the amount of \$22,947.43, Treasurer fund check #49477 in the amount of \$199,820.59; Road department fund checks in the amount of \$64,625.35, Treasurer fund check #19894 in the amount of \$55,013.19; and Landfill fund checks in the amount of \$13,694.16, Treasurer fund check #5020 in the amount of \$11,506.66 were approved for payment.

**SOUTHWEST MEMORIAL HOSPITAL: Chuck Bill and Dan Jessup** submitted the 3<sup>rd</sup> quarter operating report. (See attached)



**PUBLIC HEARING: Regarding status of County Road K.6.** It being the time set aside, a public hearing is held regarding the status of County Road K.6 as to it being a public and county maintained road. The specific road in question lies on the west side of Hwy. 184, approximately .8 of a mile north of the Town of Mancos. The roll was called, the public hearing notice was read, and the proceedings were taped for the record. Public comments were heard. A decision was not rendered and the hearing is continued December 11, 2006. (See attached)

**TDR PLAT: Mike Preston, James Dietrich, and Ernest Maness** presented the first **TDR Plat** for Lot 3 of **Wilkerson Subdivision**, located in **SE ¼, SEC 24, T.39 N., R14 W., N.M.P.M.** Comm. Koppenhafer moved to approve the Wilkerson Subdivision TDR plat, seconded by Comm. Rule, and carried.

**Lunch: 12:20 P.M.**

**ADMINISTRATOR: Ashton Harrison** submitted the County Administrator's Report. He received 3 applications for the Lebanon Cemetery Board. The probationary status for County Administrator was reviewed. Comm. Koppenhafer moved to remove the probationary status for Administrator Ashton Harrison and the position to become permanent, seconded by Comm. Rule and carried.

**Planning: Manager Karen Welch, Susan Carver and Jeffery Booton**, met to request an exemption for the Front Setback of the Laurie Webster Residence, located on 8360 County Road 29, Lot 2, Grace Ranch Subdivision, Mancos Colorado. Comm. move to approve the request for exemption on the Front Setback seconded by Comm. Rule and carried. (See attached) Susan Carver submitted a report on the **Planning Committee's** actions.

**RESOLUTION: Resolution No. 15-2006** was submitted whereas the Montezuma County Comprehensive Land Use Plan recognizes the need to utilize voluntary incentives to address open space needs. The resolution addresses the wishes of **Stephen G. Ludemann, Oscar and Barbara Hamilton, Arthur Wade Wilson and Charles W. and Mary E. McAfee** to voluntarily conserve the open space and agricultural values of their properties with conservation easements. Comm. Rule move to accept **Resolution #15-2006**, seconded by Comm. Koppenhafer and carried. (See attached)

**BUDGET WORK SESSION:** Montezuma County Sheriff Gerald Wallace was heard.

**CORRESPONDENCE:** The following correspondence was received and noted.  
Thank You letter from Marcia Boon. (See attached). Signed a letter of support for Ability Consultants.

**Motion to adjourn** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried  
**Meeting adjourned at 5:20 P.M.**

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County Clerk

Chairman

Minutes of the October 30, 2006 were approved and signed on November 6, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
November 6, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 6, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday October 30, 2006 were read. Comm. Rule moved to approve the minutes as corrected, seconded by Comm. Koppenhafer, and carried.

**VETERANS AFFAIRS** report for the month of October, 2006 was presented for approval. Comm. Koppenhafer moved to approve Veterans Affairs report for the month of October, 2006, seconded by Comm. Rule and carried. (See attached).

**ROAD: Lloyd Everret and Randy Smith** brought 3 sealed bids to open concerning the Yellow Jacket Bridge project. It being 9:00 a.m. the bids were opened. (1) L.T.J. Concrete from Dove Creek for \$150,000.00. (2) Southwest Contracting Inc. from Cortez, for \$242,242.00 and (3) Mitch and Ray Ward Trucking from Dolores for \$150,600.00. **Nathan Barton** was present during the opening. Mr. Everret discussed the work done on Road H.8. He said he had looked at trucks and may be able to purchase a truck, 2 water tanks, and a belly dump for \$106,000.00 to \$108,000.00. Randy Smith gave an estimate on the road concerning Darrin Stone's gravel pit. **Galen Larson** spoke concerning problems on Road L.

**BILL TEETZEL** met with the Board with concerns he has on Road 24.25 about access and building on an easement. The road is a public road and is not maintained by the road department. His concerns are with a sign placed on the easement and a neighbor's parking lot. The Board referred to a letter written to Torin Andrews on March 7, 2005 concerning Cedar Mesa Ranches Subdivision and stating the County's policy on public roads.( See attached). After some discussion the neighbor stated he would remove the sign and the easement will remain open. (See picture attached).

**CATHY STONE** met to ask the Board to consider doing a swap of sandstone gravel for dirt work on Road 19. The Board wanted an agreement in writing. She inquired about upgrading portions of Road L in Mancos. It was suggested she go to the Planning commission.

**PLANNING: Susan Carver and Margaret Clauson** presented a proposed resolution (**Resolution 13-2006**) to amend Resolution No. 4-2006, The Montezuma County Land Use Code for their consideration. This resolution deals with providing that subdivision regulations shall include provisions governing sites and land areas for schools. Comm. Koppenhafer moved to set a public hearing on this resolution for December 18, 2006 at 11:00 a.m., seconded by Comm. Rule and carried. They presented a variance application for **Laura Diane Webster** for signature. (See attached). The **Correction Plat for the Brubaker Moderate Subdivision (Charles E. Brubaker owner)** correcting the legal description was presented for approval. Comm. Koppenhafer moved to sign the correction of the legal description for the Brubaker Moderate Subdivision, seconded by Comm. Rule and carried. **The LaPlata View Estates (Danny L. Wilkin, owner)** was presented for approval. Comm. Rule moved to approve the LaPlata View Estates Subdivision, seconded by Comm. Koppenhafer and carried.

**LIQUOR LICENSE: Deputy Tammy Neely** presented a hotel/ restaurant liquor license renewal for **Sophia's Retreat and Conference Center**. The health check was clear and the Sheriff's Office stated they had no violations with this facility. Comm. Koppenhafer moved to renew the hotel/restaurant liquor license for Sophia's Retreat and Conference Center, seconded by Comm. Rule and carried. She presented a hotel/ restaurant liquor license renewal for **Roundup Junction**. She stated the health check was clear and the Sheriff's Office stated they had no violations with this facility. Comm. Koppenhafer moved to approve the renewal for Roundup Junction, seconded by Comm. Rule and carried.

**LUNCH: 12:15 P.M.**

**ANN McCOY HERALD** with **Senator Wayne Allard's office** informed the Board of some things Senator Allard is working on. She stated he still working on the recreation at McPhee Reservoir. She stated the Senator would like for the Board to write a letter concerning wishes for the area to receive Colorado television since Dish network lost their battle to carry the Colorado networks in the New Mexico viewing area.

**BRIDGE BIDS.** After much discussion, Comm. Koppenhafer moved to award the Yellow Jacket Bridge Project to **Mitch and Ray Ward Trucking** in the amount of \$150,600.00, conditional upon the necessary bonds being in place and all testing and inspections done as required. Comm. Findley seconded the motion and motion carried. Comm. Rule abstained.

**TRAUCHT** Demand and Notice Letter that was received by Social Service Director Dennis Story was presented to the Board. This notice of claim will be sent to the insurance company. (See attached)

**MARGARET CLAUSON** highlighted the threshold standards and other concerns that were recorded and addressed to the Board regarding the Rally in the Rockies public hearing June 19, 2006 and July 10, 2006.

**ADMINISTRATOR'S REPORT: Administrator Harrison** mentioned that the Treasurer's Office has created a line item for the Fair Board monies. He presented a service agreement from Sundale Associates, Inc. to

analyze the soil conditions at the Montezuma County Fairground's horse pavilion. Comm. Koppenhafer moved to execute the agreement with Sundale Associates, Inc., seconded by Comm. Rule and carried. (See attached) The Board discussed the GoCo grant concerning the bleachers at the Fairgrounds.

**CORRESPONDENCE:** The following correspondence was read and noted.  
Transportation improvement regional priority program. (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 4:40 p.m.**

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County Clerk

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Chairman

Minutes of the November 6, 2006 meeting were approved and signed November 13, 2006

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
November 13, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 13, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday November 6, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer, and carried.

**RESOLUTION 14-2006:** Comm. Koppenhafer moved to sign Resolution #14-2006 entering into an agreement with **Stone Crushing** to upgrade a portion of County Road 19. The motion was seconded by Comm. Rule and motion carried. (See attached)

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-38-06** to the Treasurer to pay \$140.56 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Rule and carried.

**ROADS:** **Lloyd Everret** presented an official notice of bid award to Mitch and Ray Ward Trucking of Dolores awarding the Yellow Jacket Bridge upgrade for signature. (See attached). Mr. Everret reported on the following: (1) He stated the auction held November 11, 2006 went well. (2) The department is working on Road W. (3) they are finishing up work on Road 10 with the building of a rock fence. (4) The work at the Fairgrounds is almost ready to gravel. (5) Discussed the road priority funds (6) discussed Roads L & 22, & Road 25.

**LANDFILL Manager Deb Barton** presented the profit and loss statement for the month of October, 2006. Mrs. Barton also presented a proposal of the County Landfill rate structure to become effective January 1, 2007. Comm. Koppenhafer moved to accept the rate structure increases as presented and to become effective January 1, 2007. Seconded by Comm. Rule and carried. (See attached)

**HEARING:** It being the time set aside, a hearing is held to consider a special events liquor license for Four Seasons Greenhouse and Nursery to benefit United Way of the Southwest. This wine tasting event will take place at Four Seasons Greenhouse and Nursery on November 30, 2006. The roll was called, a notice was read,

And the proceedings were taped for the record. Deputy Tammy Neely presented the application submitted by Victor Vanik, owner of Four Seasons. After hearing all the evidence presented, Comm. Koppenhafer moved to approve the special events liquor license for Four Seasons Greenhouse and Nursery to benefit United Way of the Southwest. Seconded by Comm. Rule and carried. Bruce Johnson with United Way was present.

**MIKE PRESTON** presented a letter written to Senator Allard's Office in support of his efforts to protect the right of citizens in Montezuma County and Southwest Colorado to continue to have access to network TV programming from Denver. Comm. Koppenhafer moved to sign the letter of support, seconded by Comm. Rule and carried. (See attached)

**INTERGOVERNMENTAL AGREEMENT:** Comm. Rule moved to sign the intergovernmental agreement between Montezuma County and the State of Colorado for participation in the Colorado emergency fire fund. Seconded by Comm. Koppenhafer and carried. (See attached).

**ADMINISTRATOR SALARY:** Comm. Koppenhafer moved to increase the probationary salary of \$62,000.00 for the administrator to a full performance salary of \$65,000.00. Seconded by Comm. Rule and carried.

**GOCO GRANT: Sue and Slim McWilliams, Darryl Buffington and Don Bain** met to update the Board on the Equine/Pedestrian Trails and Equestrian Center planning and budget. They presented bids for phase one of the project and proposals for engineering and consultation services. Comm. Koppenhafer moved to disband the Montezuma County Fairgrounds Advisory Committee and appoint the Fairgrounds Ad Hoc Committee as the committee to oversee a master plan and to administer the GOCO grant and improvements. Seconded by Comm. Rule and carried. Comm. Koppenhafer then moved to accept the proposal to contract for services/planning grant for the outdoor arena and trail system between Montezuma County and the Ute Mountain Roundup Inc and Terri Forth/Thomas Engineering. Seconded by Comm. Rule and carried. (See attached) Comm. Rule moved to accept the proposal for consultation services for the GOCO planning grant between Montezuma County and the Ute Mountain Roundup Inc. to Sue McWilliams. Seconded by Comm. Koppenhafer and carried. (See attached) Slim McWilliams informed the Board of the possibility of holding a family dance on June 7<sup>th</sup>, and dances on June 8<sup>th</sup> and 9<sup>th</sup> 2007 at the county annex providing all necessary liquor permits and insurances are in place and the possibility of extending the time from 12:30 a.m. to 1:30 a.m. to allow for cleanup.

**LUNCH: 12:15 P.M.**

**USDA representatives Ken Gruver and Clinton Wilson** updated the Board on the activities of the USDA in Montezuma County and presented a work and financial plan for 2007. Comm. Rule moved to sign the agreement for 2007 between the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services and Montezuma County, seconded by Comm. Koppenhafer and carried (Attached)

**PUBLIC HEARING:** It being the time set aside, a public hearing is held for **High Impact Permit 527** as submitted by **Sprint/Nextel (Keith and Tracy Utt applicants)** for a proposed communications tower on property owned by **Robert Watkins**. The roll was called and the proof of publication was read. The hearing was taped for the record. The hearing was open for public comment. A comment was received from audience member Bob Clayton with concerns about construction time frames. After hearing all the evidence presented Comm. Koppenhafer moved to approve High Impact Permit #527 contingent upon all pertinent CDOT and all

11/13/06  
3  
Other permits being in place and to have the pole painted with a non-glare paint and a 6 week timeframe to completion. Seconded by Comm. Rule, motion carried. (See Attached)

**PUBLIC HEARING:** It being the time set aside, a public hearing is held to review **High Impact Permit 523** as submitted by **Kinder Morgan CO2 CO. L.P. (Bob Clayton, production supervisor)** for drilling a CO2 well (HF-3) The roll was called and the proof of publication was read. The hearing was taped for the record. The hearing was open for public comment. Having no public comments, that portion of the hearing was closed. After hearing all the evidence presented Comm. Koppenhafer moved to approve High Impact Permit #523 for a CO2 well with the bond in place as well as all pertinent State and Federal permits. Seconded by Comm. Rule and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside, a public hearing is held to review **High Impact Permit 525** as submitted by **Kinder Morgan CO2 CO. L.P. (Bob Clayton, production supervisor)** for drilling a CO2 well (SC-11). The roll was called and the proof of publication was read. The hearing was taped for the record. The hearing was open for public comment. Having no public comments, that portion of the hearing was closed.

After hearing all the evidence presented Comm. Koppenhafer moved to approve High Impact Permit #525 for a CO2 well with the bond in place as well as all pertinent State and Federal permits. Seconded by Comm. Rule and carried. (See attached)

**PLANNING: Susan Carver and Margaret Clauson** presented the **Silence 2 lot minor Subdivision** for approval. **(Joseph and Jo Ann Silence owners)**. Comm. Rule moved to accept the Silence 2 lot minor Subdivision, seconded by Comm. Koppenhafer and carried.

**ECONOMIC DIRECTOR Carla Harper** reminded the Board of the Community Economic Development Forum on Thursday November 16, at the County Annex and an elected officials meeting on Monday, November 20, 2006 at the Main Book Company. She updated the Board on an economic survey that was completed.

**TREASURER Sandy Greenlee** approached the Board requesting permission to hire one additional staff member by December 1, 2006 as there will be some vacancies coming on January 1, 2007 and she needed to have time to train someone. She will work with the new treasurer the administrator and finance director.

**CORRESPONDENCE:** The following correspondence was read and noted.

Administrator Harrison's report, Jail Bond sales tax payoff schedule. Fair budget outlines for 2007. Donation requests for 2007. A letter from CASA and a request from Housing Solutions for the Southwest. (See Attached)

The weather report for the month of October, 2006 (See attached)

Letter from Colorado Department of Human Services thanking the Board for signing the MOU. (See attached)

Letter from Michael F. Green concerning Bengston Family Trust/Heritage Hills Subdivision and Planning Commission member Casey McClellan's recusal from deliberations. (See attached)

Information about ex parte contacts and quasi-judicial decisions (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 5:46 p.m.**

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County Clerk

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Chairman

Minutes of the November 13, 2006 were approved and signed November 20, 2006

ONLINE COPY



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
November 20, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 20, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday November 16, 2006 were read. Comm. Koppenhafer moved to approve the minutes as presented, seconded by Comm. Rule, and carried.

**ACCOUNTS PAYABLE:** General Fund # 49472-49637 in the amount of \$163,167.79, Road Fund # 19893-19960 in the amount of \$59,552.63, and Landfill # 5022-5048 in the amount of \$17,965.91 were approved for payment.

**MIKE PRESTON** presented a news release from **Senator Wayne Allard's office** concerning a bill he introduced to allow LaPlata and Montezuma Counties to receive Denver broadcast television signals (attached) He also mentioned an article in the newspaper about a study from the Colorado Commission on Higher Education concerning San Juan Basin Technical College and Pueblo Community College,

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-39-06** to the Treasurer to transfer \$112,220.00 from the Road Impact Fees to the Road and Bridge Fund. The motion was seconded by Comm. Rule and carried.

**ROAD:** Lloyd Everret said the Department is still hauling gravel to the fairgrounds. He mentioned the County's portion of the work on Road 19 is complete. The work done on Road W looks good. He informed the Board of the bill received from Haybridge Properties LLC in the amount of \$2,607.50 (Lebanon Estates project) for the County's portion on Road 25. Susan Carver presented a project work report on Lebanon Estates. (See attached)

**BOARD OF SOCIAL SERVICES:** It being 10:00 a.m., the time set aside, The Board of Social Services is conducted at this time. **Dennis Story, Lori Higgins, and Lou Ann Everret** was present.

**HEARING:** It being the time set aside a hearing is held for a special events liquor license for the Cortez Cultural Center to be held at the Sundance Bear Lodge. This event will be held on December 6, 2006. A notice was read, the roll was called and the proceedings were taped for the record. Deputy Tammy Neely gave an overview for the special events liquor license application for the Cortez Cultural Center (Deb Avery, agent) to have a wine tasting event at the Sundance Bear Lodge. The hearing was opened to public comment. Hearing no comments that portion of the hearing was closed. After hearing all the evidence presented, Comm. Koppenhafer moved to approve a special events liquor license for a wine tasting event for the Cortez Cultural Center, seconded by Comm. Rule and carried.

**PLANNING: Planning manager Susan Carver** presented the findings on the following: (1) High Impact Permit # 527, Sprint/Nextel applicant, (2) High Impact Permit # 523, and High Impact Permit #525, Kinder Morgan CO2 L.P. applicant, for signature. She gave a report on the planning commission meeting held on November 16, 2006. (See attached)

**RESIGNATION:** A letter of resignation was received from **Jay Conner** resigning from the Planning Commission effective December 31, 2006. Comm. Koppenhafer moved to accept his resignation and to sign a letter thanking him for his service, seconded by Comm. Rule and carried. (See attached)

**APPOINTMENT:** A letter was received from Una Johnson showing interest in serving on the Lodger's Tax Board. Comm. Koppenhafer moved to appoint Una Johnson to the Montezuma County Lodger's Tax Board, seconded by Comm. Rule and carried. (See attached)

**HOME BUILDERS ASSOCIATION** representative **Dean Matthews** discussed the recent ballot question on the building codes that was defeated and wanted to know the Board's stand. The Board may look into having building permits rather than building codes. Residents **Don McCartney and Oliver Noyes** voiced their opinions concerning the building code ballot outcome and favored a building permit system.

**LUNCH 12:05 p.m.**

**BUDGET WORK SESSION CONDUCTED:** Discussed the budget requests for the following offices:  
Assessor's Office. Assessor Mark Vanderpool present.  
Treasurer's Office. Treasurer Sandy Greenlee and Treasurer elect Sherry Dyess present.  
Clerk's Office. Clerk Carol Tullis present.  
Sheriff's Office. Sheriff Gerald Wallace, IT manager Jim McClain and Viki Worcester present.  
District Attorney's Office. DA James Wilson and Anita Squires present.

**ANNEXATION:** The Board was informed of a public hearing notice concerning annexation of property into the Town of Mancos. (See attached)

**SUE MCWILLIAMS** met to discuss a DOLA grant application to help with phase 1 of the fairgrounds upgrade. She asked the Board to sign the application and to commit monies from the Conservation Trust Fund. Comm. Rule made a motion to sign a grant application for a DOLA grant for phase I at the fairgrounds and to commit \$137,500.00 from the Conservation Trust Fund and to have any construction approved by the fairgrounds committee. Seconded by Comm. Koppenhafer and carried.

**FAIRGROUNDS PAVILION:** Darryl Buffington, Terri Forth, Joe Bazile and Jim Hershberger met to discuss the sinking of the fairgrounds pavilion and possible solutions to the drainage problems.

**ADMINISTRATOR’S REPORT:** Administrator Harrison submitted his report which included salary figures requested by Trident Insurance; cemetery districts mill levies, 2007 funding requests and service charges for septage receiving station. He also discussed the purchase of the Armory and the need to purchase title insurance before a warranty deed can be done. (See attached)

**CORRESPONDENCE:** The following correspondence was read and noted.  
Division of Property Taxation: Final determination on Bethel Baptist Church. (See attached)

**MOTION TO RECESS** until Wednesday, November 22, 2006 at 11:00 a.m. was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING RECESSED 5:45 p.m.**

**MEETING WAS RECONVENED** Wednesday, November 22, 2006 at 11:00 a.m. The meeting was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**ECHO BASIN RANCH:** The Board discussed the mediation proposal from **David Smith** regarding Daniel Bjorkman and Echo Basin Ranch. No action was taken at this time.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED: 1:30 p.m.**

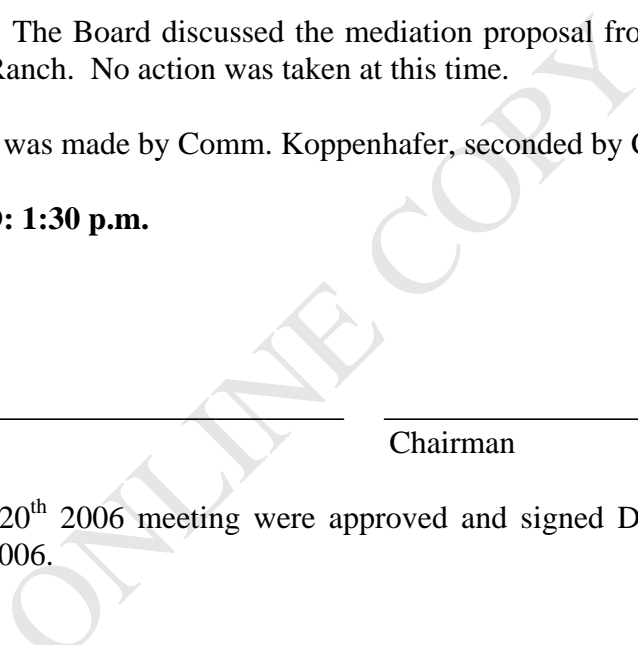
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County Clerk

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Chairman

Minutes of the November 20<sup>th</sup> 2006 meeting were approved and signed December 4, 2006. There was no meeting on November 27, 2006.



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
December 4, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 4, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday November 20, 2006 were read. Comm. Koppenhafer moved to approve the minutes as corrected, seconded by Comm. Rule, and carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue **Order Number 0-40-06** to the Treasurer to pay \$3,719.49 from the 911 Account to Qwest, Denver, CO 80244-0001. The motion was seconded by Comm. Koppenhafer and carried.

**PAYROLL:** General fund checks in the amount of \$252,949.98, District Attorney fund checks #49638 in the amount of \$22,123.85, Treasurer fund check #49639 in the amount of \$200,055.77; Road department fund checks in the amount of \$64,347.66, Treasurer fund check #19962 in the amount of \$55,570.77; and Landfill fund checks in the amount of \$13,851.68, Treasurer fund check #5051 in the amount of \$11,581.73 were approved for payment.

**MIKE PRESTON** updated the Board on the progress of Wayne Allard's bill concerning Colorado TV signals. He also informed the Board of the Rockies Western Phase, Trans Colorado Pipeline, and modification to three compressor stations, one of which is in the Mancos area.

**ROAD: Lloyd Everret** stated the Department is beginning work on the Yellow Jacket Bridge at Ismays. He said it would be cost effective and save time and wear and tear on the roads to purchase gravel from Darrin Stone's and Casey McClellan's Yellow Jacket pit. Comm. Rule moved to purchase materials from the Ismay pit leased by Darrin Stone and Casey McClellan in order to save time, wear and tear on the roads, and cost savings involved in the construction of the Yellow Jacket Bridge project. Seconded by Comm. Koppenhafer and carried. He discussed the need for a bridge at Rock Creek. He talked about the road impact grant and the need to purchase a loader. He mentioned the Department is back to working four 10 hour days.

**ADMINISTRATOR HARRISON** introduced **Marianne Mate** a representative for the **McPhee Recreational Committee** who informed the Board of funding available from the Division of Wildlife and the ability to apply to Motor Boat Colorado for a grant to help with the break water projects. To get a better idea of what's required and potential costs it was suggested to look at the work done at Navajo Lake.

**BUDGET WORK SESSION** was conducted.

**FINANCE DIRECTOR Mary Ann Sanders** presented the official county holiday list for 2007. Comm. Rule moved to approve the list of Official County Holidays for 2007, seconded by Comm. Koppenhafer and carried. (See list Attached)

**LUNCH: 12:30 p.m.**

**JAN SENNHENN** with the Extension Office asked the Board to complete a survey and return it to CSU. This survey asks them about their feelings of the workings of the Extension Office. She also updated the Board on upcoming activities of the Extension Office in 2007. (letter attached)

**CORTEZ CULTURAL CENTER: Patrick Colton** informed the Board that the Cortez Cultural Center is interested in pursuing a special events permit for the Ag-Expo. It was suggested he work through the people involved with the Ag-Expo and show the Board proper consent from them before applying for the permit.

**PLANNING: Planning manager Susan Carver** presented a request for appeal from **David and Denise Bengtson** in reference to the **Heritage Hill Subdivision**. A public hearing has been scheduled for February 5, 2007 at 2:00 p.m. She presented the 1st amended plat for **Cruzan Ranch (Jay N., Kandy K., Kyle L., and Rickie R. Cruzan owners)** Comm. Koppenhafer moved to approve the 1<sup>st</sup> amended plat for Cruzan Ranch, seconded by Comm. Rule and carried. A plat for **Summit Lake North Subdivision (Zelpha R. Gentry and Linda J. Hartley owners)** was presented along with a request to vacate Resolution P 19-84 for approval. Comm. Koppenhafer moved to vacate resolution P 19-84 and to approve the Summit Lake North Subdivision, seconded by Comm. Rule and carried. (See Resolution attached)

**Casey McClellan** with McClellan Bros. Investment LLC asked the Board for an extension on a letter of credit on phases 1 and 2, Pinon Hills Sub. Comm. Koppenhafer moved to extend the time frame for McClellan Bros. Investments, LLC, Pinon Hills Subdivision, to June 12, 2007 in the amount of \$100,000.00 to meet the road standards. Seconded by Comm. Rule and carried. (See Attached)

**SENIOR CENTER** representatives **Sue Fletcher and Mary Holiday** presented two CDOT resolutions for signature. Comm. Koppenhafer moved to sign resolution number 5310 in the amount of \$7200.00 and resolution number 5311 in the amount of \$44,668.00, seconded by Comm. Rule and carried (see attached)

**ARMORY PURCHASE: Loretta Murphy** presented a contract to buy and sell real estate for the purchase of the armory in the amount of \$480,000.00. Comm. Rule moved to sign the contract for the purchase of the armory in the amount of \$480,000.00, monies to come from the capital fund, seconded by Comm. Koppenhafer and motion carried. (See attached)

**REGION 9** sent a letter recommending Comm. Dewayne Findley remain on the Southwest Transportation Planning Commission. Comm. Koppenhafer moved to allow Comm. Dewayne Findley to serve on the Southwest Transportation Planning Commission for 1 year, seconded by Comm. Rule. Comm. Findley abstained. Motion carried. (See attached)

**CORRESPONDENCE:** The following correspondence was read and noted:

Letter from Sharon A. Seitz – letter of resignation from Treasurer’s Office. (See attached)

San Juan Resource Conservation concerning payment of 2007 dues. (See attached)

Letter from D.R. McCartney thanking the Board concerning building codes (See attached)

Case number 2006CV34 – Corey Veach (See attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 5:45 p.m.**

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County Clerk

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Chairman

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
December 11, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 11, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday December 4, 2006 were read. Comm. Koppenhafer moved to approve the minutes as presented, seconded by Comm. Rule, and carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue Order Number 0-41-06 to the Treasurer to transfer \$1250.00 from the General Fund to the Conservation Trust Fund for non-eligible projects. The motion was seconded by Comm. Koppenhafer and carried.

**AUTHORITY BOARD ORDER:** Comm. Rule made a motion to direct the Clerk to issue Order Number 0-42-06 to the Treasurer to transfer \$7,837.80 from the General Fund to the Conservation Trust Fund for interest earned in 2005. The motion was seconded by Comm. Koppenhafer and carried.

**BRIDGE HOMELESS SHELTER** representative **M.B. McAfee** met to discuss funding and County support for the Homeless Shelter. It was noted the County is willing to donate land and cannot fund a new program. Comm. Koppenhafer moved to sign a letter of support for the donation of land for a detox center and homeless shelter, seconded by Comm. Rule and carried. (See attached)

**ROAD:** **Lloyd Everret** discussed a grant he is working on. Mentioned problems on Road 10. Administrator Harrison stated the salary for the GIS position would be split between road and bridge and the general fund. Talked about a complaint received concerning a portion of P.5 being rough. Received a compliment on the work done on Road W.

**LANDFILL** manager **Debby Barton** presented the profit and loss statement for November, 2006. (See attached). She informed the Board of a break-in at the Landfill.

**MEMORANDUM OF UNDERSTANDING** was presented for approval between **Montezuma County and Southwest Regional Emergency and Trauma Advisory Council**. Comm. Rule moved to accept the memorandum of understanding between Montezuma County and Southwest Regional Emergency and Trauma Advisory Council also known as SWRETAC, seconded by Comm. Koppenhafer and carried. (Attached)

**AGREEMENT TO PARTICIPATE, Diana Buza and Mary Holiday** presented for signature an agreement to participate if funded, whereby, Montezuma Senior Service agree to fully participate with staff and board members in the Organizational Capacity Assessment conducted by Tri-County Health Department as part of the Colorado Trust's Healthy Aging Initiative. Comm Koppenhafer moved to sign the agreement to participate, seconded by Comm. Rule and carried. (See attached):

**PUBLIC HEARING – 2006 AMENDED BUDGET AND 2007 BUDGET:** It being the time set aside, a Public Hearing is conducted regarding the amendment of the 2006 and the proposed 2007 budget. The roll was called, the notice of publications were read and the proceedings were recorded for the record. Finance Officer **Mary Ann Sanders** presented **Resolution 16-2006** to amend the 2006 budget for approval. She explained that Montezuma County after adoption of the 2006 budget, received unanticipated revenues or revenues not assured at the time of the adoption of the budget other than the local government's property tax mill levy. There being no protest against the proposed amended budget, a motion was made by Comm. Koppenhafer to adopt **Resolution No. 16 -2006**, amending the 2006 budget. The motion was seconded by Comm. Rule and carried. **BUDGET 2007:** Budget Officer **Ashton Harrison** along with finance officer **Mary Ann Sanders** presented the proposed budget for 2007. Opened hearing to public comment where representatives for various offices spoke. There being no protests against the proposed 2007 budget a motion was made by Comm. Koppenhafer to adopt **Resolution 17-2006** adopting the budget for Montezuma County for calendar year beginning January 1, 2007 and ending on the last day of December, 2007. Seconded by Comm. Rule and carried. Comm. Koppenhafer moved to adopt **Resolution 18-2006** – to set the mill levies. The mill levy is 14.254. The motion was seconded by Comm. Rule and carried. A motion was made by Comm. Koppenhafer to adopt **Resolution 19-2006** to appropriated sums of money in accordance with Local Government Budget Law on December 11, 2006, seconded by Comm. Rule and carried. (See attached)

**HEALTH DEPARTMENT Director Lori Cooper** informed the Board that she has a nurse retiring and she will be hiring a new nurse. She also informed the Board that a dental facility will replace the dental bus for medicaid programs. She presented a task order change order concerning the immunization program for approval. Comm. Koppenhafer moved to sign the task order change letter number 01 between the Colorado Department of Public Health and Environment and the Board of County Commissioners. Seconded by Comm. Rule and carried. (See attached).

**LUNCH 12:00 NOON**

**PLANNING: Planning manager Susan Carver** presented the **Dave Goff minor subdivision 1<sup>st</sup> amended plat (David E. Goff owner)** for approval. Comm. Koppenhafer moved to approve the Dave Goff Minor Subdivision 1<sup>st</sup> amended plat, seconded by Comm. Rule and carried..

**DISCUSSED** the proposed settlement with Echo Basin Ranch.



**MONUMENT ADVISORY COMMITTEE:** The Board was informed that Kelly Wilson is no longer interested in serving as Montezuma County's representative on the Monument Advisory Committee. Comm. Rule moved to appoint Comm. Gerald Koppenhafer as Montezuma County's representative to the **Canyon of the Ancients National Monument Committee**, seconded by Comm. Findley and carried. Comm. Koppenhafer abstained. (See attached)

**FAIRGROUND** manager **Darryl Buffington** updated the Board on the water problem at the horse pavillion. Discussed the installation of gutters for the pavillion. Darryl will look into prices.

**ETA 911 LEGISLATION: Roy Lane and Connie Johnson** met to discuss an increase in E 911 rates from Qwest and PUC. Mr. Lane suggested an increase from .50 cents to .70 cents on land line and wireless phone bills. Mr. Lane volunteered to prepare the necessary ordinances or resolutions required.

**CONTINUATION OF A PUBLIC HEARING:** It being the time set aside, the continuance of a public hearing is conducted to determine the status of Road K.6. The roll was called and the proceeding was taped for the record. Public comments were made by several audience members. (See sign in sheet) After hearing all the evidence presented Comm. Koppenhafer moved to maintain that Road K.6 is a county road from Hwy. 184 to the Bement fence. Seconded by Comm. Rule and motion carried. (See attachments)

**ENERGY IMPACT GRANT** assistance program application was presented by Lloyd Everret for the proposed Kinder Morgan Truck Route project. Comm. Koppenhafer moved to submit the application to DOLA for the Montezuma County Road Department, Kinder Morgan truck route project. Seconded by Comm. Rule and carried. (See Attached)

**CORRESPONDENCE:** The following correspondence was read and noted.  
 Montezuma County Sheriff's Office report for November, 2006 (Attached)  
 E-mail from Administrator Harrison to the editor of the Cortez Journal (Attached)  
 Letter to Manual Heart, Chairman of Ute Mountain Ute Tribe- pellet manufacturing facility (Attached)  
 Letter from Department of Local Affairs – RE road Initiative II (Attached)  
 Letter from Judge Hanson concerning security needs at the court locations. (Attached)  
 Letter from CDOT- re: 2007 FTA section 5310 award (Attached)

**MOTION TO ADJOURN** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED: 4:50 P.M.**

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 County Clerk

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 Chairman

Minutes of the December 11, 2006 meeting were approved and signed December 18, 2006

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
December 18, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 18, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**MINUTES** of the regular meeting held on Monday December 11, 2006 were read. Comm. Rule moved to approve the minutes as presented, seconded by Comm. Koppenhafer, and carried.

**ACCOUNTS PAYABLE:** General Fund # 49640-49852 in the amount of \$373,887.80, Road Fund # 19963-20017 in the amount of \$50,273.44, and Landfill # 5053-5078 in the amount of \$13,455.38 were approved for payment.

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-43-06** to the Treasurer to pay \$87.85 from the ETA Fund (E911 dispatch) account to **AT&T**. The motion was seconded by Comm. Koppenhafer and carried.

**VETERANS AFFAIRS** report for the month of November, 2006 was presented for approval. Comm. Koppenhafer moved to approve Veterans Affairs report for the month of November, 2006, seconded by Comm. Rule and carried. (See attached).

**COOPERATIVE WEATHER OBSERVER NOAA, NWS** representative **James Andrus** presented the annual precipitation report for the month of November, 2006. (See attached).

**ROAD:** **Lloyd Everett** stated the Department is working on the Yellow Jacket Bridge and work will begin on the pavilion at the Fairgrounds. Discussed progress on finalizing the county road map. Talked about traffic and conditions concerning roads BB, CC and 10. Reported a hole on Road 21 caused by work on water line.

**BOARD OF SOCIAL SERVICES:** It being 10:00 a.m. the time set aside, the Board of Social Services was conducted. **Dennis Story, Luann Everett, and Lori Higgins** was present.

**ADMINISTRATOR'S REPORT:** **Administrator Harrison** reported that the grant that Lewis Arriola Community Center applied for was fully funded. He presented a budget narrative on the workings on how the county budget is done and how the road department funds are reported. **Finance Director Mary Ann Sanders** presented a report of warrants that need to be cancelled. **Koppenhafer** moved to cancel warrant from the general fund, number 49077 to Alltel dated 9/11/06 in the amount of \$1,338.30, warrant number 19747 dated 9/11/06 from the road and bridge fund to Alltel in the amount of \$580.77 and warrant number 4972 dated 9/11/06 from the landfill fund to Alltel in the amount of \$90.18. Seconded by Comm. Rule and carried. **Administrator Harrison** informed the Board concerning promoting **Susan Carver** to be the Planning Director instead of hiring a Planner and hire a third person in the planning department to do research, review complaints on violations and compliance issues and to help out where needed. Discussed scenarios concerning subdivision developments and the interpretation of the Land Use Code concerning same.

**PUBLIC HEARING:** It being the time set aside a public hearing is held concerning **RESOLUTION 13-2006** for an amendment of the Montezuma County Land Use Code by adding said resolution regarding dedication of sites and land areas, or payments in lieu thereof, or combinations thereof for schools, per C.R.S. 30-28-133(4)(a). The roll was called, public notice was read and the proceedings were recorded for the record. **Andrew Klotz and Michael Canzona** representing the Mancos School District RE-6 presented an overview and draft report for school district RE-6. Comm. Findley opened the meeting to public comment. Comments were made by audience members. Public comment portion of the meeting was closed. After hearing all the evidence presented Comm. **Koppenhafer** moved to approve Resolution 13-2006 amending Resolution no 4-2006 of the Montezuma County Land Use Code. (See attached)

**INTERGOVERNMENTAL AGREEMENT between State of Colorado and Montezuma County** for the use and benefit of the Department of Agriculture, Animal Industry Division was presented. Comm. **Koppenhafer** moved to sign the intergovernmental agreement, seconded by Comm. Rule and carried.( attached).

**INTERGOVERNMENTAL AGREEMENT between the Cortez Sanitation District and Montezuma County** was presented. Comm. **Koppenhafer** moved to sign the intergovernmental agreement, seconded by Comm. Rule and carried. (See attached).

**LUNCH:**

**JAIL TOUR:** Conducted tour of the County Jail at this time.

**CORRESPONDENCE:** The following correspondence was read and noted.  
Planning Commission meeting minutes for December 14, 2006 (See attached)  
CCI steering committee schedule 2007 (See attached)  
Christmas card from CTSI

**CHRISTMAS RECEPTION:** The Board hosted a Christmas Reception.

**PRESENTATIONS:** Comm. Findley presented outgoing Treasurer **Sandy Greenlee** with a plaque of appreciation for her service to the County. Comm. Koppenhafer presented **Dewayne Findley** a plaque of appreciation for his service as County Commissioner.

**MOTION TO ADJOURN:** was made by Comm. Rule, seconded by Comm. Koppenhafer and carried.

**MEETING ADJOURNED 3:00 p.m.**

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County Clerk

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Chairman

Minutes of the December 18, 2006 meeting were approved and signed January 8, 2007

There were no Commissioner meetings on December 25, 2006 and January 1, 2007 due to being closed for the holidays.

ONLINE COPY

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY  
December 22, 2006**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At the special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Friday December 22, 2006, at the courthouse in Cortez, Colorado, there were present:

H. Dewayne Findley, Chairman  
Gerald W. Koppenhafer, Vice-Chairman  
Larrie D. Rule, Commissioner of Deeds  
Bob D. Slough, County Attorney  
Ashton N. Harrison, Administrator  
Carol Tullis, County Clerk

**MEETING** was called to order by **Comm. Findley** at 9:00 a.m. Recited the Pledge of Allegiance.

**CERTIFICATION:** **Chris L. Majors**, with Majors and Haley, presented the 2007 certification of levies and revenue by Montezuma County. After reviewing the certification, Comm. Koppenhafer moved to accept and certify the levies and revenues by Montezuma County for 2007 as presented. Seconded by Comm. Rule and carried. (See attached)

**AUTHORITY BOARD ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-44-06** to the Treasurer to pay \$920.59 from the General Fund to pay the monies collected under the Taylor Grazing Act to Montrose BLM District Board of Grazing, account number 906-000856, District 3 R&I Fund. The motion was seconded by Comm. Findley and carried.

**GENERAL FUND ORDER:** Comm. Koppenhafer made a motion to direct the Clerk to issue **Order Number 0-45-06** to the Treasurer to transfer \$63,095.63 from the General Fund to the Social Services Fund – 4th quarter 2005 HCBS (see attached). The motion was seconded by Comm. Rule and carried.

**MOTION TO ADJOURN** was made by Comm. Koppenhafer, seconded by Comm. Rule and carried.

**MEETING ADJOURNED 9:55 A.M.**

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County Clerk

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Chairman

Minutes of the Special Meeting on December 22, 2006 were approved and signed on January 8, 2007