

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 8, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday January 8, 2018 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 8, 2018 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 18, 2017 as presented. Motion was seconded by Commissioner Ertel and carried.

ELECTION OF OFFICERS:

Commissioner Ertel moved to appoint Commissioner Lambert as Chairman, Commissioner Ertel as Vice-Chairman and Commissioner Suckla as the Commissioner of Deeds for the year of 2018. Seconded by Commissioner Lambert and carried.

CHAIRMAN: Commissioner Lambert

VICE CHAIRMAN: Commissioner Ertel

COMMISSIONER OF DEEDS: Commissioner Suckla

2018 OFFICE APPOINTMENTS: Commissioner Lambert moved to appoint the following to their respective offices for the year 2018. 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: None for the year 2018
Region 9 Economic Development Board: Larry Don Suckla
Alternate: Keenan Ertel
Southwest Regional Transportation Committee: Keenan Ertel
Alternate: Road Superintendent Rob Englehart
AAA: Keenan Ertel
Alternate: James Lambert
Southwest Workforce Board: Keenan Ertel
Alternate: James Lambert
Montezuma County Housing Authority: Larry Don Suckla
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

PUBLIC COMMENT: **Debbie Boyd** met with the Commissioner to discuss the actions of the Colorado Division of Wildlife regarding an elk herd on her property and her personal property rights. **Raymond Boyd** read out of the Declaration of Independence and discussed our Constitutional and Fourth Amendment rights. **Greg Kemp** discussed the Montezuma Community Economic Development Association. (MCEDA)

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of January 3, 2018 through January 19, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included the 2018 Pavement Projects, the Road L and Mildred Road culvert installation project, the selection of Alkali Creek as a Bridge Fund project, the 2018 Schedule A Forest Service Agreements and an update of water usage for road projects. (See attached)

DISCUSSION: **Michael Grajeda** and **Colleen Brennan** from the **Mancos Trails Group** met with the Commissioners to discuss the preliminary proposals for the **BLM Aqueduct Trial System** near Mancos.

DOLORES WATER CONSERVANCY: **Ken Curtis** along with **Tom Rice** from the **Forrest Service** met with the Commissioners to give an update on the **Aquatic Nuisance Species Inspections**. Reports presented for review included; the Mussel Boat Interceptions by Year, Zebra & Quagga Mussel Positive Interdiction Sites in Colorado, Boat Origin for the Zebra & Quagga Mussel Positive Interdiction in Colorado, Sampling Statistics, New Detections, the 2017 ANS Program Eliminations, the Budget Status, Partner Funding for 2017, the McPhee ANS Public meeting comments, Monthly Site reports, McPhee Daily Averages by Month -2017 and an article Quagga in the Cap-10 Years After the Invasion. Other topics discussed included; a scheduled meeting with the Town of

Dolores, the exchange of inspection hours from the House Creek boat ramp to the main McPhee ramp during busy weekend times, parking problems at the McPhee ramp during busy times, kayak launches and Secure Rural Schools funding. (See attached)

FOUR STATES AG EXPO: Cancelled

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the 2017 year end numbers for income of \$75,050.00 and attendance at 73,092. Manager Tanner reported on past and future events scheduled at the Fairgrounds. Other topics discussed included; new team roping and bull riding events, the exit door device replacements, the Fairground rental charges for events and possible grant funding projects. Manager Tanner presented for review the newly developed Mesa Television commercial advertisement for the Fairgrounds. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for December 2017 along with the Monthly report of services. Officer Torres gave an update on the monthly statistical data, the year in review of client visits from 2013 through 2017 and the Montezuma County 2016- 2017 indirect income comparison. Commissioner Suckla moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for December 2017, seconded by Commissioner Ertel, motion carried. (See attached)

RESOLUTION # 1-2018: Administrator Brunner, along with **Attorney Baxter** presented Resolution #1-2018, a resolution authorizing a county wide election regarding whether the sworn employees of the County Sheriff Office may withdraw from the County's CCOERA retirement plan. Commissioner Ertel moved to approve Resolution #1-2018, a resolution authorizing a county wide election regarding whether the sworn employees of the County Sheriff Office may withdraw from the County's CCOERA retirement plan. Second by Commissioner Suckla and carried. (See attached)

DISCUSSION: Attorney John Baxter presented for approval a contract to purchase a parcel of land from the Four Corners Community Bank. Commissioner Suckla moved to approve the purchase of the land at Hwy 491 Pleasant View. Second by Commissioner Ertel and carried. (See attached)

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

The new Chairman, Commissioner Lambert announced the meeting would reconvene.

PLANNING:

Planning Director LeeAnn Milligan presented for signatures a final plat for 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.

DISCUSSION: Director, Milligan along with **Lewis Arriola Fire Protection Officer, George Deavers** held a discussion regarding the construction of a training facility at the Lewis Arriola Fire Protection property consisting of 1.49 acres, more or less, situated north of Road S, east of Hwy 491, situated in S.20 T.37N, R.16W, N.M.P.M.

Commissioner Ertel moved that the Planning Department continue with the variance for the training tower for the Lewis Arriola Fire Department's out of compliance structure. Second by Commissioner Suckla and carried. (See attached)

DISCUSSION: Director Milligan along with County Sanitarian, Melissa Mathews, met with the Commissioners to discuss the definition of an **Auxiliary Structure** and to get the Commissioner's direction for an Auxiliary structure County policy. Director Milligan and Sanitarian Mathews gave an overview of a current structure in question and discussed the comparison of State and County Auxiliary structure definitions. Property owner **Jim Schneider** joined the discussion by conference call. Adjoining property owner **Kimberly Olson** and resident **Joe Kelly** were present and spoke in opposition to the structure in question. Topics discussed included; structures with restrooms, county setbacks, County residential and commercial zoning, Home Owner Associations, Subdivision Covenants, neighborhood petition signatures, septic system designs, road impact fees, non-compliance of County rules and regulations, non-opposition letters from adjacent property owners and land use code violation assessments. (See attached)

MEMO OF UNDERSTANDING: Administrator Brunner presented for approval a MOU between the **Montezuma County Fairboard** and the **CSU Extension Office**. **CSU Extension Director, Tom Hooten** and **Fairboard Vice Chairman, Brandee Simmons** were present. Commissioner Suckla moved to approve the Memo Of Understanding between the Montezuma County Fairboard and the CSU Extension office, to include the Montezuma County Fairgrounds master contract rules and regulations along with the Colorado State 4-H Code of Conduct. Second by Commissioner Ertel and carried. (See attached)

MONTEZUMA COUNTY FAIRBOARD: Administrator Brunner presented Fairboard resignations from **Don R. Janz** and **Randy McKnight** along with Fairboard letters of interest from **Erin Gordanier** and **Tamara Hamilton**. Commissioner Suckla moved that Erin Gordanier and Tamara Hamilton be appointed to the Montezuma County Fairboard to complete the terms of the resigned members. Second by Commissioner Ertel and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney **John Baxter** announced the topics of the afternoons scheduled Executive Session would include; negotiations on the sale of property, Montezuma Valley Irrigation Company, the Dolores Norwood Road designation, the Kinder Morgan lawsuit, and opioid litigation.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, met with the Commissioners to give his weekly report. Director Dietrich presented a letter of support to the **Certified Local Government Program** regarding the **City of Cortez's Historic Preservation Board** grant request to convert two of the Walking Tour brochures into podcasts. Commissioner Ertel moved that the BOCC send a letter of support to the Certified Local Government Program for the City of Cortez's Historic Preservation Board to convert walking tours into podcasts. Second by Commissioner Suckla and carried. Also presented was a letter of support to the **Director, Grants Administration and Awards National Trust for Historic Preservation** regarding a grant request from the **Housing Authority of Montezuma County** to repair windows and interior doors in the historic Caulkins Building. Commissioner Suckla moved to approve a letter of support for the Housing Authority's \$10,000.00 grant request to repair doors and windows at the Caulkins Building. Second by Commissioner Ertel and carried. Other topics discussed included the Trail to Mesa Verde, a Town of Dolores workshop, and the Phil's World Trail expansion project. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented for approval the November 2017 **Accounts Payable** and **Financial Statements**. Commissioner Ertel moved to approve the Accounts Payable for November 2017 as presented. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve the Financial Statements for November 2017 as presented. Second by Commissioner Ertel and carried. A discussion was held regarding the County representative for the scheduled **Montezuma Valley Irrigation Company's** annual meeting. Commissioner Suckla moved that Commissioner Ertel have the authority to represent the County at the Montezuma Valley Irrigation annual meeting scheduled for January 20, 2018. Second by Commissioner Ertel and carried. Administrator Brunner presented a 2018 revised cleaning contract for approval. Commissioner Suckla moved to approve the revised cleaning contract from **Monica's Cleaning Service** for the Combined Courthouse, Sheriff's Office, Road & Bridge and the Fleet Department. Second by Commissioner Ertel and carried. A letter of support for the **(GOCO) Great Outdoors Colorado School Yard Initiative Grant Committee** was presented for approval. Commissioner Ertel moved to submit a letter of support for a new playground and grant application to GOCO for the Manaugh Elementary school facility. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert discussed scheduling Monday morning work sessions. Commissioner Ertel had nothing to report. Commissioner Suckla discussed the attended Housing Authority Meeting.

PUBLIC COMMENT: M.B. McAfee discussed the Monday morning work sessions being open to the public.

EXECUTIVE SESSION: Commissioner Suckla 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) to include James Dietrich and Road Superintendent Rob Englehart, seconded by Commissioner Ertel and carried. Topics for the executive session included; negotiations on sale of property, Montezuma Valley Irrigation Company, the Dolores Norwood Road, Kinder Morgan and opioid litigation. Commissioner Suckla 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 the Colorado Department of Public Health & Environment regarding the acceptance of the 2016 Annual Groundwater and Explosive Gas Monitoring Report and the 2015-2016 Assessment Monitoring Report from the Montezuma County Landfill.

A Grant Funding Change Order for the Montezuma County Public Health Agency, Immunizations Core Service.

A letter from the Colorado Department of Local Affairs regarding House Bill 17-1313 Civil Forfeiture Reform.

A letter from the Colorado Counties Inc. 2017 Annual report and 2018 dues.

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

MEETING ADJOURNED: 4:50 p.m.

Deputy Clerk January 8, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 22, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday January 22, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of January 22, 2018 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 8, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the December 2017 Accounts Payable and Financial Statements for approval. Commissioner Ertel moved to approve the Accounts Payable for December 1, through December 31, 2017 as presented. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve the Financial Statements for December 2017 as presented. Second by Commissioner Ertel and carried. (See attached)

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of December, 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 January 17, 2018 through February 2, 2018. Superintendent Englehart gave an overview of

the type of work scheduled for each crew. Roads scheduled for work included Roads L, P, 44, 42.5, 39.2, 39.4 K.6, 43, 25, Z, W and Road X. Topics discussed included the 2017 end of year budget numbers, vehicle insurance policies, equipment purchases made in 2017, the Pleasant View Yard, the **Schedule A Service Agreements** with the Forest Service, future required Road 32 repairs and a property owners gate on Road Y. Superintendent Englehart presented for review a letter of award from **Colorado Counties Inc.** for the **Off-System Bridge Program Grant** awarded for the **County Road North Bridge Project**. (See attached)

Commissioner Ertel moved to convene as the Montezuma County Board of Public Health. Second by Commissioner Suckla and carried

BOARD OF COUNTY HEALTH: It being the time set aside, the Board of County Health was conducted. **Environmental Health Specialist, Melissa Mathews** presented the amended **Montezuma County Public Health Department On-Site Wastewater Treatment System Regulation #43** for review. Sanitarian Mathews gave an overview of the amendments within the Regulations. Topics discussed included; Definitions, Permits and Fees, System Designs, Variances, Transfer of Title Inspections, Oversight Program of Inspections, Maintenance, Recordkeeping and Enforcement for Higher Level Treatments Systems. Commissioner Ertel moved that the Montezuma County Public Health Department On-Site Wastewater Treatment System Regulation #43 be submitted to the State of Colorado for review. Second by Commissioner Suckla and carried. Commissioner Suckla moved to adjourn the Montezuma County Board of County Health. Second by Commissioner Ertel and carried. (See attached)

Commissioner Lambert announced that the Board of County Commissioners would reconvene.

EMERGENCY ALERT SYSTEM / E911 FEE: **City of Cortez Manager, Shane Hale, City of Cortez Chief of Police, Roy Lane, Montezuma County Emergency Manager, Paul Hollar, Montezuma County Undersheriff, Vern Knuckles and Dispatch Manager, Lori Johnson** met with the Commissioners to discuss a possible increase to the E911 \$.70 per phone line tax. Topics of the discussion included; the process to establish the increase, individual political entity approvals, the historical rate changes and usage of funding, user fees, the number of current dispatchers, a 2019 dispatch equipment purchase and maintenance contract, the County E911 Reserve funds, proposed additional fee funding projections and grant funding options. Administrator Brunner reported that the funds collected in the year 2015 were \$197,227.97, the year 2016 were \$208,413.69 and the year 2017 were \$204,273.65. A future meeting will be scheduled to discuss proposed increase projections and equipment expenditures. (See attached)

EMERGENCY MANAGER REPORT: **Emergency Manager, Paul Hollar** met with the Commissioner and gave a monthly update. Manager Hollar presented for approval the 2018 Emergency Management Performance Grant-Local Emergency Manager Support program funding application. Commissioner Suckla moved to approve the 2018 EMPG- LEMS grant application for the Emergency Manager. Second by Commissioner Ertel and carried. (See attached)

FEDERAL LANDS: Cancelled due to Government shut down.

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

Chairman Lambert announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held the purpose of reviewing and determining an AR3-9 rezoning request and Sketch Plan for a proposed Single Lot Development consisting of 3 acres, more or less, on property owned by **Steven L. & Betty S. Fuls, Agent Tim Foltz**, located at TBD County

Road 20 Cortez, CO, consisting of 40 acres, more or less, located north of Road M, east of Road 20, situated in S.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. **Agent, Tim Foltz** was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. **Judith Franklin** discussed the County notification procedure, and the residential access permit. Hearing no further public comment that portion of the hearing was closed. Commissioner Lambert asked for 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 single lot development consisting of 3 acres, on property owned by Steven L. & Betty S. Fulks, Agent Tim Foltz, located at TBD County Road 20 Cortez, be approved. Second by Commissioner Suckla and carried. Commissioner Lambert 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 an AR3-9 rezoning request and Sketch Plan for a proposed amendment to the existing **T. Sanders** Subdivision 2 Lot Development situated on property owned by William B. and Teri A. Sanders, Lot 2, located at 9684 Road 42, Mancos, CO, consisting of 10.31 acres+/-, which would be divided into one 3.2 acre and one 5.5 acre, more or less, tracts, situated south of Road 42, north of Road J.75, 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. **Agent Ernie Maness** was present. **Director, 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 asked for 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 Suckla moved to approve the request for an AR3-9 rezoning and sketch plan for a proposed amendment to the existing **T. Sanders** subdivision, lot 2, owners William B. and Teri A. Sanders located at 9684 Road 42, Mancos, CO. Second by Commissioner Ertel and carried. Commissioner Lambert 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 an AR3-9 & AR10-34 rezoning requests and Sketch Plan for an amendment to Lot 1B of the Rolling Hills Subdivision, on property owned by **Timothy & Christine Gallagher**, located at TBD Road H.6, Cortez, CO, consisting of 20.67 acres +/-, wherein two 10 acre +/- lots are proposed. Property is situated north of Road H.6, north of Road H, S.32, T.36N, R.15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner **Timothy Gallagher** was present. **Director, 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 asked for 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 an AR3-9 & AR10-34 rezoning requests and sketch plan, for an amendment to lot 1B of the Rolling Hills Subdivision, on property owned by Timothy & Christine Gallagher, located at TBD Road H.6, Cortez, CO. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Director Milligan reported that the presentation of a final plat for an exemption application submitted by **Robinson Pope and RC Southwest Development**, **Agent Ernie Maness**, on properties located at 311 N. Broadway, will be postponed to a future date.

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 6 lot major development situated west of the existing Warner 3 Lot Minor 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. Property owner **Ted Neergaard** and **Agent, Ernie Maness** were present. **Director, 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 asked for the findings from the Planning and Zoning Commission. Director Milligan reported that the vote was unanimously in favor of approval from the Planning and Zoning Commission, contingent on the required geological and soil reports required for the completion of the process. After hearing all the evidence presented Commissioner Suckla moved to approve a sketch plan for a proposed 6 lot major development situated west of the existing Warner 3 lot minor subdivision on property owned by the Ted & Connie Neergaard Rev. Trust, located at 36250 Hwy 160, Mancos, CO. Second by Commissioner Ertel and carried. Commissioner Lambert 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 amendments to a previously proposed High Impact Permit Application for an RV & boat covered storage business, to include 6 RV spaces and a sign business in an existing building, on property owned by **P&D Investments of Durango, LLC, Agents Shaun Carrouth & Sandra Rainey**, 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 **Shaun Carrouth** was present. **Director, 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 asked for 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 business, to include 6 RV spaces and a sign business, on property owned by P&D Investments of Durango, LLC, located at 29499 Hwy 160, Cortez, CO. be approved. Second by Commissioner Suckla and carried. Commissioner Lambert 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 an AR3-9 rezoning request and 2 Lot Minor Subdivision Application submitted by **Jody & Jenna Payne** on property located at 25745 Road T.5, Dolores, CO, consisting of 18.84 acres, more or less, located north of Road T.5, west of Road 26, situated in S.14 T.37N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owners **Jody and Jenna Payne** were present. **Director, Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comment was made by **Ellen Foster** regarding the access road to the property. Hearing no further public comment that portion of the hearing was closed. Commissioner Lambert asked for 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 contingent on the property owners obtaining an After the Fact septic system permit. After hearing all the evidence presented Commissioner Suckla moved to approve the AR3-9 rezoning request and 2 lot minor subdivision application submitted by Jody & Jenna Payne on property located at 25745 Road T.5, Dolores, CO., contingent on the After the Fact septic permitting is obtained. Second by Commissioner Ertel and carried. Commissioner Lambert 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 an AR10-34 rezoning request for a proposed Exemption Application on property owned by **Robert & Susan Scott**, located at 11555 Road 39, consisting of 38.82 acres +/- wherein 10 acres, more or less, would be added to the **Lisa Ann Egg** property, located at 39578 Hwy 184, consisting of 54.58 +/-, properties are situated south of Hwy 184, between Road 39, S.13, T.36N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owners **Robert & Susan Scott** joined the meeting by a telephone conference call. **Director, 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 asked for 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 for the exemption application on property owned by Robert & Susan Scott, located at 11555 Road 39, consisting of 38.82 acres be approved. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

DISCUSSION: IT Director, Jim McClain, Planning Director, Milligan and Environmental Health Specialist, Mathews met with the Commissioners to discuss a proposed multi departmental system created by the IT department for an internal **County Land Development Data Base Check List**. Topics discussed included the current Montezuma County Development / Construction Checklist, development of credit card payment options and the provision of a computer for public use. The Commissioners were in favor to proceed with the development of the data base. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter reported on the January 18, 2018 Executive Session topics; Negotiations on sale of property, Montezuma Valley Irrigation Company, the Dolores Norwood Road, the Kinder Morgan Lawsuit and opioid litigation. Attorney Baxter discussed the payment of an invoice presented to the District Attorney's office.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich presented for review, preliminary designs for the **Sand Canyon** parking lot and the **Paths to Mesa Verde, State of Colorado Amendment #01 Contract Amendment** with the **Colorado Department of Transportation** for approval. Commissioner Ertel moved to approve the Contract Amendment with Colorado Department of Transportation for the year 2018. Second by Commissioner Suckla and carried. Other topics discussed included the scheduled January 23, 2018 conference call with Congressman Tipton's Office. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner reported there was a vacancy on the Arriola Cemetery District Board. Commissioner Ertel moved that the BOCC reappoint James Fisher to the Arriola Cemetery Board for a 6 year term. Second by Commissioner Suckla and carried. Other topics discussed included vacancies within the County Fair Board and the Housing Authority Board. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert gave a report on the attended Basin Round table meeting.

Commissioner Ertel gave a report on the attended AAA and annual Montezuma Valley Irrigation Company meeting.

Commissioner Suckla gave a report on the attended Housing Authority meeting.

PUBLIC COMMENT: No comments were made.

EXECUTIVE SESSION: Commissioner Suckla moved to go into executive session for a conference with the attorney for the purpose to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 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); and to include Road Superintendent Rob Englehart, seconded by Commissioner Ertel and carried. Topics for the executive session were developing strategy for the Colorado Counties Inc., Off-System Bridge Program Grant Awarded for the County Road North Bridge Project. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

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

MEETING ADJOURNED: 4:45 p.m.

Clerk

January 22, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 29, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday January 29, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of January 29, 2018 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 22, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

TRANSIT DEPARTMENT: Mary Holaday presented for approval a Transit Department **Addendum** to the **Drug and Alcohol Policy**. Commissioner Suckla moved to approve the addendum to the drug and alcohol policy for the Transit Department. Second by Commissioner Ertel and carried. (See attached)

COUNTY TREASURER: Montezuma County Treasurer, Sherry Dyess met with the Commissioners to update signatures for County financing

PLANNING: In the absence of **Planning Director, LeeAnn Milligan, Resource Director, James Dietrich**, presented for signatures a final plat for an amendment to the **T. Sanders Subdivision 2** Lot Development situated on property owned by William B. and Teri A. Sanders, Lot 2, located at 9684 Road 42, Mancos, CO, consisting

of 10.31 acres+/-, which would be divided into one 3.2 acre and one 5.5 acre, more or less, tracts, situated south of Road 42, north of Road J.75, S.28, T.36N, R.13W, N.M.P.M.

Director, Dietrich presented for signatures final plat for a Single Lot Development consisting of 3 acres, more or less, on property owned by Steven L. & Betty S. Fulks, Agent Tim Foltz, located at TBD County Road 20 Cortez, CO, consisting of 40 acres, more or less, located north of Road M, east of Road 20, situated in S.12, T.36N., R.17W., N.M.P.M.

Director, Dietrich presented for signatures final plat for an amendment to Lot 1B of the Rolling Hills Subdivision, on property owned by Timothy & Christine Gallagher, located at TBD Road H.6, Cortez, CO, consisting of 20.67 acres +/-, for two (2) 10 acre +/- lots are proposed. Property is situated north of Road H.6, north of Road H, S.32, T.36N, R.15W, N.M.P.M.

COLORADO PARKS & WILDLIFE: Officer, Matt Thorpe representing the **Colorado Division of Parks and Wildlife** met with the Commissioners to discuss the actions of the Colorado Division of Wildlife regarding a classification helicopter flight and property damages incurred by a herd of elk on property owned by **Debbie and Raymond Boyd**. Debbie and Raymond Boyd were present. Topics of the discussion included; classification flight protocols, wildlife property damages and responsibility for payment of damages, property trespass postings, the Open Field Doctrines, the Habitat Partnership program, Colorado State Statute 33-6-101, damaged fence repairs, Sportsman's license funding, hunting and fishing rights on private property, Parks and Wildlife response to land owner phone calls, the Colorado Constitution and change recommendations to the Colorado Revised statutes by the State of Colorado Representatives. Officer Thorpe will schedule a discussion meeting with the Sheriff and land owners. (See attached)

DISCUSSION: Ann McCoy Harold representative from **Senator Cory Gardner's** office met with the Commissioners to discuss help from the Senator's office regarding County issues. A discussion was held regarding the Dolores Norwood Road RS2477 designation. Topics discussed included; personal and commercial access fees, road damages and driver road safety, current road maintenance provided by the County, a proposed Forest Service Lease and the NEPA Environmental Assessment process. Other topics discussed with Ms. McCoy included; exemptions for the Electronic Logging Device requirements, local transportation project funding, the Sage Hen project, the Aquatic Nuisance Species inspection program, the Phil's World expansion project and the Sand Canyon parking lot project.

MONTEZUMA COUNTY FAIR BOARD: A discussion was held regarding the **Montezuma County Fair Board** bylaws and the suspension of Article II, Section 9 for 1 year (Montezuma County Fair Board Amended Bylaws July 13, 2015) No Board Member shall be eligible to vote on any matter before the Fair Board until first attending one full regular meeting of the Fair Board and completing orientation. Commissioner Suckla moved that for one year only that the Montezuma County Board of Commissioners rescind a section in the Fair Board bylaws that no Board Member shall be eligible to vote on any matter before the Fair Board until first attending one full meeting of the Fair Board and completing orientation, to enable the selection of Board members that they may proceed with the elections and vote at the scheduled meeting Monday January, 29, 2018 at 7:00 p.m. because they are two months behind and it is a special circumstance. Second by Commissioner Ertel and carried. Administrator Brunner presented Fair Board letters of interest from **Connie Watkins, Elicia Bellmire, David Robinson and Kelly Comisky**. **Heather Frazier and Brandee Simmons** made a request to rescind their previous resignations to the Fair Board. It was a unanimous Commissioner decision to have a seven member Fair Board. The sitting Fair Board members are Alan Higgins, T.W. Gilliland and Erin Gordanier. Commissioner Ertel moved

to appoint to the Montezuma County Fair Board, Ms. Connie Watkins from Lewis Co., for a three (3) year term, Ms. Elicia Bellmire from Mancos Co., for a two (2) year term, Mr. David Robinson from Dolores Co., for a three (3) year term, and Kelly Comisky from Cortez Co., to a four (4) year term. Second by Commissioner Suckla and carried.

A discussion was held regarding the Advisory Committee's recommendations on the vacancy announcement for the CSU Director's job. Commissioner Suckla moved to give direction to the Advisory Committee to move the recommendations forward to CSU on the job vacancy. Second by Commissioner Ertel and carried. (See attached)

LIQUOR LICENSE: Chief Deputy Clerk, Lynn Dorenkamp presented liquor license renewals for **G Whil Liquors LLC, DBA G Whil Liquors** located at 24001 Road G.2, Cortez, and for **Spirit Wind Inc., DBA Sophia Retreat and Event Center**, located at 19581 Road 31, Dolores, CO 81323. Commissioner Ertel moved that the liquor license renewals for G Whil Liquors LLC., DBA G Whil Liquors located at 24001 Road G.2, Cortez and Spirit Wind Inc., DBA Sophia Retreat and Event Center located at 19581 Road 31, Dolores, be approved. Second by Commissioner Suckla and carried. (See attached)

Commissioner Suckla moved to convene as the Montezuma County Board of Public Health. Second by Commissioner Ertel and carried

BOARD OF COUNTY HEALTH: It being the time set aside, the Board of County Health was conducted. **Public Health Director, Bobbie Lock** along with **Laurel Schafer** met with the Commissioners to discuss the development and implementation of the Montezuma Board of County Health. Topics discussed included, Health department office signs, the placement of **Environmental Health Specialist, Melissa Mathews** included within the Planning Department office area, Health Department survey results, county suicide rates and the scheduling of the Montezuma County Board of Health quarterly meetings. Commissioner Suckla moved to adjourn the Montezuma County Board of County Health. Second by Commissioner Ertel and carried.

Commissioner Lambert announced that the Board of County Commissioners would reconvene.

COUNTY ATTORNEY REPORT: Attorney John Baxter was absent.

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 to **Connie Clementson the BLM Field Manager, Tre Rios Field Office** regarding the clarification of Section 106 Local Agency Consultation Letter Dated November 13, 2017. Commissioner Ertel moved to approve the letter addressed to Connie Clementson the BLM Field Manager Tre Rios Field Office in regard to the clarification of Section 106 Local Agency Consultation Letter Dated November 13, 2017. Second by Commissioner Suckla and carried. A letter of support for the **Citizen Science for Rangeland Health: Engaging Ranchers in Science** was presented for approval. Commissioner Suckla moved to approve the letter of support from Montezuma County to the Citizen Science for Rangeland Health: Engaging Ranchers in Science. Second by Commissioner Ertel and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the scheduled ribbon cutting ceremony and Grand Opening for the **Dolores County Public Service Center and Pioneer Center**, and the January 31st scheduled **USDA Rural Development Listening Tour** discussion and explanation of programs offered by the USDA Rural Development Office as well as the meeting with **Anthony Madrid USFS SJNF, Renewable Resources Staff Officer, Joe Duda Colo. State Forest Service Deputy State Forester, Mike**

Preston Dolores Watershed and Resilient Forest Collaborative, Ellen Roberts Contractor Colo. State Forest Service on increasing movement of wood products from the National Forest.

COUNTY COMMISSIONER REPORT:

Commissioner Lambert gave a report on the attended MAC meeting.

Commissioner Ertel gave a report on the attended Region 9 meeting.

Commissioner Suckla gave a report on the attended CCI Legislative meeting.

PUBLIC COMMENT: M.B. McAfee discussed an Ethics Policy for Montezuma County.

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

MEETING ADJOURNED: 11:45 a.m.

Deputy Clerk January 29, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 5, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday February 5, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of February 5, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 29, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Chief Deputy Clerk, **Lynn Dorenkamp** presented liquor license renewal applications for **Maverick Country Stores Inc. #275**, located at 10223 Hwy. 491, Cortez Co 81321, **Paragon Business Investments, LLC, DBA Hilltop Liquors**, located at 27963 Hwy. 184 Dolores and **Westview RV Resort**, located at 12092 Hwy 145, Dolores. Commissioner Ertel moved that the liquor license renewal applications for Maverick Country Stores Inc. #275 located at 10223 Hwy 491, Cortez Paragon Business Investments, LLC, DBA Hilltop Liquors, located at 27963 Hwy. 184 Dolores and Westview RV Resort, located at 12092 Hwy 145, Dolores be approved. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: **Clayton Tillia**, with **West Fork Lumber** discussed the Montrose Forest Products logging proposal.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of January 31, 2018 through February 16, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Roads scheduled to work included Roads P, L, 32, 43, 33, 25, 33.65, R, 28, S, 12, 15, 19, and Road 21. Superintendent Englehart presented the **Schedule A Forest Service Agreement** for approval. Commissioner Suckla moved to approve the Cooperative Forest Service Agreement between Montezuma County and the Forest Service for the year 2018. Second by Commissioner Ertel and carried. Other topics discussed included a gate on Road Y, an issue on Road 41, removal of the Reams Construction fossil water from a Pleasant View tank, a Forest Service request for gravel on the Dolores Norwood Road and a road designation of a truck route for the proposed Montrose Forest Products proposal. (See attached)

GIS MAPPING: GIS Manager, Doug Roth along with **Superintendent Englehart** met with the Commissioners to present the Colorado Department of Transportation HUTF Road Work and Changes for Reporting Year 2017 for approval. Topics of the discussion included; changed gravel to chip seal, changed graded to gravel, chip seal roads that were paved, road segments added / adjusted in Road inventory and the 2016-2017 mileage changes paved/ unpaved. Commissioner Ertel moved to approve the HUTF road and work changes for reporting year 2017 with the amendment to include the Summit Lake Roads. 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** and **Lori Higgins** were present. Director Forkner discussed a recent retirement within his department and made a request that the Commissioners approve the reestablishment of that position. The Commissioners were in agreement to approve that the position be refilled. (See attached)

LODGERS TAX BOARD VACANCY: Administrator Brunner reported that there were 2 vacancies to the Lodgers Tax Board and presented a letter of interest for reappointment to the Lodgers Tax Board from Brian Bartlett along with a new letter of interest from Darlene Denison. Commissioner Ertel moved that the appointment to the Montezuma County Lodgers Tax Committee be composed of Darlene Denison of 1509 Mesa Verde St, Cortez and Brian Bartlett, General Manager of the Beaumont Inn and Suites for 3 year terms and to reappoint Brian Bartlett as the County Representative on the Mesa Verde Country Board of Directors. Second by Commissioner Suckla and carried. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the year to date numbers for income of \$11,950.00 and attendance at 2035. Manager Young gave reports on past and future events scheduled at the Fairgrounds. Other topics discussed included; the installation of exit door devices, new sand for the outdoor arena and a donation of 600 tons of sand to stockpile. (See attached)

FAIRGROUNDS RACE TRACK: Fairgrounds Manager, Young along with Race Track Promoter **Robert Reed** met with the Commissioner to discuss the 2018 Race Track Season events. Topics of the discussion included; the number of scheduled race events, Mr. Reed's history with the track, the scheduled Fair demolition derby and concession sales at the demolition derby.

PUBLIC LANDS: Forrest Service, Derek Padilla met with the Commissioners to give updates on various projects. Topics discussed included; the Glade grazing allotment, the Mancos grazing environmental impact statement, the Rico West Dolores Project, the Dolores Norwood Road designation, the Boggy Draw expansion project and a land purchase at Johnny Bull Trail. **Canyon of the Ancients National Monument Manager, Marietta Eaton** reported to the Commissioners on the Flodine and Yellow Jacket allotments, the Sand Canyon

parking lot project, that David Sanders will be the new Recreation Manager, that there would be an expansion of the Heritage Center newspaper and the beginning of the Night Sky program. **Bureau of Land Management, Connie Clementson** thanked the Commissioners for the clarifying letter on the consulting party's direction where the Commissioners requested to work with the BLM on the Cultural Resources. Ms. Clementson discussed the previous Transportation and Access open house, the scheduling of work sessions, the scheduling of a BLM Oil and Gas leasing 101 process presentation, the Phil's World decision, the future introduction of Chris Crissine a new Assistant Field Manager and the cooperative agreement for Weber Canyon area weed spray partnership with the County.

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

Chairman Lambert announced the meeting would reconvene and a Public Hearing would be held.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose for the purpose of reviewing and determining an AR3-9 rezoning request and 2 Lot Minor Subdivision Application submitted by **Shad & Elecia Bellmire** on property located at 9790 Road 39, Mancos, CO, consisting of 35.14 acres, more or less, located on the north & east corner of Road 39, situated in S.30 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 and stated the vote was unanimously in favor of approval from the Planning and Zoning Commission. Commissioner Lambert opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Commissioner Suckla moved to grant the rezoning request AR3-9 and 2 Lot Minor Subdivision Application submitted by Shad & Elecia Bellmire on property located at 9790 Road 39, Mancos, CO. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Review and determination of an After-the-Fact Exemption Application submitted by Larry Don Suckla on property located at 12553 Hwy 491, Cortez, CO, consisting of 13.48 acres, more or less, situated west of Highway 491, east of Road 23.25 Loop, situated in S.9, T.36N., R.16W., N.M.P.M. No new tract would be created. Commissioner Suckla recused himself from this topic. **Planning Director, LeeAnn Milligan** presented the After-the-Fact Exemption Application. Commissioner Ertel moved to approve the After-the-Fact Exemption Application submitted by Larry Don Suckla for property located at 12553 Hwy 491, Cortez, CO. Second by Commissioner Lambert and Carried.

Review and determination of an Exemption Application submitted by Roy Starr on property located at 11479 Road 42, Mancos, CO, consisting of 35 acres, more or less, situated west of Road 42, north of Hwy 160, situated in S.15, T.36N., R.13W., N.M.P.M. No new tract would be created. **Planning Director, LeeAnn Milligan** presented Exemption Application for Roy Starr. Commissioner Ertel moved to approve the Exemption Application submitted by Roy Starr for property located at 11479 Road 42, Mancos, CO. Second by Commissioner Suckla and carried.

Planning Director LeeAnn Milligan presented for signatures a Final Plat for an Exemption on property owned by Robert & Susan Scott, located at 11555 Road 39, consisting of 38.82 acres +/- wherein 10 acres, more or less, would be added to the Lisa Ann Egg property, located at 39578 Hwy 184, consisting of 54.58 +/-, properties are situated south of Hwy 184, between Road 39, S.13, T.36N, R.14W, N.M.P.M.

Review and determination of a Variance Application submitted by John & Janis Fuhs on property located at 25286 Road 38.1, Dolores, CO, consisting of 1.4 acres, more or less, located in S.36, T.39N., R.14W., N.M.P.M. Applicants are requesting difference in 70' from the 100' setback requirement per the County Land Use Code to 30' from the Dolores River to accommodate buildable areas on the property. **John Fuhs and Planning Director LeeAnn Milligan** were present to answer questions during the presentation. Commissioner Suckla moved to approve the Variance Application submitted by John & Janis Fuhs on property located at 25286 Road 38.1, Dolores, CO. Second by Commissioner Ertel and carried.

COUNTY ATTORNEY REPORT: Attorney **John Baxter** reported on a few topics Kinder Morgan, discussion with Tipton's Office in DC, Montezuma Valley Irrigation and a Hemp Vendor that was in contact with Tanner Young.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, met with the Commissioners to give his weekly report. A discussion was held with Normand Birtcher regarding the proposed **Resolution #2-2018**. A resolution that Montezuma County Board of County Commissioner supports the San Juan National Forest Timber Program and local Timber industry, authorizes loggers and subcontractors to haul loads of wood products up to a gross vehicle weight of up to 97,000 lbs. on Montezuma County Roads and the County support of the proposed timber sale. Commissioner Ertel moved that the Board of County Commissioners approve Resolution #2-2018 in regard to the support of the Forest Service and Timber Industry. Second by Commissioner Suckla and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner**

COUNTY COMMISSIONER REPORT: Commissioner **Suckla** discussed a few meetings he had attended one with Montrose Forestry Products and the new Rural Clerk for the State of Colorado USDA Director. **Commissioner Ertel** spoke about his meeting with South West TPR. **Commissioner Lambert** attended an Ag Water Workshop that was very interesting and informative.

PUBLIC COMMENT: Ellen Foster made a general comment about charging a road impact fee to logging companies.

Tour of Montezuma Water Company new office facility.
Tour of proposed new expansion location of Aspen Wall Wood.
Tour of Colorado Norton Works business.

CORRESPONDENCE: The following correspondence was read and noted: A letter from FPPA regarding the FPPA statewide defined benefit plan. Montezuma Orchard Restoration Project Handbook.

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

MEETING ADJOURNED: 2:25 p.m.

Clerk February 5, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 12, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday February 12, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of February 12, 2018 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 5, 2018 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 January, 2018. (See attached)

PUBLIC COMMENT: **Gala Pock** discussed her property tax assessment. **Kelly Ayers** made a request for a letter of support for a proposed textile recycling business. Commissioner Ertel moved that the Board of County Commissioners approve a letter of support for the **Four Corners Textile Recycling LLC** owned by Kelly Ayers of Cortez. Second by Commissioner Suckla and carried. (See attached)

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of February 7, 2018 through February 23, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed; included scheduled grinding projects, \$50,000.00 from the Forest Service to be used on the Dolores Norwood Road, the Montezuma Valley Irrigation culvert invoice and a shoulder machine. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for January 2018 along with the Monthly report of services. Officer Torres gave an update on the monthly statistical data and gave a revised 2017 yearly indirect income report for Montezuma County. Commissioner Suckla moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for January 2018. Second by Commissioner Ertel, motion carried. Other topics discussed included; annual benefits and community outreach. (See attached)

CEMETERY DISTRICT APPOINTMENTS: Administrator Brunner presented letters of interest for reappointment to the **Sylvan Cemetery** from **Lori Olander**. Commissioner Ertel moved that the Sylvan Cemetery District reappointment of Lori Olander for a 6 year term be approved. Second by Commissioner Suckla and carried. Administrator Brunner reported that at this time she had not received any letters of interest for the **Lebanon Cemetery District**. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff Steve Nowlin met with the Commissioners to give his monthly report which included the January Jail report, the Total Monthly Inmate report the January Arrest report, and the Per Day holds report. Other topics discussed included County road speed limits, driving under the influence of drugs, jail operational expenses, Court room security requests, funding for training and certifications, speed reduction requests for state highways and leadership development. County Clerk, Kim Percell gave the results of the recently held County Employee **FPPA / CCOERA** Retirement election. (See attached)

SHERIFF OFFICE: Wanda Martin from the Sheriff's Office met with the Commissioners to present the 2018 Justice Assistance Grant (JAG) for approval. Commissioner Ertel moved that the 2018 Edward Byrne Memorial Justice Assistance Grant program (aka JAG) in the amount of \$150,000.00 to the Montezuma County Sheriff's Office be approved. Second by Commissioner Suckla and carried. (See attached)

FOUR STATES AG EXPO: Board member **Radiance Beals**, and CSU Extension Agent, **Tom Hooten** met with the Commissioners to give an update on the 2018 Four States Ag Expo events. Topics discussed included scheduled events; cross cut branding, mutton busting, chicken chasing, the Pioneer Jubilee, and presentations; Drought and Reduction of Herds, Diversifying Cow / Calf Operations, Water Law 101, Food Preservation, and the Country of Origin Labeling (COOL). (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager Paul Hollar met with the Commissioner to present the 2018 County Wildfire Annual Operating Plan Topics discussed included; fire suppression, agency administration, BLM rules and first drop authority requests. Commissioner Suckla moved to approve the 2018 Montezuma County Wildfire Annual Operations plan. Second by Commissioner Ertel and carried. (See attached)

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

PLANNING:

DISCUSSION: Darrel & Linda Lancaster, met with the Commissioner to discuss County easements vacates on roads within a **Pleasant View Subdivision**. **Planning Director, LeeAnn Milligan** gave an overview of the proposed project. It was decided that the project plan would be presented to the Planning & Zoning Commission for review and discussion.

Planning Director, Lee Ann Milligan presented for signatures a final plat for the 2 Lot Minor Subdivision Application submitted by **Shad & Elecia Bellmire** on property located at 9790 Road 39, Mancos, CO, consisting of 35.14 acres, more or less, located on the north & east corner of Road 39, situated in S.30 T.36N., R.13W., N.M.P.M

DISCUSSION: Director, Milligan on behalf of the Planning & Zoning Commission held a discussion regarding a proposed General County sales tax ballot question for the November General Election. Commissioner Suckla made a request to have a General sales tax usage presentation from the Planning & Zoning Commission be made to the Commissioners.

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the **Kinder Morgan** lawsuit, the County employee election regarding the Sheriff's Department **FPPA/ CCOERA** Retirement and the Dolores Norwood Designation.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, was not available for a report.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed a request from the **City of Cortez, Manger Shane Hale**, to waive the Landfill tipping fees for the May 12th through May 18th, 2018 scheduled City of Cortez's Clean up Days. A discussion was held in regard to the posting areas for the Board of County Health meeting agendas. It was decided that the Board of County Health agendas will be posted on the County web site, at the Administration, Annex 3 and at the Health Department buildings.

COUNTY COMMISSIONER REPORT: Commissioner Lambert gave no report.

Commissioner Ertel spoke about his meeting regarding the (EOC) Emergency Operations Center and presented for discussion a position statement concerning the Colorado Works / Child Care Assistance Program Annual Performance Contract. Commissioner Ertel moved to submit the Commissioners support of Weld's County's opposition to the State Board of Human Services Department. Second by Commissioner Suckla and carried. (See attached) **Commissioner Suckla** gave a report on the (WIR) Western Interstate Region conference call and the attended Cattleman Association Meetings.

PUBLIC COMMENT: No Public Comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 2:15 p.m.

Clerk February 12, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 26, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday February 26, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of February 26, 2018 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 12, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the revised December 2017 and January 2018 Accounts Payable and Financial Statements for approval. Commissioner Suckla moved to approve the revised December 2017 Financial Statements along with the Accounts Payable and Financial Statements for January 2018 as presented. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Gala Pock** discussed her personal property tax assessment.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of February 21 through March 9, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included snow / ice removal, the scheduled grinding projects, an invoice presented to Montezuma Valley Irrigation, gates / cattle guards on Road 41, a proposed water line for Mancos Water, a Forest Service purchase of gravel from the Ormiston pit, a road widener shouldering and side paver attachment, Fiber optics on Road L and pot hole repairs on various county roads.

Superintendent Englehart and Resource Director, James Dietrich will attend a scheduled meeting with the BLM to discuss a proposed shooting range at a gravel pit and the Sand Canyon Parking lot. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Lori Higgins was present. Ms. Higgins presented for approval a **Clara Ormiston Fund** request in the amount of \$2152.77 for a cancer patient. Commissioner Suckla moved to approve the Clara Ormiston fund request in the amount of \$2152.77 for a cancer patient and to include the approval of transfer Order #4-2018 from the Ormiston Fund to Social Services. Second by Commissioner Ertel and carried. (See attached)

LANDFILL: Landfill Manager, Shakalo Powers gave his monthly report which included the 2017 Landfill Budget VS Actual report and the 2018 Proposed Landfill Budget report. **Environmental Health Specialist, Melissa Mathews** and Manager Powers discussed the CDPHE Integrated Solid Waste and Materials Management Plan for the Collection and Diversion Analysis and Recommendations, the 2017 Diversion Rates report, the SWCCOG MSW Composition graph and a How Southwest Colorado compares graph. Manager Powers presented for approval a quote for the purchase of an environmental coatings applicator, and 480 50 lb. bags of posi-shell brown base mix. Commissioner Ertel moved that the Landfill Director proceed with the purchase of an environmental coatings applicator 550 (ECA550) in the amount of \$30,150.00, and the product posi-shell brown base mix, 480 each 50 pound bags in the amount of \$17,851.86 as presented. Second by Commissioner Suckla and carried. (See attached)

SOUTHWEST HEALTH SYSTEM: Chief Executive Officer, Kent Rogers, Haley Saunders and Angela Kobel met with the Commissioners to give updates. Topics discussed included; current employee numbers, retention of employees, medical services provided, accreditations, year to date financials, and future growth goals. Mrs. Saunders gave an update on the current construction project. (See attached)

FLEET MANAGEMENT: Fleet Manager, Clint Watson met with the Commissioners to present a bid for a new 2018 Chevrolet pickup truck. Commissioner Ertel moved to obtain a 2018 Chevrolet pickup truck for the Maintenance Department at a total cost of \$47,535.00 from the capital fund. Second by Commissioner Suckla and carried. Commissioner Ertel moved to amend the motion made November 20, 2017 that stated to transfer all county vehicles 1 ton or less to the county fleet department with the exception of vehicles purchased for county use by other agencies, to exempt 1 ton vehicles equipped with special equipment and also a correction to have all county vehicles to become property of the Fleet Department effective January 1, 2018 (instead of January 1, 2017.) Second by Commissioner Suckla and carried. Commissioner Ertel moved to amend the motion made November 20, 2017 to include the transfer to the fleet department vehicles purchased by the town of Dolores and the Ute Mountain Casino for use by the Sheriff department. The sheriff department will be charged the same mileage rate as comparable fleet vehicles and funds received from the purchasing agencies would be refunded from the Fleet department to the Sheriff Department budget at the rate of 1/3 of the purchase price per year for three years following the purchase less insurance for the sheriff department trailers and Humvees. Second by Commissioner Suckla and carried. (See attached)

CEMETERY DISTRICT APPOINTMENTS: Administrator Brunner presented letters of interest for appointments to the **Arriola Cemetery District** from **Sherri Gardner** and the **Lebanon Cemetery District** from **Frank Muniz**. Commissioner Ertel moved to appoint Sherri Gardner to a 6 year term to the Arriola Cemetery District and Frank Muniz to the Lebanon Cemetery District for a 6 year term. Second by Commissioner Suckla and carried. (See attached)

Chairman Lambert announced the adjournment of the meeting for the LUNCH break.
Chairman 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 an INDHZ rezoning request and High Impact Permit submitted by **Western Transport, LLC, Agent Dirk Johnson**, on property located at 6950 Road 24.2, Cortez, CO, consisting of 4.42 acres, more or less, located on the east side of Road 24.2, south of Road G, situated in S.10 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, Dirk Johnson 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. After hearing all the evidence presented Commissioner Suckla moved to approve the INDHZ rezoning request and High Impact Permit #697 submitted by Western Transport, LLC, on property located at 6950 Road 24.2, Cortez as presented. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

PLANNING & ZONING COMMISSION APPOINTMENT: **Director Milligan** presented letters of interest from **Bob Clayton, Robert Lindvall, Janine Denney** and **John Hernandez**, for the Planning & Zoning Commission. Commissioner Ertel moved to reappoint Bob Clayton to the Planning and Zoning Commission for a 4 year term. Second by Commissioner Suckla and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining a Heavy Industrial rezoning request and amendments to **Aces Storage** High Impact Permit #129, owned by **Country Style Investments, LLC**, located at 7500 Hwy 160-491, Cortez, CO, consisting of 9.60 acres +/- wherein 4 additional units are proposed. Property is situated east of Hwy 160-491, north of Road G.3, S.3, T.35N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Owner **Kevin Rice** joined the meeting by telephone. **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. After hearing all the evidence presented Commissioner Ertel moved to approve a heavy industrial rezoning request and amendments to Aces Storage High Impact Permit #129, owned by Country Style Investments, LLC, located at 7500 Hwy 160-491, Cortez. Second by Commissioner Suckla and carried. Commissioner Lambert 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 an AR3-9 rezoning request by **Kathryn & Leshar Carey**, on property located at 24208 Road 37, & AR10-34 rezoning request by **Stephanie Sieler**, 24362 Road 37, Dolores, CO, for an Exemption Application wherein 1.1acre, more or less, would be conveyed from Sieler to Carey, located on the east side of Road 37, east of Hwy 145, situated in S.11 T.38N., R.14W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Kathryn Carey and Stephanie Sieler were 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. After hearing all the evidence presented Commissioner Suckla moved to approve the AR3-9 rezoning request by Kathryn and Leshar Carey, on property located at 24208 Road 37 and the AR10-34 rezoning request by Stephanie Sieler located at, 24362 Road 37, Dolores. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter presented for approval **RESOLUTION #4-2018** a resolution rescinding Resolution #10-2017. Commissioner Suckla moved to approve Resolution #4-2018 a resolution rescinding Resolution #10-2017. Second by Commissioner Ertel and carried. Other topics discussed included the Phil's World expansion project appeal and attendance to a scheduled Board of Assessment training. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented for approval the Owners Representative and Contractor Ramco Development contracts for the **McElmo Flume** project. Commissioner Ertel moved that the Board of County Commissioners award the Contract of \$187,000.00 for the rehabilitation of the McElmo Creek wooden flume super structure project #2017-01-032 to Ramco Developments LLC. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve the agreement with Atkinson Nolan in the amount of \$38,000.00, and \$11,500.00 for Anthony Associates, an agreement for professional services for the rehabilitation of the McElmo Flume wooden structure in Montezuma County. Second by Commissioner Ertel and carried. Director Dietrich presented for approval a letter addressed to **Shauna Jensen, Realty Specialist** in support of the **Lincoln Claims Land Acquisition (file code 2700)**. Commissioner Ertel moved to send a letter of support and a letter of restriction to Shauna Jensen, Realty Specialist, attention the U.S Forest Service, Tres Rios, Dolores Ranger District in regard to the Lincoln Claims Land Acquisition. Second by Commissioner Suckla and carried. Director Dietrich presented a letter from TDR owner Chris Foreman requesting a reimbursement of the rescinded TDR program. Commissioner Ertel moved to disallow the reimbursement of the TDR investments made by Chris Foreman due to lack of response from the original 90 day reimbursement letter sent on August 4, 2014. Second by Commissioner Suckla and carried. Other topics discussed included a draft Memo of Understanding with the BLM Travel Management plan.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented the following for approval:

ORDER #1-2018 An Order to transfer from the **Road and Bridge Fund** to the **General Fund** in the amount of \$9,691.74 for a check received from the State of Colorado designated to the Weed department when it was the 3rd Quarter Emergency Manager Grant Reimbursement. Commissioner Ertel moved that Order #1-2018 a transfer from the Road and Bridge Fund to the General Fund in the amount of \$9,691.74 be approved. Second by Commissioner Suckla and carried. (See attached)

ORDER #2-2018 A transfer from the **Sheriff's Office Fees** to the **General Fund** for; Firearms buybacks \$7,750.00, Bullet Proof Vest grants \$1,948.14 and NSF checks from 2018 \$168.30, for a total amount of \$9,866.44. Commissioner Ertel moved that Order #2-2018 a transfer from the Sheriff's Office Fees to the General Fund in the amount of \$9,866.44 be approved. Second by Commissioner Suckla and carried. (See attached)

ORDER #3-2018 A transfer of \$68,023.32 from the **General Fund** to the **LEA Fund** for adjustment to actual costs for 2017 (corrects Transfer order 12-2017) Commissioner Ertel moved that Order #3-2018 a transfer from the General Fund to the LEA Fund in the amount of \$68,023.32 be approved. Second by Commissioner Suckla and carried. (See attached)

ORDER #4-2018 a transfer of \$2,152.77 from the **Clara Ormiston Fund** to the **Social Services Fund** for cancer patient expenses. Commissioner Ertel moved that Order #4-2018 a transfer from the Clara Ormiston Fund to the Social Services Fund in the amount of \$2,152.77 be approved. Second by Commissioner Suckla and carried. (See attached)

RESOLUTION #3-2018: A resolution amending the 2017 Budget. Commissioner Ertel moved that Resolution 3-2018, a resolution amending the 2017 budget be approved. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert gave no report.

Commissioner Ertel discussed his participation with the West Dolores Travel Management Plan phone conference.

Commissioner Suckla discussed a meeting he attended with the Colorado Historical Society.

PUBLIC COMMENT: No comments were made.

TOUR: Westview RV Park

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.

Clerk February 26, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 5, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 5, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of March 5, 2018 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 26, 2018 as presented. Motion was seconded by Commissioner Lambert and carried.

ORDER#5-2018: Administrator Brunner presented Order #5-2018 a transfer of \$35,000.00 from the General Fund to the Fleet Fund for the purchase toward a new vehicle. Commissioner Ertel moved that Order #5-2018 a transfer of \$35,000.00 from the General Fund to the Fleet Fund be approved. Second by Commissioner Lambert and carried (See attached)

PUBLIC COMMENT: Sherry Wright and Dan Porter with the Montezuma Cortez School Board discussed local school safety and made a request for support from the Commissioners to place resource officers within the local schools.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the time period of February 28, 2018 through March 16, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; the monthly safety meeting, a scheduled grinder to begin on April 2, 2018, the 2019 DOLA applications and the county water source at the Fairgrounds.

A discussion was held in regard to various items including 3 dump trucks and 2 pickups to be placed in the Suckla Auction. Superintendent Englehart made a request that the pickups be pulled from the Fleet Department inventory and sold, with the proceeds to be deposited into the Road and Bridge Funds for future vehicle replacements. Commissioner Ertel moved that units 3-13 and 3-16 from the Fleet department that are in the County Road shops ownership be allowed to be taken to auction and those funds go towards the purchase 2 new pickups. 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 \$15,905.00 and attendance at 3843. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; public requests for the use of the stage, the Fairground commercial, displaying the commercial during events, outdoor arena projects, the highway entrance lights and a future kitchen / bathroom remodel project. (See attached)

SPECIAL EVENT LIQUOR LICENSE: Ute Mountain Roundup Rodeo Board members **Bentley Colbert** and **Ranette Karo** met with the Commissioners to request permission to include alcohol sales during the Rodeo. Commissioner Ertel moved that a liquor license for the Ute Mountain Roundup Rodeo scheduled June 7-9th 2018 in their designated areas for the Rodeo, be approved. Second by Commissioner Lambert and carried. Other topics discussed included the north end arena fence, a scheduled RFD-TV program meeting and an additional Bull Fight Tour event. (See attached)

12 HOURS OF MESA VERDE MOUNTAIN BIKE RACE: Board members **Cap Allen** and **Rachel Medina** met with the Commissioners to request permission to serve donated beer during the 12 Hours of Mesa Verde event scheduled for May 12, 2018. Topics of the discussion included the donated beer from Ska Brewery and the 2017 fund allocations to community beneficiaries. Commissioner Ertel moved that the 12 Hours of Mesa Verde on May 12, 2018 be approved to give away their beer that is donated by Ska Brewery to give to the riders at the end of the day. Second by Commissioner Lambert and carried. (See attached)

MONTEZUMA LAND CONSERVANCY: Travis Custer met with the Commissioners to request a letter of Non Objection for the 106 acre **Pilcher** property in Mancos Valley. Topics discussed included, future land development issues and private property rights. The Commissioners were not in favor of the request and did not offer their support. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock along with **Laurel Schafer** and **Delilah Darland** met with the Commissioners to present options to purchase a WIC Resource Van. Option #1 was from Keesee Motors in the amount of \$33,441.00. Option #2 was from Durango Motor at \$36,814.95 and option #3 was Performance Ford Lincoln in the amount of \$33,207.00. The Health Department has grant funds available for the purchase. Commissioner Ertel moved that the Montezuma County Health Department take option #2 of the 3 presented to purchase a van for the WIC program in the amount of \$36,814.95. Second by Commissioner Lambert and carried. (See attached)

FLEET MANAGEMENT: Fleet Manager, Clint Watson along with Director Lock met with the Commissioners to present a bid in the amount of \$23,198.80 for the purchase of a new 2018 Chevrolet Equinox to be used by the Health Department. Commissioner Ertel moved that the purchase of a 2018 Chevrolet Equinox by the Montezuma County Fleet Department for the purchase price of \$23,198.80 be approved. Second by Commissioner Lambert and carried. (See attached)

CSU EXTENSION OFFICE: Manager, Tom Hooten met with the Commissioners to give an update on a youth event **Get Outdoors Day**. An event to inspire children to explore outdoors. Manager Hooten reported that the event would include a fishing derby, an archery demonstration, games and prizes. Supporters of the event include Montezuma Inspire Coalition, City of Cortez Parks & Recreation, Kokopelli Bikes, Alpaca Rafts, Greater Colorado Outdoors, Goods for the Woods, Summit Shooting, Shooters World, Four Corners Rifle & Pistol Club, IFA, Slavens Hardware Big R, Doc's Rental and more.

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the topics to be included in an Executive Session and gave an update on the Dolores Norwood Road designation.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented a letter addressed to **Secretary of the Interior, Ryan Zinke**, in support to relocate the Bureau of Land Management National Headquarters to one of the western states. Commissioner Ertel moved that the letter from the Board of County Commissioners dated March 5, 2018, to Secretary of the Interior Ryan Zinke, demonstrating Montezuma County's support for the relocation of the Bureau of Land Management National Headquarters to Grand Junction Colorado or one of the western states be approved. Second by Commissioner Lambert and carried. Other topics discussed included the **Rico West Dolores Roads and Trails Project- Proposed Resolution** the **San Juan Trail Riders Objectors Resolution Proposal** and the **McElmo Flume Project**. (See attached)

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

COUNTY COMMISSIONER REPORT: Commissioner Lambert gave no report. **Commissioner Ertel** reported on the attended Club 20 meeting. **Commissioner Suckla** was absent.

PUBLIC COMMENT: No comments were made

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Ertel 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 Road Superintendent Rob Englehart, topics of the session would include Road 41, the Kinder Morgan lawsuit, an issue in Social Services and ADA compliance for employees on the east side remodel project. Commissioner Ertel moved to go out of executive session, Second by Commissioner Lambert and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented

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

MEETING ADJOURNED: 12:15 p.m.

Clerk March 5, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 12, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 12, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of March 12, 2018 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 5, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

LIQUOR LICENSE: **Chief Deputy, Lynn Dorenkamp** presented liquor license renewals for **Triple H&J Inc., DBA Smitty’s Liquors** located at 10255 Hwy 491 Cortez and **Mancos Brewing Company LLC.**, located at 1484 East Frontage Road, Mancos, CO 81328 along with a **SPECIAL EVENT LIQUOR LICENSE** application to be used at the County Fairgrounds during the **Ute Mountain Roundup Rodeo.** Commissioner Ertel discussed noise complaints from surrounding neighbors of the Mancos Brewery. Commissioner Suckla moved to approve the renewal liquor licenses for the Triple H&J Inc., DBA Smitty’s Liquors, located at 10255 Hwy 491 Cortez, the Mancos Brewing Company LLC, located at 1484 East Frontage Road, Mancos and the Special Event liquor permit for the Ute Mountain Roundup Rodeo scheduled the 7th, 8th and 9th of June, 2018. Second by Commissioner Ertel and carried. (See attached)

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of February, 2018. (See attached)

PUBLIC COMMENT: **Ellen Foster** discussed issues with the posting of the Planning and Commissioner meeting agendas on the County Web Page. **Gala Pock** discussed the IT Director's work included on the east side Administration building remodeling project.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of March 7, 2018 through March 23, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; the Coughlin grinding projects, the Dolores Norwood Road, a tour of Road BB, future DoLA projects, a proposed Road L overlay project and the Fairground's water riser. Superintendent Englehart presented the **Dolores-Norwood Road Resurfacing, Road Project Agreement** for approval. The Road Project agreement is between Montezuma County and the USDA, Forest Service, San Juan National Forest in the amount of \$50,000.00. Commissioner Suckla moved to approve the Road Project Agreement between the Montezuma County Road Department and the USDA, Forest Service, San Juan National Forest for the year 2018. Second by Commissioner Ertel and carried. (See attached)

VETERANS SERVICE: **Veteran Service Officer, Rick Torres** presented the Certification of Pay for February, 2018 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 Suckla moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for February 2018, seconded by Commissioner Ertel, motion carried. (See attached)

ASSESSOR: **Montezuma County Assessor, Leslie Bugg** met with the Commissioners to discuss a Petition for Abatement or Refund of Taxes for the **Kinder Morgan CO2 Co.**, on the Hovenweep Central Facility property, parcel #R001315 and the Yellow Jacket Central Facility property, parcel #R001355 property. Assessor Bugg reported the properties abstract code had been previously entered incorrectly. Commissioner Ertel moved that the Petition for Abatement by Kinder Morgan on parcels of property #R001315 and #R001355 be corrected as per Assessor Bugg's recategorization of these properties. Second by Commissioner Suckla and carried. (See attached)

SHERIFF'S MONTHLY REPORT: **Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report. Topics discussed included; the February 2018 Jail Report, the prisoner arrests, the daily breakdown of prisoners, the parole holds, wildfire public communication efforts and the placement of school resource officers. Sheriff Nowlin presented the **Catastrophic Inmate Medical Insurance** packet for review and discussion. Commissioner Suckla moved to approve the recommendations of the Sheriff for the \$20,000.00 deductible on the catastrophic inmate medical insurance. Second by Commissioner Ertel and carried. Sheriff Nowlin presented a quote in the amount of \$7,360.00 for a **Vulcan** double deck gas convection oven to replace the Detention Centers oven. Commissioner Ertel moved to allow the Sheriff's Department in their Kitchen Operations, to purchase a Vulcan oven for the purchase price of \$7360.00 to be paid through the capital funds. Second by Commissioner Suckla and carried. 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 was presented for approval. Commissioner Suckla moved to approve the USDA Forest Service contract for 2018, for law enforcement on Schedule A roads. Second by Commissioner Ertel and carried. (See attached)

GET OUTDOORS DAY: **Tom Hooten, Jay Loschert** and **Amy McAlpin** with the **Montezuma Inspire Coalition** met with the Commissioner to present a slide show and discuss the planning for the June 16, 2018 Montezuma Inspire Coalition, **Get Outdoors Day** event. (See attached)

RICO DOLORES TRAVEL MANAGEMENT PLAN: Cancelled

PLANNING:

Administrator, Brunner presented for signatures a final plat for 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

COUNTY ATTORNEY REPORT: Attorney John Baxter gave a report on the previous executive session.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich presented an update and photos for the McElmo Flume project. The National Trust for Historic Preservation agreement for the McElmo Flume reconstruction grant was presented for approval. Commissioner Ertel moved that the Montezuma County Board of County Commissioners sign the National Trust to Historical Preservation Agreement for the McElmo Flume Project for 2018. Second by Commissioner Suckla and carried. Other topics discussed included; a potential Bear Creek Trail motorized connection and the travel management plan for the Rico West Dolores Roads and Trails. (See attached)

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

COUNTY COMMISSIONER REPORT: Commissioner Lambert gave no report. **Commissioner Ertel** gave a report on the attended Area Agency for Aging, Workforce Board and the Dolores Water Conservation District meetings. **Commissioner Suckla** gave a report on his trip to Washington D.C. for the Electronic logging device hearings.

PUBLIC COMMENT: No comments were made.

TOUR: Curt Mangan String Factory

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 12:15 p.m.

Clerk March 12, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 19, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 19, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of March 19, 2018 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 12, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

PUBLIC COMMENT: M.B. McAfee shared a question asked of her during the Ag Expo of the hiring process for the position of Director of the Extension Office. Commissioner Ertel address her question.

SOUTHWEST WATER CONSERVATION DISTRICT: **Don Schwindt** from the **Southwest Water Conservation District** met with the Commissioner to discuss water rights. Don gave some different options on what he could go over, a question and answer type format, shotgun thoughts, or a quick history lesson on who Southwest Water Conservation District is and how they fit into context of where they are today. Commissioner Ertel suggested giving the history lesson. Don gave a quick history lesson then answered questions from the Commissioners that ranged from what is Southwest Water's mission statement to Drought Contingence Plan.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of March 14, 2018 through March 30, 2018. Superintendent Englehart gave an overview of the type of

work scheduled for each crew. Topics discussed included; Montezuma County Road 31/Dolores-Norwood Road Contract Truck Hauling Quotes, Four locations to get water off the Towaoc Highline and a pond possibility out at the Montezuma County Fairgrounds to store water. Commissioner Suckla moved to use Candelaria Construction, Inc. to haul gravel for Road 31/Dolores-Norwood Road project. Motion was Seconded by Commissioner Ertel and carried. (See attached)

PUBLIC LANDS: Bureau of Land Management, Connie Clementson introduced New Assistant Manager, Chris Krassin, for Bureau of Land Managements' Minerals and Reality division. Connie discussed with the Commissioners of the following topics; Sand Canyon, Phill's World. **Canyon of the Ancients National Monument Manager, Marietta Eaton** reported to the Commissioners on Sand Canyon Parking Lot, revamping of the Sand Canyon Newspaper and the tear out map.

COLORADO PARKS & WILDLIFE: MATT THORPE representing the **Colorado Division of Parks** presented a packet for review and discussion. The packet included Hunting, Fishing and Parks for Future Generations Act and Mussel-free Colorado Act. Other topics discussed were New License System, Declining fawn & calf numbers, new Lion plan. (See attached)

HIGH DESERT CONSERVATION DISTRICT: High Desert Conservation District Board Members, Steve Miles and David Temple met with the Commissioners to request reconsidering their decision of funding. Commissioner Ertel voiced his support for High Desert Conservation District and his hopes that the mill levy would pass for them, giving them stable funding. Commissioner Suckla expressed his concern regarding the verbiage on the letter for voting sent out by the district. (See attach)

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

PLANNING:

Planning Director, Lee Ann Milligan presented for review and determination a proposed lot line adjustment on properties owned by Terry and Toni Branson, located at 14550, consisting of 27.09 acres, more or less, and 14546, consisting of 3.02 acres, more or less, Road 29.2, Dolores, CO, situated east of Road 29, within Road 29.2 and in Section: 33 Township: 37 Range: 15 TR IN SW/4NW/4 & NW/4SW/4 wherein 0.08 acre, more or less would be taken from the 27.09 acre tract and added to the 3.02 acre tract. No new lot is being proposed. Commissioner Ertel moved to approve the lot line adjustment for property owners Terry and Toni Branson, located at 14550 Road 29.2 Dolores, CO. Motion was seconded by Commissioner Suckla and carried.

DISCUSSION: Casey McClellan met with the Commissioners to discuss the **Rico West– Dolores**. Casey spoke about pursuing a R2S477.

COUNTY ATTORNEY REPORT: Attorney John Baxter went over an email he received from Terry Wheeler.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich gave a work update on the Flume, and getting Attorney John Baxter the website for the maps that include quad maps.

COUNTY ADMINISTRATOR REPORT: Administrator Melissa Brunner, absent.

COUNTY COMMISSIONER REPORT: **Commissioner Suckla** reported on the CCI meeting he attended last week with the Ag Committee. **Commissioner Ertel** gave an overview of the AAA meeting he attend last week and a meeting he attended with Shak Powers and the haulers last Thursday. **Commissioner Lambert** mentioned he had also attended the meeting with the haulers last week.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 2:30 p.m.

Clerk March 19, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 26, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday March 26, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of March 26, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 19, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: Diane Corwell made a request, because of safety concerns that the County, review and discuss, a line of sight traffic sign for Dunlap Hill on Road 31 in Dolores..

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the dates of March 21, 2018 through April 6, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; the Highland Canal, the Fairground's road to the race track, the mag chloride program, mag chloride pricing, the Reams fossil water issue, the 2019 stock piling of chips by the crusher, the scheduled grinding projects, the one ton end dumps, the John Deer blade rotations and possible future purchases of Walk-n-roll equipment. Superintendent Englehart reported that he was watching a 1996 International snowplow that was currently out for public bid. Commissioner Ertel moved to grant the Road Superintendent the authority to spend over \$5,000.00 for the purchase of a snowplow. Second by Commissioner Suckla and carried. A quote in the amount of \$47,874.00 was presented for the purchase of a Road Widener Shouldering and side paver attachment. Commissioner Suckla moved to approve the Road Department to

purchase the Road Widener for \$47,874.00. Second by Commissioner Ertel and carried. A discussion was held regarding the preliminary cost break down on the 2018-EIAF DoLA Grant application for proposed work on Roads BB and 15. (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)

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included; required closures to the Landfill due to wind conditions, the Alternative Daily Cover Sprayer, the purchase of discounted clay, the Empire Electric Appliance Turn In program, employee support from the Landfill to empty the old Justice building of books and electronics, the Haulers meeting to discuss the **Integrated Solid Waste and Materials Management Plan**, registration for the **Colorado Recycle Association Summit** meeting in June and the current **Up Cycle Store** inventory. A discussion was held regarding a request to waive the Landfill disposal fees for the May 12, 2018, **City of Cortez, Clean-Up Day**. Commissioner Suckla moved, that to help our environment and to not burn more diesel fuel, that the disposal fees be waived, except for items that require special handling, for all county residents for the City of Cortez Clean-up Day event scheduled on May 12, 2018 at the County Landfill. Second by Commissioner Ertel and carried. (See attached)

LIQUOR LICENSE: Chief Deputy, Lynn Dorenkamp presented a liquor license renewal for **Echo Basin LLC** located at 43747 Road M, Mancos, CO 81328. Commissioner Ertel moved to approve the renewal liquor license application for Echo Basin LLC., located at 43747 Road M, Mancos. Second by Commissioner Suckla and carried. (See attached)

LODGERS TAX COMMITTEE: Board Members, **Lee Cloy, Brian Bartlett** and **Darlene Dennison** met with the Commissioners to give their recommendations for the **2018 Tax Funds Disbursements**. Recommendations included: **Mancos Valley Chamber** \$35,000.00, **Mesa Verde Country** \$60,000.00, **Galloping Goose Historical Society** \$2,000.00, **Ute Mountain Round Up Rodeo** \$5,700.00, **Crow Canyon Archeological** \$0.00, **Cortez Cultural Center** \$20,000.00, **Dolores Chamber** \$32,000.00 and the **Cortez Chamber** \$5,400.00. Commissioner Ertel moved that the budget for the tourism Lodgers Tax committee recommendations for their funding amounts of \$160,100.00, with a contingency emergency fund of \$20,605.39 for the year 2018, be approved. Second by Commissioner Suckla and carried (See attached)

COUNTY TREASURER / TRUSTEE: Treasurer, Sherry Dyess met with the Commissioners to report the retirement of an employee and to request permission to hire for the vacant position. The Commissioners were in agreement to not fill the vacant position at this time.

Chairman Lambert announced the adjournment of the meeting for the LUNCH break.
Chairman 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 proposed Light Industrial (INDLZ) rezoning and High Impact Permit requests for a proposed boat / RV storage business submitted by **Joseph & Sandra Jaburg**, on property located at 19183 Road 25.3, Dolores, CO, consisting of 3.13 acres, more or less, located on the south of Hwy 184, west of Road 25.3, situated in S.2 T.37N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Joseph Jaburg 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 made a request for 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 proposed light industrial rezoning and High Impact Permit #674 requests for a proposed boat / RV storage business submitted by Joseph & Sandra Jaburg, on property located at 19183 Road 25.3, Dolores, CO be approved. Second by Commissioner Suckla. Commissioner Lambert 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 Special Use and High Impact Permit requests for the proposed construction and operation of a CO2 well submitted by **Kinder Morgan, Agent Chris Lopez**, on property owned by **Brad & Pamela White**, located at 24115 Road 8, Pleasant View, CO, consisting of 6.72 acres, reduced to 1 acre, more or less, situated in S.10 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, **Andy Weygant**, and **Chris Lopez** were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comment was made by **Gala Pock**. 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 vote was unanimously in favor of approval, contingent upon the presentation of an updated weed plan to the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Suckla moved to approve High Impact Permit #699 and a special use permit for the propose of construction and operation of a CO2 well, known as CB-4 with the contingency that we receive an updated 2018 weed plan. Second by Commissioner Ertel and carried. Commissioner Lambert 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 an A10-34 rezoning request and Single Lot Development Application submitted by **Roy Elder** on property located at 10720 Road 43, Mancos, CO, consisting of 11 acres, more or less, located on Road 43, north of Hwy 160, situated in S.22 T.36N., R.13W., N.M.P.M. Agent **Roy Elder** was present. 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 contingent upon the presentation of an updated weed and fire plans to the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the determining of an A10-34 rezoning request by Mr. Roy Elder located on property at 10720 Road 43, Mancos, CO, consisting of 11 acres, more or less, be approved. Second by Commissioner Suckla and carried. Commissioner Lambert 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 an A10-34 rezoning request for a proposed Exemption and 2 Lot Minor Subdivision Application submitted by **Roy Starr** on property located at 11479 Road 42, Mancos, CO, consisting of 35 acres, more or less, located on the west side of Road 42, north of Hwy 160, situated in S.22 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 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

Suckla moved to approve the A10-34 rezoning request for a proposed exemption and 2 lot minor subdivision application submitted by Roy Starr on property located at 11479 Road 42, Mancos, CO consisting of 35 acres more or less and to include the preliminary approval of the exemption request. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** discussed the motion filed for an intervener status regarding the Phil's World Expansion Project, a request to hold an executive session this afternoon and the Housing Authority Board of Director appointments. Commissioner Suckla moved that the County advertise for all appointments or reappointments for the Housing Authority Board, to get within compliance with the law. Second by Commissioner Ertel and carried.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, met with the Commissioners to give his weekly report. Topics discussed included; the attended ANS technical team meeting, increased threats from out of state boats, opening McPhee recreation area on April 14, 2018, exempt boats, ANS training and public education, the McElmo Flume and the USFS end to the Rico West Dolores Objection process. Director Dietrich presented a Prescribed Fire Letter addressed to Derek Padilla, District Manager at the Dolores Ranger District for signatures. Commissioner Suckla moved to approve the letter to be presented for the EA for the Forest Service on using prescribed fire as a tool to reduce forest fires in the future. Second by Commissioner Ertel and carried. (See attached).

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** presented a letter of reappointment for the Mancos Cemetery District from Cathy Kennedy. Commissioner Ertel moved that Catherine Kennedy, P.O. Box 1412 Mancos Co. be reappointed to the Mancos Cemetery District Board for a 6 year term. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Suckla no report given. Commissioner Ertel no report given. Commissioner Lambert no report given.

PUBLIC COMMENT: Gala Pock discussed the County Roads 60 foot easements.

EXECUTIVE SESSION: Commissioner Suckla 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). Seconded by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding the Social Service Department. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 2:30 p.m.

Clerk March 26, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 2, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 2, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of April 2, 2018 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 26, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the February 2018 **Accounts Payable** and **Financial Statements** for approval. Commissioner Suckla moved to approve the Accounts Payable for February 2018 as presented. Second by Commissioner Ertel and carried. Commissioner Ertel moved to approve the Financial Statements for February 2018 as presented. Second by Commissioner Suckla and carried. The **6 Month Treasurer's Report** was presented for approval. Commissioner Suckla moved to approve the schedule of receipts and disbursements for the time period of July 1, 2017 through December 31, 2017 as presented. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Lance McDaniel** read a letter and made a request that it be included within the official records regarding constituents concerns of personnel issues within the County Social Services Department. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the dates of March 28, 2018 through April 13, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; specialty signs for the Dunlap Hill road, the monthly safety meeting topics and the Dolores Norwood Road. Superintendent Englehart reported that they had not purchased the 1996 International snowplow, that the Shouldering machine had been ordered and that the attachment will take a few weeks to receive. Superintendent Englehart presented the 2018-EIAF DoLA grant application for proposed work on Road BB for approval. Commissioner Suckla moved to approve the grant application to DoLA for the Road BB reconstruction. Second by Commissioner Ertel and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose to consider the adoption of the **ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS** for the **Montezuma County Public Health Department**. The roll was called, the public notice read, and the proceedings were recorded for the record. **Environmental Health Specialist, Melissa Mathews** along with **Public Health Director Bobbie Lock** gave an overview of the proposed regulations. Commissioner Lambert opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Suckla moved that based on the recommendations from Melissa Mathews, that Montezuma County adopt the On-site Waste Water Treatment System regulations for the Montezuma County Public Health Department. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

EMERGENCY ALERT SYSTEM / E911 FEE: City of Cortez Chief of Police, Roy Lane, and Dispatch Manager, Lori Johnson met with the Commissioners to discuss the E911 per phone surcharge. Topics of the discussion included the average statewide fee, the current County fee, equipment moved to the new building, estimated numbers for expected expenses and proposed fee changes, the dispatch equipment upgrade / replacement plan, estimated collected surcharge access fees with the proposed increases, current funding for operational expenses, future AFG or DoLA grant options for the upgrades, the process to increase the E911 surcharge fee and the proposed implementation of Text to 911 notifications. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager Paul Hollar met with the Commissioner and gave a monthly update. Topics discussed included attended meetings, scheduled trainings, the **Salamander** program, the **Rapid Tag System**, the draft 2018 **Joint Information System Agreement**, the Emergency Operation center trainings, the Public Information Officers Program and the resignation / replacement of the Emergency Manager. (See attached)

BOARD OF COUNTY HEALTH: It being the time set aside, the Board of County Health was conducted. **Public Health Director, Bobbie Lock** along with **Coordinator, Megan Bradley** presented the **Tobacco Education and Prevention Task Order Contract - Waiver #154** for approval. Commissioner Ertel moved to approve the Task Order Contract Waiver #154 with the Colorado Department of Public Health and Montezuma County Health Department for the year 2018 and 2019. Second by Commissioner Suckla and carried. (See attached)

PLANNING: Planning Director, Lee Ann Milligan presented for review and determination a Variance request from **Colin & Nichole Berdzar**, on property located at 15839 Road 25, Dolores, CO, consisting of 4.36 acres, more or less, located on the west side of Road 25, south of Road S, situated in S.27 T.37N., R.16W., N.M.P.M. for a 30' residential setback from the 50' County Land Use Code requirements. A neighbor Non-Opposition Letter

is in file. Commissioner Ertel moved that the variance for property owned by Colin and Nichole Berdzar, located at 15839 Road 25 Dolores Co be granted. Second by Commissioner Suckla and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter gave no report.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics discussed included; the current boulder access restrictions at McPhee Reservoir for the Sage Hen Trail road, a scheduled public meeting with the (DWCD) Dolores Water Conservation District regarding the (ANS) Aquatic Nuisance Species inspections, the scheduled Aquatic Nuisance Species Technical Team meeting, the Bureau of Land Management (MOU) Memo of Understanding, the BLM appeal for the Phil's World Trail Expansion Project, the Rico West Dolores, RS2477 designation list of recommendations, a received email form the San Juan Trail Riders, The McElmo Flume project and a proposed Pathway to Mesa Verde Trail stake holders summit meeting.

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

COUNTY COMMISSIONER REPORT:

Commissioner Lambert gave a report on the attended Club 20 meeting.

Commissioner Ertel had no report to give.

Commissioner Suckla had no report to give.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 11:55 p.m.

Clerk April 2, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 9, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 9, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of April 9, 2018 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 2, 2018 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, 2018. (See attached

PUBLIC COMMENT: **Ellen Foster** discussed a request for donations letter, sent from the County Sheriffs of Colorado Organization, representing Montezuma County Sheriff, Steve Nowlin. **Jill Carlson** discussed the selection process for the replacement of the Social Service Directors position (See attached)

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of March 28, 2018 through April 13, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; a mag chloride order for the Dolores Norwood Road, a road sign ordered for Road 31, proposed leasing of the County owned MVI water shares, Tree Man Services for tree removal on Roads M and N, the equipment sold at auction, and the Bureau of Reclamations Agreement for the perpetual easement. (See attached)

DISCUSSION: District Attorney, Wil Furse met with the Commissioners to discuss a proposed 2018 General election ballot question, to extend the District Attorney's term limit to three, four year terms. Attorney Furse will present his proposed question to the shared Dolores County District, Commissioners for approval and report back to the Commissioners. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the year to date numbers for income of \$15,182.50 and attendance at 12,377. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; grant funding, options to purchase stalls for the Fairgrounds, trash removal options, event sponsorships from **Tuffy Securities Products**, the 90 day schedule included within the Fairground contract to serve liquor at Fairground events and the water access at the Fairgrounds. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin met with the Commissioners to give his monthly report. Topics discussed included; the March 2018 Jail Report, Fleet maintenance reports, inmate medical issues, a grant award from the State Marijuana Impact Fund, and recent local fires. Sheriff, Nowlin reported that the local Fire Chiefs had made a recommendation to the Board of County Commissioners to place a Fireban within Montezuma County. Commissioner Suckla moved that **Resolution #5-2018**, a resolution re-imposing the fireban, effective April 16, 2018 be approved. Second by Commissioner Ertel and carried. (See attached)

MONTEZUMA COUNTY TRANSPORTATION: Mary Holaday presented the Colorado Department of Transportation (CDOT), Certifications and Assurances for signatures. (See attached)

WESTERN EXCELSIOR: David Sitton, Zach Snyder, Howard Davidson and Eddie Comisky met with the Commissioners to give an update on the excelsior plant and a proposed purchase of the Mancos facilities including the equipment and property.

ARRIOLA CEMETERY DISTRICT BOARD: Administrator, Melissa Brunner reported that she had received a resignation letter from current Arriola Cemetery District Board member, **Sue Patterson** and a letter of interest from **Lindy Tate** to serve on the Arriola Cemetery District Board. Commissioner Ertel moved to accept the resignation of Sue Patterson from the Arriola Cemetery District Board and accept Lindy L. Tate as her replacement on that Board for the remainder of that term. Second by Commissioner Suckla and carried

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

PLANNING: Planning Director, Lee Ann Milligan presented for review and determination a proposed Exemption request by Linda Eldon and Andrew Simmons, 8621 Road 39, Mancos, CO, consisting of 98.66 acres, more or less, and Kennedy Elevator Ranch, LLC, 42599 Road N, Mancos, CO, consisting of 10 acres, more or less, wherein 21.30 acres, more or less, would be transferred from the Eldon and Simmons property to the Kennedy Elevator Ranch, LLC, property. The properties are located west of Road 39 and on Hwy 160, situated in S.31, T.36N., R.13W., N.M.P.M. **Andrew Simmons** was present. Commissioner Suckla moved to approve the exemption request by Linda Eldon and Andrew Simmons located at 8621 Road 39 Mancos Co. Second by Commissioner Ertel and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining a proposed Sketch Plan for a proposed 2 Lot Moderate Development creating two, 3.5 acre, more or less, tracts of land on property owned by **Kenneth and Patricia Vojta**, 12502 Road 38 Mancos, CO, located east of Hwy 184 and south of Road 38, situated in S.12, T.36N., R.14W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner Kenneth Vojta was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public Comments were made by **Herschel Sharr, James Sharr** and **Rob Pope**. 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 vote was unanimously in favor of approval from the Planning and Zoning Commission contingent upon the utility and access easement approvals. Commissioner Suckla moved to continue the current public hearing which was for the purpose of reviewing and determining of a proposed sketch plan for a 2 lot moderate development for land owned by Kenneth and Patricia Vojta, to Monday April 23, 2018 at 2:00 P.M... Second by Commissioner Ertel and carried. Commissioner Lambert 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 a proposed Planned Unit Development request and Agency recommended Commercial Rezoning recommendation submitted by **Philip & Denise Catrain, Agent Justin Collier**, on property located at 18667 Hwy 145, Dolores, CO, consisting of 3.06 acres, more or less, located on the east of Dolores, north of Hwy 145, situated in S.12 T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owners Philip and Denise Catrain were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comment was made by **Rob Pope** and **Melissa Mathews, Montezuma County Health Department**. 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 vote was unanimously in favor of approval from the Planning and Zoning Commission contingent upon a request for a commercial tap and a response to the Agency notice from the Town of Dolores in favor or against the proposed use. After hearing all the evidence presented Commissioner Suckla moved to approve the review for the proposed planned unit development request and agency recommended commercial rezoning recommendation submitted by Philip & Denise Catrain, Agent Justin Collier, on property located at 18667 Hwy 145, Dolores, CO.. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Planning Director, Milligan presented for review and determination a proposed Sketch Plan for an amendment of the **Old Minors Major Subdivision**, Lot 4B, located at 19101 Road 22, Lewis, CO, whereby said lot would be divided into two 3 acre, more or less tracts. The property is located east of Hwy north of Road V, situated in S.6, T.37N., R.16W., N.M.P.M. Commissioner Ertel moved that the sketch plan for an amendment of the Old Minors Major Subdivision, on lot 4B, located at 19101 Road 22, Lewis, CO, be approved. Second by Commissioner Suckla and carried.

DISCUSSION: Planning Director, Milligan held a discussion and made a request for permission to create a draft resolution for the purpose of educating the public on the County process for Hemp grow operations within the County. Other topics discussed included a Sheriff's Department **Marijuana Hemp 101** presentation for County Department heads scheduled on April 24, 2018 and proposed scheduling of more than one monthly Planning & Zoning Commission Meetings.

DISCUSSION: Planning & Zoning Board members **Rob Pope, Stan Pierce, Bob Clayton, and Kelly Belt** along with **Planning Director, Milligan, County Assessor, Leslie Bugg, and GIS Assistant, Rachel Medina** met with the Commissioners to discuss a proposed implementation of a county sales tax. Topics of the discussion included; public education and public feedback to the proposed sales tax ballot question, current municipal sales tax percentages, state sales tax regulations, the current mill levies, the Gallagher Amendment, public thoughts on the County use of a proposed sales tax, growing economical and a recreational base within the community, County budget deficits and the level of support from the current Commissioners.

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussion included; the agreement and list of responsibilities between Montezuma County and Dolores County regarding the Farris and Cabin Campgrounds.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich reported on the Aquatic Nuisance technical meeting attended. Topics discussed included the CPW training, the WID station, McPhee parking issues and the Sage Hen gate closure. Commissioner Ertel moved to rescind the closure decision on the Sage Hen access and have the opening date for that gate, April 14, 2018 and to amend and add to that motion that the Montezuma County Sheriff and the DWCD officials at Sage Hen water works have the authority to lock that gate closed again if they see unlawful activity. Second by Commissioner Suckla and carried. Other topics discussed included; the DWARF meeting, the Flume project, the Mancos grazing EA and the USFS objection response. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented for approval a letter addressed to all County Department Heads and Elected Officials regarding the current County **Fleet** procedures. Commissioner Ertel moved that the letter to all Montezuma County department heads and elected officials describing the Fleet procedures be approved. Second by Commissioner Suckla and carried. A discussion was held in regard to the **2018 Secure Rural Schools** fund allocations. Currently the Montezuma County, Road Fund will receive 25% and the School fund allocations being 75% of said payment. Commissioner Ertel moved that the 2018 Secure Rural Schools allocation of 25% to the Montezuma County Road Fund and 75% to the Montezuma County School District be approved as presented. Second by Commissioner Suckla and carried. Other topics discussed included the approved **ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS** and the move next week to the new Commissioner's meeting room. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert reported on the attended, South West Water Conservation District meeting. **Commissioner Ertel** gave reports on the attended Montezuma County Board of Health and TPR meetings. **Commissioner Suckla** had not report to give.

PUBLIC COMMENT: Ellen Foster, Jim Candelaria and M.B. McAfee discussed the proposed County sales tax. **Greg Kemp** discussed a hemp growing operation in Mancos.

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 4:00 p.m.

Clerk April 9, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 16, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 16, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of April 16, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 9, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: Gary Kennedy with the Mancos Water Conservancy District discussed a letter of support from the Commissioners, for the transfer of the Mancos Project title to the District. Gala Pock discussed the road sign to the Hovenweep National Park. Diana Weitzenkamp discussed an article in the local newspaper regarding The Bridge Homeless Shelter. Todd King discussed issues he has had with the County Planning & Zoning Subdivision process. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the dates of April 11, 2018 through April 27, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Superintendent Englehart reported that to lease the county owned MVI water shares a county representative to negotiate the lease of the shares would be required. Commissioner Ertel moved to appoint Road Superintendent, Rob Englehart the authority to sign the lease for the County owned shares of MVI water. Second by Commissioner Suckla and carried. Other topics discussed included; a scheduled meeting to

discuss the Road BB DoLA project, a quarterly fuel report and the agreement and list of responsibilities between Montezuma County and Dolores County regarding the Farris and Cabin Campgrounds. (See attached)

PUBLIC LANDS:

Canyon of the Ancients National Monument Manager, Marietta Eaton reported to the Commissioners that they would be officially changing the name of the **Anasazi Heritage Center** to the **Canyon of the Ancients Visitor Center and Museum**. Mrs. Eaton invited the Commissioners to an open house Saturday, April 21, 2018 at 11:00 a.m. to celebrate the name change. Other topics discussed included the Sand Canyon parking lot.

Bureau of Land Management, Connie Clementson discussed with the Commissioners the following topics; that they will move forward with the proceed to implement on the Phil's World expansion project, scheduling community work days, the Summit Ridge BLM access property owners agreement and the Recreation and Travel Management Plan (MOU) Memo of Understanding. Commissioner Suckla moved to approve the MOU agreement. Second by Commissioner Ertel. With two votes in favor from Commissioners Ertel and Suckla and one vote against from Commissioner Lambert, the motion carried. (See attached)

Forrest Service, Derek Padilla met with the Commissioners to give updates on various topics. Topics discussed included; the Dolores Norwood Road easement agreement, risk management, prescribed fire management, water tanks for Forest Service grazing permits, the Rico West Dolores, and the Boggy Draw trail expansion project.

COLORADO STATE PARKS: Scott Elder met with the Commissioners to discuss the operations within the Lone Mesa State Park and the Mancos State Park. Topics discussed included; visitor days, the number of issued (OHV) off highway vehicles registrations, fees generated from registrations, the campground host program, investment of lottery funds within the county, the Mancos Water Conservation District, the Aquatic Nuisance Species inspection program and the organizational structure of Colorado Parks and Wildlife.

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for March 2018 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 Suckla moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for March 2018, seconded by Commissioner Ertel, motion carried. Other topics discussed included; annual recertification training, the new Veterans hospital in Aurora, a shortage of doctors to work within the VA hospitals, the proposed Rapid Appeal Management Process and the scheduling of 5 year work anniversary celebration. (See attached0

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. Commissioner Suckla moved that the special event liquor license for the 100 Club of Montezuma event dated July 14, 2018 be approved as presented. Second by Commissioner Ertel and carried. (See attached)

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

THE BRIDGE EMERGENCY SHELTER: Board Members, Laurie Knutson and Jim Rogers met with the Commissioners to discuss the pending sale of the Justice Building and the time frame required to move the shelter to a new location.

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, 2017. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed the draft Forest Service FERTA Agreement.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, had no report to give.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed a letter received from the City of Cortez Mayor, Karen Sheek in regards to the cooperative efforts for the recent municipal elections. Other topics discussed included; the departments extra efforts to complete the remodel project, maps and/or pictures to be placed within the new Commissioner's room, the Bridge Emergency Shelter, scheduling a public open house to view the remodeled County building. Commissioner Suckla moved that a \$500.00 bonus per person be given to the IT, Maintenance and Melissa Brunner. Second by Commissioner Ertel and carried. (See Attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert discussed an attended Range Drought Preparedness and Livestock Disaster training presentation and the attended Basin Round Table and the Aquatic Nuisance Species meetings.

Commissioner Ertel discussed the Aquatic Nuisance Species public meeting he had attended.

Commissioner Suckla gave a report on the CCI phone conference call he had participated in.

PUBLIC COMMENT: M.B. McAfee discussed the past and future partnership between Montezuma County and the Bridge Emergency Shelter.

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 2:30 p.m.

Clerk April 16, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 23, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 23, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of April 23, 2018 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 16, 2018 as amended. Motion was seconded by Commissioner Suckla and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the March 2018 Accounts Payable for approval. Commissioner Suckla moved to approve the Accounts Payable for March 2018 as presented. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Dianne Wietzencamp** made a request for clarification regarding the Justice building sale to the Children's Kiva and the scheduling required for the move of the Bridge Shelter.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of April 18, 2018 through May 4, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; a proposed future overlay project on the road to Dolores around Butler's corner, directional road signs for Hovenweep National Park and the Lowry Ruins, missing cattle guard signs, a scheduled meeting with Sunco Oil to discuss oil adhesion, a updated survey of the Hay Camp

Gravel Pit, the recorded perpetual easement between the Bureau Of Reclamation and Montezuma County to access the municipal and industrial water tap and the MVI water share lease. (See attached)

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

LANDFILL: **Landfill Manager Shakalo Powers** gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included; income by waste destination, year to date expenses, required closures at the Landfill because of wind, the proposed purchase of a tire chipper, a joint meeting with the **Montezuma County Food Coalition**, grocery stores and local food producers to discuss **Integrated Solid Waste and Materials Management**, the development of a county process for the disposal of household hazardous waste, the widening of the Landfill boundary roads and compost sales at \$23.00 per yard. (See attached)

HEALTH DEPARTMENT: **Public Health Director, Bobbie Lock** along with **Marketing and Public Relations Director, Melanie Begay** met with the Commissioner to present the **Communities That Care, Task Order Amendment #2** for approval. Ms. Begay gave an overview of the Communities that Care program. Commissioner Ertel moved that Task Order Amendment #2, in the amount of \$134,307.00 be approved as presented. Second by Commissioner Suckla and carried. Director Lock presented for approval **Task Order Contract Waiver #154** for the **Immunization Core Services**. Commissioner Suckla moved that Task Order Contract Waiver #154 in the amount of \$41,407.00 between the Montezuma County Health Department and the CDPHE be approved. Second by Commissioner Ertel and carried. (See attached)

DISCUSSION: By request from the Board, **Environmental Health Specialist, Melissa Mathews** met with the Commissioners to review the previously approved **Montezuma County Public Health Department On-Site Wastewater Treatment System Regulation #43**. Topics of the discussion included; septic failures for the years 2017 and 2018, criteria for inspections on the Title of Transfer policy, septic failure effects to ground water, septic failure effects to neighboring landowners, the Commissioner's campaign discussions regarding less government and personal property rights, the 20 year criteria included within the regulation, that prevention is the major focus for the Public Health Department, clarification of the document On-Site Wastewater Treatment System Regulation 43 and Section 1.9 along with the Montezuma County regulations adopted within it. Commissioner Suckla initially moved to limit implementation of the Regulation 43 additions to the Dolores River Valley, and then amended the motion to entirely rescind the BOCC's previous approval of Regulation 43 including the additions. The motion died for lack of a second. (See attached)

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

Chairman Lambert announced the meeting would reconvene.

DISCUSSION: regarding proposed permitting for use on property located at 22419 Road, Cortez, CO, formerly known as Neilson Skanska, owned by Resource Park Inc., on 290.13 acres, more or less, located west of Hwy 160-491 and north of Road, situated in S.5 T.35N., R.16W., N.M.P.M. **Planning Director, LeeAnn Milligan** gave an overview of the proposed permit. Topics of the discussion included the historic commercial use of the property, the storage units on the east boundaries of the property and privacy fencing. Commissioner Suckla

moved that property formerly known as Neilson Skanska, owned by Resource Park Inc., be granted a variance for the continued use that it was in the past, contingent upon a minimum of a 25 foot setback on the east boundary of the property. Second by Commissioner Ertel and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining proposed vacations of right-of-ways within the **Pleasant View Town Sites** on properties located west of Hwy 491 and north of Road CC, 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. **Planning Director, Lee Ann Milligan** gave an overview of the application and made a request to continue the public hearing to a future date. Commissioner Ertel moved to continue the public hearing for a proposed vacations of right of ways within the Pleasant View Town sites to May 21, 2018. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a continuation of a public hearing is held for the purpose of reviewing and determining a proposed Sketch Plan for a proposed 2 Lot Moderate Development creating two, 3.5 acre, more or less, tracts of land on property owned by **Kenneth and Patricia Vojta**, 12502 Road 38 Mancos, CO, located east of Hwy 184 and south of Road 38, situated in S.12, T.36N., R.14W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner Kenneth Vojta was present. Commissioner Lambert opened the hearing to public comment. Public Comments were made by **Herschel Sharr**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved to table the public hearing to June 11, 2018. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: **Attorney, John Baxter** reported that the Phil's World Expansion's motion to intervene had been denied but the County had been granted Amicus Curiae status.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich**, met with the Commissioners to give his weekly report. Director Dietrich discussed the attended Energy Symposium, the Rangeland Stewardship Committee meeting and the Recreation and Travel Management Plan (MOU) Memo of Understanding.

COUNTY ADMINISTRATOR REPORT: **Administrator, Melissa Brunner** discussed an incident in the previous week concerning a local school closure, the local police department and a person within the interview rooms at the Social Service Department. Other topics discussed included; the scheduling of the Tri-City meeting, the Commissioners involvement with the interview process for available positions within the Planning Department, the Emergency Manager and the Social Service Director.

COUNTY COMMISSIONER REPORT: **Commissioner Lambert** reported on the Energy Symposium he attended. **Commissioner Ertel** had no report to give. **Commissioner Suckla** had no report to give.

PUBLIC COMMENT: **Gala Pock** discussed Commissioner Lambert's report on the Energy Symposium. **M.B. McAfee** discussed the Commissioner meeting room microphones.

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 2:30 p.m.

SITE VISIT: D&L Construction

Clerk April 23, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 1, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 1, 2018 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 Lambert opened the meeting of May 1, 2018.

SPECIAL HEARING: Department of Public Health employee, **Jeannie Garbesi** met with the Commissioners to appeal the termination of her position within the Health Department by **Public Health Director, Bobbie Lock**. Mrs. Garbesi chose to keep the session public so an executive session was not required. The discussion was recorded for the record. Commissioner Suckla moved to uphold the decision by the Director based on non-performance of the requirements for the job. The motion was seconded by Commissioner Ertel and carried

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

MEETING ADJOURNED: 9:00 a.m.

County Clerk May 1, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 7, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 7,, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of May 7, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 23, 2018 and the Special Hearing minutes dated May 1, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: **High Desert Conservation District Board member, Steve Miles** discussed the cancellation of their Special District election scheduled May, 8, 2018. (See attached) **M.B. McAfee** discussed the Special Hearing held on May 1, 2018.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of May 2, 2018 through May 18, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; mag chloride, gravel, paving, pictures of the shouldering and side paver attachment, the monthly safety meeting, a scheduled meeting with the **Off System Bridge Program**, the **CARSE 2018** workshop, the new County **Emergency Manager**, the **Dolores Norwood Road**, speed limits signs and the **Reams Construction** fossil water. Superintendent Englehart presented for approval the **Customer Purchase Order for John Deere Construction and Forestry Products – USA Agreement**. Commissioner Ertel moved that the Road Superintendent proceed with the John Deer program,

leasing of the John Deer motor grader blades for years 2018 and 2019. Second by Commissioner Suckla and carried (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the year to date numbers for income of \$23,305.00 and attendance at 19718. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; installation of new roping chutes, roping boxes, installation of kick panels for the alley and bucking chutes and a plan for the a new stripping chute alley way. Manager Tanner discussed a quote from Triton Barn systems for 50 each 10' by 10' portable solid sided stalls in the amount of \$54,115.00. Commissioner Ertel moved that Manager Young pursue the solid sided stalls for the Fairgrounds through his vendor Triton Barn Systems in the amount of \$54,115.00. Second by Commissioner Suckla and carried. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock along with **Case Managers, Danna, Nofsinger, Megan Riddell, Vanessa Martinez, and Jill Umberger** met with the Commissioners to discuss the **Single Entry Point** caseloads. Topics of the discussion included Monthly client counts and a request to fill a current vacancy within the department. Commissioner Suckla moved to fill a vacancy in the Single Entry Point with the Health Department. Second by Commissioner Ertel and carried. Director Lock along with **Environmental Health Specialist, Melissa Mathews** presented the **Office of Planning and Partnership Initiatives Contract, Task Order Amendment #1** and the Environmental Health, **DEH Retail Food Contract for 2018-2019, Task Order Amendment #2** for approval. Commissioner Ertel moved that the Montezuma County Health Department be approved on their Task Order Amendment #1 with the Office of Planning and Partnership Initiatives Contract. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve Task Order Amendment #2 for Colorado Department of Public Health and Environment. Second by Commissioner Ertel and carried. Other topics discussed included the Tire Management program. (See attached)

COMBINED COURTHOUSE PROJECT: Owners Representative, Monty Guiles and **Judicial District Administrator, Eric Hogue** met with the Commissioner to discuss the placement of security panels within the holding cells at the new Combined Courthouse. Topics of the discussion included; security camera positioning, damage to the cells by inmates, ADA compliance regulations and the original designed plans. Commissioner Ertel moved to award a contract to Jaynes Corporation in the amount of \$ 15,498.94 for the re-outfitting of the holding cells at the Courthouse. Second by Commissioner Lambert, with two votes in favor by Commissioners Lambert and Ertel and one vote against from Commissioner Suckla the motion carried. (See attached)

DISCUSSION: County Assessor, Leslie Bugg, GIS Manager, Doug Roth and **Clerk, Kim Percell** met with the Commissioners to discuss concerns with the High Desert Conservation District boundary map. Topics of the discussion included; requests to the GIS Department for help to identify the district boundary map, a request for the District's assessment values from the County Assessor and the July, 2017 Clerk request to the District for an updated boundary map. Other topics included; how the district was formed, the original legal description of the District boundary, the district's options for removal of land from the boundaries and options for land owners to be removed from the district, the original 1946 industry properties excluded within the district boundaries and the non-exclusion of industrial within the current district boundaries, lack of research options to verify the 1946 commercial map of the City of Cortez, the incorrect Voters List provided from the Clerk's office and the November ballot question options. (See attached)

ACCOUNTS PAYABLE: Administrator Brunner presented the March 2018 Financial Statements for approval. Commissioner Ertel moved to approve the Financial Statements for March 2018 as presented. Second by Commissioner Suckla and carried. (See attached)

Chairman Lambert announced the adjournment of the meeting for the LUNCH break.
Chairman 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 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 25136 Road 8, Pleasant View, CO, consisting of 6.89 acres, more or less, south of Road 8, situated in S.1 T.38N., R.19W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Chris Lopez, and Andy Weygant were present. **Planning Director, Lee Ann Milligan** gave an overview of the application and verified the address to be Road BB not Road 8. Commissioner Lambert opened the hearing to public comment. Public comments were made by **Gala Pock** and **Ellen Foster**. 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 vote was unanimously in favor of approval from the Planning and Zoning Commission with no contingencies. After hearing all the evidence presented Commissioner Suckla moved to approve High Impact and Special Use Permits for a CO2 Well and associated pipelines submitted by Kinder Morgan CO2 Company, on property located at 25136 Road 8, with an amendment to the motion to change the address to road BB Pleasant View, Co., and contingent upon the approval of the driveway permit. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Director Milligan presented for signatures a final plat for a Single Lot Development Application submitted by **Roy Elder** on Property located at 10720 Road 43, Mancos, CO, consisting of 11 acres, more or less, located on Road 43, north of Hwy 160, situated in S.22 T.36N., R.13W. N.M.P.M.

Director Milligan along with **Travis Custer** and **Jay Loschert** met with the Commissioners for a preliminary discussion regarding the **Montezuma Land Conservancy** agricultural educational facility proposed High Impact Permit Application on property located at 19760 Road W, Lewis, CO, consisting of 82.8 acres, more or less, south of Road W, west pf Road 20, situated in S.2 T.37N., R.17W., N.M.P.M.

Director Milligan presented for preliminary review and determination an Exemption Application submitted by **Linda Eldon** and **Andrew Simmons** consisting of 21.3 acres, more or less, of the 98.66 acres, more or less, which is divided by Highway 160, south of Hwy 160, west of Road 39, situated in S.31 T.36N., R.13W., N.M.P.M. Commissioner Ertel moved to proceed with the Simmons exemption #P-04-17, the Simmons Kennedy boundary line adjustment on Road 39 in Mancos. Second by Commissioner Suckla and carried.

CITY OF CORTEZ: **Peyton Hertzman** and **Neva Connolly** presented for signatures a final plat for the City of Cortez and Montezuma County for sale of the Justice Building located at 601 N. Mildred, Cortez, CO

GIS MAPPING: **GIS Manager Doug Roth** along with property owner **Norman Hanson** met with the Commissioners to discuss an incorrect addressing area on Road 44, Mancos. Topics discussed included; the addressing standards and addresses out of sequence. Manager Roth and Mr. Hanson will meet with neighbors to discuss and work to resolve the issue.

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed a proposed Extreme Risk Protection order, House Bill #18-14-36 and the Road Use Agreement for the Dolores Norwood Road.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich discussed the Public Land Day scheduled May 19, 2018, the scoping comments on the Mancos Rangeland Assessment, an update on the McElmo Flume project, the submittal to the City of Cortez for the County offices building sign and the BLM MOU Cooperating agency agreement. Director Dietrich presented a letter to Cliff Spencer, Superintendent Mesa Verde Nations Park regarding the N-79-08-1-9-1.B (MEVE) Trespass Livestock Removal for approval. The Commissioners did not act upon the letter. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the attended Assessment of Appeals Seminar Class, gave updates on the remodel project, the scheduled Departments office moves and a bid for painting the west side of the building. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert reported he had attended the Department of Interior and BLM meeting held in Grand Junction.

Commissioner Ertel gave a report on the Assessment of Appeals Seminar Class and the Department of Interior and BLM meeting held in Grand Junction.

Commissioner Suckla discussed a proposed resolution regarding Second Amendment rights.

PUBLIC COMMENT: Greg Kemp and **Ellen Foster** discussed the placement of the clock and the big projection screen in the new Commissioner's room. Mrs. Foster also discussed the introduction of presenters to the audience and the accumulative effects of the county wide Kinder Morgan projects.

CORRESPONDENCE: The following correspondence was read and noted: Letter from Colorado Department of Public Health & Environment regarding the approval of the 2016 Financial Assurance Review

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

MEETING ADJOURNED: 3:30 p.m.

Clerk May 7, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 14, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 14, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of May 14, 2018 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 7, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation summary report through the month of April, 2018. (See attached)

LIQUOR LICENSE: Chief Deputy Clerk, **Lynn Dorenkamp** presented special event liquor license applications for an **Onward, A Legacy Foundation** event, scheduled July 14, 2018, to be held at the County Fairgrounds and a **United Way of Southwest Colorado** event scheduled, June 6, 2018 to be held at the Dolores River Campground, 18680 Hwy 145, Dolores.. Commissioner Suckla moved to approve the special events license for Onward A Legacy Foundation and the United Way of Southwest Colorado. Second by Commissioner Ertel and carried. Also presented were Liquor license renewals for **Bubba's LLC**, 18615 Road 20, Lewis, CO. and **Schroeder Colorado Inc., DBA Eagle Claw Trading Post**, 4321 S US Hwy 160/491, Cortez, CO. The Schroeder Colorado Inc. DBA Eagle Claw Trading Post application included a modification report of changes. Commissioner Ertel moved to approve liquor license renewals for Bubba's LLC, located at 18615 Road 20,

Lewis, and Schroeder Colorado Inc, DBA Eagle Claw Trading Post, located at 4321 S US Hwy 160/491, Cortez, as presented. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: No comments were made.

EMERGENCY MANAGER REPORT: **Administrator Brunner** introduced the new **County Emergency Manager, Mike Pasquin**. Topics of the discussion included; the attended EOC training, the County Emergency Operations Plan, future training exercises, public education, and the Regional Hazard Mitigation Grant.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of May 9, 2018 through May 25, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Pictures were presented for review of current projects using the new shouldering equipment. Other topics discussed included; a shoulder weed barrier, tree trimming operations, mag chloride, the **Path to Mesa Verde** project, the **CDOT Alkaline Bridge** project, the removal of a fallen tree on Road F and the removal of rock on the Road 38. Superintendent Englehart reported that one of his Foreman had resigned and made a request to advertise for the position as a combination Truck Driver / Equipment Operator. Commissioner Suckla moved to approve the request from Road Superintendent, Rob Englehart to advertise for a combined Truck Driver / Equipment operator position in the Montezuma County Road Department. Second by Commissioner Ertel and carried. (See attached)

VETERANS SERVICE: **Veteran Service Officer, Rick Torres** presented the Certification of Pay for April 2018 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 Suckla moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for April, 2018, seconded by Commissioner Ertel, motion carried. Other topics discussed included; a **VA Vet Center Van** visit to the County, the Montezuma County Veterans Service Facebook page, a **Skate4Life** event and the scheduled 5 year anniversary party. Officer Torres read the Memorial Day Proclamation to the audience. Officer, Torres along with VFW Commanders, Rick Rohsner and David Johnson and County Employee Veterans, Billye Morgan and Mike Pasquin presented the Memorial Day Proclamation for signatures. (See attached)

SHERIFF'S MONTHLY REPORT: **Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the Municipal Hold report, the Monies Paid to the General Fund report and the April, Jail and Operational Expenses report. Sheriff Nowlin presented for review a new Call Type report. Other topics discussed included Community Policing programs, the average inmate count, recent intentional fires being started, the Sheriff Departments Facebook page and mobile app, the **Safe to Tell** program, the **2018 Edward Bruce Memorial Justice Grant**, the scheduled **100 Club** event, and the new evidence storage building. (See attached)

SOUTHWEST HEALTH SYSTEMS: **Interim CEO, Tony Sudduth** and **Haley Leonard Saunders** met with the Commissioners to give an update on the Southwest Health Systems operations and current construction project. Topics of the discussion included; family practice physicians, local surgeons using Utah facilities, the current bonding in default with lenders, the Medicaid payment program, the **Traveling Nurses** program, the **Visiting Specialist** program, **Tele Help** options, primary care doctors, the current number of employees and a request form the Commissioners for a quarterly financial report

WEED DEPARTMENT: Weed Department Office Manager, Bonnie Loving presented for approval **Noxious Weed Resolutions #1-2018, #2-2018, #3-2018, #4-2018 and # 5-2018**. Commissioner Ertel moved for the ratifying of Noxious Weed Resolution #1-2018, by the Board of Montezuma County Commissioners. Second by Commissioner Suckla and carried. Commissioner Ertel moved for the re-adoption of Noxious Weed resolutions #2-2018, #3-2018, #4-2018 and #5-2018. Second by Commissioner Suckla and carried. (See attached)

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

PLANNING: Planning Director Lee Ann Milligan presented for signatures a final plat for Exemption P-04-17 submitted by **Linda, Eldon and Andrew Simmons** consisting of 21.3 acres, more or less, of the 98.66 acres, more or less, which is divided by Highway 160, south of Hwy 160, west of Road 39, situated in S.31 T.36N., R.13W., N.M.P.M.

Director Milligan presented for review and determination a variance request from **Michael Sparhawk**, on property located at 34051 Road M, Mancos, CO, consisting of 15.91 acres, more or less, located on the north side of Road M, east of Road 33.75, situated in S.8 T.36N., R.14W., N.M.P.M. for an 8' residential setback from the 50' County Land Use Code requirements. A neighbor Non-Opposition Letter is in file. Commissioner Suckla moved to approve a Variance request for Michael Sparhawk on property located at 34051 Road M, Mancos CO.. Second by Commissioner Ertel and carried.

Director Milligan presented for review and determination a Variance request from **Michelle Martin**, on property located at 24850 Road S.8, Dolores, CO, consisting of 0.69 acres, more or less, located on the south side of Road S.8, at the end of Road 24.8, situated in S.22 T.37N., R.16W., N.M.P.M. Applicant has approached the Lebanon Town Site Subdivision Home Owner's Association and has received approval for the existing location of a pipe fence and evergreen trees which are located outside of the property line. Letter and minutes are in file in this regard. Applicant and the Home Owner's Association are seeking a Variance from the Board of County Commissioners. A discussion was held regarding a contingency that if the county ever made a county road where the trees and fences are they would have to be removed since they are on county property Commissioner Ertel moved that the variance for landowner Michelle Martin address 24850 Road S.8 Dolores, Co. be approved. Second by Commissioner Suckla and carried. (See attached)

PERSONNEL MATTER – CANCELLED

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed his amendments to the Draft, BLM Memo of Understanding between the Department of Interior Tres Rios Field Office and Montezuma County. The document will be presented at a future date for review and determination.

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

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented the 2017, 3rd and 4th Quarter Public Trustee reports. Administrator Brunner made a request to fill 3 Social Services Department vacancies. Commissioner Ertel moved to approve the advertising for 3 positions within the Social Service Department. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert no report given.

Commissioner Ertel gave a report on the attended, **Southwest TPR Rail & Transit** meeting, the **Southwest Work Force** Regional Board meeting held here in Cortez, and discussed a future hemp growers meeting.

Commissioner Suckla discussed the **Southwest Cattleman's Board** meeting, the **Paths to Mesa Verde** meeting, the local airport passenger funding options and the scheduled **Western Interstate Regional** meeting.

PUBLIC COMMENT: **Jim Candelaria** discussed the safety / sound issues with the usage of truck engine brakes.

CORRESPONDENCE: The following correspondence was read and noted: Letter from the United State Department of the Interior, regarding the NHPA

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

MEETING ADJOURNED: 2:30 p.m.

Clerk May 14, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 21, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday May 21, 2018 at the courthouse in Cortez, Colorado, there were present:

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

EXECUTIVE SESSION: Commissioner Ertel 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). Seconded by Commissioner Suckla and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding personnel matters. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Suckla and carried. (See attached)

CHAIRMAN LAMBERT opened the meeting of May 21, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 14, 2018 as amended. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: Public comments in regards to deficit funding for the County Senior Services were made by **Margret Spence, Senior Nutrition Director Sue Fletcher, Transportation Director Mary Holaday and Jim Hannah.** (See attached) **Sara Ann Waller** discussed an issue, that she named the Binia matter.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of May 9, 2018 through May 25, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; mag chloride, general road maintenance, a culvert

replacement, the 2018 schedule for the road painting, the removal of a fire damaged tree, the Dolores Norwood Road project and the grinding schedule. (See attached)

PUBLIC LANDS: Forrest Service, Tom Rice met with the Commissioners to give updates on various projects. Mr. Rice reported on the **McPhee Reservoir**, Aquatic Nuisance Inspection hours of operations which included; the **House Creek** marina, Friday through Monday 6:00a.m. to 8:00p.m. And the main McPhee ramp, 7 days a week starting April 18, 2018 from 6:00 a.m. through 8:00 p.m. through October 2018. Other topics discussed included The Stage 1 Fire restrictions, cautionary fire staffing, the CRT annual achievement award from the Coalition for Recreational Trails for the McPhee Overlook Trail Project, coordination with the San Juan Trail Riders and the Mancos Trails Group, signs on the Mancos spur of the Colorado Trail, the Chicken Creek Environmental Assessment, motorized and non-motorized connecting routes on the Aspen Loop trail, a drought letter sent out for grazing permits, the Cabin Creek and Ferris campgrounds, and the Road Use Agreement for the Dolores Norwood Road.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Administrator Brunner presented the Record of Proceedings and the financial statements for the month of April 2018. (See attached)

LANDFILL: Cancelled

COUNTY CLERK & RECORDER: County Clerk, Kim Percell gave the Commissioners an office department update. Topics of the discussion included; the **Dolores School District Board** recall petitions, the June Primary Election, the meeting with the **High Desert Conservation Board** and county closures / training schedules for the implementation of the new Motor Vehicle **DRIVES** program.

DISTRICT ATTORNEY: District Attorney, Will Furse met with the Commissioners to discuss a proposed November election ballot question to extend the term limits for the District Attorney. Commissioner Ertel moved that the ballot initiative for the 22nd Judicial District's, District Attorney's term limit extension to 3 terms, example number one be approved as presented. Second by Commissioner Lambert and carried. (See attached)

FOR PET'S SAKE: Sherry Valle, President for the For Pets Sake Human Society met with the Commissioners to request a waiver of the Annex I use fees for an animal clinic event by For Pet's Sake to be held at a future date. Commissioner Ertel moved that the clinic from the Planned Pethood Plus organization and our For Pets Sake Humane Society, be allowed to use our Annex 1, at no charge, at a future date for their spay and neuter clinic. Second by Commissioner Lambert and carried. (See attached)

PLANNING: Planning Director, Lee Ann Milligan presented for review and determination of a proposed lot line adjustment and variance request by **Allan & Darlene Bleak** on properties located within the Pleasant View Town Site Subdivision, Block 3, Lots 13 through 16, 26039 Hwy 491, consisting of 0.23 acres, more or less, and 15451 Road CC, consisting of 0.44 acres, more or less, Pleasant View, CO, containing 0.67 acres combined, more or less. The current lot lines are located between the properties are mostly southwest to northeast. The proposed new property line would be located northwest to southeast. No new tract of land would be created by the granting of this request. There are also structures on the tracts of land which have not historically met the setback requirements per the Land Use Code. The request for a Variance in this regard is also made part of the Exemption Application. The properties are located west of Hwy 491, north of Road CC, situated in S.31, T.36N., R.13W.,

N.M.P.M. Commissioner Ertel moved that the proposed lot line adjustment and variance request by Allan and Darlene Bleak under resolution #P-05-2018 move forward. Second by Commissioner Lambert and carried.

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** summarized a proposed draft resolution that establishes the law behind Rights-of-way within the County. The proposed resolution will be presented for discussion and approval at a later date. Attorney Baxter gave a report on the morning's executive session and the proposed Road Use Agreement for the Dolores Norwood Road.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, met with the Commissioner to give his weekly report. Topics of the discussion included; the Summit Area BLM access, the **Boggy Glade** grazing analysis, the **Paths to Mesa Verde** Trail project, a request for additional signs for the **Sage Hen** area, the **McElmo Flume** project and the Special Recreation Management Area (SRMA), permit holders for the **Sand Canyon** area.

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** discussed correspondence addressed to the Board of County Commissioners from **Van Johnson**, in recognition of their continued support for the Veterans Services programs and her attendance to the Veterans 5 year anniversary celebration. **ACCOUNTS PAYABLE:** Administrator Brunner presented the April 2018 Accounts Payable for approval. Commissioner Ertel moved to approve the Accounts Payable for April, 2018 as presented. Second by Commissioner Lambert and carried. (See attached)

COMMISSIONER REPORTS:

Commissioner Lambert no report given.

Commissioner Ertel discussed the scheduled Hemp growers Meeting in Mancos. **Commissioner Suckla** no report given.

PUBLIC COMMENT: **M.B. McAfee** discussed transparency and reporting out to the public regarding executive sessions.

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 12:25 p.m.

Clerk May 21, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 11, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 11, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of June 11, 2018 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 21, 2018 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 May, 2018. (See attached)

ACCOUNTS PAYABLE: Administrator Brunner presented the April, 2018 Financial Statements for approval. Commissioner Suckla moved to approve the April, 2018 Financial Statements for Montezuma County as presented. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Tom Seymour** held a discussion regarding the interview process for the vacant Social Service Director position.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of June 6, 2018 through June 22, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; paving, shouldering, gravel, chip sealing, tree trimming, mag chloride, mowing, spraying for weeds, the Verizon Tower project, installation of mile markers, an attended

Highline Canal meeting, department readiness for fire, the Century Link fiber optic project and parking areas for BLM access on Road 41. Superintendent Englehart presented for approval a quote in the amount of \$52,372.00 from Honnen Equipment Co, for the purchase of two 2018 Walk'nRolls. Commissioner Ertel moved that the Montezuma County Road & Bridge Department purchase 2 new Walk'nRolls from Honnen Equipment priced at \$52,372.00. Second by Commissioner Suckla and carried. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for May 2018 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 Suckla moved to approve the Colorado Department of Military and Veterans Affairs monthly report and Certification of pay for Montezuma County for May 2018, seconded by Commissioner Ertel motion carried. Other topics discussed included; the response times for claim decisions, the attended **Skate 4 Life** event, the Veterans Service area for Montezuma County and the new Department of Veterans Affairs sub hub in Grand Junction. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Ute Mountain Roundup Rodeo event, the RFD video and the Jordan World Circus event protestors. Manager Young reported that he had ordered 4 additional panels which would need an amendment to the purchase motion amount of \$54,115.00, made on May 7, 2018. Commissioner Ertel moved to amend the panel purchase by the Fairground's Manager Tanner Young, to \$55,695.00. Second by Commissioner Suckla and carried. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin met with the Commissioners to give his monthly report. Topics discussed included the Burro Fire, the 416 Fire, road closures, the pending San Juan Forest closure, the May 2018 Jail Report, the proposed State daily rate increase, the La Plata, Axis Mental Health facility services for Montezuma County, Marijuana Impact funds received and a proposed county resolution for marijuana regulations. 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 Nation Forest. Commissioner Suckla moved to approve the 2018 Annual Operating and Financial plan between the Montezuma County Sherriff's Department and the USDA Forest Service for the San Juan National Forest which is an additional \$2500.00. Second by Commissioner Ertel and carried. (See attached)

BOARD OF COUNTY HEALTH: Public Health Director Bobbie Lock presented the **Public Health Emergency Preparedness Grant (PHEP)** and the **Air Quality Grant** for approval. Commissioner Ertel moved that the Montezuma County Public Health Department through the Colorado Department of Public Health and Environment approve task order amendment routing #19-108784 in the amount of \$120,065.00 for one year. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve the Air Pollution Quality Division grant task order amendment routing #19-108581 for the Montezuma County Health Department in the amount of \$33,826.00 for 2018. Second by Commissioner Ertel and carried. Other topics discussed included the Burro Fire, the 416 Fire, air quality measures and precautions, the Waste Tire Management Grant, free mosquito repellent bracelets for the community and the precautions against the Hanta Virus. (See attached)

PLANNING:

Planning Director, Lee Ann Milligan presented for signatures a final plat for the lot line adjustment and variance request by **Allan & Darlene Bleak** on properties located within the Pleasant View Town Site Subdivision, Block 3, Lots 13 through 16, 26039 Hwy 491, consisting of 0.23 acres, more or less, and 15451 Road CC, consisting of 0.44 acres, more or less, Pleasant View, CO, containing 0.67 acres combined, more or less. The current lot lines

are located between the properties are mostly southwest to northeast. The proposed new property line would be located northwest to southeast. No new tract of land would be created by the granting of this request. There are also structures on the tracts of land which have not historically met the setback requirements per the Land Use Code. The request for a Variance in this regard is also made part of the Exemption Application. The properties are located west of Hwy 491, north of Road CC, situated in S.31, T.36N., R.13W., N.M.P.M. Preliminary approval received by the Board of County Commissioners on May 16, 2018. (See attached)

Director Milligan presented for Review and determination of a Variance Application submitted by **Ray and Glenda Ramsay** on property located at 29201 Road L, Mancos, CO, consisting of 5.01 acres, more or less, located north of Road L, east of Road 29, situated in S.161, T.36N., R.15W., N.M.P.M. Said Variance request is for property size requirements in order to obtain a loan for a new residence. The application will be presented to the Planning & Zoning Commissioner on June 28, 2018 for recommendations then returned to the Board of County Commissioners for determination.

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

Chairman Lambert announced the meeting would reconvene.

Director Milligan presented an Amendment of a Plat for a Single Lot Development Application submitted by **Roy Elder** on property located at 10720 Road 43, Mancos, CO, consisting of 11 acres, more or less, located on Road 43, north of Hwy 160, situated in S.22 T.36N., R.13W., N.M.P.M. Preliminary approval received by the Board of County Commissioners on Monday, March 26, 2018. The initial plat was signed on May 7, 2018. The application will be presented to the Planning & Zoning Commissioner on June 28, 2018 for discussion then returned to the Board of County Commissioners for determination.

RESOLUTION #6-2018: Director Milligan presented for approval **Resolution #6-2018**. A resolution regarding Hemp production in Montezuma County. Commissioner Ertel moved that Resolution #6-2018, a resolution regarding Hemp production within Montezuma County be approved. Second by Commissioner Suckla and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed the Justice Building revised plat, the scheduled closing for the sale of the building, a possible lawsuit filing, a scheduled meeting with the **High Desert Conservation District's** attorney **Bob Cole**, and the RS2477 Resolution.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, gave his weekly report. Topics of the discussion included; a request for a MOA with the State regarding the **Dolores Communication Tower**, trash and weed maintenance for the **McElmo Flume** parking lot, progress on the McElmo Flume project, grant applications for the **Paths to Mesa Verde**, the development of a map and data base for the RS2477 routes, the **San Juan National Forest** closure and a scheduled public BLM meeting. A discussion was held in regard to; what counties have **Colorado State Lands** and the revenue generated from Colorado State Lands to those counties. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the **NACo** voting credentials form, the yearly financial audit and scheduled interviews for available positions in the Social Service Department.

COUNTY COMMISSIONER REPORT: **Commissioner Lambert** gave a report on the attended WIR and CCI conference meetings attended.

Commissioner Ertel gave an overview of the attended Colorado Work Force meeting and the CDOT meeting.

Commissioner Suckla discussed funds donated for the continuation of the Senior Services meal program, meetings attended at the recent CCI conference and the attended Colorado Parks & Wildlife meeting. A discussion was held in regard to the CSU Extension director position.

PUBLIC COMMENT: **M.B. McAfee** discussed Commissioner Lambert's report from the WIR meeting, the Senior Services donations, and the Axis Mental Health services for Montezuma County. **Tom Seymour** discussed the Axis Mental Health facility and services for Montezuma County.

CORRESPONDENCE: The following correspondence was read and noted: Letter from Jeremiah Damon regarding the detention center.

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

MEETING ADJOURNED: 2:30 p.m.

Clerk June 11, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 18, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 18, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of June 18, 2018 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 June 11, 2018 as presented. Motion was seconded by Commissioner Suckla 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 the Cliffrose Your High Desert Garden, 27885 Hwy 160 Cortez. Commissioner Ertel moved that the Special Event License for the For Pets Sake event to be held at the Cliffrose High Desert Garden, 27885 Hwy 160 Cortez on July 21, 2018 be approved. The motion was seconded by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: **M.B. McAfee** discussed the proposed RS2477 assertion, county resolution. (See attached) **Gala Pock** discussed the separation/transfer of funds within the County Road & Bridge and General Funds. **Ellen Foster** discussed the proposed draft RS2477 resolution. (See attached) **Greg Kemp** discussed personal maintenance and enforcement responsibilities of privately owned roads that lead to access of BLM lands,

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of June 13, 2018 through June 29, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; the chip seal projects, water usage from the Highline canal,

gravel placement, bridge inspections, mowing operations, the County Weed Department's shoulder spraying, pavement patching, the Secure Rural Schools funding, a mag chloride program, the mussels inspection programs, the current fire ban restrictions and access to county fire status reports on the county web site at www.montezumacounty.org (See attached)

PUBLIC LANDS: Forrest Service, Derek Padilla met with the Commissioners and presented the current fire map of the Burro fire. Topics of the discussion included the transition from a Type One Management team to a Type 3 management team, the reduction of resources, county involvement, recent rains, the assessment of the current forest closure restrictions and the effects of the fires on grazing permittees. Other topics discussed included an update on the La Plata County 416 fire, the Rico West Dolores Travel management plan, the proposed draft RS2477 Resolution, the objection period for the Glade Range Management project, the transfer of the Aquatic Nuisance Inspections from the closed House Creek marina to the open McPhee Marina and the increased parking issues at the McPhee marina during the forest closure. (See attached)

COLORADO PARKS & WILDLIFE: Josh Stoudt, Southwest Region Trails Coordinator, gave a power point presentation regarding the State Trails program. Topics discussed included; the committee of 9 and their designated jobs, an overview of the grant types, the grant applications process, how the trails committee is appointed, the quarterly meeting schedule, the **Colorado State Recreational Trails Management** program, funding sources, the **Snowmobile** and **Off Highway Vehicle (OHV)** programs along with the registration breakdowns of collected fees. (See attached)

SOUTHWEST WATER CONSERVATION: Don Schwindt, Board member for the Southwest Water Conservation met with the Commissioners to give a quarterly Board update. Mr. Schwindt gave a report on the attended Four West Slope Basin Roundtables meeting. Topics discussed included; the Colorado River Risk Study, curtailment, compact compliance, senior rights, Basin drought contingency plans, water banking, storage reservoirs, augmentation of the river supply, forest health issues, a study of voluntary compensation of non-usage of water supplies and trans-mountain diversions. (See attached)

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

DISCUSSION: GIS Manager, Doug Roth and **Assistant, Rachel Medina** met with the Commissioners to discuss addressing issues with the 1200 Block of Road 44. Manager Roth gave an overview of the address issues within the area. Recommendations from the GIS department to cure the issues included, address corrections to current property owners favorable to the corrections, corrections to property owners with seasonal occupation and continued corrections to the remaining properties when future changes to ownership or property development occurs. Public comments were made by **Bud Walcott, Norman Hanson, Mike Doyle, Gala Pock, Lee Ann Milligan** and **M.B. McAfee**. Commissioner Ertel moved that the GIS department change all cooperating and non-responding addresses in the County Road 44 address change mailing, the residents that responded to our mailing and our request for a change of address, responded negatively to that mailing that they be left as is with their current address until the property is, either altered, sub divided or sold. Second by Commissioner Suckla and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining a proposed Commercial Rezoning (COMZ) for a proposed 8 space RV Planned Unit Development placed on 1 acre of property submitted by **William & Judy Eggers**, on property located at 30175 Road L, Mancos,

CO, consisting of 80 acres total, more or less, located on the north side of Road L, south of Road 31, situated in S.15 T.36N., R.15W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. William and Judy Egger were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comments were made by **P&Z Commission member Rob Pope, Gala Pock, P&Z Commission Chairman Bob Clayton, Benjamin Farrier and M.B. McAfee**. Hearing no further public comment that portion of the hearing was closed. Director Milligan reported the vote was not unanimous and with one vote against and the remaining votes in favor from the Planning and Zoning Commission the application was approved. After hearing all the evidence presented the Commissioners wanted to have Mr. Eggers return to the P & Z Commission meeting list to be re-reviewed for a single lot development. Commissioner Suckla moved to go against the recommendation of the P&Z Commission and deny the rezoning request application. Second by Commissioner Ertel and carried. Commissioner Lambert 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 AR3-9 rezoning request for a proposed Exemption Application on property owned by **Thomas & Sally Garrison**, located at 35324 Road R.5, Mancos, CO, consisting of 20 acres +/-, which would be divided into two tracts, situated north and south of Road R.5, east of Road 35.3, S.28, T.37N, 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** reported that due to extenuating circumstances the hearing would need to be continued. Under extenuating circumstances Commissioner Ertel moved that we continue this public hearing to July 9, 2018, at 1:30p.m. Second by Commissioner Suckla and carried. (See attached)

PLANNING: Director, Milligan presented for preliminary review and determination of an Exemption Application submitted by **Lorna LaDage** on properties located at 13260 Road 18, consisting of 25 acres, more or less and 12990 Road 18, consisting of 55 acres, more or less, Cortez, CO, situated east of Road 18, south of Road N.5, S.9, T.36N., R.16W., N.M.P.M. No new tract would be created. Commissioner Suckla moved to approve the exemption application for Lorna LaDage, on properties located at 13260 Road 18, consisting of 25 acres, more or less and 12990 Road 18, consisting of 55 acres, more or less, Cortez, CO. Second by Commissioner Ertel and carried.

Director, Milligan presented for signatures a final Plat of an After-the-Fact Exemption Application submitted by **Larry Don Suckla** on property located at 12553 Hwy 491, Cortez, CO, consisting of 13.48 acres, more or less, situated west of Highway 491, east of Road 23.25 Loop, situated in S.3, T.36N., R.17W., N.M.P.M. No new tract was created.

COUNTY ATTORNEY REPORT: Attorney, John Baxter presented for review and approval Resolutions 7-2018 and 8-2018. **RESOLUTION 7-2018:** A resolution referring the issue of extending **Term Limits for the District Attorney**, Twenty-Second Judicial District to the November 2018 Election Ballot and certifying the ballot title. Commissioner Suckla abstained from the discussion and the vote. Commissioner Ertel moved the adoption of Resolution 7-2018, referring the issue extending term limits for the District Attorney of the Twenty Second Judicial District on the November 2018 election ballot. Second by Commissioner Lambert and with two votes in favor the motion carried. **RESOLUTION 8-2018:** A resolution regarding **County Rights-of-Way Established over Public Lands under R.S.2477 as Public Right-of-Ways and Public Highways**. Chairman Lambert opened the discussion up for public comments. Public comments were made by **Dexter Gill, Greg Kemp, Dennis Attwater, Casey McClellan, Bud Garner, Gail Binkley, Dewayne Likes, M. B. McAfee and Chris Wolf**. Commissioner Ertel moved that Resolution 8-2018, County Rights-of-Way Established over Public

Lands under R.S.2477 as Public Right-of-Ways and Public Highway be approved. Second by Commissioner Suckla and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics discussed included; the attended **BLM Transportation Planning** meeting, the **McElmo Flume** project, the scheduled **USFS Boggy Glade Range Improvement Project** meeting, camper issues on Kernon Creek, alternative agenda times for the **Bureau of Land Management**, **Connie Clementson's** reports, the **Paths to Mesa Verde** grant process, and the Stateland funding research project.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner reported that Gina Montoya will be the Social Services Director and the new location for the Historical Society museum was ready. Administrator Brunner presented a draft amendment to the County employee handbook. The amendments will be presented next week for determination. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert and Commissioner Ertel discussed the attended Burro Fire presentation in Dolores. Commissioner Suckla discussed the attended stakeholder presentation regarding the Burro Fire.

PUBLIC COMMENT: Greg Kemp discussed the introductions of presenters to the audience.

CORRESPONDENCE: The following correspondence was read and noted: None presented.

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

MEETING ADJOURNED: 4:40 p.m.

Clerk June 18, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 25, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 25, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of June 25, 2018 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 June 18, 2018 as corrected. Motion was seconded by Commissioner Suckla and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the May, 2018 Accounts Payable and Financial Statements for approval. Commissioner Suckla moved to approve the Accounts Payable for May 2018 for Montezuma County. Second by Commissioner Ertel and carried. Commissioner Ertel moved that the May 31, 2018 Financial Statements for Montezuma County be approved. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: **Ellen Foster** discussed the RS2477 Resolution #8-2018, and communication with Dolores and San Miguel Commissioners. **Dexter Gill** discussed economic impacts from the recent Burro fire.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of June 20, 2018 through July 6, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; the pave and patch schedule, chip seal, Road W paving, the lease options for the counties remaining **MVI** water shares to **Cortez Cemetery District**, the Forest Service stage 2 fire restrictions, the **Secure Rural Schools** funding, the **Colorado's Outdoor Advertising Act**, a request for

gravel for a proposed BLM parking lot, the **PILT** funding class action lawsuit, and the Fourth of July holiday schedule. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. Lueann Everett was present. (See attached)

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the April and May 2018 Landfill budget spread sheet. Topics discussed with the report included; the BOMAG payments, the school asbestos clean-up project, the attended **Colorado Association for Recycling** meeting, county usage of a chipper, and the reduction for the waste tire fees. Commissioner Suckla moved to lower the price of tires according to Shak Powers, the Landfill Manager to \$2.50 per tire for passenger car and light truck tires. Second by Commissioner Ertel and carried (See attached)

DISCUSSION: High Desert Conservation Board President, Susanna Aikin, Board Members **Steven Miles**, and **David Temple** along with **District Manager, Victoria P. Lewis** met with the Commissioners to request election costs for their participation in the November 2018 election be waived. Commissioner Ertel moved to deny the request by High Desert Conservation District for Montezuma County to fund their election in the November election process. Second by Commissioner Suckla and carried. (See attached)

DISCUSSION: Administrator Brunner presented a quote for a new roofing systems on the old courthouse from **Top Line Installers** in the amount of \$57,177.00. Commissioner Suckla moved to approve the cost of \$57,177.00 to do the east side of the courthouse. Second by Commissioner Ertel and carried. (See attached)

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

PLANNING: Planning Director Lee Ann Milligan introduced the new **Planning Assistant, Jane Duncan**.

Director, Milligan presented for preliminary review and determination of an exemption application submitted by **Kelley & Stacey Weyand** on property located at 21730 Road C, consisting of 4.5 acres, more or less, and TBD Road C, consisting of 75.5 acres, more or less, Cortez, Colorado, situated in S.31, T.35N., R.16W., N.M.P.M. Commissioner Ertel moved that the exemption application submitted by Kelly and Stacey Weyand on property located at 21730 Road C, Cortez be approved. Second by Commissioner Suckla and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of recommendations of a High Impact Permit request for an agricultural educational facility and farm submitted by the **Montezuma Land Conservancy** on property located at 19760 Road W, Lewis, CO, situated in S.2, T.37N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Montezuma Land Conservancy Outreach and Education Coordinator, Jay Loschert** was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public Comments were made by **Allen Maez, Melinda Hixon, Sharon Hixon Shak** and **M.B. McAfee**. 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 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 Montezuma Land Conservancy LLC the authority to proceed

with their project located at 19760 County Road W. Lewis, Co. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

DISCUSSION: Director, Milligan presented a request from **William & Judy Eggers**, regarding fees for proposed Commercial Rezoning (COMZ) for a proposed 8 space RV Planned Unit Development placed on 1 acre of property submitted on property located at 30175 Road L, Mancos, CO, consisting of 80 acres total, more or less, located on the north side of Road L, south of Road 31, situated in S.15 T.36N., R.15W., N.M.P.M. This item was discussed by the Board of County Commissioners on June 18, 2018, wherein it was determined a subdivision application would be required. Commissioner Ertel moved to waive \$1000.00 and the 2 fees of the high impact permit and the subdivision rezoning and single lot development with the rest of the fees to stay intact. The motion died for lack of a second.

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed a notice of a class action lawsuit regarding underfunding of PILT money, the RS2477 Resolution #8-2018 and an addition to the days agenda of an executive session to discuss a road issue.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners to give his weekly report. Topics of the discussion included: the RS2477 Resolution #8-2018 hard copy map requests, the meeting attended with the BLM regarding parking areas and the McElmo Flume. Director Dietrich presented for approval an objection letter for the Glade Rangeland Analysis. Commissioner Ertel moved that the Glade Rangeland Analysis objection letter to be sent to Mr. Derek Padilla District Manager of the Dolores Public Lands Office be approved. Second by Commissioner Suckla and carried. Director Dietrich gave an overview presentation of the State Land Board and land grants. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed proposed amendments to the FMLA portion of the County Employee Handbook. Commissioner Ertel moved to approve the changes to the handbook under the FMLA leave and accrued paid leave portion of the handbook. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert gave a report on the attended Club 20 and the Route Impact tour.

Commissioner Ertel discussed the attended City of Cortez meeting and the MAC, Emergency Operations Center meeting.

Commissioner Suckla no report given.

PUBLIC COMMENT: Ellen Foster discussed the denial for the Eggers request for a waiver of development fees.

EXECUTIVE SESSION: Commissioner Ertel 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) to include Administrator Brunner, Attorney Baxter, Clerk Percell and the Commissioners. Seconded by Commissioner Suckla and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding an issue on Road 23. 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: Letter from Executive Director CDHA regarding statutory works allocation. Letter from Lawrence R. Oby regarding the proposed BLM trail expansion and proposed parking lots.

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

MEETING ADJOURNED: 3:55 p.m.

Clerk June 25, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 2, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 2, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of July 2, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 25, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

TRANSFER: Administrator Brunner presented Transfer **#6-2018**. A transfer of \$250,000.00 from the Public Health Fund to the General Fund to refund half of the start-up funds. Commissioner Ertel moved that transfer order #6-2018 in the amount of \$250,000.00 from the Public Health Fund back to the General Fund be approved. Second by Commissioner Suckla and carried. (See attached)

PLANNING: Planning Assistant, Jane Duncan presented for signatures an amended plat for a single lot development application submitted by **Roy Elder** on property located at 10720 Road 43, Mancos, CO, consisting of 11 acres, more or less, located on Road 43, north of Hwy 160, situated in S.22 T.36N., R.13W., N.M.P.M.

Assistant, Duncan presented for signatures a final plat for proposed single lot development consisting of 5 acres, more or less, located at 14195 Road 31 Mancos, CO, situated in S. 35N, T. 37N, T 15W, NMPM.

PUBLIC COMMENT: Larry Fitzwater discussed funding concerns for Resolution # 8-2018.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge chip seal schedule for the dates of July 2, 2018 through July 20, 2018. Superintendent Englehart gave an overview of the roads scheduled for work, which included County Roads P, CC, 10, W, 25 and road 27. Other topics discussed included; the final cost analysis for the 2018 Road L and 26 overlay project, research on asphalt preservers, fiber optic operations in various areas within the county and a progress update for the Verizon tower in Pleasant View. Superintendent Englehart presented for approval a payment voucher for the Treasurer to wire funds in the Amount of \$57,583.55 to **Sun Core Energy** for oil. Commissioner Suckla moved to approve the transfer of funds to Sun Core Energy in the amount of \$57,583.55. Second by Commissioner Ertel and carried. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the updated year to date numbers for income of \$49,211.25 and attendance at 43,178. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; scheduled vacation time, repairs to the water back flow preventer, and needed repairs on equipment. (See attached)

BUREAU OF LAND MANAGEMENT: Joe Manning and **Jeff Christiansen** with the BLM made a request for gravel to be placed on proposed parking areas for the **Phil's World** expansion project. Topics of the discussion; included, scheduled events, permit fees collected, county crushing and royalty expense. Commissioner Ertel moved that the Montezuma County BOCC contribute gravel to the two parking lot expansions on the BLM property on L and M roads, that we provide gravel to them at a discounted amount of the actual county costs up to \$4.50 per yard. Second by Commissioner Suckla and carried.

COUNTY TREASURER: Treasurer, Sherry Dyess. CANCELLED

PUBLIC HEALTH DEPARTMENT: Public Health Director, Bobbie Lock, along with **Laurel Schaeffer**, **Allison Duran** and **Jane Duncan** met with the Commissioners to request permission to fill the following available positions, a **Single Entry Point, Case Manager**, and within the **Nurse Family Partnership Program** a **Nurse Home Visitor** and a **Nurse Home Visitor Supervisor**. Commissioner Ertel moved to approve the Nurse Home Visitor, Nurse Home Visitor Supervisor within the Nurse Family Partnership program and the Case Manager Single Entry Point hires within the Montezuma County Health Department. Second by Commissioner Suckla and carried. Director Lock presented the **United Way Partnership Agreement** for signatures. Commissioner Suckla moved to approve the Community Partner Agency Agreement between United Way of Southwest Colorado and the Montezuma Health Department for 2018. Second by Commissioner Ertel and carried. Other topics discussed included; Health department financials, notification of Health Department agenda topics to be discussed, transfer order #6-2018, and clarification of topics discussed during the Board of County Commissioners meetings and topics discussed during the Board of County Health meetings. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed the PILT class action lawsuit and the June 25, 2018 executive session.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, gave his weekly report. Director Dietrich presented a letter of support addressed to **Representative Paul Cook** regarding proposed legislation to provide an administrative path forward regarding the RS2477 right-of-ways. Commissioner Ertel moved that the BOCC of Montezuma County forward a letter to the Honorable Paul Cook at the United States House of Representatives in support of HR#3270 legislation, in support of simplifying and moving the RS2477 process back into an administrative position and to include letters to **Congressman Tipton**

and **Senator Gardner**. Second by Commissioner Suckla and carried. Other topics of the discussion included; the **Paths to Mesa Verde** project grant applications, the **BLM** gravel request for the **Phil's World** expansion project parking areas, the environmental analysis for the **Sand Canyon** parking area, the **Flodine** and **Yellow Jacket** grazing permits, scheduling issues for the Public Land reports to the Commissioners, an email received regarding the Colorado Problematic agreement, Senator Gardner's scheduled tour and the reappointment of Director Dietrich to the **RAC** committee. (See attached)

COUNTY ADMINISTRATOR REPORT: **Administrator, Melissa Brunner**, discussed the new CDOT **Bustang** schedule and the **Lodgers Tax** revenues. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Lambert** discussed his meeting with the Dolores County Commissioners in regards to the RS2477 assertion Resolution #8-2018. **Commissioner Ertel**, no report given. **Commissioner Suckla** discussed his participation on a conference call with the Colorado Department of Wildlife.

PUBLIC COMMENT: **Ellen Foster**, discussed Director Dietrich's appointment to the RAC committee.

HISTORICAL SOCIETY: **Historical Society** Board Members **Ann Brown, David Everett, Joyce Lawrence, DeEttea Johnson** and **Julie Page** met with the Commissioners to sign the lease agreement between Montezuma County and the Historical Society and to receive the keys to the new museum. Topics of the discussion included the **Montezuma Heritage Museum** as the official name, future improvement plans for the building and the current financial status of the museum. Commissioner Ertel moved that the Lease Agreement between Montezuma County and the Montezuma County Historical Society dated for July 2, 2018 through December 31, 2022 be approved. Second by Commissioner Suckla and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: No correspondence presented.

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

MEETING ADJOURNED: 11:50 a.m.

Clerk July 2, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 9, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 9, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of July 9, 2018 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 2, 2018 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 June 2018.
(See attached)

PUBLIC COMMENT: **Ellen Foster** revisited the topic of James Dietrich's application to the RAC. Commissioner Ertel responded to her question. James Andres suggested that a public announcement from the County Sheriff would be a good thing to let the public know what the consequences are for starting a fire during a fire ban.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of July 4, 2018 through July 20, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; high winds, blown over trees. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for June 2018 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 Suckla moved to approve the **County Veterans Service Officers** monthly report and Certification of pay for June 2018, seconded by Commissioner Ertel, motion carried (See attached)

FIRE WISE: Amanda Brenner and Ashely Downing met with the Commissioners to give updates. Presentation covered November 2017 through July 2018. An invitation was given to the Board of County Commissioners for a Montezuma County Mitigation Tour by FireWise of Southwest Colorado. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report, which included the June Jail report, the Total Monthly Inmate report the June Arrest report, and the Per Day holds report. Other topics discussed included air conditioning being out for several weeks and another roof leak. Commissioner Lambert inquired about a fire on Summit Ridge. Administrator Brunner passed on the suggestion from the public comment session earlier that morning. (See attached)

MONTEZUMA COUNTY ECONOMIC DEVELOPMENT ASSOCIATION: JoDee Powers presented the Montezuma Community Economic Development Association 2017-2018 Overview. (See attached)

ASSESSOR: Montezuma County Assessor, Leslie Bugg met with the Commissioners to discuss budget for Fleet expenses. Other topics of discussion, New Construction has been caught up 2016, 2017 are done and most of 2018 and starting 2019. Assessor Bugg reported that they had passed their State Audit. Kinder Morgan audits.

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

PLANNING:

PUBLIC HEARING: It being the time set aside a continuance of public hearing is for the purpose of reviewing and determining AR3-9 rezoning request for a proposed Exemption Application on property owned by **Thomas & Sally Garrison**, located at 35324 Road R.5, Mancos, CO, consisting of 20 acres +/-, which would be divided into two tracts, situated north and south of Road R.5, east of Road 35.3, S.28, T.37N, R.14W, N.M.P.M. Original public hearing was set on Monday June 18, 2018. 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 grant the AR3-9 Rezoning as presented. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Director Milligan presented for signatures a final Plat for the Planned Unit Development submitted by **Philip & Denise Catrain, Agent Justin Collier**, on property located at 18667 Hwy 145, Dolores, CO, consisting of 3.06 acres, more or less, located on the east of Dolores, north of Hwy 145, situated in S.12 T.37N., R.15W., N.M.P.M. Final Plat not available at this time, will have to reschedule.

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 for a proposed 2 Lot Minor Subdivision Application on property owned by **Robert & Susan Scott**, located at 11555 Road 39, consisting of 38.82 acres +/- requesting a 10 acre and 28.82 acre, more or less tract; property is situated south of Hwy 184, on Road 39, S.13, T.36N, 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 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 Suckla moved to grant the AR10-34 rezoning request as presented. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Director Milligan along with Steve Nowlin presented for preliminary review and determination an Exemption Application submitted by **Kelley & Steve and Kathy Nowlin** on property located at 30978 Road V.6. Dolores, CO, consisting of 10.53 acres, more or less, situated in S.3, T.37N., R.15W., N.M.P.M. for the creation of a tract of land for a family cemetery. Commissioner Suckla moved to approve the Exemption Application for a Family Cemetery at 30978 Road V.6 Dolores, CO. Second by Commissioner Ertel and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** presented **RESOLUTION #9-2018** authorizing sale of Justice Center Building. Commissioner Ertel moved to approve Resolution #9-2018. Second by Commissioner Suckla and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, spent last week doing reports and filling out financial documents. Topics of discussion included; Dietrich's reapplication to the RAC, a correspondence letter from the United States Department of Agriculture Forest Service Rocky Mountain Region, the Path to Mesa Verde and that he had received a call from the BLM saying the EA is being released on Sand Canyon.

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** received an email from Lori Johnson asking her to write a compelling statement in regards to why the 911 funds have not been raised for the DOLA Grant she was applying for.

COUNTY COMMISSIONER REPORT: Commissioner Lambert had a discussion with Administrator Brunner regarding MOCO. Commissioner Ertel no report given. Commissioner Suckla wanted to mention the private donors willing to help with providing the Senior Centers meals during their shortage of funds to do so at the center and that he would be gone next week.

PUBLIC COMMENT: Ellen Foster repeated her concern that James Dietrich had applied to the RAC as a category II and felt that he should be applying for a category III. M.B. McAfee wanted to know how much the Justice Building was selling for and what the initial asking price had been.

CORRESPONDENCE: The following correspondence were noted: Colorado Department of Locate Affairs regarding 2018 Notice of Valuation and United States Department of Agriculture Forest Service Rocky Mountain Region.

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

MEETING ADJOURNED: 2:50 p.m.

Clerk July 09, 2018

Chairman

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

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

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 9, 2018 as corrected. Motion was seconded by Commissioner Lambert and carried.

PUBLIC COMMENT: J.J. Brunner, Casey Allron and Kevin Purkat from the **State Championship All Stars Senior League Baseball** team met with the Commissioners to make a request for a donation to help defray the travel expenses to the Regionals Tournament in Texas. Commissioner Ertel moved to donate \$300.00 to help with the travel expenses for the trip to Seguin, Texas as representatives for the State of Colorado. Second by Commissioner Lambert and carried.

ROAD DEPARTMENT: Road Superintendent, **Rob Englehart** presented the road and bridge schedule for the dates of July 11, 2018 through July 27, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; crushing operations, pot hole repair, tree limb removal, mowing operations, the quarterly fuel report, the DOLA hearing schedule and the IGA for the **Ferris Canyon** and **Cabin Canyon** campgrounds. (See attached)

CONGRESSMAN, SCOTT TIPTON'S REPRESENTATIVE: Darlene Marcus met with the Commissioners to introduce **Ashley Greco** as the new south west counties field representative for Congressman Tipton. Topics discussed included; a future scheduled agenda time to meet, the Dolores Norwood Road RS2477 agreement, a review of topics discussed at the recent Club 20 meeting, the Mobile Act, the Safer Act, Congressman Tipton's request for economic support for fire disaster areas due to the recent wildfires, the proposed move of the Bureau of Land Management to Colorado, the Grand Junction airport and banking regulations for the marijuana and hemp industries.

WEED DEPARTMENT: Weed Department Director, Bonnie Loving and **Office Manager, Megan Horn** presented a slide show of Weed Department updates along with Noxious Weed Resolutions #6-2018 through #14-2018 for approval. Commissioner Ertel moved that Montezuma County weed program pursue their enforcement resolutions on the properties presented by Weed Director, Bonnie Loving, numbered #6-2018 through #14-2018 be approved. Second by Commissioner Lambert and carried. **Raymond Boyd** discussed his concerns of enforcement of weed control on CRP properties within the county. (See attached)

DISABLED AMERICAN VETERANS (DAV) CRAFT BAZAAR: Bob Sanders with the DAV met with the Commissioners to discuss an Annex I fee waiver for a DAV Christmas Craft Bazaar event scheduled for November 24, 2018. Commissioner Ertel moved that the fees for the use of County Annex I for the Disabled Veterans Christmas bazaar dated November 24, 2018 be waived. Second by Commissioner Lambert and carried. (See attached)

MESA VERDE NATIONAL PARK: Mesa Verde Superintendent, Cliff Spencer met with the Commissioners to give an updates on the park. Topics of the discussion included; visitation numbers, the Spruce Tree House arch support repairs, fire conditions within the park, a recent lightning fire, the Carwick property, park maintenance funding, and participation in the County weed program.

DOLORES WATER AND RESILIENT FOREST COLLABORATIVE (DWRF): Rebecca Samulski met with the Commissioners and gave an update on current projects, goals and educational outreach programs. Ms. Samulski reported that they have a new website at www.DWRFCollaborative.org. (See attached)

SOCIAL SERVICES: Administrator Brunner introduced the new **Director, Gina Montoya**. **Lori Higgins** presented the CORE plan for signatures.

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

PUBLIC HEARING: It being the time set aside a public hearing the purpose determining proposed vacation of right-of-ways located within the **Pleasant View Town Sites**, located on the north side of Road CC, west of Highway 491, situated in S.31 T.39N., R.17W., N.M.P.M Original public hearing was set on Monday June 18, 2018. 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 proposed vacation. Commissioner Lambert opened the hearing to public

comment. Public Comment was made by **Howard Drake, Linda Lancaster, GIS Director, Doug Roth** and **GIS Assistant, Rachel Medina**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the following are vacated: the 20' alley in Block 1, the 20' alley in North ½ of Block 2, the 20' alley in Block 4, the 40' unnamed right of way north of Lot 19 Block 1 and north of the East ½ of Lot 7 Block 1 of the Pleasant View Townsite. Second by Commissioner Lambert and carried. Commissioner Lambert closed the hearing at this time. (See attached)

Director Milligan presented for signatures a final Plat for a 2 Lot Moderate Development creating two, 3.5 acre, more or less, tracts of land on property owned by **Kenneth and Patricia Vojta**, 12502 Road 38 Mancos, CO, located east of Hwy 184 and south of Road 38, situated in S.12, T.36N., R.14W., N.M.P.M.

COUNTY ATTORNEY REPORT: Attorney, John Baxter presented for approval the Intergovernmental Agreement between the Board of County Commissioners of Dolores County and the Board of County Commissioner of Montezuma County regarding shared responsibility for certain maintenance and operation of **Ferris Canyon** Campground and **Cabin Canyon** Campground. Commissioner Ertel moved that the IGA between the County of Dolores and the County of Montezuma regarding shared responsibility for certain maintenance and operations for the Ferris Canyon and Cabin Canyon campgrounds be approved. Second by Commissioner Lambert and carried. (See attached)

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

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented the closing papers and the check for the sale of the Justice Building. Administrator Brunner discussed letters received from Region 9 requesting recommendations for Intergovernmental reviews. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert discussed the attended First Round of Committee hearings for Club 20. **Commissioner Ertel** discussed the attended AAA meeting and the MOCO move to the Fleet department. **Commissioner Suckla** was absent.

PUBLIC COMMENT: Gala Pock discussed the wash boards on Road 8 in Pleasant View.

CORRESPONDENCE: The following correspondence were noted:

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

MEETING ADJOURNED: 2:00 p.m.

Clerk

July 16, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 23, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday July 23, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN LAMBERT opened the meeting of July 23, 2018 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 16, 2018 as corrected. Motion was seconded by Commissioner Suckla and carried.

ACCOUNTS PAYABLE: In the absence of Administrator Brunner, **IT Director, Jim McClain** presented the June 2018 Accounts Payable and Financial Statements for approval. Commissioner Suckla moved to approve the Accounts Payable for June 2018 for Montezuma County. Second by Commissioner Ertel and carried. Commissioner Ertel moved that the Financial Statement balance sheet for Montezuma County for June, 2018 be approved. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: No Public Comments were made.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of July 18, 2018 through August 3, 2018. Superintendent Englehart gave

an overview of the type of work scheduled for each crew. Topics discussed included; flood control and erosion cleanup, the Road BB DOLA presentation, tree removal, patch paving, mowing, crushing operations, the Request for Qualification / Scope of Work for the Alkali Creek Bridge project and speed restrictions for County Road P. Superintendent Englehart presented for approval a voucher for oil from Sun Core Energy in the amount of \$483,123.73. Commissioner Ertel moved that the Road Department wire funds to Sun Core Energy for an invoice in the amount of \$483,123.73. Second by Commissioner Suckla and carried. (See attached)

PUBLIC LANDS:

Forrest Service, Derek Padilla met with the Commissioners to give his monthly updates. Topics discussed included; an expression of gratitude for the community and county support during the recent Burro fire, the Plateau Creek Fire and the West Guard Fire within Dolores County, impacts from the Burro Fire, usage of grazing permits, the Glade impact objection period, the Environmental Assessment field trip scheduled August 1, 2018 from 9:00a.m., to 4:00p.m., and the Rico West Dolores travel management decision.

Canyon of the Ancients National Monument Manager, Marietta Eaton discussed the Sand Canyon Parking lot Environmental Assessment, new future formal guidance directions for environmental assessments, scheduling local meetings to discuss a raise in the Canyon of the Ancients Visitor Center and Museum fees and an invite to a new exhibit at the Canyon of the Ancients Visitor Center and Museum.

Bureau of Land Management, Connie Clementson met with the Commissioners for their monthly discussion. Topics discussed included the full fire suppression on BLM lands, wilderness study areas, grazing permits, the scheduling for an introduction of the new District manager, a future scheduling of ribbon cutting ceremony at Phil's World for the new Paquito Burrito Trail, the BLM access parking lot on County Road L and the reissue of the permit for the Tozer gravel pit.

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

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included; the recyclable commodities, the BOMAG payment, compost production, the diversion of food waste by the Southwest Memorial Hospital, an increase of waste tires since the recent fee reduction, the proposed purchase of a chipper, the local high school demolition project, and a presentation with the Town of Mancos to discuss the **CDPHE Integrated Solid Waste and Materials Management Plan**. (See attached)

DISCUSSION: Fair Board President, Allen Higgins along with **4-H Coordinator Andrea Jeter** met with the Commissioners to discuss the scheduled County Fair. Topics of the discussion included: vendor payments, sponsor issues with the printed program, events added, a supply inventory, the scheduling of a Commissioner, Town Hall meeting at the Fairgrounds and community support for the fair.

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

Chairman Lambert announced the meeting would reconvene.

MONTEZUMA LAND CONSERVANCY: Travis Custer met with the Commissioners to request a letter of Non Objection for the **RSL Ranch LLLP** property. Topics discussed included, future land development and private property rights. Commissioner Ertel moved to sign the letter of no objection to the Great Outdoors Colorado Trust Fund Board on the Land Conservancy of the RSL Ranch LLLP. Second by Commissioner Suckla and with two votes in favor by Commissioners Ertel and Suckla and one vote against by Commissioner Lambert the motion carried. (See attached)

2017 FINANCIAL AUDIT: Chris Majors with **Majors** and **Haley P.C.** presented the December 31, 2017 audit for review. Mr. Majors gave an overview of the audit report. Commissioner Ertel moved that the Board of Montezuma County Commissioners accept the accounts report and basic financial statements for December 31, 2017. Second by Commissioner Suckla and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter reported that the Weed Department's noxious weed resolutions presented last week for approval had been miss numbered with two separate resolutions numbered 10-2018. Commissioner Ertel moved to authorize the County Clerk to change one of the noxious weed resolutions currently numbered 10-2018 to number 15-2018 and to reflect this change within the minutes. Second by Commissioner Suckla and carried. Attorney Baxter reported that he and Assessor Bugg were scheduled to attend the Board of Assessment Appeals in October to address the 2009 Kinder Morgan abatement. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented a letter for approval, addressed to **Ms. Julie Coleman Heritage Program Leader** regarding (FC2360) Section 106 Programmatic Agreement (PA) Local Government Coordination. Commissioner Suckla moved to approve the letter regarding the Section 106 Programmatic Agreement Local Government Coordination from Montezuma County Commissioners to Ms. Coleman from the Heritage Program Leader. Second by Commissioner Ertel and carried. Other topics discussed included: a copy of a letter from the San Juan Trail Riders addressed to the Dolores County Board of Commissioners in support of the Montezuma County RS2477 claim, the Paths to Mesa Verde, the McElmo Flume project and the Glade grazing objections period. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner was absent.

COUNTY COMMISSIONER REPORT:

Commissioner Lambert no report given.

Commissioner Ertel discussed the MCEDA breakfast meeting that he had attended.

Commissioner Suckla discussed his visit to the Nashville NACO Conference and a need to schedule an introductory meeting with the new City of Cortez Manager and Counsel Members.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 2:15 p.m.

Clerk July 23, 2018

Chairman

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

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

MINUTES: Commissioner Ertel moved to amend the minutes of the July 16, 2018 Board of County Commissioner meeting as presented by our GIS Manager, Doug Roth. Motion was seconded by Commissioner Suckla and carried.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 23, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

DISCUSSION: Commissioner Suckla gave an overview of a **Sales Tax Ballot Initiative** question for the November 6, 2018 General Election. ballot Topics of the discussion included; a letter of intent to the County Clerk, county sales tax on internet sales, marijuana sales, and special use tax, legislative approved exemptions, ship to addresses, municipal taxes, the Gallagher Amendment, loss of county services, budget concerns, current state wide sales taxes collected, local sales tax limits, County property assessments, coordination with the Planning & Zoning Commission, public outreach and education, estimated election costs for a county question on the November ballot, the September 7, 2018 ballot content certification deadline, a required county resolution to officially participate in the election and the process to withdraw

from of the election if so decided. Commissioner Suckla moved to approve the ballot question letter of intent to the Clerk and Recorder, Mrs. Percell for the 2018 November Election. Second by Commissioner Ertel and carried (See attached) Public Comments were made by; **Susan Lisak, M.B. McAfee, Planning Director LeeAnn Milligan, Chris Eastin, Len Gallagher, Jim Candelaria, Montezuma County Assessor Leslie Bugg and Ellen Foster.**

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

MEETING ADJOURNED: 10:13 a.m.

County Clerk July 30, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 6, 2018**

[illegible]

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 6, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of August 6, 2018 with the Pledge of Allegiance.

EXECUTIVE SESSION: Commissioner Suckla 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 Sheriff, Steve Nowlin, Under Sheriff, Vern Knuckles, and Fleet Manager, Clint Watson within the discussion. Second by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding the purchase of vehicles for the Sheriff's department. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

EXECUTIVE SESSION: Commissioner Suckla 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). Second by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding the County election costs for the November 6, 2018 ballot. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 30, 2018 as corrected. Motion was seconded by Commissioner Suckla and carried.

LIQUOR LICENSE: Deputy Clerk, **Malinda Fuller** presented a special event liquor license for the **Four Corners Child Advocacy Center**. The special event is scheduled for September 9, 2018, to be held at **Cliffrose High Desert Garden Center**, 27885 US Hwy 160, Cortez Co. Commissioner Suckla moved to approve the special event liquor license for the Four Corners Child Advocacy Center to be held at Cliffrose High Desert Garden Center, located at 27885 Hwy 160, on September 7, 2018. Second by Commissioner Ertel and carried. (See attached)

COUNTY TREASURER/ TRUSTEE: Treasurer, **Sherry Dyess** presented the Montezuma County 6 month Treasurer's report. Commissioner Ertel moved that the schedule of receipts and disbursements of January 1, 2018 through June 30, 2018 be approved. Second by Commissioner Suckla and carried. Other topics discussed included the county investments and the current earned interest rates. (See attached)

SOCIAL SERVICES: Social Services, **Director Gina Montoya** and **Lori Higgins** met with the Commissioners to request approval to fill a Case Worker position, an Eligibility Technician position and approval for a new position as a Child Support Enforcement Worker. Responsibility for the funding of the new position would be 34% county and 66% state and would not increase the current budget for the department. Commissioner Suckla moved to approve the new Case Worker, the Eligibility Technician and a new Child Support Enforcement worker for the Montezuma County Social Services Department. Second by Commissioner Ertel and carried. (See attached)

DISCUSSION: A discussion was held in regards to the purchase of 2 vehicles for the Sheriff's Department. Topics of the discussion included: types of vehicles to purchase, available funds for the purchase, the reliability of the chosen vehicles and the department liquidation of current vehicles. Commissioner Ertel moved to go with the State Bid on the vehicle purchase for the Sheriff's Department of the Dodge 1500 hemi vehicle price of \$25,919.00 each. Second by Commissioner Lambert and with two votes in favor by Commissioners Ertel and Lambert and one vote against from Commissioner Suckla the motion carried. (See attached)

PUBLIC COMMENT: **Suzanne Motsinger** discussed concerns about a possible future commercial use of a property within the Forks Subdivision. **M.B. McAfee** discussed the earlier executive session, her concerns for transparency and the Colorado Open Meeting Laws. **Greg Kemp** discussed the inclusion of the new Town Boards of Mancos and Dolores to the Commissioners joint meetings. **Gala Pock** discussed the Planning & Zoning Special meeting held last Thursday and public postings for county meetings. **Jim Candelaria** reported that the Planning & Zoning special meeting was posted on the County web site last Wednesday morning.

ROAD DEPARTMENT: Road Superintendent, **Rob Englehart** presented the road and bridge schedule for the dates of August 1, 2018 through August 17, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; the monthly safety meeting, flood repairs on county roads, culverts, ditch cleaning, the Schedule A Forest

service road program, mowing operations, mile markers on Road G, the Verizon Tower, the delivery of a purchased blade, and the Weber Canyon culvert. (See attached)

HVAC UNIT: Administrator Brunner presented a bid from **Anthony's Refrigeration** in the amount of \$8,940.00 for an HVAC Unit to be located at the booking area at Jail. Commissioner Ertel moved that the purchase price of \$8940.00 for an emergency situation at the Sheriff's Department to Anthony's Refrigeration for a new HVAC unit for the jail building be approved. Second by Commissioner Suckla and carried. (See attached)

PLANNING & ZONING COMMISSION: Commission Chairman, Bob Clayton met with the Commissioners to present a plaque of acknowledgment to **Darin & Kathy Stone** owners of the **Westview RV Park**. The plaque stated "In recognition of your dedication and outstanding commitment in exemplary and responsible development within Montezuma County".

Planning Director Lee Ann Milligan presented for review and determination an Exemption Application submitted by **Charles and Wanda Martin** on property located at 7369 Hwy 160, Cortez, CO, wherein 3.9 acres, more or less, from the applicant's property located at 7345 Hwy 160-491 would be attached. The Exemption Application is related to a Rezoning request for a 2 Lot Minor Development Application submitted by Ute View Farms, Agent Charles Martin, on property located at 7345 Hwy 160-491, Cortez, CO, properties are located north of Road G, west of Hwy 160-491, situated in S.4, T.35N., R.16W., N.M.P.M. Wanda Martin was present. The Commissioners were in agreement that the application should move forward to the Planning and Zoning Commission.

WESTERN EXCELSIOR: David Sitton met with the Commissioners to request an in-kind contribution of compact fill dirt and a property tax relief. Topics of the discussion included; unusable county road fill, a donation of road base, a trade to the Landfill for compost material, the current adjusted property tax assessment, the tax assessments after the new building has been built and a scheduled tour with Congressman Tipton.

DISCUSSION: A discussion with **Road Supervisor, Englehart** and **Landfill Manager, Powers** regarding the David Sitton request was held. Topics of the discussion included; Landfill charges assessed for yard debris, Landfill compost operations, the available gravel stock pile owned by the Town of Mancos, fill dirt compaction standards, transport expenses and the Road Department budget concerns. Superintendent Englehart will visit the Mancos gravel pit to determine if there are materials available for the project.

EMERGENCY MANAGER REPORT: Emergency Manager, Mike Pasquin met with the Commissioners to give his report. Topics discussed included; an update to the **Emergency Management Program Grant**, the **Emergency Operation Center** roster, a debriefing from the **416 Fire**, the **Emergency Operations Plan**, and the local (MAC) **Emergency Planning Committee**.

Department of Military Benefits, Division of Veterans Affairs West – David Callahan met with the Commissioners and gave an outline to the new **Division of Veterans Affairs Western Region One Source** that will be located in Grand Junction. Topics discussed included; department responsibilities, county funding for the Veterans program, a county representative to the advisory

committee, the mission statement, the vision statement, types of assistance, the building floor plan, staffing, partnerships and associations, sponsorships, the timeline, quick reference flyers, local DAV van transporting issues to Grand Junction, the Legal Justice assistance program and an intake option for veterans services at the local jail. (See attached)

ASSESSOR: Montezuma County Assessor, Leslie Bugg met with the Commissioners to give an update on assessed values and protests. Topics of the discussion included the Montezuma County Assessor's office **2017 vs 2018 Assessed Values** at 7.2% , the **2017 Class Abstract**, the **2018 Class Abstract**, the current protest list and the BIA'S in 2018– 6/11/2018, pre-certification deadlines and a proposed yearly personal property mil's credit. (See attached)

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

Chairman Lambert announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose to determine recommendations to be made to the Board of County Commissioners regarding a proposed Commercial Rezoning (COMZ) and recommended Single Lot Development for a proposed RV Planned Unit Development request submitted by **William and Judy Eggers**, on property located at 30175 Road L, Mancos, CO, consisting of 3 acres, more or less, located on the north side of Road L, south of Road 31, situated in S.15 T.36N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. William and Judy Eggers were 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 Suckla moved to approve the commercial rezoning and recommended single lot development for a proposed RV planned unit development request submitted by William and Judy Eggers, on property located at 30175 Road L, Mancos, CO. Second by Commissioner Ertel and carried. Commissioner Lambert 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 an AR3-9 and AR 10-34 rezoning request for a 3 Lot Minor Subdivision Application submitted by **Gary Hindmarsh** and **Carolyn Kilgore** on property located at 12627 Road 29, Dolores, CO, consisting of 35.07 acres, more or less, located south of Road N, west of Road 29, situated in S.8 T.36N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Carolyn Kilgore 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 & Zoning Commission with a contingency of an approved weed plan. After hearing all the evidence presented Commissioner Ertel moved that the AR3-9 and AR 10-34 rezoning request for a 3 lot minor subdivision submitted by Gary Hindmarsh and Carolyn Kilgore on property

located at 12627 Road 29, Dolores, CO, be approved with a contingency of an in place weed plan approved by the County Weed Department. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time.
(See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held regarding an AR 10-34 Rezoning request for an Exemption Application submitted by **Anthony** and **Gina Denten** on property located at TBD Road R.75, Cortez, CO, located south of Road S, west of Road 17, situated in S.29, T.37N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Gina Denten 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 Suckla moved to approve the AR 10-34 rezoning request for an exemption application submitted by Anthony and Gina Denten on property located at TBD Road R.75, Cortez, CO,. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** discussed the underpayment of **PILT** funds lawsuit and a letter from the **San Miguel Board of County Commissioners** regarding the Montezuma County Resolution, #8-2018 county Rights-of-Way established over Public Lands under R.S. 2477 as Public Right-of-Ways and Public Highways. (See attached)

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

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** presented the **County Veterans Service Officers** Certification of Pay for July 2018 along with the Monthly report of services for approval. Commissioner Ertel moved to approve the County Veterans Service Officers monthly report and Certification of pay for July, 2018, seconded by Commissioner Suckla, motion carried. Administrator Brunner reported that there was a Directors meeting schedule for all department heads and Elected Officials. Topics for the meeting will include an addition to the current **Caselle** software, for employee time keeping and purchase order accounting programs. Commissioner Ertel moved that Administrator Brunner spend up to \$6300.00 to update the time keeping and purchase order software with Caselle, whenever that becomes available. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Lambert** reported he had attended the Commissioner's Town Hall and the special sales tax question Planning & Zoning meetings. Commissioner Lambert discussed scheduling a Town Hall meeting in McElmo or out at Lewis Arriola. **Commissioner Ertel** reported he had attended the Southwest TPR, Commissioner's Town Hall and the special sales tax question Planning & Zoning meetings. **Commissioner Suckla** called Gini Pingenot to discuss the proposed November election sales tax question but she was unavailable. The Commissioners will try to schedule a call with her at a future date.

PUBLIC COMMENT: **M.B. McAfee** discussed the RS2477 resolution. **Tom Seymour** discussed the fill dirt and tax relief request from Mr. Sitton.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 2:45 p.m.

Clerk August 6, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 13, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 13, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of August 13, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 6, 2018 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, 2018. (See attached)

PUBLIC COMMENT: **Dexter Gill** discussed concerns with Forest Service management of the **Plateau Fire**. (See attached) **Greg Kemp** discussed energy efficiency efforts within the recent Southwest Health Systems renovations.

PLANNING: Review and determination of a proposed amendment to the Sketch Plan for the **Down River Subdivision**, on property owned by **Sara Staber** and **Bryan Brinley**, located at 7348 Road 39, Mancos, CO, consisting of 25 acres, more or less, situated south of Road J, east of Road 39, S.1, T.35N. R.14W, N.M.P.M. wherein it was originally proposed as a 4 lot subdivision. The

proposed amendment would create a two lot subdivision. Vested Rights for the Down River Subdivision were published on June 27, 2017. Commissioner Ertel moved to approve the amendment of the sketch plan for Down River Subdivision on property owned by Sara Staber and Bryan Brinley, located at 7348 Road 39 Mancos Co. Second by Commissioner Suckla and carried

HOMESFUND: Lisa Bloomquist Palmer from **HomesFund** met with the Commissioners to discuss the **Homebuyer Assistance Program** and made a request that Montezuma County serve as the pass-through entity for the **CDBG** funds from the Colorado Department of Local Affairs (DOLA) to HomesFund. Attorney Baxter will review the contract for approval. Commissioner Suckla moved to approve that Montezuma County serve as the pass-through entity for HomesFund, upon the approval of the contract by the County Attorney. Second by Commissioner Ertel and carried. (See attached)

PUBLIC LANDS: Forrest Service, Derek Padilla met with the Commissioners to give a monthly report. Topics discussed included; appropriation of prescribed burn funds to Montezuma County, an overview of the recent Plateau Fire and impacts of fire contamination for McPhee reservoir due to the recent fires.

Canyon of the Ancients National Monument Manager, Marietta Eaton discussed the Sand Canyon Parking lot project, and an anniversary event scheduled at the **Canyon of the Ancients Visitor Center and Museum**.

Bureau of Land Management, Connie Clementson discussed the cancellation and rescheduling for the ribbon cutting ceremony for the Phil's World new Poquito Burrito Trail, drought plans for grazing permits and the Transportation and Access Plan.

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock, along with **Environmental Health Specialist, Melissa Mathews** met with the Commissioners to request permission to fill a vacated position and to change it from a 30 hour work week to a 40 hour work week. Commissioner Ertel moved to allow the Health Department to rehire for this position creating instead of a 30 hour work week a 40 hour work week, with the funding used for this position stay directly related to the Health Department and their budgets. Second by Commissioner Lambert and with two votes in favor by Commissioners Lambert and Ertel and one vote against from Commissioner Suckla, the motion carried. (See attached)

SOUTHWEST HEALTH SYSTEMS: CEO, Tony Siddith, CFO Sam Radke and CNO, Kerri White met with the Commissioners to give an update on the hospital. Topics of the discussion included current financial statements and statistical summaries, Medicaid payments, monthly operating reports, property purchases and sales, accounts receivable, billing cycles, emergency room statistics, Cash on hand, the bonding company, the renovation contingency funds and the completion date of the renovation project. (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. **Bettina Mills** was present. Ms. Mills gave an overview of her property, the conditions of the buildings and stated that her property purchase price was \$529,000.00. Appraiser Fischer explained the appeal for the Mill's property account number **R003528** and gave an overview of the Assessor's process to determine the value. Appraiser Fischer

recommended the value to be placed at \$587,845.00. Commissioner Suckla moved to re-assess the value of property owned by Bettina Mills located at 15006 Road 29, Dolores, to \$529,000.00, seconded by Commissioner Ertel and carried. (See attached)

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

Chairman 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 an AR35+ rezoning request for a proposed 2nd amendment to the **Heaven Sent Acres Subdivision**, combining Lots 1 & 4, submitted by **Robert & Teresa Vallery** on property located at 15450 and TBD Road Y, Yellow Jacket, CO, consisting of 51.13 acres, more or less, located south of Road Y, east of Road 15, situated in S.30 T.38N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Robert and Teresa Vallery were present. **Planning Assistant, Jane Duncan** 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. After hearing all the evidence presented Commissioner Suckla moved to approve the AR35+ rezoning request for a proposed 2nd amendment to the Heaven Sent Acres Subdivision, combining lots 1 and 4, submitted by Robert and Teresa Vallery on property located at 15450 and TBD Road Y, Yellow Jacket, CO. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** presented a Corrected **Intergovernmental Agreement (IGA)** between the **Board of County Commissioners of Dolores County** and the Board of County Commissioners of Montezuma County regarding the shared responsibility for certain maintenance and operation of **Ferris Canyon Campground** and **Cabin Creek Campground**. Commissioner Ertel moved to approve the corrected Intergovernmental Agreement between the Board of County Commissioners of Dolores County and the Board of County Commissioners of Montezuma County regarding the shared responsibility for certain maintenance and operation of Ferris Canyon Campground and Cabin Creek Campground. Second by Commissioner Suckla and carried. Other topics discussed included the PILT lawsuit, the District Attorney term limits ballot question and a **proposed Intergovernmental Agreement (IGA)** between the Forest Service and the Road and Bridge Department for work on Forest Service roads. Commissioner Ertel moved that the IGA between the **US Forest Service** and **Montezuma County Road Department** be authorized at the discretion of John Baxter the County Attorney and signing authority on that IGA by Melissa Brunner the Administrator. Second by Commissioner Suckla and carried. Attorney Baxter presented for approval an **Intergovernmental Agreement (IGA)** in the amount of \$325,000.00 between the **State of Colorado** and the **Montezuma County Road and Bridge Department** regarding the **Alkali Bridge** design work. Commissioner Suckla moved to approve the IGA for the Road and Bridge department in the amount of \$325,000.00 and have the authority to execute this agreement be given to Melissa Brunner the County Administrator as well as or Rob Englehart whichever one the Administrator chooses. Second by Commissioner Ertel and carried. (See attached)

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 addressed to Keith Fox, Planning & Environmental Specialist at the BLM Tres Rios Field Office regarding the Sand Canyon parking lot project. Commissioner Suckla moved to approve the letter in favor of the Sand Canyon parking lot addressed to Keith Fox of the BLM. Second by Commissioner Ertel and carried. Other topics discussed included a scoping meeting for the Paths to Mesa Verde Trail, the McElmo Flume and the Boggy Glade protest period. (See attached0

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented for approval Transfer Order # 7-2018. A transfer of \$1,000,000.00 from the Fleet Fund to the Road and Bridge Fund to refund half of the start-up funds. Commissioner Suckla moved to approve Transfer Order # 7-2018, a transfer of \$1,000,000.00 from the Fleet Fund as partial repayment to the Road and Bridge Fund. Second by Commissioner Ertel and carried. Other Topics discussed included the Road and Bridge reserve funds the scheduled Western District meeting and the scheduled Western Excelsior tour. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert had no report to give. Commissioner Ertel had no report to give. Commissioner Suckla discussed the Planning and Zoning Department issues and the part time assistant position.

PUBLIC COMMENT: M.B. McAfee discussed experienced appointments by the Commissioners to leadership positions. Greg Kemp discussed the HomesFund presentation and the local Habitat for Humanity program.

CORRESPONDENCE: The following correspondence was read and noted:

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

Commissioner Ertel moved to reconvene the regular meeting. Second by Commissioner Suckla and carried.

PUBLIC COMMENT: Casey McClellan and Jim Weatherford discussed the Forest Service fire suppression for the recent West Guard and Plateau Fires. (See attached)

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

MEETING ADJOURNED: 2:25 p.m.

Clerk August 13, 2018

Chairman

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

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

MINUTES: Commissioner Ertel moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 13, 2018 as corrected. Motion was seconded by Commissioner Suckla and carried.

PUBLIC COMMENT: Ellen Foster discussed her viewpoint on the Forest Service Chip and Seal project on the Dolores Norwood Road and if the money on that project could be used for weed control. **Kenneth Bloodworth** voiced his concern regarding a variance issued on CR 24.8 to Michelle Martin. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the period of August 15, 2018 through August 31, 2018. Superintendent Englehart

gave an overview of the type of work scheduled for each crew. Additional topics discussed were as follows, accident on Highway 184 between Narraquinnep Reservoir and the substation involving a Montezuma County truck driver, DOLA Grant for Road BB approved, the Plateau Fire access work for the Forest Service and the upcoming meeting to go over the three proposals received for the replacement project of Alkali Bridge. Rob presented a lease agreement with John Deere for six Blades. Commissioner Ertel moved to enter into the lease agreement with John Deere Financial for 2019/2020 for \$1,230,000.00. Second by Commissioner Suckla and carried. Rob discussed the chip and seal project for the Dolores Norwood Road. Commissioner Suckla moved to approve the Road Project Agreement between Montezuma County and the USDA Forest Service San Juan National Forest Service Chip and Seal in 2019 for the Dolores Norwood Road for \$502,696.00. Second by Commissioner Ertel and carried. (See attached)

CONGRESSMAN, SCOTT TIPTON'S REPRESENTATIVE: Ashley Greco met with the Commissioners to listen to any concerns and to update the Commissioners on what Scott Tipton has been working on. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres met with the Commissioners to give his monthly report. Topics discussed included the monthly statistical data and the indirect income to Montezuma County. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report which included the Montezuma County Sheriff's Office total monthly inmate count and Jail Report for the month of July 2018. (See attached)

MONTEZUMA COUNTY TRANSPORTATION: Mary Holaday met with the Commissioners to discuss a bus grant. Commissioner Suckla moved to approve the CDOT Replacement Grant for \$69,000.00. Second by Commissioner Ertel and carried. (See attached)

PLANNING: Planning Director, Lee Ann Milligan presented for Review and determination of an Exemption Application submitted by Lorna Gail LaDage on property located at 13260 Road 18, Cortez, CO, wherein 10 acres, more or less, from the applicant's property located at 13260 Road 18 would be attached to her property located at 13010 Road 18, Cortez, CO. Properties are located east of Road 18, south of Road P, situated in S.3, T.36N., R.17W., N.M.P.M. The purpose of the proposed Exemption is to protect archeological sites on the property. Commissioner Ertel moved to approve Resolution P-05-2018 Exemption on two separate tract of land, located at 13010 Road 18 and 13260 Road 18, Cortez, Co. Second by Commissioner Suckla and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter had nothing to report.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, updated the Commissioners on upcoming scoping meetings. August 21, 2018 Paths to Mesa Verde at the Mancos Town Hall at 11 a.m. with CDOT then the public meeting will be at 6 p.m. Resolution meeting for Glade Objection/grazing objection will be held Thursday August 23, 2018 at 1p.m. at the Board of County Commissioners Room.

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** presented the Colorado Counties, Inc. 2018 Legislative Committee Member Appointment and RSVP for Legislative Committee Meeting October 12, 2018 form. Commissioner Ertel moved that the Board of County Commissioners to appoint Commissioner Larry Don Suckla as a member to Colorado Counties, Inc. Legislative Committee 2018/2019. Second by Commissioner Lambert carried. Administrator Brunner had a couple of housekeeping issues, an opportunity has come up because a State Farm agent presented a grant application for Neighborhood Assistance Grant for \$24,000.00 and our Senior Center was nominated for that grant and she wanted to let everyone know to go vote. The second thing is to remind everyone that this Thursday night is the Spaghetti Dinner for Montezuma Heritage Museum held at the County Annex and the notice of our annual membership fee is \$30.00. A correction in cost for replacing the roof, extra cost occurred while working on replacing the roof due to brick having to be replace. Commissioner Suckla moved to pay the overage of \$1, 975.00 replacing the roof cost. Second by Commissioner Ertel and carried. Wednesday August 22, 2018 there is a CCI ballot review issue call 9a.m. until noon. Reminder that we are meeting at the Fleet Department to go to Montrose for the CCI Western District Meeting this Friday and the Fair Board meeting is tonight. Administrator Brunner requested that two position need to be refilled, one in the Clerk's Office and the other in the Maintenance Department. Commissioner Ertel moved to advertise the two vacant positions. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner **Lambert** reported on his attendance of Housing Solutions meeting and meeting with Congressman Scott Tipton and staff people from Mancos for a tour of Aspen Wall Wood. Commissioner **Ertel** had nothing to report and asked Administrator Brunner if she could contact the City of Cortez about trimming the tree in front of the marque because it is obstructing it making it hard to read. Commissioner **Suckla** reminded everyone of the Southwest Cattlemen's commissioner candidate debate next Tuesday night at 7p.m. at the Cortez Sale Barn.

PUBLIC COMMENT: Roy **Elder** requested the County Commissioners to do an onsite Public Hearing and consider condemnation regarding the County Road through his property. He voiced his disagreement with previous Commissioners decisions regarding the Right –of –Way widths.

CORRESPONDENCE: The following correspondence was read and noted: Office of Archaeology and Historic Preservation. (See attached)

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

MEETING ADJOURNED: 12:07 p.m.

TOUR: Firewise Mitigation with Amanda Brenner

Clerk August 20, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 27, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday August 27, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of August 27, 2018 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 20, 2018 as corrected. Motion was seconded by Commissioner Suckla and carried.

LIQUOR LICENSE: Deputy Clerk, Malinda Fuller presented a liquor license renewal for **Kelly Place Inc.** located at 14537 Road G. Cortez. Commissioner Suckla moved to approve the liquor license renewal application for Kelly Place Inc. doing business at 14537 Road G. Cortez Colorado 81321. Second by Commissioner Lambert and carried. (See attached)

PUBLIC COMMENT: Suzanne Motsinger and **Barbara Malinowski** discussed concerns they had for proposed property developments on a lot within the Forks Subdivision. (See attached) **Paul Herrick** discussed a letter sent to the Commissioners regarding the support he received from Veterans Services Officer, Rick Torres. (See attached) **Greg Kemp** discussed the attended Firewise Tour, recent efforts to extinguish lightning strikes on BLM land and the expansion of the Mancos hemp grower.

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

LANDFILL: Landfill Manager, Shakalo Powers gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included; the construction and demolition income, options to purchase or rent a shredder, a grapple bucket, hemp disposal at the Landfill from a local grower, the decrease of municipal solid waste totals and the future 2018 budget talks with a proposed rate increase. (See attached)

GROUND AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioners to discuss the proposed 2019 Capital Projects. Topics of the discussion included the HVAC units, roof replacements, IT equipment, trash enclosures, and the administration building sign, an evidence building, trash service bids and improvements to the Fairground and Annex 1 buildings. (See attached)

COUNTY CLERK & RECORDER: County Clerk, Kim Percell met with the Commissioners to give an update on the new Motor Vehicle **DRIVES** computer program and the proposed vehicle registration renewal **KIOSK** program. A demo was presented to access the new online motor vehicle services at <https://www.colorado.gov>. Clerk Percell discussed the purchase of three 24 hour ballot drop boxes to be placed in Towaoc, Dolores and Mancos. Commissioner Ertel moved that the Clerk and Records office be approved to spend \$1800.00 each for three election ballot boxes. Second by Commissioner Suckla and carried. A discussion was held regarding a proposed county sales tax question for the 2018 General Election ballot. All three of the commissioners were in agreement to postpone the sales tax ballot question to a future date. (See attached)

ASSESSOR: County Assessor, Leslie Bugg met with the Commissioners to get signatures for the Abstract report to be sent to the State. Other topics discussed included: the ballot question **Amendment #73 the 2017-2018 Proposed Initiative #93, Funding for Public Schools** and the 2018 certification of mills. (See attached)

Chairman Lambert announced the adjournment of the meeting for the LUNCH break.
Chairman Lambert 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 for a 1 +/- acre, more or less, Subdivision Application submitted by **Steve & Kathy Nowlin** for a family cemetery on property located at 30936 Road V.6, Dolores, CO, located south of Road V.6, west of Road 31, situated in S.3, T.37N., R.15W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Steve Nowlin 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 Suckla moved to approve the AR3-9 rezoning request for a 1 acre lot

subdivision application submitted by Steve & Kathy Nowlin for a family cemetery on property located at 30936 Road V.6, Dolores, CO. Second by Commissioner Ertel and carried. Commissioner Lambert 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 of an AR3-9 Rezoning Application and 2 Lot Minor Development Application submitted by **Ute View Farms, Agent Charles Martin**, on property located at 7345 Hwy 160-491, Cortez, CO, located north of Road G, west of Hwy 160-491, situated in S.4, T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Wanda Martin 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 the approval of the AR3-9 rezoning application and 2 lot minor development, proposed by Ute View Farms, Agent Charles and Wanda Martin, on property located at 7345 Hwy 160-491, Cortez, CO, Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose for review and determination of an AR10-34 Rezoning and Subdivision Applications submitted by **Gary & Terry Ellson** for a 2 Lot Minor Subdivision, on property located at 32261 Road P, Mancos, CO, located west of Road 33, north of Road P, situated in S.1, T.36N., R.15W., N.M.P.M. The hearing will be held Monday, August 27, 2018, at 1:50 pm, Commissioner's Hearing Room, 1. The roll was called, the public notice read, and the proceedings were recorded for the record. Terry Ellson was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public Comment was made by **Rusty Hall**. 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 vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Suckla moved to approve the AR10-34 rezoning and subdivision applications submitted by Gary & Terry Ellson for a 2 lot minor subdivision, on property located at 32261 Road P, Mancos, CO,. Second by Commissioner Ertel and carried. Commissioner Lambert 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 review and determination of an INDHZ Rezoning and Subdivision Amendment Applications submitted by **Triad Western Contractors, Inc., Agent Terry Gorsuch**, on property located at 7378 Road 24.3, Cortez, CO, located east of Road 24.3, north of Road G.1, situated in S.3, T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Terry Gorsuch 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 that the determination of an industrial rezoning and subdivision amendment application submitted by Triad Western Contractors, Inc., Agent Terry Gorsuch, located on property at 7378 Road 24.3, Cortez, CO. be approved. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

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 for a 3.12 +/- acre, more or less, Single Lot Development Application submitted by **Summer Camp Cattle, LLC, Agent Sherrie Blackmer**, on property located at 23286 Road T, Dolores, CO, located south of Road T, east of Road 23, situated in S.21, T.37N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Sherri and Jason Blackmer were 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 Suckla moved to approve the AR3-9 rezoning request for a 3.12 acres, more or less, single lot development application submitted by Summer Camp Cattle, LLC, Agent Sherrie Blackmer, on property located at 23286 Road T, Dolores, CO. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** discussed a request from La Plata County for Montezuma County to join a group of counties to write an amicus brief to the Court of Appeals in support of La Plata County regarding the closure process for County Landfills and CDPHE compliance orders. Further information will be gathered to make a decision. Attorney Baxter reported that the Durango Juvenile Detention Center had closed and discussed the temporary placement of detainees in Grand Junction and possible future permanent placement of detainees in Pueblo.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich** gave his weekly report. Topics discussed included the scheduled **Glade Rangeland Management Resolution** process meeting, the **McElmo Flume**, the **Paths to Mesa Verde Trail**, and bid reviews with Road Superintendent Englehart regarding the **Alkali Bridge** project.

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** discussed funding options to change the part time Planning Department Assistant position to full time.

COUNTY COMMISSIONER REPORT: Commissioner **Lambert** reported he had attended the CCI Western district meeting and the CCI teleconference. Commissioner Lambert discussed the CCI legislative process for Colorado Counties. There will be a discussion regarding the Montezuma County legislative priorities during the early morning work session on Sept 10, 2018. Commissioner **Ertel** discussed the Firewise Tour, and the attended CCI Western District meeting. Commissioner **Suckla** discussed the attended Housing Authority meeting, community need for usage of the Calkins Building field, the 2 Paths to Mesa Verde meetings, the Historic Society's spaghetti dinner fund raiser and the CCI teleconference. Commissioner Suckla discussed the local

newspapers coverage of the funding received from the Forrest Service to be used on the Dolores Norwood Road.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

Letters: From the Department of Military and Veterans Affairs regarding dollar increase for County Veterans Service Officers.

From the Colorado Department of Transportation regarding follow up to the 2018 annual meeting with CDOT.

From Montezuma County Commissioner Lambert to Roy Elder.

Warranty from Golden Seal Roofing System.

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

MEETING ADJOURNED: 2:30 p.m.

Clerk August 27, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 10, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 10, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of September 10, 2018 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 27, 2018 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 August, 2018. (See attached)

SHERIFF OFFICE: Wanda Martin from the Sheriff's Office met with the Commissioners to present the Gaming Impact Grant Application for approval. Commissioner Suckla moved to approve the Gaming Grant for 2019 for the Sheriff's Department in the amount of \$176,000.00. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: Jill Carlson discussed the Department of Social Services, Citizens Review Panel appointments and posting the procedures to file a grievance on the County web site

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the period of September 5, 2018 through September 21, 2018. Superintendent

Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; the monthly safety meeting, a water spring repair, a proposed county parking lot paving project, the available water for Road Department usage through September 15, 2018, completion of the Schedule A agreements on the Forest Service Roads, the Alkali Bridge project proposal interviews, insurance coverage for a truck replacement that was in a recent accident and a proposal with the Forest Service to schedule hauling chips up to the Beaver pit. (See attached)

DISCUSSION: Chris Hinds, Cedar Mesa Subdivision Road Chairman, along with residents **Stan Mattingly,** and **Bob Sanders** met with the Commissioners and made a request to change Road 35 within the Cedar Mesa Subdivision to a green signed, non-maintained road for the benefit of speed control coverage from the Sheriff's Department. They will start with the Planning & Zoning Road Designation Application.

DISABLED AMERICAN VETERANS (DAV): Bob Sanders with the DAV met with the Commissioners to discuss an Annex I fee waiver for a DAV Christmas Party event scheduled for December 15, 2018. Commissioner Ertel moved that for the DAV Christmas party scheduled on the date of December 15th, that the usage fees be waived as long as the deposit is made and the building is maintained, cleaned and taken care of after they are done, contingent upon availability of the building. Second by Commissioner Lambert and carried. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for August 2018 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 2018, seconded by Commissioner Lambert, motion carried. (See attached)

WEED DEPARTMENT: County Weed Supervisor, Bonnie Loving met with the Commissioners to present for approval, noxious weed enforcement **Resolutions #16-2018 through #20-2018** for the following parcel numbers **5355-323-00-013, 5611-043-00-020, 5355-222-02-006, 5637-211-00-046, 5637-164-00-023, 5071-234-00-006 and 5071-224-00-009.** Commissioner Ertel moved the authorization for the Montezuma County Weed program or it's designees to enter property and control noxious weeds based on the affidavits of our Weed Supervisor, Weed Resolution #16-2018, parcel #5355-323-00-013, Weed Resolution #17-2018, parcel #5611-043-00-020, Weed Resolution #18-2018 parcel #5355-222-02-006, Weed Resolution #19-2018 parcels #5637-211-00-046 and #5637-164-00-023, Weed Resolution #20-2018 parcels #5071-234-00-006 and #5071-224-00-009 as presented. Second by Commissioner Lambert and carried. Supervisor Loving presented for approval a letter of support addressed to the **Bureau of Land Management** to express concerns regarding noxious weeds on the Weber Fire scar. Commissioner Suckla moved to approve the letter of support to the Bureau of Land Management requesting help to the county with a grant to control the weeds on the Weber fire scar. Second by Commissioner Ertel and carried. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young gave his monthly report which included the year to date numbers for income of \$56,023.25 and attendance at 61,908. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics

discussed included the recently held High School Rodeo, help from the Road Department to deliver manure and shavings to the Landfill and two new permanent corrals built. (See attached)

FAIRGROUNDS RACE TRACK: Fairgrounds Manager, Young along with **Robert Reed, Eugene Felker** and **Robert Hughes** met with the Commissioner to discuss the 2019 Race Track Season Lease. Topics of the discussion included; the number of proposed scheduled race events, a proposed extended 3-5 year lease, the number of cars racing, yearly income to the county from the race track, the County Fair demolition derby, proposed additional derbies, a new scoring system and improvements to the track and bleachers.

RESOLUTION #10-2018 Fire Ban: Sheriff, **Steve Nowlin** along with **Cortez Fire Chief, Jay Balfour** presented Resolution #10-2018 a suspension of ban on open fires and the use of fireworks. Commissioner Ertel moved that Resolution #10-2018 a suspension of ban on open fires and the use of fireworks be approved. Seconded by Commissioner Lambert and carried. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff, **Steve Nowlin** met with the Commissioners to give his monthly report which included the County Jail Report, the Call Type Analysis Report, the Total Monthly Arrests Report and the Year to Date Monthly Arrest Reports for the month of August 2018. Other topics discussed included the inmate counts, the registered nurse, hospital charges for medical clearance, jail operational fees, booking and release times, pre-trial deputies, a future need for an additional inmate pod, per inmate meal costs and proposed CCI legislation questions. (See attached)

SOUTHWEST WATER CONSERVATION DISTRICT: **Don Schwindt**, Board member for the Southwest Water Conservation met with the Commissioners to report on topics discussed at the **Basin Round Table**. The discussion included; hydrology risk assessments, drought contingency plans, demand management plans, range moisture, yearly average precipitations, water diversions, instream flows and water banking. (See attached)

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

Chairman Lambert announced the meeting would reconvene

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** discussed the closure of the Durango Juvenile Detention Center and a new declaratory judgement action with Montezuma Valley Irrigation Company.

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

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** presented **TRANSFER ORDER 8-2018** for approval. A transfer of \$125.00 from the Road and Bridge Fund to the Fleet Fund for a driveway permit that was deposited in the incorrect account. Commissioner Ertel moved that order 8-2018, a transfer of \$125.00 from the Road and Bridge Fund to the Fleet Fund for a driveway permit that was deposited in the incorrect account be approved. Second by Commissioner Suckla and carried. Other topics discussed included; the security designs on the units at the Combined Courthouse, a citizens concern regarding the speed

limit on Hwy 184 and PAB Bond eligible projects within the county and relinquishment due to the lack of projects. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert gave a report on the attended Club 20 meeting.

Commissioner Ertel had no report to give.

Commissioner Suckla discussed the recent Commissioner Candidates debates.

PUBLIC COMMENT: No comments were made

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:30 p.m.

Clerk September 10, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 17, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 17, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of September 17, 2018 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 10, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

EMERGENCY MANAGER: **Emergency Manager, Mike Pasquin** met with the Board to present the 2018 (EMPG) Emergency Management Planning Grant for approval. Commissioners Ertel moved to approve the State of Colorado Grant agreement between Montezuma County and the Department of Public Safety in the amount of \$38,000.00. Second by Commissioner Suckla and carried (See attached)

PUBLIC COMMENT: No public comments were made.

COMMUNITY CONNECTIONS: **Director of Marketing, Ellen Stein, Board Treasurer, Janice Moen, and Adult Services Program Manager, Sandra Cordova** met with the Board to request a letter of support for an **Enterprise Zone Application Tax Credit**. Commissioner Suckla moved to approve the letter of support for Community Connections on the application for

designation to become part of the Southwest Enterprise Zone. Second by Commissioner Ertel and carried. (See attached)

LANDFILL: Landfill Manager, Shakalo Powers gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included; the High School demolition project, a rented shredder, the 2019 budget, closure and post closure costs, equipment rentals, current compaction numbers, tipping fees, state Landfill inspections, line item cuts to the Landfill budget since 2014, vendor garbage rates and proposed price increase options. (See attached)

GIS MAPPING: GIS Manager, Doug Roth met with the Board to discuss the **Local Updated Census Addresses Program (LUCA)**. Topics discussed included; the original GIS department commitment, the original census address list sent to GIS, housing units, the per person federal fund allocations to the county, Title 13 data, the county address list review and results, staff time committed to the project and the 2020 Census date. (See attached)

PLANNING:

Planning Director, LeeAnn Milligan along with **Rita Caffey** presented for review and determination a proposed lot line adjustment within the 2 lot minor **Branson Subdivision** on properties owned by **Terry** and **Toni Branson**, located at 14550, consisting of 27.09 acres, more or less, and 14546, consisting of 3.02 acres, more or less, Road 29.2, Dolores, CO, situated east of Road 29, within Road 29.2 and in Section: 33 Township: 37 Range: 15 TR IN SW/4NW/4 & NW/4SW/4 wherein 0.08 acre, more or less would be taken from the 27.09 acre tract and added to the 3.02 acre tract. No new lot is being proposed. Lots are being proposed at fence lines. Terry and Toni Branson were present. Commissioner Suckla moved to amend the previous property lot line adjustment within the two lot minor Branson Subdivision on properties owned by Terry and Toni Branson, located at 14550 consisting of 27.09 acres more or less and 14546 consisting of 3.02 acres more or less on Road 29.2 Dolores. Second by Commissioner Ertel and carried.

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

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

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the recently held Rural Philanthropy Days, IT services for the Social Services Department, and the Maintenance Department staff, the Commissioner's event schedule and registration for the CCI Winter Conference. **ACCOUNTS PAYABLE:** Administrator Brunner presented the August, 2018 Accounts Payable and Financial Statements for approval. Commissioner Ertel moved the approval for the Accounts Payable for Montezuma County for the month of August, 2018. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve the August, 2018 Financial Statements for Montezuma County. Second by Commissioner Ertel and carried. **ORDER: 9-2018:** Administrator Brunner presented a transfer of \$507.25 from the Jail Bond Interest Fund to the General Fund to offset jail operations expenses (Per original sales tax ballot questions). Commissioner Ertel moved that order 9-2018 a transfer from the Jail Bond Interest

Fund to the General fund be approved in the amount of \$507.25. Second by Commissioner Suckla and carried. Administrator Brunner presented a bid for a replacement HVAC unit for Annex I from **Anthony's Refrigeration** in the amount of \$10,129.21. Commissioner Ertel moved for the approval of the bid from Anthony's Refrigeration for an HVAC unit on Annex I in the amount of \$10,129.21. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT: **Commissioner Lambert** no report given.
Commissioner Ertel discussed the attended Rural Workforce meeting.
Commissioner Suckla discussed a NACO teleconference

PUBLIC COMMENT: No public comments were made

CORRESPONDENCE: The following correspondence was read and noted:
Letter from Allen D. Miller regarding the Colorado Water Plan.
Letter from Colorado Department of Local Affairs regarding the Marijuana Impact Grant.

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

MEETING ADJOURNED: 11:30 a.m.

SITE VISIT: Lewis Arriola Fire Department Training Facility

Clerk September 17, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 24, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday September 24, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of September 24, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 17, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

LANDFILL: Landfill Manager Shakalo Powers met with the Commissioners to discuss the Landfill rate increase. Topics discussed included; recyclable funding, the five year diversion recyclable mandate program from Colorado Department of Public Health and Environment, source separated recyclables, grant letters of support, municipal trash fees, proposed compliance orders or fines and educational outreach. Commissioner Ertel moved that the Montezuma County Landfill increase the cost of operating the Landfill, that starting January 1, 2019, the charges to the haulers have an overall increased rate of 29% and beginning July 1, 2019 that an additional 31% be added to the haulers that do not source separate their cardboard, office paper, #1 plastics, aluminum, and tin recyclables. Second by Commissioner Suckla and carried. (See attached.

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk Malinda Fuller presented a special event liquor license application from the **Cortez Area Chamber of Commerce**. The event is to

be held on October 11, 2018 at the **Dolores State Bank East**, 27880 Hwy 160 Cortez. Commissioner Ertel moved for the approval of a special events permit for the Cortez Area Chamber of Commerce for an event to be held at the Dolores State Bank at 27880 Hwy 160, on October 11, 2018. Second by commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: **Gala Pock** discussed the importance of setbacks and the afternoon agenda item; **DISCUSSION** a proposed resolution of opposition to State Proposition 112.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the period of September 19, 2018 through October 5, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included; pave patching, culvert repairs, drainage repairs and the gravel chip storage project for future use on the Dolores Norwood Road. Superintendent Englehart presented the **2019 Proposed Projects List**. Topics within the discussion included; New Chip seal projects, Grind Replace projects, Layer Chip Overlay projects, Asphalt Overlays projects, an additional one million dollars of the county reserves to be used for the 2019 proposed projects and road traffic counts. Superintendent reported that the Alkali Bridge project proposals and a truck replacement discussion will be presented to the Commissioners next Monday. (See attached)

ORDER #10-2018: A transfer in the amount of \$20,097.16 from the Road Impact Fees Fund to the Road & Bridge Fund account to reflect Road impact fees collected that were used in 2018 for the Road L overlay and Road 25 chip seal projects. Commissioner Suckla moved to approve Order #10-2018 a transfer of \$ \$20,097.16 from the Road Impact fees fund to the Road and Bridge Fund. Second by Commissioner Ertel and carried. (See attached)

PUBLIC LANDS: **Forrest Service, Derek Padilla** met with the Commissioners to give a monthly report. Topics discussed included; the **Lone Pine** Environmental Assessment Scoping Packets, prescribed fire burns, a letter from **Forest Supervisor, Kara L. Chadwick** regarding the ponds that were analyzed in the Environmental Impact statement for the **Glade Rangeland Management Project** and a lawsuit regarding the **Rico West Dolores Travel Management** project. (See attached)

Canyon of the Ancients National Monument Manager, Marietta Eaton met with the Commissioners to give a monthly report. Topics discussed included; public meetings to discuss the entry fee increase to the **Canyon of the Ancients Visitor Center and Museum**, a site visit to discuss the re-routing access analysis, parking and trail development to the **Painted Hand**, the grazing permits for the **Flodine** and **Yellow Jacket** allotments and a scheduled Tribal Steward Preservation Office lecture.

Bureau of Land Management, Connie Clementson gave updates to the Commissioners on the **Sand Canyon** parking area, a transfer of position for Justin Hunt, the January 4, 2019 due date for expressions of interest regarding Oil and Gas lease sales, a press releases for prescribed burns and winter grazing permits.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director Gina Montoya** and **Lori Higgins** were present. Director Montoya made a request to refill a Front Desk Receptionist, a Foster Care Coordinator /

Recruiter and a Child Protection Caseworker positions. Commissioner Ertel moved to refill the 3 vacated positions. Second by Commissioner Suckla and carried. (See attached)

PLANNING: Planning Director, Lee Ann Milligan presented **Planning Resolution #11-2018** a final resolution regarding the **Pleasant View Town Sites** right-of-way vacations, located on the north side of Road CC, west of Highway 491, situated in S.31 T.39N., R.17W., N.M.P.M the following are vacated: the 20' alley in Block 1, the 20' alley in North ½ of Block 2, the 20' alley in Block 4, the 40' unnamed right or way north of Lot 19 Block 1 and north of the East ½ of Lot 7 Block 1. Commissioner Suckla moved to approve Planning resolution #11-2018 regarding the Pleasant View Site Town Site right-of-way vacations. Second by Commissioner Ertel and carried. (See attached)

COUNTY TREASURER/ TRUSTEE: Treasurer, Sherry Dyess along with **Ellen Black** and **Cathy McCully** met with the Commissioner to discuss a proposed E-Commerce Module for the Treasures Office to allow tax payments on line. Topics discussed included; credit card processing for 2017 along with January through September 2018, implementation dates, charges to customers, required terminals, a capital fund purchase and annual fees. Commissioner Ertel moved that, with the approval of the IT department and IT Director Jim McClain agreeing with the proposal, that the Treasurer's office implement the Tyler E. Commerce module for the Treasurer's office. Second by Commissioner Suckla and carried. (See attached)

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

Chairman Lambert announced the meeting would reconvene

DISCUSSION: A discussion was held in regard to proposed **Resolution #11-2018** a resolution in opposition to the State November 2018 ballot question **Proposition 112-** a proposed setback requirement for Oil and Gas Development from 500 feet to 2500 feet from and occupied structure. Chairman Lambert opened the meeting for public comments. Comments were made by **Dexter Gill, Ellen Foster, Gala Pock, M.B. McAfee, Jim Candelaria, Christi Zeller, Lee Ann Milligan, James Dietrich** and **Chris Lopez**. Commissioner Suckla moved in the name of the health, welfare, and safety of the citizens of Montezuma County he would proudly vote in favor of this resolution opposing Proposition 112, as amended. Second by Commissioner Ertel and carried. (See attached)

TOUR: Montezuma County Jail

COUNTY ATTORNEY REPORT: Attorney, John Baxter gave no report.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich gave no report.

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the Board of Health quarterly meeting, the Town Hall meeting scheduled Tuesday evening 7:00 p.m.

at the Battle Rock School and the county web site posting for the Fair Board and Social Services, Citizens Review Panel openings.

COUNTY COMMISSIONER REPORT: **Commissioner Lambert** no report given.

Commissioner Ertel no report given

Commissioner Suckla reported he would be attending the scheduled CCI meeting in Denver and reported he had attended the WIR Board meeting.

COLORADO STATE UNIVERSITY: **CSU Vice President, Lou Swanson, Assistant Vice President for Engagement and WD Director, Ashley Stokes** and **Montezuma County Extension Director, Kacey Riedel** met with the Commissioners to discuss the Montezuma County CSU Extension program. Topics discussed included; the Family and Consumer Science program, Agriculture, Horticulture, Natural Resources, the 4-H and Youth Development Programs, developed social media pages, the 2018 Canned Apple Pie Filling Parlor, the 2018 Colorado Cottage Food Producers Required Food Safety Training, and the Extension Report. (See attached)

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 5:00 p.m.

Clerk September 24, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 1, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 1, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of October 1, 2018 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 24, 2018 as presented. Motion was seconded by Commissioner Suckla and carried.

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, **Malinda Fuller** presented a special event liquor license application from the **Dolores Chamber of Commerce** event to be held on October 20, 2018 at the **Dolores River Campground** 18680 Hwy 145 Dolores. Commissioner Suckla moved to approve the special event liquor license for the Dolores Chamber of Commerce event to be held at the Dolores River Campground 18680 Hwy 145 Dolores, on October 20, 2018. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: **Gala Pock** discussed statistics of county agricultural land lost to oil and gas production and an article from the **Four Corners Science Forum**. **David Nuttle** and **Renee King** from the **Needful Provision Inc.** met with the Commissioner to request a letter of support to allow food to be given to the Good Samaritan Food Pantry and homeless citizens within the county. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to discuss the **2019 Proposed Projects List**. Superintendent Englehart presented the **Alkali Bridge** project proposal scoring summaries for **Bechtolt Engineering Company, S.E.H.** and **Russell Engineering** along with a recommendation to use Bechtolt Engineering to provide the bridge design. Commissioner Ertel moved that the qualification of Bechtolt Engineering Company be the chosen company for us to proceed with on the continuing items we have coming up. Second by Commissioner Suckla and carried. Superintendent Englehart presented quotes for replacement transport trucks from **Peterbuilt, Kenworth** and **Western Star**. Commissioner Suckla moved to approve the purchase of two trucks for no more than \$151,000.00 and to include the John Deere lease payment of \$9400.70 and the John Deere back hoes, skid steers paid off in the amount of \$41,845.51. Second by Commissioner Ertel and carried. Other topics discussed included a request to incorporate an additional four tenths of a mile section on Road H.8 and H.6 to a green road status. Commissioner Ertel moved that the four tenths of mile of chip seal on Road H.6 be approved contingent upon the GIS and the Attorney report on legalities of turning a red road to a green. Second by Commissioner Suckla and carried. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for September 2018 along with the Monthly Report of Services. Officer Torres gave an update on the monthly statistical data, the indirect income to Montezuma County and the 2019 Veterans Department budget presentation. Commissioner Suckla moved to approve the **Colorado Department of Military Veterans Affairs, County Veterans Service Officers** monthly report and certification of pay for the month of September 2018 for Montezuma County. Second by Commissioner Ertel and carried. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Tanner Young along with **Larry Copeland** met with the Commissioner to give the monthly report, which included the year to date numbers for income of \$64,278.25 and attendance at 62,513. A discussion was held regarding past and future events scheduled at the Fairgrounds. Topics discussed included; a meeting held with Raceway promoter **Eugene Felker**, a meeting with Ute Mountain Rodeo promoters, Manager Young's resignation, grant applications and a contemplated Convention Center. Manager Young presented the 2019 budget request for the Fairgrounds. (See attached)

IT MONTHLY REPORT: IT Director, Jim McClain met with the Commissioners to present his 2019 budget presentation. Topics discussed included the IT internet services for the County Social Services department, State Broad Band, salary increases, required storage expenses and the fiber project to Fleet and Road departments. Director McClain reviewed the new Caselle accounting program for the Administration Department (See attached)

GIS MAPPING: GIS Manager Doug Roth and **Mapping Specialist, Rachel Medina** met with the Commissioners to give the GIS department budget presentation. Topics discussed included; a salary increase for Mapping Specialist Medina, operating expenses, training, the addition of mountain trails included within the county trails map and the mileage of the Dolores River. (See attached)

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** discussed the pending PILT lawsuit, the Montezuma Valley Irrigation Company dispute, the hearing for the Kinder Morgan 2009 increase in taxes and the Phil's World trail objection. Other topics discussed included Southwest Health System and the 2019 budget presentation. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich** gave his weekly report. Topics discussed included the **Boggy Glade** vegetation management, the **Lone Pine** vegetation management project, the **Rangeland Stewardship** program, the **Dolores Communication Tower**, the **Paths to Mesa Verde Trail** and the **McElmo Flume** project. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** was absent.

COUNTY COMMISSIONER REPORT: Commissioner **Lambert**, no report given.
Commissioner **Ertel** discussed the attended Town Hall meeting.
Commissioner **Suckla** discussed the attended CCI meeting in Denver.

PUBLIC COMMENT: No Comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

Letter from the City of Cortez regarding a public notice for a Conditional Use Permit for the short-term emergency homeless shelter.

Letter from the Bureau of Land Management Tres Rios Field Office regarding the decision record and findings for the Sand Canyon project.

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

MEETING ADJOURNED: 12:00 p.m.

Board of Health Quarterly meeting held at the Montezuma County Health Department.

Clerk October 1, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 8, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 8, 2018 at the courthouse in Cortez, Colorado, there were present:

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

VICE-CHAIRMAN ERTEL opened the meeting of October 8, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 1, 2018 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 September, 2018. (See attached)

PUBLIC COMMENT: **David Nuttle** from **Needful Provision Inc.** met with the Commissioners to add additional information for the previous request for a letter of support, to allow food to be distributed to the needy within Montezuma County. (See attached) **Tad Willbanks** along with several Road 23 neighbors met with the Commissioners to present a request that Road 23 to be considered as a future County chip seal project.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** presented the road and bridge schedule for the time period of October 3, 2018 through October 19, 2018, along with the 2019 Road Department budget proposal presentation. Superintendent Englehart gave an overview of

the type of work scheduled for each crew. Other topics discussed included; Russian Olive trees within the county road right-of-ways, the rental of an impact crusher, signatures for the Road BB DOLA project, salaries, employee counts, and the 2019 proposed projects list. (See attached)

WEED DEPARTMENT: Weed Department Office Manager, **Bonnie Loving** presented the 2019 Weed Department budget proposal presentation. Topics discussed included; a truck purchase, proposed salary increases, grant fund applications, the state noxious weed lists along with County options to help with tree management for Russian olive and salt cedar trees. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff, **Steven Nowlin** met with the Commissioners to give his monthly report along with the proposed 2019 **Sheriff Department, Detention Center, LEA, Town of Dolores Contract, Pre-Trial Unit, Casino Contract** and estimated **Grant** budgets presentations. Topics of the discussion included; parole holds, the long term evidence storage unit, the closure of the Juvenile Detention Center, transport costs, Juvenile detention holding cells, coordination efforts with the Ute Mountain Ute Tribal Detention Center, the Calls for Service Report, Fleet mileage costs, proposed legislation concerning certified officers and a detention kitchen steamer replacement estimate. Commissioner Ertel moved that the Montezuma County Board of County Commissioners approve the expenditure of \$20,048.00 for the Sheriff's Department, to purchase a Blaugit SC7GH steamer convection gas floor model. Second by Commissioner Suckla and carried. (See attached)

DISCUSSION: **Glen Humiston** met with the Commissioners to discuss a Colorado State gas well inspection on his personal property.

PLANNING:

Planning Director, Lee Ann Milligan presented for signatures a final plat for a 2 Lot Minor Subdivision Application submitted by **Roy Starr** on property located at 11479 Road 42, Mancos, CO, consisting of 35 acres, more or less, located on the west side of Road 42, north of Hwy 160, situated in S.22 T.36N., R.13W., N.M.P.M.

MONTEZUMA COUNTY FAIR BOARD APPOINTMENT: Administrator Brunner reported that she had received a Fair Board resignation from **Elica Belmire** and presented Fair Board letters of interest from **Brian Thornbrugh** and **Dani Traweek**. Commissioner Suckla moved to appoint Brian Thornbrugh to the Fair Board for a 4 year term. Second by Commissioner Ertel and carried. (See attached)

DISCUSSION: **Ann McCoy-Harold** from **Senator Cory Gardner's** office met with the Commissioners to discuss County topics of concerns. Topics included: Rio Lado Creek, instream flows, Forrest Service rights to water, the Ditch Bill, the Instream Flow Rights Program, the trans-continental diversions, the Lower Compact demands and the relocation of the BLM to the Western United States.

Chairman Ertel announced the adjournment of the meeting for the LUNCH break.
Chairman Ertel announced the meeting would reconvene.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a Sketch Plan for a proposed 2 Lot Moderate Development consisting of one 3 acre and one 6.67 acre, more or less, tract on property owned by **Bryan and Susan Messier**, located at 40767 Road G, Mancos, CO, located north of Road G, west of Road 41, situated in S.5, T.35N., 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 Ertel opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Ertel 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 Suckla moved to approve a sketch plan for a 2 lot moderate development consisting of one 3 acre and one 6.67 acre, more or less, on property owned by Bryan and Susan Messier, located at 40767 Road G, Mancos. Second by Commissioner Ertel and carried. Commissioner Ertel 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 of an AR3-9 rezoning request and Sketch Plan for a proposed Exemption amendment on property owned by **Cynthia Brunner and Marvin Brunner**, 14785 Road 28, Dolores, CO, located west of Road 28, north of Road P, situated in Sec. 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. Marvin Brunner was present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Ertel opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Ertel 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 Suckla moved to approve an AR3-9 rezoning request and sketch plan for an exemption amendment on property owned by Cynthia Brunner and Marvin Brunner, located at 14785 Road 28, Dolores, CO. Second by Commissioner Ertel and carried. Commissioner Ertel 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 of a Commercial (COMZ) rezoning request and High Impact Permit Application on property owned by **Dennis & Valerie Giesler, Agent Patrick Labruzzo**, 11012 Hwy 491, Cortez, CO, located east of Hwy 491, north of Road L, situated in Sec. 15, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Owner, Dennis Giesler and Agent, Patrick Labruzzo were present. **Planning Director, Lee Ann Milligan** gave an overview of the application. Commissioner Ertel opened the hearing to public comment. Public Comment in favor of the application was made by **Jim Candelaria**. Hearing no further public comment that portion of the hearing was closed. Commissioner Ertel 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 contingent on threshold standards met with noise, odors, emissions lighting, traffic and the CDOT access approval. After hearing all the evidence presented Commissioner Suckla moved to approve the rezoning request and high impact permit application on property owned by Dennis & Valerie Giesler, Agent Patrick Labruzzo, located at 11012 Hwy 491, Cortez, CO. Second by

Commissioner Ertel and carried. Commissioner Ertel closed the hearing at this time. (See attached)

Planning Director, Lee Ann Milligan presented for review and determination a Variance Application submitted by **Neil & Doris Acott** on their property located at TBD Road 24.8, Cortez, CO, located east of Road 24.8, north of Road S.8, situated in Sec. 22, T.37N., R.16W., N.M.P.M. Lots 4-8 of the Lebanon Townsite Subdivision. The Variance Application is a request to construct a residence inside the County Land Use Code 50' setback requirements. The affected property owner has not submitted a Non-Opposition Letter. The discussion was tabled to October 15, 2018 to include Commissioner Lambert.

Director, Milligan presented for Review and determination an Exemption Application submitted by The **William and Sharon Palmer Family Trust**, on their property located at 23001 road F, Cortez, CO, located west of Hwy 160-491 and north of Road F, situated in Sec. 16, T.35N., R.16W., N.M.P.M. consisting of 17 acres, more or less. Said request is to divide 4 acres, more or less, of the parcel which would include the mobile home park and combine the remaining acreage to the Palmer property located at 23125 Road F. The granting of this request would not create a new tract of land. Commissioner Suckla moved to approve the exemption application submitted by The William and Sharon Palmer Family Trust, on property located at 23001 road F, Cortez, CO. Second by Commissioner Ertel and carried.

Director, Milligan presented for signatures a final plat for a 2 Lot Minor Development Application submitted by **Ute View Farms, Agent Charles & Wanda Martin**, on property located at 7345 Hwy 160-491, Cortez, CO, located north of Road G, west of Hwy 160-491, situated in S.4, T.35N., R.16W., N.M.P.M.

Director, Milligan presented the 2019 budget presentation. Topics discussed included; salary increases, fees collected and a proposed purchase of a new copier. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed the letter of approval request from Needful Provision Inc..

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich gave his weekly report along with the 2019 budget presentation. Topics discussed included; the McPhee breakwater, Flood Plane development, the McElmo Flume, the Dolores Radio tower, a city of Cortez contact person, a draft Forrest Service handbook, the proposed 2% salary increase, operating expenses, dues, training, travel and miscellaneous expenses. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented the **Commissioner's** and **Administration** budget proposals for 2019. Topics discussed included; salary increases, the new Caselle module demonstration, participation in Region 9 and State statute salary increases for elected officials. Administrator Brunner presented for approval the **Tyler Technologies – eCommerce Module** purchase for the Treasurer's Office. Commissioner Suckla moved to approve the Tyler Technologies – eCommerce module purchase in the amount of \$15,540 with \$14,290 to come from the Capital Fund for the purchase of the module and \$1,250

from Treasurers operating budget for the annual maintenance fee. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert was absent.

Commissioner Ertel had no report to give.

Commissioner Suckla discussed the scheduled Southwest Heath System and the WRI Board meetings.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 3:30 p.m.

Clerk October 8, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 15, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 15, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of October 15, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 8, 2018 as presented. Motion was seconded by Commissioner Lambert and carried.

PUBLIC COMMENT: Historical Society Board President, **Ann Brown** met with the Commissioners to give an update on the Historical building remodel project. Topics discussed included; a proposed donated wood auction, a Feasibility Study and the capital campaign. **Dolores Water and Resilient Forest Collaborative (DWRFC): Rebecca Samulski** met with the Commissioners to request a letter of support addressed to the **Action & Implementation for Mitigation Review Committee**. Commissioner Suckla moved to approve the letter of support for the Action and Implementation for Mitigation Review Committee. Second by Commissioner Lambert and carried. (See attached)

COLORADO WATER ISSUES: Southwest Water Conservation District, Board members **Don Schwindt, Bob Wolf** and **Executive Director, Bruce Whitehead** met with the Commissioner to discuss water rights. Topics discussed included; the South Western Water

Conservation District map, the Colorado trans-mountain diversions, consumptive issue, a rolling ten year average of the Lee Ferry Historic flows, compact requirements, Country water obligations, Lake Powell scheduled releases, the 1963-2018 Lake Powell Elevations, the Colorado River point of measurement, Upper Basin and Lower Basin allocations, the Lake Powell Unregulated Inflow Water Year 2019 Forecast, Potential Impact to post compact rights, the water storage Project dates for Southwest Colorado, county participation in the Colorado Water Congress, and a draft contingency plan proposal. (See attached)

ASSESSOR: Montezuma County Assessor, Leslie Bugg met with the Commissioners to present her 2019 proposed budget presentation. Topics discussed included; salary adjustments, operating and professional services, postage, maintenance, Fleet expenses, dues, travel, training, possible software requirements if Amendment 73 passes and the status of the current appraiser trainings. Other topics discussed included; the Mancos Conservation District property owner boundary lines and an equipment proposal from **United Reprographic Supply Inc.** for a new OCE Plot Wave 345/365 printing system in the amount of \$\$15,750.00. Commissioner Suckla moved to approve the OCE Plot Wave printer engine for a total amount of \$15,750.00 from the Capital Fund. Second by Commissioner Lambert and carried. (See attached)

PUBLIC LANDS: Forrest Service, Derek Padilla met with the Commissioners to give his monthly report. Topics discussed included opportunities for prescribed burns, the Dolores Aspen Vegetation Management Units map and the BLM handbook and the draft Forest Service Handbook. (See attached)

MESA VERDE NATIONAL PARK: Mesa Verde Superintendent, Cliff Spencer met with the Commissioners to give updates Topics discussed included; a 6% decrease in visitation numbers, the closure and assessment of Spruce Tree House for repairs, the development of an Invasive Plant Management Plan, and back log maintenance funding.

EMERGENCY ALERT SYSTEM / E911 FEE: City of Cortez Chief of Police, Roy Lane, and Dispatch Manager, Lori Johnson met with the Commissioners to discuss an increase in the E911 fees. Topics discussed included; stipulated requirements for the possible DOLA grant funding, short term equipment and asset replacements, the state average E911 call fee, a comparison of proposed rate fees and future required computer replacements. **County Coroner, George Deavers** discussed the Lewis Arriola Fire District DOLA application requirements and the possible increase of E911 agency usage fees. The discussion will continue at the next Commissioner meeting scheduled October 22, 2018. (See attached)

CSU EXTENSION OFFICE: Extension Agent, Kacey Reidel met with the Commissioners to give the 2019 budget presentation. Topics of the discussion included; the Extension program financial accounts, the 2018 CSU audit report, county staff hours, an additional part time employee, salary increases, professional services, dues, travel, training an increase in operating expenses, Fleet management costs and the proposed purchase of a new copier. (See attached)

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

PLANNING: Planning Director, Lee Ann Milligan along with **Planning Assistant, Jane Duncan**, presented for signatures a final plat for the **Warner 2**, 6 lot major development situated west of the existing Warner 3 Lot Minor 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.

Director, Milligan along with Assistant, Duncan presented for preliminary review, a request to be considered a one home development for a proposed residential development, within the Dolores River Valley on property owned by **Slippery Rock Falls, LLC**, located at 27551 Hwy 145, Dolores, CO, consisting of 37 acres+/-, situated north of Hwy 145, east of the Town of Dolores, in S.3, T.38N, R. 12W, N.M.P.M. **Owner Representative, Denny Ehlers, General Contractor, Troy Dyer** and **Engineer, Gregg Anderson** were present. Topics of the discussion included: residential unit definitions within the current land use code, the inclusion of separate meters or kitchens included within the units, septic system upgrades, preservation of existing buildings, a single heating unit, a single mechanical system, and a variance to correct a boundary adjustment. Concerns discussed by neighbor **Jennie Lock** included; road access, possible commercial development or rezoning, building near their current deck, personal property owner rights and construction designs for a garage on the property. The owner / agents stated they would be seeking a way to mitigate the adjacent property owner, Locks, patio encroachment and would also not be seeking access for the applicant property through the Lock property off of Highway 145. Commissioner Suckla moved to approve the preliminary proposal for a residential development within the Dolores River Valley property owned by Slippery Rock Falls LLC., located at 27551 Hwy 145 Dolores Co. Second by Commissioner Lambert and carried.

Director, Milligan along with Assistant, Duncan presented for signatures an amended plat for the 2 Lot Minor **Starr Subdivision** submitted by **Roy Starr** on property located at 11479 Road 42, Mancos, CO, consisting of 35 acres, more or less, located on the west side of Road 42, north of Hwy 160, situated in S.22 T.36N., R.13W., N.M.P.M.

DISTRICT ATTORNEY: Will Furse and **Assistant DA, Clarisa Feully** met with the Commissioners to discuss the 2019 budget requests for the District Attorney's office. Topics included; the proposed 2% salary increase, the County case load analysis, diversion programs, the public utilities, maintenance, vehicle expenses, request for an additional position, a grant for the new position's salary and a proposed discussion regarding the redefinition of the current marijuana ordinance. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock along with **Laurel Schafer**, met with the Commissioners to give the Health Department 2018 budget presentation. Topics discussed included; the 2% salary increase, the current number of positions, monthly client counts, a request for two additional positions, CDPHE grant funding, nursing positions, the dental program, part time salaries, operating expenses, professional services, utilities, postage, fleet expenses, the description of revenues report, the transfer of the Senior Services, **Nail it Down** program to the Health Department, and a request that the department pay back to the County be split in the years 2019 and 2020. Commissioner Suckla moved to approve the additional case manager position for the Health Department. Second by Commissioner Lambert and carried. (See attached)

GROUND AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioners to give his 2018 budget presentation. Topics discussed included; salary increases, the current number of positions and the detailed budget report. Supervisor Chenard presented bids for carpet replacement at the Sheriff's Department. It was decided to postpone the decision for clarification of a quality comparison of the carpet included within the bids and the price/ per square foot was established. Supervisor Chenard presented quotes for a proposed purchase of a scissor lift. Commissioner Suckla moved to approve the purchase of a scissor lift for the Maintenance Department not to exceed \$10,225.00. Second by Commissioner Lambert and carried. (See attached)

CLERK AND RECORDER: Montezuma County Clerk & Recorder, Kim Percell met with the Commissioners to give her 2018 Clerk and Elections budget presentations. Topics of the discussion included; the proposed 2% salary increase, the total number of deputy positions, the Tech Fund, operating expenses, postage, maintenance contracts, dues, training, travel and the 24/7 ballot drop boxes. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed negotiations regarding the Sheriff Parole Holds.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich gave his weekly report. Topics discussed included; Proposition 110, the McElmo Flume, the Path to Mesa Verde, the development of a County Comprehensive Plan and a request for a letter of support for the Lone Pine Vegetation Management project. Commissioner Suckla moved to approve the Lone Pine Vegetation Management Project, letter of support. Second by Commissioner Lambert and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented the 2019 County Surveyor budget proposal. Administrator Brunner presented a letter of support addressed to **Christina McKasy Asset Manager Colorado Division of Housing** regarding the HomesFund. Commissioner Suckla moved to approve the letter in support for the HomesFund in their pursuit of mortgages and the down payment assistance funds from the Colorado Division of Housing. Second by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert no report given.

Commissioner Ertel was absent.

Commissioner Suckla no report given.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

Letter from History Colorado regarding the listing of Far View Visitor Center in the Colorado State Register of Historic Properties.

Letter from the Colorado Department of Public Health and Environment regarding the Landfill Compliance audit.

Letter from Colorado Counties Inc. regarding the CCI proposed budget and dues schedule for 2019.

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

MEETING ADJOURNED: 4:30 p.m.

Clerk October 15, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 22, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 22, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of October 22, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 15, 2018 as amended. Motion was seconded by Commissioner Lambert and carried.

PUBLIC COMMENT: Gala Pock discussed the 24 hour ballot drop box located at the Clerk's Office.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the period of October 17, 2018 through November 2, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included: mow brush, pull ditches, shape shoulders, blading, chip seal preparation, culvert installations and pave patching. Superintendent Englehart presented the quarterly fuel report for review. The report included the Diesel Fuel Gallons Consumption, Diesel Fuel Cost Comparison and the Diesel Fuel per Gallon Cost reports. A discussion was held regarding a bus turn around on Road 38, the county road designation for Road 41, the Dolores Norwood Road, the Alkali Bridge project, traffic counts for Road 23 and the John Deere equipment pay off. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Gina Montoya** and **Lori Higgins** were present. Director Montoya presented the 2019 Social Services budget presentation. Topics of the discussion included a 3% salary increase, a request for an additional vehicle, adoption costs Option 3 County IT technical support and the attendance of Colorado Work Force to Child Support Enforcement Hearings. (See attached)

LANDFILL: Landfill Manager, Shakalo Powers gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included; the progress of the high school demolition, the rented shredder, a conference call with CDPHE and CCI, a reduction of review fees, legislative funding for county landfill closure fees and the Haulers work session scheduled next week. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to present his 2019 budget presentation. Topics discussed included; operating expenses, additional deputies, autopsies, suicides, over dose deaths, traffic fatalities and average county death statistics. A discussion was held regarding the structure of the Emergency 911 Board and a request for an additional part time deputy position. (See attached)

TREASURER/TRUSTEE: Montezuma County Treasurer / Trustee, Sherry Dyess along with **Deputy Clerk, Ellen Black**, met with the Commissioner to give the Treasurer and Trustee 2019 budget presentations. Topics of the discussion included; the loss of 20% of the office workforce, office efficiency, software upgrades, tax bill processing, consolidated printing notices, delinquent notices, an increase in salaries, operating expenses, an overall \$20,050.11 budget decrease and a comparison of county Chief Deputy salaries. (See attached)

WILDFIRE ADAPTED PARTNERSHIP: Amanda Cannon and **Ashley Downing** met with the Commissioners to report on activities for the Wildfire Adapted Partnership for Montezuma County and to make a request for county support in the amount of \$15,000.00. Topics discussed included the neighborhood ambassador program, the 2018 education and outreach highlights, bimonthly meetings, the neighborhood ambassador projects, free wildfire risk home site visits, youth education, the Colorado Wildland Fire Conference, new subdivision support and future proposed projects. (See attached)

SENIOR NUTRITION: Director, Sue Fletcher gave her 2019 budget presentation. Topics of the discussion included; Mrs. Fletcher's retirement, Region 9 Area Agency on Aging funding, the 2019 revenue report, programs covered from the revenues, nutrition sites and federal funding. Other topics discussed included a neighboring county comparison for additional county funding, meal counts, home delivery meals, monthly meal statistics, salary increases and the base rate for the new Director's salary. (See attached)

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

Chairman Lambert announced the meeting would reconvene

PLANNING: Planning Director, LeeAnn Milligan presented for signatures a final plat for a lot line adjustment within the 2 lot minor **Branson Subdivision** on properties owned by **Terry** and **Toni Branson**, located at 14550, consisting of 27.09 acres, more or less, and 14546, consisting of 3.02 acres, more or less, Road 29.2, Dolores, CO, situated east of Road 29, within Road 29.2 and in Section: 33 Township: 37 Range: 15 TR IN SW/4NW/4 & NW/4SW/4 wherein 0.08 acre, more or less would be taken from the 27.09 acre tract and added to the 3.02 acre tract. No new lot is being proposed. Lots are being proposed at fence lines.

Director, Milligan discussed a request to purchase a printer for the Planning Department. Commissioner Suckla moved to approve the 5 year lease purchase of a new printer for the Planning Department in the amount of \$3552.00 per year. Second by Commissioner Lambert and carried. Director Milligan made a request to continue the **Acott** and **Stevenson** variance application Public Hearing to October 29, 2018. Commissioner Suckla moved to continue the public hearing for the Acott and Stevenson variance request to October 29, 2018. Second by Commissioner Lambert and carried

EMERGENCY MANAGER REPORT: Emergency Manager, Mike Pasquin along with **Patricia Gavelda**, the state and local **Hazard Mitigation Planning Program Manager**, met with the Commissioner to discuss the 2019 budget and the County Hazard Mitigation Plan. Topics discussed included; full time and part time salary increases, contracting out the writing of the County Hazard Mitigation Plan, a 5 year cycling update to the County plan, eligible counties, and fees associated with the plan, in kind funding options, FEMA approval of the plan and the expiration date of the current county plan. (See attached)

COUNTY BENEFITS COMMITTEE: Billye Morgan, Jennifer Morris and **Virginia McKinney** met with the Commissioners to present their recommendations on the 2019 Health Insurance rate proposals. Commissioner Suckla moved that with the recommendations of the Benefits Committee, to continue with **CIGNA** for health insurance for Montezuma County for 2019, with a monthly cost of \$863.43 per employee.

EMERGENCY ALERT SYSTEM / 911 FEE: City of Cortez Chief of Police, Roy Lane and **Dispatch Manager, Lori Johnson** met with the Commissioners to discuss the proposed 911 emergency alert system fee increase. Topics of the discussion included a proposed \$1.00 rate change, other available equipment options, the original 28-1989 and 10-1997 County resolutions, the Intergovernmental Agreement with the City of Cortez and additional entities included within the structure of the E911 Board. (See attached)

TRANSIT: Director, Mary Holaday along with **Fleet Manager, Clint Watson** met with the Commissioners to discuss the 2019 Transit budget presentation. Topics of discussion included; the department move out to the Fleet Department, municipality grant funding requests, municipality client statistics, revenues, expenditures, separated accounting budgets, electrical vehicle grants and vehicle replacements. (See attached)

FLEET MANAGEMENT: Fleet Manager, Clint Watson along with **Office Manager, Jennifer Morris** met with the Commissioners to give the Fleet Department 2019 budget presentation. Topics of the discussion included; the internal service fund snapshot, expenditures,

projected costs, parts, shop supplies, labor, fuel projections, insurance reimbursements, salaries, the per mileage charges and proposed departmental fuel cards (See attached)

COUNTY ATTORNEY REPORT: Attorney, **John Baxter** discussed the scheduled Kinder Morgan, Board of Assessment hearing to be held in Denver. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich** gave his weekly report. Topics discussed included; the attended Aquatic Nuisance Species Technical Team meeting, the Path to Mesa Verde draft GOCO grant, the Humiston Oil well, a proposed County Natural Resource Plan and the McElmo Flume. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** presented the 2019 **Purchasing, Animal Control** and **Fair Board** budget presentations. Administrator Brunner discussed the Sherriff's department replacement carpet quotes for approval. Commissioner Suckla moved to approve the \$30,755.00 purchase of carpet for the Sheriff's Office, from **High Tech Flooring** out of Farmington New Mexico to be paid out of the maintenance budget. Second by Commissioner Lambert and carried. Other topics discussed included the work session scheduled next week and participation in the Colorado Water Congress. **ACCOUNTS PAYABLE:** Administrator Brunner presented the September 2018 Accounts Payable and Financial Statements for approval. Commissioner Suckla moved to approve the Accounts Payable for September 2018 for Montezuma County. Second by Commissioner Lambert and carried. Commissioner Suckla moved to approve the September 2018 Financial Statements. Second by Commissioner Lambert and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner **Lambert** reported on the attended Health Department, Behavior Health Center discussion meeting. Commissioner **Ertel** was absent. Commissioner **Suckla** discussed the attended Alamosa County Justice Center grand opening ceremony.

PUBLIC COMMENT: **Greg Kemp**, discussed the Wildfire Adapted Partnership presentation.

CORRESPONDENCE: The following correspondence was read and noted: Letter from BLM Tres Rios Field Office regarding concern for noxious weeds on BLM land.

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

MEETING ADJOURNED: 4:20 p.m.

Clerk October 22, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 29, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday October 29, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of October 29, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 22, 2018 as amended. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: **Gail Binkley** discussed the NCA and the proposed meeting with a Commissioner from Saint George Utah.

PLANNING: This discussion was originally held at the regularly scheduled Commissioner's Meeting on October 8, 2018. Approved minutes are as follows:

Planning Director, Lee Ann Milligan presented for review and determination a Variance Application submitted by **Neil & Doris Acott** on their property located at TBD Road 24.8, Cortez, CO, located east of Road 24.8, north of Road S.8, situated in Sec. 22, T.37N., R.16W., N.M.P.M. Lots 4-8 of the Lebanon Townsite Subdivision. The Variance Application is a request to construct a residence inside the County Land Use Code 50' setback requirements. The affected property owner has not submitted a Non-Opposition Letter. The discussion was tabled to October 15, 2018 to include Commissioner Lambert.

This discussion was originally held at the regularly scheduled Commissioner's Meeting on October 15, 2018. Approved minutes are as follows:

Director Milligan made a request to continue the **Acott** and **Stevenson** variance application hearing to October 29, 2018. Commissioner Suckla moved to continue the hearing for the Acott and Stevenson variance request to October 29, 2018. Second by Commissioner Lambert and carried.

Planning Director Milligan, Assistant Duncan along with **Neil and Doris Acott** met with the Commissioners to discuss the variance application. After hearing the evidence presented the Commissioner's made a request that the variance application be presented to the Planning and Zoning Board for review and recommendation or obtain Non-Opposition Letters from both property owners.

DISCUSSION: Landfill Manager, Shakalo Powers along with local hauler representatives from the **City of Cortez, Waste Management Inc., Countryside Disposal** and **Rowe & Sons** met with the Commissioners to discuss the Montezuma County Landfill Tipping Fees, State Diversion Goals and Market Conditions. The Dolores County Commissioners, **Floyd Cook** and **Steve Garcher** were present for the discussion. Manger Powers gave a slide show overview of the history, process and decision to implement the 2019 rate increases. (See attached)

2019 BUDGET WORKSHOP: Administrator Melissa Brunner presented for review and discussion the proposed department budget requests.

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

EXECUTIVE SESSION: Commissioner Ertel moved to go into executive session for a conference with the attorney for a discussion of personnel matters under C.R.S. 24-6-402 (4) (f), seconded by Commissioner Suckla and carried. Topics for the executive session were interviews for the Social Service Review Panel. Completed interviews included; Jeremy Rosenbaugh, Jerry Ayers, Laura Switzer, Sunny Bossenmaier, and Elizabeth Tozer. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 3:00 p.m.

Clerk October 29, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 5, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 5, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of November 5, 2018 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 29, 2018 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 October, 2018. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Mike Pasquin, Patricia Gavelda, and by telephone Mark Thompson met with the Commissioner to discuss the Emergency Management Mitigation grant updates. Topics discussed included; the current 2018 Hazard Mitigation Plan (HMP), County updates to the plan, Manager, Pasquin's recommendation for the HMP, County hazards of concern in the HMP, types of eligible projects, types of flood projects eligible and funded, post fire mitigation, anticipated future types of eligible projects, HMP update responsibilities, HMP update requirements HMP action plan matrix and the Colorado HMP update overview. Commissioner Suckla made a motion to move forward with the recommendations from the Montezuma County Emergency Manager on updating the Mitigation

Plan as presented with the city of Cortez buy in as well. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: Robert Dobry Economic Development Consultant for MCEDA met with the Commissioners to answer questions regarding the association and to discuss Montezuma County funding and involvement with the association. **Greg Kempf** discussed the inclusion of hazard material routes within the Hazard Mitigation Plan. **Jim Andrus** discussed the new forecast “**Snow Squall Warning**” alerts. Commissioner Ertel discussed the departure of the Commissioner Lambert and his replacement as the County representative to the **Southwest Basin Roundtable**. Commissioner Ertel moved that the Montezuma County Board of County Commissioners appoint Mr. Ed Millard to the Southwest Basin Roundtable as the representative for Montezuma County Board of County Commissioners, for a five year term, effective as of November 5, 2018 with an addendum to the motion that he be the representative to the Drought Contingency Plan sub-committee as well. Second by Commissioner Suckla and carried. Commissioner Ertel moved that the letter directed to the Southwest Basin Roundtable be emailed to the Southwest Water Conservation District attention Laura Spann. Second by Commissioner Suckla and carried. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the period of October 31, 2018 through November 16, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included: Nixel alerts, mow brush, pull ditches, shape shoulders, blading, culvert installations, tree trimming and crushing chips. Superintendent, Englehart discussed the **Alkali Bridge**, project cost worksheet from **Bechtolt Engineering Inc...** Topics discussed included the outside services cost from sub-consultants. Commissioner Suckla moved to approve Bechtolt Engineering to proceed for Montezuma County on Alkali Bridge in the amount of \$273,384.64. Second by Commissioner Ertel and carried. A discussion was held with **GIS Specialist, Rachel Medina** regarding County Road Y with a request to close the road from general use by a private property owner and Road 35.6 regarding parking for BLM access. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for October, 2018 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 Colorado Department of Military Veterans Affairs, County Veterans Service Officers monthly report and certification of pay for the month of October 2018 for Montezuma County. Second by Commissioner Suckla and carried. Officer Torres presented for review the 2018 Veterans Day event schedule for Montezuma County and an October 2018, “How did you find out about Montezuma County Veteran services” graph. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Larry Copeland gave the monthly Fairgrounds report which included the year to date numbers for income of \$66,423.25 and attendance at 63,888. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Teen Maze event report, the installation of the new stalls, a permanent covered area for some of the stalls, boarding fees, installation of the Salamander door locks and the posting of the Fairgrounds schedule on the county web page. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff, **Steven Nowlin** met with the Commissioners to give his monthly report which included the Montezuma County Jail report, a proposed daily operational expense fee increase, the calls for service report and the 2019 Dolores Contract budget presentation. Other topics discussed included; providing finger print back ground checks, replaced kitchen equipment, roof repairs, safety equipment grant opportunities, contraband introduction to the facility, a recent burglary investigation and the proposed E911 dispatch fee increase. (See attached)

SOUTHWEST HEALTH SYSTEMS: CEO, **Tony Sudduth** and CFO, **Rick Shrader** met with the Commissioners to give an update on the local hospital, Southwest Health Systems. Topics of the discussion included; implemented cost changes, stronger revenues, the new public pharmacy, specialist procedure waiting times, family practice doctors, the usage of Monticello facilities by local surgeons, SW Health Systems employed doctors, employee layoffs and marketing strategies. Mr. Shrader gave an update on the Financial Statements and the Statistical Summary for September 2018. (See attached)

BID OPENINGS: Chairman Lambert opened the 2018 cleaning bids for the Montezuma County buildings. Cleaning bids for the **Administration** building: **Monica's Cleaning Service** \$4,800.00 per month and **Busy "B" Janitorial Service** \$3,000.00 per month. Cleaning bids for the **Annex 3** building from Monica's Cleaning Service at \$3,500.00 per month and Busy "B" Janitorial Service at \$1,500.00 per month. Commissioner Ertel moved to grant the cleaning contract for the Administration building and Annex 3 buildings to Busy "B" Janitorial Services. Second by Commissioner Suckla and carried. Cleaning bids received for the **Annex I** building **Laurel Schafer Cleaning Services** \$1604.16 per month, the **Fleet Management** building **Monica's Cleaning Service** \$450.00 per month, for the **Sheriff's Office** commons area **Monica's Cleaning Service** for \$900.00 per month, for the **Combined Courts** building **Monica's Cleaning Service** at \$4,800.00 per month and for the **Road & Bridge** office **Monica's Cleaning Service** at \$350.00 per month. Commissioner Suckla moved to approve the bid for the Annex 1 cleaning services to Laurel Schafer Cleaning Services for \$1604.16 per month, for the Fleet Management building to Monica's Cleaning Service for \$450.00 per month, for the Sheriff's Office to Monica's Cleaning Service for \$900.00 per month for the Combined court building to Monica's Cleaning Service for \$4800.00 per month and for the Road and Bridge building to Monica's Cleaning Service for \$350.00 per month for the year of 2019. Second by Commissioner Ertel and carried. (See attached)

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

MONTEZUMA COUNTY TRANSIT: Mary Holiday and Jennifer Morris, met with the Commissioners to present the **CDOT – Division of Transit and Rail Contract** for approval. Commissioner Ertel moved to approve the Colorado Division of Transportation agreement between Montezuma County Transit Department and the Division of Transit and Rail FTA Section 5311 annual contract. Second by Commissioner Suckla and carried. (See attached)

PLANNING: Planning Director, **Lee Ann Milligan** presented for review and determination a Subdivision Application amendment submitted by **Gary & Terry Ellson** for a 2 Lot Minor

Subdivision, on property located at 32261 Road P, Mancos, CO, located west of Road 33, north of Road P, situated in S.1, T.36N., R.15W., N.M.P.M. Commissioner Suckla moved to approve the amended lot line for Gary & Terry Ellson for a 2 lot minor subdivision, on property located at 32261 Road P, Mancos. Second by Commissioner Ertel and carried.

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 Commercial Rezoning request and High Impact Permit Application submitted by **Jared Hansen & Karen Becker** for the purpose of operating a dog breeding facility on property located at 30773 Road V.6, Dolores, CO, located north of Road V.6, west of Road 31, situated in S.3, T.37N., R.15W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Hanson and Ms. Becker were present for the hearing. Planning Director, Lee Ann Milligan gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comments were made by **Loyd Calvert, Diane Robertson and Robert Macky**. Hearing no further public comment that portion of the hearing was closed. Director Milligan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission with conditions to the motion being noise mitigation. After hearing the evidence presented Commissioner Suckla moved to continue the public hearing to May 7, 2019 to allow the applicants Jared Hansen and Karen Becker, located at 30773 Road V.6 to mitigate noise issues with the dog breeding facility. Second by Commissioner Ertel and carried. Commissioner Lambert 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 proposed amendments to High Impact Permit #101 submitted by **Basin Coop, Inc., Agent Lynn Forssberg and Bentley Colbert** for the purpose of expanding the existing use to include a fertilizer storage and mixing facility and future general storage / store, on property located at 11722 Hwy 491, Cortez, CO consisting of 5 acres, more or less, located north of Road L.5, east of Hwy 491, situated in S.15 T .36N., R.16W., N.M.P.M The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Forssberg and Colbert were present. Planning Director, Lee Ann Milligan gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comments was made by Danny Wilkin. 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 vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Ertel moved that the amendment to High Impact Permit #101 submitted by Basin Coop, Agents Forssberg and Colbert for the expansion in to a fertilizer storage and mixing facility and future general storage on property located at 11722 Hwy 491, Cortez, be approved. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time.
(See attached)

COUNTY ATTORNEY REPORT: Attorney **John Baxter** discussed the county representative appointment to the Southwest Basin Roundtable and the Weber Canyon Road issue.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, met with the Commissioners to give his weekly report. Director Dietrich presented a

letter addressed to the **Colorado Water Conservation Board** regarding drought contingency planning on the Colorado River. Commissioner Suckla moved to approve the letter to the CWCB board members. Second by Commissioner Ertel and carried. Director Dietrich presented a letter addressed to **Tom Metsa, the OHV Program Manager for the Colorado State Parks and Wildlife** regarding the OHV Grants-Good Management Crew & Trail Dozer Funding request. Commissioner Ertel moved that the Board of Montezuma County Commissioners approve the letter to the Colorado State Parks and Wildlife OHV grants-good management crew and trail dozer funding request in support of their efforts for the program. Second by Commissioner Suckla and carried. Director Dietrich presented a letter of support addressed to **Patrick Rondinell, Regional Manager for the Colorado Department of Local Affairs** regarding the Paths to Mesa Verde Planning Grant for the Town of Mancos. Commissioner Suckla moved to approve the letter of support for the Paths to Mesa Verde planning grant for the Town of Mancos to DOLA. Second by Commissioner Ertel and carried. Other topics discussed included the **McElmo Flume** project, the **Sage Hen** and the **McPhee Marina** area. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Melissa Brunner** discussed her resignation, effective at the end of the year and posting for the position. Administrator Brunner presented a correction to the **Employee Benefits** package monthly fee from the amount of \$863.43 to the correct amount of \$865.32. Commissioner Suckla moved to approve the correction to the 2019 benefits package to a new rate of \$865.32 per employee, per month. Second by Commissioner Ertel and carried. Administrator Brunner presented the **2019 Holiday** schedule for approval. Commissioner Ertel moved to adopt the official County holiday calendar as presented for the year 2019. Second by Commissioner Suckla and carried. **ORDER 11-2018:** Administrator Brunner presented for approval a transfer of \$41,168.00 from the County General Fund to the Public Health Fund for 2018 per capita calculations. Commissioner Suckla moved to approve transfer order #11-2018 a transfer from the County General fund to the Public Health Fund in the amount of \$41,168.00 for 2018 per capita calculations. Second by Commissioner Ertel and carried. Other topics discussed included a Health Department NFP position to be refilled, the Extension Office comp time and the 2019 budget. (See attached)

COUNTY COMMISSIONER REPORT: Commissioners **Lambert** discussed a proposed County memo regarding the fuel credit card program. Commissioner Ertel moved to send the Fleet Fuel Card Memo to all Department heads and elected officials, requesting that the fuel Cards be used appropriately. Second by Commissioner Suckla and carried.

Commissioner Ertel no report given.

Commissioner Suckla discussed a Paths to Mesa Verde presentation.

PUBLIC COMMENT: **Gala Pock** discussed Administrator Brunner's resignation.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 4:00 p.m.

Clerk November 5, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 19, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday November 19, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of November 19, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 5, 2018 as amended. Motion was seconded by Commissioner Ertel and carried.

LIQUOR LICENSE: Deputy Clerk, Malinda Fuller presented liquor license renewal applications for **Ted R. Lawrence dba Log Cabin Liquor**, 41900 Hwy 160, PO Box 272, Mancos, CO 81328 and **Woody's Enterprise LTD.** located at 158 US Hwy 160 Cortez. Commissioner Ertel moved to approve the liquor license renewals for Woody's Enterprise LTD. located at 158 US. Hwy 160 and Log Cabin Liquors, located 41900 Hwy 160, Mancos Co. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: M.B McAfee thanked Administrator Brunner for her service to the County and discussed the state statute requirements for the process to replace the County Administrator. **Mary Dodd** discussed the recent General Election and working with the County Clerk's Office.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the period of November 14, 2018 through November 30, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Topics discussed included: pull and clean ditches, spreading gravel, mowing, the addition of a bus turn around on Road 38, culvert replacements, trimming trees, moving chips for storage to the Pleasant View yard, the Alkali Bridge project, and the CCI conference. Superintendent Englehart presented for signatures an agreement between AMC Developing and Montezuma County, regarding a boundary adjustment of land to the Montezuma County Shop tract. (See attached)

PUBLIC LANDS: Forrest Service, Derek Padilla met with the Commissioners to give updates on various projects. Topics discussed included; the Aspen Landscape Environmental Assessment, a Range staff position, a NEPA specialist, the Sage Hen planning efforts, a received lawsuit regarding motorized travel on the Rico West Dolores, pile and broadcast burns and the McPhee breakwater. **Canyon of the Ancients National Monument Manager, Marietta Eaton** discussed with the Commissioners, the Sand Canyon parking lot project, County Road 10 and County Road BB. Ms. Eaton's reported she would retire as of the end of the year and included an invitation to an open house to celebrate her retirement. **Bureau of Land Management, Connie Clementson** gave updates to the Commissioners on the following topics: the prescribed fire season, a new State Director and the Phil's World parking lot project.

COLORADO STATE PARKS: Scot Elder met with the Commissioners and gave updates on the **Mancos State Park**, the Dolores office and **Lone Mesa**.

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

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included, the cash short / extra surplus applied to current debts, the leased chipper project, and a proposed future county purchase of a chipper, current composting and water usage at the Landfill. (See attached)

WEED DEPARTMENT: Weed Department Office Manager, Bonnie Loving presented a slide show regarding the **Russian Olive** tree grant program within Montezuma County. Commissioner Ertel moved that the Weed Department be authorized to move forward with the Russian olive program with the refunding payment coming from grants and the clients that have had the work done for them. Second by Commissioner Lambert and with two votes in favor by Commissioners Ertel and Lambert and one vote against by Commissioner Suckla the motion carried. Manager Loving presented requests to place liens on properties owned by **Kenneth** and **Nellie Bradshaw**, **Leroy Johnson**, and **Jeremy** and **Julie Lloyd** for the payment of enforcement fees. Commissioner Ertel moved that the County Weed Department pursue the lien on Jeremy and Julie Lloyd's property located at TBD Road 10 Pleasant View Co., in the amount of \$3071.03, another lien on property owned by Kenneth and Nellie Bradshaw, located at 17600 Hwy 491 Cortez Co., in the amount of \$434.16 and a third lien be placed on the property of Leroy Johnson located at 22500 Road M Cortez Co., in the amount of \$582.84. Second by Commissioner Suckla and carried. (See attached)

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

PUBLIC HEARING: It being the time set aside a public hearing is held for the review and determination of INDZ (industrial) rezoning, Industrial Planned Unit Development (PUD) and High Impact Permit Applications submitted by **Candelaria Construction, Inc.** on property located at 26050 Road L, Cortez, CO, located south of Road L, east of Road 26, situated in S.24, 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 **Stephen Candelaria** was present. Planning Assistant, Jane Duncan gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public Comment was made by **M.B. McAfee**. Hearing no further public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Planning Assistant, Duncan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Suckla moved to approve the industrial rezoning, Industrial Planned Unit Development and High Impact Permit applications submitted by Candelaria Construction, Inc. on property located at 26050 Road L, Cortez. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time.
(See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the review and determination of amendments to **Aces Storage** High Impact Permit #129, owned by **Kevin Rice**, located at 7500 Hwy 160-491, Cortez, CO, consisting of 9.60 acres +/- wherein there were previously 4 additional units proposed and approved by the Board of County Commissioners; additional amendments include a used car dealership and weekend yard sales. Property is situated east of Hwy 160-491, north of Road G.3, S.3, T.35N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Owner Kevin Rice was present. Planning Assistant, Jane Duncan 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. Planning Assistant, Duncan 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 Aces Storage, high impact permit #129 be recommissioned to add a used car dealership and weekend yard sales, on property located at 7500 Hwy 160-491 Cortez Co. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

PLANNING: Planning Assistant, Jane Duncan presented for signature a final plat for a 2 Lot Minor Subdivision submitted by **Gary & Terry Ellson** on property located at 32261 Road P, Mancos, CO, located west of Road 33, north of Road P, situated in S.1, T.36N., R.15W., N.M.P.M.

Planning Assistant, Jane Duncan asked to postpone the plat presentation for signatures on a final plat for Planned Unit Development submitted by **Justin Collier**, on property located at 18667 Hwy 145, Dolores, CO, consisting of 3.06 acres, more or less, located on the east of Dolores, north of Hwy 145, situated in S.12 T.37N., R.15W., N.M.P.M. to a later date.

DISCUSSION: Planning Assistant, Jane Duncan along with **Liam Chamberlain** with **Four Seasons Construction** and representative for property owner **William H. Dean** met with the Commissioners to make a request to waive road impact fees on property located at 15990 Road 36.5, Mancos, CO 81328, also known as **Lost Canyon Ranch, LLC**, Section: 27 Township: 37 Range: 14 N1/2NW1/4NE1/4 20A; 30 Ft wide strip E Side 0.09AC B621 P823 B634 P388, 491 B634 P974 B729 P558-62. Commissioner Suckla moved to refund the \$1,400.00 for the Lost Canyon Ranch impact fees. Second by Commissioner Ertel and carried. (See attached)

DISCUSSION: E911 Over site Board Development, City of Cortez Chief of Police, Roy Lane, Dispatch Manager, Lori Johnson and **County Coroner, George Deavers** met with the Commissioners to discuss the proposed \$1.00 E911 per phone line tax fee. Topics of the discussion included; the financial statements, the 1997 IGA between the City of Cortez and related governmental entities, payment of employee wages, income earned, dispatch center costs, grant approval contingencies and the E911 Advisory / Authority Board appointments. Commissioner Suckla moved to approve a raise of the E911 fee from \$.70 to \$1.00 per month, effective on approval of the PUC. Second by Commissioner Ertel and carried (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter was absent.

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, the **Dolores Watershed Resilient Forest Collaboration**, the **CSU Citizens Science** project, a Rangeland Stewardship meeting, the **Sand Canyon** project, Road BB, the **Sage Hen** trail and the development of an advisory committee for the **Paths to Mesa Verde**. Director Dietrich presented a letter of support addressed to **Mr. Tom Metsa** OHV Manager for **Colorado Parks & Wildlife** for approval. Commissioner Suckla moved to approve the letter of support for the OHV Grant program for the BLM. Second by Commissioner Ertel and carried (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed budget updates, and set the budget hearing date as December 17, 2018. Topics discussed included; the Wildfire Adapted Partnership, Region 9, the Teen Maze, County participation in the Colorado Water Congress, the opioid crisis, proposed development of a Mental Health Clinic, the Landfill, the Fleet Department and the 2019 Commissioner meeting schedule.

COUNTY COMMISSIONER REPORT:

Commissioner Lambert reported on the attended Housing Solution meeting.

Commissioner Ertel gave a report on the attended AAA meeting.

Commissioner Suckla discussed the County appointment to the Housing Authority Board.

PUBLIC COMMENT: Tom Seymour discussed the development of a local Mental Health Clinic and current ongoing discussions about education and resources available. **Ellen Foster** discussed the previously approved road impact fee refund for the Lost Canyon Ranches LLC.

CORRESPONDENCE: The following correspondence was read and noted:

Letters from **Kristine Bianchi, Lily Jamison Lash** and **Bernadette Tuthill** regarding the County Commissioner's support of a Mancos resident **Rosa Sabido** who has been in sanctuary.

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

MEETING ADJOURNED: 3:00 p.m.

Clerk November 19, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 3, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 3, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of December 3, 2018 with the Pledge of Allegiance.

EXECUTIVE SESSION: Commissioner Ertel moved to go into executive session for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f). Second by Commissioner Suckla and carried. Topics for the executive session included submitted applications and a time designation to schedule interviews for the County Administration position. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Suckla and carried. (See attached)

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 19, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: **Ed Millard** discussed his appointment to the Southwest Roundtable and a previously approved BOCC letter of support of the Colorado Water Conservation Board policy. **M.B. McAfee** discussed a broader employment posting for the County Administration position.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the period of November 28, 2018 through December 14, 2018. Superintendent Englehart reported that the schedule had currently been put on hold so the department could focus on snow removal. A discussion was held regarding the recent snow fall and the employee hours used for snow removal. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included: sand for the Little Bean Canyon Road, the attended CCI Conference, signatures for the **Bechtolt Engineering Inc.** Agreement and the previously approved trucks purchase. Commissioner Ertel moved to make an amendment to the purchase resolution of the two trucks at \$247,286.00 that an addendum to that be a \$74,550.00 insurance payment from 2018 and a \$49,093.00 remaining reserve from the 2018 budget be moved to fiscal year 2019. Second by Commissioner Suckla and carried. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Larry Copeland gave his monthly report which included the year to date numbers for income of \$72,033.75 and attendance at 65,833. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; submitted job applications, electronic entrance cards, the light exchange project and proposed projects with the Ute Mountain Rodeo. (See attached)

SOUTHWEST WATER CONSERVATION: Southwest Water Conservation District, Board Member, Don Schwindt, Executive Director, Bruce Whitehead and Ed Millard met with the Commissioners to discuss the Colorado River Drought Contingency plans and the Colorado Water Conservation Board Policy. Topics discussed included the Lower and Upper Basin Drought Contingency Plans, water intake and outtake at Lake Powell and Lake Mead, compact compliance, mandatory curtailments, the demand management program and drought reservoir operations, water banking, consumptive use reductions, consumptive use protections, the trans-mountain diversions, the 2007 Interim Guidelines and the Colorado Water Conservation Board Policy Agreement. Commissioner Suckla moved that the Board of County Commissioners withdraw their letter of support and officially oppose the Drought Contingency Plan and the Colorado Water Conservation Board Policy plan passed in 2018. Second by Commissioner Ertel and carried.

HISTORICAL DESIGNATION: Linda Towle met with the Commissioners to discuss the determination of eligibility of the Montezuma County Courthouse located at 109 W. Main St Cortez Co. to be listed on the **Cortez City Register of Historic Structures, Sites and Districts**. Commissioner Ertel moved that the Board of County Commissioners approve the Historic property nomination and designation to the City of Cortez for the Montezuma County former Court House and County Administration building. Second by Commissioner Suckla and carried. (See attached)

TEEN MAZE: Mary Jo Standard met with the Commissioner to report on the recently held Teen Maze. Topics discussed included; local sponsors, youth surveys, Community Night, attendance and participant demographics.

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

DISCUSSION: GIS Mapping, Manager Doug Roth, Mapping Specialist, Rachel Medina, Planning Assistant, Jane Duncan, and by phone **Brian Ondrako** from **Dude Solutions** met with

the Commissioners to discuss the purchase of a proposed data base (**Smatgov**) for planning and development projects. Topics discussed included; County departments involvement, light users, implementation time frame, importing data, implementation costs, on sight training, technical support, annual costs, future additional programs, data security, data ownership and additional vendor data base options. (See attached)

Planning Assistant, Jane Duncan presented for signature a final plat for a Planned Unit Development for a residential development submitted by **Justin Collier**, on property located at 18667 Hwy 145, Dolores, CO, consisting of 3.06 acres, more or less, located on the east of Dolores, north of Hwy 145, situated in S.12 T.37N., R.15W., N.M.P.M.

Planning Assistant, Jane Duncan presented for signature a final plat for an Exemption Application submitted by **Anthony & Gina Denten** on property located at TBD Road R.75, Cortez, CO, located south of Road S, west of Road 17, situated in S.29, T.37N., R.16W., N.M.P.M.

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the morning's executive session, the Kinder Morgan lawsuits, the Pax LLC County Road 41 issue and the Montezuma Valley Irrigation culvert replacement issue. Attorney Baxter reported that the scheduled afternoon executive session had been cancelled.

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 dedication, the Citizens Science project, the Flowdine and Yellow Jacket allotments, and the development of the proposed Montezuma County Recreation Advisory Committee. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the mill levy certifications, the scheduled December 17th budget hearing, appreciation for the employee bonus, the interviews for the Administrator position and the Senior Nutrition Director Commissioner Ertel moved for the appointment of **Johnathon G. Parker** to be the Senior Nutrition Director for Montezuma County. Second by Commissioner Suckla and carried.

ACCOUNTS PAYABLE: Administrator Brunner presented the October 2018 Accounts Payable and Financial Statements for approval. Commissioner Ertel moved to approve the Accounts Payable for October 2018 as presented. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve the Financial Statements for October 2018 as presented. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Lambert discussed the McElmo Flume dedication ceremony.

Commissioner Ertel discussed the recently attended CCI conference.

Commissioner Suckla discussed the attended Housing Authority meeting.

PUBLIC COMMENT: M.B McAfee discussed the interview process for the County Administrator position.

EXECUTIVE SESSION: Cancelled

CORRESPONDENCE: The following correspondence was read and noted:

Letter from **Taryn Olson** regarding the County Commissioner's support of a Mancos resident **Rosa Sabido** who has been in sanctuary.

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

MEETING ADJOURNED: 3:30 p.m.

Clerk December 3, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 10, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 10, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of December 10, 2018 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 3, 2018 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 November, 2018. (See attached)

MILL LEVY CERTIFICATION: Montezuma County Assessor, **Leslie Kennedy Bugg** presented the **Total Assessment Solutions Corporation** (TASC) Contract for approval. Commissioner Ertel moved that the Montezuma County Board of Commissioners approve the contract for services with TASC, on the personal property assessment valuations for Kinder Morgan. Second by Commissioner Suckla and carried. **County Administrator, Melissa Brunner** along with Assessor, Bugg presented **Resolution #12-2018**. A resolution levying **General Property** taxes for the year 2018. Commissioner Suckla moved to approve Resolution #12-2018 a resolution levying the general property taxes for the year 2018 to help defray the costs of government for Montezuma County CO. for the 2019 budget. Second by Commissioner

Ertel and carried. Administrator Brunner presented **Resolution #13-2018**, a resolution Levying General property taxes for the year 2018 to help defray the cost of the **Law Enforcement Authority** of Montezuma County. Commissioner Ertel moved to approve Resolution #13-2018 a resolution levying the general property taxes for the year 2018 to help defray the cost of the Law Enforcement Authority of Montezuma County Co. for the 2019 budget. Second by Commissioner Suckla and carried. (See Attached)

PUBLIC COMMENT: **Ellen Foster** discussed the visit from State Representative Catlin and her concern of the quality of the County water as opposed to the quantity of the County water.

SHERIFF'S MONTHLY REPORT: **Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the Detective Division Report, the Inmate Billings Report, the Parole Hold Report, the November 2018 Total Monthly Arrests Report, the Jail Report, the Courtesy Holds Report, the Fees Collected Report, the Receivables/Commissary Report, the Transport Report, the Monies Paid in to and Billed out to General Funds Report, the Jail Expense report and the Calls for Service Report. Other topics discussed included; calls of service for the Town of Mancos, calls for service on dogs running at large and livestock in the roadways, grant funding for mental health issues, the renewal of the Federal Burns and JAG grants, Federal arrests and warrants. Sheriff Nowlin presented the 2019 Contract for law enforcement services between the Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores for approval. Commissioner Suckla moved to approve Resolution 3-88 Series 2018 Contract for law enforcement services between the Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores. 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 Gina Montoya and LueAnn Everett were present. Administrator Brunner presented **Resolution #16-2018**, a resolution of budget change to authorize expenditures in excess of the amount in the Social Services budget for calendar year 2018. Commissioner Ertel moved that a resolution to change the 2018 budget, Resolution #16-2018, to authorize expenditures in excess of the amount approved by Social Services budget for calendar year 2018 be approved. Second by Commissioner Suckla and carried. (See attached)

PUBLIC LANDS: Cancelled

COLORADO HOUSE REPRESENTATIVE: **State Representative, Marc Catlin** met with the Commissioners to discuss current County concerns. Topics discussed included; neighboring state license fees for All Terrain Vehicles, the State Historical Preservation Office, CRP grazing, the appeal process for CDOT decisions, and the CDOT appeal board members, DOLA funds used to balance the State budget, Tri State contracts and solar usage within Montezuma County, commodity prices and local agricultural assessed values, updated elections process for local Special District, legislative requirements for public notices, wage funding for the Assistant District Attorney, the reintroduction of wolves in the State of Colorado, underfunded court issues placed on counties, an increase to school teacher wages, the opioid crisis, and the Drought

Contingency Plan. **Perry Hensley** joined the conversation and discussed the compact compliance, water banking and the Drought Contingency Plan.

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for November 2018 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 Suckla moved to approve the Colorado Department of Military Veterans Affairs, County Veterans Service Officers monthly report and certification of pay for the month of November 2018 for Montezuma County. Second by Commissioner Ertel and carried. Officer Torres presented a five year County employee award to **John Johnson**. (See attached).

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

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an amendment to Lot 2 of the Bell Subdivision submitted by **Rinda R. Bell, Agent Scott Bell**, on property located at 27908 Road M, Dolores, CO, consisting of 7.82 acres, more or less, located on the south side of Road M, west of Road 28.1, situated in S.18 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 Scott Bell was present. **Planning Assistant, S. Jane Duncan** 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, Duncan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. Commissioner Ertel recused himself from the hearing. After hearing all the evidence presented Commissioner Suckla moved to approve the amendment to lot 2 of the Bell Subdivision submitted by Rinda R. Bell, Agent Scott Bell, on property located at 27908 Road M, Dolores, CO, consisting of 7.82 acres, more or less located on the south side of Road M. Second by Commissioner Lambert and carried. Commissioner Lambert 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 of a proposed AR3-9 rezoning request and Sketch Plan for a proposed Single Lot Development, High Impact and Special Use Permit Applications on property which would consist of 5 acres, more or less, on property owned by **Elijah Steven Tomac**, situated north of Hwy 160, west of FS Road 316, located in Sec. 19, T.36N., R.12W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Assistant, S. Jane Duncan** made a request to continue the hearing to March 5, 2019 to allow Mr. Tomac to attend. Commissioner Ertel moved to continue the application for a proposed AR3-9 rezoning request and sketch plan for a single lot development and high impact special use permit until March 5, 2019. Second by Commissioner Suckla and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a General Planned Unit Development (GPUD) for residential purposes on property owned by **Totten Land, LLC, Agent Cap Allen**, located at 10363 Road 29, Cortez, CO, consisting of 37.85 acres, more or less, with 8, one acre more or less, lots, located north of

Road K.3, west 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. Agent, Cap Allen was present. **Planning Assistant, S. Jane Duncan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comment was made by **Greg Kemp**. Hearing no public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Assistant, Duncan 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 General Planned Unit Development for property owned by Totten Land, LLC, Cap Allen, Agent located at 10363 Road 29, consisting of 37.85 acres, more or less, with 8, one acre lots more or less be approved. Second by Commissioner Suckla and carried. Commissioner Ertel amended his motion to include a 25 foot lot line set back for structures. Second by Commissioner Suckla and carried. Commissioner Lambert 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 of a Single Lot Development consisting of 24.16 acre, more or less tracts, on property owned by **Robert & Lynda Gosnell**, located at 23361 Road L, Cortez, CO, situated north of Road L, east of Road 23, Sec. 16, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owners Robert and Linda Gosnell's daughter **Amber Barner** was present. **Planning Assistant, S. Jane Duncan** 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, Duncan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Suckla moved to approve a single lot development consisting of 24.16 acre, more or less tracts, on property owned by Robert & Lynda Gosnell, located at 23361 Road L, Cortez, CO.. Second by Commissioner Suckla and carried. Commissioner Lambert 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 of an AR3-9 rezoning request and Single Lot Development Subdivision Application submitted by **Arvita Higgins** on property located at 21510 Road W, Lewis, CO, located south of Road W, east of Road 21.4, situated in S.6, T.37N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner Arvita Higgins was present. **Planning Assistant, S. Jane Duncan** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comments were made by **Michelle Porter** and **Greg Vlammig**. Hearing no further public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Assistant, Duncan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. Commissioner Suckla moved to continue the hearing until February 5, 2019 at 1:30 p.m. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter had no report to give.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; the Montezuma County Recreational Advisory Committee, the Dolores Watershed and Resilient Forest meeting and the closeout reports for the McElmo Flume. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner discussed the Board proxy appointment for the CCI meetings, a request to schedule a meeting with the Cortez City Council and the announcement of the County Administrator applicant finalists; **Chuck Giannone, Travis Parker** and **Shak Powers**. Administrator Brunner announced a public meet and greet was scheduled for December 17th from 6:30 p.m. - 7:30 p.m. at the Commissioner room. Administrator Brunner presented an email request from **Karen Sheek**, with the **Community Christmas Dinner Committee's** to use the County Annex and that the fees be waived. Commissioner Ertel moved that with the appropriate deposit and satisfactory care of the Annex 1 that the fees be waived for the Community Christmas Dinner on December 25, 2018. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert had no report to give.

Commissioner Ertel gave a report on the attended Southwest TPR and the Southwest Water Conservation District meetings

Commissioner Suckla had no report to give.

PUBLIC COMMENT: No comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 3:30 p.m.

Clerk December 10, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 17, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday December 17, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHAIRMAN LAMBERT opened the meeting of December 17, 2018 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated December 10, 2018 as presented. Motion was seconded by Commissioner Ertel and carried.

CEMETERY APPOINTMENT: **Administrator Brunner** presented a letter of interest for reappointment to the **Lewis Cemetery District** from **Kimberly Martin**. Commissioner Ertel moved that Kimberly Martin be reappointed to the Lewis Cemetery District Board for a 5 year term. Second by Commissioner Suckla and carried. (See attached)

ACCOUNTS PAYABLE: Administrator Brunner presented the November 2018 Accounts Payable and Financial Statements for approval. Commissioner Suckla moved to approve the November 2018 Accounts Payable for Montezuma County. Second by Commissioner Ertel and carried. Commissioner Ertel moved to approve the November 2018 Financial Statements for Montezuma County. Second by Commissioner Suckla and carried. (See attached)

ORDER: Administrator Brunner presented **Transfer Order #12-2018** A transfer from the Road Impact Fees to the General Fund in the amount of \$1,025.00 to refund road impact fees charged in error to Michael Ciulla. Commissioner Suckla moved to approve Transfer Order #12-2018, in the amount of \$1,025.00 from the Road Impact Fees to the General Fund to reimburse Michael Ciulla. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: Mary Dodd discussed qualifications for the food stamp supplemental nutrition assistant program. **M.B. McAfee** discussed the presented County Financial Statements and the approved \$500.00 per employee bonus.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the period of December 12, 2018 through December 28, 2018. Projects scheduled included; hauling gravel, driveway adjustments, trimming trees, brush work and the crusher move to the Mc Elmo pit. Superintendent Englehart gave a year end power point presentation. Topics of the power point included; dust abatement, asphalt, pave patching, chip seal, paint striping, gravel, culverts, road signs, fuel, water usage, grants, utility permits, equipment purchasing and equipment disposals. Other topics discussed included; entry and exit County signs, equipment sales for the farm auction, the Dolores / Norwood Road winter requirements and the scheduled executive session. (See attached)

LANDFILL: Landfill Manager Shakalo Powers gave his monthly report which included the 2018 Landfill budget spread sheet. Topics discussed with the report included; water usage, the High School demolition, recyclables income, public utility expenses, early tractor payoffs, and the end of year budget numbers. (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 Lambert opened the hearing to public comment. Public comments were made by **M.B. McAfee** and **Jaime Becketl**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that **Resolution #14-2018**, a resolution adopting the budget for Montezuma County, for the fiscal year of 2019 be approved. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve **Resolution #15-2018** a resolution to appropriate sums of money for 2019 for Montezuma County in the amount of \$44,027,482.00. Second by Commissioner Ertel and carried. Commissioner Lambert closed the hearing at this time. (See attached)

PLANNING & ZONING: Planning & Zoning Board Member, Rob Pope met with the Commissioners to discuss the role of the County Planning Director. Topics of the discussion included; the development and promotion of the County, the duties of the administrator's assistant, the current job description, the need to look at current procedures and possible changes.

MONTEZUMA COUNTY TRANSPORTATION: Mary Holaday and **Jennifer Morris** presented the **ADA Compliance Plan** and the **Title VI Plan** for approval. Commissioner Ertel moved that the Montezuma County Public Transportation sign and agree to the ADA Compliance plan for 2019. Second by Commissioner Suckla and carried. Commissioner Ertel moved that

Montezuma County Public Transportation participate in the Title VI program for the year 2019. Second by Commissioner Suckla and carried. Other topics of the discussion included the County Transportation Department's transition and move out to the Fleet Department building. (See attached)

PLANNING:

Planning Assistant, S. Jane Duncan presented a final plat for a Planned Unit Development for a residential development submitted by **Justin Collier**, on property located at 18667 Hwy 145, Dolores, CO, consisting of 3.06 acres, more or less, located on the east of Dolores, north of Hwy 145, situated in S.12 T.37N., R.15W., N.M.P.M.

Planning Assistant, S. Jane Duncan presented a Boundary Line Adjustment for the **Vreeken / Cruzan** properties, where 94 feet, more or less, will be transferred to northwest corner of 25680 Road P and 94 feet, more or less, will be transferred to southeast corner of 25266 Road P to accommodate the distance from boundary line and edge of pond located at 25266 Road P. Both landowners are in agreement to this boundary line adjustment. Property owner Mary Ann Vreeken was present. Commissioner Suckla moved to approve the boundary line adjustment for the Vreeken / Cruzan properties. Second by Commissioner Ertel and carried.

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

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR10-34 rezoning request and two lot minor development consisting of two 12 acre, more or less tracts, on property owned by **Kevin Vaughn and Kelly Vaughn**, consisting of 24 acres total, more or less, located in Sec. 22, T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner Kevin Vaughn was present. **Planning Assistant, S. Jane Duncan**, and **Karen Welch** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comments was made by **Richard McClellan**. Hearing no further public comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Planning Assistant, Duncan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Suckla moved to approve the split with an agreement in writing that the parties that are doing the split cannot further subdivide. Second by Commissioner Ertel and carried. Commissioner Lambert 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 of a Commercial rezoning request and amendment to existing High Impact Permit #298 for the purposed of the addition of a pre-school, on property owned by **Douglas & Beverly Capelin**, consisting of 65.88 acres total, more or less, located in Sec. 3, T.35N., R.13W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner Beverly Capelin was present. **Planning Assistant, S. Jane Duncan** and **Karen Welch** gave an overview of the application. Commissioner Lambert opened the hearing to public comment. Public comment was made by **Russell Marcum**. Hearing no further public

comment that portion of the hearing was closed. Commissioner Lambert requested the findings from the Planning and Zoning Commission. Planning Assistant, Duncan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission, contingent on the usage of the Road 41 access. After hearing all the evidence presented Commissioner Ertel moved that the commercial rezoning request for a 3 acre parcel to the existing High Impact Permit #298 for the proposed addition of a preschool on property owned by Douglas and Beverly Capelin be approved. Second by Commissioner Suckla and carried. Commissioner Lambert closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the scheduled afternoon executive sessions.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; the Montezuma Recreation Advisory Committee applications, financial reporting for the McElmo Flume project and a report of an established eagles nest on a recently approved single lot development. Director Dietrich presented a letter of support addressed to Mark Rodman, at the Office of Archaeology and Historic Preservation for a City of Cortez request for Certified Local Government grant monies to continue to inventory properties within the original Cortez Town site. Commissioner Ertel moved that the Board of Montezuma County Commissioners send a letter of support to the Certified Local Government program and the Office of Archaeology and Historic Preservation, for the designation of historic properties in the City of Cortez. Second by Commissioner Suckla and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Melissa Brunner presented for approval Resolution #17-2018, a resolution amending the 2018 budget. Commissioner Ertel moved that Resolution #17-2018, amending the budget for overages of revenues in the 2018 budget be approved. Second by Commissioner Suckla and carried. Administrator Brunner presented for approval the budget year 2019 report of Certification of Levies and Revenue by the Montezuma County Commissioners to be sent to the State of Colorado. Commissioner Suckla moved to approve the Mill Levy Certifications for 2019, for Montezuma County as written. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Lambert had no report to give

Commissioner Ertel discussed the attended Montezuma Valley Irrigation meeting.

Commissioner Suckla had no report to give.

PUBLIC COMMENT: No comments were made.

EXECUTIVE SESSION: Commissioner Ertel moved to go into executive session for a conference with the attorney for the purpose of the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), and to include Lee Ann Milligan and husband Chris Jeter, seconded by Commissioner Suckla and carried. The proceedings were recorded for the record. Topics for the executive session were legal tactics of negotiation, legalities and procedures in regards to a

personnel matter. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

EXECUTIVE SESSION: Commissioner Ertel 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 Road Superintendent, Englehart and Commissioner Elect, Jim Candelaria, seconded by Commissioner Suckla and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding ongoing legal matters with the Road Department. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:
Letter from the State Hazard Mitigation Officer “Fund match commitment letter”.

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

MEETING ADJOURNED: 3:30 p.m.

Clerk December 17, 2018

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 21, 2018**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Friday December 21, 2018 at the courthouse in Cortez, Colorado, there were present:

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

CHARIMAN Lambert opened the meeting of December 21, 2018 with the Pledge of Allegiance.

DISCUSSION: The Board of County Commissioners met to discuss the **Administrator Applicants, Shakalo Powers, Chuck Gionne, and Travis Parker.** Topics discussed included; strengths and weakness for each applicant, the meet and greet comment cards, the average years served as an administrator, community input and the applicants experience. Public Comment was made by **M.B. McAfee** and **Commissioner Elect, Jim Candelaria.** Commissioner Suckla moved to approve Shakalo Powers as the new County Administrator. Second by Commissioner Ertel and carried.

EXECUTIVE SESSION: Commissioner Ertel moved to go into executive session for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), and to include Shakalo Powers, Commissioner Elect, Jim Candelaria and Administrative Assistant, Billye Morgan. Seconded by Commissioner Suckla and carried. The proceedings were recorded for the record. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the County Administrator position. Commissioner Suckla moved to go out of executive session, seconded by Commissioner Ertel and carried. (See attached)

Commissioner Ertel moved to approve Shakalo Powers as the County Administrator at an income starting at \$79,500.00 annually. Second by Commissioner Suckla and carried.

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

MEETING ADJOURNED: 10:13 a.m.

County Clerk December 21, 2018

Chairman