

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
March 29, 2022**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 29, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

- Jim Candelaria, Chairman
- Kent Lindsay, Vice Chairman
- Gerald Koppenhafer, Commissioner of Deeds
- Shalako Powers, County Administrator
- Ian MacLaren, County Attorney
- Kim Percell, County Clerk

**MINUTES:** Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 22, 2022 as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for an After-The-Fact General Planned Unit Development envelope and Rezoning submitted by **Camp Kush, LLC**; agent: **Jennifer Meigs**, on property located at 30261 Road H, Cortez, CO, consisting of 40.14 acres, more or less, located south of Hwy 160, east of Road 27, situated in Section 34, T.36N, R.15W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for approval of an Amendment to Exemption #P-56-80 and Exemption #P-70-80, submitted by **Charles Shumway & Sara Kimball**, on property located at 12685 Road 41.9, Mancos, CO, consisting of 29.47 acres, more or less, located north of Hwy 184, east of Road 41, situated in Section 9, T.36N, R.13W, N.M.P.M. Commissioner Koppenhafer moved to approve the amendment to exemption #P-56-80 and Exemption #P-70-80, submitted by Charles Shumway & Sara Kimball, on property located at 12685 Road 41.9, Mancos, CO. Second by Commissioner Lindsay and carried.

**DISCUSSION: Director, Haley** along with **Assistant, Duncan** discussed a complaint received, regarding possible Land Use Code violations on two properties located on Road 24 and Road T.

**PUBLIC COMMENT: Mike Lynch** presented additional information regarding the County's current election equipment. (See attached) **Allen Maez** discussed the presented election equipment reports.

**SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented for approval a Special Event liquor license application for the **Ute Mountain Roundup Rodeo**. The event is scheduled for June 9th, 10th, and 11th, 2022, and will be held at the County Fairgrounds. Commissioner Koppenhafer moved to approve the application for a special events permit, for the Ute Mountain Roundup Rodeo, at the Montezuma County Fairgrounds, to have malt, vinous and spirituous liquor, at the event. Second by Commissioner Lindsay and carried. (See attached

**RESOLUTION #5-2022: Administrator Shak Powers** along with **Lisa Vecchietti** with **Fish Pond Living** presented for approval, **Resolution #5-2022**. A Resolution of **Montezuma County, Colorado Amending Resolution #16-2021 by Awarding Private Activity Bond Volume CAP for the Sleeping Ute Apartments Project**. Commissioner Lindsay moved to approve Resolution #5-2022, a resolution, of Montezuma County, Colorado, Amending Resolution #16-2021 by Awarding Private Activity Bond Volume CAP for the Sleeping Ute Apartments Project. Second by Commissioner Koppenhafer and carried. (See attached)

**SOUTHWEST HEALTH SYSTEMS: CEO, Jeanie Gentry, CNO, Lisa Gates and CFO, Rick Shrader** met with the Commissioners to give an update on the local hospital. Topics of the discussion included; the current mask and vaccine mandates, supply chain issues, delays in delivery of ordered equipment, Key Talking Points for Ballot Referendum 6A, hospital operations, staffing, retention, temporary position wages, available rental housing and the Financial Statements / Statistical Summary. (See attached)

**COUNTY TREASURER: Treasurer, Ellen Black** met with the Commissioner to present the July 1, 2021 through December 31, 2021, **Schedule of Receipts and Disbursements**. Commissioner Koppenhafer moved to approve the Schedule of Receipts and Disbursements, for Montezuma County, from 7/1/2021 to 12/31/2021. Second by Commissioner Lindsay and carried. (See attached)

**WATER ISSUES UPDATE: Southwest Water Conservation District Representative, Don Schwindt**, along with **Southwest Basin Round Table Montezuma County Representative, Randy Carver** met with the Commissioners to give an update on the County water issues. (See attached)

#### **UNFINISHED BUSINESS:**

**Administration Generator Project: Maintenance Supervisor, Dustin Sattler** presented quotes for an Above Ground Tank, an Underground Tank and Natural Gas, for the Administration Backup Generator Project. Commissioner Lindsay moved to proceed with the Administration Generator Project with natural gas. Second by Commissioner Koppenhafer and carried. (See attached)

**Memo of Understanding: Administrator Powers** presented for approval the Social Services, **Memo of Understanding between Montezuma County and Prowers County**. Commissioner

Koppenhafer moved to approve the Memorandum of Understanding between Montezuma County and Prowers County Colorado. Second by Commissioner Lindsay and carried. (See attached)

**Appointment:** Administrator Powers discussed the recommendations from Social Service Director, Gina Montoya, that **Annie Diaz** be appointed as a representative to the (SWORD) Southwest Opioid Response District Board, for a two year term. Commissioner Lindsay moved to appoint Ms. Diaz to the SWORD Board for two years. Second by Commissioner Koppenhafer and carried.

**PROCLAMATION:** Representing the **Child Maltreatment Prevention Action Team**, the **Four Corners Child Advocacy Executive Director, Rose Jergens**, and **Colorado National Collaboration for Suicide Prevention Coordinator, Arlina Yazzie**, met with the Commissioners to present for approval the **Child Abuse Awareness Month Proclamation**. Commissioner Koppenhafer moved to approve this proclamation, for Montezuma County, for child protection April Abuse Awareness Month. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** no report given.

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

**COUNTY ADMINISTRATOR REPORT:** Administrator, **Shak Powers**, presented quotes from the Road & Bridge Department, for the purchase of a used 200kw replacement generator. Commissioner Lindsay moved to approve the purchase of an Olympia generator in the amount of \$29,000.00, with an additional \$1000.00 to make the kilovolts conversion, for a total purchase price of \$30,000.00. Second by Commissioner Koppenhafer and carried. (See attached)

Administrator Powers presented for approval, an amendment to the Employee Handbook, within the Sick Leave Section 4.5.2., which includes sick time earned for part time employees. Commissioner Lindsay moved to approve the amendment to the employee handbook, to include, 4.5.2. Second by Commissioner Koppenhafer and carried. (See attached)

Other topics discussed included; the **Urban Leap Procurement Platform Proposal**, the newly hired **Jessica Thurman** as the **County Economic Development Coordinator**, current behavioral health legislation and personal financial support to the Cortez Fire District for the Fourth of July Fireworks display. (See attached)

**PAYABLE EXPENDITURE REPORT:** Administrator Powers presented the February 2022 Accounts Payable Expenditure Reports for approval. Commissioner Koppenhafer moved to approve the payables for the Board of County Commissioners, Montezuma County, for February 1, 2022, to February 28, 2022, in the amount of \$3,750,979.25. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** reported on the attended Cortez City Council Meeting, the

Weed Department's Phreatophyte presentation to Congresswomen Boebert, and constituent discussions on a proposed County entrance "Right to Farm Community" signs. **Commissioner Koppenhafer** reported on the attended the Club 20 Watershed Conference and constituent phone calls. **Commissioner Candelaria** discussed the attended Congresswomen Boebert's /Stevenson family presentation, the Weed Department's Phreatophyte presentation, an attended CCI / CCCA zoom meeting, the Senior Center luncheon, the Ag Expo, Monday's workshop and the Town of Dolores Board workshop.

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved for the Board of County Commissioners to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and to include Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Powers, Attorney MacLaren and Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session included the Fiber network. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

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**CORRESPONDENCE:** The following correspondence was read and noted:

**MOTION TO ADJOURN:** was made by Commissioner Lindsay, seconded by Commissioner Koppenhafer and carried.

**MEETING ADJOURNED: 12:20 p.m.**

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Clerk

March 29, 2022

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Chairman