

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 9, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday January 9, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of January 9, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated December 19, 2016 as presented. Motion was seconded by Commissioner Ertel and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of December, 2016. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give an update on the project. Representative Guiles discussed: the main slab concrete pour, roofing, pre-fabricated mechanicals, the owners meeting, the DOLA contract, rock blasting, change order #1, contingencies, the weather conditions and a scheduled security meeting.

PUBLIC COMMENT: Betty Ann Kolner presented questions of concern regarding the usage of Calcium Chloride Fossil Water on Montezuma County roads. (See attached)

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of January 4, 2017 through January 20, 2017. Superintendent Englehart reported that crews would be working on snow removal, tree trimming; fence repair, cattle guard repairs, and roadway approach repairs along with clean up on county roads and at the county yards. Other topics discussed included the

CDOT, Road BB public meeting set up on January 11, 2017 starting at 7:00 p.m. at the Lewis Arriola Community Center and the 2017 road chip seal schedule. A discussion was held with **Betty Ann Kolner, M.B. McAfee** and **Ellen Foster** regarding the Calcium Chloride Fossil Water used on county roads. (See attached)

PUBLIC LANDS: Forrest Service, Derek Padilla met with the Commissioners to give updates on various projects. Topics of discussion included a request for a letter of support for the **Secure Rural Schools** grant funding for the **Aquatic Nuisance** species project, the removal of the **Sage Hen** recreation site facility building, and the recently attended Rangeland Stewardship meeting. (See attached)

Canyon of the Ancients National Monument Manager, Marietta Eaton reported to the Commissioners that they were working with Road Superintendent Englehart regarding cattle guards on Road 10. Other topics discussed included the team meeting for the **Sand Canyon** parking lot, the gathering of data on the **Flodine** and **Yellow Jacket** leases, the **Historical Eligibility Evaluation** of the **Lamb House** and an invitation to the new exhibit opening.

Bureau of Land Management, Connie Clementson discussed the **Master Leasing Plan** progress, contingent on the completion of the ACEC amendment, the scoping and ACEC report posting, 2 new staff members **Joe Manning, Assistant Field Manager** and **Stefan Armenta**, a new **Law Enforcement Ranger**, the Travel Inventory web site link, the **Phil's World Expansion** project and the re-routing of trails off of privately owned land to Federally owned land.

MONTEZUMA COUNTY HISTORICAL SOCIETY: County Historical Society President, Ann Brown and **Joyce Lawrence** met with the Commissioners to give updates on the Montezuma County Historical Society. Topics of discussion included sales from their cook book, inventoried items from various county facilities, articles placed within a storage unit, the creation of a Facebook and web page, printed brochures, partnership resources, acid free storage boxes and grant fund opportunities.

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report. Sheriff Nowlin presented the **Equitable Sharing Agreement and Certification** for approval. Commissioner Ertel moved to approve the Equitable Sharing Agreement and Certification between the Montezuma County Sheriff's Department and the Federal Government as presented. Second by Commissioner Lambert and carried. Other topics discussed included fund seizures, prescription drug drop boxes, 2016 Crime statistics, the posting of policy updates, the Police One and Insurance training programs and the jail population. A discussion was held regarding the need for a detox and/or a rehabilitation facility within the County. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Assistant Ranette Karo presented for signatures a final plat for proposed amendments to Lots 1 & 2 of the **Ahmont Vista Subdivision** as well as a proposed additional lot (Lot 3), on properties owned by **Karen Lovelien**, located at 43842 and 43850 Hwy 160, Mancos, CO, consisting of 10 acres, more or less, situated south of Hwy 160, east of Road 43, S.23, T.36N. R.13W, N.M.P.M.

ASSESSOR: Montezuma County Chief Deputy Assessor, Leslie Bugg met with the Commissioners to present for information only a letter from **State Assessed Manager William Kowalowski** regarding the **AL717 Republic Airlines Inc.** 2016 State assessment change. Mrs. Bugg also presented for review and approval an Agreement for contract services between the Montezuma County Assessor's office and **Total Assessment Solutions Corporation "TASC"**. Commissioner Ertel moved to approve the Total Assessment Solutions Corporation contract for services as presented. Second by Commissioner Ertel and carried. (See attached)

FOR PET'S SAKE: For Pets Sake President, Marian Rohman and Vice President, Cheri Valle along with **Lynn Dyer, Daniel Hennek, Kathy Hennek, Mary Jane Gosselin, and Domino Hawks** spoke to the Commissioners regarding the County funding for the **Cortez Animal Shelter**. Topics of the discussion included; an overview of the For Pets sake organization, a feral cats program, the shelter partnership with For Pets Sake, the percentage of animals that come from county residents, shelter fees, feral cat colony sizes, county phone call statistics, tourist and resident perceptions, feral dog packs and the lost or found animal procedures to follow. (See attached)

VETERANS SERVICE: Veteran Service Officer Rick Torres presented the monthly Certification of Pay for December 2016 along with a 2016 year in review which included monthly statistical data and indirect income to Montezuma County. Commissioner Lambert moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for December 2016, seconded by Commissioner Ertel, motion carried. Other topics of discussion included Veteran Service Assistants Kuhn and Johnson and the yearly recertification for Officer Torres. (See attached)

HEALTH DEPARTMENT: Public Health Department Assistant Director, Allison Duran met with the Commissioners to present the **Communities That Care Contract** for signatures and the **Intergovernmental Master Contract** with the Colorado Department of Public Health and Environment for approval. Commissioner Ertel moved to approve the Intergovernmental Master Contract between the Colorado Department of Public Health and Environment and the Montezuma County Public Health Department as presented. Second by Commissioner Lambert and carried. (See attached)

EMPLOYEE HANDBOOK: Administrator Brunner presented a revision to the County Employee Handbook regarding the policies for court leave, the appeal procedure and workers compensation. Commissioner Ertel moved to approve the revisions to articles 4.7, 4.7.1, 4.7.2, 4.7.3 12.1, 12.2.1, 12.2.2, and 15.1 in the County Employee Handbook as presented. Second by Commissioner Lambert and carried. (See attached)

IT: IT Director, Jim McClain met with the Commissioners to present for approval the **Connect 4 Broadband**, Request for Proposal (RFP) for the Broadband Public-Private Partnerships. Commissioner Lambert moved that IT Director, Jim McClain be authorized to move forward with the Broadband RFP with the proposed date changes. Second by Commissioner Ertel and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney Baxter reported on two EEOC claims, the Kinder Morgan lawsuit, the continued research on the Dolores Norwood Road designation, the Stinking Springs bike trail issue and a future Social Services trial.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, met with the Commissioners to give project updates. Topics of discussion included the **Paths to Mesa Verde** public meeting, the **Aqueduct Trail**, the **Dolores Water Shed** meeting, the **McElmo Flume**, the **King Coal** lease modification, the **Justice Building** assessment, and the **Historical Societies** county representative.

COUNTY ADMINISTRATOR REPORT: Administrator **Melissa Brunner** discussed the scheduling of the next Commissioner's Town Hall meeting, the combined Montezuma and Dolores County Commissioners meeting and the interviews conducted for the available administrative assistant position.

COUNTY COMMISSIONER REPORT: The Commissioners discussed the attended Rangeland Stewardship meeting. Topics of the discussion included the Forest Service rangeland determination process and guidelines.

PUBLIC COMMENT: **Gala Pock** discussed the need for additional gravel on Road 9 between Road BB and Road CC.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Lambert and carried.

MEETING ADJOURNED: 3:20 p.m.

County Clerk January 9, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 23, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday January 23, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of January 23, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 9, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Deputy Clerk Malinda Fuller presented liquor license renewal applications for **Maverick Country Stores Inc. #275**, located at 10223 US Hwy. 491, Cortez Co 81321 and **Double R Liquors, LLC, dba-Double R Liquors**, located at 18794 Hwy 491, Lewis Co. 81327. Commissioner Lambert moved that the liquor license renewal application for Maverick Country Stores Inc. #275 located at 10223 Hwy 491, Cortez be approved. Second by Commissioner Ertel and carried. Commissioner Ertel moved to approve the liquor license renewal for Double R Liquors, located at 18794 Hwy 491, Lewis as presented. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give an update on the project. Topics in the discussion included; roofing, insulation, ducts, concrete, the completion schedule, a site visit from Humphreys Poli, financials, solar options, owner contingencies, the judges and handicapped parking spaces.

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of January 18, 2017 through February 3, 2017. Superintendent Englehart reported on the snow removal and cleanup efforts from the current storms. Other topics discussed included the BLM work plan for the Road 10 cattle guard repair project, the transport of the crusher to the Ormiston pit, the Walk-n-Roll equipment, tree trimming, a rebuilt dozer, a snow plow and the presentation of a DOLA grant application for a future project.

Administrator Brunner, Superintendent Englehart, Planning Director Milligan and GIS Assistant Medina presented for approval **Transfer Order #1-2017** – a transfer from Road Impact Fees to the Road and Bridge Fund in the amount of \$81,804.53 to balance to the 12/31/2016 Treasurers report, and **Transfer Order #2-2017** a transfer from the Road Impact Fees to Road and Bridge Fund in the amount of \$150,755.93 for the 2016 Road and Bridge projects completed. Commissioner Ertel moved to approve transfer order #1-2017 to balance to the Treasure's report in the amount of \$81,504.53 from Road Impact fees to the Road and Bridge Fund as presented. Second by Commissioner Lambert and carried. Commissioner Lambert moved that order #2-2017 a transfer of \$150,755.93 from the Road Impact Fees to the Road and Bridge Fund is approved as presented. Second by Commissioner Ertel and carried. (See attached)

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2016 Landfill budget spread sheet, the December, 2016 and December, 2015 Tonnage and Charge Summary comparison, the 2016 Diversion Summary, the December 2015/2016 Treasurers Landfill balance sheet and the 2016 Recycle Program cost summary. Other topics discussed included conditions of the grounds at the Landfill, the new cell certification, a tipping fee comparison and the chipper grant application. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Josiah Forkner** and **Lori Higgins** were present. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the "To Date" income and attendance reports, completed and future scheduled events and projects. Other topics discussed included the condition of the grounds, sand placement at the entry doorways, the highway entrance light project, end of year financial reports, utility billings, tree planting, the heating oil supply, the fee schedule and the portable facilities grant. (See attached)

MESA TV BROADCASTING: Jedekiah Coy, Stephen Coy and Stuart Hanold met with the Commissioners to discuss a financial request for broadcasting the Commissioner and Planning & Zoning meetings. Said request included the Commissioner meetings at \$800.00 per month and Planning & Zoning at \$200.00 per month. Topics of the discussion included a time slot for re-broadcasting, advertisement of county events, editing requirements for recorded meetings and a condensed version for the re-broadcasting. Attorney Baxter discussed that the official record of the minutes would not be the broadcasted program and that a formal agreement should be signed. Commissioner Ertel moved that for the year period of February 1, 2017 through February 1, 2018, the Montezuma Board of County Commissioners enter into a \$9600.00 agreement with Mesa TV to broadcast the live Commissioner and Planning & Zoning meetings, a weekly condensed rebroadcast of the Commissioner meeting and county event notices as often as possible. Second by Commissioner Lambert and carried. Mr. Coy will present the official agreement to be signed at a future Commissioner meeting.

CONGRESSMAN, SCOTT TIPTON'S REPRESENTATIVE-Darlene Marcus cancelled her meeting with the Commissioners due to inclement weather. Chairman Suckla opened the time to attendees for discussion or questions. Topics included Federal Land and private land purchasing, the public land transfer to the county of the Sage Hen recreational area, Charter Forrest agreements, the Phil's World Expansion, the Joe Rowell Park transfer, the Forrest Service budget and possible closures to boaters at the Ground Hog and Narraguinnep reservoirs.

ELECTION OF OFFICERS:

Commissioner Ertel moved to leave the officers as they currently sit with Commissioner Suckla as Chairman, Commissioner Lambert as Vice Chairman and Commissioner Ertel as the Commissioner of Deeds for the year of 2017. Seconded by Commissioner Lambert and carried.

CHAIRMAN: Commissioner Suckla

VICE CHAIRMAN: Commissioner Lambert.

COMMISSIONER OF DEEDS: Commissioner Ertel

2017 OFFICE APPOINTMENTS: Commissioner Lambert moved to appoint the following to their respective offices for the year 2017 with the exception to postpone the Legal Publications appointment. Second by Commissioner Ertel and carried. (See attached)

County Attorney: John Baxter

County Administrator/Budget Officer: Melissa Brunner

County Road and Bridge Supervisor: Rob Englehart

Director of Social Services: Josiah Forkner

Director of Public Health Agency: Roberta Lock

Veteran's Affairs Officer: Rick Torres

Landfill Manager: Shalako Powers

Emergency Manager: Paul Hollar

Legal Publications:

Region 9 Economic Development Board: Larry Don Suckla

Alternate: Keenan Ertel

Southwest Regional Transportation Committee: Keenan Ertel

Alternate: Larry Don Suckla

AAA: Keenan Ertel

Alternate: James Lambert

Southwest Workforce Board: Keenan Ertel

No Alternate

Montezuma County Housing Authority: Larry Don Suckla

MCEDA – Montezuma County Economic Development Association: James Lambert

Alternate: Keenan Ertel

Housing Solutions James Lambert

Alternate: Larry Don Suckla

Ute Mountain Council Meetings: Keenan Ertel

Alternate: Larry Don Suckla

Lower Dolores River Group: Larry Don Suckla

Alternate: Keenan Ertel

Club 20: James Lambert

Alternate: Keenan Ertel

Native Fish Monitoring & Recommendation Team: Larry Don Suckla

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Director Lee Ann Milligan presented for review and determination a variance application on property owned by **Richard and Rhonda Brose**, located at 18920 Road 34.4, Dolores, CO, consisting of 6.75 acres, more or less, situated east of Hwy 145 and Road 34.4, located in S.8, T.37N., R.14W., N.M.P.M. Applicant proposes to construct a barn 16 feet, more or less, from the northern property line. Affected neighbors are not opposed to this Application. Commissioner Ertel moved to grant the variance application on property owned by Richard and Rhonda Brose located at 18902 Road 34.4 Dolores as presented. Second by Commissioner Lambert and carried. (See attached)

Planning Director Lee Ann Milligan presented for signatures a final plat for the Road 10 - 2 Lot Minor Subdivision, consisting of 36.25 acres, more or less, on property owned by Steven Duane Clark & Shauna A. O'Donnell, 23935 Road 10 Pleasant View, CO, consisting of 36.25 acres, more or less, located south of Road AA, east of Road 10, situated in S.18 T.38N., R.18W., N.M.P.M.

ORDER: Administrator Brunner presented a **Transfer Order #3-2017** – a transfer from the General Fund to Bus Replacement in the amount of \$27,000.00 for future bus replacement. This is a carryover amount from the 2016 transit budget. Commissioner Ertel moved to approve order #3-2017, a transfer from the General Fund of \$27,000.00 carryover funds to the Bus Replacement fund. Second by Commissioner Lambert and carried. (See attached)

RESOLUTION # 1-2017: Attorney Baxter presented Resolution #1-2017, a resolution to rescind Resolution #20-2016 – FPPA Retirement for Post Certified Officers. The original Resolution #20-2016 was a resolution for the inclusion of Law Enforcement officers whose employers provide Social Security. A contingency to the original resolution was a 65% vote in favor of the resolution from Sheriff Officers, which failed. Commissioner Ertel moved to approve Resolution #1-2017, a resolution to rescind Resolution #20-2016 in regards to moving the Sheriff Departments retirement to FPPA as presented. Second by Commissioner Lambert and carried. (See attached)

CEMETERY APPOINTMENTS: Administrator Brunner presented letters of interest for the following Cemetery Boards:

Fairview Cemetery: Dean Ives, reappointment,

Cortez Cemetery: Christopher Carlson, new appointment.

Lebanon Cemetery: Michael L. Upchurch, new appointment.

Lewis Cemetery: Thomas Gilliland and Melanie Filener, reappointments.

Commissioner Lambert moved to that Christopher Carlson, Dean Ives, Michael Upchurch, Thomas Gilliland and Melanie Filener be appointed or reappointed to their respective Cemetery Districts. Second by Commissioner Ertel and carried. (See attached)

Administrator Brunner reported she was waiting for **Dolores Cemetery** letters.

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the scheduled oral arguments for the Kinder Morgan lawsuit, and a video presentation to the Commissioners regarding said arguments, discussions conducted with a private land owner regarding the Stinking Springs trail and the EEOC claims.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich** met with the Commissioners to give project updates. A discussion was held regarding the Pathway to Mesa Verde. Topics of the discussion included easement ownership, long term management by a non- profit organization, initial responsibilities, the categorization of land owners, trail alignment and the next scheduled meeting on Tuesday January 31, 2017 at the Cortez Recreation Center starting at 6:00 p.m.. Mr. Dietrich presented for approval a letter of support for the King Coal II Lease modification. Commissioner Lambert moved that the letter of support to the BLM Tres Rios Field Office concerning the King Coal II lease modification be approved as presented. Second by Commissioner Ertel and carried. Mr. Dietrich also discussed a scheduled Rangeland Stewardship meeting, the BLM Connecting with Communities Memo of Understanding, the Sage Hen recreational area, the Justice building tour, the M&M property, the Dolores Norwood Road research, and funding for the Flume project. (See attached)

COUNTY ADMINISTRATOR REPORT: **Administrator Melissa Brunner** discussed meeting schedules and received correspondence. Meetings discussed included the Tri City breakfast, the Town Hall Meeting, and the quarterly meeting with the Dolores County Commissioners.

COUNTY COMMISSIONER REPORT:

Commissioner Suckla reported on the recently attended Housing Authority meeting.

Commissioner Lambert reported on the recently attended MCEDA meeting and that the Flume project had been approved for \$20,000.00 from the Basin Round Table.

Commissioner Ertel reported on recently attended meetings which included the AAA and the Work Force Coordination meeting.

PUBLIC COMMENT: **M.B. McAfee** thanked the Commissioners for the opportunity of discussion during the agenda time scheduled for Congressman, Tipton's representative, Darlene Marcus.

CORRESPONDENCE: The following correspondence was read and noted:

Letter: CCI Public Lands regarding the 2017 Public Lands Budget and Dues.

Invitation: Southwestern Colorado Livestock Association annual meeting.

Letter: The Bridge Emergency Shelter regarding the Justice Building decision.

Letter: James Lambert County Commissioner District 1 regarding the Road BB and Hwy 491 intersection.

Thank you note: Lewis Arriola Community Center Board regarding donated gravel.

MOTION TO ADJOURN: was made by Commissioner Lambert second by Commissioner Ertel and carried.

MEETING ADJOURNED: 3:20 p.m.

County Clerk January 23, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 30, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday January 30, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of January 30, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 23, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

SENIOR TRANSIT: Transit Manager, Mary Holaday presented the **FTA Fiscal Year 2017 Certifications and Assurances** for approval. Commissioner Ertel moved that the FTA Fiscal Year 2017 Certifications and Assurances for the Transit department through the State of Colorado be approved as presented. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give an update on the project. Topics in the discussion included; ground conditions, a 90% completion of the erectors, roof panels, pre-fabricated mechanicals, insulation, the attended owners meeting, the site elevation and view.

PUBLIC COMMENT: Gala Pock thanked the Road Department snow plow driver Ray Weir for helping her when her vehicle was stuck in a ditch.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of January 25, 2017 through February 10, 2017. Superintendent Englehart reported crews would continue to work on snow removal and clean up, County yard fencing, pot hole repairs, the Road 10 cattle guard project and tree trimming. Superintendent Englehart presented for the Commissioners review **Resolution #1-2008**, a resolution clarifying the responsibility of the Road & Bridge Department as to the removal of snow from driveways and damage to mail boxes. Other topics discussed included a possible seasonal road closure on Road P between roads 31 and 32 along with Options A and B for the Road BB, **Mineral/ Energy Impact Fund** grant request from DOLA. Commissioner Ertel moved that the Montezuma County Road and Bridge Department apply for the Mineral/ Energy Impact Fund grant request in the amount of \$298,697.00 as presented. Second by Commissioner Lambert and carried. Note: this motion was made in the afternoon after the Public Hearing about the possible closure of County Road BB. (See attached)

GIS MAPPING: GIS Manager Doug Roth met with the Commissioners to present the **Colorado Department of Transportation HUTF Road Work and Changes for Reporting Year 2016** for approval. Topics of the discussion included; changes of gravel to chip seal, changes graded to gravel, paved roads that received chip seal overlay, mileage changes paved/ unpaved and the 2017 official county map. (See attached)

PLANNING: Planning Assistant Ranette Karo presented for signatures a final Plat for an Exemption on property owned by **Roland Hobbs** located at 12262 Road 40, Mancos, CO, consisting of 6.29 acres, more or less, situated south of Road M.5, west of Road 41, located in S.8, T.36N., R.13W., N.M.P.M. approved by the Board of County Commissioners on October 17, 2016.

Planning Assistant Ranette Karo presented for review and determination of a variance application on property owned by **John & Linda Parsons Living Trust**, located at 35333 Road R.6, Mancos, CO, consisting of 4.58 acres, more or less, situated north of Road R.6, east of Road 35.3, located in S.6, T.38N., R.18W., N.M.P.M. Applicants propose a temporary variance to the 25' minimum setback requirement to 2' for a metal storage building on their east property line; also a permanent variance to the 25' minimum setback requirement to 12' for an existing playhouse. Non-Opposition Letter from affected neighbors is in file. Commissioner Lambert moved that the variance application for property owned by John & Linda Parsons Living Trust, located at 35333 Road R.6, Mancos be approved. Second by Commissioner Ertel and carried. (See attached)

BIKE CLUB: High Desert Devo, Adam Ledger and Pete Eschallier met with the Commissioner with a request to use the County parking lot behind County Annex III for a future bike swap. Mr. Ledger gave an overview of the bike club; topics included the newly formed High School racing team, youth promotion, family group bike rides, the Colorado Mountain Bike League, donated bikes, storage, and development of the program. Said discussion was tabled to a future time after a date for the bike swap event has been determined.

MONTEZUMA COUNTY FAIRBOARD: Chairman D.R. Janz, Vice Chairman, Brandy Simmons, and Board Member, Randy McKnight, met with the Commissioners to discuss alcohol sales at the 2017 County Fair. Topics of the discussion included the Montezuma County Fairgrounds County Fair alcohol policy, security costs and the daily events scheduled during the requested sales time. The Commissioners were not in favor of alcohol sales at the County Fair at this time. (See attached)

DISCUSSION: Ann McCoy-Harold from **Senator Cory Gardner's** office met with the Commissioners to update and discuss County topics of concern previously reported to Senator Gardner. Topics included: the Sage Hen recreational area land transfer or management agreement, The Joe Rowell Park land transfer to the Town of

Dolores, the noxious weed problem at McPhee, Private property purchases to Public lands, the ACEC, the Phil's World Expansion project, a future RS 2477 bill, the BLM Master Leasing Plan and the Antiquities Act.

DISCUSSION: Lloyd Powers met with the Commissioners to discuss the Sage Hen Recreational area. Topics of the discussion included: the establishment of partnership with the Sage Hen Citizens group and Montezuma County for stewardship of the campground. Mr. Powers reported that the Sage Hen Citizens group would not be willing to participate unless camping was re-established at the campground.

FOUR STATES AG EXPO: Board members Radiance Beals, Shay Allred and Fairgrounds Manager Tanner Young met with the Commissioners to discuss alcohol sales at the **Four States Agriculture Expo** held at the County Fairgrounds. Topics of the discussion included a liquor application time frame along with event and programs scheduled.

Commissioner Suckla announced the adjournment of the meeting for the **LUNCH** break and that the meeting would reconvene at the County Annex for the remainder of the meeting.

Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining recommendations to be made to the Colorado Dept. of Transportation regarding mitigation of the intersection of Hwy 491 and County Road BB, located 14 miles north of Cortez, CO, situated in S.7 T.38N., R.17W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Chairman Suckla gave an overview of the certification. Commissioner Suckla opened the hearing to public comment. Public Comments were made by: **Jan Sena, Nita Mahaffey, Gail Alexander, Clark Root, Richard Kipp, Merle Root, Darrell Lancaster, Kaylynn Wilson, Lou George, Richard Markum, M.B. McAfee, Curtis Wright, Greg Black, Brian Wilson and Kelly Belt.** Topics discussed included; funding options, state and county road construction standards, transport of large farm equipment on Road 15.5, the rebuild of a semi-truck turn around to access corrals, the intersection placement further south, accidents caused by wildlife, speed limits, the Hovenweep sign, public notification of the road closure, a multi-year program to solve problems, required road specifications, widening Road 15.5 and depth of the bar ditches, park service signs, Google maps, the dangers of an island curb obstruction on Hwy 491, the site distance issue, Commissioners represent the people and the community is not in favor of the closure, the need for clarification of the CDOT position, non-community usage of the right in-right out option, a Pleasant View Sheriff', the highway patrol and citations, commercial traffic statistics for Hwy 491 and the (IFTA) International Fuel Tax Agreement fees. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lambert moved to not close the intersection of Road BB. Commissioner Suckla moved to amend the motion to include fighting CDOT on the right in- right out option. After discussion the amendment was dropped and clarification was made to include intersection Road BB and 16. The motion with clarifications was second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

FLEET DEPARTMENT: Fleet Manager, Clint Watson and Fleet Office Manager, Susan Carver met with the Commissioners to discuss the Fleet department billing and policies. Manager Watson gave an overview of the current Fleet policies. Topics discussed by Department heads included; **Sheriff Nowlin** discussed the ASC certifications and county liability, **County Assessor, Scott Davis** discussed the time frame for Fleet department self-sustainment, **Road Superintendent, Rob Englehart** discussed the established base line information and County record keeping, **Public Health Director, Bobbie Lock** along with **Laurel Schafer** discussed the

current Fleet charged mileage expense and effects on the 2017 budget, **Fairgrounds Manager, Tanner Young** discussed the current charged mileage rate and the expenses covered by said rate, **Senior Transit Manager, Mary Holiday** discussed a comparison of the mileage rate charge and the State mileage reimbursements, **Under Sheriff, Jim Kingery** discussed the public perception of the Fleet Department and the Fleet Department budget, **Emergency Manager, Paul Hollar** discussed the base line of the Fleet department budget, **County Treasurer, Sherry Dyess** discussed the decrease in the balance of the Fleet Departments funds. Other topics discussed included; Fleet Department self-sufficiency, the Fleet department accountable for all County vehicles, the establishment of a solid base line for information, and inventory of County owned vehicles, new vehicle replacements, purchased extended warranties, the \$.44 per mile rate of departments that use the Fleet vehicles and a time frame for Commissioner's review of the Fleet department. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter reported on a meeting attended with **Ute Mountain Ute Tribal Attorney, Peter Ortego** and **Montezuma County Clerk & Recorder, Kim Percell** regarding the new Ute ballot language requirements. Attorney Baxter reported that Attorney Ortego will provide a written document to establish Montezuma County compliance and that the Ute Mountain Ute Tribe will do an outreach program to establish the need for interpreters to be utilized for Montezuma County elections.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, no report given.

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner presented a letter of interest from **Ginger Swope** to be reappointed to a 6 year term to the **Dolores Cemetery District Board**. Commissioner Ertel moved to reappointment Ginger Swope to the Dolores Cemetery District Board for a six year term. Second by Commissioner Lambert and carried. Other topics discussed included the meeting scheduled with the Dolores County Commissioners and a possible future Tri County meeting. Administrator Brunner presented a **Comparative Market Analysis** for the County Justice Building from **Century 21 West Slope Realtor, Jo Ann Cauley**. Commissioner Ertel moved that the County list the Justice Building property with Century 21 West Slope Realtor, for the market purchase price of \$1,323,500.00. Second by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla gave a report on the recently attended CCI meetings.

Commissioner Lambert reported on the attended Rangeland Stewardship and the Road BB public meetings.

Commissioner Ertel reported on the recently attended Region 9 and the County MAC meetings.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Lambert second by Commissioner Ertel and carried.

MEETING ADJOURNED: 4:28 p.m.

County Clerk January 30, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 6, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday February 6, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of February 6, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 30, 2017 as amended. Motion was seconded by Commissioner Ertel and carried.

ORDER: Administrator Brunner presented **Transfer Order 5-2017**, a transfer of \$7,599.50 from the LEA Fund to General Fund for the final expenditures for January – December 2016. Commissioner Ertel moved to approve transfer order #5-2017, a transfer of \$7,599.50 from the LEA fund to the General Fund for final 2016 expenditures. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give an update on the project. Topics in the discussion included; weather conditions, the owners meeting, gravel, door adjustments, handicapped specifications, contingencies, roof panels, insulation, pre-fabricated ducting, fixtures and the drawing grids.

PUBLIC COMMENT: Ellen Foster discussed the previous weeks Town Hall meeting and Commissioner Suckla's trip to Washington. **Gala Pock** discussed funding options for the Sage Hen Recreation area.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of February 1, 2017 through February 17, 2017. The work scheduled included; wing back snow and blade roads as available, plow snow and clean up as needed, completion of the shop yard fence, repair winter road damage to Road 41, pot hole and sign repairs, repair cattle guards on Road 10, haul chips from the 4- corners pit to Mancos and moving the crusher to the Ormiston pit. Superintendent Englehart reported on the monthly safety meeting. Other topics of discussion included; a letter from **Gary Shaw** regarding a previous County Commissioner agreement for the red County Road 35.6, the cooperative efforts of the Road Department and **Montezuma Valley Irrigation** regarding a culvert replacement, the **City of Mancos** gravel agreement, lease renewals for the **Hay Camp** and **Tozer** pits, the recently attended **South West Transportation Planning Region** (SWTPR) meeting, the **Pleasant View Fire Department** building, land and tower options, employee usage of a county vehicle and the Road BB intersection. (See attached)

ORDER #4-2017: Administrator Brunner presented **Transfer Order # 4-2017** for approval. A transfer from the Emergency Telephone Authority Fund to the Road & Bridge Fund \$2,436.55 for a permit that was issued from Century Link with ETA designated in the memo portion of the check in error. Commissioner Lambert moved that Order #4-2017 a \$2,436.55 transfer from the Emergency Telephone Authority Fund to the Road & Bridge Fund be approved. Second by Commissioner Ertel and carried. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented his monthly report and Certification of pay for January 2017 along with the services update which included monthly statistical data, indirect income to Montezuma County and corrections to the 2016 Indirect income report. Commissioner Ertel moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for January 2017, seconded by Commissioner Lambert, motion carried. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Paul Hollar met with the Commissioners and gave a monthly update. Topics discussed included; his attendance to the **Jackson Gulch** Table top discussion, a review of the final draft of the **Emergency Alert Notification**, the **ID/ Credentialing (Salamander)** program, a future county public information workshop and the **2017 Montezuma County Annual Wildfire Operating Plan (AOP)**. Commissioner Ertel moved to adopt the 2017 Montezuma County Operation Plan for wildfires as presented. Second by Commissioner Lambert and carried. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock presented for approval a **Task Order Amendment #4** for the **Immunization Core Services Contract**. Commissioner Lambert moved that Task Order amendment #4 for the Core Immunization Contract be approved. Second by Commissioner Ertel and carried. Other topics discussed included immunization costs, mental illness within Montezuma County jails and early childhood education. (See attached)

RESOLUTION #2-2017: Attorney Baxter presented Resolution #2-2017, a resolution supporting, **No Net Loss of Private Lands in Montezuma County**. Commissioner Ertel moved to adopt Resolution #2-2017, a resolution of support for no net loss of public land in Montezuma County as presented. Second by Commissioner Lambert and carried. Attorney Baxter presented for review a draft letter regarding Resolution 2-2017 and held a discussion regarding the participants to send said letter to. He will present said letter for approval at a future meeting. (See attached)

PLANNING: Planning Director Lee Ann Milligan presented for signatures a final plat for 3 Lot Minor Subdivision on property owned by **Warner Homes, LLC**, located at TBD Hwy 160, Mancos, CO, consisting of 39.07 acres +/-, situated south of Hwy 160, west of Road 37, S.3, T.35N. R.14W, N.M.P.M..

COUNTY ATTORNEY REPORT: Attorney Baxter discussed the scheduling of an executive session in regards to the Kinder Morgan lawsuit, oral argument presentation to the Commissioners.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, met with the Commissioners to give project updates. Topics of discussion included the recent public meeting regarding the Mesa Verde Trail, a conversation with Congressman Tipton's representative Darlene Marquez regarding the Sage Hen land transfer,

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner discussed the scheduling of a future Commissioner Town Hall meeting,

COUNTY COMMISSIONER REPORT: Commissioner Suckla discussed an invitation to the Commissioners to tour the La Plata County Coal mine and the La Plata County Television request update. **Commissioner Lambert** had no report to give. **Commissioner Ertel** discussed the Commissioner's Town Hall Meeting held last week in Mancos.

PUBLIC COMMENT: No Comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

Letter: United State Department of Agriculture, Forest Service Derek Padilla, regarding the fully executed Montezuma County's new **Communications Use Lease** for the **Dolores Communications Site**.

Electronic Letter: Colorado Department of Public Health & Environment to Montezuma County Landfill Manager Shak Powers regarding the revised 2015 closure and post closure cost estimate- technical comments.

Electronic Letter: Colorado Department of Public Health & Environment to Montezuma County Landfill Manager Shak Powers regarding approval of Cell 3A Construction Quality Assurance Report.

MOTION TO ADJOURN: was made by Commissioner Lambert second by Commissioner Ertel and carried.

MEETING ADJOURNED: 11:30 a.m.

County Clerk February 6, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 13, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday February 13, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of February 13, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated February 6, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of January, 2017. (See attached)

COUNTY TREASURER: Cancelled, **County Treasurer Sherry Dyess** will reschedule this presentation.

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give an update on the project. Topics in the discussion included; mud on the construction access points, weather conditions, the roofing, insulation, pre-fabricated mechanicals, the LEED status standing for the project, the parking lot dimensions, truck access to the parking lot, solar options, placement of solar panels for covered parking at the front or back of the building, side walk solar panels, maintenance requirements for solar options, city street parking and the selected wood stain color.

PUBLIC COMMENT: Phyllis Mains, Jeanne Becker, Fred Bird, Heather Snow and Mike Woodrow met with the Commissioners to discuss public lands. Topics in said discussions included, public property tax, methane fog, fracking, the economic impact of hunting in Montezuma County, cooperated efforts with Federal agencies, county administration of the Sage Hen area and indivisible public land ownership. **Catherine Kraus** discussed her support of the seasonal road closure on Road P at Cash Canyon. **Greg Kemp** discussed Federal Seasonal employees and the economic impact of said employees on Montezuma County.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of February 8, 2017 through February 24, 2017. Work scheduled included; mow brush and blade roads, plow snow and cleanup as available, the shop yard fence, repair winter road damage to various roads, Repair drainage on Road R, repair road clay/ ruts on roads 9,12,16, repair cattle guards on Road 10, haul chips from the 4- corners pit to Mancos and moving the crusher to the Ormiston pit. Superintendent Englehart discussed the seasonal closure of Cash Canyon, reporting that signs had been placed and the public hearing had been scheduled. Superintendent Englehart presented the Verizon Tower draft “Right of entry” agreement for discussion. Said agreement is to allow Verizon access to the county property for a usage study. County Attorney Baxter will review the agreement and make amendments. The Commissioners were in favor to allow Verizon the right of entry for their study. Other topics discussed included; the new Pleasant View Firehouse and an equal trade agreement between the Town of Mancos and Montezuma County. (See attached)

PUBLIC LANDS: Canyon of the Ancients National Monument Manager, Marietta Eaton discussed the Sand Canyon Parking lot and the cattle guard project on Road 10. Manager Eaton invited the Commissioner to an exhibit opening event on March 10, 2017 from 6:00p.m. to 8:00 p.m. at the Anasazi Heritage Center.

Forrest Service, Derek Padilla met with the Commissioners to give updates on various projects. Mr. Padilla discussed the Forest Service **Grants** process in regards to identified additional capacity or vacant grazing allotments and the required list of priorities to follow in granting said allotments. Mr. Padilla also discussed and the recently passed Montezuma County Resolution 2-2017.

Bureau of Land Management, Connie Clementson discussed, the Federal Land Transaction Facilitation Act, the County prioritization of land parcels available for disposal through the Resource Management Plan and the Land & Water Conservation Fund. Manager Clementson presented a tutorial to the BLM web pages for the ACEC Scoping Report <http://go.usa.gov/x97kf> and the Travel Management Inventory Interactive website; (Tres Rios Route Inventory) <https://www.blm.gov/maps/frequently-requested/colorado>. Data on the pages included the ACEC scoping report, a summary of all scoping comments, the future ACEC report analysis, and the live Montezuma County data on said websites. Manager Clementson requested the posting of the BLM links on the County web page.

SHERIFF’S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report. Topics of the discussion included; yearly tracking of repeat offenders from the inmate education Empowering Through Change program, Certified Vin Inspections, home detentions, ankle monitoring, calls for service, lake patrol funding, the jail inmate population averages, an state inmate charge comparison, the Justice building evidence room, an increase in abandoned vehicle fees, the training schedule, the Emergency Operation Plan and the State Wildlife Area reimbursement funds. (See attached)

COUNTY CLERK & RECORDER: County Clerk and Recorder, Kim Percell met with the Commissioners to present the Voting System and **Managed Services Agreement** by and between **Dominion Voting Systems Inc.** and Montezuma County. Commissioner Ertel moved to approve the Voting System and Management Service agreement between Dominion Voting Systems and Montezuma County as presented. Second by Commissioner Lambert and carried. (See attached)

PLANNING:

Planning Director Lee Ann Milligan presented for signatures, a final plat for amendments to the **Poff Subdivision** wherein Lot 1 was divided into one 3 acre and one 7 acre tract. Existing Lot 2 was removed from the subdivision as it exceeded 35 acres. Property is owned by the **Gay & Judy Balfour Trust**, 11963 Road 26, Cortez, CO, located west of Road 26, south of Road M, situated in Sec. 14, T.36N., R.16W., N.M.P.M.

Director Milligan presented for signatures a final plat for the approved amendments to the **Mo's Place Minor Subdivision** wherein existing Lot 1 would be divided into two tracts consisting of one 3 acre, more or less, and one 14.27 acre, more or less tract. Also proposed is a small boundary line adjustment to existing lot 2. Property is owned by **David A. Kimble & Falena Hunter**, 7494 Road 25, Cortez, CO, located east of Road 25, north of Road G, situated in Sec. 2, T.35N., R.16W., N.M.P.M

Director Milligan met with the Commissioners to discuss the Mesa TV airing of the Planning & Zoning meetings. Topics of the discussion included, re-broadcasting time slots, recordings, set up, expense and notifications. Director Milligan will meet with IT Director McClain and Clerk Percell to discuss the required set up.

COUNTY ATTORNEY REPORT: Attorney Baxter reported that he had amended the Mesa TV Contract and presented it to Mr. Coy but said contract had not been returned to him. A discussion was held regarding the Denver TV petitions. The Commissioners were in favor of moving forward with the filing of the petitions with the FCC. Attorney Baxter reported that he had scheduled an executive session on March 6, 2017 at 8:00 a.m. for a video conference regarding the Kinder Morgan lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, met with the Commissioners to give project updates. Topics of discussion included an update on the Mesa Verde Trail land owners, the Targeted Brownfields Assessment (TBA) acceptance award for the Montezuma County Justice Building, a collective meeting for the Trail to Moab and a discussion held at the State Historical meeting regarding the development of a Galloping Goose trail between the towns of Mancos and Dolores. Mr. Dietrich presented a request from the City of Cortez for a letter of support for Federal funding for the National Park Services. A discussion was held regarding the recipients of said letter to include the Counties, State and Federal Representatives. Commissioner Lambert moved that the letter to the Interior Subcommittee on Appropriations be approved as presented. Second by Commissioner Ertel and carried (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner presented the December 2016 **Accounts Payable Statements** for approval. Commissioner Lambert moved to approve the Accounts Payable for December 2016 as presented. Second by Commissioner Ertel and carried. Other topics of discussion included the scheduled meeting with Dolores County Commissioners on February 21, 2017 at 1:30p.m. and the next Commissioner Town Hall meeting scheduled, April 25, 2017 at the Lewis Arriola Community Center.

COUNTY COMMISSIONER REPORT: Commissioners Suckla and Lambert discussed the development of a Commissioner's weekly column for the local newspaper. At this time none of the Commissioners are in favor of the development of a weekly Commissioner's column. Commissioner Ertel reported on last weekend's Southwest Livestock Association meetings attended.

PUBLIC COMMENT: Olaf Bye discussed the benefits of living within a county with public lands.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Lambert and carried.

MEETING ADJOURNED: 12:13 p.m.

County Clerk February 13, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 27, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday February 27, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Absent)
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

VICE-CHARIMAN Lambert opened the meeting of February 27, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated February 13, 2017 as amended. Motion was seconded by Commissioner Lambert and carried.

COUNTY TREASURER: Treasurer Sherry Dyess presented the 6 month Treasurer's report. Commissioner Ertel moved to approve the schedule of receipts and disbursements for the time period of July 1, 2016 through December 31, 2016 as presented. Second by Commissioner Lambert and carried. (See attached)

DISCUSSION: Juvenile Services Planning Committee-Senate Bill 94, Discussion was rescheduled for March 13, 2017.

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give an update on the project. Topics in the discussion included; the attended owner and security meetings, a future presentation of the contingency log overview, electrical wiring, door frames, door hardware, circuits, the monitoring station, security fencing, electric access gates, panic buttons, wireless systems, fire water systems, ducting and the certificate of occupancy date.

PUBLIC COMMENT: **Glynis Verrazzana** discussed the Commissioners positions on Sanctuary Status, the 287(g) immigration enforcement program and the Immigration and Customs Enforcement (ICE) Holds. **Retha Williams** discussed the effects of the Affordable Care Act to our local hospital. **Read Brugger** discussed the attended “Strength of Siblings”, at the Sunflower Theater, a short dramatic film made by youths of the Ute Mountain Ute Tribe. **Ellen Foster** requested that presenters to the Commissioners be introduced to the audience.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of February 22, 2017 through March 10, 2017. Roads scheduled for work include; shape and gravel on Road L. 22, 23, install culverts on Road 30.5, 39.2, H, 25, 41, repair road clay / ruts on Road 9,12,15,16 and cattle guard repairs on Road 10. Superintendent Englehart discussed a sink / pot hole repair on Road J and a Road 10 curve concern. Other topics of discussion included; completion of the yard fence, the Dolores County/ Forrest Service gravel agreement, the DOLA Road CC and 10 grant hearing, the final performance evaluation report on the Goodman Point Truck Route and the Verizon Tower project. (See attached)

LANDFILL: **Landfill Manager, Shakalo Powers** gave his monthly report which included the 2017 Proposed Landfill budget spread sheet, a CDPHE Colorado Counties Landfill map, and a state wide Counties service and price comparison report. Manager Powers reported that he had received State approval for the Upcycle Store. Topics discussed within said report included, permit modifications, collection of sales tax, public notifications and the inclusion of an inventory list on the County Landfill web page. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Josiah Forkner** and **Lori Higgins** were present. (See attached)

FAIRGROUNDS: **Fairgrounds Manager, Tanner Young** gave his monthly report which included the year to date income, attendance numbers and event schedule. Other topics discussed included new signs for the indoor arena, an update in the CDOT lighting project, a Fairgrounds / Mesa TV commercial, a new speaker platform for the outdoor arena, and an amendment to the Fairgrounds County contract regarding marijuana vendor advertisements during events held at the Fairgrounds.

GROUNDS AND BUILDINGS QUARTERLY REPORT: **Maintenance Supervisor, Mike Chenard** gave his quarterly report on the grounds and buildings. Supervisor Chenard discussed a record of maintenance Help Desk tickets from May 2016 through December 2016. Topics in said discussion included, open and completed Help Desk tickets, the majority of tickets are for the Sheriff’s Department and the development of a spare part inventory. Supervisor Chenard presented a quote from **South West AG Inc.** in the amount of \$25,877.00 for a Kubota tractor and a quote in the amount of \$32,592.81 for a John Deer tractor from **Stotz Equipment**. Said tractor will be used for snow plowing and yard mowing. Commissioner Ertel moved to approve the Maintenance Department purchase of a John Deer tractor with the purchase price not to exceed the amount of \$33,000.00. Second by Commissioner Lambert and carried. Other topics discussed include the Annex I parking lot, the State Micro Wave site cleanup and sidewalk repairs. (See attached)

TRAILS GRANT: **Wanda Martin** from the Sheriff’s Office along with Grant Writer **Cindy Ramsey** met with the Commissioner to present the Trails Grant through Polaris for an off highway vehicle (ATV). Commissioner Ertel moved to approve the Trails grant application to Polaris for the Montezuma County Sheriff’s Department for the purchase of an ATV. Second by Commissioner Lambert and carried. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock met with the Commissioners to present for approval the **2016-17 United Way Community Partner Agreement**. Said agreement will supplement the Montezuma County Health Department's Dental Program. Commissioner Ertel moved to approve the Partnership Agreement between the Montezuma County Health Department and United Way of Southwest Colorado as presented. Second by Commissioner Lambert and carried. (See attached)

PROCLAMATION: Ann Brown, Constance Fox and Tulli Kerstetter met with the Commissioners to present a proclamation that the month of March be designated as **Women's History Month**. Ann Brown read the proclamation to the Commissioners and audience. Contance Fox reviewed the history of the National declaration and invited the Commissioners to a day of celebration on March 11, 2017. Commissioner Ertel moved that the Montezuma County Board of County Commissioners recognize March as Women's History Month and duly sign the proclamation. The motion was second by Commissioner Lambert and carried. (See attached)

Commissioner Lambert announced the adjournment of the meeting for the LUNCH break.

Commissioner Lambert announced the meeting would reconvene

PLANNING:

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose for review and determination of an AR3-9 rezoning request and Sketch Plan for a proposed Single Lot Development consisting of 8 acres, more or less, on property owned by **Cynthia Brunner and Marvin W. Brunner, Jr.**, 14785 Road 28 Dolores, CO, consisting of 8 acres, more or less, located north of Road P, east of Road 28, situated in S.32, T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved to approve the AR3-9 rezoning request and sketch plan for a proposed single lot development, on property owned by Cynthia Brunner and Marvin W. Brunner, Jr. located at 14785 Road 28 Dolores, as presented. Second by Commissioner Lambert and carried. Commissioner Lambert closed this hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR10-34 rezoning request and Sketch Plan for a proposed Single Lot Development consisting of 20 acres, more or less, on property owned by the **LD Mominee Family Trust, Agent Maness and Assoc.**, 7019 Road 38 Mancos, CO, consisting of 216 acres, more or less, located south of Hwy 160, east of Road 38, situated in S. 2, T.35N., R.14W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agents **Ernest Maness** and **Stan Pierce** were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Agent Maness discussed concerns with the school dedication requirements and said fee assessments. Commissioner Lambert opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the AR10-34 rezoning request and sketch plan for a proposed single lot development consisting of 20 acres, more or less, on property owned by the LD Mominee Family Trust, Agent Maness and Assoc., 7019

Road 38 Mancos, CO. be approved as presented. Second by Commissioner Lambert and carried. Commissioner Lambert closed this hearing at this time. (See attached)

Planning Director, Lee Ann Milligan presented for signatures the final plat for the Mominee Single Lot Development consisting of 20 acres, more or less, on property owned by the **LD Mominee Family Trust**, Agent Maness and Assoc., 7019 Road 38 Mancos, CO, consisting of 216 acres, more or less, located south of Hwy 160, east of Road 38, situated in S. 2, T.35N., R.14W., N.M.P.M..

Planning Director Milligan presented for review and determination a **Certification of Use** request to operate a fabrication shop “home business / occupation” on property owned by **Steven Hurst**, located at 26601 Hwy 184, Dolores, CO, consisting of 37.22 acres, more or less, within the Homestead Subdivision, located south of Hwy 184, east of Road 26.4, situated in S.12, T.37N., R.16W., N.M.P.M. Agents Steven and Ronnie Hurst were present. Director Milligan gave an overview and history of the application that had been presented to the Planning & Zoning Commission. Director Milligan reported that the findings of the Commission had been that the application be for a Certification of Use with the understanding that an expansion would require the High Impact Permit process. Seeing audience members wishing to speak Commissioner Lambert opened the meeting at this time to hear public comment. **David Doudy** discussed his concern to keep the residential feel of the area. **Melvin Hicks** made a verbal complaint to the Commissioners regarding the Planning & Zoning Commission and discussed his concerns with the Planning & Zoning process. Planning & Zoning Commission chairman **Bob Clayton** addressed the verbal complaint and discussed the development of a County Home business identification process for the Planning & Zoning Commission to adhere to. After hearing all the evidence presented Commissioner Ertel moved to grant the Certification of Use to operate a home business / occupation on property owned by **Steven Hurst**, located at 26601 Hwy 184, Dolores. Second by Commissioner Lambert and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of determining an AR3-9 rezoning request and Pre-Sketch Plan for a proposed 2 Lot Moderate Development on property owned by **Wayne & Pamela Johnson, Agents Cory & Casie Madsen**, located at 12760 Road 25, Cortez, CO, situated south of Road N, east of Road 25, located in S.11, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agents Cory and Casie Madsen were present. **Planning Assistant, Ranette Karo** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Assistant Karo reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the AR3-9 rezoning request and pre-sketch plan for a proposed 2 lot moderate development on property owned by Wayne & Pamela Johnson, Agents Cory & Casie Madsen, located at 12760 Road 25, Cortez be approved. Second by Commissioner Lambert and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Planning Director, Milligan along with **Gerald Huddleston** met with the Commissioner to discuss a deed clarification on property owned by **Jacqueline R. Regan** located at 24269 Hwy 491, Pleasant View, CO, situated north of Road AA, west of Hwy 491, located in S.8, T.38N., R.17W., N.M.P.M. Ms. Regan’s property deed is incorrect and has asked the Commissioners to approve the correction. The Commissioners did not know of any reason to object to the correction on the deed. Director Milligan will report back to Ms. Regan by written correspondence. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of determining a High Impact and Special Use Permit for the construction and operation of a CO2 Well (CD-2) on property owned by **Darrell & Linda Lancaster**, Agent **Chris Lopez**, **Kinder Morgan CO2 Co.**, located at 22644 Road 10, Pleasant View, CO, situated south of Road 10, southwest of Road AA, located in S.23, T.38N., R.19W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner **Darrell Lancaster** along with Kinder Morgan agents **Chris Lopez**, **Andy Weygant** and **Chris Millican** were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comments included; **Gala Pock** discussed the reclamation of the area and Road CC, **Ellen Foster** discussed the shape of the well pad and the finalization of permits prior to approval presentations, **Bob Clayton** discussed the Road CC concerns, side roll pathways and the Kinder Morgan permits. **M.B. McAfee** discussed the postponement of approval until all permits are finalized. Hearing no further public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Director Milligan reported the Planning & Zoning Commission vote was in favor of approval of the application, contingent on Mr. Lancaster's Surface agreement. After hearing all the evidence presented Commissioner Ertel moved to approve High Impact Permit No. 681 and Special Use Permit for the purpose of the construction and operation of one CO2 well, known as CD-2, on property owned by Darrell & Linda Lancaster, located at 22644 Road 10, Pleasant View, contingent upon the following stipulations are met; all local, state and federal permits are obtained; original surface use agreement is in place; and a future loss of production agreement with the surface owner will be required once construction is complete. Second by Commissioner Lambert and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney **John Baxter** presented the Mesa TV contract for signatures. Attorney Baxter discussed the scheduled March 6, 2017 Executive Session topics and the Recovery Center's (CARS) property. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, met with the Commissioners to give project updates. Topics of discussion included; the Trail to Mesa Verde, the Cortez to Moab Trail, the Secure Rules School Funding, the Sage Hen Recreation area and the Me Elmo Flume Grants funding.

COUNTY ADMINISTRATOR REPORT: Administrator **Melissa Brunner** presented for discussion the proposed City Of Cortez / Montezuma County, Justice Center property split map. Topics of the discussion included the south drive way, parking in the back of the Justice Center and the entrance and exit easements.

(See attached)

COUNTY COMMISSIONER REPORT: Commissioner **Suckla** was absent. Commissioners **Lambert** and **Ertel** reported on the attended GCC mine tour.

PUBLIC COMMENT: **Ellen Foster** suggested that the County reach out to surface owners prior to the signing of surface use agreements. **David Doudy** discussed a county need for defined guidelines, parameters and definitions of a home based business.

CORRESPONDENCE: The following correspondence was read and noted:

A letter from the U.S. Department of Interior regarding an amendment to the **Tri-State Generation and Transmission Association** right-of-way grant.

A letter to Chairman Suckla from the Colorado Department of Local Affairs regarding **State and Local Government Limited Gaming Impact Program** advisory committee nomination / selection process.

A Colorado Parks and Wildlife Impact Assistance grant application authorization for tax year 2016

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Lambert and carried.

MEETING ADJOURNED: 4:00 p.m.

County Clerk

February 27, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 6, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 6, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator (Absent)
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of March 6, 2017 with the Pledge of Allegiance.

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Ertel moved for the Board of County Commissioners to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Second by Commissioner Lambert and carried. Topics for the executive session included a phone conference with Attorneys regarding the Kinder Morgan lawsuit. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated February 27, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Deputy Clerk, Malinda Fuller presented liquor license renewals for **G Whil Liquors LLC, DBA G Whil Liquors** located at 24001 Road G.2, Cortez, for **Spirit Wind Inc., DBA Sophia Retreat and Event Center**, located at 19581 Road 31, Dolores, CO 81323 and **Triple H & J Inc., DBA Smitty's Liquors** located at 10255 Hwy 491 Cortez. Commissioner Lambert moved that the liquor license renewals for G Whil Liquors, Spirit Wind Inc., and Triple H & J Inc., be approved. Second by Commissioner Ertel and carried. (See attached)

COMBINED COURTHOUSE PROJECT: The report from **Owners Representative, Monty Guiles** was cancelled.

PUBLIC COMMENT: **Ellen Foster, M.B. McAfee, Greg Kemp** and **David Long** discussed the scheduled Planning & Zoning Commission vacancy interviews and if said interviews should be conducted in private or attended by the public.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of March 1, 2017 through March 17, 2017. The work schedule included; shape for gravel on Roads L, 22, 23, install culverts on Roads 30.5, 39.2, H, 25, and 41, repair road clay and ruts on Roads 9, 12, 15, and 16, cattle guard repairs on Road 10, snow removal, clean up and blade roads as available. Other topics of discussion included; Road 25 and Road S grind and material replacement, a red road to county road transition, inventory set for auction, the Annex I parking lot, signs on Road BB, and possible invasive muscles closures of County reservoirs. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented his monthly report and Certification of Pay for February 2017 along with services updates which included monthly statistical data, indirect income to Montezuma County and events. Commissioner Lambert moved to approve the **County Veterans Service Officers** monthly report and Certification of Pay for February 2017, seconded by Commissioner Ertel, motion carried. Other topics discussed included the resolution of computer issues by the IT Department, Federal administrative changes and recertification for Officer Torres. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock along with **County Sanitarian, Melissa Mathews** met with the Commissioners to give updates and discuss Health Department programs. Director Lock presented the Bi-monthly report from the following Health Departments and programs; Adult Preventative Health Services, Baby and Me Tobacco Free, Communicable Disease, Communities that Care, Consumer Protection, the Dental Program, Emergency Preparedness and Response, Health Care Program for Children with Special Needs, Options for Long Term Care, Immunizations, Nurse Family Partnership, Reach Out and Read, SafeCare Colorado, Tobacco Education & Preventive Program, Women, Infant & Children and the Young Parents Plus program. Director Lock discussed the 2016 Fiscal year end revenue report, the County designation of **Public Health Week** in April and reported that the Commissioners would receive an invitation to the Public Health Week, Open House.

County Sanitarian Mathews held a discussion regarding the adoption of the proposed State Regulation 43, the **On Site Waste Water Treatment System Regulations**. Mrs. Mathews discussed the development of a County **“Transfer of Title Inspections”** regulation. Topics of said discussion included; inspection requirements, sand requirements, fee collections, grant funding, property foreclosures and NAWT inspector certifications. Mrs. Mathews will begin a discussion with the **Board of Realtors** to explore ideas and report back to the Commissioners. (See attached)

HOMES FUND (Formerly the Regional Housing Alliance): Karen Iverson met with the Commissioner to discuss the Homes Fund Homebuyer Assistance Program. Topics of the discussion included the Affordable Gap for Montezuma County, the Homebuyer Assistance program, Homebuyer Education classes, Homes Fund Loan programs, citizens served, to date success statistics, the 2016 Montezuma County impacts, the current budget and the 2017 Montezuma County goals. (See attached)

LODGERS TAX BOARD VACANCY: A letter of interest for reappointment to the Lodgers Tax Board for a 3 year term was presented by Lee Cloy. Commissioner Lambert moved to reappoint Mr. Lee Cloy to the Lodgers Tax Board for a 3 year term. Second by Commissioner Ertel and carried. (See attached)

DISCUSSION: **Judi Lichliter** met with the Commissioners to discuss the County Facilities handicapped parking spaces with a request to replace the handicapped posts and signs at the County Senior Center and to develop additional spaces at county facilities where available.

FAIRGROUNDS: **Fairgrounds Manager, Tanner Young** met with the Commissioners to discuss amendments to the Fairgrounds Master Contract. Said amendments would require scheduled events to gain prior approval from the Montezuma County Board of Commissioners, for any sales, use or marketing, of alcohol, marijuana, or any legal intoxicating or mind altering substance. Commissioner Ertel moved to approve the Fairground Master Contract, revised on March 6, 2017 with the mentioned changes included in the contract. Second by Commissioner Lambert and carried (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene

PLANNING: **Planning Director, LeeAnn Milligan** presented for review and determination of an exemption application on property owned by **Jeffrey and Carol Wells** located at 15548 Road CC, consisting of 4.8 acres +/- and 25872 Hwy 491, consisting of 4.8 acres +/-, Pleasant View, CO, situated south of Road CC, east of Hwy 491, located in S.6, T.38N., R.17W., N.M.P.M. Applicants wish to reconfigure their adjacent property lines in order to accommodate development; each property would meet the County's 3 acre minimum. Property owners Jeffrey and Carol Wells were present. Commissioner Lambert moved that Exemption Resolution #P-02-17 for property owned by Jeffrey and Carol Wells located at 15548 Road CC consisting of 4.8 acres and 25872 Hwy 491, consisting of 4.8 acres be approved. Second by Commissioner Ertel and carried. (See attached)

INTERVIEWS: The Commissioners held Planning and Zoning Commission vacancy interviews with **Rob Pope, Robert Lindvall, Stan Pierce** and **Ronnie Hurst**. Commissioner Ertel moved to appoint Rob Pope to replace Mr. Gaddy's vacancy with the Planning and Zoning Commission and to add Stan Pierce as a "voting in the absence" alternate to the Planning & Zoning Commission. Second by Commissioner Lambert and carried.

BROADBAND: **IT Director Jim McClain** met with the Commissioners to present the RFP Responses from: Foresite – Full Response – Hard Copy/Digital Copy
Farmers Telephone – Full response – Hard Copy/Digital Copy
Mammoth Networks – Full Response – Digital Copy
Data Safe/FastTrack – Full Response – Hard Copy/Digital Copy
ZumaCom – Incomplete Response – Digital Copy – Vague not complete.

Topics of the discussion included program management, open access, fiber, technology, maps, existing fiber locations, financing, the scan link, executive sessions discussions and the partnership agreement. Data Safe / FastTrack, **Dr. Rick Smith** along with **Tom Maley** discussed their presented RFP. Commissioner Lambert moved to approve the RFP from Data Safe Services and FastTrack Communications as partners to move the Montezuma County broadband forward. Second by Commissioner Ertel and carried (See attached)

COUNTY ATTORNEY REPORT: Attorney Baxter held a discussion regarding the Amended Quitclaim Deed for the Cortez Addiction Recovery Services LLC (CARS) property located at 35 North Ash Cortez Co. Said deed was requested to correct clerical errors on the original document. Commissioner Lambert moved to amend the quitclaim deed dated December 7, 2007 between Montezuma County and the Cortez Addiction Recovery Services LLC. Second by Commissioner Ertel and carried. Other topics discussed included a possible resolution to a landowner issue on one of the Phil's World trails. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich presented for approval, a letter addressed to the BLM Tres Rios Field Office, from the Board of County Commissioners in support of the Kinder Morgan CO2 Company LLC development of federally owned minerals held by lease within Montezuma County. Commissioner Ertel moved that the Board of County Commissioners send the letter to the Tres Rios BLM Field office concerning comments in support of the operation of a CO2 well on property owned by Darrell & Linda Lancaster. Second by Commissioner Lambert and carried. Other topics discussed included updates on the Mesa Verde Trail, the Cortez to Moab Trail, and the McElmo Flume. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner was absent.

COUNTY COMMISSIONER REPORT: Commissioner Suckla gave a report on his trip to Washington D.C. and presentations attended. Commissioner Lambert had no report to give. Commissioner Ertel gave a report on the attended Area Agency for Aging meeting.

PUBLIC COMMENT: Greg Kemp discussed the Homes Fund partnership with the Habitats for Humanity program.

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Lambert moved for the Board of County Commissioners to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Second by Commissioner Ertel and carried. Topics for the executive session included County department EOC cases, and the Dolores Norwood Road. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Lambert second by Commissioner Ertel and carried.

MEETING ADJOURNED: 3:50 p.m.

County Clerk

March 6, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 13, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 13, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of March 13, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 6, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of February, 2017. (See attached)

JUVENILE SERVICES PLANNING COMMITTEE: Deb Stuckman met with the Commissioners to present the proposed Juvenile Services Planning Committee for approval. Topics of the discussion included; the Senate Bill 94 program, duties of the Committee, local School District representatives, meeting schedules, budgeting, community involvement, distribution and eligibility of marijuana funds, magistrate law and the yearly goals set for the Committee. Commissioner Ertel moved that the proposed membership of the Juvenile Services Planning Committee be affirmed with the addition of representatives from the Mancos and Dolores School Districts. Second by Commissioner Lambert and carried. (See attached)

PUEBLO COMMUNITY COLLEGE: College President Dr. Patty Erjavec and Tonya Nelson met with the Commissioners to give updates on the College. President Erjavec discussed the decision process for offered

programs. Programs discussed included Nursing, Building Trades and an Agriculture Technology program. Other topics of the discussion included; the decline in enrollment, supplemental education, community connections, marketing, a Region 9 feasibility study and student demographics.

PUBLIC COMMENT: **Ellen Foster, Carolyn Landes and Mike Lavey** discussed HB 622. **Donna Fitzpatrick** discussed a county ban on single use plastic bags.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of March 8, 2017 through March 24, 2017. The work schedule included; shape and gravel on Roads L, 22, 23, install culverts on Roads 30.5, 39.2, H, 25, and 41, repair road clay / ruts on Roads DD, 9, 12, and 15, cattle guard repairs on Road 10, grind Road 25 from the city limits to Road M and grind 800 feet on Road S between roads 24 and 25. Superintendent Englehart reported that they would be hauling chips from the 4-Corner pit to Mancos and that several gravel pit Memo of Agreements (MOA) are scheduled for renewal. Said memos will be presented to Attorney Baxter for review. Other topics of discussion included; the City of Mancos gravel agreement, tree trimming, the Road 25.5 culvert, the department's retirement celebrations for Ed Cline and possible road chip seal and tree damages from recent winter storms. (See attached)

REGION 9: Economic Development Planner, Jill Seyfarth along with **MCEDA Representative, Chelsea Jones** met with the Commissioners to discuss a 2016 **Performance Report** and Region 9 updates for Montezuma County. Other topics discussed included the **Rural Jumpstart Zone Program** and the **Colorado Commercial Property Assessed Clean Energy Program (CPACE)**. (See attached)

HOSPICE OF MONTEZUMA: Executive Director, Wendy Weygandt met with the Commissioners to request a waiver of the \$350.00 Annex I use fees for the Hospice of Montezuma's Annual Pancake Dinner to be held on November 3, 2017. Commissioner Ertel moved that the \$350.00 Annex I use fees for the Hospice Pancake Dinner scheduled on November 3, 2017 be waived. Second by Commissioner Lambert and carried. Other topics discussed included the recent location move, sidewalks, county marquee advertisements and the annual golf tournament scheduled May 13, 2017.

SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin met with the Commissioners to give his monthly report. Sheriff Nowlin reported on the daily inmate numbers, daily inmate costs and the State, City of Cortez and Dolores County reimbursements rates. Other topics discussed included pre-trial services for Dolores County and the City of Cortez, agent courtesy holds, HB622, and Ice holds.

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, Judicial District Administrator, Eric Hogue, Architect, Jeremiah Hayes and Humphreys Poli, Dennis Humphreys met with the Commissioners to give an update on the contingency report. Topics of the discussion included; masonry, concrete, hot tap of fire lanes, slab structure, window coverings, Owner Scope Changes, parking lot, solar options, curbing, drainage, Contract change orders, the Owners Contingency Fund, the Contractors Contingency Fund, the Underfunded Grant Funding, spectator benches, Costs to the county of City required changes, secure fencing and gates, ballistic glass, a shower stall change, plumbing hardware, a light pole foundation, the components to the security camera system, the addition of a City street light and the Contractors (GMP) guaranteed maximum price.

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining the proposed possible seasonal closure of a portion of Road P through **Cash Canyon**, between Roads 31 and 32, situated in Sec. 2, T.36N., R.15W., N.M.P.M., from Dec. 1st through March 1st of each year, or as road conditions require, beginning in 2018. The roll was called, the public notice read, and the proceedings were recorded for the record. **Road Superintendent, Rob Englehart** gave an overview of the proposed closure. Commissioner Suckla opened the hearing to public comment. Comments were made by **Jim Broersma, Eva Horne, Laurie Hutton, Joe Samulski, Barbara Smart** and **Dyrl Graf**. Topics discussed included; public safety, No Winter Maintenance signs, daily usage, concerns for emergency response vehicles, county road maintenance, vehicle rescues by neighbors, the length of closures, the conditions for closure and the history of county maintenance of said road. Hearing no further public comment that portion of the hearing was closed. Letters opposed to the closing from **Gail Isaman, Patty Brumley** and **Caitlin Rowell** were presented for the record. After hearing all the evidence presented Commissioner Ertel moved to not close this section of Cash Canyon Road and that at appropriate points as determined by our Road Supervisor that “No Winter Maintenance” and “Travel at Your Own Risk” signs be placed at the entrance to Cash Canyon on both sides. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding an AR3-9 rezoning request and Sketch Plan for a proposed Single Lot Development consisting of 4 acres, more or less, on property owned by **Greene Trust**, 12723 Road 21, Cortez, CO, located south of Road N, west of Road 21, situated in Sec. 12, T.36N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Assistant, Ranette Karo** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Assistant Karo reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Lambert moved that the AR3-9 rezoning request and sketch plan for a proposed single lot development consisting of 4 acres, more or less, on property owned by Greene Trust, located at 12723 Road 21, Cortez, be approved. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Planning Assistant, Karo presented for signatures the final plat for a single lot development consisting of 4 acres, more or less, on property owned by **Greene Trust**, 12723 Road 21, Cortez, CO, located south of Road N, west of Road 21, situated in Sec. 12, T.36N., R.17W., N.M.P.M.

Planning Assistant, Karo presented for review and determination of a boundary line adjustment within the **Yelinek Subdivision** between adjacent properties owned by **Theodore Roof**, 14324, Road 20, and **Helen Yelinek**, 14318 Road 20, Cortez, CO, wherein property owners wish to correct property lines. The properties are located east of Road 20, north of Road P, situated in Sec. 36, T.37N., R.17W., N.M.P.M. Commissioner Ertel moved that the boundary line adjustment within the Yelinek Subdivision between adjacent properties owned by Theodore Roof, 14324, Road 20, and Helen Yelinek, 14318 Road 20, Cortez be approved. Second by Commissioner Lambert and carried.

Planning Assistant, Karo presented for signatures the final plat for a boundary line adjustment within the **Yelinek Subdivision** between adjacent properties owned by **Theodore Roof**, 14324, Road 20, and **Helen Yelinek**, 14318 Road 20, Cortez, CO, wherein property owners wish to correct property lines. The properties are located east of Road 20, north of Road P, situated in Sec. 36, T.37N., R.17W., N.M.P.M.

COUNTY ATTORNEY REPORT: Attorney Baxter gave a report on the attended Supreme Court hearing held in Denver last week regarding the Kinder Morgan lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich met with the Commissioners to give project updates. Mr. Dietrich presented for approval a letter addressed to the **United States Senator, Cory Gardner**, regarding the County Commissioner's position on the **Bureau of Land Management Planning Rule 2.0**. In addition said correspondence will be sent to **Senator, Michael Bennet** as well as **Congressman, Scott Tipton**. Commissioner Lambert moved that the Montezuma County Board of County Commissioner's letter to Senator Gardner, and copy letters to Senator Bennett and Congressman Tipton be approved. Second by Commissioner Ertel and carried. Mr. Dietrich presented for discussion the proposed Mesa Verde Trail property owner's map that included property owners who are in favor of the trail, property owners who are opposed to the trail and property owners who are in discussion with the County regarding the trail. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented the January 2017 **Accounts Payable** along with the December 2016 and January 2017 **Financial Statements** for approval. Commissioner Ertel moved to approve the Accounts Payable for January 2017 as presented. Second by Commissioner Lambert and carried. Commissioner Ertel moved to approve the Financial Statements for December 2016 and January 2017 as presented. Second by Commissioner Lambert and carried. Other topics discussed included the scheduling of the Road BB public hearing. Said public hearing will be set for April 17, 2017. (See attached)

COUNTY COMMISSIONER REPORT: No reports given.

PUBLIC COMMENT: No comments were made.

EXECUTIVE SESSION: Sheriff Nowlin met with the Commissioners and made a request to hold an Executive Session to discuss a personnel matter. Commissioner Lambert moved to go into executive session for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), and to include Sheriff Nowlin, seconded by Commissioner Ertel and carried. Topics for the executive session were personnel matters within the Sheriff Department. Commissioner Lambert moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: A letter from **Margaret (Peggy) Blackmer**, regarding the outstanding service by the Health Department employee **Dores Jay-Pang**.

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Lambert and carried.

MEETING ADJOURNED: 3:10 p.m.

County Clerk March 13, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 20, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 20, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of March 20, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 13, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the February 2017 Accounts Payable for approval. Commissioner Lambert moved to approve the Accounts Payable for February 2017 as presented. Second by Commissioner Ertel and carried. (See attached)

GROUND AND BUILDINGS: Maintenance Supervisor, Mike Chenard presented quotes for a dump trailer purchase from **Crouch Mesa Trailer Sales LLC., D&D Sales, Hiebco Trailers and 4 Corners Trailers.** Supervisor Chenard discussed the side length options, cost comparisons and the expected usage of the trailer. Commissioner Ertel moved to approve the Maintenance Department purchase of a dump trailer from Crouch Mesa Trailers Sales for the amount of \$7900.00. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included the Underfunded Grant, a recent Commissioner tour of the project, entrance ceilings, window frames, a skylight and natural lighting.

PUBLIC COMMENT: **Greg Kemp** discussed the Regional Forestry award presented to the San Juan National Forest and the partnership discussed within the award. **Mike Lavey** discussed funding concerns and a closure contingency plan for the local Airport. **Robin Strother** discussed a proposed letter of opposition to Congressman Tipton and the Commissioners position regarding HR622. **Gerald Koppenhafer, President of Montezuma Valley Irrigation Company** discussed the Commissioners intentions to the water rights of the **Fish Creek Feeder Ditch**. **Dennis Atwater** discussed the Zebra / Quagga Muscles inspections program and the Rico / West Dolores Travel Management Plan. (See attached)

ROAD DEPARTMENT: **Road Superintendent Rob Englehart** presented the road and bridge schedule for the time period of Mach 15, 2017 through March 31, 2017. The work schedule included; shape and gravel on Roads L, 22, 23, install culverts on Roads 26.5, 30.5, 39.2, H, 25, 41, CC and Road 16, repair road clay / ruts on Roads DD, 9, 12, 15 and 19, cattle guard repairs on Road 10, new gravel placed on Roads 32, R, and Road 39, grind Road 25 from the city limits to Road M and grind 800 feet on Road S between roads 24 and 25. Superintendent Englehart reported that they would be hauling chips from the 4-Corners pit to Mancos. Other topics of discussion included; the Verizon Tower project, the identification of county roads for state infrastructure funding, the Dolores Norwood Road, a Title II Grant application, the County Road dust control program and Road Department usage of water from local reservoirs. Supervisor Englehart presented the **2017 Gravel Pit Lease Agreement** between Montezuma County, **Carol L. Tibbits** and **Merle W. Tozer** for approval. Commissioner Ertel moved to approve the lease agreement between Montezuma County, Carol L. Tibbits and Merle W. Tozer for the McElmo gravel pit for a 3 year period. Second by Commissioner Lambert and carried. (See attached)

PUBLIC LANDS: **Canyon of the Ancients National Monument Manager, Marietta Eaton** reported to the Commissioners on a new exhibit at the Anasazi Heritage Center Museum, **Trowels, Trading Posts, and Travelers, The Wetherill Family**. Ms. Eaton gave updates on the Sand Canyon parking lot project and the Yellow Jacket and Flodine grazing permits. (See attached)

Bureau of Land Management, Connie Clementson met with the Commissioners and gave updates on the Travel Management Plan, notification of Mike Ned as the Temporary Acting Director, an introduction of the new District Manager, the ACEC scoping report, the dissolution of the field office web page and the Phil's World project. A discussion was held on the Paths to Mesa Verde project and the San Juan National Forest, Regional Forestry Award.

PARKS & WILDLIFE: **MATT THORPE** representing the **Colorado Division of Parks** discussed the Aquatic Nuisance Species (ANS). Topics of the discussion included; inspection funding, recent discussions concerning protection for local reservoirs, a dedicated funding source, a sub-contracted inspector, possible federal funding, the return of Narraguinnep Reservoir to the status of a private lake, regulation of fishing licenses and fish stocking the lake, the State inspectors bidding process and a scheduled inspector class. Other topics discussed included the Twin Spruce Fish Stocking program and modifications to the response letter from Parks and Wildlife regarding the Phil's World Expansion project.

PUBLIC HEARING: It being the time set aside a public hearing is held for the consideration of a Lodging and Entertainment Liquor License. An application for Lodging and Entertainment License was received from **Westview RV Resort**, at 12092 HWY 145, Dolores, CO 81323 Montezuma County on January 20, 2017. The roll was called, the public notice read, and the proceedings were recorded for the record. Agents **Darren** and **Kathy Stone** were present. **Deputy Clerk, Malinda Fuller** gave an overview of the application.

Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved to grant a lodging and entertainment liquor license for the **Westview RV Resort**, located at 12092 HWY 145, Dolores as presented. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

SPECIAL EVENT LIQUOR LICENSE: **Deputy Clerk Malinda Fuller** presented a special event liquor license application to be used at the County Fairgrounds during the **Ute Mountain Roundup Rodeo**. Rodeo Board member **Ranette Karo** gave an overview of the Fairgrounds area to be used for the alcohol sales. Commissioner Lambert moved to approve the special event liquor license application for the Ute Mountain Roundup Rodeo for 2017 as presented. Second by commissioner Ertel and carried. (See attached)

DISCUSSION: Fairgrounds Handicapped parking. Cancelled

ASSESSOR: **Montezuma County Assessor, Scott Davis** met with the Commissioners to discuss the Kinder Morgan Abatement Petition or Refund of Taxes for Tax Years 2009 and 2010. Assessor Davis gave an overview of the petitions. Commissioner Ertel moved to affirm the Assessor's decision to deny the Kinder Morgan abatement petition for the tax years 2009 and 2010. Second by Commissioner Lambert and carried. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PLANNING: **Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg** held a discussion with the Commissioners regarding the Kinder Morgan / Property Owner Hayden noise complaint. Mr. Hayden was present and noted to the Commissioners that Kinder Morgan had reported to him that they had not been running the cooling fans but that Kinder Morgan would be willing to build a sound wall.

Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg held a discussion with the Commissioners regarding placing deeds on plats. Topics of the discussion included the filing of property deeds and Assessor document tracking.

Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg held a discussion with the Commissioners regarding a draft property development application and permitting check list. Topics of the discussion included; property development tracking, construction checklists, fee schedules, road permits, inspections, estimated existing fees, non-completion fee assessments, base line data information, the re-evaluation process, an end of year reporting to the Commissioners, a Colorado County new property development and construction comparison, public notifications, the data base access and penalty assessments on property tax. (See attached)

Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg held a discussion with the Commissioners regarding School Dedication Fees. Planning Director Milligan gave an overview of the state statute regarding School Dedication Fees. Topics of the discussion included; a fee assessment charge review, the fee formula for local School Districts, fee assessments on currently developed land, fee assessments on new developments. Director Milligan will correspond with local School Districts to regarding this issue.

MONTEZUMA ORCHARD RESTORATION PROJECT: **Jude Schuenemeyer** met with the Commissioner to request a letter of support for the Montezuma Orchard Restoration projects grant application for a **Colorado Heritage Orchard and Fruit Tree Education Project**. Mr. Schuenemeyer explained the grant would fund primary source research and education on Colorado's fruit-growing history. Commissioner Ertel moved that the Board of County Commissioners send a letter to the History Colorado State Historic Fund in support of the grant application for the Colorado Heritage Orchard and Fruit Tree Education Project as presented. Second by Commissioner Lambert and carried. (See attached)

COUNTY ATTORNEY REPORT: No report given.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, met with the Commissioners to give project updates. Topics of discussion included the attended **Native Fish Monitoring** meeting, the release forecast, the scheduled **Aquatic Nuisance Species** meeting at Destination Grill on March 31, 2017 at 6:00 p.m. Mr. Dietrich presented a **Pathways to Mesa Verde** map update and the **Planning and Environmental Linkage Process Flow** chart for this project, stating the current chart position for the County was **Developing Performance Measures**. (See attached)

COUNTY ADMINISTRATOR REPORT: **Administrator Melissa Brunner** presented two requests from **City of Cortez Manager, Shane Hale**, one for a waiver of electronic waste fees and the other for a tipping fee waiver for the May 6, 2017 **Clean-Up Day**. Commissioner Lambert moved that the tipping fees be waived on May 6, 2017 for the Clean-up day event. Second by Commissioner Ertel and carried. The request for the electronic waste fee waiver was denied due to the electronic waste charges applied to the County. Administrator Brunner held a discussion regarding the Colorado Department of Local Affairs (DOLA) web page and the Local Government Financial / Dashboard informational page. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Suckla** continued his report from his recent trip to Washington DC. **Commissioner Lambert** and **Ertel** reported on the Anasazi Heritage Center Museum's open house for the new Wetherill Family display.

PUBLIC COMMENT: Greg Kemp discussed the Montezuma Orchard Restoration donation of trees to the Mancos Grange, the development of a commercial kitchen and a suggested property developer's checklist.

CORRESPONDENCE: The following correspondence was read and noted: A copy of an email notification from **Attorney, John P. Justice** to Montezuma Valley Irrigation Company, **Brandon Johnson** regarding the Fish Creek Feeder Ditch was presented with a request for the Commissioners response to the questions included. (See attached)

MOTION TO ADJOURN: was made by Commissioner Lambert second by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:58 p.m.

County Clerk March 13, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 20, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 20, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of March 20, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 13, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the February 2017 Accounts Payable for approval. Commissioner Lambert moved to approve the Accounts Payable for February 2017 as presented. Second by Commissioner Ertel and carried. (See attached)

GROUND AND BUILDINGS: Maintenance Supervisor, Mike Chenard presented quotes for a dump trailer purchase from **Crouch Mesa Trailer Sales LLC., D&D Sales, Hiebco Trailers and 4 Corners Trailers.** Supervisor Chenard discussed the side length options, cost comparisons and the expected usage of the trailer. Commissioner Ertel moved to approve the Maintenance Department purchase of a dump trailer from Crouch Mesa Trailers Sales for the amount of \$7900.00. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included the Underfunded Grant, a recent Commissioner tour of the project, entrance ceilings, window frames, a skylight and natural lighting.

PUBLIC COMMENT: **Greg Kemp** discussed the Regional Forestry award presented to the San Juan National Forest and the partnership discussed within the award. **Mike Lavey** discussed funding concerns and a closure contingency plan for the local Airport. **Robin Strother** discussed a proposed letter of opposition to Congressman Tipton and the Commissioners position regarding HR622. **Gerald Koppenhafer, President of Montezuma Valley Irrigation Company** discussed the Commissioners intentions to the water rights of the **Fish Creek Feeder Ditch**. **Dennis Atwater** discussed the Zebra / Quagga Muscles inspections program and the Rico / West Dolores Travel Management Plan. (See attached)

ROAD DEPARTMENT: **Road Superintendent Rob Englehart** presented the road and bridge schedule for the time period of Mach 15, 2017 through March 31, 2017. The work schedule included; shape and gravel on Roads L, 22, 23, install culverts on Roads 26.5, 30.5, 39.2, H, 25, 41, CC and Road 16, repair road clay / ruts on Roads DD, 9, 12, 15 and 19, cattle guard repairs on Road 10, new gravel placed on Roads 32, R, and Road 39, grind Road 25 from the city limits to Road M and grind 800 feet on Road S between roads 24 and 25. Superintendent Englehart reported that they would be hauling chips from the 4-Corners pit to Mancos. Other topics of discussion included; the Verizon Tower project, the identification of county roads for state infrastructure funding, the Dolores Norwood Road, a Title II Grant application, the County Road dust control program and Road Department usage of water from local reservoirs. Supervisor Englehart presented the **2017 Gravel Pit Lease Agreement** between Montezuma County, **Carol L. Tibbits** and **Merle W. Tozer** for approval. Commissioner Ertel moved to approve the lease agreement between Montezuma County, Carol L. Tibbits and Merle W. Tozer for the McElmo gravel pit for a 3 year period. Second by Commissioner Lambert and carried. (See attached)

PUBLIC LANDS: **Canyon of the Ancients National Monument Manager, Marietta Eaton** reported to the Commissioners on a new exhibit at the Anasazi Heritage Center Museum, **Trowels, Trading Posts, and Travelers, The Wetherill Family**. Ms. Eaton gave updates on the Sand Canyon parking lot project and the Yellow Jacket and Flodine grazing permits. (See attached)

Bureau of Land Management, Connie Clementson met with the Commissioners and gave updates on the Travel Management Plan, notification of Mike Ned as the Temporary Acting Director, an introduction of the new District Manager, the ACEC scoping report, the dissolution of the field office web page and the Phil's World project. A discussion was held on the Paths to Mesa Verde project and the San Juan National Forest, Regional Forestry Award.

PARKS & WILDLIFE: **MATT THORPE** representing the **Colorado Division of Parks** discussed the Aquatic Nuisance Species (ANS). Topics of the discussion included; inspection funding, recent discussions concerning protection for local reservoirs, a dedicated funding source, a sub-contracted inspector, possible federal funding, the return of Narraguinnep Reservoir to the status of a private lake, regulation of fishing licenses and fish stocking the lake, the State inspectors bidding process and a scheduled inspector class. Other topics discussed included the Twin Spruce Fish Stocking program and modifications to the response letter from Parks and Wildlife regarding the Phil's World Expansion project.

PUBLIC HEARING: It being the time set aside a public hearing is held for the consideration of a Lodging and Entertainment Liquor License. An application for Lodging and Entertainment License was received from **Westview RV Resort**, at 12092 HWY 145, Dolores, CO 81323 Montezuma County on January 20, 2017. The roll was called, the public notice read, and the proceedings were recorded for the record. Agents **Darren** and **Kathy Stone** were present. **Deputy Clerk, Malinda Fuller** gave an overview of the application.

Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved to grant a lodging and entertainment liquor license for the **Westview RV Resort**, located at 12092 HWY 145, Dolores as presented. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

SPECIAL EVENT LIQUOR LICENSE: **Deputy Clerk Malinda Fuller** presented a special event liquor license application to be used at the County Fairgrounds during the **Ute Mountain Roundup Rodeo**. Rodeo Board member **Ranette Karo** gave an overview of the Fairgrounds area to be used for the alcohol sales. Commissioner Lambert moved to approve the special event liquor license application for the Ute Mountain Roundup Rodeo for 2017 as presented. Second by commissioner Ertel and carried. (See attached)

DISCUSSION: Fairgrounds Handicapped parking. Cancelled

ASSESSOR: **Montezuma County Assessor, Scott Davis** met with the Commissioners to discuss the Kinder Morgan Abatement Petition or Refund of Taxes for Tax Years 2009 and 2010. Assessor Davis gave an overview of the petitions. Commissioner Ertel moved to affirm the Assessor's decision to deny the Kinder Morgan abatement petition for the tax years 2009 and 2010. Second by Commissioner Lambert and carried. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PLANNING: **Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg** held a discussion with the Commissioners regarding the Kinder Morgan / Property Owner Hayden noise complaint. Mr. Hayden was present and noted to the Commissioners that Kinder Morgan had reported to him that they had not been running the cooling fans but that Kinder Morgan would be willing to build a sound wall.

Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg held a discussion with the Commissioners regarding placing deeds on plats. Topics of the discussion included the filing of property deeds and Assessor document tracking.

Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg held a discussion with the Commissioners regarding a draft property development application and permitting check list. Topics of the discussion included; property development tracking, construction checklists, fee schedules, road permits, inspections, estimated existing fees, non-completion fee assessments, base line data information, the re-evaluation process, an end of year reporting to the Commissioners, a Colorado County new property development and construction comparison, public notifications, the data base access and penalty assessments on property tax. (See attached)

Planning Director, Lee Ann Milligan, Planning Assistant, Ranette Karo and Chief Deputy Assessor, Leslie Bugg held a discussion with the Commissioners regarding School Dedication Fees. Planning Director Milligan gave an overview of the state statute regarding School Dedication Fees. Topics of the discussion included; a fee assessment charge review, the fee formula for local School Districts, fee assessments on

currently developed land, fee assessments on new developments. Director Milligan will correspond with local School Districts to regarding this issue.

MONTEZUMA ORCHARD RESTORATION PROJECT: **Jude Schuenemeyer** met with the Commissioner to request a letter of support for the Montezuma Orchard Restoration projects grant application for a **Colorado Heritage Orchard and Fruit Tree Education Project**. Mr. Schuenemeyer explained the grant would fund primary source research and education on Colorado's fruit-growing history. Commissioner Ertel moved that the Board of County Commissioners send a letter to the History Colorado State Historic Fund in support of the grant application for the Colorado Heritage Orchard and Fruit Tree Education Project as presented. Second by Commissioner Lambert and carried. (See attached)

COUNTY ATTORNEY REPORT: No report given.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, met with the Commissioners to give project updates. Topics of discussion included the attended **Native Fish Monitoring** meeting, the release forecast, the scheduled **Aquatic Nuisance Species** meeting at Destination Grill on March 31, 2017 at 6:00 p.m. Mr. Dietrich presented a **Pathways to Mesa Verde** map update and the **Planning and Environmental Linkage Process Flow** chart for this project, stating the current chart position for the County was **Developing Performance Measures**. (See attached)

COUNTY ADMINISTRATOR REPORT: **Administrator Melissa Brunner** presented two requests from **City of Cortez Manager, Shane Hale**, one for a waiver of electronic waste fees and the other for a tipping fee waiver for the May 6, 2017 **Clean-Up Day**. Commissioner Lambert moved that the tipping fees be waived on May 6, 2017 for the Clean-up day event. Second by Commissioner Ertel and carried. The request for the electronic waste fee waiver was denied due to the electronic waste charges applied to the County. Administrator Brunner held a discussion regarding the Colorado Department of Local Affairs (DOLA) web page and the Local Government Financial / Dashboard informational page. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Suckla** continued his report from his recent trip to Washington DC. **Commissioner Lambert** and **Ertel** reported on the Anasazi Heritage Center Museum's open house for the new Wetherill Family display.

PUBLIC COMMENT: Greg Kemp discussed the Montezuma Orchard Restoration donation of trees to the Mancos Grange, the development of a commercial kitchen and a suggested property developer's checklist.

CORRESPONDENCE: The following correspondence was read and noted: A copy of an email notification from **Attorney, John P. Justice** to Montezuma Valley Irrigation Company, **Brandon Johnson** regarding the Fish Creek Feeder Ditch was presented with a request for the Commissioners response to the questions included. (See attached)

MOTION TO ADJOURN: was made by Commissioner Lambert second by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:58 p.m.

County Clerk March 20, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 27, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 27, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of March 27, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 20, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

LIQUOR LICENSE: Deputy Clerk Malinda Fuller presented a transfer of ownership for the **Paragon Business Investments, LLC, DBA Hilltop Liquors**. Agents **Rodney** and **Marjana Lloyd** were present. Commissioner Lambert moved that the transfer of ownership liquor license for the Paragon Business Investments, LLC, DBA Hilltop Liquors located at 27963 Hwy. 184 Dolores, be approved. Second by Commissioner Ertel and carried.

Deputy Clerk Fuller presented a special event liquor license application to be used during the **Ute Mountain Roundup Rodeo**. Commissioner Ertel moved that the special event liquor license application for the Ute Mountain Roundup Rodeo for 2017 be approved as presented. Second by commissioner Lambert and carried.

Deputy Clerk Fuller along with **Onward Legacy Foundation board members Pete Montano** and **Shawn Bittle** met with the Commissioners to discuss a Special Events liquor license application to be used for the Onward a Legacy Foundation's, **100 Club** fund raising event at the Montezuma County Fairgrounds. Mr. Montano and Mr. Bittle gave an overview of the newly organized Montezuma County 100 Club mission statement and the special fund raising event planned. Commissioners Lambert and Ertel expressed concerns

with alcohol being served during a family event. Commissioner Ertel moved that the special event liquor license for the Onward Legacy Foundation's, 100 Club of Montezuma be granted as a 21 and over permit. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included an underground concrete vault, the ATMOS application, the weekly owners meeting, weather conditions, mechanicals, irrigation and landscaping.

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of March 22, 2017 through April 7, 2017. The work schedule included; shape and blade on Roads 25 and N, replace a culvert on the intersection of Roads M, and 25, shape for gravel on Roads L, 22, and 23, place new gravel on Roads 30.5, S, and 39, repair road clay / ruts on Roads BB and install culverts on Roads CC and 16. Superintendent Englehart presented project quotes from **Elam Construction** in the amount of \$1,796,615.00 and from **Four Corners Materials** in the amount of \$1,755,000.00 for the paving of 4.5 miles on Road CC. Commissioner Lambert moved that the quote from Four Corners Materials for the 4.5 mile paving on Road CC in the amount of \$1,755,000.00 be approved. Second by Commissioner Ertel and carried. A discussion was held regarding a **Montezuma Valley Irrigation Company's** letter addressed to the Montezuma County Road and Bridge Department regarding usage of the counties 20 shares of water and said water delivered through the Montezuma Valley Irrigations Company's head gate along with an approved measuring device. Topics of the discussion included; water needed for the magnesium chloride program, County water truck capacity, water needs for forest fires and volunteer fire trucks, research for a previously established agreement, the current compatibility of county water trucks to the Fairgrounds top fill head gate and the Road Department's adherence to the Montezuma Valley Irrigation Company's letter. (See attached)

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2017 Landfill budget spread sheet. Topics discussed included; a recent fire at the Landfill, recycle credits, paper and cardboard prices, the Georgia Pacific plant and equipment repairs. Manager Powers along with Planning Director Milligan held a discussion regarding the new Landfill Upcycle Store and possible modifications to the Landfill High Impact Permit #667. Director Milligan reported that without an expansion of use an amendment to the High Impact Permit was not required. Commissioner Ertel moved to approve that the Montezuma County Landfill's Upcycle Store be included within the existing Montezuma County High Impact Permit #667. Second by Commissioner Lambert and carried. (See attached)

FAIRGROUNDS: Fairgrounds Manager Tanner Young gave his monthly report which included an event schedule along with the current income and attendance numbers. Topics of the report included; the Agricultural Expo, an irrigation head gate located at the Fairgrounds, bucking shoots, speaker stands, approval of the CDOT lighting project, the exterior parking lot light replacements, the Fairground commercial for Mesa TV and handicap parking at the Fairgrounds. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director Josiah Forkner, Finance Officer, Lori Higgins, Eligibility Supervisor, Amy Branson and Eligibility Technician, Kristy Duran** were present. (See attached)

12 HOURS OF MESA VERDE MOUNTAIN BIKE RACE: **Tonya Wynes** and **Cap Allen** met with the Commissioners to request permission to serve donated beer during the 12 Hours of Mesa Verde event. Topics of the discussion included the donated beer, donated fund allocations to community at risk youth programs, the date of the event, a donated enhancement banner, updates on the race course and possible re-routing options. Commissioner Ertel moved to approve the liquor request and continue the tradition to serve donated free beer to the participants of the 12 Hours of Mesa Verde Mountain Bike race event at the County Fairgrounds. Second by Commissioner Lambert and carried. (See attached)

DOLORES WATERSHED AND RESILIENT FOREST (DWARF) COLLABORATIVE: **Rebecca Samulski** along with County **GIS Specialist Doug Roth** met with the Commissioners and gave a slide show presentation on the Dolores Watershed and Resilient Forest Collaborative. Topics of the presentation included; the collaborative stakeholders, highly valued resources and assets wildfire risk, an overview of the process, assumptions and limitations, a large fire simulator, values to protect, HVRA characterization, the exposure and effects analysis, wildfire impacts, contingency and response plans, post fire erosion effects, the development of timber sale projects, funding for the program, public tours, education, growing a County timber industry and the scheduling of a time for the Commissioners to participate in a tour. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene

PLANNING: Planning Director Lee Ann Milligan, presented for preliminary review and determination of a proposed After-the-Fact Exemption Application on property owned by **Stuart & Sharon Porter**, 13464 Road W, Yellow Jacket, CO, in order to bring this property into compliance. The property is located west of Road 14, south of Road W, situated in Sec. 2, T.37N., R.18W., N.M.P.M. Agent **Ernie Maness** was present. Commissioner Ertel moved that the after the fact exemption application for property owned by Stuart & Sharon Porter, located at 13464 Road W, Yellow Jacket, be approved. Second by Commissioner Lambert and carried

DOLORES WATER CONSERVATION DISTRICT (DWCD): Ken Curtis met with the Commissioners to give updates and discuss the Aquatic Nuisance Species (ANS). Topics of the discussion included the McPhee reservoir inspection schedule, the mandatory inspection watercraft exemption list, ANS education for boaters and recreationists, funding needs, the yearly inspection time frame, Forest Service closure orders, the House Creek and Sage Hen areas, the scheduled ANS meeting, public notifications, Colorado lake closures, inspection trainings, the Colorado Parks and Wildlife lake inspection process, development of inspection fees and the introduction of future State legislation. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter presented for approval **RESOLUTION #3-2017**, a resolution for the authorization of the **Colorado New Energy Improvement District** to conduct the **Energy Improvement Program; Colorado Commercial Property Assessed Clean Energy (C-PACE)** within Montezuma County and in accordance with the participation agreement. Commissioner Lambert moved to approve Resolution #3-2017, a resolution for the authorization of the Colorado New Energy Improvement District to conduct the Energy Improvement Program C-PACE within Montezuma County. Second by Commissioner Ertel and carried.

Attorney Baxter presented for approval **RESOLUTION #4-2017**, a resolution authorizing participation in the **Rural Jump-Start Program**. Commissioner Ertel move that Resolution #4-2017, a resolution authorizing the participation in the Rural Jump-Start program be approved as presented. Second by Commissioner Lambert and carried (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: No report given.

COUNTY ADMINISTRATOR REPORT: No report given.

COUNTY COMMISSIONER REPORT: No reports given.

PUBLIC COMMENT: Greg Kemp discussed the accomplishments of Ms. Samulski and her DWARF presentation.

EXECUTIVE SESSION: Commissioner Lambert moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. Section 24-6-402(4)(e) and to include Tom Maley, David Fraley, Dr. Rick Smith, Rick Smith, IT Director Jim McClain, Planning Director Lee Ann Milligan and GIS Specialist Doug Roth. Seconded by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the partnership agreement between Montezuma County and Data Safe / FastTrack. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

A letter from Fairfield and Woods P.C. regarding the Southwestern Water Conservation District-Board of Directors appointments.

The 2017 edition of the Preservation for a Changing Colorado: the Benefits of Historic Preservation.

Veteran Services customer satisfaction surveys.

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Lambert and carried.

MEETING ADJOURNED: 4:30 p.m.

County Clerk March 27, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 3, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 3, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Absent)
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

VICE CHARIMAN Lambert opened the meeting of April 3, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 27, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the February 2017 Financial Statements for approval. Commissioner Ertel moved to approve the Financial Statements for February 2017 as presented. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included the weekly owners meeting, the electrical permit, the ATMOS application and the permits from the city. Representative Guiles introduced **Jerry Brooks** from the **Cortez Masonic Lodge #133**. Mr. Brooks met with the Commissioners to request permission to place a cornerstone on the new Combined Courthouse building. Topics of the discussion included; placement of the stone, contents of the time capsule, the traditional ceremony, the size of the corner stone, the Grand Lodge Officers conduction of the ceremony, the timing of the ceremony and the participant invites to the ceremony. Commissioner Ertel moved that the Cortez Masonic Lodge #133 provide the Masonic

cornerstone for the new County Combined Court Facility located on Driscoll Street when the time is appropriate. Second by Commissioner Lambert and carried.

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of March 29, 2017 through April 14, 2017. The work schedule included; shape and blade roads in the South Valley, shape for gravel Roads L, 22, and 23, place new gravel on Roads 30.5, S, 39, 41 and 12, install culverts on Roads CC and 16. Superintendent Englehart reported that the required road closure for the culvert replacement on the intersection of Roads M, and 25 was scheduled for Tuesday March 4th but would be postponed until the 5th. Superintendent Englehart presented for review and approval the **Road CC Work Schedule**, the amended **Scheduled Projects for 2017** and the **LMN Properties LLC Mining and Development Road Aggregates Lease Agreement**. Commissioner Ertel moved to approve the Road Department's paving project for Road 25 and the changes made to the project schedule as presented. Second by Commissioner Lambert and carried. Commissioner Ertel moved to approve the mining and development road aggregates agreement for LMN Properties LLC for a 3 year lease. Second by Commissioner Lambert and carried. Other topics discussed included; the safety meeting, the County water shares with Montezuma Valley Irrigation Company, Title II funding, the DOLA Tiers I and Tier II presentations and a visit from Archuleta County to observe the usage of the Counties walk-n-rolls. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager Paul Hollar and Karen Dickson met with the Commissioner to give updates and to discuss the Public Health Emergency Dispensing Exercise. Topics of the discussion included the **Homeland Security Grant** application, the draft **Joint Information System (JIS)** agreement, the merge of the **Colorado Health Care Coalitions**, the County representation for **Public Information Officers (PIO)**, the **Public Health Emergency Dispensing Exercise (PHED EX)**, the **Dolores County Emergency Manager** replacement and the **Montezuma County Emergency Alert and Notification Plan**. Commissioner Ertel moved that the Montezuma County Emergency Alert Notification Plan be part of the (EOP) Emergency Operations Plan that will be submitted for approval this Fall. Second by Commissioner Lambert and carried. (See attached)

HEALTH DEPARTMENT: Public Health Director Bobbie Lock met with the Commissioners to present the **Public Health Week Proclamation**. Commissioner Ertel moved that April 3, through April 9, 2017 be proclaimed as Public Health Week. Second by Commissioner Lambert and carried. Other topics discussed included the Shining Star award to Director Lock, a KSJD radio interview and invitations to the Health Department open house. (See attached)

FAIRGROUNDS RACE TRACK: Fairgrounds Manager, Tanner Young along with Race Track Promoter Kevin Faddis met with the Commissioner to discuss the **2017 Race Track Season** events. Topics of the discussion included the seating capacity, additional bleacher options, future sprint car events, the fan base, the conditions of the track entrance roads, Fairground fire suppression and EMT requirements, event coverage from the local Fire Departments, available security companies, the Promoter's event insurance, the fire suppression modifications to the promoter's water truck, county charges, bleacher inspections, future overhead lighting replacement and a possible Promoter's long term agreement.

LODGERS TAX COMMITTEE: Board Members, **Lee Cloy, Brian Bartlett** and **Curtis Henderson** met with the Commissioners to give their recommendations for the **Tax Funds Disbursements** and the reasoning of their recommendations of said disbursements. Recommendations included: the **Cortez Cultural Center** \$20,000.00, the **Galloping Goose** \$1000.00, **Crow Canyon** \$1,000.00, the **Mancos Chamber** \$35,000.00, the **Dolores Chamber** \$30,000.00 and the **Mesa Verde Country** \$60,000.00. Commissioner Ertel moved that the recommended distribution of funds for the Montezuma County Lodgers Tax in the various amounts as shown totaling \$147,000.00 be approved. Second by Commissioner Lambert and carried. Other topics of discussion included; the Kirk Swope resignation from the Board, end of year Board replacements, and the re-appointment of Brian Bartlett as the Montezuma County representative to the Mesa Verde Country. Commissioner Ertel moved to accept the Resignation from Kirk Swope from the Lodgers Tax Board and to reappointment of Brian Bartlett as the County representative to Mesa Verde Country. Second by Commissioner Lambert and carried. (See attached)

Commissioner Lambert announced the adjournment of the meeting for the LUNCH break.
Commissioner Lambert announced the meeting would reconvene

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining a an AR3-9 or AR10-34 rezoning request for an Exemption Application on property owned by **Jody Gardner**, located at 9588 Road CC, Pleasant View, CO., consisting of 35.75 acres, more or less, situated south of Road CC, east of Road 9, located in S.6, T.38N., R.18W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Jody Gardner was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved to grant the AR3-9 or AR10-34 rezoning request depending on the need, on property owned by Jody Gardner, located at 9588 Road CC, Pleasant View. Second by Commissioner Lambert and carried. Commissioner Lambert closed the hearing at this time. (See attached)

PLANNING: **Planning Director Lee Ann Milligan**, presented for review and determination of an Exemption Application on property owned by **Jody Gardner**, located at 9588 Road CC, Pleasant View, CO., consisting of 35.75 acres, more or less, situated south of Road CC, east of Road 9, located in S.6, T.38N., R.18W., N.M.P.M. wherein the Applicant has one 105.1 and one 35.75 acre, more or less tract. 25.75 acres, more or less, would be attached and made a part of the existing 105.1 acre, more or less tract, creating a 130.85 acre, more or less tract and one 10 acre, more or less tract. Commissioner Ertel moved to grant the exemption application on property owned by Jody Gardner, located at 9588 Road CC, Pleasant View. Second by Commissioner Lambert and carried.

Director Milligan, presented for review and determination of rescinding an existing **High Impact Permit #673 Western Slope Holding Co.**, Agent **Robert Folsom**, located at 17602 Hwy 145, Dolores, CO, consisting of 6.24 acres, more or less, situated south of Hwy 145, north of Road T.5, located in S.17, T.37N., R.15W., N.M.P.M. Said permit was originally approved by the Board of County Commissioners on August 15, 2016, but has not been finalized by the applicant. Director Milligan reported on the status of the application. Topics discussed included the applicant's response to phone and mailed notifications, non- compliance actions, possible assessed fines and rescinding the High Impact Permit. Director Milligan will notify the applicant of a June 1, 2017 deadline for compliance.

Director Milligan presented for signatures a final plat for **Highland Terrace Subdivision** combination of 8 lots into 4 for purposes of having more room for septic systems and less houses. Lots 1 and 2 were combined creating a 0.627 acre, more or less, lot. Lots 3 and 4 were combined to creating a 0.545 acre, more or less lot. Lots 6 and 7 were combined to create a 0.574 acre, more or less lot and lots 8 and 9 were combined to create a 0.627 acre, more or less, lot. They also changed the boundary lines on lot 5 making it accessible from the current cul de sac. This lot consists of 1.106 acres.

Director Milligan presented for signatures a final Plat for an After-the-Fact Exemption Application on property owned by **Stuart & Sharon Porter**, 13464 Road W, Yellow Jacket, CO, in order to bring this property into compliance. The property is located west of Road 14, south of Road W, consisting of 5.47 acres, more or less, situated in Sec. 2, T.37N., R.18W., N.M.P.M.

COUNTY ATTORNEY REPORT: Attorney, John Baxter reported he had been working on a Cemetery District question and monitoring the County irrigation water issue. Attorney Baxter reported that no action had been taken regarding the Data Safe Contract.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich met with the Commissioners to give project updates. Topics of discussion included the Bureau of Land Management's Connect with Communities Memo of Understanding, a scheduled Rangeland Stewardship meeting, the SW RAC meeting, the Trail to Moab, the Path to Mesa Verde, the McElmo Flume and a meeting scheduled with the Ute Mountain Ute Tribe. Mr. Dietrich presented for approval a letter addressed to **Senator, Cory Gardner** regarding the Commissioner's support to relocate the **Bureau of Land Management National Headquarters** to Grand Junction Colorado. Commissioner Ertel moved that the Montezuma Board of County Commissioners authorize a letter be mailed to Senator, Cory Gardner, Senator, Michael Bennett, Congressman, Scott Tipton and Department of Interior Secretary, Zinke, requesting the relocation of the BLM to Grand Junction Colorado. Second by Commissioner Lambert and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner gave an overview of the Capital Fund allocation for the HVAC units and projects that the funding will be used for. Administrator Brunner presented the **2017 Secure Rural Schools** payment allocations as follows; 2017 payment amount \$24,226.72, allocation to **Montezuma County Road Department** at 25% in the amount of \$6,056.68, the School allocations being 75% of said payment, with a payment to **Montezuma-Cortez Re-1 School District** in the amount of \$12,702.67, a payment to **Dolores RE4-A School District** in the amount of \$3,294.23 and payment to the **Mancos 6-J School District** in the amount of \$2,173.14. Commissioner Ertel moved that the Secure Rural Schools Funding be distributed by the Board Of County Commissioners as follows; Montezuma County Road Department at 25% in the amount of \$6,056.68, Montezuma-Cortez Re-1 School District in the amount of \$12,702.67, Dolores RE4-A School District in the amount of \$3,294.23 and Mancos 6-J School District in the amount of \$2,173.14 as presented. Second by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioners Ertel and Lambert reported on the attended (DWCD) Dolores Water Conservation Districts, Aquatic Nuisance Species meeting. It was suggested that the County give a public presentation of the program presented during the DWCD meeting. (See attached)

PUBLIC COMMENT: M.B. McAfee discussed diversion options of County water shares and a Federally Qualified Health Center located within Montezuma County.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Lambert and carried.

MEETING ADJOURNED: 2:00 p.m.

County Clerk April 3, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 10, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 10, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman (Absent)
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of April 10, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 3, 2017 as presented. Motion was seconded by Commissioner Suckla and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of March, 2017. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included the owners meeting, sheet rock, carpet swatches, paint colors, the Sally Port, placement of donated apple trees, the contingencies log, extra funding options for security cameras, the Corner Stone Ceremony and the frame work for the Kiva.

PUBLIC COMMENT: Read Brugger suggested that a monthly report for the days of sunshine be included within the scheduled weather report from Mr. Andrus.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of April 5, 2017 through April 21, 2017. Superintendent Englehart reported that various roads

were scheduled for general maintenance and the schedule included; shape for gravel on Roads L, 22, and 23, place new gravel on Roads 39, 41 and 12, and install culverts on Roads CC, 19 and 22. Superintendent Englehart reported that the culvert replacement on the intersection of Road 25 and M had been completed. He also discussed the Durango RAC meeting he had attended and a decision to split the Title II funding between the Aquatic Nuisance Species (ANS) inspections and road projects. Other topics discussed included the Verizon Tower project, a culvert replacement project for Road L, a possible county hot mix plant, the DOLA Grant funding presentation schedule, income earned from auctioned items, and the Dolores Norwood Road. (See attached)

VETERANS SERVICE: **Veteran Service Officer, Rick Torres** presented the Certification of Pay for March 2017 along with the Monthly report. Officer Torres gave an update on client services which included the monthly statistical data and the indirect income to Montezuma County. Commissioner Ertel moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for March 2017, seconded by Commissioner Suckla, motion carried. Officer Torres reported that he would be attending required re-certification training this month but that the office would remain open during this time.

PUBLIC HEARING: It being the time set aside a public hearing is held for the consideration of a Brew Pub Retail Liquor License for the **Mancos Brewing Company LLC.**, 1484 East Frontage Road, Mancos, CO 81328. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent **Catherine Kraus** was present. **Deputy Clerk, Malinda Fuller** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the brew pub retail liquor license for the Mancos Brewing Company LLC, located at 1484 East Frontage Road, Mancos be approved. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

SHERIFF'S MONTHLY REPORT: **Sheriff Steven Nowlin** met with the Commissioners to give his monthly report. Topics of the discussion included the new E Force program, monthly inmate numbers, monthly arrest numbers, a mileage fee resolution, booking fees, fingerprint fees, enforcement of the Aquatic Nuisance Species (ANS) inspections program, local lake activities, lake closures and replacement of the Sheriff's Office patrol boat motor. Sheriff Nowlin presented for approval the **Cooperative Law Enforcement Annual Operating Plan & Financial Plan** between the **Montezuma County Sheriff's Department** and the **USDA, Forest Service San Juan National Forest**. Commissioner Ertel moved to adopt the Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the Montezuma County Sheriff's Department and the USDA, Forest Service San Juan National Forest as presented. Second by Commissioner Suckla and carried. (See attached) Sheriff Nowlin gave an update on the acquisition, trainings, vaccines, required diet, funding and facilities for 3 Mounted Patrol horses.

FIREWISE: **Rebecca Samulski** along with **Amanda Brenner** gave a Firewise slide presentation to the Commissioners. Topics of the presentation included; new ambassadors, Community Wildfire Preparedness Day, future planned events, community assessments, the Wingspread and Cedar Mesa Ranches Firewise Community USA Recognition award, the National Wildfire Mitigation awards, 2017 incentive programs, Slash Removal programs, the Chipper Rebate Program, the Archuleta County slash depots, air current slash burners, workshops for regional wildlife partners, meeting schedules and children's educational events. (See attached)

PLANNING: Planning Assistant Ranette Karo, presented for signatures, a Final Plat for a Single Lot Development consisting of 8 acres, more or less, on property owned by **Cynthia Brunner** and **Marvin W. Brunner, Jr.**, 14785 Road 28 Dolores, CO, consisting of 8 acres, more or less, located north of Road P, east of Road 28, situated in S.32, T.37N., R.15W., N.M.P.M.

Planning Assistant Ranette Karo, presented for review and determination of a Variance Application submitted by **Dawn M. Speicher** on property located at 24771 Road S.8, Dolores, CO, consisting of 0.61 acres, more or less, located north of Road S.8, west of Road 24.8, situated in S.22, T.37N., R.16W., N.M.P.M. Applicants propose to construct a shop within 2' of their property line. Commissioner Ertel moved that the variance application for Dawn M. Speicher on property located at 24771 Road S.8 be approved. Second by Commissioner Suckla and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney Baxter discussed his monitoring of a lawsuit naming the Public Trustee, Sherry Dyess as a disinterested person and the land owner negotiations for the Phil's World trail expansion.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, met with the Commissioners to give project updates. Topics of discussion included; the required matching funding for the McElmo Flume, scheduling a meeting with the Ute Mountain Ute Tribe, prepared comments for the Stoner and Taylor Mesa's vegetation management plan, the Mesa Verde Trail, the Phil's World expansion project and a public presentation regarding the Aquatic Nuisance Species (ANS).

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner discussed a Board Member resignation to the **Mancos Cemetery Board** and public posting for applicants to fill that position.

COUNTY COMMISSIONER REPORT: Commissioner Ertel reported on the attended TPR meeting. Commissioner Suckla, no report given.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Suckla and carried.

MEETING ADJOURNED: 11:45 a.m.

County Clerk April 10, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 17, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 17, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of April 17, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 10, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included the contingency log, light poles, cameras, gates, parking spaces, inspections, sound proofing and holding cells. Representative Guiles reported that the Startup Review for the LEED Certification was completed last week and results from the review would be presented in the future.

PUBLIC COMMENT: Greg Kemp requested information from Derek Padilla from the Forest Service regarding the collaborative partnerships discussed within the Regional Forestry award presented to the San Juan National Forest.

ROAD DEPARTMENT: Road Superintendent **Rob Englehart** presented the road and bridge schedule for the time period of April 11, 2017 through April 28, 2017. The work schedule included; shape for gravel on Roads L, 22, and 23, prep and place new gravel on Roads 41, M and 12, clean the ditch on Road T, a blade patch on Road 25 and install culverts on Roads 19 and 22. Superintendent Englehart reported that he had added the **Four Corners Materials** projects to his monthly work schedule. The Four Corners Material projects included; shape gravel surface on Roads 25 and CC, pave Road 25 from the city limits to Road M and a future project of an over lay of asphalt on Road 25 from Roads P to Road T.5. Other topics discussed included; mag chloride, the Dolores Water Conservation District meeting, the Road CC project pre-construction meeting and the Montezuma County Tier II DOLA grant presentation. (See attached)

PUBLIC LANDS: Canyon of the Ancients National Monument Manager, **Marietta Eaton** invited the Commissioners to the Night Sky Program event “**Nights with the Ancients**” at the Anasazi Heritage Center. Miss Eaton gave an update on the **Flodine** and **Yellow Jacket** leases and an update on the **Sand Canyon** parking lot project.

Forrest Service, Derek Padilla met with the Commissioners to give updates on various projects. Topics discussed included; collaborative partnerships in the Regional Forestry Award, the Taylor and Stoner Mesas assessment, fuel woods, area timber sales, Bio char operations, a future prescribed burn at Trimble Point, a recent small fire at Boggy Draw and the Aquatic Nuisance Species inspections. (See attached)

FOUR STATES AG EXPO, RANCH RODEO: Board Members, **Radiance Beals, Shay Allred, Fairgrounds Manager, Tanner Young** and Deputy Clerk, **Malinda Fuller** met with the Commissioners to discuss alcohol sales at the Four States Agriculture Expo, Ranch Rodeo held at the County Fairgrounds. Topics of the discussion included open communications between the Board and Manager, Young, the required letter of permission from the Commissioners to be included with the State Special Event Liquor License application and a section of the grand stands designated as a non-alcohol section. Commissioner Lambert moved to approve the application for a special event liquor license permit for the Four States Ag Expo Ranch Rodeo dated June 24, 2017. Second by Commissioner Ertel and carried. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Director **Josiah Forkner, Lori Higgins** and **Chris Veach** from **Child Welfare** were present. (See attached)

ASSESSOR: Montezuma County Assessor, **Scott Davis** met with the Commissioners to discuss the change in the Residential Assessment Ratio. Assessor Davis presented a **Gallagher Amendment** comparison of the Assessment ratios for 2016 at 7.96%, the original 2017 at 6.56% and the amended 2017 at 7.20% for the Counties Actual Value and Assessed Value. Topics of the discussion included; loss of revenue and District notifications of the change. Other topics discussed included; a letter received by local property owners from a Colorado Business asking for a fee for a complete property profile. Assessor Davis reported this information could be obtained within the Assessor’s office at no cost to the property owner. (See attached)

COUNTY CLERK & RECORDER: County Clerk, **Kim Percell** along with IT Director, **Jim McClain** met with the Commissioners to discuss the attachments included in the Board of County Commissioners minutes and posting the attachments on the County Web page. Topics of the discussion included the volume of attachment pages included within the Commissioner minutes, the data storage requirements, the printed copies charge, research charges and the development of a (FTP) File Transfer Protocol site. Director McClain and

Clerk Percell will work together to set up a site for the general public to view a complete record of the Commissioner minutes. Other topics discussed included the closure of the Clerk and Records Office on Tuesday March 18, 2017 for State Motor Vehicle training and the FCC TV petitions.

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of discussing the **Colorado Department of Transportation's** decision regarding the right-in, right-out mitigation of the intersection of Hwy 491 and County Road BB, located 14 miles north of Cortez, CO, situated in S.7 T.38N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Rich Berthold** and **Kevin Curry** were present. Commissioner Suckla gave an overview of the Colorado Department of Transportation's right-in, right-out proposal. Written comments were presented to Commissioner Lambert for the official record. Commissioner Suckla opened the hearing to public comment. Public Comments were made by **Jan Sennhenn, Gail Alexander, Merle Root, Joe Bartolino, Neeta Mahaffey, Bessie White, Kathy Gorman, John Wolf, Judy Rohwer, Lowell Volk, M.B. McAfee, Darrell Lancaster** and **Tony Herrmann. Wyatt Lancaster** presented for the record a petition with 91 signatures, demanding that the intersections of Roads BB and 16 be left as they currently are. Hearing no further public comment that portion of the hearing was closed. Commissioner Ertel suggested a trial time for possible alternative proposals. Commissioner Lambert discussed that the final decision would be made by the Colorado Department of Transportation not by the Commissioners. Commissioner Suckla felt the burden of this change was put upon the constituents in the area. After hearing all the evidence presented Commissioner Suckla moved to oppose the **Colorado Department of Transportation's** right-in, right-out option for the intersection of Hwy 491 and County Road BB until other options have been tried and tested. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

WORK SESSION: **Connie Clementson, Jeff Christianson** and **Keith Fox** from the **Bureau of Land Management** met with the Commissioner to hold a Travel Plan work session. Topics of the discussion included; recreational usage of designated BLM lands within Montezuma County, the Montezuma County road map comparison to the BLM inventory, the Summit, Chutes and Ladders, Aqueduct, Mud Springs and Phil's World Recreation areas, the Resource Management Plan, subdivision interests, the Menefee Mountain area, recreational planners, the identification process of trail usage, equestrian usage, motorized and non-motorized usage, wildlife game trails, road maintenance funding, trail head access points, development of parking areas, user group proposals, field trip scheduling, the Old Mormon Trail, the Mesa Verde Escarpment, the Hindmarsh property, the BLM land disposal process, the ACEC, a Stone Gravel mineral agreement and the development of proposed actions for the transportation system within Montezuma County.

COUNTY ATTORNEY REPORT: **Attorney Baxter** gave an update on the property owner issue with the Phil's World expansion project. A discussion was held regarding the creation of County "Open Space" properties and the preservation of said properties for recreational purposes.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, met with the Commissioners to give project updates. Topics of discussion included the attended Dolores Watershed Forest Collaborative Meeting, a meeting with Congressman Tipton regarding co-owned property included within the Trail to Mesa Verde, the Moab Trail, the attended DWARF meeting, the Sage Hen project and the scheduled Rangeland Stewardship meeting.

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner discussed a recently attended meeting with Data Safe. Topics of the discussion included; identification of beneficial towers, in-kind projects, project costs, financing of the project, a ballot sales tax question, and requested contracts. Other topics discussed included a City sales tax ballot question and the Commissioners Town Hall Meeting scheduled for 7:00 p.m. on April 25, 2017 at the Lewis Arriola Community Center.

COUNTY COMMISSIONER REPORT: Commissioner Suckla reported on the attended (WIR) Western Interstate Region meeting. Commissioner Lambert reported on the attended Club 20 and the Basin Round Table meeting. Commissioner Ertel reported on the attended Data Safe meeting.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted: The monthly Veterans Services Customer Satisfaction Surveys.

MOTION TO ADJOURN: was made by Commissioner Ertel second by Commissioner Lambert and carried.

MEETING ADJOURNED: 4:15 p.m.

County Clerk April 17, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 24, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 24, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk, Absent
M. Lynn Dorenkamp, Chief Deputy

CHARIMAN Suckla opened the meeting of April 24, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 17, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the March 2017 Accounts Payable and Financial Statements for approval. Commissioner Lambert moved to approve the Accounts Payable for March 2017 as presented. Second by Commissioner Ertel and carried. Commissioner Ertel moved to approve the Financial Statements for March 2017 as presented. Seconded by Commissioner Lambert and carried. (See attached)

ORDER: Administrator Brunner presented a **Transfer Order #6-2017**. Commissioner Ertel moved to approve transfer order # 6-2017-Driveway Permit Transfer. Seconded by Commissioner Lambert and carried. (See attached)

ORDER: Administrator Brunner presented a **Transfer Order #7-2017**. Commissioner Lambert moved to approve transfer order #7-2017-additional life insurance for January 2017. Seconded by Commissioner Ertel and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included the progress on court building. Owner's meeting was not held due to some of the principals being on vacation. Curb and gutters going in the parking lot. Target date for Certificate of Occupancy is August 2017.

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of April 19, 2017 through May 5, 2017. The work schedule included; shape for gravel and place new gravel on Roads L, 22 and 23. Prep and place new gravel and mag on roads 41 and M. Repair pot holes, clean ditches on various roads, blade patch, place new gravel and mag Roads 25, 41, and M. Haul chips from Ormiston Pit. Crush $\frac{3}{4}$ road base, Ormiston Pit. Shape gravel surface Road 25/CC. Pave Road 25 (city to M) and over-lay asphalt Road 25 (P to T.5). Superintendent Englehart went to present DOLA application in Denver last Thursday and feels it went well. (See attached)

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2017 Proposed Landfill budget spread sheet for March 2017. Discussed unexpected breakdown and repair cost for the dozer. Needs to replace the tractor and scraper and has bids out for that replacement cost. (See attached)

FAIRGROUNDS: Fairgrounds Manager Tanner Young gave his monthly report which included fairgrounds attendance to date, event dates and upcoming events. (See attached)

McELMO FLUME: Linda Towle, Susan Thomas and James Dietrich met with the Commissioners to report on the match funding efforts for the completion of the Flume. Linda Towle reported that match funds needed to be turned in by May 5, 2017 and they are short \$8,068. Commissioner Ertel moved to commit to the donation match shortage of \$8,068 for the Flume restoration project. Seconded by Commissioner Lambert and carried. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioner to discuss the Annex 1 parking lot project. Maintenance Supervisor Chenard went over the only bid received from Four Corners Materials. Commissioner Ertel asked Supervisor Chenard to get a more detailed breakdown of bid paperwork provided from Four Corners Materials. Commissioner Lambert moved to repave Annex 1 parking lot. Seconded by Commissioner Ertel and carried. (See attached)

PUBLIC TRUSTEE REPORT: Sherry Dyess Montezuma County Public Trustee presented the Quarterly Report for September and December 2016. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Assistant Ranette Karo and Hazen Brown presented for review and determination of a Variance Application from Torrey Goodman, Agent Hazen Brown, on property located at 24387 Road K.7, Cortez, CO, consisting of 1.70 acres, more or less, located north of Road K.7, west of Hwy 491, situated in S.22, T.36N., R.16W., N.M.P.M. Applicants constructed a shop within 18' from the west property line and wish

to bring it into compliance. Non-opposition letter from affected property owners has been submitted. Commissioner Ertel moved to grant the variance application for property owned by Torrey Goodman located at 24387 Road K.7, Cortez, be approved. Seconded by Commissioner Lambert and carried.

Planning Director Lee Ann Milligan and Kathy Stone presented Update on the Mobile Home Planned Unit Development for a 120 space phased RV park submitted by the Ruth Hoffman Living Trust, Agents Daren & Kathy Stone, on property located at 12110 Hwy 145, Dolores, CO; consisting of 25.44 acres, more or less, situated in Sec. 7, T.36N., R.15W., N.M.P.M. Property is located north of Road M, east of Hwy 145.

Planning Assistant Ranette Karo presented for signatures, a final Plat for a Single Lot Development consisting of 3 acres, more or less, on property owned by Ann Schwarting, 21573 Road U, Cortez, CO, located north of Road U, east of Hwy 491, situated in Sec. 7, T.37N., R.16W., N.M.P.M.

COUNTY ATTORNEY REPORT: Attorney Baxter discussed a land owner's concern with liability regarding Phil's World going onto private property.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, met with the Commissioners of Dolores County to discuss the trail to Moab. He gave a reminder of Thursdays' meeting with Rangeland Stewardship Committee.

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner attended the annual Montezuma Community Economic Development Association meeting where new members were appointed, one being **Gregg Kemp**.

COUNTY COMMISSIONER REPORT: Commissioner Suckla reported on his vote to pass the Division of Wildlife's Hunting and Fishing fee increase. **Commissioner Lambert and Commissioner Ertel** reported on the Oil & Gas symposium in Rifle, CO.

PUBLIC COMMENT: Gala Pock thanked Commissioner Suckla for his idea of possibly putting a crushing plant or any other type of plant at the landfill. **Mrs. Pock** directed a question to **Attorney Baxter** in regards to his earlier comment on insurance wouldn't go up in regards to the issue with Phil's World going through private property and what concern is it of the county's. **Attorney Baxter** answered her question to her liking. **M. B. McAfee** also supports the idea of the future plant being at the landfill. **M. B. McAfee** suggested that we use the Town Hall meetings to possibly educate the public on how planning and zoning department works and that education may help people not react so abruptly.

CORRESPONDENCE: The following correspondence was read and noted: a Thank You card from Lori at the Shelter. (See attached)

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Lambert moved for the Board of County Commissioners to go into executive session for a conference with the attorney for the purpose of determining positions relative to matter that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4) (e). Second by Commissioner Ertel and carried. Topic for executive session regarded broadband financial discussion. Those present for the executive session were; Attorney Baxter, Commissioner Ertel, Commissioner Lambert, Commissioner Suckla,

Administrator Brunner and Chief Deputy Dorenkamp. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

MOTION TO ADJOURN: was made by Commissioner Lambert seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:38 p.m.

County Clerk April 24, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 1, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 1, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

CHARIMAN Suckla opened the meeting of May 1, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 24, 2017 as corrected. Motion was seconded by Commissioner Lambert and carried.

LANDFILL: Landfill Manager, Shakalo Powers met with the Commissioners to discuss a loan from the County to purchase a new agricultural tractor. Manager Powers presented bids for the new tractor and a scraper pan. Bids presented included; **Worldwide Rental Services (WRS):** 2009 John Deer agricultural tractor 9530 \$115,000.00 and 2013 K-Tec 1233 Earthmovers Scraper Pan \$120,000.00 for a combined total of \$235,000.00. **Stotz Equipment:** John Deer agricultural tractor 9530 \$135,000.00. **Wagner Equipment Co.:** Challenger tractor \$110,000.00 and a Caterpillar 613C Scraper at \$171,420.00. Commissioner Ertel moved to authorize the Landfill operations to purchase the WRS, 2009 John Deer tractor and the K-Tec scraper for \$235,000.00 with a 1% interest rate and an arranged five year pay back of the loan to the County. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included; paint colors, insulation, sheetrock, framing, door glazing, the Owners Meeting, the LEED process, mechanical engineering, maintenance concerns, sound proofing, grade paving and the installation of curbs and gutters.

PUBLIC COMMENT: Road G, Mancos residents, **Robin Strother, Tom Buffaloe, Nancy Strother, John Patton** and **Gwen Hawkins**, requested that the **Rhythm & Soul**, High Impact Special Event Permit, Public Hearing be postponed to a future date. Topics of the discussion included; the posting of the public notice, neighbor notifications, publication costs, questions and concerns addressed during the scheduled public hearing and the possible continuation of the public hearing.

ROAD DEPARTMENT: Road Superintendent, **Rob Englehart** presented the road and bridge schedule for the time period of April 26, 2017 through May 12, 2017. The work schedule included; shape and pull ditches on roads E, E.5, 24.5, 24, mag chloride roads D, 24, 25, 31, 32, N, P and place new gravel on roads L, 22 and 23, prep and place new gravel on roads 41 and M, shape and pull ditches on various roads, blade and patch Road N and Road 34 and a culvert install on Road 20. The Four Corners Material work schedule included; gravel on Road CC, pave Road 25 from the city to Road M and over-lay asphalt on road 25 from Road P to T.5. Other topics discussed included Water Boards meetings, the Aquatic Nuisance Species split in the SRS and PILT funding, the Road BB and Hwy 491 intersection CDOT project and a request from CDOT for the three most dangerous intersection in Montezuma County. (See attached)

HEALTH DEPARTMENT: Public Health Director, **Bobbie Lock** along with Marketing and Public Relations Director, **Melanie Begay** met with the Commissioner to give the Bi-monthly report which included the financials and updates from the following Health Departments and programs; Adult Preventative Health Services, Baby and Me Tobacco Free, Communicable Disease, Consumer Protection, the Dental Program, Emergency Preparedness and Response, Health Care Program for Children with Special Needs, Options for Long Care, Immunizations, Nurse Family Partnership, Reach out and Read, SafeCare Colorado, Tobacco Education & Preventive Program, Women, Infant & Children and the Young Parents Plus program. Ms. Begay gave an overview of the Communities that Care program. Director Lock presented for approval the **FAAA Task Order Amendment #1 18-100435** to implement the **Communities That Care** model in order to identify evidence-based or evidence-informed youth substance abuse prevention strategies in communities across Colorado. Commissioner Ertel moved that Task Order Amendment #1 18-100435, The Communities That care contract in the amount of \$121,848.00 be approved through June 2018 as presented. Second by Commissioner Lambert and carried. (See attached)

SOUTHWEST HEALTH SYSTEM: Chief Executive Officer, **Kent Rogers** and **Haley Leonard Saunders** met with the Commissioners to give a Health System update. Topics of the discussion included; an increase in employees, Healthcare Week, progress on the hospital construction project, new Board members, an accreditation survey, the 2016 net operating income, new physician growth, Surgeons moving patient services to Monticello Utah, in-patient as opposed to out-patient treatments, Medicaid payments, Senate Bill #247 (Colorado's Hospital Provider Fee), the development of a scholarship and ideas for recruitment.

COUNTY ATTORNEY REPORT: Attorney **Baxter** discussed the Broad Band / DataSafe contract that was the topic of the executive session May 1, 2017, the state date requirements for a decision regarding a possible Tax question for the November 2017 ballot, County Insurance coverage for a portion of the Phil's world trail, and a Historical Society Register Application.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, gave updates on scheduled field trips, the Phil's World property owner agreement, the Trail to Mesa Verde, the Aquatic Nuisance Species Presentation, the McElmo Flume project and Commissioner participation at a Ute Mountain Ute Tribal Council meeting.

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner reported on a resignation received from Desmond Calhoun from the Montezuma County Fair Board. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla reported on the attended Region 9 meeting.

Commissioner Lambert reported on the CDOT presentation and the attended Health Assessment Planning meeting.

Commissioner Ertel reported on Commissioner's Town Hall Meeting.

EXECUTIVE SESSION: EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Lambert moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and for the discussion of personnel matters under C.R.S. 24-6-402 (4)(f), and to include Sheriff Nowlin within the discussion, seconded by Commissioner Ertel and carried. Topics for the executive session were legalities and procedures regarding personnel matters within the Sheriff's Department. Commissioner Lambert moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of recommendations to be made to the Board of County Commissioners regarding an AR3-9 rezoning request and Sketch Plan for a proposed 2 Lot Minor Development consisting of 36.12 acres, more or less, on property owned by the **Varcados Revocable Trust**, 37775 Hwy 160, Mancos, CO, located north of Hwy 160, west of Road 38, situated in Sec. 2, T.35N., R.14W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Assistant, Ranette Karo** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. **Greg Kemp** reported there were currently four homes on the parcel. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Assistant Karo reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved to grant the AR3-9 rezoning request and sketch plan for a proposed 2 lot minor development on property owned by the Varcados Revocable Trust, 37775 Hwy 160, Mancos. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Planning Assistant, Ranette Karo presented for signatures the final plat for a 2 Lot Minor Development consisting of 36.12 acres, more or less, on property owned by the **Varcados Revocable Trust**, 37775 Hwy 160, Mancos, CO, located north of Hwy 160, west of Road 38, situated in Sec. 2, T.35N., R.14W., N.M.P.M.

PUBLIC COMMENT: No comments were made

TOUR: Cortez Sanitation District Plant

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Lambert seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 2.38 p.m.

_____	_____	_____	_____	_____
County Clerk		May	1, 2017	Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 8, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 8, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

CHARIMAN Suckla opened the meeting of May 8, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 1, 2017 as amended. Motion was seconded by Commissioner Ertel and carried.

ORDER: Administrator Brunner presented **Correction Transfer Order #6-2017**, a transfer of \$125.00 from the Road and Bridge Fund to the Fleet Fund for a driveway permit for **James Ackles** that was deposited in error. Commissioner Ertel moved that Correction Transfer Order # 6-2017 be approved as presented. Second by Commissioner Lambert and carried. (See attached)

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of April, 2017. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, met with the Commissioners to give an update on the project. Topics of the discussion included; the Owners meeting, sheet rock, the reserve funds, insulation, tape and texture, the Kiva frame work, curb and gutters, glazing, handicap parking, light pole conduits and park benches.

PUBLIC COMMENT: Public Comments made were directed to the Commissioners in reference to the scheduled visit from **Congressman Scott Tipton**. Public comments were made by **M.B. McAfee, Jim Law, Peter Robinson, Matthew Bane, Megg Heath** and **Retha Williams**. Topics of the comments included; health care options, Veterans benefits and the Southwest Health System. (See attached)

CONGRESSIONAL UPDATE: **Congressman, Scott Tipton** along with **Darlene Marcus**, met with the Commissioners to give a legislative update. Legislative updates discussed included the **Protecting Water Rights Act**, the **Healthy Forest Management Wildfire Act**, and the **American Energy Act**, the transfer of the **Bureau of Land Management** headquarters to the western United States, the **Taylor Act**, and the **National Monument Designation** review. The Commissioners presented for Congressman Tipton's review a letter of concerns regarding the **Canyons of the Ancients National Monument**. Other Topics discussed included; Federal funding issues, the Aquatic Nuisance Species inspections, lake management of noxious weeds, Montezuma County Resolution #2-2001, the Sand Canyon Parking lot project, the recently passed County Resolution #2-2017, No Net Loss of Private Lands in Montezuma County, County land management decisions made from Washington D.C., the Federal Land Management Act, the Historical Right of Way Bill, the Master Leasing Plan, the Phil's World Expansion project, the La Plata County Coal Mine and the length of determination for land management decision. Comments from the audience were made by **Aaron Lemay, Betty Ann Kolner, Doug Lamunyon, Megg Heath, Laird Carlson, Stan Mattingly** and **Sheila Phillips**. Topics of the audience comments included; Town Hall meetings, tax policies, health care, air quality, Federal Land Transfers, the County Health System, Veteran's health care and benefits and a single payer health care system. (See attached)

ROAD DEPARTMENT: **Road Superintendent Rob Englehart** presented the road and bridge schedule for the time period of May 1, 2017 through May 17, 2017. The work schedule included; placement of mag chloride on various county roads, pull ditches on Road 31, place new gravel on Roads L, 22, 23, finish blade and new gravel on Roads 39, 41 and Road M. The **Four Corners Material** work schedule included; gravel surface on Road CC, Road 25 shoulders, asphalt overlay on Road 25 and pave Road CC. Superintendent Englehart discussed his concerns for needed repairs on the **Echo Basin Road**. Other topics discussed included; mechanical repairs for the crusher, the \$298,697.00 grant award from the **Colorado Department of Local Affairs** (DOLA) for the Road CC Reconstruction project, the Memo of Agreement with the **Town of Mancos**, the scheduled **Montezuma Valley Irrigation Company** meeting, and a letter to the **Ute Mountain Ute Tribe** regarding information on the usage of fossil water. (See attached)

DISCUSSION: **Superintendent Englehart** along with **Bureau of Reclamation, Vern Harrell** met with the Commissioners to discuss the possibility of a temporary closure to **County Road X** until the Aquatic Nuisance species inspections at the Sage Hen area could be addressed. Topics of the discussion included; options of temporary, permanent and restricted access, lake access to the camp ground area, emergency vehicle access, sign coverage, gate options and the scheduling of a public hearing. Commissioner Lambert moved that under an emergency situation, due to the imminent danger of the Aquatic Nuisance species contamination and until a public hearing could be held, a temporary closure for Road X be implemented, at a point designated by the Bureau of Reclamation, followed by planning and brain storming for a permanent solution. The motion was second by Commissioner Ertel and carried. A public hearing will be scheduled and the public notice posted.

VETERANS SERVICE: **Veteran Service Officer, Rick Torres** presented the Certification of Pay for April 2017 along with the Monthly report of services. Officer Torres gave an update on the monthly statistical data and the indirect income to Montezuma County. Commissioner Ertel moved to approve the County Veterans

Service Officers monthly report and Certification of pay for April 2017, seconded by Commissioner Lambert, motion carried. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Director Josiah Forkner was present. Director Forkner gave an overview of the **Child Care Assistance Program**. (See attached)

MONTEZUMA COUNTY HISTORICAL REGISTRY: Crow Canyon, Director of Archeology, Susan C. Ryan met with the Commissioner to request that the **Haynie** site be added to the **Montezuma County Historical Registry**. Director Ryan gave an overview of the application. A discussion was held regarding letters of approval from the private property owners, Haynie Ranch LLC., and Larry and Donna Suckla. Other topics discussed included; grant applications for research and educational purposes, annotations of the designation at the County Assessor's office and electronic record retention within the County Clerk and the County Planning Department. Commissioner Suckla recused himself from the voting process. The application will be reviewed by the Montezuma County Historical Society and brought back to the Commissioners with a recommendation. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

Attorney Baxter did not return for the afternoon session.

Assistant County Attorney Ian McClaren joined the meeting at this time.

PLANNING:

DISCUSSION: Planning Director, Lee Ann Milligan, GIS Assistant, Rachelle Medina along with property owners **Mike** and **Allyson Black** met with the Commissioner to discuss the county setback requirements for the Dolores River Valley. The property owners would like to build a deck with a structure that would have a 12 to 15 foot setback from the river with an overlook at the edge of the river. Topics of the discussion included the 25 foot set back requirement included within the **County Land Use Code**, the **County Flood Plan** map and the Core of Engineer requirements. The discussion was continued to a future date to concur with **James Dietrich**.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining a High Impact request on property owned by **Dave & Lana Waters, Agent Nathan Barton**, located at 25716 Road L, Cortez, CO, consisting of 35 acres, more or less, situated south of Road L, east of Hwy 491, located in S.23, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Dave & Lana Waters and Agent Nathan Barton were present. **Director Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public Comments were made by; **Bob Clayton** the Planning & Zoning Chairman, **Mark Drissel, John Pearson, Diane Wren, Candace Bratner, Mike Lavey, Larry Johnson, Jim Candelaria, Ned Harper, Gail Lavey, Ellen Foster, M.B. McAfee, Paul Adams, David Jackson, Keith Evans** and **M. K. Alvis**. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval of the application. After hearing all the evidence presented Commissioner Ertel moved to grant the High Impact Permit #685 minus the HMA plant and ready mix concrete operation, within the described permit for D&L Construction, the purpose of this High Impact Permit #685 is for construction

operations, crushing operations and storage of construction equipment, pursuant to the information submitted within the High Impact Permit. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: The Public Hearing for the purpose of reviewing and determining a proposed perpetual High Impact Permit submitted by **Samuel Perry and William Perry, Agent Fred Boshardt**, for the purpose of holding an annual spiritual music festival on property located at 39364 Road G, Mancos, CO, consisting of 90 acres, more or less, located south of Road G, east of Road 39, situated in S.23 T.36N., R.16W., N.M.P.M was cancelled.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining proposed amendments to High Impact Permit #438 submitted by **Resolute Energy Co., Agent Erich Hennig**, for the purpose of co-location and construction of an equipment shelter on an existing tower on property located at 15166 Road M, Cortez, CO, consisting of 67 acres, more or less, located south of Road M, west of Road 16, situated in S.18 T.36N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that High Impact Permit # 438 for the Verizon Wireless tower be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented for signatures a final plat for a 3 Lot Moderate Subdivision amendment on property owned by **Empire Electric Association**, located at 801 N. Broadway, Cortez, CO, consisting of 14 acres, more or less, situated south of Lebanon, west of N. Broadway, located in S.22 & 23, T.36N., R.16W., N.M.P.M.

PUBLIC HEARING: The Public Hearing for the purpose of reviewing and determining proposed amendments to High Impact Permit #684 submitted by **Yellowfish Productions, Agent Kathy Hands**, for the purpose of operating a brewing operation / restaurant, Mancos Brewing Co., on property located at 484 E. Frontage Rd, Mancos, CO, consisting of 4 acres, more or less, located south of Road J.75, north of Hwy 160, situated in S.28 T.36N., R.13W., N.M.P.M was continued to May15, 2017. Commissioner Lambert moved that the Public Hearing for High Impact permit #684 submitted by Yellowfish Productions, Agent, Kathy Hands be tabled until May 15, 2017. Second by Commissioner Ertel and carried.

COUNTY ATTORNEY REPORT: **Attorney Baxter**, no report given.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, no report given.

COUNTY ADMINISTRATOR REPORT: **Administrator Melissa Brunner**, no report given.

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed the County Justice building being used for child care facility.

Commissioner Lambert had no report to give.

Commissioner Ertel reported on the DWCD field trip to the Sage Hen area.

PUBLIC COMMENT: M.B. McAfee discussed Congressman Tipton's visit.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 3:45 p.m.

County Clerk May 8, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 15, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 15, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

CHARIMAN Suckla opened the meeting of May 15, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 8, 2017 as amended. Motion was seconded by Commissioner Lambert and carried.

LIQUOR LICENSE: Deputy Clerk, Malinda Fuller presented a liquor license transfer for **Echo Basin LLC** located at 43747 Road M, Mancos, CO 81328. Agent, **Tom Carr** was present. Commissioner Lambert moved that the application for a transfer of a liquor license for Echo Basin LLC., located at 43747 Road M, Mancos be approved. Second by Commissioner Ertel and carried. (See attached)

Deputy Clerk, Fuller presented a Special Event Liquor License application for the **United Way of Southwest Colorado**. The event will be held at the **Dolores River Campground** 18600 HWY 145, Dolores CO 81323 on June 14, 2017. Commissioner Lambert moved that the special event application for the United Way of Southwest Colorado, event to be held at the Dolores River R.V. Park be approved. Second by Commissioner Ertel and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, was not available for a report.

PUBLIC COMMENT: Silviano Garcia held a discussion regarding a reported incident with a County Road Department water truck. Road Superintendent Englehart replied with a letter to Mr. Garcia. (See attached)

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of May 10, 2017 through May 26, 2017. The work schedule included; placement of mag chloride on various county roads, gravel placed on Roads L, 22, 23, and Chicken Creek. Roads 39, 41, and M are scheduled to finish blade work and new gravel. Both the Dolores and Round up district will work together to complete the mag chloride program within their districts. The trucks will be hauling chips from the Ormiston pit and WCA to roads CC, hauling $\frac{3}{4}$ " road base from the Mancos pit to Chicken Creek and hauling $\frac{3}{4}$ " road base from the McElmo pit to Roads L, 22 and 23. The Crusher will be making $\frac{3}{4}$ " road base and 1- $\frac{1}{2}$ " road base at the Ormiston pit. The Four Corners Material work schedule included; gravel surface on Road CC, overlay asphalt on Road 25 from road P to T.5 and pave Road CC. Other topics discussed included; the department water truck / Garcia incident, the Grant Agreement between State of Colorado Department of Local Affairs (DOLA) and Montezuma County for the Road CC reconstruction project, the temporary closure of County Road X, the Montezuma Valley Irrigation Company water meeting and the Road 25 project. (See attached)

PUBLIC LANDS: Canyon of the Ancients National Monument Manager, Marietta Eaton met with the Commissioners to give a monthly report. Topics in the discussion included; data calls for information on the monuments, the Secretary of Interior visits to neighboring states, the Sand Canyon parking lot project, the Canyon of the Ancients marketing campaign, recreation area management plans, signs for Boggy Draw, the Resource Advisory Council, citizen access to monument ruins and the decision time frame for the Flodine and Yellow Jacket allotments.

Forrest Service District Ranger, Derek Padilla met with the Commissioners to give updates on various projects. Topics discussed included the scoping package for the Boggy Draw expansion project, the Sage Hen seasonal scheduling, Environmental Assessment time frames, a scoping package for the Taylor / Stoner management project, Cultural Resource Inventories, the State Advisory Council for Historic Preservation, the Sage Grouse issue, scoping packages for prescribed burns, the Rico West Dolores draft EIS, the Dolores Norwood Road, and the temporary closure of County Road X. James Dietrich, Planning Director Milligan, GIS Manager Roth and GIS Assistant Medina gave an overview of a Road X / Sage Hen possible development opportunities and access control scenarios. (See attached)

USDA COOPERATOR SERVICE WILDLIFE SPECIALIST: Clinton Wilson was unavailable for this update.

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners and gave the Criminal Statistics Report for 2016. Topics covered within the report included the Federal Bureau of Investigations Uniform Crime Reporting (UCR), typologies of Crime, the average Nationwide UCR statistics and the Montezuma County UCR statistics. Sheriff Nowlin discussed proactive and reactive policing, Part 1 and Part 2 County crime statistics, man power comparisons, a crime comparison from 2013 to 2016, School Resource Officers (SRO), probable reasons for increases of criminal activity, County Traffic Offenses statistics from 2013 -2016, the Montezuma County Geographical Areas and Geographical codes. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

EMERGENCY MANAGER REPORT: **Emergency Manager, Paul Hollar** met with the Commissioner to give an update on the Western Excelsior Plant fire. Topics of the update included emergency response entities and response times, evacuation information, Public Information Officer (PIO) announcements made through the County Health Department Facebook page, assistance given for financial, medical and housing needs, follow up assistance from the Community Work Force to employees, smoke damage to the surrounding housing, Western Excelsior's employee financial coverage, protection efforts of Employee files, salvageable equipment, the continuation of some operations, loss of employment and County assistance efforts.

PLANNING:

Planning Director Lee Ann Milligan presented for signatures a final plat for **Duehsrren** Single Lot Development consisting of 10.33 +/- acres, owned by **Glen R. Terlizzi**, located at 23780 Road X, Lewis, CO, whereby 7 +/- acres of adjacent property, owned by Peter Hold, located at 23784 Road X, Lewis, CO, would be combined whereby creating a 17 +/- acre development. These properties are situated south of Road X, east of Road 23, located in S.33, T.38N., R.16W., N.M.P.M.

Director Milligan presented for signatures a final plat for the **Johnson Village** 2 Lot Moderate Development on property owned by **Wayne & Pamela Johnson, Agents Cory & Casie Madsen**, located at 12760 Road 25, Cortez, CO, situated south of Road N, east of Road 25, located in S.11, T.36N., R.16W., N.M.P.M.

Director Milligan presented for review and determination of a Variance Application submitted by **George "Mike" and Leigh "Allyson" Black** on property located at 18984 Road 34.4. Dolores, CO, situated in the Dolores River Valley, located in S.8, T.36N., R.14W. N.M.P.M. wherein property owners are requesting the existing 100 foot setback requirements be relaxed to 15 feet for the construction of a deck by the Dolores River. Director Milligan along with James Dietrich gave an overview of the application. Commissioner Ertel moved that the variance application submitted by Mike and Leigh Black on parcel number 5361-082-02-017 located in the Sunny-Side subdivision is granted. Second by Commissioner Lambert and carried. (See attached)

PUBLIC HEARING: Notice is hereby given that the Montezuma County Board of County Commissioners will hold a continuation of a Public Hearing for the purpose of reviewing and determining proposed amendments to High Impact Permit #686 submitted by **Yellowfish Productions, Agent Kathy Hands**, for the purpose of operating a brewing operation / restaurant, Mancos Brewing Co., on property located at 484 E. Frontage Rd, Mancos, CO, consisting of 4 acres, more or less, located south of Road J.75, north of Hwy 160, situated in S.28 T.36N., R.13W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported contingent on approval of the septic permit the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that High Impact Permit #686 for the operations of Kathy Hands and the Mancos Brewing Company be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney Baxter reported that the Fairview Cemetery District had made contact with him to discuss a set fee schedule and offered services to citizens outside of the district. Administrator Brunner will contact the district to schedule time on the agenda for an update from the District. Other topics discussed included a request for an ATM machine at the Fairgrounds, the land owner agreement for the Phil's World trail, the Denver TV petitions and the attended tour of the Sanitation District plant.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, presented for approval, a letter of support addressed to Congressman Tipton regarding the proposed Water Rights Protection Act. Commissioner Lambert moved that the letter of support addressed to U.S. House Representative, Scott Tipton concerning the Water Rights Protection Act be approved. Second by Commissioner Ertel and carried. Other Topics discussed included the BLM Travel Management Plan, the Trail to Moab, the Road X temporary closure and the Justice building Environmental Survey. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner presented a letter of resignation from Stephen Davis and a letter of interest from Terry Cox for the Mancos Cemetery Board. Commissioner Ertel moved to approve Mr. Terry Cox to be on the Mancos Cemetery Board of Directors for a six year term expiring in January 2024. Second by Commissioner Lambert and carried. Other topics of discussion included the CCI reservations, scheduling the next Town Hall meeting, the Homeless Shelter lease and an invitation to the Westview R.V. Grand opening. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Suckla discussed the Colorado Department of Transportation's decision regarding the Hwy 491 and County Road BB intersection. (See attached)

Commissioner Lambert gave a report on the attended Montezuma County Economic Development Association meeting.

Commissioner Ertel gave a report on the attended Southwest Workforce Board meeting and the Workforce Investment Opportunity Act.

PUBLIC COMMENT: M.B. McAfee discussed county assistance for the Western Excelsior Plant fire.

CORRESPONDENCE: The following correspondence was read and noted: A request for funding to help install kitchen equipment from the Cahone Recreation Hall and Senior Center.

MOTION TO ADJOURN: was made by Commissioner Ertel seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 2:45 p.m.

County Clerk May 15, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 22, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 22, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Absent)
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

VICE CHARIMAN Lambert opened the meeting of May 22, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 15, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the April 2017 Financial Statements for approval. Commissioner Ertel moved to approve the Financial Statements for April 2017 as presented. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give progress updates on the construction project. Topics of the discussion included; a video tour for the local newspaper, paint, framing, construction challenges for the Kiva, entry gate options and the projects Grand Opening celebration dates.

PUBLIC COMMENT: Mancos School Board Member, Monty Guiles reported that the Mancos School District had been awarded a **BEST School Board Grant**.

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of May 17, 2017 through June 2, 2017. Superintendent Englehart reported that all districts will be working on placement of mag chloride on various county roads. The Cortez District will place gravel on Roads L, 22, 23. Roads 39, 41, and M are scheduled for general maintenance, blade and tree removal. The Dolores and Round-up district will be working together on general road maintenance. The trucks will be hauling chips from WCA to Mancos, and hauling $\frac{3}{4}$ " road base from the McElmo pit to Roads L, 22 and 23. The Crusher will be making $\frac{3}{4}$ " road base and 1- $\frac{1}{2}$ " road base at the Ormiston pit. The Four Corners Material work schedule included; gravel surface on Road CC, overlay asphalt on Road 25 from road P to T.5 and pave Road CC. Other topics discussed included; completion of the mag chloride program, the chip seal schedule, a broom upgrade, the Forest Service gravel permit process and the accounting system for Forest Service projects. (See attached)

DISCUSSION: Road Superintendent, Rob Englehart along with **Dolores Water Conservation District, Ken Curtis** and **Bureau of Reclamation, Vern Harrell** met with the Commissioners to discuss the temporary closure of County Road X. Superintendent Englehart gave an overview of barrier / gate placement options. Mr. Curtis discussed that the mission of the Dolores Water Conservation District was to eliminate the threat of the invasive muscues but maintain citizen access to the area. Mr. Harrell gave an update on statewide infestation statistics. Topics of the discussion included; access beyond the barrier for ATV's, horses and hiking, long term goals, concrete barriers, access closure through November 2017 and the June 19, 2017 scheduled public hearing.

LANDFILL: Landfill Manager Shakalo Powers presented for review the April 2017, Landfill, year and monthly income and expenses comparison budget report. Topics discussed included; recycle credits, abatement contractors, the demolition of the old high school, asbestos disposal, Kinder Morgan drilling operations, the plastic market, an agreement for water access for the Landfill water truck with a neighbor and the County Landfill web site content. Manager Powers reported that the new Upcycle store had opened for business on May 1, 2017, that the average daily income was \$60.00 per day and that inventory items have included furniture, wood, decking, pianos, and washers. Manager Powers reported that clothing would not be included in the Upcycle store inventory and that pictures of some items would be posted on the county web site. (See attached)

HEALTH DEPARTMENT: Public Health Assistant Director, Allison Duran presented the **CDPHE Task Order Contract – Waiver #154 (Air Quality Control Contract)** for approval. The air quality control contract is a one year renewable contract in the amount of \$33,296.00, to perform air pollution monitoring activities within Montezuma County through June 30, 2018. Commissioner Ertel moved to approve the CDPHE Task Order Contract-Waiver #154, with the Department of Public Health and Environment, in the amount of \$33,296.00, for air pollution monitoring within Montezuma County at the Health Department. Second by Commissioner Lambert and carried. (See attached)

GROUNDS AND BUILDINGS QUARTERLY REPORT: Maintenance Supervisor, Mike Chenard gave his quarterly report on the grounds and buildings. Topics of the discussion included; yearly help desk request statistics, commodity deliveries and changes to their process, paint and replacement of an air condition unit at the Dolores radio site, requested quotes for unit replacements for the jail and server room at the Sheriff's department, the Annex 1 parking lot project, landscaping projects, and employee health work restrictions. (See attached)

WEED DEPARTMENT: Weed Department Office Manager, **Bonnie Loving** and CSU Extension Manager, **Tom Hooten** met with the Commissioners and presented a slide show of updates on the weed program. Topics of discussion included: new county awareness signs, Hoary Cress, Russian Knapweed, Bind Weed, Leafy Spurge, Mediterranean Sage, Rust Spores, the Habitat Protection Partnership, the Irrigation Cost Share Program, PLAY.CLEAN.GO adopt a trail program, the General Cost Share Program, the No Spray Property Program, CDOT agreements, Public information resources, collaboration with the Montezuma County Extension office for education and workshop opportunities, the Mancos Conservation District and the development of a weed program for the Town of Mancos. (See attached)

SHERIFF OFFICE: **Wanda Martin** presented the Sheriff's Office **Local Government Limited Gaming Impact Fund** application for approval. Mrs. Martin gave an over view of the application and gambling call statistics. This year the application would require a 10% match, include funding for extra patrols, and the purchase of 2 pole cameras. Commissioner Ertel moved to approve the Local Government Limited Gaming Impact fund application for law enforcement for the fiscal year of 2018. The motion was seconded by Commissioner Lambert and carried. (See attached)

MONTEZUMA COUNTY HISTORICAL REGISTRY: **Crow Canyon, Director of Archeology, Susan C. Ryan** met with the Commissioner for review and determination regarding the addition of the Haynie site to the Montezuma County Historical Registry. A letter of recommendation in favor of the addition was presented from the Montezuma County Historical Society. Commissioner Ertel moved that under recommendations from the Montezuma County Historical Society and Crow Canyon, that the Haynie Site located on County Road L be the first designated property added to the Montezuma County Historical Registry. The motion was seconded by Commissioner Lambert and carried. (See attached)

PLANNING: **Planning Director Lee Ann Milligan** presented for signatures a final plat for a 5 Lot Major Subdivision on property owned by **Ralph Cellar and Gyanne Cellar**, et al, located at 20507 Road S, Cortez, CO, consisting of 21.46 acres, more or less, situated north of Road S, east of Road 20, located in S.24, T.37N., R.17W., N.M.P.M.

COUNTY ATTORNEY REPORT: **Attorney, John Baxter** discussed the scheduling of an executive session regarding the final proposed Phil's World / land owner agreement. Attorney Baxter also discussed the FCC petition filings and the RS2477 Designation of the Dolores Norwood Road.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, gave updates to the Commissioners on the Sand Canyon parking lot project, the proposed County Road X closure, the Trail to Moab and the attended Rangeland Stewardship meeting.

COUNTY ADMINISTRATOR REPORT: **Administrator Melissa Brunner** had no report to give.

COUNTY COMMISSIONER REPORT:

Commissioner Lambert reported on the attended Housing Solutions for the Southwest meeting.

Commissioner Ertel reported on an attended meeting with **Natural Resources, Planning & Public Lands, James Dietrich** and **Canyon of the Ancients National Monument Manager, Marietta Eaton** regarding the Sand Canyon parking lot project.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:30 a.m.

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 12, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 12, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

CHARIMAN Suckla opened the meeting of June 12, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 22, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the April 2017 Financial Statements for approval. Commissioner Ertel moved to approve the Financial Statements for April 2017 as presented. Second by Commissioner Lambert and carried. (See attached)

Administrator Brunner presented a bid in the Amount of \$5480.00 from Comfort Air for an air conditioner unit for the IT room at the Sheriff's Department. Commissioner Ertel moved to approve the purchase of the HVAC unit for the Montezuma County Sherriff's IT room from Comfort Air in the amount of \$5480.00. (See attached)

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of May 2017. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics discussed included the work schedule, paint, sheet rock, ceiling tiles, asphalt, gates, parking, the contingency log, lights, solar options, and scope changes.

PUBLIC COMMENT: Greg Kemp discussed the **Nixel Alert System**. **Ellen Foster** discussed a Colorado Department of Public Health and Environment report on fossil water produced from **Reams Construction** and **Naturita Enterprises Recycling**. (See attached)

ROAD DEPARTMENT: Road Superintendent Rob Englehart presented the road and bridge schedule for the time period of June 7, 2017 through June 23, 2017. The Cortez district will be working on Roads L, 22, 23 with new gravel, shaped and finished. The Mancos District will be placing mag chloride and doing general maintenance on various county roads. They will also be installing a culvert on Road 41 and placing gravel on Road 40 the Chicken Creek Road. The Dolores area will be pulling shoulders on Roads 27 and 36.5 and doing general maintenance on various roads. The Round-up district will be working on Roads CC and 10 and pulling shoulders on Roads 22 and 23. The trucks will be hauling chips from the McElmo pit to Roads L, 22, and 23, and hauling ¾" road base from the Mancos pit to Road 40 the Chicken Creek road. The Crusher will be making ¾" road base and 1- ½" road base at the Ormiston pit. The Four Corners Material work schedule included; pave the mainline and approaches, and gravel on the shoulders for Road CC. Other topics discussed included; a paving project cost update, the 2017 striping plan and department water usage. Superintendent Englehart along with **GIS Manager, Doug Roth** and **GIS Assistant Rachel Medina** met with the Commissioners to discuss the County road sign configuration. This discussion will continue at a future date. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the consideration of a Hotel and Restaurant Liquor License. Application for Hotel and Restaurant Liquor License was received from **BUBBA'S LLC**, 18806 Highway 491, Lewis, Colorado. The roll was called, the public notice read, and the proceedings were recorded for the record. **Deputy Clerk, Malinda Fuller** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the Hotel and Restaurant application for BUBBA'S LLC, located at 18806 Highway 491, Lewis, be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

LIQUOR LICENSE: Deputy Clerk, Malinda Fuller presented a liquor license renewal for **Schroeder Colorado Inc. dba Eagle Claw Trading Post & Liquor Store**. Commissioner Lambert moved to approve the liquor license renewal for Eagle Claw Trading Post & Liquor Store located at 4321 S US 160 Cortez. Second by Commissioner Ertel and carried. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for May 2017 along with the Monthly report of services. Officer Torres gave an update on the monthly statistical data and the indirect income to Montezuma County. Topics of the discussion included veterans / clients assisted, outreach events, claims filed, claims awarded, and upcoming projects. Commissioner Ertel moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for May 2017, seconded by Commissioner Suckla, motion carried. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager Paul Hollar met with the Commissioner and gave a monthly update. Topics discussed included the Homeland Security Grant application, the County Fire

Ban, Nixel alerts, an update to the County Emergency Operations Plan, the Joint Information System Agreement, and the Public Information Plan.

Manager Hollar, **Public Health Director, Bobbie Lock** along with Karen Dickson presented the **Emergency Disaster Declaration for Public Health Exercise** for approval. Ms. Dickson gave an overview of the exercise. Commissioner Lambert moved that the Emergency Disaster Declaration for Public Health Exercise be approved. Second by Commissioner Ertel and carried. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock presented the **Public Health Emergency Preparedness Program (PHEP)**. Commissioner Lambert moved that the Public Health Emergency preparedness program contract in the amount of \$119,861.00 dated July 1, 2017 through June 31, 2018 as presented. Second by Commissioner Ertel and carried. (See attached)

Director, Lock presented the **Colorado Department of Public Health and Environment Office of Planning, Partnerships and Improvement** contract for the year July 1, 2017 through June 30, 2018. Commissioner Ertel moved that the Office of Planning, Partnerships and Improvement contract in the amount of \$98,260.76 be approved. Second by Commissioner Lambert and carried. (See attached)

Director, Lock presented the **Colorado Department of Public Health and Environment Retail Food License Grant** for approval. Said contract will provide environmental health services to achieve the uniform statewide administration, implementation and enforcement of standards and rules established by the CDPHE for retail food establishments. Commissioner Lambert moved that the CDPHE Environment Retail Food License Grant be approved. Second by Commissioner Ertel and carried. (See attached)

SENIOR TRANSIT: Cancelled

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report. Topics discussed included: employee retirements, Pre Trial, previous weekend events, replacement of a motor in the department patrol boat, the purchase of a drone for Search and Rescue, the Jail Education Grant, improvements to the Landfill shooting range, the detention center report, officer transports, the daily inmate count, and concerns with the prisoner entry way at the new Combined Courthouse facility. (See attached)

HABITAT FOR HUMANITY: Lynne Anderson met with the Commissioners to make a request for 50 yards of gravel to rehabilitate a customer parking lot. Mrs. Anderson gave an overview of the program. Commissioner Ertel moved that the Board of County Commissioners donate 50 yards of road base to Habitat for Humanity for improvements to their parking lot, providing they work in conjunction with the Road Department Superintendent and the materials are available. Second by Commissioner Lambert and carried. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING:

Planning Director Lee Ann Milligan presented for Review and determination of a proposed amendment to the **Van Horn Major Subdivision**, Lot 15, wherein 0.26 acres, more or less, is proposed to be added to said tract from the property located on the east side of the tract. Properties are owned by **Perry Hensley**, located at 17642 and 17422 Road G, Cortez, CO, situated north of Road G, west of Hwy 491, located in S.33, T.36N., R.17W., N.M.P.M. Commissioner Ertel moved that the Van Horne Major Subdivision amendment for the inclusion of

.26 acres for lot #15, on properties owned by Perry Hensley, located at 17642 and 17422 Road, be approved. Second by Commissioner Lambert and carried.

Director Milligan presented for signatures the Final Plat for an amendment to the Van Horn Major Subdivision, Lot 15, wherein 0.26 acres, more or less, is proposed to be added to said tract from the property located on the east side of the tract. Properties are owned by Perry Hensley, located at 17642 and 17422 Road G, Cortez, CO, situated north of Road G, west of Hwy 491, located in S.33, T.36N., R.17W., N.M.P.M.

Director Milligan presented for review and determination of Variance request in regards to residential setbacks submitted by **Jim and Michelle Farrier** on property located within the **Indian Camp Ranch** Subdivision, located at 9744 Road 22.7, Cortez, CO, consisting of 37 acres, more or less, situated south of Road 22.7, west of Road 23, located in S.29, T.36N., R.16W., N.M.P.M. Applicants propose to construct a residence 25', more or less, from the southeastern property line. Non-Opposition Letter from affected property owner and Home Owners Association is in file. Commissioner Lambert moved that the variance request for a residential setback submitted by Jim and Michelle Farrier on property located within the Indian Camp Ranch subdivision be approved. Second by Commissioner Ertel and carried. (See attached)

DISCUSSION: Director Milligan presented the Planning Department Complaint Procedure for discussion. Director Milligan gave an overview of the procedures for complaints filed with the Montezuma County Planning Department. It was decided that Non responsive issues will be discussed on a case by case basis with Attorney Baxter for review. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter reported on the topics of discussion for the scheduled Executive Session and the development of job descriptions for the Social Services department.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, presented a contract with the Colorado State Historical Fund for the rehabilitation of the Montezuma Valley Irrigation Company's Flume #6. Commissioner Ertel moved that the Board of County Commissioners of Montezuma County approve contract #2017-01-032 with the Colorado State Historical Society. Second by Commissioner Lambert and carried. Mr. Dietrich also presented for approval a letter of support addressed to the BLM Tres Rios Field Office in regards to the King Coal 11 Lease Modification. Commissioner Lambert moved that the Montezuma County Board of County Commissioners approve the letter of support in regards to the King Coal, GGC lease modification and mail it to the BLM Tres Rios Field Office. Second by Commissioner Ertel and carried. Other topics discussed included the Sand Canyon Parking lot project, the Dolores Norwood Road, the Trail to Mesa Verde project the Road X closure and the ANS presentation. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the gravel expense miscalculations of funding on the McElmo Flume parking lot project and requested an allocation from the Capital fund to cover it. Commissioner Ertel moved that the County allocate \$21,922.765 for the miscalculations of gravel on the Flume parking lot project. The motion was second by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla gave a report on his trip to Bent Oregon for the Western Interstate Region meetings.

Commissioner Lambert gave a report on attended CCI Conference presentations.

Commissioner Ertel gave a report on the attended TPR meeting and attended CCI conference presentations.

PUBLIC COMMENT: **Gala Pock** discussed the Road CC improvements. **Ellen Foster** discussed Commissioner Lamberts report on the CCI presentation “Leading through Conflict”.

EXECUTIVE SESSION: Pursuant to Attorney Baxter’s suggestion, Commissioner Lambert moved for the Board of County Commissioners to go into executive session pursuant under C.R.S. Section 24-6-402(4)(b) for a conference with the attorney for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. Section 24-6-402(4)(e), discussion for the executive session will include the final proposal for the Phil’s World / land owner agreement, the Dolores / Norwood Road and the design change of a total broadband project cost, the Kinder Morgan lawsuit and to include James Dietrich during the Dolores/Norwood Road discussion. Seconded by Commissioner Ertel and carried. Commissioner Lambert moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

PHIL’S WORLD LEASE AGREEMENT: **Attorney Baxter** presented the **Lease Agreement** between **Carolyn K. Hail** and the County of Montezuma for approval. Commissioner Lambert moved that Montezuma County enter into the lease agreement with Carolyn K. Hail for the portion of her property that is part of the Phil’s World Trail systems. Second by Commissioner Ertel and carried. (See attached)

FIREWISE: **Rebecca Samulski** met with the Commissioners to extend invites to various **Firewise** events.

CORRESPONDENCE: The following correspondence was read and noted: Colorado Department of Transportation follow up to the 2017 Annual meeting with CDOT.

MOTION TO ADJOURN: was made by Commissioner Ertel, seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 4:00 p.m.

County Clerk June 12, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 19, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 19, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk, Absent
M. Lynn Dorenkamp, Chief Deputy

CHARIMAN Suckla opened the meeting of January 9, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 12, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

SPECIAL EVENT LIQUOR LICENSE: **Deputy Clerk Malinda Fuller** presented a special event liquor license application for, For Pets' Sake, Inc. to be used at Cliffrose. Commissioner Lambert moved to approve the Special Event Permit for, For Pets Sake, Inc. Motion was seconded by Commissioner Ertel and carried. (See attached)

RESIGNATION OF ELECTED OFFICAL: A letter of resignation from Scott Davis the County Assessor was discussed. Commissioner Ertel moved to appoint Leslie Bugg as acting County Assessor until the next general election in 2018. Motion was seconded by Commissioner Lambert and carried. Leslie Bugg accepted the appointment. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics discussed included Brian Kemp, Superintendent Resignation. His replacement will be Patrick

Brunner. Paving of the employee parking lot has started. Looking at Solar and what it would be to get that set up.

PUBLIC COMMENT: **Ellen Foster** discussed her concerns with fossil water. **MB McAfee** seconded Mrs. Foster's concerns and thanked **James Dietrich** for his help with the mussel presentation.

ROAD DEPARTMENT: **Road Superintendent Rob Englehart** presented the road and bridge schedule for the time period of June 14, 2017 through June 30, 2017. The work schedule included; placement of new gravel, build up drive approach and trimming trees on roads L, 22, 23. Haul and place gravel at Chicken Creek/ road 40. Pull ditches and prep for Chip Seal at Transfer/ road 42, maintenance work on United States Forest Service road. Build up and repair drainage road 32 and R. Repair road damage on Dolores/Norwood road. Pull shoulders and place new gravel on roads 27 and 36.5. Shoulder and drainage work on roads CC and 10, fill and raise low areas on road 10. Haul truck 1-1/2" fill road 10, haul truck 3/4" road base for roads CC and 10. Pull shoulders on roads 22 and 23. Haul 3/4" road base from McElmo for roads L, 22, and 23. Haul, 3/4" road base from Haycamp for roads 32, R, 27, and 36.5. Haul 3/4" road base from Mancos for Chicken Creek/ road 40. Crushing road base in 3/4" and 1-1/2" from Ormiston Pit. Four Corners Material pave main line, approaches and placing shoulder gravel on road CC. Other topics discussed included; Montezuma Valley Irrigation decision with water allotment. Letter received from REAMS which addresses the concerns of the public regarding fossil water. **Administrator Brunner** presented **Transfer Order #8-2017**, a transfer of \$203,036.00 from the Road Impact Fees to Road & Bridge Fund Paving Project on County Road 25 completed in 2017. Commissioner Ertel moved to approve transfer order #8-2017 as presented. Seconded by Commissioner Lambert and carried. (See attached)

PUBLIC LANDS: **Bureau of Land Management, Connie Clementson** gave updates to the Commissioners of the following topics; changes at the State level management, introduced **Cody Carter manager of Lands & Minerals**, mineral office relocating in November 2017, coal lease modification for GCCE Energy public comment meeting on June 20, 2017, Master Lease Plan moving forward June 2018, Phil's World, and inquired about Montezuma County fire restriction status. A discussion was held regarding County Road 35.6 being a public road access to BLM land. **Forrest Service, Derek Padilla** met with the Commissioners to give updates on various projects including road maintenance and the controlled burn at Trimble point and a discussion of the Western Excelsior Fire. (See attached)

DISCUSSION: **Tif Rodriquez**, met with the Commissioners to discuss public access to the Bureau of Land Management lands on County Road 35.6.

COLORADO PARKS & WILDLIFE: **MATT THORPE** representing the **Colorado Division of Parks** discussed various topics including; fishing season, irrigation leaks, restriction on boating access to different lakes, funding, Elk and deer counts.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Director Josiah Forkner and Lori Higgins were present. Director Forkner discussed C-Stat Distinguished Performance and state budget. (See attached)

WEED DEPARTMENT: **Weed Department Office Manager, Bonnie Loving and neighbor Mark Peters**, gave a presentation on weed issue at 6610 Road 21 property owners Steve Miller and Beverley Burke. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining the duration, status and details of the access of Road X at the request of the Bureau of Reclamation and Dolores Water Conservancy District, in an effort to prevent the introduction of mussels into McPhee Reservoir. Road X is located in S. 25, 26, 35, 36, T. 38N., R.17W., N.M.P.M. (Sage Hen). The roll was called, the public notice read and the proceedings were recorded for the record. Ken Curtis with the Dolores Water Conservancy District gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public Comments were made by, **Larry Dozer, Lloyd Powers, Janeen Reed, Tif Rodriguez, Dan Alsup, Gary Fernando, Paul Enriquez.** Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved to leave the temporary closure of County Road X in place until November 30, 2017. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Planning Director **Lee Ann Milligan** presented a revised plat review and request for an extension of Vested Rights for a 4 lot moderate development on property owned **Sara Staber and Bryan Brinley**, consisting of 25 acres, more or less, located at 7348 Road 39, Mancos, CO; situated east of Road 39, south of Road J, located in Sec. 1, T.35N., R.14W., N.M.P.M. Commissioner Ertel moved to grant the extension of Vested Rights 4 Lot Moderate Development as presented. Seconded by Commissioner Lambert and carried.

MONTEZUMA COUNTY FAIR BOARD: **Brandee Simmons, Jacklynn Romine, Don Janz, and Randy McKnight** discussed Hemp Vendor at the Montezuma County Fair with Commissioners and **Fairgrounds Manager, Tanner Young.** The Montezuma County Fair Board had no objections to the vendor and no objection from the County Commissioners with the couple of exceptions that Tanner Young mentioned (vape pens and gummy edibles.)

DISCUSSION: **Western Excelsior Fire, David Sitton with Aspen Wall Wood,** presented a brief outline on Western Excelsior's disaster impact on local business and Aspen Wall wood and other local organizations. **Attorney Baxter** drew up an Emergency Disaster Declaration for Western Excelsior's Mancos Mill. Commissioner Ertel moved to declare the Western Excelsior fire an Emergency Disaster. Seconded by Commissioner Lambert and carried. (See attached)

COUNTY ATTORNEY REPORT: **Attorney Baxter** announced that the Supreme Court upheld the appeal in court regarding the Kinder Morgan suit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich,** topics of discussion were: Connecting with Communities MOU, Mesa Verde Trail update, Sand Canyon Trail head parking lot, upcoming feasibility meeting for Sage Hen and the Flume rehabilitation kick off meeting. **Doug Roth** with Mapping and GIS informed the commissioners of the signage removal at Summit Lake Phase I and Phase II areas and turning the red sign roads into green sign roads as per plat.

COUNTY ADMINISTRATOR REPORT: **Administrator Melissa Brunner** presented **RESOLUTION 5-2017**, a resolution to appropriate sums of money for 2016 and **RESOLUTION 6-2017**, a resolution to

appropriate sums of money for 2017. Commissioner Ertel moved to approve resolutions 5-2017 and 6-2017 as presented. Seconded by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Suckla** discussed his attendance at the Housing Authority's sale of the Sleeping Ute Apartments. **Commissioner Lambert** reported on his experience at the PHED EX exercise. **Commissioner Ertel** attended an AAA meeting which detail job descriptions.

PUBLIC COMMENT: **Ellen Foster** discussed Planning and Zoning meetings she has attended and the possibility of updating and additions to the Land Use Code. **Gala Pock** commented on the wording used in the Special Use Permit form and voiced her concerns with the use of fossil water. **Greg Kemp** mentioned attending a MECADA meeting and read an article from the Wall Street Journal. (See attached)

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 4:25 p.m.

County Clerk June 19, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 26, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 26, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of June 26, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 19, 2017 as corrected. Motion was seconded by Commissioner Ertel and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the May 2017 Accounts Payable and Financial Statements for approval. Commissioner Ertel moved to approve the Accounts Payable for May 2017 as presented. Second by Commissioner Lambert and carried. Commissioner Lambert moved to approve the Financial Statements for May 2017 as presented. Second by Commissioner Ertel and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics discussed included the pavement of the parking areas, the judge's courtrooms, court benches, mill work, the owners meeting, the new supervisor, the Kiva, the building plaque, the costs and specifics associated with the plaque, the Grand Opening event and attendees, the conduit for solar options and the scheduled emergency services meeting.

DISCUSSION: Commissioner Suckla presented a letter for approval addressed to **Steve Turner, State Historic Preservation Officer History Colorado**, regarding the **Bureau of Land Management's** determinations for the **Phil's World Trail Project**. Commissioner Ertel moved that the letter from the Montezuma County, Board of County Commissioners in support of the Bureau of Land Management's determinations regarding the Phil's World Trail project, addressed to Steve Turner at the Historic Preservation Officer History Colorado in Denver, be approved. Second by Commissioner Lambert and carried. (See attached)

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent, **Rob Englehart** presented the road and bridge schedule for the time period of June 21, 2017 through July 7, 2017. Superintendent Englehart reported that the Cortez area will build up drive approaches and trim trees on roads L, 22, 23 and Road N, the Mancos area will blade and mag chloride Road 40, complete work on Bauer Ave and Riverside streets within the Town of Mancos, pull ditches and prep for chip seal on Road 42 and the Schedule A Maintenance on the Forrest Service Roads, the Dolores area will pull shoulders and place new gravel on Roads 27 and 36.5, and help with Bauer Ave and Riverside Streets in Mancos, the Roundup area will be working on the DOLA contract on Roads CC and Road 10 with road base and fill from the trucks and they will also pull shoulders on Road 22 and 23, the trucks will be hauling road base to Road 40, Roads 27, 36.5 and to Bauer Ave and Riverside Streets in Mancos, the Crusher will be working in the Ormiston pit making ¾" and 1-1/2" road base, the Four Corners Material will be completing the Road CC project. Other topics discussed included; an update on the Reams Fossil water. (See attached)

LANDFILL: Landfill Manager, **Shakalo Powers** gave his monthly report which included the 2017 Proposed Landfill Budget spread sheet. A discussion was held regarding the Up-cycle store, the items sold, the total income, the average daily income of the store and the development of a work study program for the store. Other topics discussed included; a Colorado Department of Public Health and Environment (CDPHE) inspection, cardboard sales, paper prices, a purchaser for plastics, a tire recycling program, top cover for cells one and two, compost and the new scraper. (See attached)

FAIRGROUNDS: Fairgrounds Manager, **Tanner Young** gave his monthly report which included \$30,732.25 total income and the Fairgrounds attendance was up to 46,012. Manager Tanner reported that the **Ag. Expo, Ute Mountain Roundup Rodeo** and the **12 Hours of Mesa Verde** events were not included within the reported totals. Topics of discussion included an equal value trade of sand, the bucking shoots, past and future events, the yearly scheduling of the Steve Blackwell gun show, the highway lighting at the entry way, the water truck usage for dust abatement, a newspaper article regarding parking during events, employee comp hours, the maintenance department taking over the mowing duties at the Fairgrounds and the drone filmed footage of events. (See attached)

DISCUSSION: **Ann McCoy-Harold** from **Senator Cory Gardner's** office met with the Commissioners to update and discuss County topics of concern previously reported to Senator Gardner. Topics included: the letter to Steve Turner at the Historic Preservation Officer History Colorado and the Sand Canyon parking lot, the expansion of trails within the Boggy Draw, Phil's World and Sage Hen areas, the Aquatic Nuisance issue, the Emergency Disaster Declaration for Western Excelsior's Mancos Mill and the development of a Sage Hen management agreement.

DISCUSSION: Planning Director, Lee Ann Milligan met with the Commissioners to give an update on a land use complaint regarding the demolition of the High School and the disposal of the debris on property located at 25370 Road G, Cortez. (See attached)

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Lambert moved for the Board of County Commissioners to go into executive session pursuant to and for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. Section 24-6-402(4)(e), to include Assessor Leslie Bugg concerning the Board of Equalization protocol, the Kinder Morgan lawsuit updates and the Kinder Morgan continuing audits, other topics to be discussed will include the Combined Court House Owners Representative contract. Seconded by Commissioner Ertel and carried. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR3-9 rezoning request and Pre-Sketch Plan for a proposed 2 Lot Moderate Development creating two 5 acre, more or less, tracts on property owned by **Joseph Buckel & Shamai Mushen Buckel**, 25505 Road P, Cortez, CO, located north of Road P, west of Road 26, situated in S.35, T.37N., R.16W., N.M.P.M. The roll was called, the public notice read and the proceedings were recorded for the record. Planning Assistant, Ranette Karo gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the AR3-9 rezoning request and pre-sketch plan for a proposed 2 lot moderate development creating two 5 acre tracts on property owned by Joseph Buckel & Shamai Mushen Buckel located at 25505 Road P be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Planning Assistant, Ranette Karo presented for review and determination of a variance request in regards to residential setbacks submitted by **Gerard Tavra & David Sitton** on property located within the **Marx Moderate Subdivision** at 16931 Hwy 491, Cortez, consisting of 11.28 acres, more or less, situated south of Road 22.7, west of Road 23, located in S.29, T.36N., R.16W., N.M.P.M. Applicants propose to construct a residence 25', more or less, from the southeastern property line. Non-Opposition Letter from affected property owner and Home Owners Association is in file. Commissioner Lambert moved that the variance request for Gerard Tavra & David Sitton on property located at 16931 Hwy 491, Cortez be approved. Second by Commissioner Ertel and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining an AR3-9 rezoning request and Single Lot Development submitted by **Empire Electric Association, Agent Clint Rapier**, on property located at 10620 Road 29, Cortez, CO, consisting of 6.80 acres, more or less, located north of Hwy 160, east of Road 29, situated in S.20 T.36N., R.15W., N.M.P.M.. The roll was called, the public notice read and the proceedings were recorded for the record. **Planning Director Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public Comments were made by, **Jerry Baca, Mike Canne, Cameron Shearer, Wesley Hoffman,**

Margaret Hill, Vernon Hoffman, Janea Brown and Mike Woodrow. Jerry Baca, potential buyer of the proposed subdivision, objected to the development stating he wanted to purchase the entire 40 acres. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the AR3-9 rezoning request and single lot development submitted by Empire Electric Association, on property located at 10620 Road 29, Cortez be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: High Impact and Special Use Permits for a CO2 Well and associated pipelines submitted by **Kinder Morgan CO2 Company, Agent Chris Lopez**, on property located at 23930 Road 8, Pleasant View, CO, consisting of 6.08 acres, more or less, located north of Road 10, south of Road 8, situated in S.14 T.38N., R.19W., N.M.P.M. was rescheduled for July 17, 2017 at 1:30 p.m.

UPDATE: Director Milligan gave an update / review regarding Perpetual High Impact Permit No. 14-00001, Special Use Permit No. 14-000001, on property owned by Lavena Saunders, Et Al, Operated by Stone Sand & Gravel, LLC, located at 32260 Road S, Dolores, CO, situated in S.13 T.37N., R.15W., N.M.P.M., for the seasonal operation of a hot mix asphalt plant to accommodate local road and highway improvement projects. Agents Darren and Kathy Stone were present.

SPECIAL EVENT LIQUOR LICENSE: **Haley Saunders** and **Melinda Smith** from the Southwest Memorial Hospital Foundation, Inc. met with the Commissioner to request permission for a special event liquor license for the Demolition Derby event at the 2017 County Fair. Mrs. Saunders and Mrs. Smith gave an overview of their program and discussed some of their past funding events. After discussion it was made apparent that the Southwest Memorial Hospital Foundation, Inc. did not meet the County Fairgrounds, 90 day liquor policy requirement for the 2017 event.

RESOLUTION 7-2017 Fire Ban: Emergency Manager Paul Hollar presented Resolution 7-2017 a resolution cancelling the suspension of the ban on open fires and the use of fireworks. Commissioner Ertel moved to adopt Resolution 7-2017 a resolution cancelling the suspension of the Fire Ban effective July 1, 2017. Seconded by Commissioner Lambert and carried. Manager Hollar also gave an update on the Emergency Disaster Declaration for Western Excelsior's Mancos Mill. (See attached)

GIS MAPPING: GIS Specialist Doug Roth along with **GIS Assistant Rachel Medina** met with the Commissioners to discuss the proposed revisions and adoption of the County Road Map. A public hearing will be set for discussion of said changes. (See attached)

COUNTY ATTORNEY REPORT: Attorney Baxter discussed the topics from the Executive Session.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, no report given.

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner reported that the 2016-2017 **Colorado Opportunity Scholarship Initiative Matching Student Scholarship Grant** had been approved in the amount of \$59,045 on behalf of La Plata and Montezuma Counties. Administrator Brunner presented for approval, a letter to **Ken Charles**, at the **Department of Local Affairs (DOLA)** in support of the replacement of the Mancos Bridge. Commissioner Ertel moved that the Board of County Commissioners from Montezuma County send the letter to Ken Charles from DOLA in support of the replacement of the Mancos Bridge. Second by Commissioner Lambert and carried. Administrator Brunner discussed an invitation to a community needs

meeting from the **Montezuma-Cortez School District** and the resignation of **Christopher Carlson** from the **Cortez Cemetery Board**. Administrator Brunner presented for approval a letter of support for **Sallie Clark** for the position of **State Director of USDA Rural Development for Colorado**, to be mailed to President Trump. Commissioner Lambert moved that the letter from the Board of County Commissioners in Montezuma County to President Trump in support of Sallie Clark for the position of the State Director of the USDA Rural Development for Colorado be approved. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Suckla**, no report given.
Commissioner Lambert discussed the attended, Forrest Service Sage Hen Trail meeting.
Commissioner Ertel no report given.

PUBLIC COMMENT: **Gala Pock** discussed the postponed Kinder Morgan Public hearing and timelines for permit violations. **Greg Kemp** discussed the possible Sheriff involvement and Deputy patrols to the proposed changes to the County Road map.

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 4:15 p.m.

County Clerk June 26, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 3, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 3, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of July 3, 2017.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR35+ rezoning request for the proposed rescinding of Exemption P-47-84 wherein Applicants, **Michael S. Goodman & Deborah J. Coady**, wish to convey 15 acres, more or less to the **Brown Family Trust** whereby creating a 35 acre, more or less parcel. Properties are located at 13061 and 13045 Road 38.7, Mancos, CO, located north of Road N.3, west of Road 38.9, situated in S.1, T.36N., R.14W., N.M.P.M. The roll was called, the public notice read and the proceedings were recorded for the record. **Agent Ernie Maness** was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the Board of County Commissioners rescind exemption P-47-84 for applicants, Michael S. Goodman & Deborah J. Coady and to then approve the rezoning request for the Brown Family Trust whereby creating a 35 acre parcel more or less. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

DISCUSSION: **Combined Court House Owners Representative, Monty Guiles** met with the Commissioners to discuss his contract with the County. Topics of the discussion included the original and updated completion dates of the project, the terms and conditions of the original signed contract, the scope changes included within the project, services listed within the original RFP and the drafting of an additional

contract by County Attorney Baxter. Commissioner Ertel moved to negotiate an additional contract with the Combined Court Owners Representative Monty Guiles to complete the project and provide an in hand Certificate of Occupancy for a final compensation in the amount of \$10,000.00. The motion was second by Commissioner Lambert and with one vote against from Commissioner Suckla and 2 votes in favor by Commissioners Lambert and Ertel, the motion carried. (See attached)

DISCUSSION: A discussion was held regarding the Broad Band project. Topics discussed included: the development, financing, and a possible 2018 sales tax ballot question. The topic was tabled until the Monday July 10, 2017 Commissioner Meeting.

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:30 p.m.

County Clerk July 3, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 10, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 10, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of July 10, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 26, 2017 and July 3, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of June, 2017. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics of the discussion included: the owners meeting, the punch list items, asphalt, flooring, curbs and sidewalks, room identification signs, emergency access signs, installation of cabinets, trim work, tile work, the mechanical systems, solar options and the front entry windows.

PUBLIC COMMENT: Ellen Foster discussed a Commissioner declaration to stop any purchase of and/or usage of the Reams Construction fossil water under the CDPHE revoked status. **Gala Pock** discussed the County Land Use code non-compliance of a Kinder Morgan pipeline. **Greg Kemp** discussed the future presentation of detailed survey results from a MCEDA Broad Band survey. **M.B. McAfee** discussed the usage of Commissioner directives and guidance for all County Departments.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented pictures of donated antique equipment, for the possible landscaping use at the new Combined Courthouse Facility. Owners Representative, Monty Guiles will present the pictures to the project architect for discussion and a future Commissioner's decision. Superintendent Englehart reported on the road and bridge schedule for the time period of July 5, 2017 through July 21, 2017. Roads scheduled for work included; Roads 23, 42, 27 36.5, 23, L, and N. Superintendent Englehart also reported that the Mancos and Dolores area workers will be working on the Schedule A Forest Service agreement roads and that they would be moving the crusher to the Hay Camp pit. Four Corner Materials will be working on the completion of the Road CC punch list. Other topics discussed included; the future chip seal schedule, County road use event permits, the Hwy 491/CDOT project, a lease purchase from Mancos Water District for the departments water usage, a boulder delivery to the Dolores Water Conservation District, the plastic index at the Hay Camp Gravel pit and the CDPHE letter of approval for the Reams Construction fossil water. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for June 2017 along with the monthly report of services. Officer Torres gave an update on the monthly statistical data and the indirect income to Montezuma County. Commissioner Ertel moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for June 2017, seconded by Commissioner Lambert, the motion carried. (See attached)

HEALTH DEPARTMENT: Public Health Director Bobbie Lock presented the Bi-monthly report from the following Health Departments and programs; Adult Preventative Health Services, Baby and Me Tobacco Free, Communicable Disease, Communities that Care, Consumer Protection, the Dental Program, Emergency Preparedness and Response, Health Care Program for Children with Special Needs, Options for Long Term Care, Immunizations, Nurse Family Partnership, Reach Out and Read, SafeCare Colorado, Tobacco Education & Preventive Program, Women, Infant & Children and the Young Parents Plus program. Director Lock gave a financial report for her departments and gave a focused update on the Consumer Protection and the Woman Infants and Children programs. Topics discussed included the Water Quality Control Quick Guide for Revising and Adopting Local On-Site Wastewater Treatment System Regulations, Retail Food/Childcare/Schools program the Waste Tire program, the Zoonoses program update, the new Woman Infants and Children shopper phone app, Woman Infants and Children enrollment and a Colorado Health Foundation grant application for a new vehicle purchase. Other topics discussed included state required changes within the Consumer Protection program and the associated job duties with the required changes. (See attached)

GOCO GRANT: Montezuma Land Conservancy, Jon Leibowitz along with property owner **Ryan Brown** met with the Commissioner to discuss a letter of Non Objection for the protection of a historic property owned by the **Brown and Reddert Family**. The **Hackley Place** is a working agricultural property with the owners requesting the Montezuma Land Conservancy apply for funding to assist in the conserving of their land. Topics of the discussion included conservation easement restrictions, the total grant amount, recreational usage of the land and public access to the land. Commissioner Ertel moved that the Montezuma Board of County Commissioners approve the non-objection letter. Commissioner Suckla second the motion and with one vote against from Commissioner Lambert and a two votes in favor from Commissioners Ertel and Suckla the motion carried. (See attached)

DISCUSSION: A discussion was held regarding the County wide Broad Band project. Commissioner Lambert reported on a meeting with **DataSafe** that he had attended. Topics of that discussion included; the completion of a major part of the project at one time, the customer purchase rate, the engineering of the entire project, purchase or lease of towers and the cost of the engineering. Commissioner Ertel reported on a meeting with **Connect 4** that he had attended. Topics of that discussion included; a local company that is currently providing wireless connections to several different businesses and residents within the county. The company is interested in the county wide project and will hold a meeting on July 20th to discuss the project. Other topics discussed included financial help with the project infrastructure, fiber optics, minimal government involvement, rapid changes within the services provided and the process to provide services to Montezuma County residents. Commissioner Suckla discussed the scheduling of a phone conference Broad Band presentation for the Board of County Commissioners, from an Oregon County.

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report which included the Inmate Hold report, the Monies Paid into the General Fund Report, the monthly County Jail Operational Expenses report, the Detective Division report, the monthly Confined Prisoners Report and the Total Monthly Inmate Report. Other topics discussed included; the completion of the Mounted patrol officers training, the selection of Rebel, Cody and Charlie as the Mounted Patrol horses names; a future presentation to the elementary school children that submitted the names, an adjustment to update the jail and detention fees, the possible State Legislature appearance by the Sheriff to discuss state holding fees and Mental Health holds, the deputy coverage for the new Combined Court Facility, the housing of parole violators and the scheduling of a dispatch meeting. Sheriff Nowlin reported that the recent officer involved shooting was currently under investigation. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Director, LeeAnn Milligan presented for signatures a final plat for an AR3-9 or AR10-34 rezoning request for an Exemption Application on property owned by **Jody Gardner**, located at 9588 Road CC, Pleasant View, CO., consisting of 35.75 acres, more or less, situated south of Road CC, east of Road 9, located in S.6, T.38N., R.18W., N.M.P.M. (See attached)

DISCUSSION: County Surveyor, Ernie Maness, County Clerk, Kim Percell and **Huddleston Land Surveying, Gerald Huddelston** met with the Commissioners to discuss the recording fees for non-recorded plats from former **County Surveyor, Fred Thomas**. Topics of the discussion included, plat filing requirements, identification of non-recorded plats, the required state recording fees, and the tracking of these fees and documents. It was decided to leave the issue up to the discrepancy of the County Clerk and to refer back the Commissioners if there were identified problems.

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed a scheduled meeting with **County Assessor, Leslie Bugg**, the scheduling of the 2009 -2010 Kinder Morgan Board of appeals, an agreement between the County Fairgrounds and **Bonnie Loving** for an art installation, the development of a contract to be used for the leasing of back packs for weed spraying, and the renegotiations of the Owners Representative, Monty Guiles contract.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, gave updates on the Sand Canyon parking lot project, the Mesa Verde Trail project, the McElmo Flume project, the comment period for the Rico West Dolores plan and land around the Yucca House National Monument. A discussion was held regarding a letter of support to Congressman, Scott Tipton and a request to forward the letter regarding the Impact of the Canyon of the Ancients decision on Montezuma County to the Acting Director in Washington D.C. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner reported that Patrick Rondinelli had been appointment as the Regional DOLA representative.

COUNTY COMMISSIONER REPORT: Commissioner Suckla, no report given.

Commissioner Lambert no report given.

Commissioner Ertel no report given.

PUBLIC COMMENT: No comments were made.

MOTION TO ADJOURN: was made by Commissioner Ertel, seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 2:30 p.m.

County Clerk July 10, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 17, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 17, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator Absent
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of July 17, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 10, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics within the discussion included; emergency response discussions, the development of the punch list, paint, carpentry, mechanicals, landscaping, solar, and the project ending date. A discussion was held in regards to over budget expenses for Special Inspections and Material Testing. Topics discussed included; inclement weather conditions, blasting issues, paving material testing costs and a comparative cost analysis between the inspections/testing and the costs of paving.

PUBLIC COMMENT: Dexter Gill commented on the success of the County Road Department and general road maintenance projects.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of July 12, 2017 through July 28, 2017. Superintendent Englehart reported roads scheduled for work included; Roads 42, 22, 23, L, N and the United States Forest Service Schedule A roads. Superintendent

Englehart reported that depending on the weather the Transfer / Road 42 Chip seal project would start on the 24th of July and that all crews would be working on this project. Other topics discussed included; a drainage issue on Road 25, the Road 25 asphalt project, a driveway repair, the completion of the Road CC striping, Roads M, 33 and 34 striping, the Summit Lake sub-division roads, county standards on sub-division roads and County maintenance on secondary green roads. Superintendent Englehart reported that the Hay Camp pit was the main pit for most chip seal projects. A discussion was held in regards to the crusher moving to the Hay Camp pit, the depletion of road base material and the need to rebuild the supply, the purchase of additional equipment and the cost of hiring a contract crusher. (See attached)

PUBLIC LANDS: Forrest Service, Derek Padilla met with the Commissioners to give updates on various projects. Topics discussed included the **412 Fire** at the head of Ryman and Salt Creeks, the lifting of road closures, the **East Rim Fire** northwest of the Bradfield Bridge, the **Dolores Norwood Road** designation, comments on the **Rico West Dolores** draft EIS and an invitation to a Partner Social event with the Region 2 Forrester.

Canyon of the Ancients National Monument Manager, Marietta Eaton reported to the Commissioners that they will start doing publications of brochures and materials at the Heritage Center, that she was monitoring the East Rim Fire situation and that there is a Four Corners lecture event by **Harrison Schmidt** scheduled on July 29, 2017. Ms. Eaton gave updates on the Sand Canyon parking lot project and reported that a detailed presentation would be scheduled on the Yellow Jacket and Flodine grazing permits.

Bureau of Land Management, Connie Clementson met with the Commissioners for their monthly discussion. Topics discussed included; the Lightner Creek Fire in La Plata County and possible fire within the Boston Coal Mine due to that fire, the closure of the comment period regarding the King Coal mining operations, the Connection with Communities, Memorandum of Understanding between USDI Bureau of Land Management Tres Rios Field Office and Montezuma County Board of Commissioners, noxious weed control, and the development of a fieldtrip for the State Historic Preservation History Colorado to visit Phil's World and other Forest Service trails within Montezuma County. (See attached)

TOUR: The Commissioners took a tour of the Election Department, guided by **Deputy Clerk Carmen Gallegos**.

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining High Impact and Special Use Permits for a CO2 Well and associated pipelines submitted by **Kinder Morgan CO2 Company, Agent Chris Lopez**, on property located at 23930 Road 8, Pleasant View, CO, consisting of 6.08 acres, more or less, located north of Road 10, south of Road 8, situated in S.14 T.38N., R.19W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Agents, **Chris Lopez, Andy Weygant** and **Chris Millican** were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public Comments was made by **Gala Pock**. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission with the following recommended contingencies; that all local, state and federal permits are obtained, the original surface use agreement is in place, that OGCC Regulations Rule 802 and C.R.S. 25-12-101 are complied with regarding noise and that the road use agreement regarding the 2017 truck route is executed by the County

Road Superintendent and Kinder Morgan. After hearing all the evidence presented Commissioner Ertel moved that the High Impact #690 and Special Use Permit for the Kinder Morgan CO2 company on CO2 well #CB-5 be approved, contingent that all local, state and federal permits are obtained, that the original surface use agreement is in place, that OGCC Regulations Rule 802 and C.R.S. 25-12-101 are complied with regarding noise and that the road use agreement regarding the 2017 truck route is executed by the County Road Superintendent and Kinder Morgan. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Planning Assistant, Ranette Karo presented for review and determination of an Exemption Application submitted by **Vistas Limited, LLLP**, on properties located at 45995 and 46007 Hwy 160, Mancos, CO, consisting of 121.8 acres, more or less, and TBD Hwy 160, Mancos, CO, consisting of 22.8 acres, more or less, situated east of Highway 160, west of FS Road 316, situated in S.32 T.36N., R.12W., N.M.P.M. Applicant is proposing to rescind Resolution P-39-85 which created the 22.8 acre, more or less, tract whereby creating a 10 acre, more or less, tract which would consist of the sawmill established in the 1970's. The remaining acreage would be continued to be used as pasture. **Agents Larry and Mary Ann Ott** were present. The Commissioners were in agreement that the application should move forward. (See attached)

Director LeeAnn Milligan presented for signatures a final plat for the **Mancos Hills Subdivision**, a 15 Lot Major Development on properties owned by **Greene, LLC**, located at TBD Road J.75, 41670 Road J.75 and TBD E. Sunset Dr., Mancos, CO, consisting of 60 acres total, more or less; situated north of Hwy 160, east of Hwy 184, located in Sec. 28, T.36N., R.13W., N.M.P.M.

RESOLUTION 8-2017: County Assessor, Leslie Bugg along with Attorney Baxter met with the Commissioners to discuss a request that the County Board of Equalization make a temporary value adjustment to the residential, agricultural and commercial properties back to the January 1, 2017 values and to allow the office to review the values and later send out new notices of valuation to all taxpayers. Attorney Baxter presented for approval **Resolution 8-2017**, a resolution of temporary adjustment of residential, agricultural and commercial values to January 1, 2017. Commissioner Ertel moved that Resolution 8-2017 for the temporary adjustment of residential, agricultural and commercial values to January 1, 2017 be approved. Second by Commissioner Lambert and carried. (See attached)

2016 AUDIT: Chris Majors with Majors and Haley presented the 2016 audit for review. Mr. Majors gave an overview of the audit. Administrator Brunner will review the audit and present it to the Board for approval.

COUNTY ATTORNEY REPORT: Attorney John Baxter reported on the 2009 and 2010, Kinder Morgan Board of Appeals hearing scheduled in February 2018, a lawsuit filed against the County regarding a 2014 District Attorney's office employee automobile accident and the Owners Representative Contract addendum.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, gave an updated report to the Commissioners on the following topics; the Sand Canyon BLM parking lot, multiple BLM parking areas with needs within Montezuma County and funding options, the Lower Dolores campgrounds and the development of a memorandum of agreement with Dolores County, the State Historic Preservation History Colorado fieldtrip, the Trail to Mesa Verde, the ATV Trail to Moab and a Drought Contingency Plan meeting.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner was absent for the meeting,

COUNTY COMMISSIONER REPORT: **Commissioner Suckla**, reported on the scheduling of the Broad Band presentation from an Oregon County and discussed resolutions to be presented at the (WIR) Western Interstate Region conference call.

Commissioner Lambert **Commissioner Lambert** reported on the recently attended **MCEDA** and **Basin Round Table** meetings.

Commissioner Ertel gave a report on the attended **Area Agency for Aging** meeting and the **Southwest Workforce Board** meeting.

PUBLIC COMMENT: **M.B. McAfee** discussed options for Commissioner Suckla to discuss programs within other counties at the WIR meetings.

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:45 p.m.

County Clerk July 17, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 24, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 24, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman Absent
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

VICE-CHARIMAN Lambert opened the meeting of July 24, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 17, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

COUNTY TREASURER: Treasurer, Sherry Dyess presented the Public Trustee six month Treasurer's report. Commissioner Ertel moved that the schedule of receipts and disbursements for the time period of January 1, 2017 through June 30, 2017 be approved. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics within the discussion included; the owners meeting, the completion date, the pre-punch list, the Certificate of Occupancy, additional room signs for emergency responses, furniture deliveries, tile placement, carpet installation, walk through tours, the input of data lines, fencing, building operations training, the Leed Accreditation process, mechanical systems, fire water systems, electrical systems, the accumulation and retention of manuals and warranty information.

PUBLIC COMMENT: David Dove discussed the Memorandum of Understanding between USDI Bureau of Land Management Tres Rios Field Office and Montezuma County Board of Commissioners.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of July 19, 2017 through August 4, 2017. Superintendent Englehart reported that roads scheduled to work included Roads G, F.5, 15.5, 22, 23, L, N, and Road 31. Other topics discussed included; the delay of the chip seal project until July 31, 2017, the recent rain damage to various county roads, the transfer of the crusher to the Hay Camp pit, reflector posts on Road CC, the County mowing crew, Road 25 pavement issues, the relocation of the signs to Hovenweep National Park, CDOT roadside mowing operations and the State disposal of steel snow plow blades. (See attached)

LANDFILL: Landfill Manager, Shakalo Powers gave his monthly report which included the 2017 Landfill budget spread sheet, the Alternative Daily Cover Analyses and a subgrade redesign map. Manager Powers made a request to move forward on a Landfill redesign plan. He gave an overview on the life of the Landfill with the current design and discussed ways that a new design could add years to the life of the Landfill. Commissioner Ertel moved to grant permission to Manager Powers to seek an alternative design plan for the operations at the Landfill. Second by Commissioner Lambert and carried. Other topics discussed included, the recycle credits, the Upcycle Store income, the future pricing of recycle products, the Waste Tire Project, recycling spoke models, and mud and standing water issues at the Landfill. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the year to date numbers for income of \$53,650.50 and attendance at 46,722. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the mud issues during the car races, the County Fair car races, the sand delivery, an art display agreement, and the highway entry way lights. (See attached)

DISCUSSION: Marty McKean met with the Commissioners to discuss materials used for bike racing route designations on Montezuma County Roads. Topics Mr. McKean discussed included; sidewalk chalk, chalk paint, spray paint and flagging. The Commissioners will discuss the issue with the Road Department Supervisor.

DISCUSSION: Bud Garner met with the Commissioners to discuss the County Broadband and Internet project. Topics Mr. Garner discussed included; government involvement in public/private business, current local high speed internet providers, terminal equipment, economic development, the infrastructure, reductions of government interference, the Connect 4 survey results, necessary public utilities, convenience utilities, precedents and consistencies set for other necessary utilities and tax payer financing.

ACCOUNTS PAYABLE: Administrator Brunner presented the June 2017 Accounts Payable and Financial Statements for approval. Commissioner Ertel moved to approve the Accounts Payable for June 2017 as presented. Second by Commissioner Lambert and carried. Commissioner Ertel moved to approve the Financial Statements for June 2017 as presented. Second by Commissioner Lambert and carried. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Director Josiah Forkner, Lori Higgins and Fraud Investigator, Radonna Vinger were present. Mrs. Vinger gave an overview of her department. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. **Assessor, Leslie Bugg and Appraiser, Zane Fischer** were present. Commissioner Suckla was absent for the hearing. **Johnson & Klevin: Yumi Johnson** joined the meeting by phone. Appraiser Fischer explained the appeal for the Johnson & Klevin property account number R002848 and gave an overview of the Assessor's process to determine the value. Appraiser Fischer recommended the value to be reduced to \$39,865.00. Commissioner Ertel moved to remain in line with the Assessor's Office valuation on property owned by Yumi Johnson / Alison Klevin located at 103 N. 11th St., Dolores, at \$39,865.00, seconded by Commissioner Lambert and carried. (See attached)

CONGRESSMAN, SCOTT TIPTON'S REPRESENTATIVE: Darlene Marcus met with the Commissioners to report the retirement for her position and to introduce the new representative, **Jose Alanis**. Other topics discussed included the Sage Hen recreational area, the Aquatic Nuisance project, a Sage Hen trail, the Canyon of the Ancients letter, the State Historic Preservation History Colorado decisions, the Flodine and Yellow Jacket leases, and the Phil's World expansion project.

Commissioner Lambert announced the adjournment of the meeting for the LUNCH break.

Commissioner Lambert announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining the official **2017 County Road Map**, which includes, but is not limited to, the proposed change in designation of Road 35.6, Mancos, CO, and other currently red signed, non-county owned or maintained roads proposed to be changed a green sign designation, etc. The roll was called, the public notice read, and the proceedings were recorded for the record. **GIS Manager, Doug Roth** gave an overview of the proposed County Road Map. Commissioner Lambert opened the hearing to public comment. Public comments were made by: **Jon Kelly (Attorney for Michael Just), Gary Shaw, Garon Shaw Joe MacLaren, Larry Dozier, Don Harwood, Kevin Desplanques, Latifa Rodriguez, Judith Franklin, Pam Chipman, Greg Kemp, Cheryl McMillan, Dan Jones, Roy Gelhouse, Ann McDonald, James Dietrich and Road Superintendent, Rob Englehart**. An email response from **Mick Haney** was read into the record by County Clerk, Percell. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved for the approval of the 2017 Montezuma County Road Map with the tabling of Road 25 and T.5 and the Gentry Subdivision both 1 and 2 in the Summit Lake area. Second by Commissioner Lambert and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the Kinder Morgan appeal process.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, gave an update on the proposed dates for the State Historic Preservation History Colorado tour, the McElmo Flume RFP, a letter of support for the Boggy Draw trail expansion, and evaluations for both the Sand Canyon Parking lot and the Justice Building.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the Mounted Horse Program scheduled "Scent" training session and gave an update of scheduling for the Board Of Equalization hearings.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 7, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 7, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of August 7, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 24, 2017 as amended. Motion was seconded by Commissioner Ertel and carried.

2016 COUNTY FINANCIAL AUDIT: Administrator Melissa Brunner recommended the acceptance of the **2016 Montezuma County Financial Audit** as presented. Commissioner Ertel moved that the Montezuma Board of County Commissioners accept the Financial Audit for the year 2016. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics within the discussion included; the punch list, the Certificate of Occupancy, insurance, phone systems, a solar quote, carpet installation, the scheduling of the Grand Opening, the scheduled date for the court to begin operations and a planned Commissioner tour of the building.

PUBLIC COMMENT: Greg Kemp discussed the Journal's newspaper article "Telecommunication Survey Results Tabulated. (See attached) **Mick Haney** discussed the proposed designation changes to County Road 35.6.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of August 2, 2017 through August 18, 2017. Superintendent Englehart reported; roads scheduled to work included Roads G, F.5, G.1 42, 22, 23, L, N, 31, H, G, 39, 40 and Road 43. Other topics discussed included; placement of the Hovenweep National Park signs, the Four Corners Materials Road CC paving project, the attended Southwest TPR meeting the Region 5 Intersection Priority Program, the Road T.5 and Road 25 alignment, and a State Highway culvert issue. (See attached)

ORDERS: Administrator Brunner presented **ORDER #9-2017** a transfer of \$1,500,000.00 from the Road Impact Fees to the Road & Bridge Fund for the County Road CC Kinder Morgan paving project completed in 2017 and **ORDER #10-2017** a transfer of \$23,094.00 from the Road Impact Fees to the Road & Bridge Fund for the County Road CC DoLA paving project completed in 2017. Commissioner Ertel moved to approve transfer orders #9-2017 a transfer of \$1,500,000.00 from the Road Impact Fees to the Road & Bridge fund for the completed County Road CC Kinder Morgan paving project and #10-2017, a transfer of \$23,094.00 from the Road Impact Fees to the Road & Bridge fund for the completed County Road CC DoLA paving project. Second by Commissioner Lambert and carried. (See attached)

NATIONAL CONSERVATION AREA (NCA): Commissioner Lambert discussed the proposed legislative language included within the NCA. The discussion was tabled for a future date.

EMERGENCY MANAGER REPORT: Emergency Manager Paul Hollar met with the Commissioner and gave a monthly update. Topics discussed included meetings attended, training and exercises, items currently working on and the Western Excelsior economic disaster update. Manager Hollar presented for approval the 2017 Emergency Management Performance Grant. Commissioner Lambert moved that the grant agreement between Montezuma County and the State of Colorado, Department of Public Safety, Division of Homeland Security and Emergency Management be approved. Second by Commissioner Ertel and carried. (See attached)

RESOLUTION #9-2017 Fire Ban: Emergency Manager Paul Hollar presented Resolution #9-2017 a resolution suspending the ban on open fires and the use of fireworks. Commissioner Ertel moved that Resolution #9-2017 a resolution suspending the ban on open fires and the use of fireworks be approved. Seconded by Commissioner Lambert and carried. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeals was heard. The roll was called and the proceedings were recorded for the record. Owner, **Kelly Belt** was present. **County Assessor, Leslie Bugg** presented the CBOE valuation report for **Dan Belt Estate / Belt Salvage** on accounts R014583, R014584, R014585, R014586, R014587, R014588, R014590, R014591, R014592, R014593, R014594, R014595, R014596, R014597 and R014610. Assessor Bugg's recommendation was that the current value of \$30,050.00 for each parcel is fair and indicative of market activity in the time period running from January 1, 2015 to June 30, 2016. Commissioner Ertel moved to remain in line with the Assessor's Office valuation on property owned by **Dan Belt Estate/ Belt Salvage**, at \$30,050.00 for each parcel. Second by Commissioner Lambert and carried. (See attached)

WEED DEPARTMENT: Weed Department Office Manager, Bonnie Loving met with the Commissioners to discuss Noxious Weed enforcement on properties within the County that have been notified by certified mail of current weed issues on their properties, that need to be addressed. Properties discussed included the **Stephen Miller, Johniece Dunnam, Jeremy Loyd, Joe Lanier** and the **Barbara Vedsted** properties. Manager Loving

reported the certified letter to the Mr. Loyd was returned undeliverable and no contact had been made. It was a unanimous decision by the Commissioners to move forward with noxious weed enforcement on the remaining properties.

2020 CENSUS: GIS Manager Doug Roth met with the Commissioners to discuss County coordination on the 2020 census.

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR3-9 rezoning request and Sketch Plan for a proposed amendment to Lot 3 of the **Poplin Moderate Subdivision** wherein property owner, **The J. Dean Acheson Trust, Agent Ernie Maness**, proposes one 3 acre and one 15.39 acre, more or less, tract, 20465 Road 22, Lewis, CO, located north of Road W, west of Road 22, situated in S.31, T.38N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Agent Ernie Maness** was present. **Planning Director Lee Ann Milligan** gave an overview of the request. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Lambert moved that the AR3-9 rezoning and sketch plan for the amendment to lot 3 of the Poplin Moderate subdivision, for property owned by J. Dean Acheson Trust located at 20465 Road 22 Lewis be approved. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented for review and determination of an Application submitted by **Hermann & Kim Rosas**, for the operation of a small waste management company consisting of one truck and storage of small refuse containers on property owned by **John Shutz Et Al**, 25582 Road H, Cortez, CO, situated south of Road H, west of Road 26.1, located in Section: 2, Township: 35, Range: 16, N.M.P.M. Agent Hermann Rosas was present. Commissioner Lambert moved that a Certification of Use be issued for the application submitted by Hermann Rosas for the operation of a small refuge company be approved. Second by Commissioner Ertel and carried (See attached)

DISCUSSION: Keith Harlan, Eddie Comisky and Director Milligan met with the Commissioners to discuss the **Western Excelsior** demolition, rebuilding and the recycling of concrete materials. Topics of the discussion included the new building location, which would be located in the county, the usage of a crusher to recycle the foundation concrete for a future parking area, the requirement of a demolition permit from the Town of Mancos, asbestos abatement, the building reconstruction, the re-establishment of the business, future workforce and options / mitigation for sound and dust control. The Commissioners had no concerns regarding items presented. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining a Sketch Plan for a proposed General Planned Unit Development for the addition of 4 small cabin units on property owned by **Keith & Janice Moen**, located at 26965 Road N, Cortez, CO; located north of Road N, west of Hwy 145, situated in Sec. 1, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Owners Keith and Janice Moen were present. **Planning Director Lee Ann Milligan** gave an overview of the request. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing

all the evidence presented Commissioner Lambert moved that the sketch plan for a proposed 4 small cabin unit development on property owned by Keith and Janice Moen located at 26965 Road N be approved. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Planning Director Milligan presented for signatures a final Plat for the **Poplin Moderate Subdivision**, property owner, The **J. Dean Acheson Trust, Agent Ernie Maness**, located at 20465 Road 22, Lewis, CO, located north of Road W, west of Road 22, situated in S.31, T.38N., R.16W., N.M.P.M

Planning Director Milligan presented for signatures a final Plat for a 2 Lot Moderate Development on property owned by **Joseph Buckel & Shama Mushen Buckel**, 25505 Road P, Cortez, CO, located north of Road P, west of Road 26, situated in S.35, T.37N., R.16W., N.M.P.M

DISCUSSION: Natural Resources, James Dietrich and Planning Director, Milligan met with the Commissioners to discuss the retention of an engineer for services with miscellaneous Planning projects. Topics of the discussion included; metal building fabrication guidelines for our area, development of a set of standards, planning reviews, funding options, multiple department need, requests for qualifications, an annual retention contract and construction standards for snow and wind.

COUNTY TECHNICAL SERVICES INC.: County Technical Services Inc., (CTSI) Marilyn Wagner met with the Commissioners to give the Montezuma County annual loss prevention update. Topics of the discussion included; other products and services available, the County Workers' Compensation Pool Loss Ratio Report, the County Workers Compensation Pool Loss analysis by County division, the County Workers Compensation Pool Loss analysis by accident, the Five year Loss Analysis by division, department and accident and the Loss analysis by accident claims from 1986 through December 31, 2016. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter gave updates on the Kinder Morgan appeal and the Dolores Norwood road designation. Other topics discussed included a culvert at the G Whil Liquors business location.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, gave updates on the Dolores Water Conservation District – Sage Hen planning meeting, the Trail to Mesa Verde and the Sand Canyon title company report. Mr. Dietrich presented a letter for approval addressed to Mr. Steve Turner at the State Historic Preservation Officer History Colorado regarding the Phil's World trail project. Commissioner Lambert moved to approve the State Historic Preservation Officer History Colorado letter as presented. Second by Commissioner Ertel and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the Fairgrounds art sculpture agreement, the Combined Court Facility official grand opening date of Wednesday, October 11, 2017 at 1:30 p.m. and the addition of a full time position in the Maintenance Department. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Suckla, gave a report on the Broadband presentation from a county in Oregon and his trip to Ohio. **Commissioner Lambert** no report given. **Commissioner Ertel** no report given.

PUBLIC COMMENT: **M.B. McAfee** discussed the retention of engineer services for miscellaneous Planning Department projects. **Greg Kemp** discussed the county size and population relativity within the Oregon broadband presentation.

CORRESPONDENCE: The following correspondence was read and noted: An email to Commissioner Suckla from Roy Gelbhaus regarding the additional Road map change proposal.

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 3:45 p.m.

County Clerk August 7, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 14, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 14, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney (Absent)
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of August 14, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 7, 2017 as corrected. Motion was seconded by Commissioner Ertel and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of July 2017. (See attached)

LIQUOR LICENSE: Chief Deputy Clerk, Lynn Dorenkamp presented a liquor license renewal for **Kelly Place Inc.** located at 14537 Road G. Cortez. Commissioner Ertel moved to approve the liquor license renewal application for Kelly Place Inc. located at 14537 Road G. Cortez as presented. Second by Commissioner Lambert and carried. (See attached)

Deputy, Dorenkamp presented a special event liquor license application for a one day event scheduled September 8, 2017 for **Four Corners Advocacy Center** to be held at **Cliffrose High Desert Garden Center**, located at 27885 US 160 Cortez Co. 81321. Commissioner Lambert moved to approve the special event liquor license for the Four Corners Advocacy Center event scheduled September 8, 2017 at the Cliffrose High Desert Garden Center, located at 27885 US 160 Cortez. Second by Commissioner Ertel and carried. (See attached)

Deputy, Dorenkamp presented a liquor license Report of Change for **G Whil Liquors**. Commissioner Ertel moved to approve the report of change for G Whil Liquors located at 24001 Road G.2, Cortez, Co.. Second by Commissioner Lambert and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics within the discussion included; scheduled visits from Humphrey Poli, the inside and outside punch lists, acoustical paneling, doors, the Court move dates, payment for the sewer tap and a scheduled Commissioner tour of the facility.

PUBLIC COMMENT: No public comments were made.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of August 9, 2017 through August 25, 2017. Superintendent Englehart reported crews have started the chip seal projects on Roads 42, 22, 23, L, and Road N. Superintendent Englehart presented for discussion the counties top five intersection priorities for the CDOT, 2017 Intersection & Corridor Priority list. Intersections discussed included:

- 1) County Rd 34 / Hwy 160,
- 2) County Road N/ Road 23 / Hwy 491,
- 3) County Road D.6 / Hwy 491,
- 4) County Road V / Road 21 / Hwy 491,
- 5) Left open for future discussion

Other topics discussed included; the Road 25 asphalt repair, a culvert repair on Road G, a CDOT access permit for Empire Electric on Road S and Hwy 491, the Fairgrounds water system, wireless internet at the Road & Bridge and payments for the Forest Service Agreements. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock along with **County Sanitarian, Melissa Mathews** met with the Commissioners to discuss proposed changes to the **Onsite Waste Water Treatment Requirements Environmental Health Program**. Sanitarian, Mathews gave an overview of the proposed changes for the County process and will present the document for approval at a future date. Topics discussed included; options to opt “In and Out”, Tiny Homes, advanced septic systems, certifications, an on site waste water design check list and septic inspection fees. Director Lock made a request for an additional full time employee to help with the Sanitarian office duties. Approval was given for the position and will be paid for by the salary of a retiring part-time position and increased fees that will be effective January 2018. Topics of this discussion included; the recent State program conversion, data entry, in office phone calls, the Waste Tire program, the Sanitarian’s time spent on Dolores County inspections, Child Care inspections, funding options, a current employee retirement, CORA requests and Food Licensing fees. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for July 2017 along with the Monthly Report of Services. Officer Torres gave an update on the monthly statistical data and the indirect income to Montezuma County. Commissioner Lambert moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for July 2017, seconded by Commissioner Ertel, motion carried. Officer Torres presented a Total VA expenditures to Montezuma County along with the geographical distribution of VA expenditure for the years 2012 through year 2016. Other topics discussed included the shared usage and decal design for a Sheriff’s Department vehicle and completed mandatory training. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report. Topics discussed included an update on the Inmate Hold statistics and charges, the direct costs of prisoners, a fee schedule summary, transports, a casino vehicle, the renewal of the Casino contract, training for re-certifications, the Mounted Patrol scent training and the Mounted Patrol coverage at the recent Escalante Days celebration in the Town of Dolores.

RESOLUTION 10-2017: Sheriff Nowlin presented for approval Resolution #10-2017, a resolution for the inclusion of law enforcement officers whose employers provide social security. Sheriff Nowlin gave an overview of the resolution that allows Montezuma County to affiliate with the Fire and Police Pension Association. Commissioner Lambert moved that resolution #10-2017, a resolution for the inclusion of law enforcement officers whose employers provide social security be approved. Second by Commissioner Ertel and carried. (See attached)

DISCUSSION: Montezuma County Elected Officials, Coroner, George Deavers, Sheriff, Steve Nowlin, Assessor, Leslie Bugg, Treasurer, Sherry Dyess and County Clerk, Kim Percell met with the Commissioners to discuss a County Official pay increase. Coroner Deavers discussed a report that gave the State wide county elected officials salaries – sub-category requests and a report from Administrator Brunner with the current elected official's salaries along with the County budgetary effects of the proposed 10%, 20% and 30% raise. Topics discussed included; the Consumer Price Index (CPI) cost of living increases, other County Department head salary comparisons, county employee cost of living increases, election cycle salary schedules, department productivity and income increases, state sub-category specifications, required county coverage of services, previous knowledge of expected salaries, elected official accountability, previous yearly cost of living increases for County employees, tax revenue options for funding of raises, the average medium income in Montezuma County and the placement of a salary raise ballot question for the November 2017 ballot. Commissioner Lambert moved to ask the legislatures to increase the pay by 10% to the Elected Officials of Montezuma County starting in the year 2019. Second by Commissioner Ertel. With a vote in opposition from Commissioner Suckla and two votes in favor from Commissioners Lambert and Ertel the motion carried.

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Director LeeAnn Milligan presented for preliminary of an exemption application submitted by **Robinson Pope** and **RC Southwest Development, Agent Ernie Maness**, on properties located at 311 N. Broadway, consisting of 0.36 acres, more or less, and TBD N. Broadway, consisting of 73.13 acres, more or less, Cortez, CO, situated west of Highway 491, west of W. Downey Ave., situated in S.26 & 27 T.36N., R.16W., N.M.P.M. Applicant is proposing add 0.2 acres, more or less, from the 73.13 acre tract to the .036 acre tract whereby creating 0.56 acre, more or less, tract to resolve a building location in multi-taxing districts. No additional tract would be created. Director Milligan gave an overview of the application. Commissioner Ertel moved that the preliminary exemption application submitted by Robinson Pope and RC Development properties located at 311 N Broadway be approved. Second by Commissioner Lambert and carried.

Director Milligan presented for preliminary review of an exemption request for a lot line adjustment on Lot 4 of the **Knollwood Estates Subdivision**, owned by **Gerald & Verinia Fosnot**, located at 25723 Road N, Cortez, CO, consisting of 3 acres, more or less, wherein 0.2 acres from property owned by **David Nichols and**

Elizabeth Love, located at TBD Road N, Cortez, CO., would be added to Knollwood Lot 4. The properties are located north of Road N, east of Road 25, situated in S.2, T.36N., R.16W., N.M.P.M. The 0.2 acres is an unused access easement. No new lot would be created. Mr. Nichols was present. Director Milligan gave an overview of the application. Commissioner Lambert moved that the preliminary exemption request for a lot line adjustment to lot #4 of the Knollwood Estate Subdivision, owners Gerald and Verinia Fosnot along with David Nichols and Elizabeth Love, be approved. Second by Commissioner Ertel and carried.

MONTEZUMA COUNTY HISTORICAL SOCIETY: County **Historical Society President, Ann Brown** met with the Commissioners to give updates on the Montezuma County Historical Society and to present an invitation to the County Historical Society's Annual Meeting. Other topics discussed included; items moved from the Justice building basement to the Lake Vista Grange Hall, additional items stored, a donation from the Montezuma Valley Irrigation and the addition of the Ismay Trading Post and the Montezuma County Flume to the County Historical Registry. (See attached)

COUNTY ATTORNEY REPORT: Attorney **John Baxter** no report given.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, no report given.

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** discussed the improvements made to the county web page and agenda items for August 21, 2017.

COUNTY COMMISSIONER REPORT: Commissioner **Suckla**, gave a report on the Western District phone conference. Commissioners **Suckla, Lambert** and **Ertel** gave a report on the recently attended Connect 4 Broad Band meeting.

PUBLIC COMMENT: **Ellen Foster** discussed the Veterans report and the public representation of the shared Sheriff Departments vehicle.

EXECUTIVE SESSION: Commissioner Lambert moved to go into executive session for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), seconded by Commissioner Ertel and carried. Commissioner Lambert moved to go out of executive session, seconded by Commissioner Suckla and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: A letter from the Colorado Department of Public Health and Environment regarding the County Landfill, WQCD CDPS Permit Renewal application.

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:30 p.m.

County Clerk

August 14, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 21, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 21, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of August 21, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 14, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Chief Deputy Clerk, Lynn Dorenkamp presented for approval two special event applications, one for **United Way of Southwest Colorado**, an event to be held at **Four Seasons Greenhouse & Nursery**, 26650 Road P, Dolores CO 81321 on November 30, 2017 and the second event by **Southwest Memorial Hospital Foundation**, an event to be held at **Trail Canyon Ranch**, 18501 Road J, Cortez CO 81321 on Oct 14, 2017. Commissioner Ertel moved to approve the special event application for the United Way of Southwest Colorado event to be held at Four Seasons Greenhouse & Nursery, located at 26650 Road P, Dolores on November 30, 2017. Second by Commissioner Lambert and carried. Commissioner Lambert moved to approve the special event application for the Southwest Memorial Hospital Foundation event to be held at Trail Canyon Ranch located at 18501 Road J, Cortez on Oct 14, 2017. Second by Commissioner Ertel and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics within the discussion included; the completion of the exterior punch list, windows, touch up

paint, the Kiva windows, landscaping, irrigation, acoustical panels, carpets, furniture deliveries, the interior punch list, the Certificate of Occupancy, the afternoon scheduled tour, and a Contractor one year walk through. The Commissioners have requested all along the project that a solar installation be included. Being at the end of the project the contingency fund has a balance left that will allow this installation to occur. The estimated contingency is approximately \$40,000 and the solar expense will use \$14,000 of that amount. A change order will be submitted by Colorado Jaynes for this installation. Commissioner Lambert moved that the Contractor be authorized to install solar at the Combined Courthouse up to the amount of \$14,000.00 as per bid. Second by Commissioner Ertel and carried. Representative Guiles made a request of the Commissioners, for a letter of recommendation that he could add to his resume.

PUBLIC COMMENT: M.B McAfee discussed the newspaper editorial in Friday's Journal concerning public meeting notifications. (See Attached) **Cheryl McMillan, Kevin DesPlanques, Mike Just and Don Harwood** discussed their concerns regarding public access to BLM land within the Summit Lake Subdivision. Topics of the discussion included; the BLM designated use of the area, development of designated trails, damage to the current residentially maintained road, county maintenance of the road, snow removal, vandalism, trespassing, ATV usage, public camping, camp fires, liabilities and facilities for restrooms and trash.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of August 16, 2017 through August 31, 2017. Superintendent Englehart reported all district crews will be working on the chip seal projects in the following order:

USFS Road 561 (Road 42)

Road 23, from Road L to Road N

Road 22, from Road P to Road L

Road N, from Road 22 to Road 21

Road L, from Road 22 to Road 23

Road CC, from end of pavement to Road 10, south to Road BB.

As each section is completed they will move to the next road listed.

Superintendent Englehart reported that Four Corners Material had completed the asphalt repair on Road 25. He will schedule the paint striping but will use reflector tabs until then. Other topics discussed included; a turn-around / parking area on Road 41 for recreational access to the United States Forest Service area, the McElmo Canyon culvert repair, the Intersection & Corridor Priority list and the Summit area BLM access parking lot. Administrator Brunner reported the CDOT access permit for Empire Electric on Road S and Hwy 491 had been resolved. Attorney Baxter reported that he had received notice for the County to cease using irrigation canal water for dust control on County Roads and that Montezuma Valley Irrigation was working on a resolution and the development of a formal agreement. (See attached)

PUBLIC LANDS: Forest Service, Tom Rice met with the Commissioners to give updates on various projects. A discussion was held regarding the development of an aquatic nuisance inspection station on the north side of McPhee Reservoir. Mr. Rice noted that the \$15,000.00 funding used from the Secure Rural Schools Bill had not be reauthorized and that in the future, inspections would require other Forest Service dollars to pay for those inspections. Mr. Rice reported that on the proposed 25 mile expansion to the non-motorized trail system at **Boggy Draw** that the (NEPA) National Environmental Policy Act was well underway and the comment period will end August 28, 2017. Mr. Rice stated that the Forest Service hoped to have a decision out this fall. Other topics discussed included the continuation of the **Prescribed Fire Analysis** project, an award of a Good Neighbor Grant through the State of Colorado for the **Timber Program**, that the **Rico West Dolores** comment

period ended August 21, 2017 and the Forest Service is working on a Record of Decision for this fall, which will then open up a 45 day objection period.

Constituent William (Randy) Irvin discussed a demand to vacate a campsite incident with a Forest Service Law Enforcement Ranger. The Ranger made the demand stating, because of Mr. Irvin's employment in the area he had established a residency. Mr. Rice offered to research the Code of Federal Regulations (CFR) that warranted the demand to vacate and what qualified the established residency.

Bureau of Land Management, Connie Clementson and Keith Fox met the Commissioners to give a BLM monthly update. Mrs. Clementson reported that Mrs. Eaton was unavailable for the monthly Commissioner meeting as she was busy with the eclipse event at the Heritage Center. That the Yellow Jacket and Flodine briefing would need to be rescheduled. That the referenced September 6th meeting within the Tres Rios letter sent by the Commissioners to the Colorado State Historical Preservation Office was not approved at this time. A discussion was held regarding neighbor concerns for the BLM access for equestrian and pedestrian activities on County Road 36.5. Topics of the discussion included; the BLM targeted use for the Summit area, traffic and trail monitoring, road maintenance funding, the proposed parking lot development, gate and entry systems options, restroom facilities and a use analysis.

Mr. Fox gave an overview of the Travel Management Plan and the Transportation Planning Process. Topics of the discussion included; route and trail designations, authorized uses, different types of uses on public lands, parking, map development for opportunities for public land use, Cultural Resource Compliance activities, seasonal closures, drainage improvement projects, Mud Springs improvements, the Aqueduct Trail system near Mancos, the Trail to Mesa Verde and site specific analysis. The Commissioners asked that the BLM make the Road 36.5 access project a high priority and request for additional funding for the BLM Road 36.5 BLM access project.

USDA COOPERATOR SERVICE WILDLIFE SPECIALIST: Clinton Wilson was unavailable for a report.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Director Josiah Forkner and Lori Higgins were present. Director Forkner presented for approval a Clara Ormiston Fund Request in the amount of \$5533.32 for a cancer patient. Commissioner Lambert moved to approve the Clara Ormiston fund request as presented. Second by Commissioner Ertel and carried. (See attached)

PUBLIC TRANSIT: Mary Holaday met with the Commissioners to present for approval the **MoCo Public Transportation Standard Operating Procedures** for workplace Drug and Alcohol Testing Programs. County Attorney Baxter asked that the document be amended to include the words Public Transportation after the words of Montezuma County throughout the document. Commissioner Lambert moved to approve the MoCo Public Transportation Standard Operating Procedures for workplace drug and alcohol testing with recommended amendments. Second by Commissioner Ertel and carried. (See attached)

2017 SOLAR ECLIPSE: The Commissioners broke to view the solar eclipse.

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Director, LeeAnn Milligan presented for preliminary review of an Exemption Application submitted by **James Nash and Cynthia Houston** on property located at 20671 Road W, consisting of 5 acres, more or less, the **Iris H. McAfee Estate, Agent Chuck McAfee**, consisting of 2.29 acres, more or less, Lewis, CO, situated west of Road 21, north of Road W, situated in S.36 & 27 T.38N., R.17W., N.M.P.M. Applicants propose to combine the 2.29 acre, more or less tract with the 5 acre, more or less, tract whereby creating one 7.29 acre, more or less tract. No additional tract would be created. Agents Cynthia Nash and Chuck McAfee were present. Commissioner Ertel moved that the exemption application submitted by James Nash and Cynthia Houston on property located at 20671 Road W, consisting of 5 acres, more or less creating one 7.29 acre, more or less tract from the Iris H. McAfee Estate be approved. Second by Commissioner Lambert and carried.

Director Milligan presented for signatures a final plat for a lot line adjustment on Lot 4 of the **Knollwood Estates Subdivision**, owned by **Gerald & Verinia Fosnot**, located at 25723 Road N, Cortez, CO, consisting of 3 acres, more or less, wherein 0.2 acres from property owned by **David Nichols and Elizabeth Love**, located at TBD Road N, Cortez, CO., would be added to Knollwood Lot 4. The properties are located north of Road N, east of Road 25, situated in S.2, T.36N., R.16W., N.M.P.M. The 0.2 acres is an unused access easement. No new lot would be created.

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the Health Department's CORA request from the Cortez Journal Newspaper. The discussion included the County's written policy for CORA requests, his contact information given to the newspaper, that the information requested was provided by the State which may obviate the request to Health, but if necessary a new invoice would be presented. Attorney Baxter reported that Kinder Morgan's attorney had not yet filed motions.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, discussed scheduled hearings for proposed Rule #7 on statewide ozone control. Commissioner Ertel moved that Montezuma County take part in the CDPHE Rule #7 ozone hearings. Second by Commissioner Lambert and carried. Mr. Dietrich presented for approval a letter of support for the **Ute Mountain Ute Water Conveyance System** transmission line upgrade. The discussion was tabled to a future time to include the Montezuma County Road Superintendent. Other topics discussed included the Yucca House land conveyance trade, the McPhee Marina, the House Creek Marina, the Request for Proposal (RFP) for the McElmo Flume Project, the Sand Canyon parking lot easement sketch and the USFS Boggy Draw expansion comment period. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed an attendance response for the invitation to the Montezuma County Historical Societies annual meeting, the departure time for the scheduled Western District meeting, and the Combined Court trash facility fees. Administrator Brunner reported that the CCI designation for the Montezuma County appointee to the legislative subcommittee was due by October 13, 2017. Commissioner Ertel moved to appoint Commissioner Suckla as the Montezuma County CCI legislative subcommittee designee. Second by Commissioner Lambert and carried.

Administrator Brunner presented the July 2017 **Accounts Payable** and **Financial Statements** for approval. Commissioner Ertel moved to approve the Accounts Payable for July 2017 as presented. Second by Commissioner Lambert and carried. Commissioner Lambert moved to approve the Financial Statements for July 2017 as presented. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Suckla**, discussed the scheduled Housing Authority meeting Thursday August 24, 2017 and his re-election to the NACO, Rural Action Caucus.

Commissioner Lambert reported on a Housing phone conference discussion.

Commissioner Ertel no report given.

PUBLIC COMMENT: **Greg Kemp** discussed other possible access options to the BLM land in the Summit area.

CORRESPONDENCE: The following correspondence was read and noted: Veteran Services Customer Satisfaction Surveys. (See attached)

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:35 p.m.

TOUR: Combined Court Facility

County Clerk August 14, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 28, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 28, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of August 28, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 21, 2017 as corrected. Motion was seconded by Commissioner Lambert and carried.

DEMONSTRATION: IT Director, Jim McClain, County Administrator, Melissa Brunner and County Clerk, Kim Percell met with the Commissioner to give a demonstration for public access to Commissioner meeting minutes with attachments and archived videos on the County web site at montezumacounty.org/web

CORTEZ CEMETERY DISTRICT: Administrator Brunner presented a letter of resignation from Christopher D. Carlson from the Cortez Cemetery Board of Directors. Letters of interest for the Cortez Cemetery District were received from **Donnie Tanner** and **Nelda Jenkins**. Commissioner Lambert moved that Donnie Tanner be the person appointed to the Cortez Cemetery District for a 6 year term. Commissioners Suckla and Ertel recused themselves and deferred to Commissioner Lambert for the decision. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, was not available for a report. A discussion was held regarding the kiva punch list, the repositioning of the cameras and a bench within the holding cell.

PUBLIC COMMENT: Ellen Foster asked for verification of a payment to Reams Construction that was included in the approved July payables and the referenced CDPHE decision regarding the Reams material. The billing paid was prior to the County decision to stop using the Reams Construction materials.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of August 23, 2017 through September 8, 2017. Superintendent Englehart gave an update on the progress for the Chip Seal projects. He reported that a vac-truck had been used to clean the McElmo culvert and that the situation was stabilized at this point. Superintendent Englehart discussed a possible solution to the Road Department's water usage that included the **Towaoc Highland Canal** and a Bureau of Reclamation access easement. A Gravel Inventory report for the 3/4" road base along with crushing quotes from **Weeminuche Construction** at \$6.40 per ton price, **McStone Gravel** at \$7.85 per ton price were presented for review. **Stone Sand** and **Gravel** declined to place a quote. Superintendent Englehart discussed the current and future needs for the road base. Also discussed was the time frame it would take to restock the supply for future needs and future DOLA grant project applications. Commissioner Ertel moved to authorize the budget adjustment of \$256,000.00 to crush up to 40000 tons of gravel using Weeminuche Construction to do the crushing. Second by Commissioner Lambert and carried. (See attached)

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2017 Landfill budget spread sheet. Topics discussed with the report included; the market plastic prices are higher for sorted plastics, the City of Cortez no longer accepts glass for recycling, the cardboard market prices are staying stable, the waste tire trailer was full and ready for transport, that Kinder Morgan had started on their cleanup, that the High School demolition would soon start again, the development of the food waste and the future Cell 3B construction. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the year to date numbers for income of \$51,619.25 and attendance at 65,187. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; coordinated efforts with the Road Department for water usage, the arena sand and rodeo sand mixture requirements, a possible Monster Truck event, additional barrel racing events, the solar lights at the entry way and the marque sign. (See attached)

GROUNDS AND BUILDINGS QUARTERLY REPORT: Maintenance Supervisor, Mike Chenard gave a monthly report on the grounds and buildings. Topics of the discussion included; 2 new employees, a welding job at the jail, air conditioner damages at the jail, a repair for the Fairgrounds chair lift, new sidewalks and repaving the parking lot at the Annex I building, the Health Department sheds, landscaping at the Senior center, Annex III carpets, employee uniforms and the purchase of trash cans, a carpet machine and a lift to be used at the Combined Courthouse.

COMBINED COURTHOUSE OFFICE CLEANING BID OPENING: was postponed to a future date.

ASSESSOR: Montezuma County Assessor, Leslie Bugg met with the Commissioners to present the **2017 Abstract of Assessment** for approval. Topics of the discussion included; the notification mailing date, cost of notifications, and the development of a Resolution to set the property tax appeal hearings date. Attorney Baxter will develop a Resolution to set October 20, 2017 as the date for Board of Equalization appeal reviews. Commissioner Ertel moved to approve the Montezuma County Abstract of Assessment to the Colorado

Department of Local Affairs Division of Property Taxation as presented. Second by Commissioner Lambert and carried. (See attached)

EMERGENCY ALERT SYSTEM / 911 FEE: Montezuma County Sheriff, Steve Nowlin, City of Cortez, Manager Shane Hale, City of Cortez Chief of Police, Roy Lane and Lori Johnson representing the dispatch center met with the Commissioners to discuss the 911 emergency alert system. Police Chief Lane gave an update of the program. Topics of the discussion included; repeaters, the number of employed dispatchers, the **CAD System**, the allocation of costs, the Montezuma County contribution for the **E911** funds, the E911 \$.70 per phone line tax, the **Southwest Region Communication Committee** list for additional towers, The Dolores River Canyon needs, the development of the **West Fork Fire Department**, possible Broad Band coordination, the repairs to the Dolores Tower repeater site, a list of established regional towers and end of life equipment replacements. Mrs. Johnson discussed time constraints for requested recordings of 911 calls and radio transmissions. Administrator Brunner presented the Dispatch Center Fund Summary Budget Statement for review. Police Chief Lane discussed a possible E911 fee increase, the process to develop the increase and the time frame to complete the process. (See attached)

HOMESFUND PRESENTATION: Lisa Bloomquist Palmer met with the Commissioner to give a **HomesFund** presentation. Miss Palmer gave a background of the program. Topics of the discussion included; Loan Fund capitals, programs offered, the Montezuma County (AMI) Area Medium Income levels, desired affordable housing impacts for the county, homebuyer education, housing counseling services, down payment assistant programs and costs of services to Montezuma County. Mrs. Palmer presented the following as 2018 Goals for Montezuma County:

- 3 + Homebuyer Education classes.
- 10+ one-on-one counseling sessions.
- 4+ down payment assistance loans.
- Create 10 new homeowners.

A request for program funding for the year 2018 was discussed. A formal request will be presented for review and determination during the 2018 budget discussions. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Director LeeAnn Milligan presented for review and determination of a proposed revocation of an exemption submitted by **Ray Stafford** to convey 15 acres, more or less, of his 110 acre, more or less, parcel of land located at 19035 Road G, Cortez, which was to be combined with property owned by **Tommy and Norva Lansing** located at a TBD Road G, Cortez, consisting of 30.69 acres, more or less. This Exemption request was approved by the Board of County Commissioners on January 30, 2014, and never finalized. Commissioner Ertel moved that the Montezuma County Board of County Commissioners rescind Resolution AF213-00033. Second by Commissioner Lambert and carried.

Director Milligan presented for review and determination of a lot line adjustment within the **Clampitt Estates 5** Lot Moderate Subdivision wherein Lot 4, owned by **Thomas & Julie Desm**, located at 11046 Road 42, Mancos, CO, consisting of 3.45 acres, more or less, would be divided between Lot 3, owned by **John & Elizabeth Trevithick**, located at 11124 Road 42, Mancos, CO, consisting of 3.34 acres, more or less, and Lot 5, owned by Thomas & Julie Desm, located at 11062 Road 42, Mancos, CO, consisting of 3.39 acres, more or less, whereby creating Lot 3A consisting of 5.07 acres, more or less, and Lot 5A consisting of 5.85 acres, more or

less. Commissioner Lambert moved that the lot line adjustment for the Clampitt Estates property owned by Thomas & Julie Desm, located at 11046 Road 42, Mancos, consisting of 3.45 acres, more or less, would be divided between Lot 3, owned by John & Elizabeth Trevithick, located at 11124 Road 42, Mancos, consisting of 3.34 acres, more or less, and Lot 5, owned by Thomas & Julie Desm, located at 11062 Road 42, Mancos, consisting of 3.39 acres, more or less, whereby creating Lot 3A consisting of 5.07 acres, more or less, and Lot 5A consisting of 5.85 acres, more or less. Second by Commissioner Ertel and carried.

Director Milligan presented for signatures, the final plat for the Clampitt Estates 5 Lot Moderate Subdivision wherein Lot 4, owned by Thomas & Julie Desm, located at 11046 Road 42, Mancos, CO, consisting of 3.45 acres, more or less, would be divided between Lot 3, owned by John & Elizabeth Trevithick, located at 11124 Road 42, Mancos, CO, consisting of 3.34 acres, more or less, and Lot 5, owned by Thomas & Julie Desm, located at 11062 Road 42, Mancos, CO, consisting of 3.39 acres, more or less, whereby creating Lot 3A consisting of 5.07 acres, more or less, and Lot 5A consisting of 5.85 acres, more or less, as previously approved by the Board of County Commissioners.

Director Milligan presented a Proposed Notice to Proceed for a General Planned Unit Development for the addition of 4 small cabin units on property owned by Keith & Janice Moen, located at 26965 Road N, Cortez, CO; located north of Road N, west of Hwy 145, situated in Sec. 1, T.36N., R.16W., N.M.P.M. The Commissioners were in agreement for the project to proceed.

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANT GRANT PROGRAM: – Cancelled

DOC'S MCPHEE MARINA SERVICES: Cancelled

COUNTY ATTORNEY REPORT: Attorney John Baxter gave an update on the Dolores Norwood Road.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, presented for approval a letter of support, addressed to Jenna Jorgenson, Environmental Coordinator, regarding the water transmission line upgrade for the Ute Mountain Ute Tribal community. Commissioner Ertel moved that the Board of County Commissioners mail the letter dated, August 28, 2017, to the Ute Mountain Ute Environmental Coordinator, Jenna Jorgenson. The motion was second by Commissioner Lambert and carried. Other topics discussed included; the Forest Service discussion regarding the McPhee area and Yucca House land exchange, the Sage Hen area lake access options, a proposed McPhee corrals parking area, the publication of the McElmo Flume RFP, the collection of data from a road traffic counter on Road 35.6, the Travel Management Plan for the Rico West Dolores, a review of a trail map for areas around Ground Hog, Black Mesa and Lone Cone during the Commissioner's meeting on September 11, 2017 and the scheduling of a field trip with the Dolores County Commissioners to visit the lower Dolores River camp grounds. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented ORDER #11-2017, a transfer from the Clara Ormiston Fund to Social Services for a cancer patient in the amount of \$5,533.32. Commissioner Ertel moved to approve transfer order #11-2017 a transfer of county funds from the Clara Ormiston Fund to Social Services for a cancer patient in the amount of \$5,533.32. Second by Commissioner Lambert and carried. Administrator Brunner reported that preliminary budget presentations had been sent out to all department heads, to begin future budget discussions. Other topics discussed included an update on the sidewalks at the Annex I building and the Sheriff's Department affiliation with the Fire and Police Pension Association. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Suckla, gave a report on the attended Housing Authority meeting.

Commissioner Lambert, gave a report on the attended Western District CCI meeting.

Commissioner Ertel, gave a report on the attended Western District CCI meeting and the Montezuma County Historical Society Annual meeting.

PUBLIC COMMENT: Gala Pock discussed the resignation of former County Assessor Scott Davis.

M.B. McAfee discussed the Abstract of Assessments presented by Assessor Bugg.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 2:40 p.m.

County Clerk August 28, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 11, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 11, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of September 11, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 28, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Chief Deputy Clerk, Lynn Dorenkamp presented for approval a special event permit from the **Mancos Valley Resources**. The event will be held at 41478 Hwy 184, Mancos on September 30, 2017. Commissioner Lambert moved that the application for the special events permit for the Mancos Valley Resource event to be held at 41478 Hwy 184, Mancos on September 30, 2017 be approved. The motion was seconded by Commissioner Ertel and carried. (See attached)

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of August, 2017. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics of the discussion included furniture deliveries, finishing work, painters, ADA compliance, installation of benches, the Temporary Certificate of Occupancy, the Masonic Dedication ceremony, acoustical panels, landscaping, rumble strips on a sidewalk and the placement of the solar panel. (See attached)

PUBLIC COMMENT: **Commissioner Ertel** read a thank you letter from Mancos resident **Michael C. Just** regarding the Boards advocacy of residents during the Public Lands reports at the August 21, 2017 Commissioner meeting. (See attached) **Commissioner Suckla** discussed the development of opportunities for residents to make public comments during the meetings by electronic devices.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of September 6, 2017 through September 22, 2017. Superintendent Englehart reported that all crews continue to work on the chip seal and clean-up projects. Other topics discussed included, the Round-up crew placing new gravel on Road 22, sand bunkers filled for winter usage, Weeminuche Construction started crushing at the Mancos pit, a future discussion with CDOT regarding the Road B and Hwy 491 access, HB 267, a Hwy 491 culvert issue, the water access agreement with the BOR, clean-up of county wide chip stock piles and the chip seal issue on Road S. **GIS Director, Doug Roth** held a discussion regarding the approval of the proposed Official 2017 County Road Map and adding road surface classifications to the map legend. Topics of the discussion included red and green road classifications and the level of county maintenance required, the Summit area road maps, abandon road processing, gate regulations, and cattle guard options. The Public Hearing for approval of the map is set for Monday September 18, 2017 at 1:30 p.m. (See attached)

VETERANS SERVICE: **Veteran Service Officer, Rick Torres** presented the Certification of Pay for August 2017 along with the Monthly report of services. Officer Torres gave an update on the monthly statistical data and the indirect income to Montezuma County. Commissioner Ertel moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for August 2017, seconded by Commissioner Lambert, motion carried. Other topics discussed included a revised State Customer Service Survey and the opening of the Denver Veterans Hospital. (See attached)

HEALTH DEPARTMENT: **Public Health Director, Bobbie Lock** presented the Bi-monthly report from the following Health Departments and programs; Adult Preventative Health Services, Baby and Me Tobacco Free, Communicable Disease, Communities that Care, Consumer Protection, the Dental Program, Emergency Preparedness and Response, Health Care Program for Children with Special Needs, Options for Long Term Care, Immunizations, Nurse Family Partnership, Reach Out and Read, SafeCare Colorado, Tobacco Education & Preventive Program, Women, Infant & Children and the Young Parents Plus program. Director Lock focused on the **Consumer Protection** and the **Dental** programs for her verbal report. The report on the Consumer Protection program included: trainings attended, the new Administrative Assistant position, and a scheduled meeting with the Board of Realtors to discuss the possibility of a Title Transfer inspection program. The report on the Dental program included; an award of funds from United Way and the Oral Health Division of CDPHE to purchase portable dental equipment, the Dental clinic in house schedule and an employee that has a dual position of a Registered Dental Hygienist and as a Dental Assistant. Other topics discussed include the 2017 Revenue Report and a change of leadership within the County WIC program. Director Lock presented the 2017 contract between the **State of Colorado Department of Public Health and Environment Division of Prevention Services WIC Program** and the Montezuma County Public Health Department for approval. Commissioner Lambert moved that the contract between the CDPHE and the Montezuma County Health Department for the WIC program for the year 2017 be approved. Second by Commissioner Ertel and carried. (See attached)

HIGH DESERT CONSERVATION DISTRICT: High Desert Conservation District Board Members, **Steve Miles, David Temple, Lon Varnis, Joanne Teitzel, and Suzanne Aikin** met with the Commissioners to give an update on the High Desert Conservation District projects. Topics discussed included participation in the Montezuma County Agricultural Expo, Irrigation Water management, the middle school farm tour of the Trail Canyon trees, a cover crop tour and a new Drag-On line center pivot DCT Program. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff **Steven Nowlin** met with the Commissioners to give his monthly report. Topics discussed included; noxious weed enforcements, the new Combined Court building security, video arraignments or conferencing, the future presentations of the Court Room and Gaming Grants, the August 2017 arrest statistics, current service fees, the increase of service fees, the holding cells and the perimeter fencing at the new Combined Court facility. Sheriff Nowlin presented, "The Hidden Contraband Coming into Detention and Leaving Detention power point and discussed a Transmission X-Ray Full body scanner request. (See attached)

ASSESSOR: Montezuma County Assessor, **Leslie Bugg** met with the Commissioners to give an update on the corrected taxable values, the Special Notice of Valuation letters and the Protest Procedures from Resolution 8-2017. Assessor Bugg reported that they had passed the State audit, that the new special notices of valuation will go out on October 5, 2017 and that the protest hearings would be set for October 20, 2017. Assessor Bugg introduced **Joanne Goode** and **Travis Greenlee** as the new appraisers in the Assessor's office. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING:

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining High Impact and Special Use Permit Applications submitted by **Verizon Wireless, Agent Jeffrey Sherer**, for the construction and operation of a cell tower located at 27324 Road P, Dolores, CO, situated east of Hwy 145, south of Road P, located in Sec. 6, T.36, R.15, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Neighbor, **Lou Garon** reported he had examined the location and had no objection to the tower. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning & Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the Special Use permit application submitted by Verizon Wireless, Agent Jeff Sherer, to erect a cell tower located at 27324 Road P Dolores be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented for preliminary review and determination an Exemption Application submitted by **Douglas Muscanell** and **Karen Harbaugh** on properties located at 20545 Road U, Cortez, CO, consisting of 6.97 acres, more or less, and 20421 Road U, Cortez, CO, consisting of 48.51 acres, more or less, Sec. 12, T.37, R.17, N.M.P.M. wherein applicants propose to combine 3.97 acres, more or less, from the 48.51 acre tract with the 6.97 acre tract to accommodate business operations. Commissioner Lambert moved that the preliminary review and determination exemption application by Douglas Muscanell and Karen Harbaugh for properties located at 20545 Road U be approved. Second by Commissioner Ertel and carried.

Director Milligan presented for signatures the previously approved final plat for an exemption application submitted by **Douglas Muscanell** and **Karen Harbaugh** on properties located at 20545 Road U, Cortez, CO, consisting of 6.97 acres, more or less, and 20421 Road U, Cortez, CO, consisting of 48.51 acres, more or less, Sec. 12, T.37, R.17, N.M.P.M. wherein applicants propose to combine 3.97 acres, more or less, from the 48.51 acre tract with the 6.97 acre tract to accommodate business operations,.

COUNTY ATTORNEY REPORT: Attorney **John Baxter** discussed the G-Whiliquors / CDOT culvert issue, the Courthouse Water line easement, the Mesa TV Translator station issue and the Dolores Norwood Road.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **James Dietrich**, discussed the Bureau of Land Management (BLM) scoping comments for the South Sand Canyon trail head, the scheduled BLM and State Historic Preservation Office (SHPO) conference call and the scheduling of a meeting with SHPO. Other topics discussed included the City of Cortez Thoroughfare Plan, the Trail project, the Sage Hen Plans, the Aquatic Nuisance inspections, the McElmo Flume project, the CDPHE report on the Justice Building, and the TRI County meeting set for October 3, 2017.

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** held a discussion regarding the Justice Building CDPHE report and the sale price of the building. It was decided to discuss the subject in an executive session. Administrator Brunner presented the Combined Court House Cleaning Bids for opening. Bids received included **Superior Services LLC** at \$5,200.00 per month, **Certified Cleaning and Restoration Inc.** at \$9,450.00 per month, and **Monica's Cleaning Service** at \$4,500.00 per month plus \$20.00 per hour for special projects. Commissioner Ertel moved to grant the Combined Court House cleaning bid to Monica's Cleaning Services in the amount of \$4,500.00 per month for the remainder of 2017. Second by Commissioner Lambert and carried. (See attached)

EXECUTIVE SESSION: Commissioner Lambert moved to go into executive session for a conference with the attorney to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402 (4) (a). Second by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding the sale of the County Justice Building and a land purchase in Pleasant View. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner **Suckla**, reported on his recent trip to Washington D.C. to advocate for Payments in Lieu of Taxes (PILT) and the Secure Rural Schools. Commissioner **Lambert** discussed the attended Club 20 meeting. Commissioner **Ertel** discussed the attended AAA (Area Agency for Aging) meeting.

DOC'S MCPHEE MARINA: **Stan Folsom** was unable to attend. **US Forrest Service, Derek Padilla** along with **Tom Rice** met with the Commissioners to discuss the possible transfer of the McPhee Marina boat slip to the House Creek area. Topics of the discussion included; operations when water levels within the House creek cove are low, the Phase II option to extend the current breakwater, the yearly boat traffic comparisons between the McPhee area and the House Creek area, adjustments to the Aquatic Nuisance Inspection schedules and the Forest Service and Doc's Marina combined material resources for the Phase II construction. Mr. Rice presented a copy of the **McPhee Lake Marina Feasibility Study** for a review. (See attached)

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 18, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 18, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

EXECUTIVE SESSION: Commissioner Lambert moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4) (b); and to include Weed Department Office Manager, Bonnie Loving. Second by Commissioner Ertel and carried. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

CHARIMAN Suckla opened the meeting of September 18, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 11, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the August 2017 Accounts Payable for approval. Commissioner Lambert moved to approve the Accounts Payable for August 2017 as presented. Second by Commissioner Ertel and carried. Administrator Brunner will present the August Financial Statements at later date. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock met with the Commissioners to present for approval the **United Way 2017-18 Community Partner Agency Agreement**. Commissioner Lambert moved to approve the 2017-18 Community Partner Agency Agreement with United Way of Southwest Colorado and the Montezuma County Health Department as presented. Second by Commissioner Ertel and carried. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles, gave a weekly project report. Topics of the discussion included a project walk through with the architect, furniture deliveries, rented moving boxes, an established value to outstanding punch items, vendor releases, potential change orders, the solar conduit, the HVAC system, building temperature controls, contingency funds, the completion of holding cells, and the permanent Certificate of Occupancy from the City of Cortez.

PUBLIC COMMENT: Mike Lavey requested a report from the Commissioner's regarding the earlier executive session.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of September 13, 2017 through September 29, 2017. Superintendent Englehart reported that the chip seal projects were completed. He reported that roads scheduled for clean-up included Roads 22, 23, N, L, 42, 10 and Road CC. Roads scheduled for gravel and/or general maintenance included road K.3, 42, G, H, 25.3 22 and 32. A discussion was held regarding road traffic counts on roads L, M and N. Other topics discussed included; signs directing traffic to the Hovenweep National Park, sand bunkers filled for winter usage, the Weeminuche crushing at the Mancos pit, an LED electrical savings graph, the Montezuma County Road and Bridge commercial and private water usage statistics and the proposed parking lot at Chicken Creek. Superintendent Englehart made a request that the Treasurer, Sherry Dyess wire payment funds instead of sending a written check from the Road and Bridge Department to **Suncor Energy** for the oil used in the chip seal projects. Commissioner Lambert moved that the County Treasurer wire the funds for the Road and Bridge oil, to J.P. Morgan Chase Bank for Suncor Energy per invoice received in the amount of \$595,810.80. Second by Commissioner Ertel and carried. (See attached)

PUBLIC LANDS:

Bureau of Land Management, Connie Clementson, Marietta Eaton and Garth Nelson met with the Commissioners to give updates on various projects. Mrs. Eaton discussed the scoping letter for the South Sand Canyon Parking lot, the size of the parking lot, the county easement and the 50th Anniversary celebration of the Lowry Pueblo, scheduled at the Heritage center on October 7, 2017. Mr. Nelson gave an update of the Flodine and Yellow Jacket allotments. Mrs. Clementson requested an update concerning the Paths to Mesa Verde trail and a scheduling of a meeting with Mr. Dietrich to discuss the progress of the project. A discussion was held regarding the BLM involvement in the Mesa Verde / Yucca House National Monument land acquisition and the BLM gate placement in the Summit Lakes area.

LAND ACQUISITION: Mesa Verde Superintendent, Cliff Spencer met with the Commissioners to discuss the Yucca House National Monument surrounding land acquisition. Topics of the discussion included; County Resolution 2-2017 No Net Loss of Private Lands in Montezuma County and the private property owners land rights. Commissioner Suckla moved to let the land acquisition process continue because it had been previously agreed to and that any future land exchanges be held accountable to the No Net Loss Resolution. Second by Commissioner Ertel and carried.

COLORADO PARKS & WILDLIFE: MATT THORPE representing the **Colorado Division of Parks & Wildlife** met with the Commissioners to give an update on wildlife activity within Montezuma County. Topics of the discussion included the August bear activity statistics, working with the irrigation districts in regards to the enforcement of the Aquatic Nuisance issues, new ANS language for signs at the Narraguinep and Ground Hog Reservoirs, the financial sustainability for the ANS program and the approved inspector contract process.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Josiah Forkner, Lori Higgins, Dodie Ihnen, and Natalie Sackett** were present. Mrs. Ihnen gave an overview of the Social Service program, **Temporary Assistance for Needy Families**. (See attached)

MANCOS CONSERVATION DISTRICT: Board Member, Jack Burk and District Manager, Gretchen Rank met with the Commissioners and gave a power point presentation that included an overview of who the Conservation District is and what they do. Topics discussed included; the Colorado Soil Conservation Act, the Board of Supervisors, the employees, The Conservation Mission statement, ongoing projects, the Mancos River Watershed Plan, the Montezuma School to Farm program, long term goals and a request for a \$15,000.00 contribution to their 2018 annual budget. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a continuation of a public hearing is held for the purpose of reviewing and determining the official **2017 County Road Map**, which includes, but is not limited to, the proposed change in designation of Road 35.6, Mancos, CO, and other currently red signed, non-county owned or maintained roads proposed to be changed a green sign designation, etc. The roll was called, the public notice read, and the proceedings were recorded for the record. **GIS Director, Doug Roth** along with **GIS Assistant Rachel Medina** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public comments were made by **Jon Kelly, Joe Maclaren, Mike Just, Anne McDonald, Don Harwood, Cheryl Mc Millian, Betty Jo Brinnon, and Greg Kemp**. Hearing no further public comment that portion of the hearing was closed. An email to GIS Director Roth from Joe Maclaren was presented for the record. After hearing all the evidence presented Commissioner Lambert moved to adopt the new legend for the Montezuma County road map and that all of the Summit Lakes subdivision roads be changed to green non-maintained roads. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

WORK SESSION: GIS Director, Doug Roth along with **GIS Assistant Rachel Medina** and **Planning Director, LeeAnn Milligan** met with the Commissioners to work on the Master Road Plan. Director Milligan gave an overview of the discussion. Topics included, the 3 mile plan for local municipalities, long range road systems planning, 60 foot road easements within subdivision developments, areas of importance for road expansion, the 3 mile urban influence zone, municipality signage on plats, a proposed Intergovernmental agreement (IGA), plat language proposals, compliance of city regulations, transportation planning comments, the future county road system and the presentation of the future 3 mile connectors map.

PLANNING:

The presentation of the final plat for an exemption submitted by **Vistas Limited, LLLP**, was cancelled at this time.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented the Cleaning Contract for the Combined Court buildings for signature. Administrator Brunner reported that there would be a directors meeting for all County department heads Wednesday, September 20, 2017 at 9:00 a.m. to discuss the 2018 preliminary budget figures, scheduled department budget presentations and the Montezuma County Priority of Department moves. Other topics discussed included; a requested letter of support from the Calkins Redevelopment LLC., regarding the renovation of the Calkins Building. A discussion regarding County buildings occupancy and departmental moving will be added to the scheduled Executive Session.

Commissioner Lambert reported on the attended Colorado River District Annual Seminar in Grand Junction. **Commissioner Ertel** reported on the attended MoCo Public Transportation, the AAA (Area Agency for Aging) Advisory and the Work Force Board meetings. Commissioner Ertel also reported he would be attending the Workforce Consortia Convention on September 28, 2017.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 3:40 p.m.

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 25, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 25, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of September 25, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 18, 2017 as amended. Motion was seconded by Commissioner Ertel and carried.

SOUTHWEST OPEN SCHOOL: Students, Daryl Malone, Hailie Watson and Dominique Ashley met with the Commissioners to present an invitation to the school's Fall Fest, scheduled October 12, 2017 from 4:30 - 7:00 p.m. Events scheduled included a chili cook off, face painting, pumpkin decorating, yard bowling, a corn-on-the-cob eating contest, a piñata and live music. (See attached)

ACCOUNTS PAYABLE: Administrator Brunner presented the August 2017 Financial Statements for approval. Commissioner Ertel moved to approve the Financial Statements for August 2017 as presented. Second by Commissioner Lambert and carried. (See attached)

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of September 20, 2017 through October 6, 2017. Superintendent Englehart reported that the

crews had completed the clean-up and gravel access on roads 22, 23, N, L, 42, 25, 31, 32, 10 and Road CC, that crews would water and blade various county roads, that the Cortez and Round-up crews would prep and place gravel on Roads K.3 and Road 22 and that the Mancos crew would trim trees and repair drainage points on Roads 41, 42, G, and H. Superintendent Englehart discussed the scheduled fiber optic projects for the Cortez shop and Fleet Department, sand bunkers filled for winter usage, and the lay-out and prep for various road blade patches. Other topics discussed included; the culvert repair in McElmo Canyon, possible 2018 funding options for Forest Service gravel / construction projects and a cooperative Road Department letter regarding irrigation water on County roads. (See attached)

LANDFILL: Landfill Manager, Shakalo Powers gave his 2018 budget presentation along with his monthly report. Manager Powers reported that the budget was currently in the black from a completed Kinder Morgan project, that the truck load of plastics had been delivered, that there was an increase in demand for card board and brown paper, and there may be a possible future increase in the card board and plastic prices. Topics discussed on the 2018 budget included; a newly hired employee, the purchase of L&P wire for the bailer, additional shredding services expenses, the POSI Shell ADC sprayer and clay purchase, the tractor and scraper payments, and a proposed fee increase for 2018. Commissioner Ertel moved to accept the Landfill fee increase schedule for the tipping, televisions, recycling and per bag fees starting January 1, 2018 as recommended by Manager Powers. Second by Commissioner Lambert and carried. Other topics discussed included; solar farm options at the landfill, future estimated compost income, the tire collection program and the landfill legislative proposals. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his 2018 budget presentation along with his monthly report, which included past and future events, year to date income of \$67,383.00 and Fairground attendance at 69,237. Topics discussed included; horse stalls for the Colorado JR. HS Rodeo event, the possible future purchase of a shredder and additional portable horse stalls, the Fairgrounds Utility 2009-2017 comparison report, the Conservation Trust Funding included within the Fairgrounds budget, a proposed female part time position for Fairground events and the grant opportunities for the proposed purchase of restrooms and stalls. (See attached)

SENIOR NUTRITION: Director, Sue Fletcher gave her 2018 budget presentation. Topics of the discussion included; increased salaries due to the minimum wage change, the Nail it Down program, the Home Chore program, home delivery of meals statistics, the senior's landscaping project, the addition of Fleet expenses to the budget, and the re-establishment of the \$8.00 per meal and \$10.00 per ride fees. (See attached)

TRANSIT: Director, Mary Holaday gave her 2018 budget presentation. Topics of discussion included; donation requests to the local municipalities and the hospital, Medicaid reimbursements, travel to Durango for appointments, funding options, a municipality usage comparison, and a possible increase in fees. (See attached)

DOLORES WATER AND RESILIENT FOREST COLLABORATIVE (DWARF): Rebecca Samulski met with the Commissioners and gave an update on current projects and achievements. Topics of the discussion included; bringing interesting research to the group, sharing information, working on outreach, getting on the ground together, moving forest projects forward, supporting the timber industry, strategizing on how to move the group forward and funding of the projects. Ms. Samulski made a request for a Commissioner to join their steering team and requested a donation of \$2,000.00 for their 2018 budget. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene.

PLANNING: Planning Assistant, Ranette Karo presented a preliminary review and determination of an Exemption Application submitted by **Tanner & Nikole Young**, TBD Road 20, consisting of 19.99 acres, more or less, and **Raymond Millich** and **Loresa Oliver**, 19601 Road T, consisting of 79.91 acres, more or less, Cortez, CO, and on properties located at 20545 Road U, Cortez, CO, situated in Sec. 14, T.37, R.17, N.M.P.M. wherein 10 acres, more or less, would be combined to the Young property from the Millich – Oliver property. No new tract would be created. Tanner Young and Raymond Millich were present. The Commissioners were in agreement that the application move forward.

IT MONTHLY REPORT: IT Director, Jim McClain met with the Commissioners to present his 2017 budget presentation along with his monthly update. Topics discussed included; the audio and video setup for the new Commissioner's room, IT coverage for the District Attorney's office, an increase of salaries, County Wide Contracts, the County Web Site, the Data Safe Contract, the Tyler Technologies contracts, E Force, the Capital Outlay, the County Network and the location of the IT department. (See attached)

CSU EXTENSION OFFICE: Manager, Tom Hooten met with the Commissioners to discuss the **Advisory Board** and the selection of the Board. Mr. Hooten reported that he had put an announcement within the local paper for letters of interest and requested ideas how to revitalize the Advisory Board.

WORK SESSION: The Commissioners held a work session to discuss the Legislative Proposals that have been submitted to CCI for Consideration. The Commissioners asked for input from Landfill Manager, Shakalo Powers and Social Services Director, Josiah Forkner. Topics of the discussion included; Landfill regulations, Landfills closed by the County, Emergency Services expansion, Rural County Health Care Premiums, Medicaid coverage for county jail inmates, Behavioral Health resources, Long term TANF Reserves, Adult Protection Services Allocation Committee for funding to counties, Childcare Allocation Services Committee for funding to counties, Works Allocation Committee (WAC) development allocation for Employment First Program, Flexibility with Adoption Money, Designation to assist young adults who are aging out of the system, Assistant District Attorney salaries paid by the State, Un-sentenced inmates not able to work around the County, Water Compact Assurance Flows, Funding for the Aquatic Nuisance Species Inspection programs, Reverse Mortgages, Forest Improvements Districts, Assessment of Vacation Rentals, Allow Funds to be Utilized for Workforce Housing, Funding for Affordable Housing, Local versus State regulation of OHV's with respect to Safety Requirements, Lack of Access to abundant, redundant, affordable, reliable Broadband in rural areas, Ballot Referral for a Statewide Transportation Funding and Cell Phone Use While Operating Motor Vehicle/ Distracted Driving. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed the water line easement for the Combined Court Building and his November attendance to the County Attorney's conference.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, met with the Commissioners to give updates on various projects. Mr. Dietrich presented a scoping comment letter addressed to Keith Fox at the BLM Tres Rios Field Office regarding the **South Sand Canyon Trailhead** parking area. Commissioner Ertel moved that the Board of County Commissioners mail the letter to Keith Fox at the BLM Tres Rios Field Office regarding the DOI-BLM-CO-S010-2012-057-EA 8300 (LLCOS01000&LLCOS01200) South Sand Canyon Trailhead /parking area as presented. Second by Commissioner Lambert and carried. Other topics discussed included; a proposed design for the parking lot for the BLM access in the Summit Lakes area, the bid

opening date for the McElmo Flume project, a thank you letter to the Ute Mountain Ute Tribal Council in regards to their contribution for the McElmo Flume project, the Travel Management Plan comments, the scheduled Sage Hen Aquatic Nuisance inspection meeting, the Anasazi Archeology District Map, the scheduled SHPO field trip on September 28, 2017 at 8:30 a.m., attendance to the CFR training, and an email discussion with an interested party regarding solar options within Montezuma County. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the landscaping, the solar project and a signed Certificate of Substantial Completion at the Combined Court Building. Administrator Brunner presented for approval a letter of support to History Colorado for the Calkins Historic Rehabilitation project. Commissioner Ertel moved that the Board of County Commissioners submit a letter to History Colorado in Denver Colorado in support of the Calkins building rehabilitation project. The motion was seconded by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Suckla, discussed the new Director at MECEDA and a grant proposal for the COG along with the invitation to Montezuma County to join the COG.

Commissioner Lambert had no report to give. **Commissioner Ertel** had no report to give.

PUBLIC COMMENT: M.B. McAfee discussed the IT budget presentation and the audio and video setup for the new Commissioner's room. **Greg Kemp** discussed the DWARF presentation.

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Lambert moved for the Board of County Commissioners to go into executive session pursuant to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402 (4) (a), for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. Section 24-6-402(4)(e), for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), and to include Road Department Superintendent, Rob Englehart and CSU Extension Office Manager, Tom Hooten. Seconded by Commissioner Lambert and carried. Topics for the executive session were legal advice on the Dolores/Norwood Road, determination of positions and negotiations on property interests and a personnel matter. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Suckla and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: Thank you card from the Habitat for Humanity of Montezuma County. A letter from Cheryl McMillan regarding the Official County Road map and the Summit Lake area roads 35.6, 35.9 and Road N.

MOTION TO ADJOURN: was made by Commissioner Ertel seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 5:45 p.m.

County Clerk

September 25, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 2, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 2, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of October 2, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 25, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

PUBLIC COMMENT: David Long discussed the design of the new Combined Court Building.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of September 27, 2017 through October 13, 2017. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks, Crusher and the ¾" road base crushed by **Weeminuche Construction**. Superintendent Englehart reported on the Department's monthly safety meeting. The topics covered within that meeting included; incident reporting, training, cell phone use and the handbook's phone usage policy. A discussion was held regarding the development of the Montezuma County Road Department's **Gravel Criteria** for designated green graded or primitive status roads. The GIS Manager, Doug Roth joined the meeting for a discussion regarding the Bureau of Land Management access on Road 35.6. Topics of the discussion included a survey of current signs, new signs ordered, placement of the access fence for the BLM lands and County enforcement of un-authorized parking. (See attached)

EMERGENCY MANAGER REPORT: **Emergency Manager Paul Hollar** met with the Commissioner and gave his 2018 budget presentation along with his Bi-monthly update. Manager Hollar reported on the Economic Disaster Declaration from the Governor and Small Business Administration for the Western Excelsior Fire, and his Colorado Certified Emergency Manager professional certification from the Colorado Emergency Management Association. Other topics discussed included; the Emergency Operations Plan, the exchange of vehicles with the Sheriff's Department and training for the Emergency Operations Center. (See attached)

GIS MAPPING: **GIS Manager Doug Roth** and **GIS Assistant, Rachel Medina** met with the Commissioners to give the GIS departments budget presentation. Topics discussed included; the purchase of a new plotter, an increase of salary for GIS Assistant, Medina, a proposal to participate in a Southwest Colorado LIDAR data collection program, a decrease in the budget request for Dues, Training and Travel, the addition of the Addressing duties to the department, cooperative work with the Assessor's office and the identification and mapping of trails. (See attached)

PLANNING: The Planning Department 2018 budget presentation was postponed to a later date.

ASSESSOR: **Montezuma County Assessor, Leslie Bugg** met with the Commissioner to give her 2018 budget presentation. Topics of the discussion included, the purchase of a new map scanner/printer, maintenance contracts, the deletion of software contracts from the Assessor's budget and absorbed within the IT budget, professional services, the Appraiser's certifications, salaries, the inclusion of repairs and maintenance cost in to the Fleet management costs, postage and printing costs, and the County Commercial Appraiser. A discussion was held regarding the printing and mailing of the new valuation notification letters and the date set for BOE hearings. (See attached)

TREASURER/TRUSTEE: **Montezuma County Treasurer / Trustee, Sherry Dyess** met with the Commissioner to give her 2018 budget presentations. Topics of the discussion included; an increase in salaries, operating expenses, publications costs, the designated publishing requirements, the Trustee salary, the Tyler Technology contract, future needs for training and travel and the elimination of the Fleet management costs from the budget. (See attached)

CLERK AND RECORDER: **Montezuma County Clerk & Recorder, Kim Percell** met with the Commissioners to give her 2018 budget presentation. Topics of the discussion included; the purchase of a new micro fiche printer, possible grant funding for equipment replacements, digitized records, public hearing publications costs, the 2018 **DRIVES** Motor Vehicle program implementation, State mailed vehicle registration renewal notices, the breakdown of Motor vehicle registration fees, training costs, an increase in dues, a cost of living increase for employee salaries, minimum wage requirements for election judges, the 2018 election schedule, the June 2018 Primary additional postage costs for the unaffiliated voter ballots, the current registered voters statistics, the Dominion Equipment lease payment and the possible future purchase of 24/7 ballot drop boxes for Dolores, Mancos and Towaoc. (See attached)

FIREWISE: **Rebecca Samulski** and **Amanda Brenner** presented the 2018 Firewise budget request in the amount of \$32,115.00. Ms. Brenner discussed a list of accomplishments, Education, Planning, Fuel Reduction, Collaboration, new Ambassadors and Firewise neighborhoods, and invited the Commissioners to an education fair / tour scheduled October 28th, a Home Ignition Zone workshop scheduled November 2nd and the Firewise Transition Party scheduled for October 29. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining an INDHZ (Heavy Industrial) rezoning request and proposed High Impact Permit Application for an RV & boat covered storage and signage business, on property owned by **P&D Investments of Durango, LLC, Agent, Sandra Rainey & Raymond Carrouth**, located at 29499 Hwy 160, Cortez, CO, situated north of Hwy 160, east of Road 29, S.28, T.36N. R.15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Raymond Carrouth was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the High Impact Permit Application for an RV & boat covered storage and signage business, on property owned by P&D Investments of Durango, LLC, Agent, Sandra Rainey & Raymond Carrouth, located at 29499 Hwy 160, Cortez, be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining High Impact Application submitted by **Verizon Wireless, Agent Jeffrey Sherer**, for the construction and operation of a three sector self- support cell tower at 15519 Road CC, Pleasant View, CO, situated east of Hwy 491, north of Road CC, located in Sec. 31, T.39, R.17, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Jeffrey Sherer was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public comments were made by resident **Clyde Howard**. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported that the only concern was access to the northern property. The vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Lambert moved that the High Impact Application submitted by Verizon Wireless, Agent Jeffrey Sherer, for the construction and operation of a cell tower located at 15519 Road CC, Pleasant View, be approved contingent on the lease agreement approval from attorney's. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining High Impact Application submitted by **Jane Gustafson**, for the operation of a sporting goods store at 24720 Road K.3, Cortez, CO, situated west of Hwy 491, south of Road K.3, located in Sec. 22, T.36, R.16, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Jane Gustafson was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public Comment was made by Ellen Foster. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the High Impact Application submitted by Jane Gustafson, for the operation of a sporting goods store located at 24720 Road K.3, Cortez, be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Planning Director, Lee Ann Milligan presented for review and determination an amendment to the Branson Single Lot Development, owned by Terry and Toni Branson, located at TBD Road M, Cortez, CO in S. 12, T. 36, R. 17 NMPM. Commissioner Lambert moved that the amendment to a single lot development on property owned by Terry and Toni Branson located at TBD Road M Cortez be approved. Second by Commissioner Ertel and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining an AR3-9 rezoning request for a proposed lot line adjustment between Lot 1, consisting of 14.54 acres, more or less, & Lot 2, consisting of 15.89 acres, more or less, of the **Blackmer Subdivision**, both owned by **Felix & Elizabeth Monteagudo**, located at 5200 Road 21 and TBD Road E, Cortez, CO, situated north of Road E, east of Road 21, S.18, T.35N. R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Felix Monteagudo was present. **Planning Assistant, Ranette Karo** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Assistant Karo reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Lambert moved that the AR3-9 rezoning request for a proposed lot line adjustment between Lot 1, consisting of 14.54 acres, more or less, & Lot 2, consisting of 15.89 acres, more or less, of the Blackmer Subdivision, both owned by Felix & Elizabeth Monteagudo, located at 5200 Road 21 and TBD Road E, Cortez be approved. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

DISABLED AMERICAN VETERANS (DAV) CRAFT BAZAAR: Darla Sanders with the DAV met with the Commissioner to discuss an Annex I fee waiver for a DAV Christmas Craft Bazaar event scheduled for November 25, 2017. Commissioner Ertel moved to waive the Annex 1 building fee for the DAV Christmas craft bazaar event scheduled November 25, 2017. Second by Commissioner Lambert and carried. (See attached)

CSU EXTENSION OFFICE: Extension Agent, Tom Hooten met with the Commissioners to give his 2018 budget presentation. Topics of the discussion included an increase in operating expenses and Fleet management costs. Commissioner Suckla made recommendation per a conversation during an executive session that the County de-fund the CSU program, based on the comments received over the last 5 years and especially on the comments received this year in our suggestion box from the County Fair, mainly based on Mr. Hooten's performance as the County Extension agent. Commissioner Suckla moved to un-fund the CSU Extension budget for the 2018 year. Second by Commissioner Ertel and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter reported that a lawsuit regarding the Summit Lake green road designation had been served to the County and that the finalized contract with Verizon Wireless would be presented at a future date. Attorney Baxter presented the City of Cortez Easement and Water Facility Conveyance & Acceptance for signatures. The document will be presented to the City for signatures for the permanent Combined Court Facility Certificate of Occupancy. Attorney Baxter gave his 2018 budget presentation. Topics of the discussion included; salaries, dues, operating expenses and professional services. (See attached)

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 9, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 9, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman- Absent
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

VICE-CHARIMAN Lambert opened the meeting of October 9, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 2, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of September, 2017. (See attached)

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of September 27, 2017 through October 13, 2017, along with the 2018 Road Department budget presentation. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks, Crusher and the ¾" road base crushed by **Weeminuche Construction**. Topics discussed included; the revised Free Gravel Criteria for roads classified as graded or primitive green, the total number of employees in the department, the Estimation Sheet for Road Improvements for 2018, a 2% cost of

living raise to salaries, dust retardant, culverts, fuel, building repairs, fencing, tree removal, fiber optics at the Road Department shop and road repairs for campground roads. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for September 2017, the monthly report of services along with the 2018 Veterans Department budget presentation. Commissioner Ertel moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for September 2017, seconded by Commissioner Lambert, motion carried. Topics discussed included; an update on the monthly statistical data and the indirect income to Montezuma County, salary increases, public outreach, dues, training, travel and vehicle improvements. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to present his 2018 budget presentation. Topics discussed included; deputies, autopsies, suicides, deputy pay, material expense, vehicle expense, training and county fatality statistics. (See attached)

DISTRICT ATTORNEY: Will Furse and Assistant DA, Clarisa Feuilly met with the Commissioners to discuss the 2018 budget requests for the District Attorney's office. Topics included; the yearly average prosecuted cases, the requested per case charge, the deputy DA case loads, salaries, benefits, the total number of the department's employees, proposed Assistant DA salary legislation and a request for an additional Assistant DA position. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin met with the Commissioners to give the 2018 budget presentations for the **Sheriff's Department, LEA, Dolores, Casino Contract, Grant Budget Detention Center and Pre Trial**. Topics discussed included; additional Deputy positions, full time employees, the daily inmate costs, video arraignments, travel expenses, transport costs, calls for service, mental health inmates, mental health evaluations, the development of management programs, the total number of employees, scene security costs, professional contracts, software, body camera maintenance, phone services, vehicle expenses, vehicle replacements, Detention center food expense and janitorial supplies. (See attached)

MONTEZUMA COUNTY FAIRBOARD: Board members, Jacklynn Romine, Randy McKnight, and Don Janz met with the Commissioners to present the Montezuma County Fair budget request for 2018. Topics of the discussion included; the 2017 Fair results and reports, clarifications of the revised bylaws and rules. **Fairboard Appointment** letters of interest were presented from **Brandee Simmons, Heather Frazier, Erin Gordanier, and Tamara Hamilton**. Commissioner Ertel moved to appoint Brandee Simmons and Heather Frazier for a four year term along with Erin Gordanier and Tamara Hamilton for a one year term as alternates, to the Montezuma County Fairboard, effective October 2017. Second by Commissioner Lambert and carried. (See attached)

Commissioner Lambert announced the adjournment of the meeting for the LUNCH break.
Commissioner Lambert announced the meeting would reconvene.

PLANNING: Planning Director Lee Ann Milligan presented for preliminary review and determination of proposed amendments to Lots 1, 2 and 15 of the **Mancos Hills Subdivision**, a 15 Lot Major Development on properties owned by **Greene, LLC**, located at TBD Road J.75, 41670 Road J.75 and TBD E. Sunset Dr., Mancos, CO, consisting of 60 acres total, more or less; situated north of Hwy 160, east of Hwy 184, located in Sec. 28, T.36N., R.13W., N.M.P.M. Agent Ernie Maness was present. Commissioner Ertel moved that the proposed amendments to Lots 1, 2 and 15 of the Mancos Hills Subdivision, on properties owned by Greene,

LLC, located at TBD Road J.75, 41670 Road J.75 and TBD E. Sunset Dr., Mancos, CO be approved. Second by Commissioner Lambert and carried.

Planning Director Lee Ann Milligan presented for signatures a final Plat for an amendment to the Reed Single Lot Development whereby creating a 2 Lot Moderate Development on property owned by Brett & Taylor Oliver, consisting of 12.98 acres, more or less, located at 16078 Road X, Yellow Jacket, CO; situated south of Road D, east of Road 16, located in Sec. 32, T.28N., R.17W., N.M.P.M.

PLANNING: Planning Director Lee Ann Milligan, met with the Commissioners to give the Planning Department 2018 budget presentation. Topics of the discussion included; reimbursable fees, monetary fees added to the County general fund, the operating expenses, publication fees, salary increases, general fund fee collections, driveway permit processing and the addition of a Planning Zoning alternate Board member. (See attached)

WEED DEPARTMENT: Weed Department Office Manager, Bonnie Loving met with the Commissioners to give the Planning Department 2018 budget presentation. Manager Loving gave an overview of department activities for 2017 and talked about enforcement procedures for the **Goldtooth, Michael Buck, Victoria Soule, Rodgers, Shanahan, Hansen France. Belcher, Pernot, Sherry Payne** and **Clark** properties. Commissioner Ertel moved to sign Resolutions for the right of entry be issued to the Montezuma County Weed program due to non-response for the following properties, Rodgers, Soule, Buck, Hansen Frances, Shanahan, Payne, Pernot, Belcher, Goldtooth, and Clark parcel numbers 5079-363-02-009, 5079-363-02-008, 5079-363-02-007, 5079-363-02-006, 5079-363-02-005, 5079-363-02-004, 5079-363-02-003, 5079-363-02-002, 5079-363-02-001, 5079-363-00-020, 5079-363-02-008 and 5079-363-02-008 as presented. The motion was second by Commissioner Lambert and carried. (See attached)

HEALTH DEPARTMENT: Public Health Director Bobbie Lock met with the Commissioners to give the Health Department 2018 budget presentation. The Description of Revenues report included; the local agency revenue, CDPHE revenues, Other State revenues and Federal revenues. Budget topics discussed included the proposed salaries, dues, training, travel, Fleet fees and the Dental program new equipment purchase. (See attached)

MONTEZUMA COMMUNITY ECONOMIC DEVELOPMENT ASSOCIATION: Jodee Powers met with the Commissioners to give an overview of MCEDA from 2007-Present. Topics of the overview included, the history, county projects, current employees, a sustainable community economy, information, resources, networking, wealth building supports,, increased outreach, meeting schedules, and a greater diversity in membership. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioners to give his 2018 budget presentation. Topics discussed included: salaries, employees, maintenance contracts, maintenance contract for the Sheriff's office, vehicle expense, Fleet expenses, projects completed in house, utilities, heat/ air temperature controls, cleaning contracts, winter snow removal, and the HVAC units at the jail. (See attached)

FLEET MANAGEMENT: Fleet Manager, Clint Watson met with the Commissioners to give the Fleet Department 2018 budget presentation. Topics of the discussion included; employees, actual projected 2017 income, Road and Bridge assistance, sale of vehicles, driveway permits, sign installations, projected service

invoices, current expenses, current replacements values, 2017 and 2018 replacement costs, 2018 proposed income, salary increases, fuel, tires, oil, telephone, and postage. (See attached)

SOCIAL SERVICES: Director, Josiah Forkner, along with **Amy Branson** met with the Commissioners to discuss new flooring and a proposed furniture packages for the Social Services move. A discussion and slide presentations was given, regarding the purchase of cubicle stations, placements of the stations, minor remodeling of rooms and the life guarantee for the cubicles. The flooring bids presented for discussion from Top Line Floors Inc. included; the option of carpet \$67,729.43, an option for carpet squares at \$80,119.87 or the option for tile at \$88,817.11. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the Sheriff's Department request to participate within the FPPA and a discussion with CCOERA regarding that move. Also discussed was the Combined Court Waterline Easement, the Summit Lakes lawsuit, and the **Verizon Tower Lease**. Commissioner Ertel moved to authorize Administrator Brunner to be the agent of the Board of County Commissioners to sign the Verizon Tower Lease. Second by Commissioner Lambert and carried.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: James Dietrich, met with the Commissioner to give his weekly report and his 2018 budget presentation. Mr. Dietrich presented bids for the McElmo Flume RFP from **Porter and Associates LLC** in the amount of \$218,650.00, **Cruzan Construction Co.** in the amount of \$189,000.00, and **Ramco Development LLC** in the amount of \$189,000.00. It was decided to table the discussion to include the State Historical Preservation Office in the discussion. Budget topics of discussion included an increase in salary, with the remaining line items included in the budget staying the same as 2017. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed a \$3500.00 funding request from the **School Community Youth Collaborative** for the 2018 **Teen Maze** event. Administrator Brunner presented the 2018 **Miscellaneous, Purchasing** and **Animal Control** budget presentations. Topics of the discussion included donation requests, telephone, postage, insurance, Wildlife Specialist, Clinton Wilson and the animal shelter. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert reported on the attended Tri County campgrounds field trip.

Commissioner Ertel reported on the attended TPR meeting.

\

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted: A letter from Dale Wright regarding County Road 42.

MOTION TO ADJOURN: was made by Commissioner Ertel, seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 5:00 p.m.

County Clerk

October 9, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 16, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 16, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of October 16, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 9, 2017 as amended. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent, **Rob Englehart** presented the road and bridge schedule for the time period of October 11, 2017 through October 24, 2017. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks, Crusher and the ¾" road base crushed by **Weeminuche Construction**. Superintendent Englehart presented pictures of the County Road 35.6 easement and held a discussion about the BLM access gate options. Other topics discussed included; traffic numbers on Hwy. 491, possible future DoLA projects and the current DoLA project funding request.

PUBLIC LANDS: **Forrest Service, Derek Padilla** met with the Commissioners to give updates on various projects. Topics discussed included: written agreements for the Ferris and Cabin campgrounds, The Rico West Dolores Travel Management plan, recreational budgeting requests for the Breakwater line at McPhee Reservoir, the Dolores Norwood RS2477 road designation, the Boggy Draw expansion plan, fire managements programs,

prescribed burns, the Mountain pine beetle, the Western pine beetle and the usage of gravel from the Ormiston Gravel pit.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Director **Josiah Forkner** and **Lori Higgins** were present. (See attached)

EXECUTIVE SESSION: Commissioner Lambert moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and to include County Assessor, Leslie Bugg, seconded by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding the Montezuma County Board of Equalization special notice of valuation hearings. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining an AR10-34 rezoning request and Pre-Sketch Plan for a proposed 6 Lot Major Subdivision on property owned by the **Ted & Connie Neergaard Rev. Trust**, located at 36250 Hwy 160, Mancos, CO, consisting of 227.11 acres+/-, situated south of Hwy 160, west of Road 37, S.3, T.35N, R. 14W, N.M.P.M. . The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported that concerns from the Planning Commission included; fire mitigation, weed mitigation, an annexation of the CC&Rs for both the previous and proposed subdivisions and requiring the purchase of Mancos Water taps. Director Milligan reported that the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the AR10-34 rezoning request and pre-sketch plan for a proposed 6 lot major subdivision on property owned by the Ted & Connie Neergaard Rev. Trust, located at 36250 Hwy 160, Mancos, CO. be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Planning Assistant, Ranette Karo presented for review and determination an application for an amendment to Exemption P-48-79, submitted by **Rhonda Reynolds**, on property located at 28238 Road H, Cortez, CO, consisting of 43.91 acres, more or less, **Janice Christiansen**, located at 28236 Road H, Cortez, CO, consisting of 1.94 acres, more or less, situated south of Road H, west of FS Road 316, situated in S.5 T.35N., R.15W., N.M.P.M. Applicants are proposing to amend Resolution P-48-79 adding 0.83 acres, more or less, from the Reynolds tract to the Christiansen tract. No new lot would be created. Property owner Rhonda Reynolds was present. Commissioner Lambert moved that the application for an amendment to exemption P-48-79, submitted by Rhonda Reynolds, on property located at 28238 Road H, Cortez, consisting of 43.91 acres, more or less, and Janice Christiansen, located at 28236 Road H, Cortez, consisting of 1.94 acres, more or less, be approved. Second by Commissioner Ertel and carried.

Planning Director, Lee Ann Milligan presented for review and determination a Variance Application submitted by **Thomas and Sally Garrison** wherein the applicants are proposing to create a subdivision which would not meet the design criteria as outlined by the County Land Use Code 5101.7 wherein lot development

should be able to contain in its entirety a 230' diameter circle. Said property is located at 35324 Road R.5, Mancos, CO, situated in S.28 T.37N., R.14W., N.M.P.M., east of Road 35.3, north of Road R.5. Property owner Thomas Garrison was present. Commissioner Ertel moved that the variance application submitted by Thomas and Sally Garrison proposing to create a subdivision which would not meet the design criteria as outlined by the County Land Use Code 5101.7 on property located at 35324 Road R.5 be approved. Second by Commissioner Lambert and carried (See attached)

MESA TV BROADCASTING: Jedekiah Coy met with the Commissioners to discuss a 2018 contract proposal for Montezuma County. Topics of the discussion included; record and air the County Commissioner meetings and the Planning & Zoning meetings, posting meetings to the Montezuma County U-tube channel for public access, a proposed costs of \$2000.00 per month to the county, the North Chestnut tower and a sponsorship drive. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter gave an update on the Kinder Morgan 2010 assessment, the Colorado State University meeting scheduled for October 18, 2017 and the Sheriff's Department request to participate within the FPPA.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners to give his weekly report. Topics of the discussion included the McElmo Flume project bids, the BLM access parking lot on Road 35.6 and the Sand Canyon parking lot project.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed registrations for Winter Conference, the addition of the Flume Bid decision to the scheduled CSU meeting, the Combined Budget presentation, flooring proposals, the Special Valuations hearings set for Friday October 20, 2017 and the proposed amendment to the Combined Court Security agreement.

COUNTY COMMISSIONER REPORT: **Commissioner Suckla** reported on the CCI phone conference he had participated in. **Commissioner Lambert** reported on the attended MCEDA meeting and the Basin Round Table meeting. **Commissioner Ertel** had no report to give.

PUBLIC COMMENT: No public comments were made

CORRESPONDENCE: The following correspondence was read and noted:
State Board of Equalization hearing notice.

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 3:10 p.m.

County Clerk

October 16, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 23, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 23, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHARIMAN Suckla opened the meeting of October 23, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 16, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

SPECIAL MEETING MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado for the Special meeting held October 18, 2017 as amended. Motion was seconded by Commissioner Lambert and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the September 2017 Accounts Payable and Financial Statements for approval. Commissioner Ertel moved to approve the Accounts Payable for September 2017 as presented. Second by Commissioner Lambert and carried. Commissioner Lambert moved to approve the Financial Statements for September 2017 as presented. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Ellen Foster** held a discussion regarding the recent CSU Extension defunding meeting and an article included within the Cortez Journal. (See attached) **M.B. McAfee** discussed the CSU Extension meeting and a site for the County Historical Society Museum.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of October 18, 2017 through November 3, 2017. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks, Crusher and the ¾" road base crushed by **Weeminuche Construction**. Superintendent Englehart discussed; the prep and gravel for Road 23, culverts on Road P, and Road 25, a blade patch for Road 44, doing the 2018 chip seal projects in the month of June, prep and culverts for Road 13, water and blade Road 16, erosion repairs on Road S, a stock pile of road base for winter usage, a shouldering machine, heating units for the County Road shop, the Road 35.6 road easement and the Verizon tower. Other topics discussed included; signs on the road to the Hovenweep National Monument, and a proposed notice of intent to the Forest Service for the County to do work on the Dolores Norwood Road. (See attached)

LANDFILL: **Landfill Manager Shakalo Powers** gave his monthly report which included the 2017 Landfill budget spread sheet. Topics discussed included; income from miscellaneous soils, market values, progress on the Cell B construction project, a yearly tractor payment, paper and plastic sorting, food waste compost, the upcycle store and a site visit from the Alamosa County Landfill Manager. (See attached)

FAIRGROUNDS: **Fairgrounds Manager, Tanner Young** gave his monthly report which included the year to date numbers for income of \$68,280.50 and attendance at 70,727. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; a rebate of \$855.42 from Empire Electric for lighting projects, future rebates and lighting projects, the development of a 4H Fall Festival and the purchase of a storage building for the County 4H program. (See attached)

PLANNING: **Planning Director Lee Ann Milligan** presented for signatures **Resolution P-07-2017** and a final plat for an exemption application submitted by **Tanner & Nikole Young**, 17725 Road 20, consisting of 19.99 acres, more or less, and **Raymond Millich** and **Loresa Oliver**, TBD Road T, consisting of 79.91 acres, more or less, Cortez, CO, and on properties located at 20545 Road U, Cortez, CO, situated in Sec. 14, T.37, R.17, N.M.P.M. wherein 10 acres, more or less, would be combined to the Young property from the Millich – Oliver property. No new tract would be created. (See attached)

BOARD OF EQUALIZATION; Kinder Morgan CO2 Co., LP, Tax Year 2010: The hearing was continued until November 6, 2017 at 9:30 a.m.

SHERIFF'S DEPARTMENT: **Sheriff Steven Nowlin** met with the Commissioners to discuss the purchase of body cameras for the Sheriff's Department. Topics discussed included; field testing of different types of body cameras, the **AXON BODY 2** single-unit camera, secure evidence storage, automatic DA access to the digital data, a 5 year purchase plan, the number of District Attorney's video recording requests for cases filed, the funding options for the body cameras purchase and buy back options of the currently owned body cameras. It was agreed that the decision would be postponed to December to include additional funding information from the LEA and the Gaming Award. (See attached)

DISCUSSION: **Ann McCoy-Harold** from **Senator Cory Gardner's** was unable to attend and will reschedule for a future date.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 6, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 6, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk, Absent
M. Lynn Dorenkamp, Chief Deputy

CHARIMAN Suckla opened the meeting of November 6, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 23, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Liquor license renewal application for **Ted R. Lawrence** dba **Log Cabin Liquor**, 41900 Hwy 160, PO Box 272, Mancos, CO 81328, was postponed.

MONTEZUMA COUNTY HISTORICAL SOCIETY: **Ann Wilson Brown, chairperson**, presented a Thank You letter to the County Commissioners and briefly discussed a few concerns regarding issues that would be in the agreement between Montezuma County and Montezuma County Historical Society. Commissioner Ertel asked Ann to get together with Attorney Baxter to work out the agreement. (See attached)

SENIOR TRANSIT: **Mary Holaday** presented for approval the Operating Contract for 2018. Commissioner Ertel moved to approve the Colorado Department of Transportation division of Transit and Rail FTA section 5311 Grant Agreement with Montezuma County. Motion was seconded by Commissioner Lambert and carried. (See attached)

PUBLIC COMMENT: No comments were made.

BOARD OF EQUALIZATION; It being the time set aside the Board of County Commissioners convened to sit as the Board of Equalization to hear the following appeals: **Kinder Morgan CO2 Co., LP, Tax Year 2010:** RE: Account Numbers O101544, O101546, O101545, O101547, O101549, O010581, O101550 and O100451 (Continued by Kinder Morgan from October 23, 2017 at 10:30 A.M.) Roll was called. **Assessor, Leslie Bugg** presented evidence of the valuations for the accounts. Mr. Poe, representative for Kinder Morgan CO2 Co., LP, via phone conference call, presented Kinder Morgan's position. A discussion was held regarding the valuations. Commissioner Ertel moved to uphold the Assessor's Office valuation on properties owned by Kinder Morgan CO 2 Co., LP Tax Year 2010, seconded by Commissioner Lambert and carried. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for October 2017 along with the Monthly report of services. Officer Torres gave an update on the monthly statistical data and the indirect income to Montezuma County. Commissioner Lambert moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for October 2017, seconded by Commissioner Ertel, motion carried. (See attached)

HEALTH DEPARTMENT: Public Health Director Bobbie Lock presented the Bi-monthly report from the following Health Departments and programs; Adult Preventative Health Services, Baby and Me Tobacco Free, Communicable Disease, Communities that Care, Consumer Protection, the Dental Program, Emergency Preparedness and Response, Health Care Program for Children with Special Needs, Options for Long Term Care, Immunizations, Nurse Family Partnership, Reach Out and Read, SafeCare Colorado, Tobacco Education & Preventive Program, Women, Infant & Children and the Young Parents Plus program. Montezuma County Public Health Department Revenue-2017 thus far. Bobbie discussed several items, a flyer on information on your house and mold, Montezuma County Public Health Department survey and the Suicide Prevention Community Summit meeting on Wednesday, Nov. 15th, 2017. Bobbie also presented the Public Health Emergency Preparedness Contract Amendment 2017-18. Ertel moved to approve the Amended Public Health Emergency Preparedness Contract. Motion was seconded by Commissioner Lambert and carried. (See attached)

PLANNING: Planning Director Lee Ann Milligan presented for signatures Final Plat for an Exemption approved by the Board of County Commissioners on July 17, 2017, submitted by Vistas Limited, LLLP, on properties located at 45995 and 46007 Hwy 160, Mancos, CO, consisting of 121.8 acres, more or less, and TBD Hwy 160, Mancos, CO, consisting of 22.8 acres, more or less, situated east of Highway 160, west of FS Road 316, situated in S.32 T.36N., R.12W., N.M.P.M. Applicant is proposing to rescind Resolution P-39-85 which created the 22.8 acre, more or less, tract whereby creating a 10 acre, more or less, tract which would consist of the sawmill established in the 1970's.

Final Plat for a lot line adjustment between Lot 1, consisting of 14.54 acres, more or less, & Lot 2, consisting of 15.89 acres, more or less, of the Blackmer Subdivision, both owned by Felix & Elizabeth Monteagudo, located at 5200 Road 21 and TBD Road E, Cortez, CO, situated north of Road E, east of Road 21, S.18, T.35N. R.16W, N.M.P.M.

Final Plat for Exemption P-06-2017 Application submitted by James Nash and Cynthia Houston on property located at 20671 Road W, consisting of 5 acres, more or less, the Iris H. McAfee Estate, Agent Chuck McAfee, consisting of 2.29 acres, more or less, Lewis, CO, situated west of Road 21, north of Road W, situated in S.36 & 27 T.38N., R.17W., N.M.P.M. Applicants propose to combine the 2.29 acre, more or less tract with the 5

acre, more or less, tract whereby creating one 7.29 acre, more or less tract. No additional tract would be created.

Final Plat for amendments to be made to the Mancos Hills Subdivision, a 15 Lot Major Development on properties owned by Grene, LLC, TBD Road J.75, Greken, LLC, 41670 Road J.75 and Mancos Sunrise, LLC, TBD E. Sunset Dr., Mancos, CO, consisting of 60 total acres, more or less; situated north of Hwy 160, east of Hwy 184, located in Sec. 28, T.36N., R.13W., N.M.P.M.

COUNTY ATTORNEY REPORT: Attorney John Baxter presented a Resolution establishing the Montezuma County Extension Advisory Committee, Resolution No. 11-2017. Commissioner Ertel moved to approve Resolution No. 11-2017, A Resolution establishing the Montezuma County Extension Advisory Committee. Commissioner Lambert seconded the motion and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included: upcoming McElmo/Sand Canyon Site visit this afternoon, Dolores Watershed and Resilient Forest (DWARF) meeting last week and ANS/ Sage Hen access meeting coming up on November 15, 2017 6-8 p.m. at the Cortez Conference Center Destination Grill. Paths to Mesa Verde have done the level 2 working on setting up a public meeting the week after Thanksgiving.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed 2018 Work and Financial Plan for Wildlife Damage Management Program. This topic was put on hold for more detail information.

COUNTY COMMISSIONER REPORT: Commissioner Suckla nothing to report. Commissioner Lambert nothing to report. Commissioner Ertel reported on his attendance at the Montezuma County MAC meeting. Paul Hollar led the meeting regarding the overall Emergency Plan and went over the 2018-2019 BOC schedule which entails workshops, trainings and meetings. Commissioner Ertel took the Health Departments survey and spent half a day with Congressman Tipton touring the new Courthouse. Commissioner Ertel discussed his walking tour of Sage Hen and spoke with Derick Padilla who brought pictures to show him and discussed moving the marina. (See attached)

2018 BUDGET WORKSHOP: Administrator, Melissa Brunner presented an overview of the 2018 budget. (See attached)

PUBLIC COMMENT: No comments were made.

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

McElmo / Sand Canyon Site Visit: Commissioner Ertel gave a brief introduction to the proposed concept of developing the County's right of way to increase parking capacity in conjunction with the BLM's parking lot at the Sand Canyon Site. James Dietrich gave a presentation on that proposed concept to the public that attended. Jeff Christensen, Vince McNeal, Keith Fox and David Sanders all from the BLM were in attendance. Jose Alains from Scott Tipton's Office also stopped by to listen to the presentation. Several questions were directed towards the overall management of Sand Canyon. Concerns regarding the development of additional parking, trespassing, access and safety.

Commissioner Suckla announced going into an executive session.

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Lambert moved for the Board of County Commissioners to go into executive session for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), topics for the executive session included personnel matters, CSU Extension/Fair Board: Tom Hooten, Andrea Jeter, Don Janz and Brandee Simmons. Commissioner Lambert moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: A letter from Phyllis & Dick Lockhart, regarding CSU Extension and 4-H Program for Montezuma County. A letter of final determination from the State of Colorado Division of Property Taxation Department of Local Affairs, regarding Mancos Common Press. An agenda for Dolores Water Conservancy District/ Dolores Water Conservancy District Water Activity Enterprise Board of Director's Meeting regular meeting November 9, 2017, DWCD Office, Cortez, CO 7:00 p.m. Along with minutes for regular meeting for September 14, 2017. A booklet from Region 9 Economic Development District of SW Colorado for the Corporate Annual Report July 2016-June 2017. (See attached)

MOTION TO ADJOURN: was made by Commissioner Lambert, seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 4:40 p.m.

Chief Deputy Clerk November 6, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 13, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 13, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

CHARIMAN Suckla opened the meeting of November 13, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 6, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Liquor license renewal application for **Ted R. Lawrence dba Log Cabin Liquor**, 41900 Hwy 160, PO Box 272, Mancos, CO 81328, was postponed.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of October, 2017. (See attached)

PUBLIC COMMENT: No comments were made.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of November 8, 2017 through November 24, 2017. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks, Crusher and the ¾" road base crushed by **Weeminuche Construction**. Superintendent Englehart reported that they had purchased 2 snow plow blades, 2 dump trucks and 1 tandem truck from the CDOT Construction Equipment Auction for \$4,010.00. Superintendent Englehart presented for review the **Road 31, Dolores Norwood Road Proposal**.

Other topics discussed included; gravel and signs for Road 35.6, a revised **Schedule “A” Agreement** with the Forest Service, development of the Dolores / Montezuma camp ground Memo of Understanding, future truck replacements, the DOLA grant options and the scheduled CCI meeting. (See attached)

COLORADO DEPARTMENT OF HIGHER EDUCATION GRANT: Administrator, Melissa Brunner presented for review, the Colorado Department of Higher Education Grant with Fort Lewis College. Commissioner Ertel moved that the Montezuma County enter into the Colorado Department of Higher Education Grant agreement with the Fort Lewis College Foundation and La Plata County. Second by Commissioner Lambert and carried (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the year to date numbers for income of \$68,280.50 and attendance at 70,992. Manger Tanner reported on past and future events scheduled at the Fairgrounds. Other topics discussed included; exit door device replacements, the portable stalls and restroom DOLA grant application and the purchase of a storage container. A discussion was held regarding the outdoor arena sand donation and a request to allow the Road Department to haul the donated sand to the Fairgrounds. (See attached)

GROUND AND BUILDINGS QUARTERLY REPORT: Maintenance Supervisor, Mike Chenard reported on the grounds and buildings projects completed and currently working on. Topics of the discussion included; horse corrals, water, electrical and the HVAC units at the Sheriff Department, the Annex I parking lot, landscaping and painting projects, the remodel project at the Court House, the Combined Courts building interior access to the HVAC systems, painting the solar panel, a sidewalk repair, two tree replacements, temperature controls, hot water pump leaks and the one year warranty for the Combined Courts building.

USDA COOPERATOR SERVICE WILDLIFE SPECIALIST: Clinton Wilson met with the Commissioners to give a quarterly update. Topics of the discussion included Mr. Wilson’s participation at the recent County Ag Expo, property owner problems with coyotes, beavers, fox and mountain lions, the number of calls within Montezuma County, advertising Mr. Wilson’s contact information and the 2018 Service contract.

SHERIFF’S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report which included the County Jail Operational Expenses, the October Monthly Inmate Counts, the Daily Breakdown of Prisoners, DOC Holds, and the Projected Totals reports. Other topics discussed included the Town of Dolores Contract, horse patrols for the Sand Canyon Parking lot, data collection from radar trailers, revised figures for the 2018 budget, vehicle replacements and the body cameras purchase. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene

CSU ADVISORY COMMITTEE INTERVIEWS: The Board of County Commissioners held interviews for positions on the CSU Advisory Committee. A permanent position on the Advisory Committee is held for the **4H Council President** currently held by **Keandra Elliott**. Letters of interest were received from **Larry Dozier, Eleanor Kuhl, Linda Odell, David Temple, LeeAnn Milligan, Don Bain, Jan Sennhenn** and **Ed Rice**. Those in attendance included 4H Council President Keandra Elliott, Eleanor Kuhl, Don Bain, Jan Sennhennh along with **Andrea Jeter** and **Tom Hooten** from the Extension Office. Topics discussed included: the number of Advisory Committee positions, the length of terms, establishment of the Fairboard Rules, interpretation of the Rules book, the Fairboard / Extension MOU, Advisory Committee information included on

the County Web page and Advisory Committee meeting attendance by a Board of County Commissioner representative. Commissioner Ertel moved that Eleanor Kuhl, Linda Odell, David Temple, Don Bain, Jan Sennhenn, Ed Rice and the 4H Council President be placed on the Advisory Committee. Second by Commissioner Lambert and carried. Commissioner Ertel moved that the one year term Committee members would be, Eleanor Kuhl, David Temple and the 4H Council President, two year terms would be Linda Odell and Ed Rice and three year terms would be Jan Sennhenn and Don Bain. Second by Commissioner Lambert and carried. It was requested by the Commissioners that the Advisory Committee meet once a month and that regular reports would be given to the Board of County Commissioners. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter reported he would be attending the County Attorney Conference and that an executive session would need to be scheduled to discuss ongoing legal matters at a future date.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich presented for review and approval a letter to OHV Program Manager, Tom Metsa, regarding the Colorado State Parks and Wildlife OHV Grants-Good Management Crew & Trail Dozer Funding Request. Commissioner Lambert moved that the letter to Tom Metsa with the Colorado State Parks and Wildlife in support of the grant for good management crew and trail dozer funding request be approved. Second by Commissioner Ertel and carried. Also presented for approval were letters to BLM Field Manager, Connie Clementson, BLM Monument Manager, Marietta Eaton and State Historic Preservation Officer History Colorado, Steve Turner regarding the Section 106 Local Agency Consultation. Commissioner Ertel moved to send the letters to Mr. Steve Turner with the State Historic Preservation Officer History Colorado, BLM Field Manager, Connie Clementson and BLM Monument Manager, Marietta Eaton, stating our joining the Section 106 Local Agency Consultation as amended. Second by Commissioner Lambert and carried. Other topics of the discussion included: the Paths to Mesa Verde meeting scheduled December 4th, a \$15,000.00 Ballantine Foundation Grant reward and the scheduled Aquatic Nuisance meeting scheduled November 15th. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the installation of the solar panel at the Combined Courthouse, the Pleasant View property purchase and the scheduling of a Department Head budget meeting.

COUNTY COMMISSIONER REPORT: Commissioner Suckla had nothing to report. Commissioner Lambert had nothing to report. Commissioner Ertel had nothing to report.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 3:00 p.m.

County Clerk November 13, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 20, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 20, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

CHARIMAN Suckla opened the meeting of November 20, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 13, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

LIQUOR LICENSE: Chief Deputy Clerk, **Lynn Dorenkamp** presented liquor license renewal applications for **Ted R. Lawrence** dba **Log Cabin Liquor**, 41900 Hwy 160, PO Box 272, Mancos, CO 81328, **Woody's Enterprise LTD.** located at 4337 N. Hwy 160-491 Cortez, and **Double R Liquors** located at 18794 Hwy 491, Lewis Co. 81327. Commissioner Lambert moved to approve the renewal liquor license applications for; Log Cabin Liquor, PO Box 272, Mancos, Woody's Enterprise LTD. located at 4337 N. Hwy 160-491 Cortez and Double R Liquors located at 18794 Hwy 491, Lewis Co as presented. Second by Commissioner Ertel and carried. (See attached)

ACCOUNTS PAYABLE: Administrator Brunner presented the October 2017 Accounts Payable and Financial Statements for approval. Commissioner Lambert moved that the October 2017, Accounts Payable be approved. Second by Commissioner Ertel and carried. Commissioner Lambert moved that the October 2017, Financial Statements be approved. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Gala Pock** discussed the recently attended, Sheriff's Department Crime statistics presentation and the Empire Electric Board meeting report on the Totten Lake Solar Farm. Ellen Foster discussed the Empire Electric Board meeting, the Totten Lake Solar farm status and options to purchase solar panels.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of November 15, 2017 through November 30, 2017. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks, Crusher and the ¾" road base crushed by **Weeminuche Construction**. Superintendent Englehart discussed the Road P culvert replacement, district blading, hauling water for road work, the MVI water bylaw policy, the development of the water access station, water truck replacements, completion of Road W, ¾' road base for Road 13, fabric for Road S, an expansion project for the Pleasant View yard, the completion of the Weeminuche Construction road base project and the Pleasant View property purchase. Superintendent Englehart presented for review and adoption a proposed policy regarding Cattle Guards within the County Right of Way. Commissioner Lambert moved that the presented Road Department proposal for the policy on Cattle Guards within the County Right of way be approved. Second by Commissioner Ertel and carried. Superintendent Englehart discussed the Special Highway Committee Application for Bridge replacement funds for Montezuma County and a certified letter from land owner Gary Shaw regarding classification of County Road 35.6 and Road P.3. (See attached)

PUBLIC LANDS:

Canyon of the Ancients National Monument Manager, Marietta Eaton met with the Commissioners to give a monthly report. A newly developed video regarding the monument was viewed. Manager Eaton gave updates on the Sand Canyon parking lot and the specialist reports for the Flodine and Yellow Jacket leases.

Bureau of Land Management, Connie Clementson met with the Commissioners to give a monthly report. Topics discussed included: the monitoring and discovery plan for Phil's World, the Section 106 Local Agency Consultation, clarification of the Wilderness Study Area development process, the scheduling of an open house to share public comments regarding the Travel Access Route Inventory and public access to BLM lands in the Summit lake area and an access gate on County Road 35.6.

Forrest Service, Derek Padilla and **Tom Rice** met with the Commissioners to give a monthly report. Topics of the discussion included; the list of responsibilities between Montezuma County and Dolores County regarding the Farris and Cabin Campgrounds, the draft decision for the Rico West Dolores Travel Management Project and the recently held Aquatic Nuisance Species public presentation.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich,** presented for approval a letter to, Tom Metsa, the OHV Program Manager Colorado Parks & Wildlife in support of the Tres Rios Field Office 2019 OHV Trail Grant application. Commissioner Ertel moved that the Board of Montezuma County Commissioners send a letter of support to Tom Metsa, the OHV Program Manager for Colorado Parks & Wildlife. Second by Commissioner Lambert and carried (See attached)

LANDFILL: **Landfill Manager Shakalo Powers** gave his monthly report which included the 2017 Landfill budget spread sheet. Topics discussed with the report included; income from the miscellaneous soil content from Kinder Morgan, budget adjustments, bill payments, future cell development funding, recycled plastic and cardboard from Mesa Verde National Park, recyclable market prices, sorting of recyclable paper and plastics and the local market food compost project. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Director Josiah Forkner and Lori Higgins were present. (See attached)

WEED DEPARTMENT: Administrator, Melissa Brunner presented for approval and on behalf of **Weed Department Office Manager, Bonnie Loving**, Noxious Weed Resolution #15-2017. A resolution for noxious weed enforcement to be done in 2018 on the Loyd properties located on Road AA and Road 10, Pleasant View, CO.. The resolution authorizes the Montezuma County Weed program to enter the private properties and eradicate noxious weeds. Commissioner Ertel moved to approve Noxious Weed Resolution #15-2017 for the Montezuma County Weed program or designees to enter properties to control noxious weeds. Second by Commissioner Lambert and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter had no report to give.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the upcoming CCI Conference, a funding request from the Town of Mancos and the scheduling of the next Town Hall Meeting.

COUNTY COMMISSIONER REPORT:

Commissioner Suckla reported on the attended Aquatic Nuisance Species meeting and the CSU Advisory Committee meeting.

Commissioner Lambert reported on the attended, **MCEDA** meeting, the **Mc Elmo Water Group** meeting and the **Housing Solutions** meeting.

Commissioner Ertel had nothing to report.

PUBLIC COMMENT: No comments were made

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene

BUDGET DISCUSSION: Montezuma County Administrator, Melissa Brunner discussed the 2018 budget. Topics of the discussion included; Interdepartmental mileage charges from the Fleet Department, automobile insurance costs, vehicle replacement mileage regulations, vehicle service charges, state purchased vehicles, department budget classifications and separate department identification of vehicle expenses.

Commissioner Lambert moved that effective January 1, 2017 all county owned vehicles weighing one ton or less become property of the Fleet Department, from that point on the departments that use the vehicles, will pay the state standard mileage rate of \$.48 per mile for 2 wheel drive and \$.51 per mile for 4 wheel drive, the established billing rate would include insurance, fuel, replacement and servicing to all vehicles but would exclude all vehicles purchased by the state. Second by Commissioner Ertel and carried.

Other topics discussed included; Non-profit budget request cuts, offered cuts from departments, double employment health insurance coverage for family members, a hiring freeze, setting all departments to the 2017 operating budget numbers, a cut to the 40 hour a week employees to 35 hours per week, possible department reductions in staff and the Kinder Morgan back tax payments. A discussion was held regarding the previously approved resolution for Elected Officials 10% increase in pay and the defunding of the CSU Extension program. Commissioner Ertel moved to rescind the motion of giving the Elected Officials a 10% salary increase in 2019 and let that rest with the state mandated cost of living increases that are going to take effect in 2019. Second by Commissioner Lambert and carried. Commissioner Lambert moved to rescind the vote to defund the CSU Extension Office. Second by Commissioner Ertel and carried.

CORRESPONDENCE: The following correspondence was read and noted: A letter from the DAV regarding the purchase of property within Montezuma County. (See attached)

MOTION TO ADJOURN: was made by Commissioner Ertel seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 2:40 p.m.

County Clerk

November 20, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 4, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 4, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

CHARIMAN Suckla opened the meeting of December 4, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Lambert moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 20, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles met with the Commissioners to give an update on the project. Representative Guiles presented the **City of Cortez, Occupancy Permit**. Topics discussed included the cameras, a divider wall, benches, the holding cell window, required red line drawings, side walk repairs, the solar panel and the nightly view of the building. Administrator Brunner presented for approval the **Prime Contract Change Order #002**. The change order was a credit remainder of the contingency log in the amount of (\$31,679). Commissioner Ertel moved that the Prime Contract Change Order #002, between Jaynes Construction and Montezuma County be approved. Second by Commissioner Lambert and carried. (See attached)

ORDER: Administrator Brunner presented a **Transfer Order #12-2017** – a transfer from the General Fund (Transit Services) to Capital Fund for reimbursement of the new Transit Bus purchased from Creative Bus Sales in the Amount of \$ 52,542.40. Also presented by Administrator Brunner was **Transfer Order #13-2017** – a transfer from the Senior Citizens Bus Replacement Fund to the Capital Fund in the amount of \$13,135.60 to match the costs of the new Transit Bus. Commissioner Lambert moved to approve order #12-2017, a transfer

from the General Fund to Capital Fund for reimbursement of the new Transit Bus for \$ 52,542.40 and Transfer Order #13-2017, a transfer from the Senior Citizens Bus Replacement Fund to the Capital Fund in the amount of \$13,135.60. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Gala Pock** discussed funding for the County Planning Department employees and collected Planning and Zoning fees coverage for costs of the Planning Department. Administrator Brunner shared a video of the award presentation to Commissioner Suckla, for CCI Commissioner of the year.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of November 29, 2017 through December 15, 2017. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks and Crusher. Superintendent Englehart reported that the Road Department would coordinate the pickup and delivery of the sand donated by **Weeminuche Construction** to the County Fairgrounds. Other topics discussed included; the Crusher rescreening and maintenance schedule, an invoice for the 39,600 tons of ¾" road base crushed by Weeminuche Construction, the reopening of Road X to the public by Dolores Water Conservation District and future plans for rock barriers. Superintendent Englehart gave a report on the recently attended Colorado Association of Road Supervisors and Engineers (CARSE) conference and a conference seminar regarding the use of tires substituted as landfills, embankments or road repairs. Other Conference topics included; the possible asphalt trade between Montezuma County and Rio Grande County for cold mix, and the use of rubber blades for shouldering. (See attached)

VETERANS SERVICE: **Veteran Service Officer, Rick Torres** presented the Certification of Pay for November 2017 along with the Monthly report of services. Officer Torres gave an update on the monthly statistical data and the indirect income to Montezuma County. Commissioner Ertel moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for November 2017, seconded by Commissioner Lambert, motion carried. (See attached)

EMERGENCY MANAGER REPORT: **Emergency Manager Paul Hollar** met with the Commissioner and gave a Bi-monthly report. Topics discussed included the scheduling of an E911 Board discussion with the Commissioners and the Dispatch Center and Chief of Police, Roy Lane, the (EOP) **Emergency Operations Plan** signatories, the (EOC) **Emergency Operations Center** training schedule, the **Salamander System-ID Credentialing**, development of the EOC distribution group, the attended **Wide Area Search** course, the attended **Colorado Healthcare Coalition Conference** and the development of a County Emergency Pet Plan and Debris Management Plan. Manager Hollar presented for adoption, the **2018 Revised Emergency Operation Plan** that included all of the appendix and attachments. Commissioner Ertel moved that the Montezuma County Board of County Commissioners adopt the Montezuma County Emergency Operations Plan with the appendices and attachments for 2018. Second by Commissioner Lambert and carried. (See attached)

FAIRGROUNDS: **Fairgrounds Manager, Tanner Young** gave his monthly report which included the year to date numbers for income of \$72,210.50 and attendance at 72,782. Manager Tanner reported on past and future events scheduled at the Fairgrounds. Other topics discussed included; exit door device replacements the development of a Monster Truck event, a portable cattle shoot purchase, solid sided portable stalls, the remodeling of the Fairgrounds kitchen, the portable restroom trailers project, a City of Cortez fee waiver request for the September 14, 2018 scheduled Philanthropy Days, the Weeminuche Construction sand donations and the renewed schedule for 2018 car racing season. (See attached)

BID OPENINGS: Chairman Suckla opened the 2018 Social Service wing painting bid along with the 2018 cleaning bids for the Montezuma County buildings.

Painting: (Includes all materials)

- | | |
|---------------------------------|-------------|
| 1) Clark Painting | \$23,500.00 |
| 2) John McKim's Painting | \$18,948.00 |
| 3) All In One Painting | \$25,925.00 |
| 4) Wright Painting | \$33,198.00 |

Cleaning:

- | | | |
|--|---|--------------------------------|
| 1) Monica's Cleaning Service | \$4,500.00 / monthly | Combined Court House |
| 2) Busy "B" Janitorial Service | \$2,200.00/ monthly * | County Administration Building |
| | *\$3,000.00 after completion of Construction. | |
| 3) Busy "B" Janitorial Services | \$1,400.00 / monthly | County Annex III Building |
| 4) Superior Services LLC | \$3,354.00/ monthly | Combined Court House |
| | \$175.00/ weekly | County Sheriff's Office |
| | \$25.00/ hourly | Fleet Management Building |
| | \$25.00/ hourly | Road & Bridge Building |
| | \$3,114.00/ monthly | County Administration Building |
| | \$1,317.00/ monthly | County Annex III Building |
| 5) Laurel Schafer Cleaning Services | \$16,950/ yearly | County Annex I Building |

Commissioner Ertel moved that the painting project for the Social Services wing be awarded to John McKim's Painting for the amount of \$18,948.00 as presented. Second by Commissioner Lambert and carried.

(See attached)

Commissioner Lambert moved that **Superior Services LLC** be awarded the 2018 cleaning bid for the Montezuma County, **Combined Courthouse** building at \$3,354.00 per month. Second by Commissioner Ertel and carried. Commissioner Ertel moved that **Superior Services LLC** be awarded the 2018 cleaning bid for the Montezuma County **Sheriff's Office** at \$175.00 per week. Second by Commissioner Lambert and carried. Commissioner Lambert moved that the 2018 **Fleet Management** and the **Road & Bridge** cleaning bids be awarded to **Superior Services Cleaning** at \$25.00 per hour. Second by Commissioner Ertel and carried. Commissioner Ertel moved that the 2018 cleaning bid for the **County Annex III** and the **County Administration** buildings be awarded to the **Busy "B" Janitorial Services**. Second by Commissioner Lambert and carried. Commissioner Lambert moved that the **County Annex I** building cleaning bid be awarded to **Laurel Schafer Cleaning Services** for \$1412.50 per month. Second by Commissioner Ertel and carried.

(See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.

Commissioner Suckla announced the meeting would reconvene

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR3-9 rezoning request and Sketch Plan for a proposed amendment to the Porter Single Lot Development for an additional 3 acre, more or less tract, whereby creating an 2 Lot Moderate Subdivision on property owned by **Wilbert & Beryl Porter**, located at 42190 Hwy 160, Mancos, CO, situated south of Hwy 160, west of Road

42.5, located in S.27, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Will Porter was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the AR3-9 rezoning request and sketch plan for a proposed amendment to the Porter Single Lot Development for an additional 3 acre, property owned by Wilbert & Beryl Porter, located at 42190 Hwy 160, Mancos be approved. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented for signatures the final plat for the Porter Single Lot Development for an additional 3 acre, more or less tract, whereby creating an 2 Lot Moderate Subdivision on property owned by **Wilbert & Beryl Porter**, located at 42190 Hwy 160, Mancos, CO, situated south of Hwy 160, west of Road 42.5, located in S.27, T.36N., R.16W., N.M.P.M.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining an AR3-9 rezoning request, Single Lot Development Application, Sketch Plan and High Impact Permit Application for the construction of the Pleasant View Fire Station submitted by the **William A. and Sharon A. Palmer Family Trust, Agent Maness & Associates and Jeff Yoder** on property located at 15235 Road CC, Pleasant View, CO, consisting of 5.02 acres, more or less, located north of Road CC, west of Hwy 491, situated in S.31 T.39N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agents Sharon Palmer and Pleasant View Fire Department Chief, Jeff Yoder were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public Comments were made by the **Planning & Zoning Chairman, Bob Clayton**. A letter from Pleasant View Fire Department Chief, Jeff Yoder was presented for the record. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Lambert moved that the AR3-9 rezoning request, single lot development application, sketch plan and high impact permit applications for the construction of the Pleasant View Fire Station submitted by the William A. and Sharon A. Palmer Family Trust, Agent Maness & Associates and Jeff Yoder on property located at 15235 Road CC, Pleasant View be approved. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented for signatures the final plat for the Single Lot Development Application, Sketch Plan and High Impact Permit Application for the construction of the Pleasant View Fire Station submitted by the **William A. and Sharon A. Palmer Family Trust, Agent Maness & Associates and Jeff Yoder** on property located at TBD Road CC, Pleasant View, CO, consisting of 5.02 acres, more or less, located north of Road CC, west of Hwy 491, situated in S.31 T.39N., R.17W., N.M.P.M.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining a Heavy Industrial (INDHZ) rezoning request and High Impact Permit application submitted by **Rodney and Debra Tucker**, for the purpose of operating a construction business on property located at 13102 Hwy 491, Cortez Co, consisting of 46.93 acres, more or less, located at 23375 Road N, east of Hwy 491, situated in S.4 T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were

recorded for the record. Agent Rodney Tucker was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Public Comments were made by **Ellen Foster, Planning & Zoning Chairman Bob Clayton** and **County Surveyor, Ernie Maness**. Hearing no further public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved to continue the Public Hearing for the Rodney and Debra Tucker, High Impact Permit application to 1:30 p.m. on Monday December 11, 2017. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented an Update regarding a Notice to Proceed on a High Impact Permit on property owned by **Montezuma Water Co., Agent Steve Bowman**, located at 28024 Road T, Dolores, CO, consisting of 5 acres, more or less, situated west of Hwy 145, south of Road T, located in S.20, T.37N., R.15W., N.M.P.M. The facility currently under construction will be the new office for Montezuma Water Company. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining an AR3-9 rezoning request and 2 Lot Minor Subdivision Application submitted by the **Milton Morrill Revocable Living Trust, Agent Glynnis Lloyd**, on property located at 12207 Road 29.4, Dolores, CO, consisting of 26.86 acres, more or less, located north of Road M, west of Road 29.4, situated in S.9 T.36N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Glynnis Lloyd was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Suckla requested the findings from the Planning and Zoning Commission. The Planning and Zoning Commission had a condition that there would be contact with the Weed Program as well as Firewise and that those conditions had been met. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Lambert moved that the AR3-9 rezoning request and 2 lot minor subdivision application submitted by the Milton Morrill Revocable Living Trust, Agent Glynnis Lloyd, on property located at 12207 Road 29.4, Dolores, CO. be approved. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented for signatures the final plat for 2 Lot Minor Subdivision Application submitted by the **Milton Morrill Revocable Living Trust, Agent Glynnis Lloyd**, on property located at 12207 Road 29.4, Dolores, CO, consisting of 26.86 acres, more or less, located north of Road M, west of Road 29.4, situated in S.9 T.36N., R.15W., N.M.P.M.

Director Milligan presented for the review and determination a Variance Application submitted by **Curtis Duncan** wherein the applicant is proposing to construct a detached garage approximately 2' from his property line and 32' from the centerline of County Road V. A Non-Opposition Letter has been submitted from the County Road Superintendent. Said property is located at 21752 Road 15, Yellow Jacket, CO, situated in S.30 T.38N., R.17W., N.M.P.M. Commissioner Lambert moved that the variance application submitted by Curtis Duncan to construct a detached garage approximately 2' from his property line and 32' from the center of County Road 15 be approved. Second by Commissioner Ertel and carried. (See attached)

2018 BUDGET DISCUSSION: Administrator Brunner, held a discussion regarding the 2018 Budget adjustments. Reports presented included; the Montezuma County Mill Levy History report, the Montezuma County Mill Levy vs. Fund Balance History report, the 2018 Fleet projections with trailers Department Mileage 01-01 to 09-30-2017 report, the Road and Bridge fund snapshot report, the General Fund snapshot report, and the December 1 2018 General Fund adjustments report. Topics discussed included; developed formulas for mill levy years in reserve, City and County street designations, per inmate jail fees, proven State mileage rates, county wide vehicle reductions, departmental sharing of vehicles, miscellaneous and nonprofit budget requests, the employee 2% cost of living increase, the future state mandated cost of living increase for elected officials and posting the preliminary budget on the County web site. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the scheduling of an Executive Session during the Commissioner meeting on December 11, 2017. A discussion was held regarding individual county responsibilities within the IGA with Dolores County regarding the Farris and Cabin Camp Ground.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; a request from the BLM for a written proposal concerning the Sand Canyon parking lot, the release of the Rico West Dolores Trail Plan, Logging roads, comments for the Boggy Draw Trail Expansion project, and the scheduled Trail meeting. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented a Montezuma county Noxious Weed Department lien request for the property of **Steven Miller** and **Beverley Burkes**, located at 6610 Road 21 Cortez Co. in the amount of \$415.80. Commissioner Ertel moved that the Noxious Weed Departments request for a lien to be placed upon Steven Miller and Beverley Burkes property located at 6610 Road 21, be authorized in the amount of \$415.80. The motion was second by Commissioner Lambert and carried. A discussion was held regarding the proposed Administration break room. (See attached)

COUNTY COMMISSIONER REPORT: Commissioners Suckla, Lambert and Ertel discussed the recently attended CCI Conference.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel, seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 4:30 p.m.

Chief Deputy Clerk

December 4, 2017

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 11, 2017**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 11, 2017 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
James Lambert, Vice-Chairman
Keenan Ertel, Commissioner of Deeds
Melissa Brunner, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk,

VICE CHARIMAN Lambert opened the meeting of December 11, 2017 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated December 4, 2017 as presented. Motion was seconded by Commissioner Lambert and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of November, 2017. (See attached)

ORDER: Administrator Brunner presented **Transfer Order #14-2017** – a transfer from the Road Impact Fees to Road & Bridge Fund for the completed County Road 22 project. Commissioner Ertel moved that transfer order #14-2017, a transfer in the amount of \$2,620.00 from the Road Impact Fee Fund to the Road and Bridge Fund for the completed Road 22 project be approved. Second by Commissioner Lambert and carried. (See attached)

PUBLIC COMMENT: School Community Youth Coalition Director, Angela Horvath met with the Commissioners to offer a thank you to the Commissioners for their support with the 2017 Teen Maze event. **Firewise Director, Rebecca Samulski** discussed the 2018 budget request. (See attached)

ROAD DEPARTMENT: Road Superintendent, **Rob Englehart** presented the road and bridge schedule for the time period of December 6, 2017 through December 22, 2017. Superintendent Englehart gave an overview of the type of work scheduled for each crew and gave an update on the Trucks and Crusher. Superintendent Englehart discussed; the BOR water valve install, a bus turn around on Road K.6, the Pleasant View yard expansion, gravel on Roads 18, T, BB and Road 8, the donated sand project for the Fairgrounds, a letter to De-obligate unused funds from the DOLA project at Pleasant View and a letter from **Montezuma Valley Irrigation Company** regarding maintenance on culverts. **Charles Tate** from the **Sylvan Cemetery District** met with the Commissioners to discuss a request of $\frac{3}{4}$ 'road base for the cemetery. Topics of the discussion included the Haycamp pit royalty fees and the trucks hired to haul the gravel. (See attached)

Commissioner Suckla announced that the Board of County Health would convene.

BOARD OF COUNTY HEALTH: It being the time set aside, the Board of County Health was conducted. **Public Health Director Bobbie Lock, County Sanitarian, Melissa Mathews** and **Assistant Sanitarian, Cade Hays** were present. Topics of the Discussion included proposed revisions to the Onsite Wastewater Regulations and the 2018 Health Department Fee Schedule. Commissioner Ertel moved to approve the 2018 Fee schedule for the Montezuma County Health Department. Second by Commissioner Lambert and carried. (See attached) Commissioner Ertel moved to adjourn the Board of County Health. Second by Commissioner Lambert and carried. Commissioner Suckla announced that the Board of County Commissioners would reconvene.

MILL LEVY CERTIFICATION County Administrator **Brunner** presented **Resolution #12-2017**. A resolution levying **General Property** taxes for the year 2017. Commissioner Ertel moved to approve Resolution #12-2017 a resolution levying the general property taxes for the year 2017 to help defray the costs of government for Montezuma County for the 2018 budget, Second by Commissioner Lambert and carried. Administrator Brunner presented **Resolution #13-2017**, a resolution Levying General property taxes for the year 2017 to help defray the cost of the **Law Enforcement Authority** of Montezuma County. Commissioner Lambert moved to approve Resolution #13-2017 a resolution levying the general property taxes for the year 2017 to help defray the cost of the Law Enforcement Authority of Montezuma County for the 2018 budget. Second by Commissioner Ertel and carried. (See Attached)

2018 BUDGET ADOPTION: It being the time set aside a public hearing is held for the purpose of adoption of the 2018 Budget. The roll was called, the public notice read, and the proceedings were recorded for the record. **Administrator Brunner** gave an overview of the proposed Budget. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Ertel moved to approve **Resolution #14-2017** a resolution adopting a budget for Montezuma County, Colorado for calendar year beginning the first day of January 2018 and ending on the last day of December 2018. Second by Commissioner Lambert and carried. Commissioner Ertel moved to approve **Resolution #15-2017** a resolution to appropriate sums of money for 2018. Second by Commissioner Lambert and carried. Commissioner Suckla closed the hearing at this time. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff **Steven Nowlin** met with the Commissioners to give his monthly report which included; the Inmate Statistics Report, the November 2017 Montezuma County Jail Report, Monies paid to the General Fund report and the 2018 Town of Dolores Sheriff's Contract. Commissioner Ertel moved that Resolution #374-Series 2017 Contract between the Town of Dolores and Montezuma County for the 2018 Law Enforcement Contract be approved. Second by Commissioner Lambert and carried. (See attached)

Commissioner Suckla announced the adjournment of the meeting for the LUNCH break.
Commissioner Suckla announced the meeting would reconvene

CONTINUATION OF A PUBLIC HEARING: It being the time set aside the continuation of a public hearing is held for the purpose of reviewing and determining a Heavy Industrial (INDHZ) rezoning request and High Impact Permit application submitted by **Rodney and Debra Tucker**, for the purpose of operating a construction business on property located at 13102 Hwy 491, Cortez Co, consisting of 46.93 acres, more or less, located at 23375 Road N, east of Hwy 491, situated in S.4 T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lambert moved that the Heavy Industrial (INDHZ) rezoning request and high impact permit application submitted by Rodney and Debra Tucker, for the purpose of operating a construction business on property located at 23375 Road N be approved with the requested Planning & Zoning conditions. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Director Milligan presented for signatures a final plat for the Planned Unit Development for a 120 space phased RV park submitted by **Daren & Kathy Stone**, on property located at 12110 Hwy 145, Dolores, CO; located north of Road M, east of Hwy 145, situated in Sec. 7, T.36N., R.15W., N.M.P.M.

Director Milligan presented for review and determination a Variance Application submitted by **Robin Family Ranches, LLC, Agents Don & Deana Yeomans**, wherein the applicants are proposing to place a mobile home approximately 10' from the southern boundary line of the property. The Montezuma County Land Use Code requires a setback of 50' from property lines and County Road Right-of-Ways. There is a Non-Opposition Letter in file from the affected adjacent property owner. Said property is located at 9900 Road 43, Mancos, CO, situated in S.26 T.36N., R.13W., N.M.P.M., east of Road 43, north of Highway 160. Commissioner Ertel recused himself from the discussion. Commissioner Lambert moved that the variance application submitted by Robin Family Ranches, LLC, Agents Don & Deana Yeomans, on property located at 9900 Road 43, Mancos, CO, be approved. Second by Commissioner Suckla and carried.

DISCUSSION: Planning Director Milligan, met with the Commissioners to discuss Land Use Code requirements and the placement of **Tiny Homes** on a property owner's tract(s) of land. Topics of the discussion included the current **Land Use Code #3101.1**, the County designation of a residence, the designation of a tiny home, the Land Use Code Residential Accessory Uses, County Septic requirements, the Planned Unit Development Process and the State camper 90 day limit. Per unanimous Commissioner agreement it was decided to follow the current Land Use Code 3101.1 Residential Accessory Uses, of "**One** guest or caretaker unit: 1500 sq. ft. maximum subject to the Montezuma County Individual Sewage Disposal System rules and regulations or to go through the current General Planned Unit Development process." (See attached)

WEED DEPARTMENT: Weed Department Office Manager, Bonnie Loving presented a slide show of proposed future projects. Topics of discussion included; the development of a **Montezuma Get Outdoors Event**, the **Mancos Colorado Weed Management Association**, a **Weber Canyon Project**, and properties associated with the **Mancos River Project**. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter gave an update on the Summit Lakes lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich presented for approval, a letter of thanks for the donated \$15,000.00 **Ballantine** funds. Commissioner Ertel moved to approve the sending of a letter of gratitude to Mrs. Winkle in regard to the money donated. Second by Commissioner Lambert and carried. Director Dietrich presented a letter to Mr. **Steve Turner** with the **State Historic Preservation Officer History Colorado** regarding Section 106 Local Agency Consultation & Review of the BLM Phil's World 2.0 Discovery and Monitoring Plan. Commissioner Ertel moved that the letter from the Board of Montezuma County Commissioners to Mr. Steve Turner with the State Historic Preservation Office History Colorado regarding the Phil's World 2.0 discovery and monitoring plan be approved. Second by Commissioner Lambert and carried. Other topics discussed included; the attended **DWARF** meeting, the **Timber Industry Working Group** strategies, the Bio Energy Component for the project and the **Great Outdoors Colorado Funds** and a resolution supporting the reauthorization of Lottery proceeds. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner had no additional report to give.

COUNTY COMMISSIONER REPORT: Commissioner Suckla reported on the attended Path to Mesa Verde Trail meeting and the CSU Advisory Meeting, with an invitation for the public to attend the next CSU advisory meeting scheduled December 18th at 5:00 p.m... Commissioner Lambert reported on a meeting held with the County Coroner, George Deavers, Sheriff Nowlin and Health Department Director, Bobbie Lock regarding County owned cooler units that are stored at Ertel Funeral Home. Both Commissioner Ertel and Suckla recused themselves from this discussion. Commissioner Ertel discussed at meeting held with County Sanitarian Melissa Mathews and a Tire baling business regarding recycling tires within the County and the attended CDOT, TPR meeting.

PUBLIC COMMENT: No comments were made.

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Lambert moved for the Board of County Commissioners to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4) (b) and to include Road and Bridge Superintendent Rob Englehart, topics for the executive session included the Kinder Morgan lawsuit, the Dolores Norwood designation and Montezuma Valley Irrigation Company. Seconded by Commissioner Ertel and carried. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Lambert and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Ertel seconded by Commissioner Lambert and carried.

MEETING ADJOURNED: 4:15 p.m.

Chief Deputy Clerk December 11, 2017

Chairman