

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 1, 2021**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 1, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman
Kent Lindsay, Vice Chairman
Joel Stevenson, Commissioner of Deeds
Shalako Powers, County Administrator, Absent
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, CANDELARIA opened the meeting of June 1, 2021 with the Pledge of Allegiance.

MINUTES: Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 18, 2021 as submitted. Motion was seconded by Commissioner Stevenson and carried.

PLANNING: Planning Assistant, S. Jane Duncan presented for signatures a Resolution #P-23-95E, 1st Amendment, submitted by **Keelee Investments, LLC**; agent: **Keenan Ertel**, on property located at TBD Road 26, Cortez, CO, consisting of 10.04 acres, more or less, situated east of Road 26, situated in Section 13, T.36N, R.16W, N.M.P.M.. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioners to present for approval, an **Order Declaring a Disaster in and for Montezuma County, Colorado**. Others speaking on the Declaration included **Dolores Water Conservation District Manager, Ken Curtis, Colorado State University Service Climatologist and Drought Specialist, Peter Goble, Montezuma County Extension Director, Gregory Felsen**

and **Butch Smith**. Commissioner Stevenson moved to put an Order in place declaring a disaster in and for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a Local Improvement District for the **Mesa Sky Estates** Subdivision, submitted by **Agent Keenen Lovett**. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Lovett was not present. Attorney Baxter recommended that the hearing be continued to a future date. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lindsay moved to continue the hearing on June 15, 2021 at 9:30 a.m. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: No public comment was made.

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed included; an update on the shredder grant application, repairs required to the rented shredder, the annual State inspection, compost sales, temporary closures for Cell #3, repairs to the JD 95/30 tractor and the residential income numbers for the month of May. (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met with the Commissioners to give a monthly report. Topics discussed included; a report on the local gravel pits that had been sprayed, leafy spurge, Mediterranean sage, road side spraying, the Phreatophyte project, the backpack loaner program, property visits and mapped noxious weed properties. Manager Loving presented for approval, the **Participating Agreement between the Montezuma County and the USDA Forest Service, San Juan National Forest, Dolores Ranger District**. Commissioner Stevenson moved to sign the participation agreement between the Montezuma County and the USDA Forest Service for the San Juan National Forest, Dolores Ranger District. Second by Commissioner Lindsay and carried. Manager Loving presented, for approval **Noxious Weed Right of Entry Resolutions #1-2021, #2-2021, #3-2021 and #4-2021**. Commissioner Lindsay moved that we move forward with the Right of Entries, to be issued with the Montezuma County weed program, for the four displayed properties. The motion was seconded by Commissioner Candelaria and with two votes in favor by Commissioners Lindsay and Candelaria and one abstained vote by Commissioner Stevenson, the motion carried. (See attached)

ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart met with the Commissioners to give a monthly report. Superintendent Englehart presented the work schedule for the dates of May 31, 2021 through June 10, 2021 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; a proposed draft letter to address road damages to the Haycamp County Road, Dolores County logging operations using Montezuma County roads, an update on the McElmo Slip project, the asphalt spray project, road painting, turn lanes placed on Hwy. 491 and the request for donated gravel at the BLM access parking lot on Road N. Commissioner Lindsay moved to grant the request for gravel at the parking lot on

the west end of County Road N. Second by Commissioner Stevenson and carried. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers for income of \$49,359.99 and attendance at 21,335. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Fourth of July scheduled events, gravel for the road to the race track, dust abatement and the development of the draft Race Track Contract. (See attached)

UNFINISHED BUSINESS: The discussion regarding the **County Intervention Program** was postponed. A discussion was held regarding the Rock Yard clean-up project and the Road 21 scheduled inspection by the Public Health Department.

COUNTY ATTORNEY REPORT: County Attorney, John Baxter gave an update on the Weber Canyon / Pax LLC case, a BAA case regarding a property owner's shed and the Montezuma Valley Irrigation Company lawsuit.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, presented, **Resolution #6-2021**, a resolution in opposition of **"The Protect Animals from Unnecessary Suffering and Exploitation (PAUSE)"** ballot initiative. Commissioner Lindsay moved to sign, as the Board of County Commissioners, a resolution opposing the Protect Animals from Unnecessary Suffering and Exploitation, otherwise known as the PAUSE ballot initiative. Second by Commissioner Stevenson and carried. Other topics discussed included; the BLM donated gravel request for the County Road N parking lot, donated gravel for the proposed Aqueduct area parking lot, an update to the Natural Resources Plan, the Community Wildfire Prevention Plan, the Trail of the Ancients Scenic Byway's updated Corridor Management Plan, the proposed 30x30 legislation and the Red Zone Project now known as the Wildfire Risk Analysis. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Mancos Town Board meeting, constituent phone calls, the Lewis Arriola Hoedown, the American Legion's 90th Birthday Celebration and the scheduled CCI conference. **Commissioner Lindsay** discussed the Cortez City Council meeting, the American Legion's Memorial Day Services, local Memorial Day decorations and constituent phone calls. **Commissioner Candelaria** discussed the CCI Legislative meeting, the RAR percentage change, constituent phone calls and the weekend's small forest fires in the Boggy Draw area.

CORRESPONDENCE: The following correspondence was read and noted:

MOTION TO ADJOURN: was made by Commissioner Lindsay seconded by Commissioner Stevenson and carried.

MEETING ADJOURNED: 11:15 a.m.

Clerk

June 1, 2021

Chairman