

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 7, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 7, 2020 at the courthouse in Cortez, Colorado, there were present:

Keenan Ertel, Chairman,
Larry Don Suckla, Vice Chairman
Jim Candelaria, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, ERTEL opened the meeting of January 7, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated December 17, 2019 as presented. Motion was seconded by Commissioner Suckla and carried.

PLANNING: Director, Haley with **Assistant, Duncan** presented for signatures of a Final Mylar for a 2 Lot Moderate Subdivision & Commercial Rezoning request & High Impact Permit for the purpose of a **Dollar General Store Facility** and a variance to the Land Use Code requirements for maximum building footprint of 12%, due to the construction of a new Dollar General Store facility will have a building footprint of 14.86%, submitted by Bradley Perrigot & Person Enterprises, LLLP, Agent: Vaquero Cortez Partners, LP, on property located at 23890 Road G, Cortez, CO, consisting of 5.11 acres, more or less, located south of Road G, west of Hwy 491, situated in S.9 T.35N., R.16W., N.M.P.M.

Director, Haley with **Assistant, Duncan** presented for signatures of a Final Mylar an Amendment to an Existing Common Lot Line of Lots 19 & 20 in the **Lost Canyon Estates Subdivision** submitted by **Diane Schmitt** on property located at 30135 Road S.6, Dolores, CO, consisting of 1.63 acres, more or less, and **Justin & Mary Foster** on property located at 30167

Road S.6, consisting of 1.28 acres, more or less, both situated north and east of Hwy 184, situated in S.22 T.37N., R.15W., N.M.P.M.

PUBLIC COMMENT: **Tom Seymour** discussed the 2019 Commissioner joint efforts and collaboration for 2020. **M.B. McAfee** discussed the 2019 Commissioner dedication, their transparency to the public and constituent outreach opportunities. **Allen Maez** discussed the Commissioner transparency, 2019 and things coming up in 2020.

ELECTION OF OFFICERS: Commissioner Ertel moved to nominate as the Board of County Commissioner Officers, Commissioner, Larry Don Suckla as the Chairman, Commissioner, James Candelaria as the Vice Chairman and Commissioner, Keenan Ertel as the Commissioner of Deeds, for the year 2020. Second by Commissioner Candelaria and carried. (See attached)

CHAIRMAN: Commissioner Larry Don Suckla

VICE CHAIRMAN: Commissioner James Candelaria

COMMISSIONER OF DEEDS: Commissioner Keenan Ertel

2020 OFFICE APPOINTMENTS: Commissioner Suckla moved to approve all of the office appointments as presented. Second by Commissioner Candelaria and carried. (See attached)

County Attorney: John Baxter

County Administrator: Shak Powers

County Road and Bridge Supervisor: Rob Englehart

County Fairgrounds: Larry Copeland

County GIS/Mapping: Doug Roth

County Public Health: Bobbi Lock

County IT: Jim McClain

County Maintenance: Mike Chenard

County Natural Resources: James Dietrich

County Noxious Weed Program: Bonnie Loving

County Senior Nutrition: Jonathan Parker

Director of Social Services: Gina Montoya

Veteran's Affairs Officer: Rick Torres

Emergency Manager: Mike Pasquin

MOCO/Transportation: Jennifer Morris

County Landfill: Mel Jarmon

County Planning: Don Haley

2020 BOCC REPRESENTATIVE APPOINTMENTS:

Southwest Regional Transportation Committee (TPR): Commissioner James Candelaria

Alternate: Commissioner Keenan Ertel

Region 9 Economic Development Board: Commissioner James Candelaria

Alternate: Commissioner Larry Don Suckla

AAA: Commissioner Keenan Ertel

Alternate: Commissioner Larry Don Suckla

Southwest Workforce Board: Commissioner Keenan Ertel

Alternate: Commissioner James Candelaria

Montezuma County Housing Authority: Commissioner Larry Don Suckla with a transition to Commissioner James Candelaria to take over sometime in 2020.

Housing Solutions Commissioner James Candelaria

Alternate: Commissioner Keenan Ertel

Ute Mountain Tribal Council Meetings: County Administrator Shak Powers

Alternate: Commissioner Keenan Ertel

Lower Dolores River Group: Commissioner Larry Don Suckla

Alternate: Commissioner Keenan Ertel

Club 20: Commissioner James Candelaria

Alternate: Commissioner Keenan Ertel

Native Fish Monitoring & Recommendation Team: Commissioner Larry Don Suckla

Alternate: Commissioner James Candelaria

Legal Publications: Cortez Journal

CCI: Commissioner Larry Don Suckla and Commissioner James Candelaria

ASSESSOR: Montezuma County Assessor, Leslie Bugg presented for review and approval an Agreement for contract services between the Montezuma County Assessor's office and **Total Assessment Solutions Corporation "TASC"**. Commissioner Candelaria moved to accept the Contract for services from Total Assessment Solutions Corporation (TASC) for the Montezuma County Assessor's office. Second by Commissioner Suckla and carried. (See attached)

SOUTHWEST HEALTH SYSTEMS: CEO, Anthony Sudduth, met with the Commissioners to present the **Montezuma County Revenue Bond (Southwest Memorial Hospital Project) Tax exempt Series 2016A #RA-7** and **#RA-8** for review and approval. Commissioner Candelaria moved to approve Bond #RA-7, Montezuma County Revenue Bond for the Southwest Memorial Hospital Project, in the amount of \$29,308,000.00 and Revenue Bond #RA-8, in the amount of \$1,750,000.00. Second by Commissioner Suckla and carried. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of January 8, 2020 through January 24, 2020 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; the 7th Street Extension Project, the purchased electric cars, the 2% employee pay increase, Road 40 in Mancos, the Road 21 Gate Agreement and the departmental process for calls into the Road Department by residents. (See attached)

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2019 Landfill budget spread sheet. Topics discussed with the report included; recycling markets, fiber, mixed plastics, Grant programs, China's import shutdown, recycling development within the United States, the development of a compost area, the damaged bailer, the concrete pad and the scales. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Larry Copeland gave his monthly report which included the 2019 end of year numbers for income of \$75,817.24, attendance at 68,395 and the January 2020 income to date at \$6,790.00. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Card Lock System,

LED lighting, the charging stations, the kitchen remodel project, the septic system, adjoining acreage to the Fairgrounds and grant opportunities for the Race Track improvements. (See attached)

BID AWARD: IT Director, Jim McClain met with the Commissioners to give his recommendations for the bids on the **7th Street Extension Fiber Optic Installation Project**. Commissioner Candelaria move to accept **Circle Z Construction** to do the fiber project on the 7th Street Extension in the amount of \$22,900.00. Second by Commissioner Suckla and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed the **Walmart** tax assessment issue, a title commitment for the **Carver Landfill** closure and the Road 21 Gate Agreement. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; a **Colorado the Beautiful Grant**, an update on the proposed **Sage Hen Trail** and a proposed resolution on the **BLM Resource Advisory Committee**. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for review the Board of County Commissioners 2020 meeting schedule. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Ertel discussed the attended Chief Lane services. **Commissioner Suckla** discussed the City of Cortez, proposed Land Use Code and the proposed 139 Designation for the County Airport. **Commissioner Candelaria** discussed the proposed meeting with Empire Electric, the attended Chief Lane services and the community Christmas dinner.

PUBLIC COMMENT: Rob Pope discussed the proposed City of Cortez, Land Use Codes and the efforts of the County Planning Department's for economic development. **Dexter Gill** discussed 2019, the County staff, the County's focus on private property rights, proposed legislation, the Colorado and U.S. Constitutions.

CORRESPONDENCE: The following correspondence was read and noted: The **Dolores Water Conservancy District**, Board of Directors meeting minutes and the November 14, 2019 meeting agenda.

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

MEETING ADJOURNED: 11:15 a.m.

BOARD OF HEALTH MEETING 1:30 p.m.

Clerk January 7, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 14, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 14, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of January 14, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 7, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

PLANNING: Director, Haley with **Assistant, Duncan** presented for signatures an Exemption Resolution and Mylar on property owned by **Kevin & Heather Rice**, located at 14879 Road 21, Cortez, CO, consisting of 7.5 acres, more or less, west and east of Road 21, north of Road P, situated in Sec. 36, T.37N., R.17W., N.M.P.M. Commissioner Candelaria moved to accept the exemption and mylar, for the property owned by Kevin and Heather Rice, located at 14879 Road 21 Cortez, Co., consisting of 7.5 acres more or less. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: No comments were made.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of December 2019. (See attached)

IT: IT Director, Jim McClain met with the Commissioners to give updates on the following topics; the purchased **VX Rail**, progress on the data storage transition, the development of a new **Caselle** server, the Landfill wireless project, the recent power outage incident at the Landfill, a wiring update at Annex I, the 7th Street Extension fiber project, internet at the new Pleasant View Road Shop and the new IT electric car.

COUNTY VEHICLE MAINTENANCE: Road & Bridge Superintendent, Rob Englehart along with **Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to discuss the county vehicle maintenance program. A discussion was held regarding a developed process and funding for County department vehicle purchases. Other topics discussed included; the addition of 8 new vehicles to the county fleet, tracking the fleet inventory, government pricing, the new electrical cars distribution list, the funding plan for future vehicle replacements, a vehicle purchasing memo from Administrator Powers and a proposed Road Department service truck replacement. Commissioner Candelaria moved to accept the purchase of a Chevy 3500 with a factory bed installed for the amount of \$39,394.00 plus bed installation of \$7,145.00. Second by Commissioner Suckla and carried. Superintendent Englehart presented quotes for the purchase of two, 2020 trucks, from **Peterbuilt** in the amount of \$305,000.00 and **Western Star**, in the amount of \$274,516.00. Commissioner Candelaria moved to accept the cost of \$274,516.00 for the purchase of two Western Star 2020 trucks. Second by Commissioner Suckla and carried. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard gave a report on proposed 2020 projects. Topics discussed included; the replacement of a heater for the recreation yard at the jail, the Sally Port at the Montezuma County Combined Courts building, installation of a new roof at the Jail, a new roof on the Annex III building, repair of garage doors at the jail, an update on the City requested Back Flow project, a suggested installation of Automated Water Shut-off valves, installation of a back flow for the Coroner-Evidence building, and the proposed purchase of a new truck. (See attached)

GIS MAPPING: GIS Manager, Doug Roth and **Mapping Specialist, Rachel Medina** met with the Commissioners to give an update on 2020 projects. Topics discussed included; the final bid presentation for the aerial imagery flyover, an approved CDOT contribution, the ordered plotter, the 2020 HUTF, the 2020 County road map update, the 2020 census and the development of County building safety and evacuation plans.

COUNTY ATTORNEY REPORT: Attorney, John Baxter gave an update on the Walmart and the Kinder Morgan lawsuits.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Director Dietrich gave an update on the **Paths to Mesa Verde Trail Project**, and presented, **Resolution #1-2020** for approval. Commissioner Candelaria moved to accept Resolution #1-2020, a resolution in support of Montezuma County's grant request to the Multimodal Options Funds (MMOF) for the completion of the Paths to Mesa Verde Trail Project, Cortez to Mesa Verde design phase 2.

Second by Commissioner Suckla and carried. Other topics discussed included the **Sage Hen Trail** and a proposed resolution on the **BLM Resource Advisory Committee**. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** discussed, public notice postings for future BOCC meetings. Scheduled meetings discussed included;

Cortez City Council meetings January 14th and 28, 2020 @ 7:30 p.m.

Commissioner Town Hall meeting in Mancos, February 20, 2020, @ 6:30 p.m.

Town of Mancos Board meeting, June 15, 2020, @ 6:30 p.m.

Town of Dolores Board meeting, July 6, 2020, @ 6.30 p.m.

Empire Electric Board to Board meeting, February 3, 2020, @ 5:00 p.m. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed his participation in a Public Lands conference call and the attended Citizens with Concerns meeting regarding the City of Cortez, Land Use Code.

Commissioner Candelaria discussed the Pleasant View Fire District building purchase, the attended Town of Dolores Board meeting and the scheduled meeting with Empire Electric regarding the charging stations.

Commissioner Ertel was absent

PUBLIC COMMENT: **Lisa Henry** discussed the Commissioner's transparency, a public apology for the 2020 budget discussion meeting and non-profit funding requests made to the BOCC.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:15 p.m.

Clerk January 14, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 21, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 21, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds, Absent
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk, Absent

CHAIRMAN, SUCKLA opened the meeting of January 14, 2020 with the Pledge of Allegiance

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 14, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of for the purpose of determining a proposed vacation of a right-of-way located within the **Lebanon Town Sites**, located on the south side of Road T, west of Road 25, situated in S.22 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. Hill was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Danny Wilkin shared his knowledge and intent of said right-of-way and his opposition to vacation of said right-of-way. Bill Wedelich HOA Superintendent for Lebanon Town Sites, gave his support and results from the HOA voting which supported the vacationing of said right-of-way. After hearing all the evidence presented Commissioner Candelaria moved to approve the vacation of the right-of-way located on the south side of Road T, west of Road 25, situated in S. 22 T. 37 N.,

R. 16W, N.M.P.M. Second by Commissioner Suckla with attached Resolution #2-2020 and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures a Mylar on property owned by Larry & Michelle Funk, located at 11504 Road 22, Cortez, CO, consisting of 21.19 acres, more or less, located south of Road M, east of Road 22, situated in S.17 T.36N., R.16W., N.M.P.M

PUBLIC COMMENT: No public comment at this time.

EMERGENCY ALERT SYSTEM / E911: Dispatch Manager, Lori Johnson, met to discuss memorandum of agreement, intergovernmental agreement with Dolores County and request for proposal for dispatch voice recording system. Lori submitted an estimation worksheet showing the breakdown of raising surcharge's to various amounts. Commissioner Candelaria moved to approve the request for proposal of the Dispatch Recording System. Second by Commissioner Suckla and carried. (See attached)

COOPERATIVE WILDFIRE PROTECTION AGREEMENT: Charles Lanoue, Regional Battalion Chief Division Fire Prevention Control and Steve Ellis, Southwest District Chief for the Division of Fire Prevention Control. Held a discussion with the Commissioners, Sheriff and County Attorney. Sheriff Nowlin questioned and wanted to confirm that if Montezuma County doesn't sign the agreement then they can't enter into an agreement with Emergency Fire Fund. Steve Ellis address this question and confirm that the Sheriff was correct. Attorney Baxter commented on a couple of sections within the agreement that he would like changed to protect Montezuma County. Commissioner Candelaria ask if they could get these concerns changed. Steve Ellis said all they can do is take the comments and concerns back to the State Attorneys' Office. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report which included the numbers for service calls, communications, and transport numbers for 2019. (See attached)

COUNTY CORONER: Coroner George Deavers met with the Commissioners to ask for money to finish the autopsy room and gave his report for 2019. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager Mike Pasquin met with the Commissioner and gave a monthly update. Topics discussed were the quotes for updating the Hazard Mitigation Plan, only one was submitted. Debris Management Plan, Emergency Operation Plan, Resource Mobile Plan, Red Cross agreement, Exercises were being planned to take place in Montezuma County but has been decided to move over to La Plata County and the Emergency Operation class will be a two day sponsored class by the State of Colorado either in March or April. Commissioners discussed the possibility to redo the request for proposal if the one that was submitted was unable to negotiate for a lower bid.

DISCUSSION: M&M Commissioner Suckla, discussed the situation at the M&M and Mudd Creek locations. Commissioners talked about various ways to clean up the M&M area and Mudd Creek area and asked for any comments or suggestions from the community.

COUNTY ATTORNEY REPORT: Attorney, John Baxter filed our answer brief in the court of appeals in the Kinder Morgan case on Friday of last week. Also, had a brief court appearance setting Walmart's case for trial.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented the Public Notice for board to board meeting at Empire Electric between Montezuma County Board of County Commissioners and the Board of Empire Electric. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed his attendance at the Cortez City Council meeting and San Juan Citizens Alliance.

Commissioner Candelaria discussed his participation in several meetings, Pueblo Community College regarding Colorado AgrAbility 2020 workshop, Cortez City Council, DCC meeting, HEMP talk out in Dove Creek, class on the All Scenic Byways Committee meeting of which Highway 160 is a part of and mentioned the M&M and Mudd Creek properties. Also, attended the Disable Veterans chapter house renaming on Broadway. Met with Larry Copeland to do the final redline drawings of the fairgrounds kitchen/ bathroom remodel and Montezuma Valley Irrigation meeting.

Commissioner Ertel was absent.

PUBLIC COMMENT: M. B. McAfee suggested that the Commissioners form a citizens committee to address the M&M and Mudd Creek properties. **Greg Kemp** made a comment on the possibility of CDOT helping down at the M&M and brought to the Commissioners attention that the Cedar Mesa Ranches Subdivision has plans to exercise an emergency evacuation of the subdivision which would also involve moving large animals to the fairgrounds. **Commissioner Suckla** and **Commissioner Candelaria** discussed the possibility of upgrading roads/subdivision roads by someone creating a Special Improvement District.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:50 a.m.

Clerk January 21, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 28, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 28, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of January 28, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 21, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for discussion the **49 Square Ventures, LLC** six-month review for the continuation of the Certificate of Designation, located at 9294 Road 39, Mancos, CO, situated in Section 30, Township 36N, Range 13W, N.M.P.M. **49 Square Ventures, Matt Bradshaw** and **Matt Fuller**, joined the discussion by telephone. Topics of the discussion included; quarterly analytical reports, a request from the CDPHE to remove the County Certification of Designation for 49 Square Ventures, a letter of intent to purchase materials, the County requirement for a written compliance endorsement from the CDPHE, and the Commissioner's July deadline for complete compliance. (See attached)

Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a 2 Lot Subdivision submitted by **Kevin &/or Heather Rice** on property located at 14879 Road 21, Cortez, CO, consisting of 7.5 acres, more or less, located west of Road 21, north of Road P, situated in S.36 T.37N., R.17W., N.M.P.M.

PUBLIC COMMENT: Historical Society Board President, Ann Brown gave an update on the **Montezuma Heritage Museum Project**.

OLD BUSINESS UPDATES:

EMERGENCY ALERT SYSTEM / E911: Administrator Powers reported that **Dispatch Manager, Lori Johnson** would be presenting to the **Dolores County** at their next meeting.

EMERGENCY MANAGER: Emergency Manager, Mike Pasquin met with the Commissioner to give an update on the County **Hazard Mitigation Plan** (RFP) request for proposal. The RFP from **Wood Environment & Infrastructure Solutions, Inc.** was in the amount of \$34,995.00. Commissioner Candelaria moved to accept the proposal, not to exceed \$35,000.00 for the Hazard Mitigation Plan. Second by Commissioner Ertel and carried. (See attached)

COOPERATIVE WILDFIRE PROTECTION AGREEMENT: Attorney Baxter reported that the proposed changes had been presented but he had not received a response at this time.

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval liquor license renewal applications for **Paragon Business Investments, LLC, DBA Hilltop Liquors**, located at 27963 Hwy. 184 Dolores, **Westview RV Resort**, located at 12092 Hwy 145, Dolores and **Woody's Enterprises LTD**, located at 158 S. U.S, Hwy 160 Cortez. Commissioner Ertel moved to approve the liquor license renewals for Woody's, Enterprises, Westview RV Resort and Hill Top Liquors. Second by Commissioner Candelaria and carried. (See attached)

FOUR STATES AG EXPO: Board member **Spark Reed**, met with the Commissioners to give an update on the Four States Ag Expo. Topics discussed included; sponsorships, the 2019 event, the AgCeptional Rodeo, the gate charges, a livestock barn for the children, a tractor rodeo, and the Cowboys Playground events. Mr. Reed made a request for sponsorship funding from the County.

SENIOR SERVICES: Jonathon G. Parker met with the Commissioners to give updates on the Senior Services programs. Topics discussed included, a transfer of the **Commodities Program** to the **Share House**, the County's cold storage units, the **Senior Box Program** and the **Kitchen Remodel Project**. (See attached)

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

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the **Certification of Pay** for December, 2019 along with the Monthly Report of Services. Officer Torres gave an

update on the monthly statistical data, the indirect income to Montezuma County and a 2013 through 2019 review. Commissioner Candelaria moved to approve the Colorado Department of Military Veterans Affairs, County Veterans Service Officers monthly report and certification of pay for the month of December, 2019 in the amount of \$7,525.78. Second by Commissioner Ertel and carried. (See attached).

MOCO TRANSPORTATION: Jennifer Morris met with the Commissioner to give an update on the County Transit program. Topics discussed included: the 2019 income and expenditure totals, the Bus Fund balance, bike racks added to the vehicles, additional seats for the newest van, a proposed small van purchase, the fees for transportation, advertisement ideas, a proposed Fixed Route Grant Application, the hours of operation and a presentation to the Cortez City Council. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed filings for the Walmart lawsuit, the Montezuma Valley Irrigation Company lawsuit, the Weber Canyon / Road 41 lawsuit, the Kinder Morgan lawsuit and the cleanup projects for the M&M and Mud Creek properties.

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

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed an email received from **Board Member, Lee Cloy** regarding the **Lodgers Tax Committee** meeting and advertising for a Board member appointment to the Lodgers Tax Committee. Commissioner Candelaria moved to re-advertise for a new Lodgers Tax Committee member. Second by Commissioner Ertel and carried. Administrator Powers presented a letter of interest from **Sylvan Cemetery Board** member **Lee Hill** requesting a five year extension to his BOCC appointed term. Commissioner Ertel moved to accept the reappointment of Mr. Lee Hill, to a five year term, on the Sylvan Cemetery District Board of Directors. Second by Commissioner Candelaria and carried. Administrator Powers discussed Public Notices for the following scheduled meetings: the City of Cortez Council meeting 2/28/2020 at 7:30 p.m., the Empire Electric Board to Board meeting on 2/3/2020 at 5:00 p.m. and a Commissioner Town Hall meeting to be held at the Mancos Town Hall on February 20, 2020 at 6:30 p.m. Administrator Powers introduced the new **Financial Officer, Joyce Williams** and also discussed an email from the **Town of Mancos, Administrator / Clerk / Treasurer, Heather Alvarez**, regarding a scheduled meeting to discuss a **Drought Management Plan and Source Water Protection** and the publication of notice for the scheduled meeting. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed the attended CCI Legislative meetings, his reappointment as the Chairman of the CCI Public Lands Committee and attendance at tonight's City of Cortez Council meeting, to discuss the proposed Land Use Code.

Commissioner Candelaria discussed the attended (CCCA) Colorado County Clerks Association (EPIC) Elections Preparedness Infrastructure and Cyber Security Training, the attended CCI legislative meetings, the CCI election of officers and the Quit Claim Deed for the Pleasant View Fire District Building. Commissioner Candelaria announced that starting in

February 2020, he would be available to the public and employees on Wednesdays, from 12:00 p.m. to 3:00 p.m. in the Commissioner's Room.

Commissioner Ertel discussed his recent trip to Vietnam and Cambodia.

PUBLIC COMMENT: **Justin Vasterling** announced he was an official candidate for the Cortez City Council. **Gala Pock** discussed the M&M property and an opportunity in 2013 for a Brownfields Grant. **Greg Kemp** discussed the utilization of the County's cold storage units.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:15 a.m.

Clerk January 28, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 4, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 4, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman, Absent
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of February 4, 2020 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 28, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a Subdivision Amendment Application and a proposed Boundary Line Adjustment to the **Fox Run Subdivision** submitted by **Ute View Farms, Agent Charles Martin**, on property located at 7255 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, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the boundary line adjustment to the Fox Run Subdivision submitted by Ute View Farms, Agent Charles Martin, on

property located at 7255 Hwy 160-491, be approved. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and Rezoning Application submitted by **Gunther Hardt** on property located at 31633 Road W, Dolores, CO, consisting of 63.41 acres, more or less, located north of Road W, east of Road 31, situated in S.35 T.38N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Hardt was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the single lot development and rezoning application submitted by Gunther Hardt on property located at 31633 Road W, Dolores, CO, consisting of 63.41 acres, be approved. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented The Planning Department presented for signatures of a Mylar for a 3 Lot Moderate Subdivision Application submitted by **Ron Buehring** on property located at 19983 Road 15, Yellow Jacket, CO, consisting of 27.32 acres, more or less, located south of Road W, west of Road 15, situated in S. 1, T.37N, R.18W, N.M.P.M

PUBLIC COMMENT: **Elizabeth Berger** discussed coordination between the County Commissioners and Cortez City Council, discussion opportunities for the proposed City of Cortez Land Use Code, property owner rights to vote on the municipal elections, a lawsuit filed on the City of Cortez City Council and the municipal one mile State Statute. (See attached) **Gala Pock** discussed a freedom of information request for all 2019 records, regarding work performed for the County, by Elam / Kilgore Companies. (See attached) **Adriene Ratican** discussed the M&M property cleanup project. **Mindy Nelsen** discussed the proposed City of Cortez Land Use Code. **M.B. McAfee** discussed the County Commissioner / City of Cortez Council coordination efforts and public outreach opportunities.

The Commissioners sent out an invitation to all of the current **Cortez City Council** candidates, to come to the meeting and introduce themselves. The following council candidates introduced themselves and presented some of their ideas: **Justin Vasterling, Rafe Obrien** and **Rachel Medina**.

EMERGENCY ALERT SYSTEM / E911: **Administrator Powers** reported that E911 **Dispatch Manager, Lori Johnson** had presented the E911 proposal to the Dolores County Commissioners, the proposal had been tabled for a future decision to allow their County Attorney an opportunity to review the proposal. The Commissioners will revisit the issue at the next BOCC meeting.

COOPERATIVE WILDFIRE PROTECTION AGREEMENT: Attorney Baxter reported that the proposed changes had not been approved. The discussion was tabled for a future decision to include Sheriff Nowlin's recommendation.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of January 29, 2020 through February 14, 2020 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; a proposed gravel purchase with **Dolores County**, a Schedule A **Forest Service** gravel request, the **7th Street Extension** project, the BLM **Sand Canyon** parking lot, the purchase of and remodel project for the **Pleasant View Fire District**, road improvement requests from subdivision homeowner associations and the 2020 grinding projects. Superintendent Englehart reported that Dolores County had inquired about a source of clay to mix with the Ormiston gravel. Superintendent Englehart suggested they contact the Hay Camp Gravel pit owner Lavena Saunders, to discuss the proposed purchase of clay for their project. (See attached)

GIS Manager, Doug Roth along with **Superintendent Englehart** met with the Commissioners to present for approval, the **Colorado Department of Transportation's, Highway Users Tax Fund (HUTF)** road work and changes for reporting year 2019. Topics of the discussion included; the Montezuma County Mileage Certification, road segments added or adjusted in the road inventory, changed gravel to paved, changed graded to gravel, the 2018-2019 mileage changes paved / unpaved report, chip seal roads that got 1.5" asphalt overlay and the chipseal roads that had full grind and re-chipseal. Commissioner Ertel moved to approve the GIS Department's HUTF road work changes and reporting for the year 2019 as presented in the report from the GIS and Road Departments. Second by Commissioner Candelaria and carried. (See attached)

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met with the Commissioners to give a monthly report. Topics of discussion included; an amendment to the County's **No Spray Agreement**, a **National Fish & Wildlife Foundation, The Restore Colorado** grant application, the BLM grant applications to help manage Russian Olives and Salt Cedars in **Yellow Jacket Canyon**, an applicators spring training scheduled on May 15, 2020, the property tax flyers and the BLM **Weber Canyon** project. Manager Loving reported that she had received an email of interest from **Joe Brunner**, with a request to be appointed to the Noxious Weed Advisory Board. Commissioner Ertel moved that Joe Brunner be appointed to the Noxious Weed Advisory Board for a term of 3 years. Second by Commissioner Suckla and carried.

(See attached)

LANDFILL: Landfill Manager Mel Jarmon gave his monthly report which included the 2019 Landfill budget spread sheet. Topics discussed with the report included; a grant award received for the composting operations, engineer designs for the **Carver Field Compost Pad** and the budget recycle credits. **BID OPENINGS:** Chairman Suckla opened bids to purchase a loader for the Landfill. Bids in the amount of \$60,252.71, from **Southwest Agriculture** and in the amount of \$55,015.00 from **Wagner Equipment** were received. Commissioner Ertel moved to accept the bid, exhibit B proposal from Wagner Equipment, located at 112 Turner Drive Durango Co., in the amount of \$55,015.00 for the purchase of a loader, for the Landfill. Second by Commissioner Suckla and carried. (See attached)

BID OPENINGS: Chairman Suckla opened bids for the roofing projects at the Annex III building and Sheriff Department buildings. Bids presented included; **Topline Installers** in the amount of \$311,947.00 and **DKG and Associates / Firestone Building Products** in the amount of \$286,000.00. The bids will be reviewed by the **Maintenance Supervisor, Mike Chenard** for a decision at the February 8, 2020 Commissioner Meeting.

FAIRGROUNDS: Fairgrounds Manager, Larry Copeland gave his monthly report which included the year to date numbers for income of \$14,140.00 and attendance at 1,715. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Horseman's Card Program, scheduled hunter education classes, the Fairgrounds remodel project dates and the County Fair steer tag in. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed the **Garbessi** lawsuit, a meeting with M & M property owner **Bill Teetzel** and a meeting with a **Four Corners AG Expo Board Member, Spark Reed**.

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

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented on behalf of **County Assessor, Leslie Bugg**, the **Colorado Parks and Wildlife Impact Assistance Grant Application** for approval. Commissioner Ertel moved that the Montezuma County Assessor's, through the Impact Assistance Grant be approved and applied for through the Colorado Division of Parks and Wildlife, for tax year 2019. Second by Commissioner Suckla and carried. Administrator Powers discussed a proposed public notice for an email invitation from **Cortez City Manager, John Dougherty** regarding a coordinate meeting with the **South West Health Alliance**. Administrator Powers presented for approval, letters of support for **HB20-1133, Land Use Entitlements and Municipal Disconnection**, addressed to **Senator, Don Coram** and **Representative, Mark Caitlin**. Commissioner Ertel moved to send letters of support to Senator, Don Coram as well as Representative, Mark Caitlin, stating our support of HB20-1133, Land Use Entitlements and Municipal Disconnection. Second by Commissioner Suckla and carried. Administrator Powers presented public notices for the following scheduled meetings:

Town of Mancos, Planning Commission, meeting to be held at 7:00 p.m., on February 19th at the Mancos Town Hall.

The **Leadership Montezuma** meeting scheduled, February 20th at 1:15 p.m. in the Commissioner's meeting room.

The **Commissioner's Town Hall** meeting scheduled at 6:30 p.m., on February 20th, at the Mancos Town Hall. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed a partnership with Alamosa County on a proposed RACS Reestablishment Resolution and the attended Fast Charge / Empire Electric meeting. **Commissioner Candelaria** was absent.

Commissioner Ertel discussed the attended Fast Charge / Empire Electric meeting

PUBLIC COMMENT: No comments made

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:30 a.m.

Clerk

February 4, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 11, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 11, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of February 11, 2020 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 4, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures, a Mylar for a Boundary Line Adjustment submitted by **Douglas & Nancy Foulke** and **Christopher & Dimitri Schlotter**, on properties located at 12930 Road 38, Mancos, CO, consisting of 95.02 acres, more or less & 12744 Road 38, Mancos, CO, consisting of 44.38 acres, more or less, both located east of Hwy 184, situated in S.1, T.36N, R.14W, N.M.P.M. Commissioner Ertel moved that the boundary line adjustment submitted by Doug & Nancy Folke and Christopher and Dimitri Schlotter, on properties located at 12930 Road 38, Mancos Co. be approved. Second by Commissioner Candelaria and carried.

Director, Haley with **Assistant, Duncan** presented for signatures of a Variance submitted by **Tenderfoot Ranch, LLC**, on property located at 28355 Hwy 145, Dolores, CO, consisting of

78.54 acres, more or less, located north of Hwy 145, south of U.S. Forest Public Lands, situated in S.29, T.39N, R.11W, N.M.P.M. Commissioner Candelaria moved to accept the variance submitted by Tenderfoot Ranch, LLC, on property located at 28355 Hwy 145, consisting of 78.54 acres, more or less. Second by Commissioner Ertel and carried. (See attached)

PUBLIC COMMENT: Montezuma County Democrat Party Chairwoman, Mary Dodd discussed a Central Committee meeting that Commissioner Candelaria had attended and her attendance at the County Clerk's, **Logic and Accuracy Testing** for the Presidential Primary. **Southwest Health Board Member, Gala Pock**, discussed Commissioner Ertel's attendance at the **Southwest Health Alliance (Peak)** meeting. **Greg Kemp** discussed electric charging stations signage and the need of collected data. **Justin Vasterling** discussed topics of mutual interest and coordination between the City Council members and the Board of County Commissioners. **M.B. McAfee** discussed intergovernmental communications, City Council Candidates speaking at the Commissioners meetings, the proposed mutual topics list and the publication of the list.

EMERGENCY ALERT SYSTEM / E911: Dispatch Operator, Lori Johnson along with **City of Cortez, Interim Chief of Police, Andy Brock** discussed the proposed fee increase to the E911 charges. Operator Johnson presented an **Intergovernmental Agreement** between **Montezuma and Dolores Counties** to join the **Emergency Telephone Authority**. Commissioner Ertel moved that the Board of County Commissioners approve the Intergovernmental Agreement between Montezuma and Dolores Counties to join in the Emergency Telephone Authority. Second by Commissioner Candelaria and carried. County Attorney Baxter presented, **Resolution #4-2020**, a resolution establishing the new rate of charge for E911 emergency telephone service within Montezuma County and authorizing service suppliers to collect the emergency telephone charges. Commissioner Candelaria moved to accept Resolution #4-2020, establishing the new rate of charge for E911 emergency telephone service within Montezuma County and authorizing service suppliers to collect the emergency telephone charges. Second by Commissioner Ertel and carried. (See attached)

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** presented the precipitation report through the month of January, 2020. (See attached)

GROUNDS AND BUILDINGS QUARTERLY REPORT: Maintenance Supervisor, Mike Chenard reported on the grounds and buildings. Supervisor Chenard discussed the bids for the reroofing projects at the Annex III and Sheriff Department buildings. Bids presented included; **Topline Installers** in the amount of \$311,947.00 and **DKG and Associates** in the amount of \$286,000.00. The collection of sales tax was deleted from the DKG and Associates bid. Commissioner Candelaria moved to accept the bid for the Annex III and Sheriff's Office reroofing project at the cost of \$278,130.00. Second by Commissioner Ertel and carried. Other topics discussed included; repairs for the wood trim at Annex I, a storage room at the Sheriff's Department, county mechanical rooms, steam cleaning and painting shower stalls in the jail. (See attached)

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Manager Higman presented bids for the purchase of a new pickup for the Maintenance department. Bids presented included;

Kesee Motor	Ford F-350	\$28,752.00
Phil Long Ford	F-350	\$31,379.00
Steve Keetch	Chevy 2500	\$37,000.00
Moreharts	Chevy 2500	\$28,781.00
Truwest	Dodge 2500	\$26,523.00

Commissioner Ertel moved to accept the bid from Truwest, on a Dodge ¾ ton, 2500, 6.4 liter gas, auto at the price of \$26,523.00 Second by Commissioner Candelaria and carried. Other topics discussed included; an accessory / customizing purchasing policy, a new vehicle purchase for the Assessor's office, inclusion of Department Heads in the Commissioner's vehicle purchase presentations, a needs discussion during the next Department Head meeting, requests for all wheel drive vehicles, sold vehicle funds being deposited back in to the Vehicle Purchasing Fund and local opportunities to bid on vehicles selected to be sold. (See attached)

IT: IT Director, Jim McClain met with the Commissioners to present a monthly report. Topics discussed included; vehicle fuel savings, the Annex III badge entry access project, the new **VxRail**, a new exchange email server, the Health Department badge access and rewiring of the Annex I building projects, switching networks from **City GovNet** to **Farmers**, the Landfill wireless project, an update to the County website, the **7th Street** fiber extension project, a bid for the proposed purchase of a generator for the Administration building and the Front Sign project. (See attached)

GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina met with the Commissioners to give a monthly report. A 2020 Census video was presented for review. Residents can access <https://montezumacounts.com/> for information about the 2020 census. Specialist, Medina read the proposed **Resolution #3-2020**, a resolution of support for the 2020 Census. Commissioner Candelaria moved to accept Resolution #3-2020, a resolution of support for the 2020 census. Second by Commissioner Ertel and carried. Manager, Roth presented for review an **Agreement** between **Pictometry International Corp**, ("Pictometry") and Montezuma County Co. Commissioner Ertel moved that Administrator Powers sign the agreement between Pictometry and Montezuma County, contingent upon receipt of the letters of commitment by the participating entities. Second by Commissioner Candelaria and carried. Other topics discussed included: branding products for the 2020 census and the new plotter. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed filings for the **Montezuma Valley Irrigation Company** lawsuit, the **Kinder Morgan** lawsuit, a title commitment for the **Carver Landfill** closure and the **M&M** property cleanup project.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioner to give a weekly report. Director Dietrich presented a letter addressed to the **Honorable Elaine Chao** at the Office of the Secretary US Department of Transportation regarding support for the **US Highway 160 Four Corners Mobility and Safety Improvement Partnership Project in Southwest Colorado**. Commissioner Ertel moved that

the Board of Montezuma County Commissioners send a letter of support, to the Honorable Elaine Chao, Office of the Secretary US Department of Transportation, in support of the US Highway 160, Four Corners Mobility and Safety improvement partnership in Southwest Colorado. Second by Commissioner Candelaria and carried. Other topics discussed included; attendance at a **CPW Division of Wildlife** meeting, the **CFL** meeting to discuss public lands and access roads, a notification from the BLM regarding an amendment to the **Risk Management Plan**, the **Saulter, Environmental Assessment**, a scheduled **Montezuma County Recreation Advisory Committee** meeting, the **CTB** grant award and the **Paths to Mesa Verde Project**. Director Dietrich presented an **Eagle Environmental Consulting Inc., MMR Report** for the M&M Truck Stop and discussed an update for the property, from the (CDLE) **Colorado Department of Labor and Employment, OPS Division**, staff reviewer of the M&M Truck Stop Project. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented a letter of interest for a reappointment to the **Lodgers Tax Committee** from **Lee Cloy**. Commissioner Ertel moved that Mr. Lee Cloy be reappointed to the Montezuma County Lodgers Tax Committee for a three year term. Second by Commissioner Candelaria and carried. Lodgers Tax Committee member, Lee Cloy and Justin Vasterling met with the Commissioners to give a brief update on the Lodgers Tax Committee. Topics discussed included the proposed convention center, the current balance of funds, future BOCC recommendations, fund reserves, advertising, electric vehicle charging stations at local hotels and the development of a Lodgers Tax data base. Administrator Powers discussed scheduling for a site visit to Ironwood and presented public notices for the following scheduled meetings; The Cortez City Council Meeting, scheduled February 11, 2020 at 7:30 p.m. to held at the City Hall. The Spring Dolores River Native Fish M&R meeting scheduled March 2, 2020 at 12:30 p.m. to be held at the Dolores Water Conservancy District. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Suckla discussed the Cattlemen's meeting, the meat labeling issue, the reintroduction of wolves and a proposed Council to Council Meeting with the Ute Mountain Ute Tribal council.

Commissioner Candelaria discussed the attended Southwest Health Alliance (PEAK) meeting, the attended meeting with the Ute Mountain Ute Tribe to discuss the M&M property, the **CFL** meeting to discuss public lands and access roads, the attended Dolores Division of Water Resources meeting, the Pleasant View Fire Department's quit claim deed, a discussion regarding a proposed equine rehabilitation center, the attended Cattlemen's meeting and a proposed Council to Council Meeting with the Ute Mountain Ute Tribal council. (See attached)

Commissioner Ertel discussed the attended Southwest Health Alliance (PEAK) meeting, the attended E911 fee increase meeting and the attended meeting with the Ute Mountain Ute Tribe representatives to discuss the M&M property.

PUBLIC COMMENT: Bill Teetzel, discussed local Air B&B's, outreach from the Lodgers Tax Committee and opportunities to meet with the Tribal Council members. **Ann McCoy Harold** representative from **Senator Cory Gardner's** office met with the Commissioners to request topics of interest to be shared with Senator Gardner. Topics discussed included the WSA negotiations, a request to change from the CORE act to the BURN act, the Rocky Mountain Restoration Initiative and a stand from Senator Gardner on the wolf reintroduction issue.

Silverton House Whitehorse discussed the proposed **Ute Mountain Ute Charter School**.
(Attachment given to County Attorney Baxter for review)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:40 p.m.

Clerk February 11, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 18, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 18, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of February 18, 2020 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 11, 2020 as amended. Motion was seconded by Commissioner Candelaria and carried.

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Single Lot Development and Rezoning submitted by **Gunther Hardt** on property located at 31633 Road W, Dolores, CO, consisting of 63.41 acres, more or less, located north of Road W, east of Road 31, situated in S.35 T.38N., R.15W., N.M.P.M.

Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for 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.

Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for an Exemption Resolution tract of land located 31348 Road L, Mancos, Colorado, consisting of 42.14 acres, more or less, owned by **Angela Giplin Kuykendall & Pearlene Gilpin Van Sickle**, located west of Road 32, north of Road M, situated in S.11, T.36N, R.15W, N.M.P.M. Commissioner Candelaria moved to accept the exemption resolution on a tract of land located 31348 Road L, Mancos consisting of 42.14 acres, more or less. Second by Commissioner Ertel and carried.

PUBLIC COMMENT: **Troy Gattis** discussed turn lanes off of Highway 491 for County Road N and Road P. **Renee King** discussed a personal property incident, regarding plum trees, a tree removal company and the County Road Department. **Cynthia Robsion** discussed the tree removal incident and repairs for a knocked down fence. **Jacob Ballas** discussed a pandemic plan for Montezuma County. **Lisa Henry** discussed an update and Commissioner follow up on the Social Services Department.

SHERIFF'S MONTHLY REPORT: Sheriff, **Steven Nowlin** met with the Commissioners to give his monthly report which included the **Calls for Service Report**, an update on the graffiti investigations, the monthly **Jail Report**, the **County Jail Count** for the month of January 2020, the **DOC Holds Report**, the **Courtesy Holds Report**, the **Dolores Inmate** billing report, the **Cortez City Inmate** billing report, an estimated inmate cost increase, newly hired deputies, parole holds, the January **Monies Paid Report**, the **Monthly Arrests Report** and the **Fees Collected Report**. Sheriff Nowlin presented for approval, the EFF Funding, **Memorandum of Understanding for the participation in the Colorado Emergency Fire Fund** between the Montezuma County, Board of County Commissioners, the Montezuma County Sheriff and the State of Colorado. Commissioner Candelaria moved to accept the Memorandum of Understanding for the participation in the Colorado Emergency Fire Fund. The motion was seconded by Commissioner Ertel and carried. Other topics discussed included, equipment and document storage areas. (See attached)

COUNTY CORONER: **Coroner, George Deavers** met with the Commissioners to give an update on the development of the new County Morgue. Topics discussed included; the project completion date, coordination with La Plata County for autopsies, project cost savings, the large cooler move to the new facility, a backup generator, a proposed Board of County Commissioner site visit and the current County suicide numbers.

DISTRICT ATTORNEY: **Office Manager, Clarisa Feuilly** met with the Commissioners to give an update from the District Attorney's Office. Topics discussed included; an attended multi agency meeting, new juvenile legislative training, current cases, the extradition process, the warrant process, a set standard for extradition mileage based on the level of crime, extradition expenses, yearly extradition averages and restitution enforcement.

EMERGENCY MANAGER REPORT: **Emergency Manager Mike Pasquin** met with the Commissioner to give an update on the Hazard Mitigation Plan. Manager Pasquin also discussed his resignation, the job application advertisement and the current job description.

PUBLIC LANDS: **Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give updates on various projects. Ranger Padilla reported that the Dolores Norwood Road guardrail repair at **Little Bean Canyon** would be completed, and discussed upcoming scoping / analysis for the **Rico Trails Project**, the **Rio Grande Southern Trail**, the **Circle Trail** and the **Rhimon Creek Trail**, the **Saulter** environmental analysis scoping, 2020 timber sales, service access routes and road surface rock fees. **Bureau of Land Management, Connie Clementson** discussed, the issuance of the decision record for the Montezuma County designation for **Areas of Critical Environmental Concerns**. Areas designated included; the **Ancestral Puebloans** and the **Mesa Verde Escarpment** areas. An update was given on the **Transportation and Access Plan**. **Canyon of the Ancients National Monument Acting Monument Manager, Amanda Hoffman** introduced herself to the Commissioners and reported on the Visitors Center. Topics discussed included, a change to Spring operation hours of Tuesday through Sunday, 9:00 a.m. to 4:30 p.m., the Museum fee increase, an application for **Dark Sky Status**, scheduled events to celebrate the 20th anniversary and a land health assessment for the **Flowline** and **Yellow Jacket** permit renewals.

SOUTHWEST WATER CONSERVANCY DISTRICT: **Southwest Basin Round Table, Montezuma County Representative, Ed Millard, Dolores Water Conservation District, Ken Curtis** and **Mancos Conservation District, Gretchen Rank** met with the Commissioners to discuss an attended Southwest Water Conservation District Board meeting and an agenda item on the proposed bill from the Nature Conservancy and Trout Unlimited to amend a water law statute. Commissioner Ertel moved to send a letter of opposition to the Southwest Water Conservation District in opposition to the removal of the Division 7 exemption in Colorado Statute #CRS 37-92-305(3)(c), and to also pay specific attention to paragraphs (a) and (b), in our determination here that was presented to us today and also make it very clear that none of this should be even proposed or thought about in this legislative session, should not show up until at least the 2021 legislative session. Second by Commissioner Candelaria and carried. (See attached)

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

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich** met with the Commissioners to give a weekly report. Director Dietrich presented for approval a **Montezuma County Historic Property Nomination** for the Montezuma Valley Irrigation Company Flume #6, the **McElmo Creek Flume**, to the Montezuma County Historic Registry. Commissioner Candelaria moved to accept the nomination of the Montezuma Valley Irrigation Company Flume #6, the **McElmo Creek Flume**, for the Montezuma County Historical Registry. Second by Commissioner Ertel and carried. Other topics discussed included; a draft Montezuma County Public Lands Access Roads and Paths priority road map, Environmental Assessments for the Boggy Draw Trail system and the scheduled (MCRAC) Montezuma County Recreation Advisory Committee meeting. (See attached)

COUNTY ADMINISTRATOR REPORT: **Administrator, Shak Powers** presented public notices for the following scheduled meeting; **Quarterly Local Government Breakfast Meeting**, Wednesday, March 11, 2020 at 7:30 a.m. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed the attended Legislative session meeting,

Commissioner Candelaria discussed his Wednesday office hour meetings and the attended (MMOF) Multimodal Options Funds review meeting.

Commissioner Ertel no report given.

PUBLIC COMMENT: **Gala Pock** discussed the Cortez City Council meeting held February 11, 2020.

CORRESPONDENCE: The following correspondence was read and noted: Thank you note from Vernon and Roger Knuckles.

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

MEETING ADJOURNED: 11:50 a.m.

Clerk February 18, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 25, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 25, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney, Absent
Ian MacLarren, Assistant County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of February 25, 2020 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 18, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures an Exemption Resolution submitted by **Angela Giplin Kuykendall & Pearlene Gilpin Van Sickle** on property located at 31348 Road L, Mancos, Colorado, consisting of 42.14 acres, more or less, , located west of Road 32, north of Road M, situated in S.11, T.36N, R.15W, N.M.P.M..

Director, Don Haley with **Assistant, Duncan** presented for signatures a Mylar for a Subdivision Amendment Application and Boundary Line Adjustment to the **Fox Run Subdivision** submitted by **Ute View Farms, Agent Charles Martin**, on property located at 7255 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.

Due to a cancellation of the Commissioner meeting scheduled March 3, 2020. **Assistant, Duncan** reported that the Public Hearings scheduled for March 3, 2020 would need to be postponed. Commissioner Candelaria moved to reschedule the meetings that were scheduled for Tuesday, March 3rd and reschedule those for Tuesday, March 10th. Second by Commissioner Ertel and carried.

PUBLIC COMMENT: **Ellen Foster** discussed the February 18, 2020 presentation by Southwest Basin Round Table, Representative, Ed Millard. (See attached)

LIQUOR LICENSE: **Deputy Clerk, Jerri Frizzell** presented a new liquor license application for **The Gettin' Place, Steele Investments Inc.**, owners **Michael** and **Laurie Steele**, located at 26060 Hwy., 491 Pleasant View, Co. 81331. Commissioner Ertel moved that the Montezuma County Commissioners approve the new liquor license for, Michael and Laurie Steel, business name, The Gettin' Place, located at 26060 Hwy 491 Pleasant View, Co. Second by Commissioner Candelaria and carried. (See attached)

ASSESSOR: **Montezuma County Assessor, Leslie Bugg** met with the Commissioners to present a petition for and abatement or refund of taxes for Harbeck, Robert L Family Rev. Trust. Commissioner Candelaria moved to accept the abatement for Harbeck, Robert L Family Rev. Trust, the property address of 560 W. Menefee Mancos, for the abatement for the taxes, for the 2019 year. Second by Commissioner Ertel and carried (See attached)

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** met with the Commissioners to present for review, the **2020 Grinding Summary of Quotations** and the **2020 Asphalt Supply and Overlay Summary of Quotations**. Commissioner Ertel moved to award the 2020 asphalt supply and overlay for Montezuma County on the road, described in the bidding quotations to **Four Corners Materials**. Second by Commissioner Candelaria and carried. Commissioner Candelaria moved to accept the Montezuma County Road & Bridge, 2020 grinding summary of quotations to **Coughlin Company** in the amount of \$98,841.00. Second by Commissioner Ertel and carried. Other topics discussed included quotes for a proposed Cone Crusher purchase. (See attached)

OLD BUSINESS: **Southwest Health Systems: CEO, Anthony Sudduth, CFO, Rick Shrader**, met with the Commissioners to give an update on the Southwest / Peak Alliance and Southwest Memorial Hospital Coordination. Other topics discussed included a proposed local initiative for Southwest Health Systems and the Medicare rating for hospitals across the state of Colorado.

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. Director Montoya presented the Second Intergovernmental Agreement between La Plata County and Montezuma County regarding Social Services. Commissioner Ertel moved that the Second Intergovernmental Agreement between La Plata County and Montezuma County regarding Social Services, provision by Montezuma County, for the year 2020, be approved. Second by Commissioner Candelaria and carried. (See attached)

PUBLIC HEALTH: Public Health Director **Bobbie Lock** along with **Laurel Schafer** met with the Commissioners and discussed the Coronavirus Disease 2019 (COVID19), the Dental Expansion project, a job posting for a full-time position as the Coordinator for the Essentials for Childhood (EFC) and the Colorado National Collaborative (CNC) Suicide Prevention programs, Veterans Dental benefits and a transfer to the **DocuSign** process for contracts with the CDPHE. For more information: www.cdc.gov/COVID19 (See attached)

VETERANS SERVICE: Veteran Service Officer, **Rick Torres** presented the Certification of Pay for January, 2020 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 January, 2020 for Montezuma County. Second by Commissioner Candelaria and carried. (See attached).

SENIOR SERVICES: **Jonathon G. Parker** gave the monthly update on the Senior Service programs. Topics discussed included, a transfer of the Commodities Program to the **Share House** and the Kitchen Remodel Project.

MOCO TRANSIT MONTHLY REPORT: **Jennifer Morris** met with the Commissioners to request a transfer of funds for the purchase of a new bus and to give the **Total Rides for 2019 Report**. Other topics discussed included public outreach and municipal transportation fund requests. (See attached)

TRANSFER ORDER: Transfer Order 1-2020 a transfer \$13,057 from the Senior Citizen Bus Fund to the Capital for 20% of the purchasing price of new bus, Invoice #102179 was presented for approval. Commissioner Candelaria moved to accept order #1-2020, to transfer \$13,057 from the Senior Citizen Bus Fund (035) to the Capital (004) for 20% of the purchasing price of new bus, invoice # 102179. Second by Commissioner Ertel and carried. (See attached)

CSU EXTENSION OFFICE: Extension Director, **Gregory Felsen** met with the Commissioners to give an update on the Extension Office. Topics of the discussion included; a **Western Region Extension Interactive** map, the development of the **4H Youth Program**, the 4H 101 training, the **4H Stem Americore**, the County Fair tag in, a scheduled Fair Board meeting, the **Annual Rocky Mountain Oyster Fry** event, the **Master Gardner Program**, grant writing resources, a livestock judging event scheduled during the **Four States Ag Expo**, social media access and a return on investment report for the Board. (See attached)

DISCUSSION: Executive Director of Southwest Water Conservation District, **Frank Kugel**, Southwest Water Conservation District Representative, **Don Schwindt**, Southwest Basin Round Table, Montezuma County Representative, **Ed Millard**, and Mancos Conservation District, **Gretchen Rank** met with the Commissioners to discuss a request of support from the Nature Conservancy and Trout Unlimited for the extension of the Colorado Revised Statutes (CRS) 37-92-305(c) to include Water Division 7 for water conservation programs.

COUNTY ATTORNEY REPORT: Assistant County Attorney, Ian MacLarren gave an update on the Kinder Morgan, Weber Canyon / Road 41 and the Montezuma Valley Irrigation Company lawsuits.

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

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed the public notice for the Quarterly Government Breakfast, scheduled, March 11, 2020.

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed the Home Grown Talented Initiative meeting, a Public Lands phone conference and the City of Cortez Council Candidates.

Commissioner Candelaria discussed the attended Senior Program luncheon held in Dolores, the Mancos Drought Management meeting, a Leadership Montezuma meeting, the Town Hall meeting held in Mancos, the local FFA fund raiser, the Lewis Arriolla Community Center fund raiser and the Home Grown Talented Initiative meeting.

Commissioner Ertel discussed the attended, Mancos Planning and Zoning meeting and the Commissioner Town Hall meeting held in Mancos.

PUBLIC COMMENT: Greg Kemp discussed the commodity distribution program in Mancos. Ellen Foster discussed the Southwest Water Board and Water Division 7.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:00 p.m.

SITE VISIT; Ironwood Facility

Clerk February 25, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 10, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 10, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of March 10, 2020 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 20, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

CORONAVIRUS (COVID19) UPDATE: Montezuma County, Public Health Department's, Emergency Manager, Karen Dickson gave an update on the Coronavirus within the Southwest region of Colorado. Manager Dickson reported that community stake holder briefings were held on Monday afternoons and Friday mornings. Other topics discussed included; updates received throughout the day from CDC and CDPHE, currently there are no cases within the region, procedures for a symptomatic person and additional radio announcements for public outreach.

PUBLIC HEARING: (Postponed from 3/3/2020) It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Minor Subdivision and 3 acre Heavy Industrial Rezoning Application submitted by **Justin Hooten, POA** for **Billy Hooten**; Agent: **Daniel Hoch** on property located at TBD Road L, Cortez, CO, consisting of 35.95 acres, more or less, 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. Daniel

Hoch was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved to approve the 2 lot minor subdivision and 3 acre heavy industrial rezoning application, submitted by Justin Hooten, POA for Billy Hooten; Agent: Daniel Hoch, on County Road L, Cortez Co. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Director Haley and Assistant Duncan, presented for signatures a Mylar and After-The-Fact Exemption Resolution submitted by **Gordon Steves**, on property located at 17714 Road 22, Cortez, Colorado, consisting of 3.1 acres, more or less, located east of Road 22, south of Road U, situated in S.17, T.36N, R.16W, N.M.P.M. Commissioner Ertel moved that the after-the-fact exemption resolution submitted by Gordon Steves, on property located at 17714 Road 22, Cortez, Colorado, consisting of 3.1 acres, more or less, be approved. Second by Commissioner Candelaria and carried.

PUBLIC HEARING: (Postponed from 3/3/2020) It being the time set aside a public hearing is held for review and determination of a proposed Subdivision Application for an Amendment to the **Mancos Ranches** 11 Lot Major Subdivision submitted by **Ryan Griglak**, Agent: **Maness & Associates** on property located at 42169 Road J.75, Mancos, CO, consisting of 3.35 acres, more or less, located north of Road J.75, South of Road 42, situated in S.27, 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, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed subdivision application for an amendment to the Mancos Ranches 11 lot major subdivision, submitted by Ryan Griglak, Agent: Maness & Associates on property located at 42169 Road J.75, Mancos, CO,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: (Postponed from 3/3/2020) It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and Rezoning Application submitted by **Justin & Erin Schmitt** on property located at 13657 Road 21, Cortez, CO, consisting of 50.57 acres, more or less, located south of Road P, west of Road 21, situated in S.1 T.36N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Justin Schmitt was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the single lot development and rezoning application submitted by Justin & Erin Schmitt on property located at 13657 Road 21, Cortez, CO, consisting of 50.57 acres, more or less, be approved. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: (Postponed from 3/3/2020) It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and Rezoning Application submitted by **Mark & Patricia Peters** on property located at 6852 Road 21, Cortez, CO, consisting of 50.71 acres, more or less, located south of Road G, east of Road 21, situated in S.7 T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Patricia Peters was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed single lot development and rezoning application submitted by Mark & Patricia Peters on property located at 6852 Road 21, Cortez, CO, consisting of 50.71 acres, more or less, located south of Road G, east of Road 21. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: (Postponed from 3/3/2020) It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Minor Subdivision and Rezoning Application submitted by **Gary Ellson & Tova Spector** on property located at TBD Road P, Mancos, CO, consisting of 44.20 acres, more or less, located north of Road P, west of Road 33, situated in S. 1, T.36N, R.15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Gary Ellson and Tova Spector, were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Director Haley reported that they had amended the application from a minor subdivision to a moderate subdivision. Commissioner Suckla opened the hearing to public comment. **Ellen Foster** gave public comment. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the determination of 2 lot moderate subdivision and rezoning application submitted by Gary Ellson & Tova Spector on property located at TBD Road P, Mancos, CO, consisting of 44.20 acres, more or less, located north of Road P, west of Road 33 be approved. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: (Postponed from 3/3/2020) It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development & Rezoning Application and Variance Application submitted by **Donald Wilson** on property located at 23200 Road M, Cortez, CO, consisting of 61.10 acres, more or less, located south of Road M, east of Road 23, situated in S.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. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed single lot development, rezoning application, and variance application submitted by Donald Wilson on property located at 23200 Road M, Cortez, CO, consisting of 61.10 acres, more or less, located south of Road M. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

DISCUSSION: Commissioner Candelaria held a discussion regarding the process to review the 50 foot variance setback restrictions within the County Land Use Code. Commissioner Candelaria moved that the Planning and Zoning Commission go through the review process, and hold a public hearing, regarding the reduction of the current 50 foot variance setback restrictions. Second by Commissioner Suckla and carried.

PUBLIC COMMENT: **Gala Pock** discussed a proposed comprehensive review of the County Land Use Code. **Mary Dodd** presented letters of appreciation to Clerk, Percell and Administrator, Powers for assistance during the recent major party caucus events. **Ellen Foster** discussed the county reserve funds and the current fluctuation within the stock market. (See attached) **Mindy Nelson** discussed the **Craft Studio 101** program. (See attached) **Secretary, Jennifer Adams** of **Operation Graduation** met with the Commissioners with a fee waiver request for the use of the County Fairgrounds. Commissioner Candelaria moved to transfer \$225.00 from the Secure Rural Schools funding to the Fairgrounds to cover the fees for the Dolores High School Operation Graduation event. Second by Commissioner Ertel and carried.

COOPORATIVE WEATHER OBSERVER, NOAA, NWS representative **James Andrus** was unavailable to report.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** met with the Commissioners to discuss the proposed crusher purchase and a request from Dolores County to purchase 20,000 tons of gravel. It was decided to continue the discussions during an executive session after the lunch break. (See attached)

MONTEZUMA COUNTY VFW AUXILIARY POST 5231: **Queenie Barz** met with the Commissioners with a request of the waiver of fees, for the use of Annex I, for a Saint Patrick's Day Fundraiser. Commissioner Ertel moved to require the \$100.00 refundable cleaning deposit, but to waive the usage fee for County Annex I, for the St. Patrick's Fundraiser Dinner. Second by Commissioner Candelaria and carried. (See attached)

12 HOURS OF MESA VERDE MOUNTAIN BIKE RACE: Board members **Cap Allen** and **Kirk Underwood** met with the Commissioners to request permission to serve donated beer during the 12 Hours of Mesa Verde event. Commissioner Ertel moved that the 12 Hours of Mesa Verde be exempt in their free beer distribution for the 12 hours of Mesa Verde for their event in May. Second by Commissioner Candelaria and carried. (See attached)

LIQUOR LICENSE: **Deputy, Jerri Frizzell** 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. Commissioner Candelaria moved to accept the renewal liquor licenses for Mancos Brewing Company LLC., located at 1484 East Frontage Road, Mancos, CO 81328, as well as Smitty's Liquors located at 10255 Hwy 491 Cortez Co. Second by Commissioner Ertel and carried. (See attached)

SPECIAL EVENT LIQUOR LICENSE: **Montezuma County Fairboard President, Allen Higgins,** met with the Commissioners to discuss a request for a special event liquor license for the Friday night concert. Commissioner Ertel moved to grant the temporary liquor license for

the Montezuma County Fairboard to serve liquor at their Friday night concert. Second by Commissioner Candelaria and carried. (See attached)

SPECIAL EVENT LIQUOR LICENSE: Ute Mountain Roundup Rodeo, board members **Lacey Murphy** and **Marti Spitzer** met with the Commissioners to request permission to include alcohol sales during the scheduled Ute Mountain Roundup Rodeo event held at the Montezuma County Fairgrounds. Commissioner Candelaria moved to accept the Ute Mountain Roundup Rodeo, liquor license for the event in 2020. Second by Commissioner Ertel and carried. (See attached)

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. **Sherriff, Steve Nowlin** joined the meeting for a Departmental vehicle purchase discussion. Manager Higman presented quotes for the Sheriff's Department pickup purchases. Commissioner Ertel moved to authorize the Fleet Department, Shane Higman to purchase for benefit of the Montezuma County Sheriff's Department, three F150 Responder, Ford, 3.5 liter turbos, from Keesee Motors, at the price of \$33,689.00 per unit. Second by Commissioner Candelaria and carried. Other topics discussed included: a vehicle for the Assessor's office, future vehicle replacements for the Public Health Department and the Road and Bridge Department. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioners to give a monthly report. Supervisor, Chenard presented bids, from **BRAVO Cleaning and Restoration** in the amount of \$1200.00 and from **Certified Cleaning & Restoration INC. Db a CARE** in the amount of \$3,150.00 for the **Jail Shower Project**, Commissioner Ertel moved to accept the bid from BRAVO Cleaning and Restoration, for the shower scrub down and cleaning at the Montezuma County Jail, in the amount of \$1,200.00. Second by Commissioner Candelaria and carried. Other topics discussed included: the proposed Fire Systems project, the Sally port project, the Health Department Dental project, the Kitchen remodel project, the Jail's security fence project and the roof repair projects. (See attached)

IT: IT Director, Jim McClain met with the Commissioners to present his monthly updates. Topics discussed included; the departmental fuel savings with the new electric car, the County's internet change over scheduled March 29, 2020, the Annex III security doors project and the monthly DATA Safe payment.

GIS MAPPING: GIS Manager, Doug Roth and **Mapping Specialist, Rachel Medina** met with the Commissioners to give an update on the Census project. Topics discussed included; a request to place an insert within the Empire Electric monthly utility bills, the advertising budget expenditures, public outreach volunteers, computer tablets placed in various locations in the county for public use, employment opportunities, social media opportunities, the April 1st Census Day and online response opportunities. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter gave an update on the **E911** fee increase application.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with Commissioner to give his weekly report. Director Dietrich presented a letter address to Mary B. Neumayr, Chair of the Council on Environmental Quality CEQ, regarding proposed updates to the National Environment Policy Act (NEPA). Commissioner Candelaria moved to accept or present this letter of support to Mary B. Neumayr, Chair of the Council on Environmental Quality CEQ at Washington D.C. Second by Commissioner Ertel and carried. Other topics discussed included the scheduled Montezuma County Recreation Advisory Committee meeting, boat launches on private property, a discussion with the M&M property Owner's Representative, grant application updates and an overview of the CRAFT tourism discussion. (See attached)

EXPENDITURES REPORT: Administrator Powers presented the October – December, 2019 and January 2020 Accounts Payable Expenditure Reports for approval. Commissioner Candelaria moved to accept the Expenditures for October, November, December of 2019 and January of 2020. Second by Commissioner Ertel and carried. (See attached)

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

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Candelaria moved to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402(4)(a), and to include, Clerk Percell, Administrator Powers, Attorney Baxter, Commissioners Candelaria, Ertel and Suckla and Road Superintendent, Rob Englehart, seconded by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the purchase of a crusher and a proposed Intergovernmental Agreement. County Finance Officer Joyce Williams was asked to join the financial discussion regarding the proposed crusher purchase. Commissioner Ertel moved to go out of executive session, seconded by Commissioner Candelaria and carried. (See attached)

Commissioner Ertel moved to grant Shak Powers and Road Superintendent, Rob Englehart, to attempt to negotiate a deal on a crusher with Weld County, and / or go to auction and purchase a crusher for Montezuma County's gravel operations, and along with that motion, Commissioner Ertel moved that the County crushing operations be authorized to sell Dolores County, 20,000 tons of road mix gravel, to benefit their operation. Second by Commissioner Candelaria and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed the Partner with RIP Medical Debt Program. **TRANSFER ORDER:** Administrator Powers presented a Transfer Order # 2-2020. A transfer of \$67,243.92 from the General Fund for carry over from 2019 MOCO grants to the Bus Replacement Fund. Commissioner Candelaria moved to accept order # 2-2020 for the transfer of \$67,243.92 from the General Fund (001) carry over from 2019 MOCO grants to the Bus Replacement Fund (035). Second by Commissioner Ertel and carried. Administrator Powers presented for review, a letter of support addressed to Ms. Debbie Payne, Community Service Award Chair, Colorado, NSDAR in regards to a nomination for a service award to be presented to the Montezuma County Historical Society Board Chairman, Ann Brown. Commissioner Candelaria moved to send the letter to Ms.

Debbie Payne, Community Service Award Chair for the Colorado NSDAR in reference to Ann Brown for a community service award. Second by Commissioner Ertel and carried. Other topics discussed included; a road impact fee protest, the scheduled meeting with the Ute Mountain Ute Tribal Council and a 2:00 p.m. start for the March 24, 2020 Commissioner meeting. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed his trip to Washington D.C.

Commissioner Candelaria discussed his trip to Washington D.C.

Commissioner Ertel discussed the attended Club 20 meeting, the Hazard Mitigation Kickoff meeting, and the Dolores River Native Fish Monitoring and Recommendation Team meeting.

PUBLIC COMMENT: No comments made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 3:15 p.m.

Clerk March 10, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 24, 2020 (Virtual Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a virtual meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 24, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the virtual meeting of March 24, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 10, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC COMMENT: Public comments were posted on the YouTube link. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met with the Commissioner and gave an update on COVID19. Topics discussed included; the Emergency Operation Center Multi Agency Coordination Group virtual meeting, San Juan County, La Plata County and the Navajo Nation confirmed case numbers, testing supplies, Health Department supply orders and supply distribution efforts to entities. Manager, Spratlen gave an update on the following; staffing for the City of Cortez, Cortez Police Department staff and calls for service, the Towaoc Indian Health Service staff, supplies for the Town of Mancos, the County jail inmate population, County Transportation, the local School Districts, the Bridge Shelter, the homeless population, the Animal Shelter and community messaging through the Public Information Officer. Announcements are on posted the County Social media page, the County

web page, on the Office of Emergency Managers page, the Emergency Operations Facebook page, the Montezuma County Facebook page, the Montezuma County Clerk Facebook page, the Journal newspaper, and the KSJD, KVFC, KRTZ, KISZ, KKDC radio stations.

EMERGENCY FOOD FUNDING REQUEST: **Delilah Darland** and **Laurie Hall** met by video conference with the Commissioners to make a request for emergency food funding for the COVID19. Topics of the discussion included; community needs for food, MOCO home meal deliveries, the **Meals on Wheels** delivery schedule, the **Share House** program, assistance from volunteers, the local schools sack lunch program, meals provided by the **Pinion Project**, a senior grocery box, the **Dolores Family Project**, the **Mancos Food Share House**, the **Good Samaritan** program the **Senior Nutrition** program, the long term options program and a proposed Farming and Ranchers Support funding request. It was the request of the Board to coordinate with the County Senior Services for these services.

NOXIOUS WEED DEPARTMENT: **Weed Department Manager, Bonnie Loving** presented bids from **Southwest Ag. Inc.** in the amount of \$21,500.00 and from **Power Motive Corporation** in the amount of \$21,513.36, reduced to \$19,000.00, for the purchase of a mulcher attachment. Commissioner Ertel moved to grant the Noxious Weed Department the latitude to purchase the Takeuchi TB290 Brush Bull Hog attachment for the purchase price of \$19,000.00. Second by Commissioner Candelaria 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 **Finance Officer, Lori Higgins** were present by video conference call. (See attached)

VETERANS SERVICE: **Veteran Service Officer, Rick Torres** presented by video conference the Certification of Pay for February, 2020 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 February, 2020 for Montezuma County. Second by Commissioner Candelaria and carried. Other topics discussed included international claims and phone wellness checks. (See attached).

CSU EXTENSION OFFICE: **Extension Director, Gregory Felsen** met by video conference with the Commissioners to give his monthly update. Topics of the discussion included; a departmental staff update to respond to COVID19, the establishment of a Zoom account, Microsoft Teams, virtual programming, the 4H 201 notifications, the Meet Quality Assurance program, the Master Gardner program, the 4H Family Survey, 4H stem activities, youth mental health, Zoom hosted 4H club meetings, an attended core group Four Corners Famers Market meeting, and attendance at the Fairboard meeting.

SENIOR SERVICES: **Jonathon G. Parker** gave a monthly update by video conference, to the Commissioners. Topics discussed included; staff updates in response to COVID19, staff working on site when necessary, employees working from home, assistance offered by volunteers, Community Connections, assistance from the Salvation Army, Triple A guidelines, the Health Department meal deliveries, current food supplies, home activity options, new clients form the

Long Term Options Program, local senior shopping hours, the reimbursements of COVID19 relief funds and the extra food order. Commissioner Candelaria moved to approve \$6,352.50 for the additional meals for the Senior Center. Second by Commissioner Ertel and carried.

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris met by video with the Commissioners for a monthly report. Topics discussed included; additional funds available from Triple A, home delivery meals, driver COVID19 response options, statewide transportation closures, paid time off, vehicle sanitization procedures, and social distancing during transportation rides.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, presented the **Declaration of Local Health Disaster Emergency** for ratification. Commissioner Candelaria moved to ratify the declaration that Commissioner Suckla had signed and extend it indefinitely until further action is required by the Board of County Commissioners. Second by Commissioner Ertel and carried. Other topics discussed included; office employee operations and the addition of Attorney, Gordon Vaughn assigned to the PAX lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich presented a letter for approval, addressed to **David Vela, Acting Park Service Director** regarding the closure of the **Mesa Verde National Park**. Commissioner Ertel moved that the Board of County Commissioners sign and adopt the letter, to the Department of Interior, recommending that Mesa Verde National Park be officially closed until further notice. Second by commissioner Candelaria and carried. Director Dietrich presented for approval a letter addressed to **Derek Padilla, District Ranger Dolores Ranger District** regarding the **Rico Trails Project**. Commissioner Candelaria moved to accept and send a letter to Derek Padilla, District Ranger for the Rico Trails Project EA. Second by Commissioner Ertel and carried. Other topics discussed included; social distancing, remote meetings scheduled and the Paths to Mesa Verde project design. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented departmental staff solutions to the COVID19 requirements, potential budget cuts to help with the COVID19 impacts, the yearly carry over to the county reserve fund, and the postponement of proposed 2020 projects for 60 days. A discussion was held regarding marijuana dispensary closures.

Administrator Powers discussed a property tax payment order presented to **County Treasurer, Ellen Black** regarding **Executive Order D 2020 012** dated March 20, 2020. Treasurer Black's recommendation was: #1 to waive interest for late first half payments, made after March 20, when the order was signed through April 20th, #2 ongoing foreclosures will proceed as planned. Newly submitted foreclosure packets and future submissions will be held for review and recording until April 20th. The Treasurer will make the best determination how to proceed should the order be extended. Commissioner Candelaria moved to accept the Treasurer's request, to post on line, to waive the interest and fees up to April 20th, or extended if needed. Second by Commissioner Ertel and carried.

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed the attended telephone conference CCI meeting, and a conference call with the Ute Mountain Tribe.

Commissioner Candelaria discussed the attended TPR meeting and the ratification for the MMOF grant application, the CCI teleconference meeting, and a meeting attended regarding the postponement of the Ag Expo and a Montezuma County State of Address given to the City of Cortez.

Commissioner Ertel discussed the attended two day Club 20 meeting.

PUBLIC COMMENT: Public comments were posted on the YouTube link. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:30 p.m.

Clerk March 24, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 31, 2020 (Virtual Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a virtual meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 31, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the virtual meeting of March 31, 2020 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 24, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

PUBLIC COMMENT: Public comments were allowed by a YouTube link. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met with the Commissioner and gave a COVID 19 Situation Assessment Report. Topics discussed included; the County transportation program, communications, public works and engineering, firefighting, emergency management information and planning, mass care, emergency assistance, housing and human services, logistics management and resource support, public health and medical services, the Colorado infection report, the County infection report, agriculture and natural resources, energy resources, public safety and security, long term community recovery, external affairs, historic culture and preservation, business and industry, resources assigned, impacted life lines and key components, state assistance, potential high impact media coverage, and available resources for PPE. (See attached)

PLANNING: Planning Director, Don Haley, and Planning Assistant, S. Jane Duncan, and True Kirk presented virtually for review and discussion, sketch plan ideas for **Summit Village GPUD** for Lot A of the **Kirk Puett Ranchettes Subdivision**. The Commissioners were in agreement that the project move through the Planning and Zoning Commission process.

THE MONTEZUMA BUSINESS TASK FORCE: Susan Lisak met virtually with the Commissioners to discuss the development of the Montezuma Business Task Force, by the Tri City Chambers of Commerce. The two major focus points for the Task force include, the immediate COVID 19 crisis and recovery efforts for local businesses along with future economic developments. Topics discussed included; business survey responses, a list of Chamber ambassadors, building relationships, communications, internet access, grant funding opportunities, the timing of the grant funding, payment deferments, economic impacts to local tourism, current reductions of income, employee pay, scheduled meetings, the survey results and the SBA loan process.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell met virtually with the Commissioners to give a quarterly report. Topics of the discussion included; the departmental response to COVID 19, current options for customer services, the Governor's orders regarding essential employees, social distancing, the employee work schedules and employees helping with the Montezuma Business Task Force. Clerk Percell presented for signatures the **Electronic Recording Technology Board Grant Award Letter**. Commissioner Ertel moved that the Montezuma County Clerk & Recorder's office, accept the grant amount for digitizing their records, in the amount of \$500,562.31, from the Electronic Recording Technology Board. Second by Commissioner Candelaria and carried (See attached)

ASSESSOR: Montezuma County Assessor, Leslie Bugg met virtually with the Commissioners to give a quarterly report. Assessor Bugg discussed how the department was carrying out business, providing services to customers and the employee work schedules. Other topics discussed included; a State report summarizing adjustments to future statute deadlines due to the COVID 19 crisis, the 2014 Kinder Morgan payment, the remainder of the Kinder Morgan audits and employees working with the Montezuma Business Task Force.

COUNTY TREASURER/ TRUSTEE: Treasurer, Ellen Black met virtually with the Commissioner to give a quarterly report. Topics discussed included, current options for customer services, employee schedules, the authority distributions, the State waiver of interest for the first half of tax payments through April 20th, a State approved delay of the foreclosure processing and the flow of the property tax payments. Treasurer Black presented for approval, the **Schedule of Receipts and Disbursements** for July 1, 2019 through December 31, 2019. Commissioner Ertel moved to approve the Montezuma County's Schedule of Receipts and Disbursements ending December 31, 2019. Second by Commissioner Candelaria and carried. (See attached)

SOUTHWEST HEALTH SYSTEMS: CEO, Anthony Sudduth, met virtually with the Commissioners to give an update on the Current COVID 19 crisis. Topics discussed included, the current confirmed case, telehealth clinical visits, emergency and in patient volumes, elective surgeries, remote workers, stimulus funding, available test kits, rapid testing, a daily Facebook live chat, contained social distancing, the stay at home order, the estimated peak date, the

number of available beds, alternative medical sites, the pharmacy curbside pick-ups and the financial narrative for the month ending February 29, 2020. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter met virtually with the Commissioners to give his weekly report. Topics discussed included; Department contract reviews, CORA requests, a teleconference regarding the Pax lawsuit, a discussion for Montezuma County to receive Denver Television Stations, the current court operational services, an order to cancel all trials through May 15, 2020, ongoing shelter hearings, emergency removals and family court proceedings.

TRAIL OF THE ANCIENTS NATIONAL SCENIC BYWAY: Susan Thomas met virtually with the Commissioners with a request for a letter of support for the addition of Road G to the Trail of the Ancients National Scenic Byway. The Commissioners were in agreement to table the discussion until the April 7th meeting.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met virtually with the Commissioners to give his weekly report. Topics discussed included; a delayed open until April 30, 2020 for the McPhee Reservoir, campground closures, the McPhee Marina breakwater, community project funding received for Joe Rowell Park, closure of the Canyon visitor center and museum, proposed parking lot expansion and improvement projects and an update on the Paths to Mesa Verde project. Director Dietrich presented a power point for review. Topics included; the Boggy Glade OHV Route Extension Analysis and a developed inventory of all potential public right of ways. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed: the RE-1 School district delivery of 450 meals to local children, the balance of the County Revolving Loan Fund, County usage of the Region 9 loan application process for small business loans, a draft Memo of Understanding, and a discussion with Region 9 at the next Commissioner meeting.

EXPENDITURES REPORT: Administrator Powers presented the February 2020 Accounts Payable Expenditure Reports for approval. Commissioner Candelaria moved to accept the financials for the month of February 2020, in the amount of \$1,227,994.83. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Suckla discussed communications during the COVID 19 crisis from the Ute Mountain Ute Tribe.

Commissioner Candelaria discussed a teleconference call with Congressman, Scott Tipton, and his efforts to work with the local Chambers, Business Task Force.

Commissioner Ertel discussed the Governors speech on Monday March 30, 2020, an attended Work Force Development Board webinar, a teleconference call with Congressman, Scott Tipton, the Public Health's Emergency Manager informational teleconference call and a request from the Hospital Foundation for public donations to purchase a rapid testing machine.

At this time members of the press joined the meeting by a “go to meeting” invite.

UTE MOUNTAIN UTE TRIBE: Tribal Chairman, Manuel Heart along with **General Council, Peter Ortego** joined the meeting at this time. Chairman, Heart gave an update of the COVID 19 crisis response for the Ute Mountain Ute Reservation.

Administrator Powers gave a **Standings of the County** report for all Montezuma County Departments. Closures, hours of operations and contact information was announced for all departments. (See attached)

Commissioner Ertel read a statement regarding unemployment information for businesses and individuals that qualify for unemployment insurance. (See attached)

Commissioner Candelaria read a statement regarding the Montezuma Business Tax Force. (See attached)

Commissioner Suckla discussed appreciation for community volunteer efforts.

PUBLIC COMMENT: Public comments and questions were allowed by a Go to Meeting link, and the YouTube link. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:20 p.m.

Clerk March 31, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 7, 2020 (Virtual Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday April 7, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Virtually)
Jim Candelaria, Vice Chairman (Virtually)
Keenan Ertel, Commissioner of Deeds (Virtually)
Shalako Powers, County Administrator (Virtually)
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the virtual meeting of April 7, 2020 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 31, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

MONTEZUMA COUNTY BOARD OF HEALTH: Public Health Director, Bobbie Lock along with **Dr. Kent Aiken** met virtually with the Commissioner and gave an update of the current COVID19 crisis. Topics discussed included; the current confirmed cases, pending tests, social distancing, the extension of the Governors stay at home order, PPE supplies, alternate care facilities, the proposed purchase of a rapid testing machine and testing supplies to go with the machine.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met with the Commissioner and gave a COVID19 **Situation Assessment Report**. Topics discussed included; local entity emergency declarations, the **Emergency Operations Center Support System**, County transportation, incident support plans, residents at the homeless shelter, alternate care

facilities, first responder accommodations, the **National Strategic Stockpile** of supplies, distribution of PPE supplies, a list for special needs citizens, a list of donated items and donors, a statistics report on neighboring areas, healthcare worker protocols, the animal shelter, a household utilities report, a jail inmate report, long term recovery efforts, public information officers, local food supplies, the **Tri City Chambers Task Force Group**, community responders, current available resources, an incident cost projection, a medical surge tent, funding within the **Emergency Operations Plan**, assistance from the **National Guard** to help with administrative duties and a donation of PPE supplies sent to the Ute Mountain Ute Tribe from San Miguel County. (See attached)

ECONOMIC RECOVERY TEAM: Dolores Visitor Center and Chamber of Commerce Director, Susan Lisak, Planning Director Don Haley and Region 9 District, Executive Director, Laura Lewis Marchino, met with the Commissioners to give an update on the Economic Recovery Team efforts. Topics discussed by Director Lisak included; the recently held Business Task Force meeting, the business survey results, the development of a list of all local businesses, county access to the list, the ambassador team, an article in the Colorado Municipal League, a developed Tri County Chambers newsletter, tourism, event cancellations and long term business recovery resources. Planning Director, Haley discussed a scheduled Region 9 webinar. Topics discussed by Director, Marchino included; (CDBG) **Community Development Block Grant** funds from Montezuma County that were designated for local businesses, utilization of the CDBG funds during the COVID19 Crisis, the launching of the Region 9 emergency loan funds, loan committees, development of a draft service agreement, the development of a County loan review committee, the **Colorado Credit Reserve**, and an established terms of interest criteria on the loans from the Montezuma County funds. The Commissioners were in agreement that with a loan committee review of applications, recommendations would be sent to Administrator Powers for determination and that the funding would be interest free for the first year, then to a 1% and after 2 years interest would be at the prime rate.

RESOLUTION: Administrator Powers presented **Resolution #5-2020**, a resolution to amend the budget and transfer \$105,000.00 from the Revolving Loan Fund to the General Fund for economic relief for businesses within the County. Commissioner Candelaria moved to accept Resolution 5-2020 a resolution to amend the budget and transfer \$105,000.00 from the Revolving Loan Fund to the General Fund for economic relief for businesses within Montezuma County. Seconded by Commissioner Ertel and carried. (See attached)

ORDER #3-2020: Administrator Powers presented Oder #3-2020, a transfer of \$105,000.00 from the revolving loan fund (051) to the General Fund (001) to make funds available to aid in the economic recovery of the COVID19 response. Commissioner Ertel moved that order #3-2020, a transfer of \$105,000.00 from the revolving loan fund (051) to the General Fund (001) to make funds available to aid in the economic recovery of the COVID19 response. Second by Commissioner Candelaria and carried. (See attached)

SOUTHWEST HEALTH SYSTEMS: CEO, Anthony Sudduth, met with the Commissioners to discuss a need for funds to purchase rapid testing supplies for Southwest Memorial Hospital. Other topics discussed included; expansion of the hospital bed capacity, elective surgeries,

outpatient services, a decline of revenues, the **CARES Act**, small business administration loans and the **Paycheck Protection Program Plan**. (See attached)

RESOLUTION: Administrator Powers presented **Resolution #6-2020**, a resolution to amend the budget to spend \$36,510.00 less on digitizing documents and use the funds to help the hospital purchase supplies to respond to COVID19. Commissioner Ertel moved that Resolution #6-2020, to amend the budget and spend \$36,510.00, sending it to the Southwest Memorial Hospital Foundation for the purchase of a bacterial and viral testing machine. Seconded by Commissioner Candelaria and carried. (See attached)

PLANNING: Planning Director, Don Haley, and **Planning Assistant, S. Jane Duncan** presented for approval a Variance request submitted by **Diane M. & Redd Edwards, Sally Living Trust**, on property located at 18612 Road 26, Dolores, CO, Lot #3 in the Vistas Subdivision. Commissioner Candelaria moved to accept the variance for the property located at 18612 Road 26, Dolores, Co. owned by Diane M. & Redd Edwards, Sally Living Trust, to be able to move within 30 feet instead of the 50 foot setbacks for the construction of a residence. Second by Commissioner Ertel and carried. (See attached)

LOCAL IMPROVEMENT DISTRICT: Sky Mesa Estates property owner, **Mary Ann Finley** with agent **Keenen Lovett** met virtually, with the Commissioners to present a petition signed by property owners of Sky Mesa Estates, for the development of a Local Improvement District. The purpose of the Local Improvement District, would be to chip seal and make improvements to Road 26.1 Loop road. **Road Superintendent, Rob Englehart** virtually joined the discussion. The Commissioners were in agreement to postpone the discussion, tentatively to the May 5, 2020 Commissioner meeting. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of April 1, 2020 through April 17, 2020 and gave an overview of the type of work scheduled for each crew. Topics discussed included; the Road S project, an update on the 7th Street Expansion Project, the start of the **Four Corners Material** paving / overlay operations, an update on the **Elam Construction** work on the **Kinder Morgan** truck route, the departmental response to Covid19, a daily department meeting, crushing for the Forest Service project, the delivery of a purchased crusher and the mag chloride program. (See attached)

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met virtually with the Commissioners to give a monthly update and power point presentation. Topics discussed included; trainings, workshops, the “A” list species plans of attack, enforcements, the Phreatophyte project recap, recap statistics, the 2020 Phreatophyte project, public awareness, county road side maintenance and the Montezuma County economic assessments. (See attached)

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2020 Landfill budget spread sheet. Topics discussed with the report included; an average per day customer count, departmental response to Covid19, the Towaoc canal, compost operations, the

purchased loader, the recyclables program and an update on the cell #4 construction. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **John Baxter** discussed the filed, FCC petitions to the Denver Television stations for the ABC, CBS, FOX, NBC, Direct TV and Dish Networks.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich** met virtually to give his weekly report. Director Dietrich presented a scenic byway fact finding report. **Susan Thomas** met virtually with the Commissioners to discuss the request for a letter of support for the extension of Road G to the **Trail of the Ancients National Scenic Byway**. Topics discussed included; economic development exposure with the designation, State byway designations, a byway map for tourists and local business support of the designation. Commissioner Ertel moved that County Road G be designated if possible a scenic byway. Due to a lack of second, the motion failed. It was decided to postpone the discussion to the meeting next week. Other topics discussed by Director Dietrich included; current COVID19 restrictions for BLM lands, social distancing at Sand Canyon, prescribed burns scheduled on the Dolores rim, a delay of opening some Forest Service roads and the Paths to Mesa Verde. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** discussed the County's financial response to COVID19, the extension to April 26th of the Governor stay at home order, follow ups with the Economic Recovery Team and the Business Task Force to discuss appeals for business exemptions and a single Senior Center's Remodel project bid from **Comiksy Construction** in the amount of \$55,000.00. The Commissioners were in agreement to award the bid to the single bidder Comiksy Construction. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner **Suckla** discussed the virtual meeting with the Western District, the PPE supplies from San Miguel donated to the Ute Mountain Ute Tribe and a thank you to the citizens making a difference during the COVID19 crisis. Commissioner **Candelaria** discussed virtual updates from the Health Department, updates from the Business Task Force and financial planning. Commissioner **Ertel** discussed virtual updates from the Health Department on the COVID19 crisis.

PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:10 p.m.

Clerk April 7, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 14, 2020 (Virtual Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday April 14, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Virtually)
Jim Candelaria, Vice Chairman (Virtually)
Keenan Ertel, Commissioner of Deeds (Virtually)
Shalako Powers, County Administrator (Virtually)
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the virtual meeting of April 14, 2020 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 7, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioner and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; transportation, communication, public works and engineering, firefighting, emergency management information and planning, mass care, emergency assistance, housing and human services, logistics management and resource support, public health and medical services, a Colorado infection report, the Montezuma County infection report, energy, public safety and security, long term community recovery, external affairs, military support, historic culture and preservation, business and industry, resources assigned, cost calculations, potential high impact media coverage, resource availability, and critical information requirements. (See attached)

EMERGENCY ALERT SYSTEM / E911: Dispatch Manager, Lori Johnson, met virtually to present bids received for the dispatch recorder. Bids received: **Eventide/Goserco** \$61,467.00,

Revcord \$25,097.00, **Eventide/Digitcom** \$47,528.00, **Voice Products/Nice Inform** \$76,262.00, **Equature** \$49,772, **Verint/Goserco** \$94,066.00, **Stancil** \$55,064.00 and **SHI /Exacom** \$142,079.00. Bids included a base amount and a five year maintenance cost. It was the recommendation from Manger Johnson to award the bid to Revcord. Commissioner Ertel moved that through the E911 funds, and from the dispatch recorder bids, to approve the bid from Revcord, with a base amount of \$20,800.000, along with a five year maintenance plan, in the amount of \$4,297.00 for a total bid package of \$25,097.00. Second by Commissioner Candelaria and carried. (See attached)

FIREBAN: Sheriff Nowlin met virtually with the Commissioners with a recommendation to the Board of County Commissioners to re-impose the Fireban within Montezuma County. Topics discussed included; calls into dispatch for red flag warning verifications and to report the scheduled control burn locations and dates, burn permits issued from the Sheriff's office, the effective date and time of the proposed fireban and public information outreach. Attorney Baxter will present a draft resolution for review during his report later today.

ASSESSOR: Montezuma County Assessor, Leslie Bugg met virtually with the Commissioners to present for approval, a petition for abatement or refund of taxes to Empire Electric Association, Inc. (Kinder Morgan Property). Assessor, Bugg reported that she had received notification of an error of the property classification and that a refund in the amount of \$123,446.06 would be required. Commissioner Ertel moved that the Montezuma County Board of County Commissioners, approve the abatement request, in the amount of \$123,446.06 to Empire Electric Association Inc. Second by Commissioner Candelaria and carried. (See attached)

ECONOMIC RECOVERY TEAM: Planning Director, Don Haley and Planning Assistant, S. Jane Duncan met virtually with the Commissioners to give an update on the Recovery Team's efforts to help with the County's COVID19 economic recovery. Director Haley discussed the developed link <http://montezumacounty.org/web/covid19/> on the Montezuma County home web page for Economic Development Resources.

PLANNING: Planning Director, Haley, reported that the link to the new **Montezuma County Online Permit Center** <https://co-montezuma-co.smartgovcommunity.com/Public/Home> is available for new planning applications, driveway permit applications, new addresses and septic permit applications.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met virtually with the Commissioners to give his weekly report. Director Dietrich presented for approval, a **Non Funded Challenge Cost Share Agreement between the Counties of Dolores and Montezuma and the USDA, Forest Service San Juan Nation Forest**. Commissioner Ertel moved that the Non Funded Challenge Cost Share Agreement between Dolores and Montezuma County and the United States, Forest Service, for the year 2020, be approved, with the addition of James Dietrich as contact person for Montezuma County. Second by Commissioner Candelaria and carried. Other topics discussed included; a BLM comment period regarding a proposed rule on E-bikes and an update on the Paths to Mesa Verde project. (See attached)

GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina met virtually with the Commissioners to give an update on the 2020 Census project. Topics discussed included; brochure stands, census brochure handouts, a possible delay in the final census counts, issues with public outreach, computer tablets placed in various locations in the county for public use that are currently closed to the public, the 2020 Census Self-Response rate maps and the aerial imaging project. (See attached)

IT: IT Director, Jim McClain met virtually with the Commissioners to present his monthly report. Director McClain reported on various IT projects for departmental responses to the COVID19 crisis. Topics discussed included; implementation and set up for County virtual meetings, county employees working from home, home internet access for employees and County website updates.

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met virtually with the Commissioners to give a monthly report. Topics discussed included; maintenance on the Sherriff Department vehicles, the Weed Department vehicles and departmental expenditures.

GROUND AND BUILDINGS: Maintenance Supervisor, Mike Chenard was unavailable to report. Administrator Powers and Road Superintendent, Rob Englehart reported for Supervisor Chenard. Topics discussed included; the Senior Services kitchen remodel project, the Pleasant View Road Shop remodel project, the addition of a door and a vehicle lift to the main Road Department Shop.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter presented for review, **Resolution 7-2020**, a resolution re-imposing the Fireban, with an effective date of April 20, 2020 at 6:00 a.m. Under the COVID19 restrictions the Commissioners were in agreement to have Clerk Percell print their names on the resolution and notarize the document. Commissioner Ertel moved that Resolution #7-2020, a resolution re-imposing the Fireban, for Montezuma County be approved. Second by Commissioner Candelaria and carried. Other topics discussed included; the development of a **Non Congregate Shelter Contract for the Emergency Manager**, new laws and directives regarding employment and business operations, Health Department issues, ongoing civil services, child welfare cases, and the current operations for the 22nd Judicial District, Municipal and County courts (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed a proposed recommendation from the **Department of Local Affairs**, for an extension of time to file the County Audit, a draft letter to be mailed to local business owners regarding appeal applications for essential businesses to reopen and the **Region 9** business loan applications. (See attached)

COUNTY COMMISSIONER REPORTS: Topics discussed within the Commissioner reports included; the Southwest TPR meeting, Region 9 loan approvals, the Tri Chamber newsletter, the scheduled Ride the Rockies event, virtual CCI meetings, virtual Health Department and Emergency Manager update meetings, the Public Lands / NACo meeting, Land and Water

Conservation Funds, a phone conference with other County Commissioners, a letter from the Ute Mountain Ute Tribal Chairman, Manuel Hart, a post COVID19 financial outlook, alternative cares centers, the Fairground remodel project, the McPhee Marina and the McPhee Breakwater. Commissioner Ertel moved that we take the architects drawings and plans for the County Fairgrounds remodel and submit them out for bid as soon as possible. Second by Commissioner Candelaria and carried.

PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted: Email from **SOUTHWEST HEALTH SYSTEMS: CEO, Anthony Sudduth** with a weekly Community relations update. (See attached)

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

MEETING ADJOURNED: 11:10 a.m.

Clerk April 14, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 20, 2020 (Virtual Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 20, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Virtually)
Jim Candelaria, Vice Chairman (Virtually)
Keenan Ertel, Commissioner of Deeds (Virtually)
Shalako Powers, County Administrator (Virtually)
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHARIMAN Suckla opened the Special meeting of April 20, 2020.

DISCUSSION: A cooperative discussion was held regarding the development of a responsible business reopening plan within Montezuma County. Comments were made by **Dr. Kent Aikin, County Administrator Shak Powers, Public Health Director Bobbi Lock, City of Cortez Manager John Dougherty, City of Cortez Karen Sheek, Mancos Town Administrator Heather Alvarez, Mancos Chamber of Commerce Margaret Goodell, Interim Town of Dolores Manager Ken Charleston, Dolores Chamber Susan Lisak, Ute Mountain Ute Tribal Chairman Manual Heart and Mancos Mayor Queenie Barz.** Topics discussed included; the **John Hopkins Principles for a Phased Reopening During COVID19: Guidelines for Governors**, rapid testing, the purchased rapid testing equipment, community support, contact tracing, physical distancing, business closure appeals, exemption requests with guidance from the Health Department, the **John Hopkins Proposed Principles for Action**, the decline of local cases, a phased in reopening plan, phased approach plans from **Mesa County and Eagle Counties**, hospital elective surgeries, event gathering limits, vaccine development, community wide testing, more testing would result in more positive cases, additional assistance for the Health Department to complete required contract tracing, a balance between public safety and economics, the development of a pullback plan, business compliance to Health Department

standards, additional help for the Health Department to give guidance for local businesses, law enforcement compliance, personal responsibility, the scheduled County reopen for Monday April 27, 2020, a joint entity request to expedite the delivery of the rapid testing equipment, testing supplies, the hospital surge capacity, a tentative Town of Mancos reopen plan, the timing for the Dolores Town hall reopening, the development of reopening plans for local businesses, a standardized county sign for businesses, employee trainings, posting of business plans for customers to review, the proposed Governor's reopen recommendations, the largest employer in Montezuma County, neighboring states case numbers, county impacts from visitors from neighboring states and the development of an outline for a county wide reopening plan to present for further review.

MEETING ADJOURNED: 11:00 a.m.

County Clerk April 20, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 21, 2020 (Virtual Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday April 21, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Virtually)
Jim Candelaria, Vice Chairman (Virtually)
Keenan Ertel, Commissioner of Deeds (Virtually)
Shalako Powers, County Administrator (Virtually)
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the virtual meeting of April 21, 2020.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 14, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioners and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; locating and securing needed supplies, the development of a system to identify the Special Needs population, additions to the Emergency Operations Center support system, long term planning and recovery, donations and distribution of products, alternate care sites, non-congregate shelters, incident support plans, transportation, the road systems, school district meal deliveries, communication, public works and engineering, firefighting, assistance from Team Rubicon, assistance from the National Guard, recovery information and planning, mass care, sheltering, assistance for the homeless population, logistics, public health and medical services, a Colorado infection report, safety considerations, the Montezuma County infection report, energy, public safety, County personal quarantines, long term recovery, public assistant grants, the Joint Information System, public information officers, historic culture and preservation, business and

industry, a County's estimated actual cost of \$97,028.00, potential high impact media coverage, resource availability and number of deaths within the population percentages. (See attached)

PUBLIC HEALTH: Public Health Director, Bobbie Lock along with **Laurel Schafer** met with the Commissioners to give an update on the COVID19 crisis and to present for approval, the Department of Health and Environment, Approved Task Order Contract- Routing number 2020*3672. The contract is in regards to the **Colorado National Collaborative, Suicide Prevention Grant** and requires a digital signature from the Chairman of the Board. Topics discussed included; the County re-open plans, business compliance, entity partnerships and the County air monitoring equipment. Commissioner Ertel moved that our Health Department sign and renew this agreement with the Colorado Department of Public Health and Environment for the Contract #2020*3672. Second by Commissioner Candelaria and carried. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin met with the Commissioners to give the March 2020 report which included; a COVID19 crisis response report, the monthly **Calls for Service Report**, increases in domestic violence and disturbance calls, an increase in welfare checks, unattended deaths, 24 hour county coverage, the **Jail Report**, the **County Jail Counts**, mandatory arrests, summonses, the **Transport Cost Report**, the municipal court closure, PR bonds, the **Cortez City Inmate** billing report, the **Dolores Inmate** report, (DOC) **Department of Corrections** holds, the current staffing level, recently impounded vehicles, the decontamination protocol for the staff and the facility. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give a monthly report. Coroner, Deavers reported that the year to date total for deaths was 36, with 2 suicides. Other topics discussed included, the morgue set up and the number of out of town autopsies.

DISTRICT ATTORNEY: Will Furse and Clarisa Folsom met with the Commissioners to give an update on the Department's response to the COVID19 pandemic. Topics discussed included; operatives and directives from the Governor, the Chief Judge and from the Supreme Court, attorney appearances by Web X or phone, limited business to critically important matters, bond hearings, preliminary hearings, probable cause hearings, felony cases, the statewide public closure of the Public Defender's office, staff currently working remotely, jury trial requirements, jury trial cancellations, speedy trial requirements or extensions, the "safe at home" campaign, a reduction of arrests, summons versus arrests, pretrial incarcerations and the CDPHE compliance by local businesses.

PUBLIC LANDS: Bureau of Land Management, Connie Clementson gave an update on the COVID19 response for the Bureau of Land Management's public lands. Ms. Clementson reported that, the BLM remains open with the exception of the Visitors Center, that developed campsites remain open, employee protection procedures, the addition of porta john services, the rescheduling of a horse adoption program, stabilizer issues at the Sand Canyon parking lot, a scoping document and comment period on the Painted Hand Road reroute and the Environmental Assessments on the Flowdine and Yellow Jacket permits.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter discussed the Non Congregate segregation contracts and the Court's system operations.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich presented for approval a **Colorado the Beautiful Grant Agreement**, with the State of Colorado in the amount of \$193,350.00. This grant pertains to the **Paths to Mesa Verde** project and requires a match amount, of which half would be made by the Town of Mancos. Commissioner Candelaria moved that we sign the State of Colorado Grant Agreement in the amount of \$193,350.00, for the Paths to Mesa Verde. Second by Commissioner Ertel and carried. Director Dietrich reported that Montezuma County had been awarded the Private / Public Partnership award from the National Scenic Byways Foundation, for the Mc Elmo Flume project. Other topics discussed included; a notification of the BLM litigation project within La Plata County and a letter of support for fuel mitigation projects. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented a letter addressed to **James Thomas** of the **Becton, Dickinson and Company** regarding the **BD MAX Analyzer**. It was decided to carbon copy the letter to **Congressman Tipton** and **Senators, Gardner and Bennett**. Commissioner Ertel moved to send a letter requesting the expedition of the B D Max analyzer for Montezuma County to Becton, Dickinson and Company. Second by Commissioner Candelaria and carried. The Commissioners were in agreement that Administrator Powers stamp the Commissioners signatures on the letter and get it mailed. Other topics discussed included; the individual County Department's re-open plans, the Fairgrounds manager applications, scheduled interviews and the Fairgrounds remodel bids. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner reports included; virtual Covid19 update meetings with the Public Health Department and the Emergency Manager, contract tracing, the Montezuma Business Task Force, a virtual meeting with the Ute Mountain Ute Tribe, placing the draft re-opening plan out for public comments, the scheduling of a special Commissioner meeting on Thursday April 23, 2020 at 1:00 p.m. to address public comment on the proposed business re-open plan. Commissioner Candelaria read a personal email response letter addressed to **Brent Mc Whirter**, regarding a COVID19 response. (See attached)

PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 10:50 a.m.

Clerk April 21, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 23, 2020 (Virtual Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday April 23, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman (Virtually)
Jim Candelaria, Vice Chairman (Virtually)
Keenan Ertel, Commissioner of Deeds (Virtually)
Shalako Powers, County Administrator (Virtually)
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

Adjutant General of the National Guard, Major General Michael Loh and Director of the Colorado Office of Emergency Management within the Department of Homeland Security and Emergency Management, Mike Willis met with the Board of County Commissioners to discuss concerns of COVID-19 cases within bordering counties. Topics discussed included; the visiting National Guard members helping in the Montezuma County Emergency Operations Center, supplies for the Navajo Nation, the “Safe at Home” campaign, the phased reopening plan, assistance to the Ute Mountain Ute Tribe, testing equipment and PPE supplies.

CHARIMAN Suckla opened the Special meeting of April 23, 2020, with the Pledge of Allegiance.

OPENING REMARKS: Chairman Suckla discussed the draft Montezuma County reopening plan, the length of time to develop the plan, the County's adoption of the Governor's plan and the review process to develop modifications for the best reopening plans for Montezuma County. The Commissioners were in agreement to adopt the Governor's plan but review and modify for the specific needs of Montezuma County.

BUSINESS AND PUBLIC SURVEY: Dolores Chamber Manager, Susan Lisak representing the **Tri Chambers**, presented the results of the **Public Survey on Reopening Local Businesses** and the **Business Reopening Survey**. (See attached)

DISCUSSION: A discussion was held regarding the Public Health's best practice approach to relaxing stay-at-home orders, and other limitations on commerce and social activity presented to Governor Jared Polis from the **Colorado Association of Local Public Health Officials (CALPHO)**. Topics of the discussion included; the five step indicators that must be met to move into a stabilization phase, a sustained decrease in cases for 14 days, hospitals are safely able to treat patients without resorting to crisis standards of care, testing can be performed for all people with symptoms consistent with COVID-19, rapid testing, testing supplies, active monitoring can be accomplished for all COVID-19 cases and their contacts, contact tracing, a clear protocol in place that requires social distancing and assists with care and **Governor Polis's updates to the Coloradans on State response to COVID-19**. (See attached)

COMMENTS: Comments were made by **Southwest Health Systems CEO, Anthony Sudduth, Dr. Kent Aikin, Public Health Director Bobbi Lock, Town of Dolores Mayor, Chad Wheelus, Mancos Town Administrator Heather Alvarez, Cortez Mayor Karen Sheek, Dolores Chamber Manager Susan Lisak, City of Cortez Manager John Dougherty, Colton Black, Robin Richard, Montezuma County Public Health Emergency Manager Karen Dickson, Cortez Fire Chief Jay Balfour, Rafe Obrien and Eugene Williams,**

RECOMMENDATIONS: **Administrator Powers** presented the **Strike One, Ball One, Take Two** recommendation plan for review. Topics of discussion included; restaurant re-openings and the development of a suppression plan. (See attached)

VIRTUAL PUBLIC COMMENT: (See attached)

CORRESPONDENCE: Emailed correspondence was received by: **Marianne Mate, Kylan Frye, Scott Story, Houston Frizzell, Erik Henderson, Holly Tomazin, Jean Flesch, Ryan Spittler, Mitchell Toms, Shawna Valdez, Matt Eytchison, Kelly Brumley, Sue Ellen Gilbert, Allen Maez, Glen Brace, Lisa Passell, Kristina Ricca, Dexter Gill, Katherine Foster, Linda Kemp, Silverton House-Whitehorse, Larry Schultz, Yoshi Okano, Melissa Brunner, George Tripp, Ann Swope Robin Richard and Name Withheld.**

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

MEETING ADJOURNED: 3:00 p.m.

County Clerk April 23, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 28, 2020 (Hybrid Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday April 28, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the hybrid meeting of April 28, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 20, April 21, and April 23, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

COUNTY SHERIFF: Sheriff, Steven Nowlin met with the Commissioners to present for approval, the **Cooperative Law Enforcement Agreement** and the **Cooperative Law Enforcement Annual Operating Plan & Financial Plan**, between the Montezuma County Sheriff's Department and the USDA, Forest Service, San Juan National Forest. Commissioner Ertel moved that based upon the Sheriff's consent, to approve the Cooperative Law Enforcement Agreement between Montezuma County Sheriff's office and the US Forest Service for a 5 year period 2020-2025. Second by Commissioner Candelaria and carried. Commissioner Ertel moved to approve the single annual contract, for another Cooperative Law Enforcement, Annual Operating Plan and Financial Plan, between Montezuma County Sheriff's Department and the USDA Forest Service for the year ending December 31, 2020. Second by Commissioner Candelaria and carried. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioners and gave a **COVID 19 Situation Assessment Report**. Topics discussed included; locating and securing needed supplies, assistance for the Special Needs population, long term recovery planning, local business recovery, identification of donors and their donations, waiting for the State approval of the Non Congregate Shelter documents, additional development to the group support plan, the County Transportation program, communication, public works, firefighting, the addition of a public information officer, mass care, emergency housing assistance, logistics, public health and medical services, a Colorado infection report, safety considerations, the Montezuma County infection report, contact tracing, energy, public safety, County personnel, assistance from the National Guard, the Business Task Force and Tri Chambers recovery information and planning, the estimated COVID-19 expenses of \$99,130.00, PPE supplies, and the potential ultra violet sterilization process. (See attached)

PLANNING: Planning Director Don Haley, presented a letter of recommendation from the **Montezuma County Historical Society** with a request that the **Designation of the Montezuma Valley Irrigation Company Flume #6 the McElmo Creek Flume**, be added to the Montezuma County Historic Registry, be approved. Commissioner Ertel moved that the Board of County Commissioners, support the Montezuma County Historical Society and their Montezuma Valley Irrigation Company Flume #6, the McElmo Creek Flume, on the Montezuma County Historic Registry. Second by Commissioner Candelaria and carried. (See attached)

WEED DEPARTMENT: Megan Horn from the Weed Department virtually presented **Noxious Weed Right of Entry Resolutions #1-2020, #2-2020, #3-2020 and #4-2020** for approval. Commissioner Candelaria moved to accept the resolutions granting Montezuma County Weed Program or its designee's the right of entry onto property to control noxious weeds based on the affidavit of the County Weed Supervisor Noxious weed resolutions #1-2020, #2-2020, #3-2020 and #4-2020. Second by Commissioner Ertel and carried. Other topics discussed included the **Simon Draw** bike trail. (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 **Finance Officer, Lori Higgins** were virtually present. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for March, 2020 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 Candelaria moved to accept the certification of pay for the Montezuma County Veterans Service for the month of March, 2020 in the amount of \$8,791.67. Second by Commissioner Ertel and carried. (See attached).

MOCO TRANSPORTATION: Jennifer Morris met virtually with the Commissioner to give an update on the County Transit program. Topics discussed included; the decrease in ridership since the COVID-19 pandemic, meals on wheels deliveries, a CDOT COVID-19 grant, a \$15,000.00 grant from Triple A and potential food and pharmacy deliveries.

SENIOR SERVICES: Jonathon G. Parker met virtually and gave a monthly report on the Senior Services programs. Topics discussed included; an update on the kitchen remodel project, Grant/AAA funds, frozen meal kits, outlying sites, weekly check-in calls to participants, miscellaneous clients, client numbers, food supplies, shortages in milk and produce, a transition to the American Legion during the kitchen remodel construction project, COVID-19 practices, certifications and the activities program. (See attached)

CSU EXTENSION OFFICE: Extension Director, Gregory Felsen met with the Commissioners to give a monthly report. Topics of the discussion included; a suspension of face to face programming until May 15, 2020, campus leadership guidelines, the 4H youth development program, the Farmers Market, virtual meetings for the master Gardner program, the Southwest Research Station, the Orchard Management Project, preparations for the County Fair, the Advisory Committee and an employee retirement within the office. Director Felsen shared the following sites for additional resources: **COVID-19 Food Supply Research and Resources** <https://foodsystems.colostate.edu/covid19/> and the **Southwest Producers Directory** <https://southwestproducers.org/>. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter discussed a scheduled meeting with representatives from Congressman Tipton's and Senator Gardner's offices regarding the Denver Television station petitions, the Walmart tax assessment case, the PAX case, the Non Congregate Sheltering Agreement and the suspension of all jury trials until June 1, 2020.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich presented a letter of support, regarding the **1794 (S01000) DOI_BLM_C)-S010-2020-0021 (BLM Hazardous Fuels Treatments)** for approval. Commissioner Candelaria moved to move the letter forward to the BLM Tres Rios Field Office, addressed to **Ian Barrett**, in favor for the BLM hazardous fuels treatments. Second by Commissioner Ertel and carried. Director Dietrich also presented a letter of support regarding the **Twin Spruce Fishing Ponds** located on Highway 145, Dolores Colorado for approval. Commissioner Candelaria moved to send the letter of support in regard to the Twin Spruce fishing ponds on Highway 145 Dolores Colorado. Second by Commissioner Ertel and carried. Other topics discussed included a bald eagle nesting site located directly off an active Highway. (See attached)

EXPENDITURES REPORT: Administrator Powers presented the March 2020 Accounts Payable Expenditure Reports for approval. Commissioner Candelaria moved to accept the Payables for the month of March, as displayed on the screen, in the amount of \$3,002,130.30. Second by Commissioner Ertel and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed the **Conducting Business with County Departments in Phase 1 of "Safer at Home"** report. Topics discussed included the following departments; the Assessor, the Clerk, the Treasurer, Social Services, Planning, GIS/Mapping, Natural Resources, Veterans and the Fairgrounds. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner’s report included, the scheduled Montezuma County Board of Health meeting to discuss the **Montezuma County COVID-19 Suppression and Sustainable Reopening Plan**, the Denver television station petitions, the ozone monitoring equipment, the Montezuma Business Task Force / Tri City Chambers “Back to Business Tool Kit”, the virtual meetings with the Public Health department for COVID-19 updates and the Commissioners phone availability for constituents to discuss their concerns.

VIRTUAL PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:00 a.m.

Clerk April 28, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 5, 2020 (Hybrid Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday May 5, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the hybrid meeting of May 5, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 28, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioners and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; an update on PPE supplies, identification of the special needs population, long term recovery plans, donations and distribution of products, contact tracing, the State approval of the Non Congregate Shelter documents, an incident support plan, the number of available rooms and the rates for the Non Congregate shelter, transportation, communications, public works, firefighting, law enforcement, emergency management, future strategies, the recovery operations plan guide, mass care, human services, housing, logistics support, Public Health, the **Montezuma County Covid-19 Suppression and Sustainable Re-Opening Plan**, a Colorado infection report, areas of concern, the Montezuma County infection report, the hospital's rapid analyzer, rapid testing supplies, the accuracy of testing, energy, public safety, public information officers, the Commissioner's public service announcements, the estimated COVID-19 expenses

of \$101,270.00 and the high impact media coverage. Manager Spratlen reported that the two National Guardsmen, that had been helping the County, would be leaving on May 21, 2020. (See attached)

PLANNING: Planning Director, Don Haley presented for signatures of a 2 Lot Minor Subdivision with Rezoning, submitted by **Gary Ellson & Tova Spector** on property located at TBD Road P, Mancos, CO, consisting of 44.20 acres, more or less, located north of Road P, west of Road 33, situated in S. 1, T.36N, R.15W, N.M.P.M.

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented liquor license renewal applications for **Echo Basin Ranch** located at 43747 Road M, Mancos, Co 81328 and **Bubba's LLC**, 18806 Hwy 491, Lewis, Co. Commissioner Ertel moved to approve the fermented malt beverage license renewal application for Bubbas, LLC located at 18806 Hwy 491 and the Echo Basin LLC., located at 43747 Road M, Mancos, CO. Second by Commissioner Candelaria and carried. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met virtually with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of April 29, 2020 through May 14, 2020 and gave an overview of the type of work scheduled for each crew. Other topics discussed included: a culvert repair on Road L, the 7th Street expansion project, mag chloride, paving, graveling, a crusher move, delivery of the newly purchased crusher, the asphalt crews, painting quotes, the delivery schedule for the purchased trucks, chip sealing and the county wide Century Link operations. (See attached)

LANDFILL: Landfill Manager Mel Jarmon met virtually with the Commissioners and gave his monthly report, which included the 2020 Landfill budget spread sheet. Topics discussed with the report included; miscellaneous soils, an update on the cell #4 construction, a geosynthetic clay floor liner, the purchased loader and the recycling program. (See attached)

FAIRGROUNDS: Justin McGuire from the **Fairgrounds** met virtually with the Commissioners and gave a monthly report which included the year to date numbers for income of \$20,379.00 and attendance at 4,635. A discussion was held regarding past, cancelled and rescheduled future events at the Fairgrounds. Other topics discussed included; the **Horsemen Cards** program, the **Test and Tune** event, the opening plan for the car racing events, the reopening of the indoor arena, the **After Hours** riding cards, plan reviews for additional small events and the remodel project. (See attached)

DISCUSSION: The Light House Baptist Church Pastor, Bruce M. Burkett sent an email to the Commissioners with a request to use the County Fairgrounds parking lot for the **National Day of Prayer** event. The request had been withdrawn as the organization had moved the event to the Cortez Elks Lodge. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter met virtually with the Commissioners virtually and gave updates on the following: the PAX lawsuit, the Walmart tax

assessment case, the meeting with representatives from Congressman Tipton's and Senator Gardner and Bennet's offices regarding the Denver Television station petitions and the proposed **Sky Mesa Estates Local Improvement District**.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich** met with the Commissioners and discussed a proposed letter from the Commissioners, in support of opening the McPhee Reservoir. Commissioner Suckla reported that high school senior, **Caleb Barkhurst** had a petition with 913 signatures in support of the reservoir opening. The Board of County Commissioners were in agreement to send the proposed letter to **Jennifer Eberlien**. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** discussed the approved, **Montezuma County Covid-19 Suppression and Sustainable Re-Opening Plan**, a proposal to reserve Wednesday mornings for the elderly population, to complete transactions within county departments and a letter of interest from **B. Boe Hawkins** to serve on the **Mancos Water Conservancy District**. Attorney Baxter will research past Board appointments for the Mancos Water Conservancy District. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included, delivery options for customers from the local grocery stores, the attended Montezuma County Covid-19 Suppression and Sustainable Re-opening Plan meeting, and the new Commissioner's Public Service Announcements.

VIRTUAL PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:30 a.m.

Clerk May 5, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 12, 2020 (Hybrid Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday May 12, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the hybrid meeting of May 12, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 5, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioners and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; locating and securing needed supplies, monitoring the new social plan, the development of a system to identify the special needs population, adding to the Emergency Operations Center Support system, long term recovery plans, donations and distribution of products, compiling data into usable formats and data systems, contact tracing, developing plans for a temporary Tier 3 facility, the 7 day incident support plan, normal operations for all of the emergency support functions, transportation, communications, public works, engineering, Road and Bridge, firefighting, emergency management, the developed recovery operations plan guide, mass care, logistics, Public Health, the Colorado infection report, areas of safety concerns, the Montezuma County infection report, a scheduled Four Corners State regional virtual meeting, energy, public safety, public information officers, state mandated case reports, the County case

reports, the National Guardsmen, historic culture business industry, the estimated COVID-19 expenses of \$142,866.48, a breakdown of the COVID-19 expenses, key activities and priorities within the weekly plan. (See attached)

PLANNING: Planning Director, Don Haley, and Planning Assistant, S. Jane Duncan presented for signatures an Exemption 1st Amended #P 56-82, submitted by **Johnny & Shirley Mosher** on property located at 14236 Road 21, Cortez, CO, consisting of 5.2 acres, more or less and Exemption, 1st Amended #P 60-80, submitted by Johnny & Shirley Mosher on property located at 14236 Road 21, Cortez, CO, consisting of 12.77 acres, more or less, located north of Road P, west of Road 33, both situated in Section 1, Township 36N, Range 15W, N.M.P.M. At this time, Commissioner Ertel recused himself from the decision. Commissioner Suckla moved to approve the Amendment #P 56-82 and #P 60-80 submitted by Johnny and Shirley Moser on property located at 14236 Road 21, Cortez Co, consisting of 12 acres more or less. Second by Commissioner Candelaria and carried. (See attached)

Director, Haley, and Planning Assistant, S. Jane Duncan presented for signatures, a Subdivision Amendment to Lots #7 & 10 of the Mancos Ranches 11 Lot Major Subdivision submitted by **Ryan Griglak, Agent: Maness & Associates** on property located at 42169 Road J.75, Mancos, CO, consisting of 3.35 acres, more or less, located north of Road J.75, South of Road 42, situated in S.27, T.36N, R.13W, N.M.P.M.

DISCUSSION: The Commissioners held a preliminary discussion regarding a proposed, temporary suspension of road impact fees, as an incentive for local business developments.

LOCAL IMPROVEMENT DISTRICT: Mesa Sky Estates, agent Keenen Lovett met in person along with the **Road & Bridge Supervisor, Rob Englehart** met virtually with the Commissioners to continue a discussion, of a proposed development of a Local Improvement District, from a petition signed by property owners of Mesa Sky Estates. Topics discussed included: a change from a County red road designation to a green road designation, property improvements, bonding, capital costs, a change from the proposed 10 year payback to a 5-7 year payback, a request for product (RFP), contractor bids and the best product for the project. The Commissioners were in agreement to give Road Superintendent Englehart the authority to distribute an RFP. The proposal will be discussed again at a later date. (See attached)

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met virtually with the Commissioner to present, **Noxious Weed Right of Entry Resolutions #5-2020, #6-2020, #7-2020 and #8-2020.** Commissioner Candelaria moved to accept and grant the resolutions granting Montezuma County Weed program or its designee right of entry onto property to control noxious weeds based on affidavit of county weed supervisor, noxious weed resolutions #5-2020, #6-2020, #7-2020 and #8-2020. Second by Commissioner Ertel and carried. (See attached)

IT: IT Director, Jim McClain met virtually with the Commissioners to present his monthly report. Topics discussed included the audio project, the fiber changeover project, the Farmers Telephone fiber project, the Health Department Dental lab, entryway card readers at the Annex III building, and the wireless projects at the Landfill and Fairgrounds.

GROUND AND BUILDINGS MAINTENANCE: Maintenance Supervisor, Mike Chenard met with the Commissioner to give his monthly report. Topics discussed included; an Annex I update, the solar projects, the Health Department Dental project, the Senior Services kitchen remodel project, plumbing permits, the stucco project, the Fairground sprinkler system, the Fairground restroom fixtures for the remodel project, roofing projects, the sally port project, a charging station, damages to the electrical ice melt asphalt at the Annex III building and a pot hole in the Administration building parking lot.

GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina met with the Commissioners to give a monthly report. Topics discussed included; the current departmental options for customer service, the fiber changeover project, the Census project, updated zoning and buffer maps for the Town of Dolores, updated County fire risk maps, an updated address map for the Ute Mountain Ute Tribe, proposed tourism recreational usage maps for the local Chamber of Commerce's and the development of the official **2020 Montezuma County Road** map. (See attached)

MEMORIAL DAY PROCLAMATION: Veteran Service Officer, Rick Torres presented the Memorial Day Proclamation for signatures. (See attached)

EMERGENCY ALERT SYSTEM / E911: Dispatch Manager, Lori Johnson, met virtually with the Commissioners to present an amended **Grant Agreement #CTGG1 SGAA 2020-2923**. Manager Johnson explained the contract was the same as the one previously approved but because of the COVID-19 pandemic, the due dates for the Initial Agreement Expiration Date and the Fund Expenditure End Date had been adjusted. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter discussed; County departments planning for COVID-19 issues, county employee overtime, the current Court's operations, the proposed Mesa Sky Estates, Local Improvement District and the development of a County burial expense fund per Colorado Revised Statutes (C.R.S.) 30-17-104 and C.R.S. 31-17-105.

RESOLUTION: Administrator Powers presented **Resolution #7-2020**, a resolution amending the budget to create a temporary general assistance program. Commissioner Candelaria moved to accept resolution #7-2020, a resolution amending the budget to create a temporary general assistance program. Second by Commissioner Ertel and carried, (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners and discussed; the proposed adoption of the official county road map, possible stimulus funding, the McPhee breakwater, repairs needed on the road to House Creek, the Twin Spruce project, the reopening of all State Parks within Montezuma County and a letter in support of the re-opening of all United States Forest Service developed recreation facilities within Montezuma County. Commissioner Candelaria moved to support the re-opening of state Parks within Montezuma County. Second by Commissioner Ertel and carried. Commissioner Ertel moved that the Board of Montezuma County Commissioners, send to the United State Forest Service, in care of Derek Padilla, the letter stating that we support the

opening of all federal forest lands and public lands, at his disposal. Second by Commissioner Candelaria and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed; the expected Covid-19 expenses, a proposed 50% cut in the 2020 budgeted Departmental travel expenses and the approval of four additional Region 9 local business loans.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included; upcoming scheduled meetings, approved local bank business loans, the Montezuma Business Tax Force and the Commissioner's responsibility for county funds.

VIRTUAL PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted: Letter from Merchant McIntire and Associates.

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

MEETING ADJOURNED: 11:50 a.m.

Clerk May 12, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 19, 2020 (Hybrid Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday May 19, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the hybrid meeting of May 19, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 12, 2020 from the hybrid meeting, as presented. Motion was seconded by Commissioner Ertel and carried.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 14, 2020, from the virtual meeting, as presented. Motion was seconded by Commissioner Ertel and carried.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioners and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; securing needed supplies, monitoring the new social plan, identification of the special needs population within the county, the emergency operation support system, long term recovery plans, donations and distribution of products, data system organization, contact tracing, the development of a **COVID Recovery Center**, the weekly incident support plan, recovery assistance to local business, the weekly proposed business survey questions, normal operations for most county emergency support functions, the county transportation program, the County

case numbers, public informational communications, and equipment preparedness for fire mitigation. (See attached)

UTE MOUNTAIN UTE TRIBE: Tribal Chairman, Manuel Heart read a letter addressed to the Montezuma County Commissioners and staff. Topics discussed within the letter included the Current COVID-19 statistics, Montezuma county testing numbers, data case numbers reported of the Montezuma County, scheduled mass testing at the Ute Mountain Ute Tribe, testing for the homeless population, economic concerns, the County's variance request, contact tracing, a recommendation from the Tribal Council to wear masks in public, recognition of the Ute Mountain Ute Tribe as a Sovereign Tribal Nation and coordination with the County on the economic startup and health concerns within the county. **Tribal Councilman, Lyndreth Wall** discussed a positive and open working relationship between the Ute Mountain Ute Tribe and the County, continued business support and growth, along with respect for and good harmony between the County and the Ute Mountain Ute Tribe. Other topics discussed included; the County's variance denial from the State, the proposed revised variance request, a request for a letter of support from the Ute Mountain Ute Tribe for the revised variance application and coordination between the County and the Tribe to address the five points of concern. The five points of concern included; **Representative Sample Testing, Tracing Concerns from Out of State, Individuals Experiencing Homelessness, the Health Care System, and the Fall Back-to-School.** (See attached)

WEED DEPARTMENT: Megan Horn with the **Weed Department** met virtually with the Commissioner to present, **Noxious Weed Right of Entry Resolutions #9-2020.** Commissioner Candelaria moved to accept the resolution granting Montezuma County Weed program or its designee right of entry onto property to control noxious weeds based on affidavit of county weed supervisor, noxious weed resolutions #9-2020. Second by Commissioner Ertel and carried. (See attached)

FAIRGROUNDS RACE TRACK: Race Track Promoter, Eugene Felker met with the Commissioners to give an update on the recently held opening weekend. Topics discussed included; the track signage, the race statistics, a video of the races, hand sanitizer, masks, required social distancing efforts, no public attendees, the future racing schedule, the Fairground parking lot rental fees and a connection to the tourism Board to promote the racing facility. The Commissioners were in agreement to waive the Fairground parking lot rental fees.

MONTEZUMA COUNTY FAIR: Montezuma County Fairboard President, Allen Higgins, met with the Commissioners to discuss plans to move forward with the scheduled County Fair. Topics discussed included; the recent Fairboard meeting, legal liabilities for Fairboard members, the scheduled concert, purchased awards, contingency plans, the live show event, the livestock sale, rescheduling the Tag In event and budget concerns.

PUBLIC LANDS:

COLORADO PARKS & WILDLIFE: MATT THORPE representing the **Colorado Division of Parks** met with the Commissioners to give updates on the following topics; big game seasons, elk herd management, revising the West Slope Mountain Lion Management Plan, electronic

calls, impacts of COVID-19 to scheduled hunting seasons, no current restrictions due to COVID-19 and boat access for Montezuma County lakes.

FORREST SERVICE: District Ranger, Derek Padilla met virtually with the Commissioners to give updates on various projects. Topics discussed included; timber operations, scheduled timber sales, fire restrictions, camp ground operations, Aquatic Nuisance Species (ANS) Inspections, the House Creek boat ramp, social distancing at the McPhee marina, fire restrictions signage within the County and fire wood permit sales.

COUNTY CORONER: Coroner George Deavers was required to leave the meeting. No report given.

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report. Sheriff Nowlin reported that the Jail has remained COVID free. Other topics discussed included; the current inmate population number, inmates held for Dolores County, the **DOC Holds Report**, the **Calls for Service Report**, business security checks, deputy schedules, water calls, food supply orders, the year to date **Transport Report**, the **Transport Peridium and Hotel Costs Report**, the **Total Monthly Inmate County Report**, the **Monthly Arrests Report**, Dolores County's Inmate Billing, the homeless population, a request to hold inmates from the **Southern Ute Tribe**, an inmates invoice to the Southern Ute Tribe, the **Monthly Operational Expenses Report**, the **Monies Paid into the General Fund Report** and the DOLA gaming grant. (See attached)

DISTRICT ATTORNEY: Will Furse met virtually with the Commissioners to give his monthly report. Topics discussed included; an update on the Department's response to the COVID19 pandemic, remote court appearances, streamlined processing for defendants, a bond schedule from the Chief Justice, pre-trial processing, a jury trial push back order from the Supreme Court, case load back logs, staff working remotely, protection order violations, a proposed discretionary release option, catch and release cases, public availability and the victim advocates efforts to meet with anyone who is affected by local crime.

BID OPENING: Maintenance Supervisor, Mike Chenard (in person) along with **Justin McGuire** (virtually) from the Fairgrounds met with the Commissioner to discuss the **Fairground Remodel project**. Bids for the Fairground Remodel Project were opened for review. A bid in the amount of \$56,971.00 from **Cortez Home & Office, LLC** was presented. Commissioner Suckla moved to approve the bid from Cortez Home & Office LLC, in the amount of \$56,971.00. The motion was seconded by Commissioner Ertel. With two votes in favor from Commissioners Suckla and Ertel and one vote against from Commissioner Candelaria, the motion carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter met virtually with the Commissioners and discussed; the decrease in the County jail population, jury trial schedules, remote court appearances, the resolutions approved in the May 14, 2020 meeting and a number correction for previously approved resolutions numbered 7-2020 through 9-2020. Commissioner Candelaria moved for clarification that resolutions #8-2020, rescinding the Declaration of Local Health Disaster Emergency be numbered as resolution number #9 and also moved that the

Resolution #9-2020 voted on last week to the JVC be moved to Resolution #10. Second by Commissioner Ertel and carried (See attached)

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

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for the Chairman's signature, a quote for the Montezuma County Landfill liner systems, from **Simbeck & Associates** in the amount of \$274,236.76. Other topics discussed included; the CDPHE Revised Variance Request and clarification of a Public Health Department personnel that attended the Race Track opening event.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included; a virtual meeting with the CDPHE, the Montezuma Business Task Force meeting, business loans from local banks and the first quarter city sales tax reports.

PUBLIC COMMENT: Danny Wilkin discussed the Montezuma Valley Irrigation board meeting and the Mc Elmo Canyon water discussion.

VIRTUAL PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:25 p.m.

Clerk May 19, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 26, 2020 (Hybrid Meeting)**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held virtually on Tuesday May 26, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney (Virtually)
Kim Percell, County Clerk (Virtually)

CHAIRMAN, SUCKLA opened the hybrid meeting of May 26, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 19, 2020, as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC HEALTH: From the **Public Health Department, Director, Bobbie Lock,** and **Assistant Director, Laurel Schafer, President and CEO of C&G Healthcare, Joyce Humiston,** from **Southwest Health Systems: CEO, Anthony Sudduth, CNO, Karen Labonte** along with **Dr. Kent Aikin, Hospitalist Program Medical Director** and **Montezuma County Public Health Medical Director,** met with the Commissioner to give a County update on the COVID-19 pandemic. Topics discussed included; enforcement of Public Health orders, education and prevention to decrease the spread of the disease, the impacts of COVID-19 on the Public Health Department, impacts to local nursing homes and assisted living centers, impacts to the hospital and staff, physical distancing, sanitation, facial covering, the recommended time for personal contact, PPE supplies, positive COVID cases within the local nursing homes, resident and employee testing, the Abbot's and BD Max testing machines, testing supplies, community

wide testing, statistic reports of testing, antibody testing, contract tracing and opening the local business with guidelines in place.

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give a monthly report. Topics of the discussion included; reopening local businesses, the requirements from the CDPHE to report causes of death due to Covid-19 and State statistics of COVID related deaths.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met with the Commissioners and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; additional testing efforts, securing needed supplies, monitoring the Governor's plan, identification of the special needs population within the county, monitor the long term recovery plans, recovery assistance to local business, donations and distribution of products, data system organization, contact tracing, the development of a **COVID Recovery Center**, the weekly incident support plan, the weekly proposed business survey questions, normal operations for most county emergency support functions, the county transportation program, the Towaoc **Sage Road** fire, updated County case numbers, public informational communications, a report that the **Mesa Verde National Park** had opened and the \$152,000.00 estimated County cost for COVID-19 expense. (See attached)

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented a permit application and report of changes to premises for the **Mancos Brewing Company LLC** located at 484 E Frontage Road Mancos Co. 81328. The Brewing Company would like to add additional outside seating. A discussion was held regarding previous noise complaints for the establishment. Commissioner Candelaria moved to accept the Mancos Brewing Co. LLC., license at 484 E. Frontage Road, Mancos Co. Second by Commissioner Ertel and carried. (See attached)

LODGERS TAX COMMITTEE: Committee Chairman, Lee Cloy along with **Committee Secretary, Brian Bartlett** met with the Commissioners to give their recommendations for the 2020 Tax Fund Disbursements. Recommendations included: the **Ute Mountain Round up Rodeo** \$2,500.00, **Colorado Welcome Center**, \$14,600.00, **Mesa Verde Country** \$70,000.00, **Mancos Valley Chamber** \$29,000.00, **Galloping Goose Historical Society** \$2,500.00, **KSJD / Sunflower** \$0.00, **Cortez Cultural Center** \$14,000.00 and the **Dolores Chamber** \$29,000.00. Commissioner Candelaria moved to approve the tax fund disbursement for the year 2020, in the amount of \$161,600.00 as presented by the Board. 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 **Finance Officer, Lori Higgins** were present. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for April, 2020 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 Veterans Affairs, County Veterans Service Officers monthly report and certification of pay for the month of April, 2020 for Montezuma

County. Second by Commissioner Ertel and carried. Other topics discussed included; a yearly comparison client report, home / nursing visits, outreach events, community events, claims filed, claims decided, monthly benefit income and an open officer position in La Plata County. (See attached).

SENIOR SERVICES: Jonathon G. Parker met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included; antibody testing for employees, the kitchen remodel project, frozen meal kits, current program operations, meals prepared at the American Legion, local produce, and guidance for future on-site meals. (See attached)

CSU EXTENSION OFFICE: Extension Director, Gregory Felsen met with the Commissioners to give a monthly update report on the CSU Extension Office. Topics of the discussion included the **Master Gardner's Grow and Give Campaign**, web site at <https://cmg.extension.colostate.edu/grow-give/>, **The Victory Gardens Program**, educational self-reliance webinars, support for local farmers and ranchers, a scheduled walk through for the **Cortez Farmers Market**, the face to face programming suspension, virtual programming, future **Colorado 4-H COVID-19 In- Person Programming Guidelines**, required COVID-19 waivers, plans for the scheduled **County Fair** and the process to proceed, the County Fair Tag In event and communication with the **Interim Fairgrounds Manager Justin McGuire**.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter discussed the scheduled **Walmart** tax assessment hearing and a request from CDPHE, regarding a recorded property deed for the **Carver Landfill** closure.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners to give a weekly report. Director Dietrich presented for approval, a letter addressed to the **U.S. Department of the Interior Director, Bureau of Land Management** regarding the proposed **E-Bike Rules**. Commissioner Ertel moved that the Montezuma County Board of Commissioners, send a letter of support to the Bureau of Land Management, regarding (RIN 1004-AE72) the proposed E-Bike Rules. Second by Commissioner Candelaria and carried. Other topics discussed included; a BLM notice regarding **the Land Health Evaluation Report** for the **Flowdine** and **Yellow Jacket** allotments, a request for comment from **Mesa Verde National Park** regarding an environmental assessment, the **Paths to Mesa Verde Trail Project**, a proposed Forest Service land purchase, a scheduled **Montezuma County Recreation Advisory Committee (MCRAC)** meeting and the County's **"No Net Loss Resolution"**. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers reported he will continue to work on a resubmittal for the CDPHE Revised Variance Request for the reopening of all county businesses.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included; a virtual **Work Force** meeting, State Employment numbers, the **Unemployment Compensation Funds**, **Unemployment Insurance Rates**, the CDPHE Revised Variance Request, the denied letter of support from the **Ute Mountain Ute Tribe**, a virtual meeting with

Jill Ryan with the CDPHE, the per person **Cares Act** allocations to Colorado counties, a virtual meeting with the **Montezuma Business Task Force**, disaster loans for local businesses, the meeting with the Tribal Councilmen, reopening county businesses and Commissioner support for proposed turning lanes on Hwy 491, at the Lewis Arriola School.

PUBLIC COMMENT: **Heather Alvarez** discussed the Lodgers Tax Disbursement to the Mancos Chamber. **Danny Wilkin** discussed the M&M property Clean-Up Project and a status of the county budget.

VIRTUAL PUBLIC COMMENT: (See attached)

CORRESPONDENCE: The following correspondence was read and noted: A letter of public comment from **M.B. McAfee** and a letter addressed to the Commissioners from **Patricia Joy Richmond**. (See attached)

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

MEETING ADJOURNED: 4:00 p.m.

Clerk May 26, 2020

Chairman

[illegible]

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

SECURE RURAL SCHOOLS FUNDING: Mancos School District Re-6 Superintendent, **Brian Hanson** and from Montezuma Cortez School District Re-1, **Melissa Brunner**, met with the Commissioners to discuss the Secure Rural Schools allocation of funding. Administrator Powers reported that the allocation is 25% to the Road & Bridge, 25% is mandated to the local school districts and the remaining 50% is discretionary to the County. Historically the County

has split the 50% to the local school districts by the student population. The local school district superintendents presented a letter with their recommendations for the fund allocation along with a request for a 3 year Memo of Understanding for future allocations. **County Attorney Baxter** presented a draft Memo of Understanding and discussed the required allocation statutes. The Commissioners were not in agreement of the MOU but were in agreement to allocate the 50% discretionary funds by the district's student population. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioners and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; additional testing at 2 assisted living facilities, securing needed supplies, monitoring the Governor's plan, identification of the special needs population within the county, monitor the long term recovery plans, recovery assistance to local business, the outreach for the current business survey, data system organization, contact tracing, a visit from **National Guard General, Sherman**, the development of a **COVID Recovery Center**, the scheduled community testing event, non-congregate sheltering, the weekly incident support plan, the county transportation program, communications, public works, a recent brush and structure fires, emergency management, mass care, logistics, Public Health, safety concerns, County case numbers, an update on the animal shelter, energy, public information communications and an estimated expense report at \$153,000.00. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of May 27, 2020 through June 12, 2020 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; an update for the **Four Corners** asphalt overlay project, an update on the solar panel installation, a scheduled Road 16 closure, the **Alkali Creek Bridge** project, a 3 way intersection stop for the 7th Street Extension and the **Cares Act** allocation funds. (See attached)

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2020 Landfill budget spread sheet. Manager Jarmon presented bid proposals from **Core & Mann** in the amount of \$8936.94 and from **Essco Pipe and Supply** in the amount of \$10,060.34 for the new #4 cell leachate collection system. Other topics discussed included; the Landfill Certificate of Designation, equipment rentals for the new cell development, the commodities and the Tire Shredding Program. (See attached)

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving presented for approval, **Noxious Weed Right of Entry Resolutions #10-2020 through #17-2020**. Commissioner Candelaria moved to accept the resolutions granting Montezuma County Weed program or its designee, right of entry onto the property, to control noxious weeds, based on affidavit of county weed supervisor, noxious weed resolutions #10-2020 through #17-2020, excluding #12-2020. Second by Commissioner Ertel and carried. (See attached)

FAIRGROUNDS: Interim Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers for income of \$21,873.00 and attendance at 5,880. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics

discussed included; the scheduled community testing event, a change to LED lights in the archery/south and upstairs meeting rooms, an update on the Kitchen / Bathroom Remodel Project, the after-hours open riding program and public attendance at Fairground events. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners to give a weekly report. Director Dietrich presented, for approval, a letter of opposition addressed to **Derek Padilla, District Ranger** of the **Dolores Ranger District** regarding a U.S Forest Service purchase of a private parcel. Commissioner Ertel moved that the Board of Montezuma County Commissioners, submit to Derek Padilla District Ranger of the Dolores Ranger District and the US Forest Service, in our opposition to the purchase of the acreage from the Zwicker estate, as well as send them our resolution supporting “No Net Loss” of private lands in Montezuma County. Second by Commissioner Candelaria and carried. Other topics discussed included; the M&M property cleanup project, the designation of the Mc Elmo Flume to the County Historic Registry, historical roads identified on the 2020 Official County Road map and a future discussion on a proposed property sale. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter discussed the letter addressed to Ranger Padilla, the **Pax LLC** lawsuit and the future Colorado court case schedule.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for approval the **EXPENDITURES REPORT** for April 2020. Commissioner Candelaria moved to accept the expenditures for the month of April 1st through April 30th in the amount of \$3,564,709.50. Second by Commissioner Ertel and carried. A discussion was held regarding the **Coronavirus Relief Fund (CVRF) Local Government Distribution Executive Summary**. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Candelaria presented a request from the Montezuma Business Task Force, to help purchase additional required IR thermometers for local businesses. Commissioner Ertel moved that the Board of County Commissioners purchase 20 more thermometers, at the cost of \$1,100.00. Second by Commissioner Candelaria and carried. Other topics discussed within the Commissioner’s report included; a virtual CDPHE media meeting, the CCI legislative meeting, the visit with General Sherman from the National Guard, sales tax revenues, the local housing market and oil and gas revenues.

PUBLIC COMMENT: No public comment was made

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:45 a.m.

Clerk June 2, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 9, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 9, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of June 9, 2020 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 2, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for a proposed 2 Lot Minor Subdivision Application submitted by **Terry & Barbara Moores** on property located at 6700 Road 38, Mancos, CO, consisting of 41.61 acres, more or less, located south of Road G, east of Road 38, situated in S.11 T.35N., R.14W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the 2 lot minor subdivision application submitted by Terry & Barbara Moores on property located at 6700 Road 38, Mancos, CO, be approved. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Variances Application and Subdivision and Rezoning Application for an Amendment to the **Son River 2 Lot Minor Subdivision** submitted by **Krystal Investments, LLC**; Agent: **Gene Reininger**, on property located at 19384 Hwy 145, Dolores, CO, consisting of 18.47 acres, more or less, located south of Hwy 145, situated in S.5 T.37N., R.14W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Gene Reininger was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Public comment was made by **Richard Tibbits**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the proposed variances application and subdivision and rezoning application for an amendment to the Son River 2 Lot Minor Subdivision submitted by Krystal Investments, LLC; Agent: Gene Reininger, on property located at 19384 Hwy 145, Dolores, CO be approved. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Moderate Subdivision and Rezoning Application submitted by **Joe & Rita Fowler**, on property located at 25198 Road T.5, Dolores, CO, consisting of 7 acres, more or less, located south of Road T.5, east of Road 25, 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. **Joe Fowler**, was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed 2 lot moderate subdivision and rezoning application submitted by Joe & Rita Fowler, on property located at 25198 Road T.5, Dolores, CO, consisting of 7 acres, more or less, located south of Road T.5, east of Road 25. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and Rezoning Application submitted by **Robbins Family Ranches, LLC**, on property located at 9885 Road 43, Mancos, CO, consisting of 127.42 acres, more or less, north of Hwy 160, west of Road 43, situated in S.27, T.36N, R.13W, N.M.P.M. Commissioner Ertel recused himself from the hearing. The roll was called, the public notice read, and the proceedings were recorded for the record. Property owner, **Don Yeomans** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed single lot development and rezoning application submitted by the Robbins Family Ranches, LLC, on property located at 9885 Road 43, Mancos, CO, consisting of 127.42 acres, more or less, north of Hwy 160. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR10-34 rezoning request and Subdivision Application for a proposed Single Lot Development on property owned by **Edward S. Jankowski**, 12383 Road 42, Mancos, CO, consisting of 68 acres, more or less, located east of Road 41.15 and north of Road 42, situated in S.10, T.36N., R.13W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Edward S. Jankowski was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the AR10-34 rezoning request and subdivision application for a single lot development on property owned by Edward S. Jankowski, located at 12383 Road 42, Mancos, consisting of 68 acres, be approved. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING:

DISCUSSION: Planning Director, Don Haley, and **Planning Assistant, S. Jane Duncan** presented for discussion a refund request, of paid Road Impact Fees, in the amount of \$1000.00, from **Perry & Dolores Sheets**. Director Haley reported that due to a miscommunication of the number of residential structures on the property the road impact fees had been overpaid. Commissioner Candelaria moved to refund the \$1,000.00 road impact fee to Perry and Dolores Sheets. Second by Commissioner Ertel and carried.

Director, Haley, and **Assistant, Duncan** presented for signatures of a Mylar for an Exemption and a Mylar for a Boundary Line Adjustment submitted by **Jack & Teresa Tanner** on property located at 20951 Road U, Cortez, CO, consisting of 54.80 acres, more or less, located north of Road U, west of Road 21, situated in S.12, T.37N, R.17W, N.M.P.M. Commissioner Ertel recused himself from this discussion. Commissioner Candelaria moved to accept the Mylar Exemption submitted by Jack & Teresa Tanner. Second by Commissioner Suckla and carried. Commissioner Candelaria moved to approve the boundary line adjustment submitted by Jack & Teresa Tanner on property located at 20951 Road U, Cortez, CO., consisting of 54.80 acres, more or less, located north of Road U, west of Road 21. Second by Commissioner Suckla and carried. (See attached)

Director, Haley, and **Assistant, Duncan** presented for signatures of a Variance Amendment submitted by **Clifford & Donna Darland** on property located at 6240 Road 24.2, Cortez, CO, consisting of 1 acre, more or less, located south of Road F.4, east of Road 24.2, situated in Ranchland Hills Subdivision, Lot #3, Block 4. Commissioner Suckla moved to approve the variance amendment submitted by Clifford & Donna Darland on property located at 6240 Road 24.2, Cortez, CO, consisting of 1 acre, more or less, located south of Road F.4. Second by Commissioner Ertel. With two votes in favor by Commissioners Suckla and Ertel and one abstention from Commissioner Candelaria the motion carried. (See attached)

PUBLIC COMMENT: Montezuma County GOP Republican Party Chairman, Allan Maez made a request to use the Commissioner room for a candidate forum. **Danny Wilkin** discussed the history of the Dolores River Plan.

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented a liquor license renewal application for **Schroeder Colorado Inc., DBA Eagle Claw Trading Post**, 4321 S US Hwy 160/491, Cortez, CO. Commissioner Candelaria moved to approve the Eagle Claw Trading Post and liquor store, liquor license renewal for fermented malt beverage, located at 4321 S US Hwy 160/491. Second by Commissioner Ertel and carried. (See attached)

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented a special event liquor license application from the **Montezuma County Fairboard**, for an event, to be held on July 24, 2020, from 6:00 p.m. to 11:00 p.m., at the Montezuma County Fairgrounds. Commissioner Candelaria moved to approve the Montezuma County Fairboard, an application for a special events permit, located at 30100 U.S. Hwy 160, Cortez Co. Second by Commissioner Ertel and carried. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met virtually with the Commissioners and gave a COVID 19 **Situation Assessment Report**. Topics discussed included; the deactivation of some emergency support functions, the community testing event, supply distributions, a developed on-line form for the special needs population, long term recovery, DOLA reimbursements, the county purchased thermometers, the non-congregate shelter, the weekly incident support plan, recent fires, current confirmed case numbers, current concerns, the estimated COVID 19 expense to Montezuma County at \$157,426.00 and the Tri chamber business surveys. (See attached)

IT: IT Director, Jim McClain met with the Commissioners to present a monthly report. Topics discussed included the scheduled **COVID-19 Rock 'n Roll Escape** concert at the County Fairgrounds, updates on the Landfill project and the switch over to **Farmers Telephone**. (See attached)

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Topics discussed included; maintaining the vehicle fleet numbers, the vehicle purchasing budget, future vehicle purchases, delivery dates for purchased vehicles and vehicle replacements for the Assessor and Health Departments.

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioners to give an update on the grounds and buildings. Topics discussed included; the Senior Services kitchen remodel project, the Health Department's dental remodel project, new carpet at the Health Department, the Fairgrounds kitchen and bathroom remodel project, the Fairgrounds fire suppression system, the Detention Center shower project, the Combined Courts Sallyport project and the electrical ice melt asphalt repair project.

GIS MAPPING: GIS Manager, Doug Roth, Mapping Specialist, Rachel Medina along with **Road Superintendent, Rob Englehart** met with the Commissioners to discuss the proposed 2020 Official Montezuma County Road Map. Other topics discussed included; the Cortez Fire

District boundaries, the Aerial Imagery Flyover Project, a proposed Pleasant View designated truck route, changes to the map legend and scheduling a Public Hearing to approve the Official County Road Map. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners to give a weekly report. Director Dietrich discussed the citizen initiated, proposed Montezuma County Historic Routes map. Other topics discussed included; the scheduled **Montezuma County Recreation Advisory Committee (MCRAC)** meeting, a proposed parcel purchase for the Summit property BLM access, the County's "**No Net Loss**" Resolution and a letter received from the **United States Department of the Interior** regarding the proposed reintroduction of livestock grazing within the **Yellow Jacket** and **Flodine Park** range allotments. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter discussed a meeting held with local municipalities regarding the Cares Act funding distribution, the **Walmart** hearing, an employee case and the **Pax LLC** lawsuit.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for review a proposed **Montezuma County, Cares Act Funding** distribution worksheet. Administrator Powers presented for signatures the, **Community that Cares, Immunization, Options for Long Term Care** and the **Air Monitoring** contracts for the Health Department. Other topics discussed included; additional business openings allowed by the Governor and a letter of support to the **Colorado Opportunity Scholarship Initiative** regarding the Colorado Opportunity Scholarship for Fort Lewis College. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included; the community testing event, the CCI legislative meetings, the attended County Department Head / Elected Official meeting, a NACO / Public Lands meeting and the development of a Land Use Code Amendment Proposal.

PUBLIC COMMENT: No public comments made.

CORRESPONDENCE: The following correspondence was read and noted: A phone message from **Sherry Siscoe** and an email from **Corey Hiseler**. (See attached)

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

MEETING ADJOURNED: 1:10 p.m.

Clerk June 9, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 16, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 16, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of June 16, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 9, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a Subdivision Amendment Application for a proposed Industrial Planned Unit Development to Lot #30 of the **Blue Door Subdivision** submitted by **Brian & Kathy Lyons**, on property located at 24227 Road G.2, Cortez, CO, located north of Road G.2, east of Hwy 160-491, 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. Property owner Kathy Lyons was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed Industrial Planned Unit Development to lot #30 of the Blue Door Subdivision submitted by Brian & Kathy Lyons, on property located at 24227 Road G.2, Cortez, CO, located

north of Road G.2, east of Hwy 160-491. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC COMMENT: **Allen Maez** discussed the candidate forum held within the Commissioner room and the Flag Ceremony event. **Dan Nuvy** from **Cortez Home and Office** discussed the county bid process and the Fairgrounds remodel project.

EMERGENCY ALERT SYSTEM / E911 BOARD: It being the time set aside, the Board of the Emergency Alert System (E911) was conducted. **E911 Dispatch Manager, Lori Johnson**, met with the Commissioners to present for approval, a contract with **Motorola** for the MCC 7500 Radio Dispatch System. Commissioner Ertel moved that the Board of County Commissioner's give Lori Johnson the authority to make a lease and purchase agreement with Motorola Radio Company for the purchase of the MCC 7500 for a total balance of \$403,665.00, if she is able to get a 0% interest on the first years lease and a payoff next year. Second by Commissioner Candelaria and carried. (See attached)

PUBLIC LANDS: **Forrest Service District Ranger, Derek Padilla** and the **Bureau of Land Management Director, Connie Clementson** were unavailable to report. A discussion was held between the Commissioners regarding the **Great Outdoors Act, RS2477** Roads and the **"No Net Loss"** County Resolution.

COUNTY CORONER: **Coroner George Deavers** met with the Commissioners to give a monthly update. A discussion was held regarding the development of a regional autopsy center.

SHERIFF'S REPORT: **Sheriff Steven Nowlin** met with the Commissioners to give a monthly report. Topics of the discussion included the **May 2020 Calls For Service Report**, local auto thefts, domestic violence calls, drug trafficking arrests, unlawful marijuana cultivation, local business checks, security checks, the **May 2020 Jail Report**, to date transports, transport per diem and hotel costs, writs for sentencing, available holding cells, worker inmates, suicide watches, May confinements, the schedule range, the Dolores County inmate billing, staffing levels, Department of Correction (DOC) holds, jail expenses for the month of May, the May monies paid into the General Fund, a discussion with the City of Cortez regarding a Memo of Understanding pertaining to the jail, the horse program, an update on the **East Canyon Fire** and an update on the **Loading Pen Fire**. (See attached)

DISTRICT ATTORNEY: **Will Furse** met virtually along with **Clarisal Folsom** in person, met with the Commissioners to give a monthly report. Topics of the discussion included; the extension of the Supreme Court jury trial prohibition until August 6, 2020, opportunities to apply for a District variance, hearing appearances by Web X, State grants budget cuts, the **Fellowship Program**, the **Adult Diversion Program**, the **Juvenile Diversion Program**, scheduling an "everyone return to work date", perpetual social distancing, and adopted court protocols.

EMERGENCY MANAGER REPORT: **Emergency Manager, Jim Spratlen** was working on the local Fire Command Center and unavailable to report.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter discussed the Walmart case, a former employment dispute, a draft municipalities Inter Government Agreement (IGA) regarding the **Cares Act Fund** distributions, a draft County resolution on the **National Popular Vote**, the Supreme Court variance application, the **Pax LLC** lawsuit and the cancellation of the **Ute Mountain Roundup Rodeo** special event liquor license application. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners to give a weekly report. Topics discussed included; the **Paths to Mesa Verde Project**, the attended **Montezuma County Recreation Advisory Committee**, (MCRAC) field trip, future MCRAC field trips, the local airport, aviation fuel prices and possible in County, locations for a long range target shooting site.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented on behalf of the **Senior Services Director, Johnathan Parker**, the **San Juan Basin Area Agency on Aging Inc. Contract** for approval. Commissioner Ertel moved that the Montezuma County Senior Services, enter into a contractual agreement with San Juan Basin Area Agency on Aging, for their contract in the maximum amount of \$52,000.00. Second by Commissioner Candelaria and carried. Administrator Powers presented a **Montezuma County Fairboard**, letter of resignation from **Connie Watkins**. Administrator Powers reported that **Lindsey Gaasch** was currently serving as the alternate Fairboard member. Commissioner Ertel moved to accept Lindsey Gaasch as a Montezuma County Fairboard member, moving from alternate position to an active Fairboard member and to advertise for an alternate to the Fairboard to replace her position. Second by Commissioner Candelaria and carried. Other topics discussed included; the Governor's draft order regarding County Fair guidelines from the State and a proposed letter addressed to the CDPHE regarding the Covid-19 restrictions at the local nursing homes. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included; the attended Fairboard meeting, plans for the County Fair, a scheduled CSU employee retirement, the proposed BLM access on Road M, the M&M property cleanup project, the CCI legislative meeting, the cancellation of the 4th of July fireworks event in Cortez, local scheduled golf tournaments and the City of Cortez sales tax funds.

PUBLIC COMMENT: No public comments were made.

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

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Candelaria moved to go into executive session for a conference with the attorney to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402 (4) (a) and to include Clerk Percell, Commissioner's Ertel, Suckla, and Candelaria, Attorney Baxter, Administrator Powers, Rachel Medina, Doug Roth, James Dietrich and Kevin Desplanques, seconded by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding access to the Bureau of land

Management property. Commissioner Candelaria 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 of thanks from the Dolores School's **Operation Graduation 2020**.

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

MEETING ADJOURNED: 2:20 p.m.

Clerk June 16, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 23, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 23, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of June 23, 2020 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 16, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

PLANNING:

Planning Director, Don Haley, and **Planning Assistant, S. Jane Duncan** met to discuss a request to waive the Road Impact Fees for **Ironwood Group, LLC** on property located at 27930 Road T, Dolores, CO, situated in Section 37, Township 37N, Range 15W, N.M.P.M. **Jeff Bunnel** from Ironwood Group LLC was present. Director Haley gave an overview of the waiver request. Assistant Duncan gave an overview of the history and development of the County road impact fee process. **Road Superintendent Rob Englehart** discussed how County road impact fees are used and the past county road projects completed with the assessed funds. Commissioner Ertel moved to waive the \$52,800.00 road impact fees to Ironwood Group in Dolores. Second by Commissioner Suckla and carried. (See attached)

Director, Haley, and **Assistant, Duncan** presented for signatures for an Amendment to the Exemption Resolution and Mylar on property owned by **Thomas & Sally Garrison**, located at

35324 Road R.5, Mancos, CO, consisting of 20 acres, more or less, north of Hwy 184, east of Road 35, situated in S.28, T.37N., R.14W., N.M.P.M. Commissioner Ertel moved that the amendment to the exemption resolution on property owned by Thomas & Sally Garrison, located at 35324 Road R.5, Mancos, CO, consisting of 20 acres, more or less, north of Hwy 184, east of Road 35, be approved. Second by Commissioner Candelaria and carried.

PUBLIC COMMENT: David Nuttle discussed a request to the Commissioners for a letter of endorsement for the **Needful Provision** program.

WEED DEPARTMENT: Weed Department Manager, **Bonnie Loving** presented for approval, **Noxious Weed Right of Entry Resolutions #18-2020 through #20-2020**. Commissioner Ertel moved to accept the resolutions granting Montezuma County Weed program or its designee, right of entry onto the property, to control noxious weeds, based on affidavit of county weed supervisor, noxious weed resolutions #18-2020, #19-2020 and #20-2020. Second by Commissioner Candelaria 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. (See attached)

PUBLIC HEALTH: Public Health Director **Bobbie Lock**, Assistant Director, **Laurel Schafer** and Public Health Emergency Manager, **Karen Dickson** met with the Commissioners to give a monthly report. Director Lock presented for approval the **Emergency Preparedness Contract CT2020*261 Amendment 2**. Commissioner Ertel moved that the Contract CT2020*261 Amendment #2 with the Colorado Department of Public Health in the amount of \$116,865.00 be approved. Second by Commissioner Candelaria and carried. Other topics discussed included; advertising for three open positions within the department, a scheduled community COVID-19 Prevalence Testing on Thursday, June 25, 2020 from 3:00 p.m. to 7:00 p.m. at the local hospital, the Colorado COVID Relief Fund Grant, the Cares Act funding and the "Protect Your Neighbor" phase. (See attached)

VETERANS SERVICE: Veteran Service Officer, **Rick Torres** presented the Certification of Pay for May, 2020 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 Candelaria moved to accept the Colorado Department of Military Veterans Affairs, County Veterans Service Officers monthly report and certification of pay in the amount of \$10,925.43 for the month of May. Second by Commissioner Ertel and carried. (See attached).

SENIOR SERVICES: **Jonathon G. Parker** gave a monthly report on the Senior Services programs. Topics discussed included; development of a reopening plan for the Senior Center, the frozen meal program, the Kitchen Remodel project and a proposed purchase for a transportation van.

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, **Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed

included; an increase in the daily ride requests, the **Meals on Wheels** deliveries, Durango trips, drivers, adding bike racks to the vehicles and the Designated Stops Plan grant application.

CSU EXTENSION OFFICE: Extension Director, Gregory Felsen met with the Commissioners to give a monthly report. Topics of the discussion included; office statistics, the agent replacement process when Agent Hooten retires, the Administrator Assistant transfer, an intern program, the Advisory Committee meeting, the County Fair State guidelines and the County Fairboard planning meeting.

BID OPENING: Bids for the Sherriff Department and Annex III roofing projects were opened for review. Bids received included: **Whittle Ing dba, TL Roofer** bids for the Sheriff Office \$171,597.00 and the Annex III \$68,477.00. **AIS LLC** bids for the Sheriff Office \$208,800.00 and the Annex III \$88,500.00. **DKG & Associates** bids for the Sheriff Office \$197,720.00 and the Annex III \$73,180.00. **Top Line Installer** bids for the Sheriff Office \$197,855.00 and the Annex III \$72,300.00. The bids will be reviewed and the project awarded at a later date. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter gave an update on the Walmart case and discussed the letter sent to **Jill Hunsaker Ryan, Executive Director CDPHE** regarding requests from skilled nursing facilities. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioners to give a weekly report. Director Dietrich presented a letter addressed to **Connie Clementson Tres Rios Field Office**, regarding the **Flodine Park and Yellow Jacket Section 106 Process**. Commissioner Candelaria moved to sign and accept the letter to Connie Clementson at the Tres Rios Filed office for the Flowdine Park and Yellow Jacket Section 106 Process. Second by Commissioner Ertel and carried. Other topics discussed included; an update on the property cleanup projects, BLM access off of Road 36.5 and the **Paths to Mesa Verde Project**. (See attached)

EXPENDITURES REPORT: Administrator Powers presented the May 2020 Expenditure Reports for approval. Commissioner Candelaria moved to accept the financials for Montezuma County for the month of May 2020, in the amount of \$3,127,644.95. Second by Commissioner Ertel and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed a request for the Commissioners to sponsor the scheduled **July 4th Covid-19 Concert**, to be held at the County Fairgrounds. Commissioner Ertel moved to allow the concert at the Montezuma County Fairgrounds on the 4th of July, be covered by the Montezuma County Liability Insurance. Second by Commissioner Candelaria and carried. Administrator Powers presented the **Cares Act Funding Municipality Intergovernmental Agreement (IGA)** for approval. Commissioner Candelaria moved to sign the IGA between the City of Cortez, the Town of Mancos, the Town of Dolores and Montezuma County, for the Cares Act funding distribution. Second by Commissioner Ertel and carried. Other topics discussed included; local business social media advertisements and the Governor's next COVID-19 reopening "**Protect your Neighbor**" phase. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included; the **Colorado Workforce Development Board** meeting, the **MOCO Advisory Board** meeting, a discussion with **Senator, Don Coram** and **Representative, Marc Caitlin**, and the Western District meeting.

PUBLIC COMMENT: **Jim Herrick** owner of **Top Line Installers**, discussed the county bidding process and the adoption of generally accepted protocols. **Dexter Gill** discussed the County's public information officer and local announcements. **Danny Wilkin** discussed the review of the Land Use Code. **Allen Maez** discussed the No Net Loss Resolution and the Forest Service land purchase.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:15 p.m.

Clerk June 23, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 30, 2020**

[illegible]

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 30, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of June 30, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 23, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Exemption Application and Subdivision & Rezoning Application, submitted by **Burk Family Trust** on property located at 38359 Road H, Mancos, CO, located north of Road H, east of State Hwy 160, situated in S.36, T.36N., R.14W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Mr. Burk** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the Board of Montezuma County Commissioners approve a subdivision and rezoning application, submitted by the Burk Family Trust on property located at 38359 Road H, Mancos, Co. Second by Commissioner Candelaria and carried. Commissioner Ertel moved that the Board of Montezuma County Commissioners approve the exemption application, for property

owned by the Burk Family Trust, located at 38359 Road H, Mancos, Co. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Subdivision & Rezoning Application and Variance Application, submitted by **Russel & Marsha Hindmarsh Trust**, agent: **Maness & Associates**, on property located at 28339 Road N, Dolores, CO, consisting of 80 acres, more or less, located north of Road N and west of Road 28, situated in S.5, 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, Ernie Maness** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed subdivision application submitted by **Russel & Marsha Hindmarsh Trust**, agent: **Maness & Associates**, on property located at 28339 Road N, Dolores. Second by Commissioner Ertel and carried. Commissioner Candelaria moved to accept the rezoning application submitted by **Russel & Marsha Hindmarsh Trust**, agent: **Maness & Associates**, on property located at 28339 Road N, Dolores. Second by Commissioner Ertel and carried. Commissioner Candelaria moved to accept the variance application, submitted by **Russel & Marsha Hindmarsh Trust**, agent: **Maness & Associates**, on property located at 28339 Road N, Dolores. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR3-9 rezoning request and Subdivision Application for a proposed Single Lot Development submitted by **Jonathan & Sharon Spinney**, on property located at 20615 Road G, Cortez, CO, consisting of 48.50 acres, more or less, located north of Road G, situated in S.1, T.35N, R.17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Johnathon Spinney** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the Montezuma County Board of County Commissioners approve an AR3-9 rezoning request and subdivision application for a single lot development submitted by Jonathan and Sharon Spinney, on property located at 20615 Road G, Cortez, CO,. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

DISCUSSION: A preliminary discussion was held on the proposed request to develop a **Special Improvement District** for the **Upper Road 42 Water Association**. Director Haley gave an overview of the proposal. Topics discussed included; the homeowners development of the Association, the initial expense estimate for the project, the County process for the development of a special improvement district, the previous development of the Goodman Point Water District, DOLA Grant applications, capital outlay, the initial design, the bonding cycle, a rate of return percentage, rural water companies taking on the project, the County collection of the tax

levy, combining additional projects under one bond, expansion opportunities and engineering designs. The Commissioners were in agreement to move forward with the discussion.

PUBLIC COMMENT: **Mike Conne** discussed the postponement of a scheduled public hearing due to COVID 19 restriction for citizen's attendance. **David Nuttle** discussed a request to the Commissioners for a letter of endorsement for the Needful Provision program. (See attached) **Historical Society Board President, Ann Brown** gave an update on the Montezuma Heritage Museum Project. **Allen Maez** discussed the Needful Provision letter of endorsement.

DISCUSSION: **Gayle Alexander**, met with the Commissioners to give an update on the scheduled August 14 – 16, 2020 **Gun Show** to be held at the County Fairgrounds. Topics of the discussion included; an event entrance plan for the spectators and vendors, signed waivers, taking temperatures, keeping attendee documentation records, the hours of operation, social distancing between vendors and attendees, facial masks, an increase of gun sales and the approval of the County Commissioner to move forward with the event.

ROAD DEPARTMENT: **Road Superintendent, Rob Englehart** Lease Renewal discussion. Cancelled

COUNTY CLERK & RECORDER: **County Clerk, Kim Percell** met with the Commissioners and gave updates on the following projects; a new grant application for a 24/7 ballot drop box, the digitization project, the grant funding for the Tribal Vote Service Polling Center equipment, the Motor Vehicle Kiosk program and the current ballot return numbers for ongoing Primary.

ASSESSOR: **Montezuma County Assessor, Leslie Bugg** met with the Commissioners and gave an update on her department. Assessor Bugg reported that, due to the COVID issues all scheduled deadlines had been extended. Other topics discussed included; CBOE hearings, a July 15th tax payer protest deadline, the 2020 report for all Assessed Values, the Kinder Morgan audits and the Walmart tax case.

COUNTY TREASURER/ TRUSTEE: **Treasurer, Ellen Black** and **Chief Deputy Tara Connor**, met with the Commissioner and gave updates on the following topics; the current tax collection rate, lodgers and business tax collections, foreclosures, releases, a plan for the Tax Lien Sale and investment interest rates.

SOUTHWEST HEALTH SYSTEMS: **CEO, Anthony Sudduth** and **CFO, Rick Shrader** met with the Commissioners to give an update on the local hospital. Topics of the discussion included; a financial year to date performance report, the 2019 Audit, the May month end report, an update on COVID, supply costs, test kit allocations, current hospital patient numbers and stimulus funding. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, John Baxter** gave an update on the employee lawsuit, the Walmart case dismissal, and the Pax / Weber Canyon Road appeal.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich** met with the Commissioners to give a weekly report. Director Dietrich presented a

letter for approval addressed to **Robert Herbert, Remediation Supervisor**, regarding the **Montezuma County M&M Truck Stop (Facility ID 9977) (Event ID 5039)**. Commissioner Candelaria moved to send the letter to Robert Herbert, the Remediation Supervisor at 1001 E. 62nd Ave in Denver, in regards to the Montezuma County M&M Truck Stop (Facility ID 9977) (Event ID 5039). Second by Commissioner Ertel and carried. Other topics discussed included; County comments on the draft Environmental Assessment for the **Rico West Dolores** project, a **Painted Hand** Notice of Scoping, the addition of a conceptual parking lot design to be included within the County comments, the **Otak** fee proposal on the **Paths to Mesa Verde** project and the Summit Lake BLM access easement. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** on behalf of the Public Health Department presented for signatures the **Department of Public Health and Environment Contract Routing number 2021*0191. (Essentials for Childhood Program)**. **TRANSFER ORDER #4-2020:** Administrator Powers presented for approval Transfer Order #4-2020, a transfer \$2,415,489.03 from the General Fund (001) to the Capital Fund to cover capital road improvement projects. Commissioner Ertel moved that order #4-2020, transferring \$2,415,489.03 from the General Fund, to the Capital Fund to cover capital road improvement projects be approved. Second by Commissioner Candelaria and carried. Administrator Powers gave his bid award recommendations for the **Sheriff Department** and **County Annex III Roofing Projects**. His recommendation was to award the project to **Top Line Installers**. Commissioner Candelaria moved to award the bid to Top Line Installers, in the amount of \$270,155.00 for the reroofing project of the Sheriff's Office and Annex III. Second by Commissioner Ertel and carried. Administrator Powers reported that nobody was in attendance for the mandatory walk through for the Fairgrounds Remodel project. The Commissioners were in agreement, that the project would be done in house. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's report included; a meeting with Forest Service Ranger, Derek Padilla, attended by Commissioner Ertel, to discuss the Zwicker Family Trust land purchase and the County's "No Net Loss" resolution.

PUBLIC COMMENT: No public comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:20 a.m.

Clerk June 30, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 7, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 7, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of July 7, 2020 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 30, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

PLANNING: **Planning Director, Don Haley** presented for discussion the **49 Square Ventures, LLC** yearly review for the continuation of the Certificate of Designation, located at 9294 Road 39, Mancos, CO, situated in Section 30, Township 36N, Range 13W, N.M.P.M. Joining the meeting virtually were; **49 Square Ventures owners; Matt Bradshaw and Matt Fuller**, from **Resource Hydrogeologic Services, Landon Beck** and from the **Colorado Department of Public Health and Environment, Robert Peterson**, and **Compliance Manager, Ed Smith**. County Attorney Baxter discussed compliance with the CDPHE and the revocation process of the Certificate of Designation. Topics of the discussion included; the current non-compliance with the CDPHE, current purchasing contracts for compost products, compliance advisory letters, a Solid Waste and Materials Management Program Notice of Inspection, a list of infractions, an overview of the CDPHE process after a County revocation, quarterly analytical reports, a ground water monitoring plan, establishing a base line and a deadline to be CDPHE compliant. Commissioner Ertel moved that the 49 Square Ventures, CD

remain intact for Montezuma County, and that they have till the end of 2020 to get their analysis and base line established, with their measuring points, so that CDPHE has that baseline, and that they work diligently to get the penalties and assessments that CDPHE has placed upon them financially, and get that cleared up, get those black marks off of this list for them and with them selling product and having buyers out there for their product they should be able to accomplish that. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: Commissioner Candelaria presented a list of **Land Use Code** topics, with a request for the Planning & Zoning to review them. Topics presented for review included; justification of the Land Use Code and fees, high impact permits, set back distances, the 230 foot diameter, the 10 acre requirement for the Dolores River Valley, outdated statutes and scheduling a future public hearing.

PUBLIC COMMENT: Allen Maez discussed the County's re-opening from the COVID-19 restrictions.

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2020 Landfill budget spread sheet. Manager Jarmon along with **Engineer, Jacob Midkiff**, from **Simbeck and Associates, Jerry Cohoe** and **Duff Simbeck** met with the Commissioner to discuss an additional expense for the Cell #4 development. The Commissioners were in agreement to expend an additional \$14,000.00 for the required two rolls of HD material for the Cell #4 development. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of July 1 2020 through July 17, 2020 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; a crusher sale, the condition of County Road 44, a transfer of road impact fees to help with a logging truck route, the Elam Construction paving and a scheduled Road 16 road closure. Superintendent Englehart presented for approval the **Customer Purchase Order for John Deere Construction and Forestry Products – USA Agreement**, for the lease purchase of six blades. Commissioner Candelaria moved that we move forward with the two year, 2000 hour, Honnen Equipment lease for our six blades for the Road Department. Second by Commissioner Ertel and carried. (See attached)

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving presented a slide show of updates for the Weed Department. Topics of discussion included; cost share reimbursements, property visits, the backpack loaner program, the Mancos River Project, A list species, the Phreatophyte Project update, the Mc Elmo River project, the Weber Canyon project, the BLM Biocontrol, the weevil release program, the gall wasp release program, an applicator training and a scheduled landowner workshop. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers for income of \$25,918.00 and attendance at 12,090. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the free 4th of July concert, the East Canyon wildfire command post, placing old bucking chutes and stripping chutes on a bid site and the Kitchen and Bathroom Remodel

Project. Manager McGuire discussed a worn out backup oil heater for the indoor facilities and presented a quote in the amount of \$13,261.83 to purchase a replacement. Commissioner Ertel moved to have Manager McGuire purchase a backup oil heater to replace the worn out oil heater. Second by Commissioner Candelaria and carried. (See attached)

WATER ISSUES UPDATES: Southwest Water Conservation District Representative, Don Schwindt, Southwest Basin Round Table, Montezuma County Representative, Ed Millard, Mancos Conservation District, Gretchen Rank along with Dolores Water Conservation District, General Manager, Ken Curtis met with the Commissioners to give updates on water issues. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter gave an update on the Kinder Morgan case, the employee law case, the Pax / Weber Canyon Road appeal and county participation in a pharmaceutical company class action lawsuit.

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

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for approval a letter of support addressed to the Montezuma School to Farm Project regarding the **USDA Grant K-14 Agricultural Literacy**. Commissioner Candelaria moved to accept the USDA Grant K-14 Agricultural Literacy to the Montezuma School to Farm Project. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT: No reports given.

PUBLIC COMMENT: No public comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:30 p.m.

BOARD OF HEALTH MEETING: 1:30 p.m.

Clerk June 30, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 14, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 14, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney, Absent
Ian MacClarren, Assistant County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of July 14, 2020 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 7, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

PUBLIC HEARING: It being the time set aside a public hearing was held to review and determine the adoption of the updated **Official County Road Map**. The roll was called, the public notice read, and the proceedings were recorded for the record. **GIS Manager, Doug Roth** and **Mapping Specialist, Rachel Medina** presented, for approval, **Resolution #11-2020** a resolution of the **Adoption of 2020 County Road Map**, the proposed map and discussed changes to said map. Email comments from **Wade Wilson** and **Connie Clementson** were discussed. Commissioner Suckla opened the hearing up to public comment. Public comments were made by: **Robert Meyer** and **Jim Trevino**. Hearing no further comments that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Ertel moved that the Board of Montezuma County Commissioners, approve Resolution #11-2020, the adoption of the 2020 County Road Map. Second by Commissioner Candelaria and carried. Commissioner Suckla closed this hearing at this time. (See attached)

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures, a Mylar for a Boundary Line Adjustment submitted by **Paul Koops & Wendy Watkins** and **Louis & Karen Garon**, on properties located at 27555 Road N Dolores Co., consisting of 7.59 acres, more or less & 13410 Hwy 145, Dolores, Co. Commissioner Candelaria moved to accept the boundary line adjustment, for 7.59 acres from Louis & Karen Garon to Paul Koops and Wendy Watkins. Second by Commissioner Ertel and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an AR3-9 rezoning request and Subdivision Application for a proposed Single Lot Development submitted by **Chris Ember Conley**, on property located at 27991 Road T, Dolores, CO, consisting of 81.76 acres, more or less, located west of Hwy 145 and north of Road T, situated in S.18, T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Chris Ember Conley** joined the hearing virtually. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the AR3-9 rezoning request and subdivision application for a proposed single lot development submitted by Chris Ember Conley, on property located at 27991 Road T, Dolores, CO. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

DISCUSSION: Planning & Zoning Commission Chairman, Rob Pope met with the Commissioners to present the Planning and Zoning recommendations for the proposed changes to the County Land Use Code. Topics discussed included; lot sizes, setbacks, fencing, the Dolores River Valley, high impact permits, property owner notifications, the fee schedule, road impact fees, the 230 foot diameter, the weed control management plan, the wildfire mitigation plan, the septic regulations and drive way installation. The Land Use Code proposed changes, Public Hearing has been set for 9:00 a.m. on August 18, 2020. (See attached)

PUBLIC COMMENT: No public comments were made.

IT: IT Director, Jim McClain met with the Commissioners to present his monthly report. Topics discussed included; Landfill and Fairground internet connectivity and the July 4th concert.

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Topics discussed included; the Maintenance Department pickup, delivery of the purchased Road Department and Sheriff Department units, transferred units, electric vehicles being used at the Health Department and the 2020 replacement vehicle purchase plan for the Health Department and the Road Superintendent. The Commissioners were in agreement to move forward with the purchase of the replacement vehicles. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioners to give his monthly report on the grounds and buildings. Topics discussed

included: the Senior Services Kitchen Remodel project, the charging station, the Sheriff Department roofing project, the ice melt repair project at the Annex III building, the Fairgrounds Remodel Project and the fire suppression system at the Fairgrounds. (See attached)

COUNTY ATTORNEY REPORT: Assistant County Attorney, Ian MacLarren, no report given.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioner to give his weekly report. Director Dietrich presented for approval, a letter addressed to **Derek Padilla, District Ranger, Dolores Ranger District** regarding the EA comments for the **Rico Trails Project**. Commissioner Ertel moved that the Board of Montezuma County Commissioners send the Rico Trails project letter to Derek Padilla, the District Ranger for the Dolores Ranger District. Second by Commissioner Candelaria and carried. Director Dietrich presented, for approval, a letter addressed to the **BLM Tres Rios Field Manager Connie Clementosn** regarding the **Painted Hand** scoping comments. Commissioner Candelaria moved to send the letter to the BLM Tres Rios Field Office. Connie Clementosn, Field Manager on the Painted Hand scoping comments. Second by Commissioner Ertel and carried. Other topics discussed included; the attended OPS meeting, historic right of way mapping, a coordination meeting with the BLM and the Summit property BLM access. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented a letter of interest for the alternate position to the Montezuma County Fairboard Committee, from **Mark Wing**. Commissioner Candelaria moved to approve Mark Wing as the Montezuma County Alternate for the Montezuma County Fairboard. Second by Commissioner Ertel and carried. (See attached).

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the Summit property BLM access, the M&M and Wild Wild Rest land cleanup projects, the Triple A meeting, the county owned water shares, the NACO Public Lands meeting, the local municipalities mandated mask discussions and reopening the local schools.

PUBLIC COMMENT: No public comments were made.

CORRESPONDENCE: The following correspondence was read and noted: Email from **Dixie Waters** regarding the mask mandate.

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

MEETING ADJOURNED: 11:50 a.m.

Clerk

July 14, 2020

Chairman

public notices. Topics discussed included; the process to make changes to the Land Use Code, the required number of public hearings, a hybrid meeting to include virtual public comment, public outreach, adding a public hearing to the August 13th Planning & Zoning meeting and the Planning & Zoning recommended changes. (See attached)

PUBLIC COMMENT: **Laurel Shafer, Tiffany Ghre and Rob Pope**, discussed the Governor's mandatory mask order. **Marianne Mate** discussed the proposed changes to the Land Use Code regarding the Dolores River Valley. (See attached)

SHERIFF'S MONTHLY REPORT: **Sheriff Steven Nowlin** met with the Commissioners to give his monthly report. Topics discussed included; the Calls for Service Report, Senate Bill #217, business checks, animal calls, requested extra patrols, case reports, livestock at large and livestock on highway, domestic violence calls, the Cortez Communications Dispatch meeting, traffic stops, welfare checks, the Year to Date Transport Report, the Transport Perdiem and Hotel Expenses Report, the June Jail Prisoner Report, the Total Monthly Arrests Report, the June Operational Expense Report, costs for DOC holds, extra expenses due to the COVID-19 pandemic, the Monies Paid into the General Fund Report, courtesy medical transports, the need of an inpatient facility and a detox center, and a proposed fee increase for court ordered finger prints. (See attached)

COUNTY CORONER: **Coroner George Deavers**, no report given.

DISTRICT ATTORNEY: **Will Furse** met with the Commissioners to give a monthly report. Topics of the discussion included; restraining orders, Judge Walker's bond schedule, the mandatory drug testing policy, extraditions, hearings by Webex, a Chief Judge revised Covid-19 policy, beginning jury trials on August 3rd, domestic violence cases, DOC holds, online court appearances, victim advocates, a yearly case load comparison, alcohol and drug cases, current operations at the Combined Courthouse, judicial administrative cuts, the Mask Mandate Executive Order # D 2020 138, voluntary compliance, trespass citations, the current COVID-19 office policy / procedures and security recommendations for the District Attorney's office. (See attached)

EMERGENCY MANAGER REPORT: **Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Topics discussed included; the Business Task Force, COVID-19 testing events, a county wildfire report, County wildfire cost, the COVID-19 County expense estimated to be \$168,429.00, the infection report, assistance from the National Guard, the Hazard Mitigation Plan, the Emergency Management Performance Grant, the After Action Plan, the Emergency Operation Plan, the Resource Mobilization Plan, an equipment inventory, current PPE resources, documentation reports, meetings, fire drills, trainings, organization of County Memos of Understanding and Intergovernmental Agreements, moisture content, the Durango Dispatch Fire Business Calculator and the development of Fire Zone Plans. (See attached)

PUBLIC LANDS: Forrest Service District Ranger, Derek Padilla reported to the Commissioners that because of current fire conditions that no prescribed burns had been scheduled, that a letter was sent to grazing permits concerning the dry weather conditions, that the Forest Service office status is currently not open to the public, but that outside services included online and coordination with local businesses to provide customers with products. Other topics discussed included; oak brush mulching and the Zwicker Family Trust land purchase.

Bureau of Land Management, Connie Clementson reported to the Commissioners on the following topics; the Field Manager's Update Briefing paper, the Summit Lake Hazardous Fuels Reduction Project, the BLM Summit access boundary survey and the current office status for services due to the COVID-19 pandemic. (See attached)

Canyon of the Ancients National Monument Interim Manager, Doug Mayes reported to the Commissioners on the Painted Hand Pueblo project, a stabilization project at the Lowry Pueblo, a parking lot resurface project at the museum, a per day visitor count, an update to the payment system, and the Yellow Jacket and Flodine allotments. (See attached)

DISCUSSION: A discussion was held regarding the, **Executive Order number D 2020 138** by Governor Polis. A **COVID-19 Masks and Politics "what we know and what we don't know"** slide presentation was given by **Administrator Powers**. Topics discussed included; enforcement, business and private property, public places, divided opinion within the County, individual department head management, public comments made by Laurel Shafer, the order is not a Public Health Order it is an Executive Order, support for the school reopening and municipality jurisdiction decisions. **Public Health Director, Bobbi Lock** gave the Public Health perspective on the mask mandate. Topics discussed included; support of the mandate, education and prevention of the spread of the disease, case management, contact tracing, community financial health and public health are intertwined, and a safe reopening of local schools. Director Lock's recommendations were to maintain social distancing when possible, wear a mask in doors when possible, clean frequently touched surfaces and wash hands. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, reported on the Pax LLC lawsuit, the employment case and court variance requests.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioner to give his weekly report. Director Dietrich discussed the M&M property clean-up project, a Kinder Morgan Compressor Station Expansion project, the BLM Summit access project, the historic road mapping project, and a proposed update to the Community Wildfire Protection plan. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for approval the Health Department WIC **Contract, Amendment #2**, Original Contract #18FHLA104036, Amendment Contract #2020*2219. Commissioner Ertel moved that the Montezuma County Health Department enter into an Amendment Contract #2020*2219 Amendment #2 with the Colorado Department of Health and Environment. Second by Commissioner Candelaria and carried. Administrator Powers presented for approval the **Landfill Intergovernment Contract Grant (Contract # 2021*2051)** for the composting screener.

Commissioner Candelaria moved to accept the State of Colorado Intergovernmental Contract with the Montezuma County, in the amount of \$127,500.00, with the CDPHE for the Landfill. Second by Commissioner Ertel and carried. (See attached).

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the communications meeting, the percentage of Sheriff Department's calls for service through the dispatch center, the CCI Business meeting, the Club 20 meeting, the Workforce meeting and the District attorneys concerns.

PUBLIC COMMENT: No public comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:40 p.m.

Clerk July 21, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 28, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 28, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator, Absent
Jim McClain, IT Director
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of July 28, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 21, 2020 as amended. Motion was seconded by Commissioner Candelaria and carried.

PLANNING: Planning Director, Don Haley, and **Planning Assistant, S. Jane Duncan** reported that the presentation for signatures of a Mylar for a Single Lot Development and Rezoning submitted by **Robbins Family Ranches, LLC**, on property located at 9885 Road 43, Mancos, CO, consisting of 127.42 acres, more or less, north of Hwy 160, west of Road 43, situated in S.27, T.36N, R.13W, N.M.P.M. was postponed to a future date.

PUBLIC COMMENT: No public comments were made.

2019 FINANCIAL AUDIT: **Chris Majors** with **Majors** and **Haley P.C.** presented the December 31, 2019 audit for review. Mr. Majors gave an overview of the audit report. Topics discussed included; the General Fund Budget to Actual Report, the General Fund end of year excess balance, the Road and Bridge end of year totals, the Fleet Fund assets, Social Service

Funds, the Public Health Fund, the Conservation Trust Funds, the Ormiston Fund, Emergency Telephone, the Sheriff's Forfeiture Fund, the Revolving Loan Fund, the Lodgers Tax Fund, the Contingency Fund, the Law Enforcement Authority Fund, the Landfill Fund, deficit budgets and the Capital Fund.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to discuss a proposed road improvement asphalt overlay project for County Road 25. Topics discussed included; the 2020 overlay savings, the Kinder Morgan additional overlay expense and the 2020 funds available for additional projects. Superintendent Englehart presented project bids for the proposal, from **Four Corners Materials** in the amount of \$341,630.00 and from **Elam Construction** in the amount of \$358,775.00. Commissioner Ertel moved that the Road Department take the \$341,630.00 of the available \$363,201.00 from the 2020 road projects and put it into the overlay and completion of County Road 25. Second by Commissioner Candelaria and carried. Other topics discussed included an update on the chip seal schedule. (See attached)

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

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for June, 2020 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 that the Montezuma County Board of County Commissioners, approve the Colorado Department of Military Veterans Affairs, County Veterans Service Officers monthly report and certification of pay for the month of June, 2020, in the amount of \$6,239.64. Second by Commissioner Ertel and carried. Other topics discussed included; a newly hired service officer for La Plata County, a vacated department position, repairs to the Department's Humvee and the scheduled Veteran's Stand Down event. (See attached).

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris met with the Commissioners and gave a Mid-Year report. Topics discussed included; revenues, expenditures, budget percentage, a total year to date income, an electric vehicle program, the Meals on Wheels program, the daily ride numbers, and the addition of bike racks to the current vehicles. (See attached)

SENIOR SERVICES: Jonathon G. Parker met with the Commissioners and gave a monthly update on the Senior Services programs. Topics discussed included; the departmental budget, a proposed departmental vehicle, a charging station, the Kitchen Remodel project, a required State Units on Aging reopening plan, the County Commodity Program and the commodity freezers. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, gave an updated report on the Pax / Weber Canyon lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioner to give his weekly report. Director Dietrich discussed the

scheduled **BLM Coordinated Workshop**, the **Paths to Mesa Verde Project**, the **Tourism Group** meeting and the M&M property clean-up project. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** was absent.

IT: **IT Director, Jim McClain** discussed a recent lightning strike, repairs required to several systems at the Administration building and the need for a future protection plan.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the **South West Basin Round Table** meeting, the **San Juan Basin Round Table** meeting, the **Opioid Settlement** meeting, the **Region 9** meeting, the **Multi Agency Coordination Group** meeting, the **Annex III Solar Project**, the new State statute guidelines for **Local Improvement Districts**, an appointment for Commissioner Suckla to the **Opioid Settlement Task Force**, a recent article, “Beautiful baseball played in an ugly scene” in the **Cortez Journal** and a COVID-19 video placed on the County web site.

PUBLIC COMMENT: No public comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 10:40 a.m.

Clerk July 28, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 4, 2020**

[illegible]

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 4, 2020 at the courthouse in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of August 4, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 28, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Moderate Subdivision Application submitted by **Charlie Sirman**, on property located at 11751 Hwy 145, Cortez, CO, consisting of 7.16 acres, more or less, located south of Road M, west of Hwy 145, situated in S. 13, 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. Sirman**, was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. The P&Z recommended conditions for approval from the Planning & Zoning Commissioner included; the addition of an out of town City water tap for the current mobile home and then if the east property is developed, another out of town City water tap would be required. Commissioner Suckla opened the hearing to public comment. Public comments were made by **Jim** and **Marian Rodd**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Candelaria moved to accept the

proposed 2 Lot Moderate Subdivision Application submitted by Charlie Sirman, on property located at 11751 Hwy 145, with the conditions of the Planning Commission. Commissioner Ertel made an addendum to the motion that Mr. Sirman and Mr. & Mrs. Rodd come to an amiable agreement on property boundaries, on the shared access, and to work neighborly with each other. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 3 Lot Minor Subdivision and Rezoning Application submitted by **Gary Ellson & Tova Spector** on property located at TBD Road P, Mancos, CO, consisting of 35.03 acres, more or less, located north of Road P, west of Road 33, situated in S. 1, T.36N, R.15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Gary Ellson & Tova Spector were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Ertel moved that the 3 Lot Minor Subdivision and Rezoning Application submitted by Gary Ellson & Tova Spector on property located at TBD Road P, Mancos, CO, be approved. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Subdivision Amendment Application and Variance Application, submitted by **Ben & Xela Lanier** for **Poco Dinero Land Co, Inc.**, on property located at 26501 Road 10, Pleasant View, CO, consisting of 3 acres, more or less, located north of Road CC and west of Road 10, situated in S.25, T.39N., R.19W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Mr. Lanier**, was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Candelaria moved to accept the proposed Subdivision Amendment Application and Variance Application, submitted by Ben & Xela Lanier for Poco Dinero Land Co, Inc., on property located at 26501 Road 10, Pleasant View, CO. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: **Planning Director, Don Haley**, and **Planning Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Single Lot Development and Rezoning submitted by **Robbins Family Ranches, LLC**, on property located at 9885 Road 43, Mancos, CO, consisting of 127.42 acres, more or less, north of Hwy 160, west of Road 43, situated in S.27, T.36N, R.13W, N.M.P.M.

DISCUSSION: **Montezuma County Hospital District Board Member, Dean Mathews** met with the Commissioners to discuss purchasing 5 shares of the County's **MVI** water shares. Road Superintendent Englehart reported that the original water shares purchase was for agricultural use at the Fairgrounds. Topics of the discussion included; current lease commitments for the

County owned water shares, future county needs of the water shares, purchasing water shares on the open market and the yearly Road Department, Landfill and Fairground usage. The Commissioners did not want to sell the water shares at this time.

PUBLIC COMMENT: Councilwoman, Tina Wenger from **Elkhart County, Indiana** was on a **National Association of Counties** tour of Colorado Counties and discussed the differences between Elkhart County and Montezuma County.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of July 29, 2020 through August 14, 2020 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; the chip seal projects, backfill on an irrigation ditch on **Road P**, repairs to a soft spot on **Road G**, repairs for drainage issues on **Roads 29** and **37**, pulling ditches and shaping for **Road 15**, installing culverts and grading driveways, road base on **Road T.5**, moving the crusher from Hay Camp to Mancos, the delay of the striping projects, future plans for the old crusher, the logging route on **Road 23** and **X**, the purchase of truck route signs and rain cleanup along with repairs to a washed out arroyo down Weber Canyon on **Road 41**. A discussion was held regarding the development of **Sky Mesa Estates, Special Improvement District**. The Commissioners were in agreement that it was a private subdivision road and not a County project. (See attached)

WEED DEPARTMENT: Weed Department, Manager, Bonnie Loving met with the Commissioners to give a monthly report. Topics discussed included; the **Phreatophyte Project**, the **Cost Share Project**, the scheduled **Applicator Training** on September 11, 2020, herbicides and the **Russian Olive Tree Project**.

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2020 Landfill budget spread sheet. Topics discussed with the report included; an update on the new **Cell #4** construction project, a memorandum from **Weaver Consultants Group**, an increase in costs for the Cell#4 construction project, the website posting of the (RFP) request for product for the screener, an RFP for the leachate pumping system, the **Composting Pad Project** and the additional required methane monitoring test deadline. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers for income of \$28,473.00 and attendance at 13,895. These figures did not include the recently held County Fair. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the recently held County Fair, the Kitchen / Bathroom remodel project the scheduled **Gun Show**, the **12 Hours of Mesa Verde** event and the scheduled **Home and Garden** show. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, discussed the **Upper Road 42 Water Association** extension project, and two scheduled Social Service's jury trials scheduled in late September.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioner to give his weekly report. Director Dietrich discussed the attended **BLM Coordinated Workshop**, the **Historical Road Map Project**, the **M&M Property Cleanup Project** and the **Paths to Mesa Verde Project**.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers no report given,

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the **BLM Coordinated Workshop**, a discussion with the **Cortez Fire Protection Chief** regarding the development of a **Fire Mitigation Plan**, turning lanes on Hwy 491 for County Road N and Road P, a school zone on Hwy 491 for the **Lewis Arriola School**, the 2019 Commissioner notification to the **Heaton** property owner regarding the property's pond odor, expected costs for **Senate Bill #217**, the updated **Shaw Solar** contract numbers along with Commissioner approval to move forward with the **Annex III Solar Project** and constituent emails received regarding the scheduled public hearing to discuss the **Land Use Code**. (See attached)

PUBLIC COMMENT: Planning & Zoning Commission Chairman, Rob Pope discussed the Planning & Zoning change recommendations to the Land Use Code for the **Dolores River Valley**.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:05 a.m.

Clerk August 4, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 11, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 11, 2020 at the Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of August 11, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 4, 2020 as amended. Motion was seconded by Commissioner Candelaria and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a Special Use Permit Application for the proposal of a solar photovoltaic ("PV") project, submitted by **Empire Electric Association, Agent: Cortez Solar 1**, on property located at 10574 Road 29, Cortez, CO, located north of State Hwy 160, east of Road 29, situated in S.20, T.36N., R.15W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Director, Project Development, Gavin Berg** and **Josh Dellinger** from **Empire Electric**, were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Mr. Berg gave a slide presentation of the project. Commissioner Suckla opened the hearing to public comment. Public comment was made by **Mike Conne**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Candelaria moved to accept the Special Use Permit Application for the proposal of a solar photovoltaic project, submitted by Empire Electric

Association, Agent: Cortez Solar 1, on property located at 10574 Road 29, Cortez, CO. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Planning Director, Don Haley, and Planning Assistant, S. Jane Duncan presented for signatures a High Impact Permit for **Pleasant View Fire Station** submitted by the **William A. and Sharon A. Palmer Family Trust, Agent Maness & Associates** and **Jeff Yoder** on property located at TBD Road CC, Pleasant View, CO, consisting of 5.02 acres, more or less, located north of Road CC, west of Hwy 491, situated in S.31 T.39N., R.17W., N.M.P.M.. Commissioner Ertel moved that the High Impact Permit #696, to correct Notice to Proceed, reception number 618055, be approved for the Pleasant View Fire Department. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: Ann Beach of the **Mancos Creative District** and **Ryan Brown** property owner of the Reddert Ranch met with the Commissioners for initial feedback on a proposed Special Use Permit application for the outdoor opera “**The Blacksmith**”, scheduled for October 2020 on property located at 10583 Road 44, Mancos. The Commissioners were in support of the project to move forward.

DISCUSSION: Melvin Hicks met with the Commissioners to request an exemption for the required, adjoining property owner, certified notifications. The Commissioners were in agreement that due to the inconsistencies within the previous adjacent property notification process the Planning and Zoning Department would complete the required certified notification process for the Hicks application.

RESOLUTION #9-2020 Fire Ban: Sheriff, Steve Nowlin met with the Commissioner to discuss the suspension of the current **Fire Ban**. Resolution #9-2020 a suspension of ban on open fires and the use of fireworks was presented for approval. With the approval from the local fire chiefs, it was the recommendation of the Sheriff to lift the current Fire Ban. **Lewis Arriola Fire Chief, George Deavers** discussed the moisture content received throughout the County. Other topics discussed included; the current fire permit process, lightning fires, expenses to the county for wildfires not on public land, recommendations and evaluations from the Fire Chiefs, the current Relative Humidity (RH), the local storm season, the status of adjoining community fire bans and the Forrest Service / BLM Fire Ban suspensions. Commissioner Ertel moved to leave the Fire Ban in place. With a lack of a second the motion died. Commissioner Candelaria moved to accept, Resolution #9-2020 for the suspension of ban on open fires and the use of fireworks. Seconded by Commissioner Suckla and with two votes in favor by Commissioners Candelaria and Suckla and one vote against the motion carried. (See attached)

PUBLIC COMMENT: Greg Kemp discussed the local domestic water sources, from the Dolores and Mancos Rivers and the proposed changes to the Land Use Code in reference to the Dolores River Valley.

PROCLAMATION: Karen Sheek, President of the local **League of Women’s Voters** met with the Commissioner to present a proclamation honoring the 100th anniversary of the 19th amendment to the United States Constitution, the **Women’s Right to Vote**. Mrs. Sheek gave an

overview of the passage of Amendment 19 and discussed the organization of the League of Women's Voters. Commissioner Ertel moved that the proclamation honoring the 100th anniversary of the 19th amendment to the United States Constitution, the Women's Right to Vote be accepted and proclaimed by this Board of County Commissioners. Second by Commissioner Candelaria and carried. (See attached)

IT: IT Director, Jim McClain met with the Commissioners to present a monthly departmental update. Topics discussed included; the wireless internet at the Fairgrounds, the Clerk's office badge entry access, the charging stations and the Administration building sign. A discussion was held regarding a contingency plan for lightning damages to the County systems and a proposed purchase of a generator for the Administration building.

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Topics discussed included; receipt of the 2 new Sheriff units, the retired units that will be auctioned off, delivery of one more Sheriff unit in September and an update on the ordered Dodge pickup and Escape.

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard met with the Commissioners to give a monthly report on the grounds and buildings. Topics discussed included, the proposed Administration building generator purchase, the **Senior Center Remodel Project**, the charging stations for **Annex I**, the **Detention Center** roofing project, an insurance reimbursement for hail damage on the **Detention Center** roof, an additional maintenance vehicle purchase, the **Fairground Remodel Project**, the Fairground's fire hydrant replacement, and the **Annex III Roofing Project**.

GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina met with the Commissioners to give a monthly departmental update. Topics of the discussion included; the **2020 Census**, the **Aerial Imagery Flyover Project**, a proposed shared data Memo of Understanding with **Dolores County**, a County wide Special Districts mapping update project and mapping updates for marijuana buffers for the **Town of Dolores**.

BOARD OF COUNTY HEALTH: Commissioner Ertel moved to convene as the Montezuma County Board of Public Health. Second by Commissioner Candelaria and carried. It being the time set aside, the Board of County Health was conducted. **Public Health Director, Bobbie Lock** along with **Environmental Health Specialists, Melissa Mathews and Cody Sprague** met with the Commissioners to discuss a potential house condemnation case and a property with a failing septic system issue. If required the Board of Health will meet again next week for further action. Commissioner Ertel moved to adjourn the Montezuma County Board of County Health meeting. Second by Commissioner Candelaria and carried. Commissioner Suckla announced that the Board of County Commissioners would reconvene.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, discussed the Commissioner's acceptance of the presented County Audit. Commissioner Candelaria moved to accept the Audit presented by **Majors & Haley** on July 28th 2020. Second by Commissioner Ertel and carried. Other topics discussed included; the Town of Mancos Aspen Wall Wood

property de-annexation out of the Town of Mancos and into the County, the employee lawsuit, a child support case in Montrose, and the Road 41 / Weber Canyon lawsuit. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich met with the Commissioner to give his weekly report. Director Dietrich presented for approval a letter addressed to the **BLM Tres Rios Field Office Attn: Tanner Nygren** regarding the **Kinder Morgan Hovenweep Compressor Station Expansion Project 3160 (S01000) DOI-BLM-S101-2020-0030-EA**. Commissioner Candelaria moved to accept the letter being sent to the BLM Tres Rios Field Office in regards to the Kinder Morgan Hovenweep Compressor Station Expansion Project. Second by Commissioner Ertel and carried. Other topics discussed included; the **M&M** property cleanup project, the **FEMA** response regarding the proposed Land Use Code changes for the Dolores River Valley and the County's flood plan development permit process with a possible inclusion of a no rise certification to the permit process.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for approval, **Transfer Order #5-2020**, a transfer of \$17,994.12 from the Road Impact Fund to the Road and Bridge Fund for the Mag Chloride Project on Roads X and 23. Commissioner Ertel moved the approval of order #5-2020 the transfer \$17,994.12 from the Road Impact Fund to the Road and Bridge Fund. Second by Commissioner Candelaria and carried. (See attached)

EXPENDITURES REPORT: Administrator Powers presented the June 2020 Accounts Expenditure Reports for approval. Commissioner Candelaria moved to accept the payables through June 30, 2020, in the amount of \$3,988,323.45. Second by Commissioner Ertel and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the placement of a guardrail in front of the Lewis Arriola School, the attended Town of Dolores Board meeting, the proposed changes to the Land Use Code, emails received on the proposed Land Use Code, a CCI legislative proposal list and the COVID fears. Commissioner Suckla presented for approval a letter addressed to the **Hickenlooper for U.S. Senate** regarding participation in the Club 20 candidate debates. Commissioner Ertel moved that the Board of Montezuma County Commissioners send a letter to Hickenlooper for US. Senate campaign headquarters requesting that he participate in the Club 20 candidate debates on September 19th in Grand Junction Co. Second by Commissioner Candelaria and carried. (See attached)

PUBLIC COMMENT: No public comments made.

CORRESPONDENCE: The following correspondence was read and noted: Email from **Pat Kantor**. Letter from **Jack L & Patricia S. Robbins**. (See attached)

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

MEETING ADJOURNED: 11:45 a.m.

Clerk August 11, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 25, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 25, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk, Absent
M. Lynn Dorenkamp, Chief Deputy

CHAIRMAN, SUCKLA opened the meeting of August 25, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 18, 2020 as amended. Motion was seconded by Commissioner Ertel and carried.

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The roll was called and the proceedings were recorded for the record. The appeal is from **Ankiewicz Family Revocable Trust** on account #R003761. The petitioner, Sharon Ankiewicz was present by phone. The Petitioner along with **Appraiser, Joanne Goode** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Candelaria moved to rule in favor of our County Assessor to keep it as it is reevaluated at today's values. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Director, Don Haley with **Assistant S. Jane Duncan** presented for a Variance application for **Aspen Wood Products, Inc.** for setbacks, for a new warehouse on de-annexed property from the Town of Mancos, located at 901 W Grand Ave, Mancos, CO, situated Section 29, T. 36N, 13W, N.M.P.M. Commissioner Ertel moved to grant the Variance application by

Aspen Wood Products, Inc. for setbacks, for a new warehouse on de-annexed property from the Town of Mancos, located at 901 W Grand Ave, Mancos, CO. Second by Commissioner Candelaria and carried. (See attached)

Director, Haley with **Assistant Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment submitted by Douglas & Nancy Foulke and William P. Witter Revocable Trust, on properties located at 12930 Road 38, Mancos, CO, consisting of 95.02 acres, more or less & 12568 Road 38, Mancos, CO, consisting of 50 acres, more or less, both located east of Hwy 184, situated in S.1, T.36N, R.14W, N.M.P.M. Commissioner Candelaria moved to approve the Mylar for a boundary line adjustment for Douglas and Nancy Foulke at 12930 Road 38 Mancos, CO. Second by Commissioner Ertel and carried. (See attached)

Director, Haley with **Assistant Duncan** presented for signatures of a Mylar for an Exemption submitted by Ted Clark on property located 26059 Road 38.5, Dolores, Colorado, consisting of 32.67 acres, more or less, owned by Ted V. Clark, located north and south of Highway 145, situated in S.36, T.39N, R.14W, N.M.P.M. Commissioner Ertel moved in regard to the Mylar Exemption for Mr. Ted Clark bring to the Montezuma County Board of County Commissioner a Right-of-way easement agreement with the Forks Subdivision to access his 1 acre parcel. Second by Commissioner Candelaria and carried with two I's and one Nay. (See attached)

Director, Haley with **Assistant Duncan** presented for signatures of a Special Use Permit for the proposal of a solar photovoltaic ("PV") project, submitted by **Empire Electric Association, Agent: Cortez Solar 1**, on property located at 10574 Road 29, Cortez, CO, located north of State Hwy 160, east of Road 29, situated in S.20, T.36N, R.15W, N.M.P.M.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for approval the **Schedule of Receipts and Disbursements** for January 1, 2020 through June 30, 2020. Commissioner Ertel moved to accept the report for the Schedule of Receipts and Disbursements for January 1, 2020 through June 30, 2020, from the Montezuma County Treasurer. Second by Commissioner Candelaria and carried. (See attached)

TRANSFER ORDER #6-2020: Administrator Powers presented for approval Transfer Order #6-2020, a transfer \$125.00 from the General Fund to the Road and Bridge Fund to correct a miscoded deposit. Commissioner Ertel moved that order #6-2020 transferring a \$125.00 from the General Fund to the Road and Bridge Fund to correct a miscoded deposit be approved. Second by Commissioner Candelaria and carried. (See attached)

TRANSFER ORDER #7-2020: Administrator Powers presented for approval Transfer Order #7-2020, a transfer of \$1075.00 from Road Impact Fund to General Fund to correct a miscoded deposit. Commissioner Candelaria moved to accept that \$1075.00 from the Road Impact Fund to the General Fund to correct a miscoded deposit. Second by Commissioner Ertel and carried. (See attached)

Administrator, Powers discussed a couple of items; possible marketing our area to attract people to move to Montezuma County. Commissioner Candelaria agreed that was a good talking

point at the next meeting with the townships. An insurance claim regarding a lighting strike and an upcoming Board to Board meeting with the City Council via Zoom on Monday. Informed the Commissioners that a realtor had notified him that 36 acres south of the Fairgrounds is up for sale and thought they would like to know. **Administrator, Powers** attended a Zoom meeting with Commissioner Suckla and CCI and Attorney General Office regarding opioid settlement with Perdue Pharma. Discussed reinstating the Fire Ban since the State implemented one after the Commissioners took away the county Fire Ban and upcoming budgeting next month.

EXPENDITURES REPORT: Administrator Powers presented the July 2020 Accounts Payable Expenditure Reports for approval. Commissioners table this until next week's meeting for approval.

PUBLIC COMMENT: No Public Comment was made at this time.

DISCUSSION: Wildfire Adapted Partnership, Alex Graf met with the Commissioners to give an update for 2020. (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 **Finance Officer, Lori Higgins, Eligibility Officer, Amy Branson** were present. Commissioner Ertel moved to approve the Record of Proceedings for the Montezuma County Social Services for July 28, 2020. Second by Commissioner Candelaria and carried. Commissioner Candelaria moved to approve the financial payments July 2020 in the amount of \$1,720,578.27. Second by Commissioner Ertel and carried. (See attached)

PUBLIC HEALTH: Assistant Public Health Director, Laurel Schafer along with Arlina Yazzie met with the Commissioner to discuss Covid update. Arlina Yazzie presented an overview of Colorado-National Collaborative for Suicide Prevention. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for August, 2020 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 Candelaria moved to approve the Colorado Department of Military Veterans Affairs, County Veterans Service Officers monthly report and certification of pay for the month of July 2020 for Montezuma County. Second by Commissioner Ertel and carried. (See attached).

SENIOR SERVICES: Jonathon G. Parker met with the Commissioners to give a monthly report for the Senior Services programs. Touched on Social Isolation, feeling of loneliness. Trying to get more classes back the Senior Center and getting things back to some sort of normalcy. Showed pictures of the remodeled kitchen. (See attached)

CSU EXTENSION OFFICE: Extension Director, Gregory Felsen met with the Commissioners to give a monthly report. Topics of the discussion included; Annual County Fair, shared a video link, 4-H program and Orchard season. **Extension Director, Gregory Felsen** asked to be nominated to be the representative for Colorado Commission for Indian

Affairs which was previously held by Tom Hooten when he was with the extension office. Commissioner Candelaria moved to appoint Gregory Felsen to be the representative for Colorado Commission for Indian Affairs. Second by Commissioner Ertel and carried.

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met with the Commissioner to present, 3 bids for an ATV to replace the inadequate machines they currently have. **Noxious Weed Right of Entry Resolutions #21-2020, #22-2020, and #23-2020.** Commissioner Candelaria moved to accept and grant the resolutions granting Montezuma County Weed program or its designee right of entry onto property to control noxious weeds based on affidavit of county weed supervisor, noxious weed resolutions. Second by Commissioner Ertel and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, discussed the pending Kinder Morgan case. Resolution for the Re-Imposing of the Fire Ban in Montezuma County.

RESOLUTION: 13-2020 Commissioner Ertel moved to approve Resolution #13-2020 a Resolution Re-imposing Fire Ban for Montezuma County. Second by Commissioner Candelaria. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, reported on the following items: receiving a copy of the intergovernmental agreement for the MMOF funds, which should release those funds and get us rolling on the Cortez side of finalize those plans for the paths to Mesa Verde. **Resource Director, Dietrich** discussed his meeting with Colorado Park & Wildlife and the Montezuma County Recreational Advisory Committee up at Big Rock with the land owner, Shawn Maloney. A citizens proposed easement that goes along County Road 31 and looking into GOCO for bleacher seating at the races. Working on the sign out front and talked to Julie Fraiser from Colorado Department of Public Health and Environment about the M&M, she indicated that Eagle is hoping to do their excavation in September or October. The last item of discussion was his communication with the soon to be new owner of the property behind Vista Verde.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; **COMMISSIONER CANDELARIA** met up with James Dietrich looking into ways of fixing the sign out front, went up to the DA's office to look at the drawing for the wall and costing to build it. Had a special meeting with Housing Solutions Board to go over the signing of documents for Elizabeth for the newest Sparrow Project. Attended the Western District Meeting on Friday which one of the biggest takes was the CARES ACT money and the other big issue was the 2023 unfunded mandate and how to deal with Senate Bill 217, lastly the change in short term rentals. **COMMISSIONER ERTEL** attend the Colorado Department of Labor and Workforce Board meeting. Western District meeting and a meeting up at Jerry Heaton's place with the Colorado Department of Public Health and Environment, Thane Kramer, who offered some solutions for his feed lot drains off into the reservoir. **COMMISSIONER SUCKLA** suggested the people attend the sprint car races on the 18th and 19th, and discussed the Sheriff's security fee at the race track.

PUBLIC COMMENT: No Public Comment was made at this time.

CORRESPONDENCE: The following correspondence was read and noted: none.

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

MEETING ADJOURNED: 12:38 p.m.

Clerk August 25, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 1, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 1, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds, Absent
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of September 1, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 25, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed a request to waive the Fairground's 90 day requirement for a special event liquor license application, from **True Western Roundup Rodeo**. The event is to be held at the County Fairgrounds on October 3, 2020. Commissioner Candelaria moved that for a Special Event Liquor License, we require 30 days, to be consistent with the State and eliminate the 90 day County requirement. Second by Commissioner Suckla and carried. Commissioner Candelaria moved to accept, alcohol on the premises of the Fairgrounds, for the True Western Rodeo, October 3rd. Second by Commissioner Suckla and carried.

EXPENDITURES REPORT: Administrator Powers presented the July 2020 Accounts Payable Expenditure Reports for approval. Commissioner Candelaria moved to accept the payables for

the month of July 2020, in the amount of \$7,721,428.86. 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 proposed 2 Lot Minor Subdivision and Rezoning Application submitted by **Bobby & Dorothy Wright** on property located at 19600 Road 16, Yellow Jacket, CO, consisting of 138.26 acres, more or less, located south of Road W, east of Road 16, situated in Section 5, T.37N, R.17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Mr. Wright** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed 2 lot minor subdivision and rezoning application submitted by Bobby & Dorothy Wright on property located at 19600 Road 16, Yellow Jacket, CO, consisting of 138.26 acres, more or less. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Director, Don Haley with **Assistant S. Jane Duncan** presented for signatures a Variance, submitted by **James & Lea Cody**, on property located at 43728 Road M, Mancos, CO, consisting of 42 acres, more or less, located South of Road M and east of Road 42, situated in Section 11, T.36N., R.13W., N.M.P.M.) Commissioner Candelaria moved to accept the variance, submitted by James & Lea Cody, on property located at 43728 Road M, Mancos, CO, consisting of 42 acres, more or less. For a lack of a second the motion died. Commissioner Suckla moved to approve the variances on the setbacks, and the variance for the riding arena, for James & Lea Cody, on property located at 43728 Road M, Mancos, CO,. For a lack of a second the motion died. The discussion was tabled until the next Commissioner meeting.

A Mylar for a Subdivision Amendment and Variance, submitted by **Ben & Xela Lanier for Poco Dinero Land Co, Inc.**, on property located at 26501 Road 10, Pleasant View, CO, consisting of 3 acres, more or less, located north of Road CC and west of Road 10, situated in Section 25, T.39N., R.19W., N.M.P.M. The plat was not available at this time.

PUBLIC COMMENT: No Public Comment was made at this time.

ASSESSOR: Montezuma County Assessor, Leslie Bugg met with the Commissioners to give an update on assessed values as of September 1, 2020. Assessor Bugg reported that she had done a 2019 and 2020 comparison and if the current mill levy was to stay the same there would be a General Fund increase for the 2020 budget year. Other topics discussed included: a possible reduction in the mill levy, the Gallagher Amendment, the commercial assessment rate, the residential assessment rate, residential assessment rates for VRBO's, commercial assessment rates for B&B's and motels, the required reports due date extensions, funds for the current budgeting cycle and the 2021 taxes that would be payable in 2022. (See attached)

FAIRGROUNDS RACE TRACK: Race Track Promoter, Eugene Felker met with the Commissioners to give an update on the race track season and to discuss needed repairs. Topics

discussed included; electricity, the bleachers, fencing, extended parking, the restroom facilities, grant applications, revenue for local businesses, tax dollars for the municipalities and the required approval from the Occupational Safety and Health Administration (OSHA) for all updated equipment. **Fairground Manager, Justin McGuire** and **Resource Director, James Dietrich** joined the discussion to review the needed repairs and funding options. Other speakers in support of the Race Track included; **Tony Hill** and **Larry Rust**.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of August 26, 2020 through September 11, 2020 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; the **2021 Road Project Options Report**, coordination with the **City of Cortez** on County Road F and proposed road designation changes for the Summit Lake Roads. **Resource Director, James Dietrich** joined the discussion to report that he had received a request from the BLM, that the County commit to extending green signed County Road N westward to the proposed BLM parking area, and that a commitment to doing a road count for County Road N and Road 36.5 be included within the County's Scoping comments. Superintendent, Englehart discussed a truck accident on the intersection of County Road S and Road 20, which caused damages to the intersection's asphalt. To repair the damage Superintendent Englehart presented a **Lebanon Road** contract change order with **Oldcastle SW Group Inc.**, in the amount of \$21,440.00. Commissioner Candelaria moved to accept the change order for the HMA patching and 1" overlay of the County Road S and County Road 20 intersection in the amount of \$21,440.00 to Oldcastle SW Group Inc. Second by Commissioner Suckla and carried. (See attached)

WEED DEPARTMENT: Weed Department Office Manager, Bonnie Loving gave slide show progress report and presented her 2021 budget proposal. Topics discussed included; mapped Diffuse knapweed, mapped Russian knapweed, mapped Hoary Cress, mapped Canada thistle, mapped Cost Share applicants, the 2020 numbers and grant funds included within the 2021 budget. Manager Loving discussed a proposed purchase of an All-Terrain Vehicle (ATV). Commissioner Candelaria moved to accept the bid for the CF Moto C Force 600, at the cost of \$7,001.99, for the Weed Department. Second by Commissioner Suckla and carried. (See attached)

LANDFILL: Landfill Manager, Mel Jarmon met with the Commissioners to give his 2021 Budget presentation and the monthly report. Topics discussed included; an update on the Cell 4 construction, the Contract Grant for the composting screener, trommel bids, a future tire shredding project, payment of a non-perishable food item as the tipping fee for the **City of Cortez Cleanup Day**, the **Carver Landfill** closure, dues training and travel, a proposed new scale purchase, additional engineering expense, the required Tier Two air monitoring test, construction costs and composting. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire met with the Commissioners to give his monthly report and to present the 2021 budget proposal for the Fairgrounds. Topics discussed included; year to date attendance, year to date income, past events, future events, the hydrant replacement project, the Commodity Transfer project, the **12 Hours of Mesa Verde** event, RV sites at the Fairgrounds and the proposed **Improvement List**. (See attached)

MONTEZUMA COUNTY FAIRBOARD: County Fairboard President, **Allen Higgins** met with the Commissioners to give a preliminary financial update of the recently held County Fair. Topics discussed included; income and expenses for the Concert and the Derby, security, a proposed review of the Fairground policies and getting the County Fair on the 2021 Fairground's schedule. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **John Baxter**, discussed the scheduled mediation for the employment law case, the **Pax LLC** lawsuit, a Cogswell Law Office letter and the pending Kinder Morgan case.

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

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; **Commissioner Suckla** discussed the veterans living in the County, assistance to the **American Legion**, the Governor's COVID-19 reopening phases and a 2019 NBC news article discussing a norovirus outbreak in a Colorado school district. **Commissioner Candelaria** discussed the **Shaw Solar** project, the Board to Board meeting with the **Cortez City Council** and a scheduled Governor's meeting to review COVID-19 categorizations of an outbreak. Commissioner Candelaria discussed an increase to the Administrator's purchasing limit, up to \$10,000.00. Commissioner Candelaria moved to raise the limit from \$5,000.00 to \$10,000.00 for purchasing to the Administrator. With an amendment to the motion that the Administrator would then be responsible for bringing that to the Commissioners at the next meeting, of spending up to the \$10,000.00. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: No Public Comment was made at this time.

CORRESPONDENCE: The following correspondence was read and noted: none.

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

MEETING ADJOURNED: 11:50 a.m.

Clerk September 1, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 8, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 8, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds, Absent
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of September 8, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 1, 2020 as amended. Motion was seconded by Commissioner Suckla and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** presented the bid proposals that came in for the requested security measures at the **District Attorney's** office. Bids received included **Sun Glass Cortez** in the amount of \$6,300.00 and a bid from **Cortez Glass** in the amount of \$6,125.00. The job was awarded to Cortez Glass as the lowest bidder. Administrator Powers discussed the meeting that Chairman Suckla and he had with **Heidi Williams** from the **Attorney General's Office** regarding the County opioid settlement funds. Topics discussed included; the counties included within the Southwest Regional boundary, equal representation, funding requests and coordination between all counties on the settlement. (See attached)

RESOLUTION #14-2020: Administrator Powers presented Resolution #14-2020, a resolution extending participation in the Rural Jump-Start Program. Commissioner Candelaria moved to

opt in to Resolution #14-2020, a resolution extending the participation in the Rural Jump Start program. Second by Commissioner Suckla and carried. (See attached)

ORDER: Administrator Powers presented **Transfer Order #8-2020** for approval. A transfer of \$339,685.79 from Sheriff Fees (041) to Sheriff Grants (001-4012) because of grant monies were mistakenly deposited along with Sheriff fees. Commissioner Candelaria moved to approve Transfer order #8-2020, transferring \$339,685.79 from the Sheriff Fees (041) to Sheriff Grants (001-4012) because of grant monies were mistakenly deposited along with Sheriff fees. Second by Commissioner Suckla and carried. (See attached)

PUBLIC COMMENT: Planning Director, Don Haley discussed the Commissioner's recommendations to the Planning and Zoning Commission for the square footage size for an accessory residence. Commissioner Candelaria will send his recommendations by email and Commissioner Suckla was in favor of no limits.

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell and Pam Glasgow presented a special event liquor license application from the **True Western Roundup Rodeo, Santa's Special Forces**, for an event to be held on October 24, 2020, from 10:00 a.m. to 9:00 p.m., at the Montezuma County Fairgrounds. Commissioner Candelaria moved to approve the application for a special events permit, for the True Western Roundup, for October 24, 2020. Second by Commissioner Suckla and carried. (See attached)

DISCUSSION: Terri Wheeler with the **Housing Authority** met with the Commissioners to discuss the County as a pass through agency for the grant funds from DOLA on the **Calkins Building Project**. Ms. Wheeler assured the Commissioners that they would be presenting the documents as a finished product and would take care of the grant monitoring. Commissioner Candelaria moved that the County work as a pass through agency for the Housing Authority. Second by Commissioner Suckla and carried.

IT: IT Director, Jim McClain met with the Commissioners to present his preliminary 2021 budget presentation. Topics discussed included; a 23% reduction in the budget, the canceled contract with Data Safe, dues, training and travel, receivables, a proposed expansion of the **VXRAIL System**, better redundancy, Cares Act funding, the ability of employees to work remotely, a full duplicated VXRAIL System as a contingency plan and a proposed generator purchase. (See attached)

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give the 2021 budget presentation. Topics discussed included; fuel expenses, operation expense, the yearly **All Data System** expense, in house repairs, small tools, a tire machine, insurance, telephone, utilities, oil and the 2021 Vehicle Replacement Schedule. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard gave a monthly update report on current maintenance projects and the 2021 budget presentation. Topics discussed included; the **Jail Roofing Project**, re-scheduling the roofing projects at the Sheriff's office and Annex III, the **Senior Center Remodel Project**, the Annex II car charger, the **Car Charger Project** at Annex I, ADA parking at the Health Department, the **Fairground Remodel**

Project, the fire suppression system at the Fairgrounds, the landscape at the Combined Courts Building, the proposed generators purchase for the IT Department, capital projects to be included in the 2021 budget, utilities, the Annex I Solar project, operating costs at the Jail and Sheriff's Office, the Justice building utilities, building repairs and a proposed Director's pay raise. (See attached)

GIS MAPPING: GIS Manager, Doug Roth met with the Commissioners to present his 2021 budget presentation. Topics discussed included; a proposed 2% salary increase, operating expenses, maintenance contracts, dues, travel and training, the **Picometry Imagery Project**, the Clerk's office Record Digitization Project, and digitization of recorded plat maps. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, discussed a scheduled jury trial and a received noise complaint from the **Authentic Living Heartland Retreat Center**, for the dog breeding facility, **Rocky Mountain Terriers** on property located at 30773 Road V.6, Dolores, CO.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented for approval a letter of support addressed to **Pam O'Malley** with the **Colorado Parks and Wildlife State Trails Program** regarding the **CPW Non-motorized Trail Grant**. Commissioner Candelaria moved to send the letter of support to, Pam O'Malley CPW for the State Trails Program, for the CPW Non-motorized Trail Grant. Second by Commissioner Suckla and carried. Director Dietrich presented a letter of support addressed to **Jeff Christenson** with the **BLM Tres Rios Field Office** regarding the **Summit Ridge Public Access and Parking Area**. Commissioner Candelaria moved to send the letter of support to Jeff Christenson, BLM Tres Rios Field Office for the Summit Ridge Parking Area Project. Second by Commissioner Suckla and carried. Other topics discussed included; the M&M Property Cleanup Project, the map that identified BLM land for possible disposal, and the Combined Courts landscape project. (See attached)

COUNTY COMMISSIONER REPORT: Commissioner Candelaria discussed the **Communications Meeting**. Commissioner Suckla discussed the meeting with **Heidi Williams** from the **Attorney General's Office**.

PUBLIC COMMENT: No Public Comment was made at this time.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 10:45 a.m.

Clerk September 8, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 15, 2020**

[illegible]

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 15, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of September 15, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 8, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented for approval a **Proclamation for the National Suicide Prevention Awareness Month September 2020**. Commissioner Ertel moved that the Montezuma County Board of County Commissioners proclaim National Suicide Prevention Awareness Month September 2020. Second by Commissioner Candelaria and carried. Other topics discussed included the Veterans Park Dedication ceremony and the attended City Council meeting. (See attached)

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented for signatures a Mylar, for a 3 Lot Minor Subdivision submitted by **Gary Ellson & Tova Spector** on property located at TBD Road P, Mancos, CO, consisting of 35.03 acres, more or less, located north of Road P, west of Road 33, situated in Section 1, T.36N, R.15W, N.M.P.M.

Director, Haley with Assistant, Duncan presented for signatures a Mylar for a Single Lot Development submitted by **Jonathan & Sharon Spinney**, on property located at 20615 Road G, Cortez, CO, consisting of 48.50 acres, more or less, located north of Road G, situated in S.1, T.35N, R.17W, N.M.P.M.

Director, Haley with Assistant, Duncan presented for signatures a Mylar for a 2 Lot Moderate Subdivision submitted by **Joe & Rita Fowler**, on property located at 25198 Road T.5, Dolores, CO, consisting of 7 acres, more or less, located south of Road T.5, east of Road 25, situated in S.14, T.37N, R.16W, N.M.P.M.

Director, Haley with Assistant, Duncan presented for signatures a Mylar for a Single Lot Development & Rezoning Application submitted by **Burk Family Trust** on property located at 38359 Road H, Mancos, CO, consisting of 41.36 acres, more or less, located north of Road H, east of State Hwy 160, situated in S.36, T.36N., R.14W., N.M.P.M.

Director, Haley with Assistant, Duncan presented for signatures a Mylar for an Exemption Application submitted by **Burk Family Trust** on property located at 38359 Road H, Mancos, CO, consisting of 36.36 acres, more or less, located north of Road H, east of State Hwy 160, situated in S.36, T.36N., R.14W., N.M.P.M.

Director, Haley presented the Planning Department proposed 2021 budget. Topics discussed included; salaries, overtime, operating expenses, dues, training and travel, phone reimburse and address expense. Other topics discussed included; an update from the Planning & Zoning on the proposed Land Use Code changes to the one acre lots and the square footage for a secondary home. (See attached)

PUBLIC COMMENT: Historical Society Board President, Ann Brown gave an update on the **Montezuma Heritage Museum Project**.

DISCUSSION: Laura Lewis Marchino with Region 9 met with the Commissioners to discuss ideas for **CARES Funding Business Support**. Topics discussed included; the allocation of revolved CDBG funds to 11 businesses in Montezuma County, working with the **Town of Mancos** to administer their **Corona Virus Relief Funds**, a proposed program to convert the current disaster assistance loans to grants, the application process, inclusion of a County representative to the selection committee, the bookkeeping, the marketing of the program, a draft application for review, a nomination of Administrator Powers for the **Region 9, Economic Development Leader of the Year** award, an updated contract to include this program, a proposed County economic modeling for the Airport and remote worker recruitments. Commissioner Candelaria moved that Montezuma County support the Cares Corona Virus Relief program through Region 9. Second by Commissioner Ertel and carried. (See attached)

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving presented for approval, a **Noxious Weed Right of Entry Resolutions #24-2020**. Commissioner Candelaria moved to approve the resolution granting Montezuma County Weed program or its designee, right of entry onto the property, to control noxious weeds, based on affidavit of county weed supervisor, noxious weed resolutions #24-2020. Second by Commissioner Ertel and carried.

Administrator Powers discussed an expiration date error on the previously approved Noxious Weed **Resolutions #21-2020, #22-2020 and #23-2020**. Commissioner Ertel move to authorize the Noxious Weed Supervisor and the County Clerk to adjust incorrect calendar dates on any document that need such. Second by Commissioner Candelaria and carried. Manager Loving presented trailer bids from **D&D Sales** in the amount of \$10,964.00, **Crouch Mesa Trailer Sales LLC** in the amount of \$12,200.00, and **Maxey Trailer Sales** in the amount of \$12,055.00. Commissioner Ertel moved that the Noxious Weed Department, Bonnie Loving, purchase a trailer from D&D Sales, in the amount of \$10,964.00. Second by Commissioner Candelaria and carried. (See attached)

PUBLIC LANDS: Bureau of Land Management, Connie Clementson gave updates to the Commissioners of the following topics; the **BLM Summit Access Parking Lot Project**, the **Transportation and Access Plan** and the hiring process for the Monument Manager position. **Canyon of the Ancients National Monument Interim Manager, Doug Mayes** discussed the **Lowry Kiva Stabilization Project**, the environmental analysis on the **Yellow Jacket Loop Line** project, the **Yellow Jacket and Flodine Park** range allotments and the **Emerging Leaders Program**. **Forrest Service District Ranger, Derek Padilla** discussed the development of a proposed rafting location, the current office status update, the extension of the reduced fee fuelwood permit program, the breakwater at the **McPhee Marina**, local economic opportunities associated with recreational activities on the lake, the **Ormiston Timber Sale**, the **Highline National Recreation Loop Trail**, the **Mavreeso Camp Ground Water System Replacement Project** and the **Rico Guard Station Rehabilitation Project**.

LANDFILL: Landfill Manager Mel Jarmon reported to the Commissioners that with the grant funds received, he would be buying a trammel screen from **Screen Machine Industries** in the amount of \$159,893.00, and a pump from **EPG Companies Inc.** in the amount of \$9,877.00. Manager Jarmon reported that the Cell 4 construction was complete. (See attached)

COUNTY CORONER: Coroner George Deavers was not available to meet with the Commissioners.

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report which included the **Calls for Service Report**, vin verification inspection calls, domestic violence calls, sex offender checks, animal calls, the **Jail Report**, the **August Transport Report**, the **Perdium and Cost for Travel Report**, the **City of Cortez Billing Report**, the **Dolores County Billing Report**, the **DOC Holds Report**, the total monthly inmate numbers, the **August Arrest / Release Report**, the **August Operational Expense Report**, the **Monies Paid to the General Fund Report**, marijuana enforcements, compliance checks, the **Marijuana Impact Grant**, a proposed review of the County marijuana ordinance and the **Dispatch Center**. Sheriff Nowlin presented the proposed 2021 budgets for the **Sheriff Department**, **Detention Center**, **LEA**, **Pre-Trial Unit**, **Casino Contract**, **Gaming Impact Grant** and the **Grant Budget-Estimated**. (See attached)

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met with the Commissioner to a monthly report. Topics discussed included; an updated COVID report, current fire weather conditions, air quality report, attended lock down drills for the Cortez

schools, attendance at a bomb threat drill at the hospital, development of **Emergency Response Plans**, incident command trainings, required employee emergency management training modules, water report and the development of a **Multi-Agency Coordinating Group**. Manager Spratlen presented the proposed Emergency Management 2021 budget. Topics discussed included; salaries, operating expenses, repair and maintenance, fuel expense, dues, travel and training, and the Emergency Operations Center. (See attached)

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

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, reported that a public hearing had been scheduled September 29th at 9:30 a.m., to discuss the proposed road designation changes for Road N and Road 35.6. Other topics discussed included; the **Flood Plane Development** permitting, the **Paths to Mesa Verde Project**, the proposed **Dolores Town Trail** to bypass the CR 31 hill and the new Administration building sign. Director Dietrich presented for review the department's proposed 2021 budget. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the visit from **Secretary of State, Jenna Griswold**, the attended **Town of Mancos** Board to Board meeting, the Department Head meeting, building tours, the County Wide Cleanup event, a Southwest Regional commissioners zoom meeting and a hopeful resolution with the **Cortez City Council** regarding the Veterans camping in the American Legion parking lot.

PUBLIC COMMENT: No Public Comment was made at this time.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 12:30 p.m.

Clerk September 15, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 22, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 22, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of September 22, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 15, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

RESOLUTION: In celebration of the **100th Anniversary of the Disabled American Veterans Day, Commander, Doug Biehler** of the **DAV Lindsay-Geer, Chapter**, read a resolution by the Montezuma County Board of County Commissioners to proclaim September 25, 2020 as **Disabled American Veterans Day**. Commissioner Ertel moved that the Board of Commissioners for Montezuma County approve a resolution that Disabled American Veterans Day, September 25, 2020 be approved. Second by Commissioner Candelaria and carried. **Commander, Scott Magness** of the **Ute Mountain Post 75**, discussed the Legion Grounds RV Park. A waiver of fee for the use of the Annex I building, for the **9th Annual Christmas Craft Fair** scheduled November 28, 2020 was presented for approval. Commissioner Candelaria moved that per the request from Commander Biehler, to waive the fees for the Annex I, on November 28, 2020, for their 9th annual Christmas Craft Fair be approved. Second by

Commissioner Ertel and carried. A discussion was held regarding the standard procedure that all required cleaning deposits be paid and returned. (See attached)

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented for signatures of a Mylar for an Amendment to the **Son River 2 Lot Minor Subdivision** submitted by **Krystal Investments, LLC; Agent: Gene Reininger**, on property located at 19384 Hwy 145, Dolores, CO, consisting of 18.47 acres, more or less, located south of Hwy 145, situated in S.5 T.37N., R.14W., N.M.P.M

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented for review and feedback of a Sketch Plan for a General Planned Unit Development (GPUD) for residential purposes on property owned by **The Faucet Company, LLC**, located at TBD Road J, Cortez, CO, consisting of 17 acres, more or less, with 35 lots, located south of Road J, 7th Street extension, west of Road 27, situated in S.36, T.36N., R.16W., N.M.P.M. Representative **Jay Cruzan** was present. The Commissioners were in approval to move the application forward to the Planning & Zoning Commission. (See attached)

PUBLIC HEARING: It being the time set aside a continued public hearing is held for review and discussion of possible changes to the **County Land Use Code**. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley with Assistant, S. Jane Duncan** presented for discussion the proposed change items:

1. In Chapter 2, paragraph E, Item 1: For public notice to the area neighbors, change the wording from adjacent to adjoining.
2. In Chapter 5, paragraph 5101.7: Requirement for each parcel to have a 230' diameter circle for a buildable/developable footprint, change to eliminating the circle requirement.
3. In Chapter 9, paragraph 9101.2: The penalties reference for 25-1-611 and 613, C.R.S. as amended that portion of Senate Bill 98-055, codified as 30-28-124.5, C.R.S., as amended be changed to eliminate 25-1-611 and 613, C.R.S. as amended and Senate Bill 98-055.
4. In Chapter 9, paragraph 9104.2.B: For amending Plats, all lot owners in the subdivision or PUD must sign on the amended plat, change to When lot owners are combining adjacent subdivision lots to their existing lot or amending a common lot line, then only the signatures of the affected lot owners are required.
5. In Chapter 3, paragraph 3106.5.B: For residential accessory uses one guest or caretaker unit: 1,500 sq.ft. maximum, change to the residential accessory unit shall not have a square footage limit.
6. In Chapter 5101.3, paragraph G.: Eliminate the requirement that a Wildfire Mitigation plan must be prepared and the work completed prior to the signing of the Mylar by the BOCC.

7. In Chapter 5, Section 1, paragraph 5101.3: Setbacks for residences are 50' and outbuildings are 25' from property lines and road ROW, change to 30' for residences and 15' for outbuildings from property lines and 10' from road ROW.
8. In Chapter 5, paragraph 5101.7 Lot sizes: A three acre minimum is required for residential development, change to a one (1) acre minimum is required for residential development.
9. In Chapter 2 & 3, High Impact Permits: The requirement for a change in ownership or the business ceasing to exist for more than 12 months a new application for a HIP is required, change to a new owner conducting the same business after any amount of time can have the existing HIP transferred to them.

Commissioner Suckla opened the hearing to public comments after each item was presented. Public comments were made by, **Rebecca Samulski, Kelly Belt, Fred Ostrem, Carrie Summers, Katie McClure, Jeanne Becker, Danny Wilkin, Nina Williams, Kim Feeman, Larry Berger, Freida Knezek, Sheila Wheeler, Mancos Town Board Member Janice Bryan, Bill Ivy** and the **County GIS Manager Doug Roth**. Zoom public comments were made by **Marianne Mate, Cindy Dvergsten** and **Michael Parker**. Hearing no further public comment that portion of the hearing was closed. The Commissioners were in agreement to move forward items #1, #2, #3, #4, and #6. The items held for further information included items #5, #7, #8 and item #9. After hearing all the evidence presented Commissioner Candelaria moved to have a continuation of this hearing to be set for October 20, 2020 at 1:30 p.m. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

COMMUNITY CONNECTIONS: Vice President in Marketing and Development, Ellen Stein, Board Member, Cynthia Sadler, Vocational Consultant, Casandra Krafka and participant **Sabrina Kennedy** with **Community Connections** met with the Commissioner to make a 2020 CARES Act Funding Request and a renewed funding request in the amount of \$10,000.00 for 2021. Topics discussed included; previous County funding, comprehensive services provided, the COVID-19 closures, community inclusion activities, volunteering and education, offered remote classes, 2020 revenue losses, in person services, legislative funding cuts, COVID related receiptable items, funding support from La Plata County, CDOT funding requests, other community funding support and the scheduled **1st Annual Festival of Wreaths** event. (See attached)

DISCUSSION: Haley Leonard Saunders, with Axis Health Systems, City of Cortez Police Chief, Vern Knuckles, Mancos Marshall, Justen Goodall and Cortez Fire Protection District Chief, Jay Balfour met with the Commissioner to discuss the development of a **Community Response Program**. The developed program would address some of the non-emergent calls within Montezuma County. It would include the creation of a team with a behavioral health professional and an EMT, which would have their own van and be dispatched through 911. Other topics discussed included; a proposed DOLA grant application for the purchase of a vehicle, the development of a proposed Inter Governmental Agreement and identification of the entities that would be involved within the program. Ms. Saunders presented a 2021 budget year funding request in the amount of \$10,000.00, in support of the Axis Health

Systems Acute Treatment Unit (ATU) and a \$5,300.00 funding request for support of the Detox program. (See attached)

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

LIQUOR LICENSE: Deputy Clerk, Malinda Fuller presented a liquor license renewal for Kelly Place Inc. located at 14537 Road G. Cortez. Commissioner Ertel moved that the retail liquor and fermented malt beverage, license renewal application for Kelly Place at 14537 Road G in Cortez, be approved. Second by Commissioner Ertel and carried. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres presented the Certification of Pay for August, 2020 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 Candelaria moved to accept the Veterans Service Officers monthly report for the month of August, 2020, in the amount of \$10,582.15. Second by Commissioner Ertel and carried. Other topics discussed included; the county recognition for the 100th Veterans Day Anniversary, the recently held VFW Veterans Stand Down event and the Veterans Park dedication. Officer Torres gave the 2021 budget presentation for the Veteran Service Department. Topics discussed included; a salary increase and certification for a part time position that will be changing to a full time position, fringe benefits, operating expenses, the **VETRASPEC** application program, public outreach, dues training and travel, cell phone reimbursement and vehicle maintenance. (See attached).

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the Coroner's Department 2021 budget presentation. Topics discussed included; yearly autopsies and bloodwork, required certifications, phone expense, fleet management, cancelled trainings in 2020 and the county statistics on suicides and substance abuse. (See attached)

HEALTH DEPARTMENT: Public Health Director, Bobbie Lock along with **Assistant Director, Laurel Schafer**, met with the Commissioners to give the Health Department 2021 budget presentation. Topics discussed included; salaries, the suicide prevention position, part time salaries, the dental staff, a hygienist, the COVID Registered Nurse position, a **Nurse Family Partnership** nurse, fringe benefits, operating expenses, contact tracers, professional services, training, travel, vehicle repairs and maintenance. (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 **Finance Officer, Lori Higgins** were present. Director, Montoya presented the 2021 Social Services budget proposal. Topics discussed included; total revenues, total expenditures, Cares Act funding, staff allocations, salaries, vehicle expense, on line trainings, recommendations for the future mill levy, a request to the Board to visit all of the Social Service departments for a day, preventive services and family stability. (See attached)

DISTRICT ATTORNEY: District Attorney, Will Furse, along with **Clarisa Feuilly** and **Assistant District, Attorney, Matt Margeson** met with the Commissioners to give the District

Attorney's Department 2021 budget presentation. Topics discussed included; salaries, fringe benefits, appreciation to the IT Department, recent legislation, a body camera mandate, an increase to retain required data, dues, travel, training, and the addition of the new Attorney **Cody James** to the department. (See attached)

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris presented the 2020 budget proposal for the Transit program. Topics of the discussion included; an over estimate on the 2020 benefits, dues, training and travel, on line trainings, fuel and maintenance, operating expenses, an Assistant Transit Manager position, the ridership, Medicaid rides, a change to the bus stop, the COVID 19 grant funds received, the Meals on Wheels deliveries and the graphic wrap designs for the MOCO vans. Manager Morris presented for approval, the **San Juan Basin Area Agency on Aging, Inc. Contract**. Commissioner Ertel moved that the San Juan Basin Area Agency on Aging, Inc. Contract with the Montezuma County Public Transportation for the year 2021 be approved. Second by Commissioner Candelaria and carried. (See attached)

SENIOR SERVICES: Director, Johnathan Parker gave the 2021 budget presentation for the Senior Services Department. Topics of the discussion included; completion of the Kitchen Remodel Project, the Meals on Wheels Program, grant funding, salaries, a full time to part time change, a decrease in the Annex I rentals, suicide and substance abuse, general anxiety and the Home Visitation Program. Administrator Powers reported that he had attained permission from Chairman Suckla to approve and sign the **San Juan Basin Area Agency on Aging, Inc. Contract**. (See attached)

CSU EXTENSION OFFICE: Extension Agent, Greg Felsen met with the Commissioners to give the 2021 budget presentation. Topics of the discussion included; salaries, fringe benefits, operational expenses, professional services, dues, travel and training, fleet expense, the CSU commitment for a half time **Family Consumer Science Agent**, the Administrative Assistant position and the recently held event at the Research Center. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented letters of interest from **Allen Higgins** and **Thomas W. Gilliland** to be considered for an additional 4 year term on the Montezuma County Fairboard. Commissioner Ertel moved to approve Allen Higgins for another 4 year term on the Montezuma County Fairboard. Second by Commissioner Candelaria and carried. Commissioner Candelaria moved that T.W. Gilliland serve another 4 year term on the County Fairboard. Second by Commissioner Ertel and carried. Administrator Powers presented for review the loan to grants letter, which had been mailed to the businesses that had received **Disaster Assistance Loans** along with the **Services Agreement Modification by and between the Region 9 Economic Development District of Southwest Colorado Inc. and Montezuma County**. Other topics discussed included, a discussion held with the **Unlimited Learning Center** and a meeting attended with the **Colorado Retirement Account**. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, discussed the scheduled mediation for the employment law case, Sheriff Department employee cases, the Montezuma Valley Irrigation Company lawsuit and the Kinder Morgan lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, discussed the **Historic Maps and Route Research Project**, Forest Service non-system road closures within Dolores County, the BLM **Transportation Alternative Plan**, the **Table 1-Proposed Critical Habitat Units and Occupancy of Chapin Mesa Milkvetch**, a scheduled meeting to discuss the breakwater, the **Flood Plane Development Plan**, the proposed **Dolores Town Trail** and a proposed property purchase.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; a scheduled meeting with Governor Polis, a COVID-19 testing lab placed on the western slope and the scheduled Cortez City Council meeting.

PUBLIC COMMENT: No Public Comment was made at this time.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 4:10 p.m.

Clerk September 22, 2020

Chairman

Decker & Associates:

Combined Courts Building	\$6,295.00
Road and Bridge Building	\$590.00

Sparkle:

Annex III Building	\$1,600.00
Sheriff's Office	\$960.00
Transportation Office	\$160.00
Combined Courts Building	\$2,400.00
Road and Bridge Building	\$240.00

Wagner Enterprise:

Road and Bridge Building	\$850.00
Transportation Office	\$850.00

Redfin Janitorial LLC:

Administration Building	\$4,600.00
Annex I Building	\$2,000.00
Annex III Building	\$1,500.00
Sheriff's Office	\$985.00
Transportation Office	\$250.00
Road and Bridge Building	\$450.00
Combined Courts Building	\$4,600.00

The bids will be reviewed and awarded at a future Board of County Commissioner's Meeting.

EXPENDITURES REPORT: Administrator Powers presented the August, 2020 Accounts Payable Expenditure Reports for approval. Commissioner Ertel moved that the disbursements and receipts for Montezuma County for the period of August 1, 2020 through August 31, 2020, be approved. Second by Commissioner Candelaria and carried.

RESOLUTION: Administrator Powers presented for approval **Resolution #15-2020**, a. Resolution to Apply and Signatory Authority and Delegation of Signatory Authority. Commissioner Candelaria moved to accept Resolution #15-2020 as a signatory authority and delegation of signature authority. Second by Commissioner Ertel and carried.

Administrator Powers presented for approval, a letter of support addressed to the Colorado Tourism Office c/o Elizabeth O'Rear regarding the Phase Two of the **Montezuma County Regional Biking Campaign**. Commissioner Ertel moved that the Board of Montezuma County Commissioners send Mesa Verde Country a letter of support in regard to Montezuma County and their Regional Biking Campaign. Second by Commissioner Candelaria and carried. Letters to appoint Taggart & Associates as the County's Insurance broker and representative were tabled to a future date, for further discussion. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a Special Use Permit Application for the proposal of an outdoor Opera, submitted by **Mancos Creative District**, on property located at 10583 Road 44, Mancos, CO, located north of State Hwy 160, west of Road 44, situated in Section 23, T.36N, R.13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Ann Beach** was present. **Planning Director, Don Haley** with **Assistant, S. Jane**

Duncan presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to approve the special use permit application for the proposal of an outdoor opera, submitted by Mancos Creative District, on property located at 10583 Road 44, Mancos, CO,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 4 Lot Moderate Subdivision and Rezoning Application submitted by **Ronnie & Rachel Hurst** on property located at 30795 Hwy 184, CO, consisting of 56.47 acres, more or less, located north of Hwy 184, east of Road 30.5, situated in S. 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. Mr. Hurst was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the proposed 4 lot moderate subdivision and rezoning application submitted by Ronnie & Rachel Hurst on property located at 30795 Hwy 184, consisting of 56.47 acres, more or less be approved. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Moderate Subdivision and Rezoning Application submitted by **Gary & Linda Diffendaffer**, on property located at 12870 Road 23, Cortez, CO, consisting of 11.52 acres, more or less, located south of Road N, east of Road 23, situated in Section 9, 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. Diffendaffer was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed 2 lot moderate subdivision and rezoning application submitted by Gary & Linda Diffendaffer, on property located at 12870 Road 23, Cortez, CO, consisting of 11.52 acres, more or less. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held to make a determination on proposed changes to the Official County Road Map. The roll was called, the public notice read, and the proceedings were recorded for the record. **Natural Resources, Planning & Public Lands, Director, James Dietrich** presented the details of proposed changes. Commissioner Suckla opened the hearing to public comment. Public comments were made by; **Pam Chipman, Kevin Desplanques, Cheryl McMillan** and **Rebecca Seifer**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Ertel moved that the proposal to extend County Road N westward along the section line from its junction with County Road 35.6, a distance of approximately 900',

that we move ahead with this proposal to be put on the Official County Road map as a green county road. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented for signatures of a Mylar, for a 2 Lot Minor Subdivision submitted by **Bobby & Dorothy Wright** on property located at 19600 Road 16, Yellow Jacket, CO, consisting of 138.26 acres, more or less, located south of Road W, east of Road 16, situated in S. 5, T.37N, R.17W, N.M.P.M.

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented for signatures of a Variance, submitted by **James & Lea Cody**, on property located at 43728 Road M, Mancos, CO, consisting of 42 acres, more or less, located South of Road M and east of Road 42, situated in Section 11, T.36N., R.13W., N.M.P.M (Was not presented due to time constraints)

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented for signatures of a Mylar for an Exemption submitted by **Ted Clark** on property located 26059 Road 38.5, Dolores, Colorado, consisting of 32.67 acres, more or less, owned by Ted V. Clark, located north and south of Highway 145, situated in S.36, T.39N, R.14W, N.M.P.M. (Was not presented due to time constraints)

PLANNING: Director, Haley with Assistant, Duncan presented to Montezuma County Board of County Commissioners for review and feedback of a proposed Variance on property located at 18738 Hwy 145, Dolores, CO, submitted by **Gregory & Nancy Chambers**, consisting of 17.84 acres, more or less, located south of State Hwy 145, in the **Wildcat Land & Timber Subdivision**, situated in Section 12, T.37N., R.15W., N.M.P.M.. Mr. Chambers was present. Director Haley reported on the findings from the Planning and Zoning Commission in 2006 and with the current conditions of the subdivision approval the Planning Department could not recommend the variance for approval at this time. Commissioner Ertel moved to grant the applicants, Gregory & Nancy Chambers, a variance on property located at 18738 Hwy 145, Dolores, CO, of 75 foot from the river's edge to their building site. Second by Commissioner Suckla and with two votes in favor from Commissioners Ertel and Suckla and one vote against from Commissioner Candelaria, the motion carried. (See attached)

PUBLIC COMMENT: No public comment was made.

BOARD OF EQUALIZATION: Commissioner Ertel moved to open the meeting as the Montezuma County Board of Equalization. Second by Commissioner Suckla and carried. It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Safeway Stores** on account P000648. The petitioner was not present for the hearing. **Assessor Leslie Bugg** reported that Safeway Stores had sent an email with a request for an Administrative Denial. After hearing the evidence presented, Commissioner Ertel moved to deny the request from Safeway to mitigate their personal property assessed valuation by our Assessor office. Second by Commissioner Candelaria and carried. Commissioner Suckla closed the Board of Equalization hearing at this time and moved back to the Board of County Commissioners meeting. (See attached)

SOUTHWEST WATER CONSERVANCY DISTRICT: Southwest Water Conservation District Representative, Don Schwindt, Southwest Basin Round Table, Montezuma County Representative, Ed Millard and from the Nature Conservancy, Celene Hawkins met with the Commissioners by Zoom to give a water update. Topics discussed included: the division seven exemption, the sale of Colorado water rights, Montezuma County project water, McPhee call water, participation in water banking, the **Montezuma Restoration Project**, demand management studies, drought resiliency, economic impact studies, proficiency improvements, conserve consumptive use, reduced inflow, forest density, reservoir balancing guidelines, curtailments, interim guidelines, drought contingency discussions and comments and a recommendation of Colorado's Demand Management Feasibility Investigation Update. (See attached)

COMMUNITY CHRISTMAS DINNER: Laurie Hall met with the Commissioners to discuss a funding request in the amount of \$5,000.00 for the Community Christmas Dinner event. Topics of the discussion included; serving the dinner as takeout or delivery, local business support, additional expenses this year, the benefits of a sit down family style dinner, a change of venue option from the County Annex to the County Fairgrounds, COVID restrictions, County transportation options and possible Cares Act funding. The discussion was tabled until the next Commissioner meeting, to allow Ms. Hall to present the change of venue option to her Committee. (See attached)

DISCUSSION: Southwest Colorado Small Business Development Center, Executive Director, Mary Shepherd, met with the Commissioners with a 2021 budget year request, for a funding donation in the amount of \$2,500.00. Topics of the discussion included; a required financial match to support the sustainability of the SW Colorado SBDC, prospering locally-owned businesses, the 2019 scorecard, impacts to Montezuma County, success stories and upcoming workshops. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to present the **2020 EIAF Grant Application** for approval. Commissioner Candelaria moved that the Road Superintendent, Rob Englehart, move forward with the DOLA grant application to finish the 4.7 mile chip seal on County Road 10. Second by Commissioner Ertel and carried. (See attached)

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

Chairman Suckla announced the meeting would reconvene

SOUTHWEST HEALTH SYSTEMS: CEO, Anthony Sudduth, CFO, Rick Shrader and CNO, Karen Labonte met with the Commissioners to give an update on the local hospital. Topics of the discussion included; a COVID Testing / BD Max update, the **Balance Sheet**, cash collections, the days of cash on hand report, inventory of supplies, the **Monthly Operating Report**, the OB nurses station and MRI chiller projects, liabilities, current earnings, the income statements and the **Statistical Highlights** report. (See attached)

ASSESSOR: Montezuma County Assessor, Leslie Bugg met with the Commissioners to present the 2021 proposed budget presentation. Topics discussed included; fringe benefits, operating expense, maintenance contracts, annual fees, fleet costs, vehicle repairs, additional vehicles needed for the Department and the Kinder Morgan Audits. (See attached)

TREASURER / TRUSTEE: Montezuma County Treasurer, Ellen Black met with the Commissioner to give the Treasurer and Trustee 2021 budget proposals. Topics of the discussion included; fringe benefits, operating expenses, an increase to the publications expense, the current employee health insurance and the addition of a payment drop box. (See attached)

CLERK AND RECORDER: Montezuma County Clerk & Recorder, Kim Percell met with the Commissioners to give the 2021 Clerk and Elections budget proposals. Topics of the discussion included; the Annex I cleaning contracts, salaries, fringe benefits, the Tech Fund, operating expenses, postage, maintenance contracts, dues, training, travel, the ERTB digitization project, professional services, a proposed purchase of a ballot processing machine, reimbursement funds received from elections held and approved grants. (See attached)

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

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented a letter for approval, addressed to **Connie Clementson** the **BLM Tres Rios Field Manager** regarding the environmental analysis for the **BLM Transportation and Access Plan I DOI-BLM-CO-CO10-2018-0013-EA**. Commissioner Ertel moved to send the letter to the BLM Connie Clemntson, Tres Rios Field Manager the BLM Transportation and Access Plan I DOI-BLM-CO-CO10-2018-0013-EA stating how the Board of Montezuma County Commissioners view their Travel Access Plan. Second by Commissioner Candelaria and carried. Other topics discussed included; a scheduled **Montezuma County Recreation Advisory Committee** (MCRAC) meeting, and the **Historic Routes Determination** meeting. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the attended **Forest Service** breakwater meeting, the attended **Region 9 and Housing Solution** meetings, the attended **CCI** legislative call, and the attended **Governors** call.

PUBLIC COMMENT: David Serfoss, Robert Yarbrough and **Rob Pope** held a discussion regarding, a presented request for proposal (RFP), to the City of Cortez, regarding the Cortez Municipal Airport's, Fixed Base Operator (FBO)

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Candelaria moved to go into executive session for a conference with the attorney to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402 (4) (a) and to include Clerk Percell, Commissioner's Ertel, Suckla, and Candelaria, Attorney MacClarren, Attorney Baxter, Administrator Powers, and James Dietrich. Second by Commissioner Ertel and carried. Attorney Baxter joined the meeting at 3:25 p.m. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding a

proposed property purchase for the Mesa Verde Trail. Commissioner Candelaria 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 Candelaria seconded by Commissioner Ertel and carried.

MEETING ADJOURNED: 3:40 p.m.

Clerk September 22, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 6, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 6, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney, Absent
Ian MacLarren, Assistant County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of October 6, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated September 29, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** gave the 2021 cleaning bid staff recommendations. Administrator Powers discussed a contingency for the completion of the Security Training and FBI Clearance required for the Sheriff's Office Combined Courts and the District Attorney's office, that is within the Administration building. Commissioner Candelaria moved to accept the cleaning bids, by building, as recommended by the Administrator, Administration Building to **Redfin** in the amount of \$4,600.00, Annex III to **Redfin** in the amount of \$1,500.00, Annex I to **Laurel Schafer** in the amount of \$1,604.16, the Transportation office to **Redfin** in the amount of \$250.00, the Combined Courts building to **Redfin** in the amount of \$4,600.00, The Sheriff's Office to **Redfin** in the amount of \$985.00, and the Road and Bridge building to **Redfin** in the amount of \$450.00. Second by Commissioner Ertel and carried. Administrator Powers presented the Administration,

Commissioner's and the County Attorney's proposed 2021 budget presentations. Topics discussed included; decreases in dues, travel and training, a meeting with the Attorney General and CCI discussing the proposed regional designations for the opioid settlement funds, and the attended meeting with **Colorado Housing and Financing Authority**. (See attached)

RESOLUTION: Administrator Powers presented **Resolution #16-2020**, a Resolution **Opposing the National Popular Vote Compact** which will appear on the 2020 General Election Ballot. Commissioner Ertel moved that Resolution #16-2020 a resolution opposing the national popular vote compact which will appear on the 2020 General Election ballot be approved. Second by Commissioner Candelaria and carried. (See attached0

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented for discussion of **49 Square Ventures, LLC** three-month review for the continuation of the Certificate of Designation, located at 9294 Road 39, Mancos, CO, situated in Section 30, Township 36N, Range 13W, N.M.P.M. On line comments were given by **Matt Bradshaw** and **Ed Smith**. Documents presented included the **Sales by Item Summary Reports** and **Sample Analysis Reports** from **Green Analytical Laboratories**. A final hearing will be scheduled December 22, 2020. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Moderate Subdivision and Rezoning Application submitted by **Charles & Laurie Hall** on property located at 13221 Road 32, Mancos, CO, consisting of 74 acres, more or less, located south of Road P, west of Road 32, situated in S. 1, T.36N, R.15W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Mr. and Mrs. Hall** were present. **Planning Director, Don Haley with Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed 2 lot moderate subdivision and rezoning application submitted by Charles & Laurie Hall on property located at 13221 Road 32, Mancos, CO, consisting of 74 acres, more or less. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PLANNING: Director, Haley with Assistant Duncan presented for signatures for a Special Use Permit for an outdoor Opera, submitted by **Mancos Creative District**, on property located at 10583 Road 44, Mancos, CO, located north of State Hwy 160, west of Road 44, situated in Section 23, T.36N, R.13W, N.M.P.M. (See attached)

PLANNING: Director, Haley with Assistant Duncan presented for signatures of a Mylar a Subdivision Amendment Application and Variance Application, submitted by **Ben & Xela Lanier** for **Poco Dinero Land Co, Inc.**, on property located at 26501 Road 10, Pleasant View, CO, consisting of 3 acres, more or less, located north of Road CC and west of Road 10, situated in S.25, T.39N., R.19W., N.M.P.M. (See attached)

PLANNING: Director, Haley with Assistant, Duncan presented for signatures of an After-The-Fact Variance, submitted by **James & Lea Cody**, on property located at 43728 Road M,

Mancos, CO, consisting of 42 acres, more or less, located South of Road M and east of Road 42, situated in Section 11, T.36N., R.13W., N.M.P.M.. Commissioner Ertel moved that the variance, submitted by James & Lea Cody, on property located at 43728 Road M, Mancos, CO, consisting of 42 acres, more or less, be approved. Second by Commissioner Candelaria and carried. (See attached)

PLANNING: Director, Haley with Assistant, Duncan presented for signatures of a Mylar for an Exemption submitted by **Ted Clark** on property located 26059 Road 38.5, Dolores, Colorado, consisting of 32.67 acres, more or less, owned by Ted V. Clark, located north and south of Highway 145, situated in S.36, T.39N, R.14W, N.M.P.M. Commissioner Ertel moved that the exemption submitted by Ted Clark on property located 26059 Road 38.5, Dolores, Colorado, consisting of 32.67 acres, more or less, be approved. Second by Commissioner Suckla and with two votes in favor from Commissioners Ertel and Suckla and one vote against from Commissioner Candelaria the motion carried.

PLANNING: Director, Haley with Assistant, Duncan presented for signatures of an After-The-Fact Variance, submitted by **Stephen Blackwell**, on property located at 25253 Road H, Cortez, CO, consisting of 3.22 acres, more or less, located north of Road H and east of Road 25, situated in Section 35, T.36N., R.16W., N.M.P.M. Commissioner Candelaria moved to accept the After-The-Fact variance, submitted by Stephen Blackwell, on property located at 25253 Road H, Cortez, CO. Second by Commissioner Ertel and carried. (See attached)

PLANNING: Director, Haley with Assistant, Duncan presented for signatures of a Mylar of a 2 Lot Moderate Subdivision and Rezoning Application submitted by **Gary & Linda Diffendaffer**, on property located at 12870 Road 23, Cortez, CO, consisting of 11.52 acres, more or less, located south of Road N, east of Road 23, situated in Section 9, T.36N, R.16W, N.M.P.M..

PLANNING: A discussion was held regarding compliance of the Land Use Code for multi functioning buildings, set back requirements and accessory residences. The discussion was tabled for future review and recommendations from the Planning Department.

PUBLIC COMMENT: Executive Director, Terri Wheeler from the Housing Authority of Montezuma County, presented the final Calkins Commons, Colorado Department of Local Affairs (DOLA) loan grant assistance, private activity bonds for rental projects application. (See attached)

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented a liquor license renewal applications for **Ted R. Lawrence dba Log Cabin Liquor**, 41900 Hwy 160, PO Box 272, Mancos, CO 81328. Commissioner Ertel moved that the retail liquor or fermented malt beverage license renewal application, submitted by Log Cabin Liquors, at 41900 Hwy 160 Mancos Co. be approved. Second by Commissioner Candelaria and carried. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give the proposed 2021 budget presentation. Topics discussed included; permanent salaries, dust retardant, Ream's Construction fossil water, culverts fuel, repairs and maintenance, signs

and painting, professional services, capital outlay, special projects, pave overlay and the Alkali Bridge project. (See attached)

LANDFILL: Landfill Manager Mel Jarmon gave his monthly report which included the 2020 Landfill budget spread sheet. Topics discussed with the report included; a Cell 4 construction update, the Trommel screen, compost curing stages, a proposed chipper rental /purchase, a proposed \$7.50 mattress disposal fee, the required 5 year gas monitoring test, the recycling program and a proposed Household Hazardous Waste Collection Facility. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers for income of \$60,017.40 and attendance at 44,145. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the sale of used bucking/ stripping chutes, installation of the oil heater, the Community Christmas dinner, the remodel project and an update of possible improvements. Manager McGuire presented proposed updates to the **Master Contract and Regulations** along with proposed changes to **the Montezuma County Fairgrounds Alcohol Policy**. Commissioner Ertel moved to change the time frame on the notification from 90 days to 30 days on the contract with the Fairgrounds, Second by Commissioner Candelaria and carried. (See attached)

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

DISCUSSION: Administrator Powers held a discussion regarding the preliminary 2020 **Mill Levies**. Topics of the discussion included; an increase in the valuations for Social Services, an increase in the valuations for Montezuma County General Fund, an increase in the valuations for Law Enforcement and a decrease in the Road and Bridge assessments. (See attached)

DISCUSSION: Administrator Powers held a discussion regarding the proposed 2021 **Capital Projects**. Topics discussed included; new flooring, a fire suppression system, the Race Track electrical project, the Fairgrounds chair lift project, County vehicle replacements, the proposed Landfill shredder purchase, an equine building at the Fairgrounds, solar at the Administration building, a proposed county complex building, a proposed grant writer position and the 2021 organizational funding requests. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, was absent.

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

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the **Montezuma County Recreation Advisory Committee**. (MCRAC) meeting, the 911 meeting, a discussion with citizens regarding the Land Use Code and the 12 Counties Commissioners meeting.

PUBLIC COMMENT: No Public Comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 2:40 p.m.

Clerk October 6, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 13, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 13, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of October 13, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 6, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures of a Variance, submitted by **Greg & Nancy Chambers**, on property located at 18738 Hwy 145, Dolores, CO, consisting of 17.84 acres, more or less, located South of Hwy 145, situated in Section 12, T.37N, R.15W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

IT: IT Director, Jim McClain met with the Commissioners to present a monthly report. Topics discussed included; the updated design for the County web site <https://montezumacounty.org/> , a proposed county wide Broadband project, the proposed Generator Project, the VXRail project and Cares Act funding. (See attached)

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Topics discussed included; the Health Department's Ford Escape, the Sheriff's Department pickups, the vehicle agreement with the Town of Dolores, the Ute Mountain Ute Casino's vehicle agreement, the 2021 Vehicle Replacement Plan and County vehicles that had been auctioned off.

GIS MAPPING: Mapping Specialist, Rachel Medina met with the Commissioners to give a monthly report. Topics discussed included; a graph of the vacant land within 3 miles of Cortez by acreage, a 3 miles out map and additional available maps in the GIS Department. Specialist, Medina reported the current participation percentages for the **2020 Census** were 100% for the Ute Mountain Ute Tribe and Montezuma County at 97.85 %. (See attached)

DISCUSSION: Region 9 Director, Laura Lewis Marchino and Kelly Kirkpatrick from **Mesa Verde Country** met with the Commissioners with a request of funding for the **Converting Visitors to Residents, Montezuma County Relocation Campaign**. Topics of the discussion included; county benefits, county assets, local attractions, local experiences, community tours, subsidized visits, development of a relocation guide, a need in the County for skilled trade jobs, the campaign objective, the background, the county strengths and weaknesses, extenuating factors in converting visitors to residents, partnerships, and incentives. The Marketing Strategy, Distribution and Analytics Options #1 and #2 were presented for review. (See attached)

ZOOM MEETING: At this time the Montezuma Board of County Commissioners joined the **USDA Agriculture Secretary Perdue, Virtual Broadband ReConnect Announcement Event** meeting.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers gave the preliminary 2021 **Budget Presentation**. Topics of the discussion included, proposed employee salary increases, an option for an employee bonus, tax benefits, the Gallagher Amendment, the 2021 property tax revenues, the General Fund mill levy, the Road Department mill levy, projected expenses, the 2021 Agency Contributions requests, the development of a County agency contribution grant application, matching grant contributions, the proposed 2021 Capital Projects and the County Attorney's 2021 proposed budget. Other topics discussed included the CCI Winter conference scheduled. Administrator Powers presented for approval a letter addressed to the Colorado **Department of Law, Attorney General Phil Weiser**, and attention: **Heidi Williams** regarding the **Southwest Colorado Opioid Regions**. Commissioner Ertel moved that the Board of Montezuma County Commissioners send a letter to the Department of Law, Attorney General Phil Weiser, attention Heidi Williams in our request for change of the Southwest Colorado Opioid Regions. Second by Commissioner Candelaria and carried. Administrator Powers presented for approval a letter of support, addressed to the **Cortez City Council** in support of **Cortez Flying Service**. Commissioner Ertel moved that the Montezuma Board of County Commissioners send a letter to the Cortez City Council in support of the Cortez Flying Service. Second by Commissioner Candelaria and carried. Administrator Powers presented for approval a letter addressed to **Patrick Rondinelli, Regional Manager – Southwest Region for the Colorado Department of Local Affairs**, regarding the **Montezuma County Historical Society** DoLA supplemental grant application. Commissioner Candelaria

moved to send the letter to DoLA, the Regional Manager – Southwest Region, Patrick Rondinelli, in request for the \$20,000.00 additional grant to help the Historical Society. Second by Commissioner Ertel and carried. (See attached)

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

EXECUTIVE SESSION: Commissioner Candelaria 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 Clerk Kim Percell, Commissioners Keenan Ertel, Larry Don Suckla and Jim Candelaria, Attorney John Baxter, Administrator Shak Powers, Attorney, Sara Cook and Public Health Director, Bobbi Lock, seconded by Commissioner Ertel and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding an employment lawsuit. Commissioner Ertel moved to adjourn the executive session, seconded by Commissioner Candelaria and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, discussed the executive session held regarding an employment lawsuit, the **Montezuma Valley Irrigation Company** lawsuit, the **Kinder Morgan** lawsuit, the **Weber Canyon / Road 41** lawsuit, and date corrections on recently approved County Weed Resolutions.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioner to give a weekly report. Topics discussed included; updates with **FEMA** and the County's flood plan development permit process, a proposed Regulatory Flood Way, the attended **Montezuma County Recreation Advisory Committee** (MCRAC), the proposed **Dolores Town Trail**, the **M&M Property Cleanup Project**, the **Combined Courts** landscape project and a proposed target shooting practice range.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the M&M Property Cleanup project, the attended Southwest TPR meeting, the CCI legislative meeting, the scheduled CCI winter conference, a proposed remodel project for the Social Services waiting room and the attended zoom Public Lands meeting.

PUBLIC COMMENT: No Public Comments were made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 2:20 p.m.

Clerk

October 13, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 20, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 20, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of October 20, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 13, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** gave his weekly report. Administrator Powers reported that the Emergency Manager and County Coroner would not be available for their scheduled monthly report. Other topics discussed included; the Cares Act Applications, a meeting with the County Insurance agent Bentley Colbert, the Annex III building recommendations from the **CISA** Security Officer visit for the November Election and the attended Noxious Weed Advisory Board meeting.

PLANNING: Planning Director, **Don Haley** with Assistant, **S. Jane Duncan** reported the variance, submitted by **Kelly Belt of Belt Salvage Company**, on property located at 6786 Hwy 160-491, Cortez, CO, consisting of 2.54 acres, more or less, located west of Road 24, east of

Hwy 160-491, situated in Section 9, T.35N, R.16W, N.M.P.M. would not be presented at this time.

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan; presented for a approval a Mylar, submitted by **Chris Ember Conley**, on property located at 27991 Road T, Dolores, CO, consisting of 81.76 acres, more or less, located north of Road T, west of Hwy 145, situated in Section 18, T.37N, R.15W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to present for approval a Letter of Commitment for the **Alkali Bridge Grant Application**. Commissioner Ertel moved that the Letter of Commitment be sent to **Robert Shanks, CDOT Region 5 Off-Systems Engineer**, in the amount of \$310,466.00 for Montezuma County's participation in the Alkali Bridge Project. Second by Commissioner Candelaria and carried. Superintendent Englehart discussed the **McElmo Soil Slippage** that could cause major damage to County Road G. Commissioner Ertel moved that for the 2021 budget year, to earmark \$700,000.00 of Road and Bridge reserve funds, to go to the possible repair and rebuild of County Road G, in McElmo Canyon. Second by Commissioner Candelaria and carried. Superintendent Englehart presented the 10 year **USDA Forest Service Contract for the Sale of Mineral Materials** for the **Ormiston Pit**. Commissioner Ertel moved that Montezuma County move into a 10 year agreement with the United States Forest Service, for contract of the sale of mineral materials, ending in 2030, at Ormiston Point. Second by Commissioner Candelaria and carried. (See attached)

SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report which included the **Calls for Service Report**, sexual assaults, traffic stops, traffic accidents, security checks, business checks, thefts and burglaries, livestock on the highways, open range laws and fencing, the **Jail Report**, the **Transport Report**, the **Perdium and Cost for Travel Report**, inmate numbers, arrests and release numbers, the **DOC Holds Report**, the **Dolores County Billing Report**, the **City of Cortez Billing Report**, the **Summary Cost of Inmates Report**, the **Monies Paid to the General Fund Report** and pretrial services. Sheriff Nowlin presented for discussion a **Location Shoot Agreement** from **Luz de Luna Productions, LLC**. Commissioner Ertel moved to agree with the Sheriff that if the **Badwater** film company wishes to use the jail for a location and for a fee of \$150.00 per hour for that use, and a line recommended by Attorney Baxter, that the Sheriff could terminate this event at any moment or any time. Second by Commissioner Suckla. With two votes in favor by Commissioners Ertel and Suckla and one vote against from Commission Candelaria, the motion carried. (See attached)

DISTRICT ATTORNEY: Assistant District Attorney, Matt Margeson and Clarisa Folsom met with the Commissioners to give a monthly report. Topics discussed included; the **Montezuma New Cases Filed Report**, the **Total Montezuma Case Dockets Report**, in-person court cases, use of the Combined Courts Building, the in-person court case process, jury trial procedures, expert witness costs and funding for the Public Defender's office. (See attached)

WEED DEPARTMENT: Weed Department Manager, **Bonnie Loving** presented a slide show of updates on the weed program. Topics of discussion included; before and after photos for the **Phreatophyte Project**, the Phreatophyte Project to date removed trees report, changes to the **RCPP** funding, 2020 budget amendment requests and 2021 budget proposal changes. Manager Loving gave updates on herbicide usage, a new procedure for problematic properties, the New Homeowner Project, the **Mancos River Project**, the **Weber Canyon Project**, **CDOT Projects**, the **Cost Share Project**, the **Backpack Loaner Program**, and property visits. A discussion was held regarding the development of a noxious weed treatment process for certified organic farms within the county. Manger Loving presented quotes for an excavator lease contract. Quotes received included; **John Deer 85G Excavator** in the amount of \$124,715.00 and **Wagner 309 Cat Excavator** in the amount of \$116,195.00. Commissioner Candelaria moved to accept the Governmental Equipment Lease Purchase Agreement with CAT Financial contract number 001-7000-6393. Second by Commissioner Ertel and carried. (See attached)

RESOLUTION: Administrator Powers presented **Resolution #17-2020**, a resolution amending the Budget for noxious weed control was presented for approval. Commissioner Ertel moved that the Board of Montezuma County Commissioners approve Resolution #17-2020, a resolution amending the budget for Noxious Weed Control Program. Second by Commissioner Candelaria and carried (See attached)

PUBLIC LANDS: Forrest Service District Ranger, **Derek Padilla** met with the Commissioners to give an updates on various projects. Topics discussed included; current wildfire situations, the proposed **Dolores Bike Trail** to Boggy Draw, the 2020 timber volume sales, the **Saulter Environmental Assessment**, expected additional road traffic and the road conditions on the **Dolores Norwood Road**.

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

PUBLIC HEARING: PUBLIC HEARING: It being the time set aside a continued public hearing is held for review and discussion of possible changes to the **County Land Use Code**. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** with Assistant, **S. Jane Duncan** presented for discussion the proposed change items:

1. In Chapter 2, paragraph E, Item 1: For public notice to the area neighbors, change the wording from adjacent to adjoining.
APPROVED 10/20/2020
2. In Chapter 5, paragraph 5101.7: Requirement for each parcel to have a 230' diameter circle for a buildable/developable footprint, change to eliminating the circle requirement. **APPROVED 10/20/2020**
3. In Chapter 9, paragraph 9101.2: The penalties reference for 25-1-611 and 613, C.R.S. as amended that portion of Senate Bill 98-055, codified as 30-28-124.5, C.R.S., (and C.R.S. 24-65-

101 FROM Chapter 1) as amended be **changed to eliminate 25-1-611 and 613, C.R.S. as amended and Senate Bill 98-055.** **APPROVED 10/20/2020**

4. In Chapter 9, paragraph 9104.2.B: For amending Plats, all lot owners in the subdivision or PUD must sign on the amended plat, **change to When lot owners are combining adjacent subdivision lots to their existing lot or amending a common lot line, then only the signatures of the affected lot owners are required.** **APPROVED 10/20/2020**
5. In Chapter 3, paragraph 3106.5.B: For residential accessory uses one guest or caretaker unit: 1,500 sq.ft. maximum, **change to the residential accessory unit shall not have a square footage limit.** **CHANGED TO 2000 sf and APPROVED 10/20/2020**
6. In Chapter 5101.3, paragraph G.: **Eliminate the requirement that a Wildfire Mitigation plan must be prepared and the work completed prior to the signing of the Mylar by the BOCC.** **APPROVED 10/20/2020**
7. In Chapter 5, Section 1, paragraph 5101.3: **Setbacks** for residences are 50' and outbuildings are 25' from property lines and road ROW, **change to 30' for residences and 30' for outbuildings from property lines and 30' from road ROW.** **CHANGED TO 30', 30' AND 30' APPROVED 10/20/2020**
- ~~8. In Chapter 5, paragraph 5101.7 **Lot sizes**: A three acre minimum is required for residential development, **change to a one (1) acre minimum is required for residential development.** **NO CHANGES MADE ON THIS ITEM 10/20/2020**~~
9. In Chapter 2 & 3, **High Impact Permits**: The requirement for a change in ownership or the business ceasing to exist for more than 12 months a new application for a HIP is required, **change to a new owner conducting the same business after any amount of time can have the existing HIP transferred to them.** **NO CHANGES MADE ON THIS ITEM 10/20/2020**

Commissioner Suckla opened the hearing to public comment. Public Comment was made by; **Carrie Summers, Rebecca Samulski, Larry Berger, Glen Humiston, Gary Kennedy, Queenie Barz and Angela Randal Salazar.** Zoom comments were made by **Marianne Mate.** Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed changes to the Land Use Code, #1-#7 as discussed and eliminating #8 and #9, as presented on the document. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **John Baxter,** discussed the eliminated statutes within the Land Use Code, the Sheriff's Office contract with Attorney Mike Green, the County Attorney's position to the County Elected Officials, the continuation of a scheduled jury trial and the Resolution to implement the approved Land Use Code changes.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich,** met with the Commissioner to give a weekly report. Topics discussed included; the

Combined Courts landscape project designs, closure of the **McPhee** boat ramp, the scheduled **FEMA** workshop, the **Community Wildfire Protection Plan**, the **Mesa Verde Trail** Tap Grant funds and the proposed **Road 31 Dolores Town Trail**.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the Fairgrounds Remodel Project and the attended Noxious Weed Advisory Board meeting.

PUBLIC COMMENT: Southwest Basin Round Table, Representative, Ed Millard discussed the **American Whitewater CWCB Water Plant Grant**. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: Letter received from **RMMI Digital Document Solutions**.

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

MEETING ADJOURNED: 3:40 p.m.

Clerk

October 20, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 10, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 10, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk, Absent
Lynn Dorenkamp, Chief Deputy Clerk

CHAIRMAN, SUCKLA opened the meeting of November 10, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 27, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

EXPENDITURES REPORT: Administrator, Shak Powers presented the September, 2020 Accounts Payable Expenditure Report for approval. Commissioner Candelaria moved that the disbursements and receipts for Montezuma County for the period of September 1, 2020 through September 30, 2020 be approved. Second by Commissioner Ertel and carried. (See attached)

RESOLUTION: Administrator Powers presented for approval **Resolution 18-2020**, a resolution designation Montezuma County annual Holidays for all county offices. Commissioner Ertel moved to approve Resolution 18-2020 designating Montezuma County annual Holidays for all county offices for the year 2021. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: Administrator Powers held a discussion regarding longevity ideas, and the changes possible with Colorado Retirement Association contract. This item has been tabled for further investigation. Administrator Powers spoke about the meeting he had with the Detox Board and Rob, with the Road Department, course of action regarding Road G.

PLANNING: Director, Don Haley with Assistant, S. Jane Duncan presented for discussion via Zoom a variance, submitted by Gerald Nolan on property located at 26451 Road 38.5, Dolores, CO, consisting of 0.25 acres, more or less, located north of Hwy 145 and east of Road 38, situated in Section 36, T.36N, R.39W, N.M.P.M.. Commissioner Candelaria set a deadline date of November 24, 2020 to complete the relocation of said shed. Otherwise the application for variance will be denied.

The Planning Department presented for signatures a Mylar for Planned Unit Development submitted by Keith & Janice Moen, on property located at 26965 Road N, Cortez, CO, consisting of 3.55 acres, more or less, located north of Road N and west of Hwy 145, situated in Section 1, T.36N, R.16W, N.M.P.M. (Was postponed to future date)

The Planning Department presented for signatures a Mylar for a Boundary Line Adjustment submitted by James Saunders on property located at 2210 Hwy 160-491, Cortez, CO, consisting of 36.97 acres, more or less, and Cody Decker on property located at TBD Hwy 160-491, Cortez, CO, both located east of Hwy 160-491, situated in Section 31, T.35N, R.16W, N.M.P.M. (Was postponed to future date)

The Planning Department presented for signatures for After-the-Fact Variance submitted by Charlie Sirman & Deborah Nickel on property located at 11751 Hwy 145, Cortez, CO consisting of 7.16 acres, more or less, located south of Road M, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M. Commissioner Candelaria moved to accept the After-the-Fact variance, submitted by Charlie Sirman & Deborah Nickle, on property located at 11751 Hwy 145, Cortez, CO. Second by Commissioner Ertel and carried. (See attached)

Planning Director Haley discussed a couple of items, first being advertisement of position available on the Planning and Zoning Board Commission Alternate, secondly the Land Use Code has been redlined and posted on Planning and Zonings public portal and IT is putting it on the county webpage also.

PUBLIC COMMENT: No Public Comments were made.

BENEFIT HEALTH ADVISOR: Jake Zehnder, via Zoom discussed the counties renewal information for 2021.

IT: IT Director, Jim McClain met with the Commissioners to present his monthly updates. Items of discussion were getting broadband taken down to Road G, trying to get additional grant monies and possible contracting a grant writer.

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. (No report given, unable to attend)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard reported on the grounds and buildings. Items of discussion were the Fairgrounds project received the bid for the water line for the fire suppression system, Sheriff's Office roof is being worked on and Annex 3 roof project is going to be delayed. Annex 1 car charger is being installed and will be programmed this Friday.

GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina met with the Commissioners to go over a discovery for an item on next weeks' agenda regarding the potential buyer of the M & M property. A portion of Road G was abandoned but was not completely vacated by a resolution as stated by law. Overlooked the Water Service Map Project (internal use only). Rachel really working on economic development. (See attached)

DISCUSSION: Sheriff, Steve Nowlin reported on his discussions with fire chiefs regarding lifting the fire ban or issuing exemption permits to burn, they felt either would be good at this point and that he had issued 6 exemption permits this week. Sheriff Nowlin was going to ask about lifting the fire ban next week during his monthly report. Commissioner Suckla asked if he was ready to do it at present and Sheriff Nowlin said yes.

RESOLUTION: Resolution 20-2020 Suspension of the Ban on Open Fires and use of Fireworks. Commissioner Candelaria moved to accept Resolution 20-2020 Suspension of the Ban on Open Fires and use of Fireworks. Second by Commissioner Ertel and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, John Baxter discussed upcoming lawsuits.

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

COUNTY COMMISSIONERS REPORT:

Commissioner Ertel: All Zoom meetings were cancelled, nothing to report.

Commissioner Candelaria: As Doug and Rachel presented earlier the M & M environmental cleanup has been completed. The Fairgrounds as Mike stated is moving right along and will definitely be completed by the end of the year. Commissioner Candelaria discussed his visit to the District Attorney's Office with Jim, the bids for on creating the lobby area for Social Services and his Zoom meetings with the County Commissioners of Southwest Colorado.

Commissioner Suckla: attended all the Zoom meetings for all the Department Heads and Elected Officials.

PUBLIC COMMENT: Myra Kay, Cortez resident, voiced her concerns regarding the Federal Government and how the Covid Crisis is being handled.

EXECUTIVE SESSION: Commissioner Candelaria moved to move into an executive session for discussion of personnel matter under C.R.S. Section 24-6-402 (4) (f)* including in the room

will be the recorder Lynn, Commissioner Ertel, Commissioner Suckla, Commissioner Candelaria, Attorney Baxter and Administrator Powers. Second by Commissioner Ertel and carried. Commissioner Ertel moved to adjourn executive session. Second by Commissioner Candelaria and carried.

Commissioner Candelaria moved to move Mr. Powers raise base on his evaluation to \$89,500.00 annually. Second by Commissioner Ertel and carried.

EXECUTIVE SESSION: Pursuant to Attorney Baxter's suggestion, Commissioner Candelaria moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions and determining position relative to matters subject to negotiations under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402 (4)(e), to include Lynn Dorenkamp, Clerk's Office, Commissioners Ertel, Suckla and Candelaria, Leslie Bugg, Assessor, Attorney Baxter, Shak Powers, Administrator, John Batard via Zoom, Mr. Cogswell, Mr. Crowley. Seconded by Commissioner Ertel and carried. Commissioner Ertel moved to adjourn from executive session. Second by Commissioner Candelaria and carried.

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

BOARD OF COUNTY HEALTH: It being the time set aside, the Board of County Health was conducted. **Public Health Director Bobbie Lock** and **Laurel Schafer** presented July 2020 minutes. Commissioner Ertel moved to approve the Montezuma County Board of Health minutes for July 2020. Second by Commissioner Candelaria and carried.

DISCUSSION: Denese Brisbin, Dolores School District Nurse and Sharon Martinez, Mancos School District Nurse discussed, Via Zoom, the impacts around of COVID-19 and how the schools are doing. **Dr. Kent Aikin** went over the Ambulance Accreditation and its impact to county licensing. Brief update on current public health status. Commissioner Candelaria voiced everyone taking personal responsibility. Commissioner Suckla requested a list of every aspect of the Board of Health before the next meeting.

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

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

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

MEETING ADJOURNED: 3:15p.m.

Clerk

November 10, 2020

Chairman

[illegible]

Larry Don Suckla, Chairman
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds, Absent
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 10, 2020 as presented. Motion was seconded by Commissioner Suckla and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers gave his weekly report. Administrator Powers discussed the **State Recycling Week**, the current recyclables taken at the County Landfill and the attended **Rural Jump Start Committee** meeting.

PLANNING: Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for review and determination, a **Right-of-Way Vacation** County Road G located at 7006 Hwy 160-491, Cortez, CO, consisting of 0.35 acres, more or less, situated in S.3, T.35N, R.16W, N.M.P.M. This discussion was tabled until the November 24th Board of County Commissioner's meeting at 9:00 a.m.

Planning Director, Don Haley with **Assistant, S. Jane Duncan** presented for signatures and adoption by the Board of County Commissioners a resolution to amend the **Montezuma County Land Use Code. RESOLUTION #21-2020, a resolution amending resolution NOS 2-98, 12-2000, 4-2002, 10-2003, 17-2003, 13-2004, 4-2006, 11-2007, 7-2008, 12-2009, 09-2010, 2012-6 and 3-2015.** Commissioner Candelaria moved to approve Resolution #21-2020, a resolution amending resolution numbers 2-98, 12-2000, 4-2002, 10-2003, 17-2003, 13-2004, 4-2006, 11-2007, 7-2008, 12-2009, 9-2010, 2012-6 and 3-2015 of the Montezuma County Land Use Code. Second by Commissioner Suckla and carried. (See attached)

Director Haley reported that there was a Planning & Zoning, alternate Commissioner Position available and that applications, along with letters of interest would be accepted until 4:00 p.m. December 1, 2020.

PUBLIC COMMENT: **Allen Maez** discussed the recently held General Election and public concerns with the **Dominion** Voting Equipment.

LIQUOR LICENSE: **Deputy Clerk, Jerri Frizzell** presented a liquor license renewal application for Maverick Country Stores Inc. #275, located at 10223 US Hwy. 491, Cortez Co 81321. Commissioner Candelaria moved to accept the liquor license renewal for Maverick located at 10223 US Hwy. 491, Cortez Co. Second by Commissioner Suckla and carried. (See attached)

SHERIFF'S MONTHLY REPORT: **Sheriff, Steve Nowlin** met with the Commissioners to give his monthly report which included the; **Calls for Service Report** for the month of October 2020, extra patrols, traffic contacts, security checks, livestock at large, property disputes, domestic violence calls, assault and neglect calls, the **2020 Year to Date Transport Report**, the **2020 Transport Perdiem and Hotel Costs Report**, the **Total Monthly Inmate Report**, the **October 2020 Total Monthly Arrests Report**, an update for the COVID response with a closure of the jail to accepting local arrestees, the Chief Judge's order to shut down the courts for jury trials and limited intake to the facility, the **City of Cortez Inmate Billing Report**, the **Dolores County Inmate Billing Report**, the **DOC Holds Report**, the **October 2020 County Jail Expenses Report**, the **Monies Paid into the General Fund Report**, the **Dispatch Services Percentage Report** and the **Cortez Communication Center 2021 Operational Budget.** Sheriff Nowlin presented for approval **Resolution #R431- Series 2020**, which is the **2021 Contract for Law Enforcement Services** between the Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores. Commissioner Candelaria moved to accept Resolution #R431- Series 2020 Contract for Law Enforcement Services between, Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores. Second by Commissioner Suckla and carried. (See attached)

DISTRICT ATTORNEY: **District Attorney elect, Matt Margeson** met with the Commissioners to give a monthly report. Attorney Margeson presented for review the **Administrative Order 2020-07 Concerning Procedures during the present COVID-19 Crisis.** Other topics discussed included, the office remodel project, jury trials, concerns for the

backlog of trials, concerns for court declarations of miss trials and the current use of the Combined Courts Building. (See attached)

EMERGENCY MANAGER REPORT: **Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Topics discussed included; the weekly situation report, the Incident Support Plan, the current COVID-19 report, the reactivation of the Emergency Operation Center, the Joint Information Center, PPE supply orders, a request for assistance from the National Guard, available hospital beds, using a MOCO vehicle for COVID patient transports, the current Adjective Fire Danger Forecast, reimbursements for COVID costs, development of contingency plans, county support by the Emergency Operations Center, the COVID-19 restriction recommendations and community testing events. (See attached)

PUBLIC LANDS: **Bureau of Land Management, Connie Clementson** gave updates to the Commissioners of the following topics; the Summit area BLM access parking area, the **Painted Hand Pueblo** parking area, a scheduled work session with the County to discuss BLM county road access to **Canyon of the Ancients**, the **Yellow Jacket** and **Flowdine** allotment permits, the upper **Sand Canyon** parking area, the BLM's **eplanning** web site, **Phil's World**, the **Transportation and Access Plan**, **Oil and Gas Lease Sales**, hired administrative assistants **Nicholas Hunt** and **Tom Adams** and the announcement that **Ray O'Neil** has been named as the new Monument Manager.

COUNTY ATTORNEY REPORT: **County Attorney, John Baxter**, discussed the **Montezuma Valley Irrigation Company** lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Director Dietrich presented for approval letters addressed to; **Congresswomen elect Lauren Boebert**, **Congressman Scott Tipton**, **Representative Michael Bennet**, **Senator Cory Gardner** and **Senator elect John Hickenlooper**, regarding opposition from the Board of County Commissioners, for the relocation of the Bureau of Land Management National headquarters back to Washington DC. Commissioner Candelaria moved to accept the letter of support to keep the BLM office in Grand Junction, and that they be distributed to Senator Gardner, Senator elect Hickenlooper, Congressman Tipton, Congresswomen elect Boebert. Second by Commissioner Suckla and carried. Other topics discussed included; the **Historic Right of Way** road map, the scheduled BLM work session meeting and the proposed Granauth Mesa Trail. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the **Emergency Operations** group meeting, the **Housing Solution Board** Meeting, a meeting held to discuss funding for the **Cortez Chamber of Commerce**, the **South West Colorado Commissioners** meeting and the County response to the new State COVID designation of Orange for Montezuma County.

PUBLIC COMMENT: **Myra N. Kay** discussed the Emergency Manager's report with a suggestion to include a previous year comparison of influenza cases.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:00 a.m.

Clerk

November 17, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 24, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 24, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman, appeared by Zoom
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds,
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

VICE CHAIRMAN, CANDELARIA opened the meeting of November 24, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved that the amended copy of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 10, 2020 be approved. Motion was seconded by Commissioner Candelaria and carried.

MINUTES: Commissioner Ertel moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 17, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

EXPENDITURES REPORT: Administrator Powers presented the October 2020 Accounts Payable Expenditure Reports for approval. Commissioner Ertel moved that the accounts payable for Montezuma County, for the month of October 2020, be approved. Second by Commissioner Candelaria and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, **Shak Powers** gave his weekly report. Administrator Powers presented for approval, a letter of support addressed to the

Colorado Water Conservation Board, for the **Montezuma School to Farm Project**, regarding the Colorado Water Plan Grant. Commissioner Ertel moved that the Board of Montezuma County Commissioners send a letter of support to the Colorado Water Conservation Board, in support of the Montezuma School to Farm Project. Second by Commissioner Candelaria and carried. Administrator Powers reported that there would be no Commissioner meeting on December 2nd due to the scheduled CCI meetings. (See attached)

PLANNING: Planning Director, Don Haley with Assistant, S. Jane Duncan presented **RESOLUTION #P-19-2020 a Right-of-Way Vacation** for County Road G located at 7006 Hwy 160-491, Cortez, CO, consisting of 0.35 acres, more or less, situated in S.3, T.35N, R.16W, N.M.P.M. Commissioner Ertel moved that the Board of Montezuma County Commissioners approve a Resolution of **Right-of-Way Vacation** on County Road G, located at 7006 Hwy 160-491, Cortez, CO, consisting of 0.35 acres, more or less. Commissioner Ertel made an amendment to the motion to correct the acreage from 0.35 acres to 0.38 acres. Second by Commissioner Candelaria and carried. (See attached)

Planning Director, Don Haley with Assistant, S. Jane Duncan presented for signatures a Mylar for a 4 Lot Moderate Subdivision and Rezoning submitted by Ronnie & Rachel Hurst on property located at 30795 Hwy 184, CO, consisting of 56.47 acres, more or less, located north of Hwy 184, east of Road 30.5, situated in S. 22, T.37N, R.15W, N.M.P.M.

PUBLIC COMMENT: Dolores Water Conservation District Manger, Ken Curtis extended appreciation to Commissioners Ertel and Suckla for their service to the County.

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

CSU EXTENSION OFFICE: Administrator Powers reported on behalf of the **Extension Director, Gregory Felsen**. Topics discussed included; the **Montezuma County 4-H Community Service** project along with a video of a young person making “scrubs to be used as a hand care product by our local nursing staff at Southwest Memorial Hospital and our local nursing homes. (See attached)

VETERANS SERVICE: Veteran Service Officer, Rick Torres met with the Commissioners to give a monthly report. Officer Torres presented the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay** for October 2020. Other topics discussed included; an update on the monthly expenditures, statistical data and the indirect income to Montezuma County. (See attached).

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris met with the Commissioners to give a monthly report. Topics discussed included; the current closure of **Community Connections**, the proposed MOCO bus loan to Southwest Memorial Hospital for COVID transports, the purchase of MOCO vehicle wraps for the current County inventory of buses, the proposed Fixed Route project and the current staff drivers.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, discussed the Kinder Morgan CO2 Committee case and the Carver landfill closure.

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

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner report included; the Public Lands meeting with NACO, the Multi-Agency Coordination Group meeting, the Montezuma Business Taskforce (MBT) meeting, the proposed Request For Product RFP for a Grant writer, a proposed fiber optic capital expense line item for the 2021 budget, a local government call to discuss the Governors recent orders and the Wednesday public service announcement videos.

PUBLIC COMMENT: Dexter Gill extended appreciation to County Commission for their service to the County.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 10:00 a.m.

Clerk

November 24, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 8, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 8, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman,
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds, Appeared by Zoom
Shalako Powers, County Administrator
John C. Baxter, County Attorney, Appeared by Zoom
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of December 8, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated November 24, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

PLANNING:

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for a proposed High Impact Permit and Special Use Permit with Rezoning Application, submitted by **Jovian Petroleum Corp; agent: Kevin McCarthy, Love's Travel Stops & Country Stores, LLC**, located at 7006 Hwy 160-491, Cortez, CO, consisting of 5.16 acres, more or less, situated in S.3, T.35N, R.16W, N.M.P.M., located east of Hwy 160-491, north of Road G.. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Kevin McCarthy and Civil Engineer David Teyber appeared by Zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla

opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed high impact permit and special use permit with rezoning application, submitted by Jovian Petroleum Corp; agent: Kevin McCarthy, Love's Travel Stops & Country Stores, LLC, located at 7006 Hwy 160-491, Cortez, CO. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for a proposed Amendment to the High Impact Permit #665 and Special Use Permit submitted by **Commnet Four Corners, Agent Cynthia VanDeMark**, for the purpose of an upgrade to the existing cell tower and installation of FirstNet, a dedicated network for First Responders, on property owned by **Ernest Allsup**, located at 27591 Hwy 145, Dolores, CO, consisting of 39.10 acres, more or less, situated in S.3, T.38N, R.12W, N.M.P.M., located south and north of Hwy 145. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Cynthia VanDeMark appeared by Zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed amendment to the high impact permit #665 and special use permit submitted by Commnet Four Corners, Agent Cynthia VanDeMark, Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for a proposed Boundary Line Adjustment Application for the **Schaak** Single Lot Development, submitted by **Dillon & Heather Oliver**, on property located at 14475 Road CC, Pleasant View, CO, consisting of 3.11 acres, more or less, situated east of Road 14, north of Road CC, situated in Section 36, T.39N, R.18W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Dillon Oliver was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed boundary line adjustment application for the Schaak single lot development, submitted by Dillon & Heather Oliver, on property located at 14475 Road CC, Pleasant View, CO,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for regarding a proposed Single Lot Development and Rezoning Application submitted by **Jarrold & Colette Wyatt**, on property located at 26833 Road L, Cortez, CO, consisting of 49.60 acres, more or less, located north of Road L/Alamosa St, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public

comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed single lot development and rezoning application submitted by Jarrod & Colette Wyatt, on property located at 26833 County Road L, Cortez, CO, consisting of 49.60 acres, more or less. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for a proposed re-subdivision of Lot #1 of the **McElmo East Minor Subdivision**, a General Planned Unit Development, and Rezoning Application submitted by **R & C Properties, LLC**, Agent: **Jay Cruzan**, on property located at TBD Road J, Cortez, CO, consisting of 17 acres, more or less, located south of Road J, west of Road 27, situated in Section 36, 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, Jay Cruzan was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Public comment was made by **Rob Pope**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed re-subdivision of lot #1 of the McElmo East Minor Subdivision, a general planned unit development, and rezoning application submitted by R & C Properties, LLC, Agent: Jay Cruzan, on property located at TBD Road J, Cortez, CO,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for regarding a proposed 2 Lot Moderate Subdivision submitted by **Joyce Johnson**; Agent: **Kelly McCabe** on property located at 25911 Road P, Dolores, CO, consisting of 9.79 acres, more or less, located north of Road P, west of Road 26, situated in Section 35, T.37N, R.16W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Kelly McCabe appeared by zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed 2 lot moderate subdivision submitted by Joyce Johnson; Agent: Kelly McCabe on property located at 25911 Road P, Dolores, CO, consisting of 9.79 acres, more or less,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for regarding a proposed 2 Lot Moderate Subdivision and Rezoning Application submitted by **Edward & Carrie Jo Comisky** on property located at 12665 Road 23, Cortez, CO, consisting of 17.9 acres, more or less, located south of Road N, west of Road 23, situated in Section 8, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no

public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed 2 lot moderate subdivision and rezoning application submitted by Edward & Carrie Jo Comisky on property located at 12665 Road 23, Cortez, CO, consisting of 17.9 acres, more or less,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for regarding a proposed Single Lot Development and Rezoning Application, submitted by **Cromar Ranch, LLC**; Represented by **William & Carol Reynolds**, on property located at 29467 Road N, Dolores, CO, consisting of 39.97 acres, more or less, located north of Road N, east of Road 29, situated in Section 4, T.36N, R.15W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Reynolds appeared by Zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed single lot development and rezoning application, submitted by Cromar Ranch, LLC; Represented by William & Carol Reynolds, on property located at 29467 Road N, Dolores, CO, consisting of 39.97 acres, more or less,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for regarding a proposed 2 Lot Minor Subdivision & Rezoning Application submitted by **Randy Smith; agent: Patrick Garcia**, on property located at TBD Road 39, Mancos, CO, consisting of 35.05 acres, more or less, located east of Road 39, north of Hwy 160, situated in Section 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. Mr. Garcia was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed 2 lot minor subdivision and rezoning application submitted by Randy Smith; agent: Patrick Garcia, on property located at TBD Road 39, Mancos, CO, consisting of 35.05 acres, more or less,. Second by Commissioner Ertel and carried. Commissioner Suckla closed the hearing at this time. (See attached)

Planning Director, Haley with **Assistant, Duncan** presented for signatures of a Mylar for a Planned Unit Development submitted by **Keith & Janice Moen**, on property located at 26965 Road N, Cortez, CO, consisting of 3.55 acres, more or less, located north of Road N and west of Hwy 145, situated in Section 1, T.36N, R.16W, N.M.P.M.

Director, Haley with **Assistant, Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment, submitted by **James Saunders** on property located at 2210 Hwy 160-491, Cortez, CO, consisting of 36.97 acres, more or less, and Cody Decker on property located at TBD Hwy 160-491, Cortez, CO, both located east of Hwy 160-491, situated in Section 31, T.35N, R.16W, N.M.P.M.

Director, Haley with **Assistant, Duncan** presented for signatures of a Mylar for a 2 Lot Moderate Subdivision submitted by **Charlie Sirman**, on property located at 11751 Hwy 145, Cortez, CO, consisting of 7.16 acres, more or less, located south of Road M, west of Hwy 145, situated in S. 13, T.36N, R.16W, N.M.P.M.

PUBLIC COMMENT: Rob Pope discussed repairs needed to the CDOT approach to the Maverick Store. **Dennis Atwater** made a request for the Board of County Commissioners to consider the adoption of a resolutions asserting Montezuma County jurisdiction over additional RS-2477 roads and trails located within Montezuma County. County GIS Manager, **Doug Roth** made a request that if this was adopted to the County Road map that it be added as an addendum to the official county map. (See attached)

RESOLUTIONS #22-2020 and #23-2020: Administrator, Shak Powers presented for approval **Resolution #22-2020**. A resolution levying general property taxes for the year 2020 to help defray the costs of the Law Enforcement of Montezuma County, Colorado for the 2021 budget. Commissioner Candelaria moved to accept Resolution #22-2020, a resolution levying general property taxes for the year 2020 to help defray the costs of the Law Enforcement of Montezuma County, Colorado for the 2021 budget. Second by Commissioner Ertel and carried. Administrator Powers presented for approval **Resolution #23-2020**, a resolution levying general property taxes for the year 2020 to help defray the costs of government for Montezuma County, Colorado for the 2021 budget. Commissioner Ertel moved that the Montezuma County Board of County Commissioners approve resolution #23-2020, a resolution levying general property taxes for the year 2020 to help defray the cost of government for Montezuma County for the 2021 budget and within that resolution that the Montezuma County General Fund give back to the Road and Bridge Fund the one half mill that was taken from the Road and Bridge two years ago. Second by Commissioner Candelaria and carried. (See attached)

ROAD DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give his monthly report. Superintendent Englehart gave an update on the **McElmo Soil Slippage** on County Road G. Other topics discussed included; the Alkali Bridge project and the DOLA grant application.

WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met with the Commissioners to give a monthly report and presented a slide show of updates on weed programs. Topics of discussion included; roadside spraying, Kochia, the **SprayLogger** program, the Bareground and Pre-emergent road spraying the 2020 bareground treatment, other treatment projects, the 2021 grant applications, the Phreatophyte project, land stewardship and the yearly statistics,. Manager Loving presented requests to place liens on properties owned by **Leslie Hamm** along with **Arthur** and **Rena Mae Allen** for the payment of enforcement fees. Commissioner Candelaria moved that the Montezuma County Noxious Weed Departments request to place a lien on the Arthur and Rena Mae Allen's property, located at TBD Road 22 Lewis Co., in the amount of \$1253.70, and also another lien placed on property owned by Leslie Hamm located at 26730 Road H, Cortez Co., in the amount of \$255.25. Second by Commissioner Ertel and carried. (See attached)

LANDFILL: Landfill Manager Mel Jarmon gave his monthly report which included the 2020 Landfill budget spread sheet. Topics discussed with the report included; the cell 4 construction project, the closure process for the Carver Landfill, repairs to the dozer and a proposed increase for compost to \$30.00 per yard. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire met with the Commissioners to give an update on the Kitchen / Bathroom remodel project. Other topics discussed included; the proposed 2021 race track electrical project, the race track fence project, the chair lift project, the bleacher projects and current scheduled events. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, gave updates on the Pax LLC lawsuit, the Kinder Morgan BAA evaluation case, the Kinder Morgan CO2 case and the Carver landfill closure.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, discussed the TAP Grant closure, the CDOT notification to move forward with the MMOF funds, an attended meeting with the SHIPPO and the BLM. Director Dietrich reported that the CDPHE would be moving to a monitoring phase for the M&M property cleanup project.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included; the attended CCI conference sessions, the recently held Department Head meeting, the attended Governors call, additional rapid testing kits for the hospital, the conceptual designs for the Administration building sign, the Combined Courts landscape project and the Triple A meeting.

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

COUNTY ADMINISTRATOR REPORT: Administrator, Powers presented the draft 2021 budget for discussion. Topics discussed included: the General Fund, the Sheriff and Jail budgets, the **Firewise** funding request, the **Axis Detox Facility**, the **Axis Acute Treatment Unit**, **Community Connections**, the **McPhee** breakwater project, professional services within the Administration's budget, professional services within the Commissioner's budget, an employee retention plan, the District Attorney's budget, the Road & Bridge mill levy, County Road G soil slippage project, revenue streams and projects to be included in the Capital Account budget.

PUBLIC COMMENT: No public comment was made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 2:17 p.m.

Clerk

December 8, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 15, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 15, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman,
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of December 15, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated December 8, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

PLANNING: Planning Director, Haley with **Assistant, Duncan** presented for signatures for High Impact Permit and Special Use Permit with Rezoning, submitted by **Jovian Petroleum Corp;** in conjunction with the contracted buyer **Love's Travel Stops & Country Stores, LLC**, agent: **Kevin McCarthy**, located at 7006 Hwy 160-491, Cortez, CO, consisting of 5.16 acres, more or less, situated in S.3, T.35N, R.16W, N.M.P.M., located east of Hwy 160-491, north of Road G.

Director, Haley with **Assistant, Duncan** presented for signatures of an Amendment to the High Impact Permit #665 and Special Use Permit, submitted by **Commnet Four Corners**, Agent **Cynthia VanDeMark**, for the purpose of an upgrade to the existing cell tower and installation of

FirstNet, a dedicated network for First Responders, on property owned by **Ernest Allsup**, located at 27591 Hwy 145, Dolores, CO, consisting of 39.10 acres, more or less, situated in S.3, T.38N, R.12W, N.M.P.M., located south and north of Hwy 145.

PUBLIC COMMENT: No public comments were made.

LIQUOR LICENSE: **Deputy Clerk, Jerri Frizzell** presented for approval a liquor license renewal application for, **Double R Liquors, LLC, DBA Double R Liquors**, located at 18794 Hwy 491, Lewis Co. 81327. Commissioner Ertel moved that the Board of Montezuma County Commissioners grant the Double R Liquors, LLC, located at 18794 Hwy 491, Lewis Co., a retail liquor license renewal. Second by Commissioner Candelaria and carried. (See attached)

IT: **IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain presented a **Memo of Understanding (MOU)** between the **Cortez Community Network Enterprise** and **Montezuma County**. Commissioner Candelaria moved to accept the MOU between the Cortez Community Network Enterprise and Montezuma County. Second by Commissioner Ertel and carried. Other topics discussed included; the additional **VXRail**, cameras for the proposed Social Services lobby remodel project and the Fairground's door reader. (See attached)

VEHICLE MAINTENANCE: **Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman presented a year end vehicle report. Topics within the report included; re-serviced vehicles, sold or pending sell vehicles, the Road Department vehicles that have been sold and purchased fleet units. (See attached)

GROUNDS AND BUILDINGS: On behalf of **Maintenance Supervisor, Mike Chenard**, Administrator Powers gave updates on the grounds and buildings projects. Topics discussed included; the Fairgrounds Kitchen / Bathroom remodel, the Annex III roof project, the EV charger at Annex I and sidewalk snow removal from the recent snow storm.

GIS MAPPING: **GIS Manager, Doug Roth** and **Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Topics discussed included; a County GIS customer review statistics for the years 2016-2020, collected General Land Office (GLO) maps, an inventory of unutilized buildings in the Road G / Hwy 491 intersection corridor, a 2018 Wildfire Risk Management analysis map, a 2020 Wildfire Risk to Community 2020 analysis map, and Wildfire Risk maps with risk values. (See attached)

PUBLIC LANDS: **Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give updates on various projects. Topics discussed included; condition based road closures, the wildlife critical winter range road closures, the extension of the release date for the Sauter Environmental Analysis, road use estimates for the Dolores Norwood Road, collected road use fees, vegetation management and timber sales.

DISCUSSION: **Southwest Basin Round Table, Montezuma County Representative, Ed Millard**, along with **Dolores Water Conservation District, General Manager, Ken Curtis** met with the Commissioners to discuss the proposed #2 Revised Op-Ed rebuttal to an article

included in the **Colorado Sun** newspaper. Topics discussed included; demand management, fallowing fields and ranches, State funding for demand management, support from the DWCD manager Ken Curtis, protection of the Colorado River portions and legal the allocations. The Commissioners were in agreement to move forward with Opt-Ed rebuttal. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Powers gave his weekly report. Topics discussed included: an invitation to struggling La Plata County businesses to move to Montezuma County and the draft 2021 budget. The budget will be posted on the County website for review and the Resolution to adopt the budget will be presented for approval on December 29, 2020.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, along with Resource Director, James Dietrich, GIS Manager, Doug Roth and Dennis Atwater met with the Commissioners to present, **Resolution #24-2020**, a supplement to resolution #8-2018: County rights-of-ways established over public lands under R.S. 2477 as public rights-of-way and public highways. Commissioner Ertel moved that Resolution #24-2020 a supplement to resolution #8-2018: County rights-of-ways established over public lands under R.S. 2477 as public rights-of-way and public highways be approved. Second by Commissioner Candelaria and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented a **General Services Agreement** in the amount of \$478,850.00 between Montezuma County and OTAK. Commissioner Candelaria moved to accept the General Service Agreement, between Montezuma County #23783, for the Paths to Mesa Verde, Phase II with OTAK, with authorization for the County Administrator to sign the agreement. Second by Commissioner Ertel and carried. Other topics discussed included, updates on the Mesa Verde side for the Path to Mesa Verde project, the Flowdine and Yellow Jacket allotment rebuttal and an award received from the **Scenic Byways for Outstanding Public Partnership** on the Mc Elmo Flume project. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included; the Annex III roof project, Committee reassignments for the incoming Commissioners, the attended Transportation meeting, the attended Lewis Arriola School / CDOT meeting, DOLA training for the incoming Commissioners, the County Road G Soil Slippage, the local schools athletic programs shutdown and the CCI five star variance COVID-19 program.

PUBLIC COMMENT: Dexter Gill thanked Commissioners Suckla and Ertel for their service to the County.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:15 a.m.

Clerk December 15, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 22, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 22, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman,
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of December 22, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Ertel moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated December 15, 2020 as presented. Motion was seconded by Commissioner Candelaria and carried.

COUNTY ADMINISTRATOR REPORT: Administrator, Powers presented for approval the **Budget Year 2021 Certification of Levies and Revenue** by the Montezuma County Commissioners, to be sent to the State of Colorado. Commissioner Ertel moved that the Board of Montezuma County Commissioners, do the Certification of Levies and Revenue for the fiscal year 2021, for Montezuma County. Second by Commissioner Candelaria and carried. (See attached)

ORDER: Administrator Powers presented **Transfer Order #9-2020**. A transfer of \$39,274.50 from General Fund (001) to Public Health Fund (004) for 2020 per capita calculations. DOLA estimates the population of Montezuma County to be 26,183. $26,183 \times \$1.50 = \$39,274.50$.

Commissioner Candelaria moved to accept, Order #9-2020 a transfer \$39,274.50 from General Fund to Public Health Fund, for 2020 per capita calculations. Second by Commissioner Ertel and carried. (See attached)

ORDER: Administrator Powers presented **Transfer Order #10-2020**. A transfer of \$75,038.79 from Conservation Trust Fund (052) to General Fund (001) for the operation of the County Fairgrounds from January 1, 2020 through December 11, 2020. Commissioner Ertel moved that Order #10-2020, the transfer \$75,038.79 from the Conservation Trust Fund to the General Fund for the operation of the Montezuma County Fairgrounds from January 1, 2020 through December 11, 2020 be approved. Second by Commissioner Candelaria and carried (See attached)

ORDER: Administrator Powers presented **Transfer Order #11-2020**. A transfer of \$631,028.04 from LEA Fund (077) to the County General Fund (001) for 2020 LEA actual expenses from January 2020 through December 11, 2020. Commissioner Candelaria moved to accept, Order #11-2020, for the transfer \$631,028.04 from LEA Fund to the County General Fund, for 2020 LEA actual expenses, from January 2020 through December 11, 2020. Second by Commissioner Ertel and carried (See attached)

RESOLUTION: Administrator Powers presented **Resolution #25-2020**. A Governmental entity resolution to lease, purchase and or finance a mini excavator for the Weed Department. Commissioner Ertel moved that Resolution #25-2020, a governmental entity resolution lease purchase from Caterpillar Financial Services Corporation and Montezuma County, for a mini excavator for the Weed Department. Second by Commissioner Candelaria and carried. (See attached)

PLANNING: Planning Director, Haley with Assistant, Duncan presented for discussion of 49 Square Ventures, LLC End-of-Year Compliance of the Certificate of Designation, located at 9294 Road 39, Mancos, CO, situated in Section 30, Township 36N, Range 13W, N.M.P.M. 49 Square Ventures. The roll was called and the proceedings were recorded for the record. Those who joined the meeting by Zoom included; representatives of the 49 Square Ventures LLC, **Matt Bradshaw** and **Matt Fuller**, representatives from CDPHE, **Ed Smith, R. Perila, Bob Peterson, Heather Barbare** and a Hydrology Company out of Durango **MHF**. Topics of the discussion included; the Ground Water Monitoring Report the Surface Water Report the Legacy Waste Reduction Schedule, establishing baseline conditions for the ground water quality, CDPHE compliance requirements and a compliance advisory response. Commissioner Ertel moved that Montezuma County grant the Certificate of Designation to 49 Squares to continue their composting operations. Second by Commissioner Candelaria and carried. (See attached)

Assistant, Duncan presented for signatures a Mylar for a proposed 2 Lot Minor Subdivision & Rezoning Application submitted by **Randy Smith**; agent: Patrick Garcia, on property located at TBD Road 39, Mancos, CO, consisting of 35.05 acres, more or less, located east of Road 39, north of Hwy 160, situated in Section 30, T.36N, R.13W, N.M.P.M

PUBLIC COMMENT: No public comment was made.

SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin met with the Commissioners to give a monthly report which included; the **Calls for Service Report**, the **Aspen Wall Wood Fire**, the **Total Monthly Inmate Report**, the **Total Monthly Arrests Report**, the **2020 Transport Perdiem and Hotel Costs Report**, the **November Billings Reports**, the **DOC Holds Report**, the **November County Jail Operational Expense Report**, the **Monies Paid into the General Fund Report** and proposed legislative action for the reduction of inmates within detention centers, jails and the State prison system. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give a monthly report. Coroner Deavers reported on the year to date deaths within the County. Topics discussed included; 11 suicide deaths, 2 motor vehicle accident deaths, 3 pedestrian deaths, 6 overdose deaths, an increase of the overall death numbers, Covid-19 deaths and the State guidelines for the COVID-19 death reporting.

EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen met with the Commissioner and gave a monthly update. Topics discussed included; COVID-19 updates, available hospital beds, received vaccine doses, Health Care Facilities, ongoing Long Term Recovery, accumulated COVID-19 expenses, the McElmo/Road G soil slippage, housing and sheltering, the Cares Act Funding, the FEMA Public Assistance programs, Emergency Solution Grants, additional funding for 2021, modeling curve trends and PPE supplies. (See attached)

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

DISCUSSION: A discussion was held regarding the requested Excessive Force Resolution pertaining to the Montezuma County **Housing Authority's, Calkins Commons Project**.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, discussed the BLM's Travel Management Plan, Resolution #24-2020, the Central Federal Lands Agreement, the notice to proceed with OTAK, the Administration Building Sign, the Flowline / Yellow Jacket review letter and flood planning discussions for the Dolores River.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included; the McElmo / Road G soil slippage, the Administration Building Sign Project, the Combined Courts Landscape Project, the WIR meeting and the Public Lands meeting with NACO.

PUBLIC COMMENT: No public comment was made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 10:25 a.m.

Clerk December 22, 2020

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 29, 2020**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 29, 2020 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Larry Don Suckla, Chairman,
Jim Candelaria, Vice Chairman
Keenan Ertel, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, SUCKLA opened the meeting of December 29, 2020 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated December 22, 2020 as presented. Motion was seconded by Commissioner Ertel and carried.

COUNTY ADMINISTRATOR REPORT:

RESOLUTION: Administrator, Shalako Powers presented **Resolution #26-2020.** A Resolution Adopting a Budget for Montezuma County, Colorado for the Calendar Year Beginning on the first day of January 2021 and ending on the last day of December 2021. Commissioner Candelaria moved to accept Resolution #26-2020, a resolution adopting a budget for Montezuma County, Colorado for the calendar year beginning on the first day of January 2021 and ending on the last day of December 2021. Second by Commissioner Ertel and carried. (See attached)

RESOLUTION: Administrator Powers presented **Resolution #27-2020.** A Resolution to Appropriate Sums of Money for 2021. Commissioner Ertel moved to approve Resolution #27-2020, appropriation of sums of money for the calendar year 2021, General Fund \$13,717,284,

Road and Bridge \$9,318,080, Social Services \$21,254,615, Public Health \$2,362,710, Landfill Enterprise Fund \$1,558,516, Capital Fund \$2,181,028, (LEA) Law Enforcement Authority \$811,244, Conservation Trust Fund \$89,522, Emergency Telephone Services \$424,460, Clara Ormiston \$0, Lodger's Tax Fund \$70,000, Sheriff's Forfeiture Fund \$0, TABOR Emergency Reserve \$0, Contingent Fund \$0, Revolving Loan Fund \$0, for a grand total of the budget \$51,787,659. Second by Commissioner Candelaria and carried. (See attached)

ORDER: Administrator Powers presented a **Transfer Order #12-2020**. A transfer of \$26,523.00 from Capital (004) to Road and Bridge (002) to correct an incorrectly coded invoice for the new maintenance vehicle. (Invoice attached) Commissioner Ertel moved to approve Order #12-2020, a transfer of \$26,523.00 from Capital Fund (004) to the Road and Bridge Fund (002). Second by Commissioner Candelaria and carried. (See attached)

PLANNING & ZONING COMMISSION APPOINTMENT: Administrator Powers presented a letter of intent, from alternate **Zachary Fahrion**, to become a permanent board member to the Planning & Zoning Commission. Commissioner Candelaria moved to appoint, Zach Fahrion to the permanent Commissioner position for the Montezuma County Planning & Zoning Board, for a three year term. Second by Commissioner Ertel and carried. (See attached)

LETTER OF APPRECIATION: Administrator Powers presented plaques and a letter of appreciation, to Commissioners Suckla and Ertel for their eight years of service and dedication to the County. (See attached)

PUBLIC COMMENT: No public comment was made.

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

VETERANS SERVICE: Veteran Service Officer, Rick Torres met with the Commissioners to give a monthly report. Officer Torres presented the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay** for November 2020. Other topics discussed included; an update on the monthly expenditures, statistical data, the indirect income to Montezuma County and the accreditations through the Colorado Division of Affairs and the National Association of County Veterans Services, for Officer, Torres and Officer, **Sarah Jane Kuhn**. (See attached).

SENIOR SERVICES: Jonathon G. Parker met with the Commissioners to give a monthly report on the Senior Services programs. A discussion was held regarding the Kitchen Remodel project.

CSU EXTENSION OFFICE: Extension Director, Gregory Felsen, was not available to give a report.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter, gave an update on the Montezuma Valley Irrigation Company lawsuit. A discussion was held on the history of the suit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented for approval, letters addressed to Connie Clementson, Tres Rios Field Manager and to Derek Padilla, District Ranger for the Dolores Ranger District, regarding the approved **County Resolution #24-2020**. Resolution #24-2020 amends Resolution #8-2018 and adopts the map entitled; Exhibit-1 Montezuma County Rights of Ways over Public Lands under R.S. 2477 as an amendment to the Official Montezuma County Road Map. Commissioner Ertel moved that the Board of Montezuma County Commissioners issue the letter to Derek Padilla, District Ranger, Dolores Ranger District, in regard to our historic right-of-ways, our map provided to them, and our descriptions of all of the public right of ways that are going to fall under the RS2477 statute. Included within that motion, Commissioner Candelaria moved to send the same letter to Connie Clementson at the Tres Rios Field Office, with the same description as Commissioner Ertel just stated. Seconds to the motion, were made by Commissioners Candelaria and Ertel. With a unanimous vote in favor, the motion carried. Other topics discussed included the **Flowdine / Yellow Jacket** allotments and the **Request for Product** (RFP) for the Administration Building Sign Project. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included; the Governors weekly call.

PUBLIC COMMENT: No public comment was made.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 10:00 a.m.

Clerk

December 29, 2020

Chairman