

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
 MONTEZUMA COUNTY, COLORADO
 July 27, 2021**

STATE OF COLORADO)
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 COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 27, 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
- Ian MacLaren, County Attorney
- Kim Percell, County Clerk

CHAIRMAN, CANDELARIA opened the meeting of July 27, 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 July 19, 2021 and July 20, 2021 as presented. Motion was seconded by Commissioner Stevenson and carried.

PUBLIC HEARING: PUBLIC HEARING: It being the time set aside a continued public hearing is held for review and determination regarding a proposed Solar Photovoltaic Electricity Generating Project submitted by **Shawn & Kathy Wells, Glen Wells & Empire Electric Association & Keith Cole**; agent: **Cortez Solar 2, LLC**, on property located at 11501 Road 24, 11551 Road 24 & 23999 Road L.4, Cortez, CO, consisting of 67.69 acres, 37.27 acres, & 36.98 acres, more or less, all located north of Road L, west of Hwy 491, situated in Section 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. Commissioner Lindsay had previously recused himself from this hearing. Cortez Solar 2 representative, **Gavin Berg** 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 Candelaria opened the hearing to public comment. Public comment was made by **Breen Mc Comb, Jody Hubbs, Kathy Topper**

and **Duane Dale**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept a proposal of a solar photovoltaic electricity generating project submitted by Shawn & Kathy Wells, Glen Wells & Empire Electric Association & Keith Cole; agent: Cortez Solar 2, LLC, on property located at 11501 Road 24, 11551 Road 24 & 23999 Road L.4, Cortez, CO., contingent on the completion of the mitigation measures discussed. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a continued public hearing is held for review and determination for regarding a proposed 3 Lot Minor Subdivision and AR10-34 Rezoning Application submitted by **Ted Clark**; agent: **Maness & Associates**, on property located at 26059 Road 38.5, Dolores, CO, consisting of 32.6 acres, more or less, located north of Hwy 145, east of Road 38, situated in Section 36, T.39N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Clark along with Agent, Ernie Maness 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 Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 3 lot minor subdivision and rezoning application submitted by Ted Clark; agent: Maness & Associates, on property located at 26059 Road 38.5, Dolores. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: **Clay Hollen** discussed weed mitigation and a proposed Noxious Weed Resolution.

2020 FINANCIAL AUDIT: **Chris Majors** with **Majors and Haley P.C.** presented the December 31, 2020 audit for review. Mr. Majors gave an overview of the audit report. Topics discussed included; the Schedule of Revenues, Expenditures and Changes in Fund Balances-Budget and Actual General Fund Reports for the following funds; the **Road & Bridge Fund**, the **Social Services Fund**, the **Public Health Fund**, the **Conservation Trust Fund**, the **Clara Ormiston Fund**, the **Emergency Telephone Fund**, the **Sheriff's Forfeiture Fund**, the **Revolving Loan Fund**, the **Lodgers Tax Fund**, the **Emergency Reserve Fund**, the **Contingent Fund**, the **Law Enforcement Authority Fund**, the **Capital Fund** and the **Landfill Fund**. Other topics discussed included; federal monies received, COVID monies received, the Highway Report and the **Notes to the Financial Statements Report**. Commissioner Lindsay moved to accept the Audit Report, dated December 31, 2020 from Majors and Haley P.C. Second by Commissioner Stevenson and carried. (See attached)

NOXIOUS WEED DEPARTMENT: **Weed Department Manager, Bonnie Loving** met with the Commissioners to present, **Noxious Weed Right of Entry Resolution #11-2021**. Commissioner Lindsay moved to approve Noxious Weed Resolution #11-2021. The motion was seconded by Commissioner Stevenson and carried. Manager Loving made a request to amend the June 2021, expirations dates for Right of Entry Resolutions, #1-2021, #2-2021, #4-2021 and to extend the expiration date to November 1, 2021. Commissioner Lindsay moved to extend

resolutions #1-2021, #2-2021 and #4-2021 for the County Noxious Weed Program, until November 1, 2021. Second by Commissioner Stevenson 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)

RESOLUTION #9-2021: Public Health Doctor, Kent Aiken, along with **Scott Anderson** met with the Commissioners to discuss, the proposed Resolution #9-2021. A resolution concerning ambulance service licenses, permits, and regulation of emergency medical services. The Commissioners were in agreement to postpone the decision to the August 3rd meeting.

VETERANS SERVICE: Veteran Service Officer, Rick Torres met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay, June 2021** was presented for the record. Other topics discussed included; the June 2021 financial report, a review of office activities, statistical data, the indirect income to Montezuma County and the hours of operations during the remodeling project. (See attached).

SENIOR SERVICES: Director, Jonathon G. Parker met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included: the remodeling project, the **Meals on Wheels** program, the **Silver Sneakers** exercise classes and coordination with CSU Extension on the **Aging Mastery Program**.

UNFINISHED BUSINESS: Administrator Powers presented the **Memorandum of Understanding (MOU)** between the **American Red Cross** and the **Montezuma County Office of Emergency Management**. Commissioner Stevenson moved to sign the MOU between the American Red Cross and the Montezuma County Office of Emergency Management. Second by Commissioner Lindsay and carried. A discussion was held regarding a final decision, on the fund increase request from Alex Graff from the **Wildfire Adapted Partnership**. The Commissioners were in agreement to leave the budgeted amount where it currently stands for this budget cycle. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Weber Canyon / Pax LLC case.

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

COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers reported on meetings attended to discuss the Opioid Settlement monies, the Recovery and Resiliency Grant, future funding sources for the Community Intervention Program and meetings with the Economic Development Group.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed constituent phone calls, the attended Denver

meeting with the Department of Agriculture and the attended Introduction of Wolfs Update meeting. **Commissioner Lindsay** discussed the County Fair opening, constituent phone calls and local high school athletes that have qualified for State teams. **Commissioner Candelaria** discussed the attended CCI Legislative issues call, the attended CCI Western Districts call, the County Fair, gave an overview of the Monday workshop presentations, the attended Dolores Town Board Meeting, and the August 7, 2021 Redistricting Forum meeting in Durango.

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

DISCUSSION: Region 9 Economic Development Project Manager, Heather Otter met with the Commissioners to discuss the **Community Development Action Plan** and the Strategic Direction-Montezuma County Priorities and Projects. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Sue E Sieber** on account #R002707. The petitioner, Sue E. Sieber was not present. **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Lindsay moved to accept the Assessor's adjusted value at \$368,051.00 for the property located at 101 S. 5th St. Dolores Co. 81323. Second by Commissioner Stevenson and carried. Commissioner Suckla closed the hearing at this time. (See attached)

ABATEMENT: It being the time set aside for the **Robert Urquhart, Double R Ranch LLC** Abatement hearing on accounts #R004280 and #R004281. The proceedings were recorded for the record. **Robert Urquhart** was present for the hearing. The Petitioner along with **Assessor, Leslie Bugg** gave an overview of the process of valuation of said land. Assessor Bugg gave her recommendations of a temporary adjustment. Commissioner Lindsay moved to approve for abatement account number R004280, in the amount from tax value of \$15,903.24 to tax value of \$4,083.05. Second by Commissioner Stevenson and carried. Commissioner Lindsay moved to approve the abatement for account number R004281, located at 19505 Road 42, Mancos Co. abated from \$11,512.04 to \$2,128.17. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Keith Clem** on account #R013004. The petitioner, Keith Clem was not present. **Assessor, Leslie Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Stevenson moved to accept the evaluation on account #R013004, the adjusted value of \$195,679.00, as residential. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was scheduled. The appeal is from **Susan L. Grabbe** on account #R007189. The petitioner, Susan Grabbe made a request to postpone the hearing. The Commissioners were in agreement to postpone the hearing to August 3, 2021 at 1:30 p.m.

BOARD OF EQUALIZATION: 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 **Ron F. Kotarski** on accounts #R006367, #R015643, and #R013424. The petitioner, Ron F. Kotarski was present.

#R015643: The Petitioner along with **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Lindsay moved to reduce it by \$4,350.00 down to \$45,650. For lack of second, the motion died. Commissioner Stevenson moved to stand by the assessment from the Assessor's office with the value at \$50,000.00. Second by Commissioner Lindsay and carried.

#R006367: The Petitioner along with **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Candelaria moved to go with the value recommended at \$479,140.00. Second by Commissioner Stevenson and carried.

#R013424: The Petitioner along with **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Stevenson moved to go with the value recommended by CBOE as \$63,424.00, on property located at 28155 County Road N, Dolores Co. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

DISCUSSION: Commissioner Lindsay presented for approval, a letter of support addressed to **Director Allison George, Division of Housing- Department of Local Affairs** regarding the **Southwest - Housing Rehabilitation Program**. Commissioner Lindsay moved to sign the letter of support for Housing Solutions. Second by Commissioner Stevenson and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 4:30 p.m.

Clerk

July 27, 2021

Chairman