

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
September 20, 2022**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 20, 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
- Travis Anderson, County Administrator
- Ian MacLaren, County Attorney
- Kim Percell, County Clerk (Absent)
- Malinda Fuller, Chief Deputy

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, September 13, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Subdivision Amendment Application of the Swearingen 2 Lot Moderate Subdivision & Boundary Line Adjustment, submitted by **David Posner & Karl Jeffries**, on properties located at 11245 & 11145 Road 20, Cortez, CO, consisting of 3.34 acres, more or less & 3.80 acres, more or less, located south of Road M and west of Road 20, situated in Section 14, T.36N., R.17W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, David Posner, 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. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsey moved to approve the Boundary Line Adjustment and vacation of the 60’ access easement and the lot consolidation submitted by David Posner & Karl Jeffries, on properties located at 11245 & 11145 Road 20, Cortez, CO.

Second by Commissioner Koppenhafer and carried. Commissioner Candelaria 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 regarding a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Kuenzler Enterprise Family, LLP**; agent: **Keenen Lovett**, on property located at 4406 Road 21, Cortez, CO, consisting of 152.79 acres, more or less, located north of Road D, west of Hwy 160/491, situated in Section 19, Township 35N, Range 16W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Lovett 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. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed Single Lot Development and AR3-9 Rezoning Application, submitted by Kuenzler Enterprise Family, LLP; agent: Keenen Lovett, located on property at 4406 Road 21, Cortez, CO, Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**Planning: Director, Don Haley** along with assistant, **S Jane Duncan**, presented for signatures an After-The-Fact General Planned Unit Development and Rezoning application submitted by **Bright Star Campground, LLC**, agent: **Troy Jaskowski**, 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., previously approved by the Commissioners. The Commissioner's took no action at this time.

**Planning: Director, Don Haley** along with assistant, **S Jane Duncan**, presented for signature the Special Use Permit for the GPUD submitted by **Porch Swing Ventures, LLC**, on property located at 32328 Road P #A & B, Mancos, CO, consisting of 3 acres, more or less, located south of Road P, east of Road 32, situated in Section 1, T.36N, R.15W, N.M.P.M.

**Planning: Director, Don Haley** along with assistant, **S Jane Duncan**, presented the Special Use Permit for the USDA meat processing facility, submitted by **Rocky Mountain Meats**; agent: **Chad Foutz**, on property located at 7429 Hwy 160-491, Cortez, CO, located west of Hwy 160-491, situated in Section 4, T.35N., R.16W., N.M.P.M.

**Planning: Director, Don Haley** along with assistant, **S Jane Duncan**, presented for signature the mylar for the Single Lot Development and AR3-9 Rezoning Application, submitted by **Don & Sarah Crowley**; agent: **Vernon Hoffman**, on property located at 6310 Road 24.5, Cortez, CO, consisting of 40 acres, more or less, located south of Road G, east of Road 24.5, situated in Section 10, Township 35N, Range 16W, N.M.P.M. The mylar was not signed due to the County Attorney wanting to review the Road 24.5 easement width, questioned by BOCC and County Road Superintendent.

**PUBLIC COMMENT:** No public comment was made.

**COUNTY SHERIFF: Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the Calls for Service Report, the Jail Report, the Year to Date Transport Report, the Perdiem and Cost for Travel Report, the Total Monthly Inmate Report, the Monthly Arrests Report, the Dolores County Billing Report, the City of Cortez Billing Report, the DOC Holds Report, the August Operational Expense Report and the Court Security Grant. Commissioner Lindsay moved to approve the Court Security Grant for the 22-23 Budget. Second by Commissioner Koppenhafer and carried. Presented for approval was the Jail Based Behavior Service Grant. Commissioner Koppenhafer moved to approve the Jail Based Behavior Service Grant for 2022-2023 in the amount of \$31,289.00. Second by Commissioner Lindsay and carried. Sherriff Nowlin presented for approval a contract with Southern Health Partners. Commissioner Lindsay moved to go forward with this on the 7 day per week program. Second by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to sign the Modification of Grant or Agreement with the U.S. Forest Service 20-LE-11021300-031 Second by Commissioner Lindsey and carried. (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give a monthly report. Topics discussed included; Hospice cases, Coroner cases, Autopsies, Suicides, Overdoses, Motor Vehicle Accident Deaths, and Homicides. (See attached)

**DISTRICT ATTORNEY: District Attorney, Matt Margeson** met with the Commissioners to give a monthly report. Topics discussed included; Colorado District Attorney Counsel Annual Conference, Employees hiring 2 new Attorneys and a backlog in cases.

#### **UNFINISHED BUSINESS:**

**DISCUSSION: Cortez Farmer's Market:** No decision was made at this time.

**DISCUSSION: Fee structure and waivers at the Senior Center:** No decision was made at this time.

**DISCUSSION: Presentation regarding Southern Health Partners for Jail Services,** decision was made earlier in the meeting to move forward.

**DISCUSSION: Landfill Compost Turner:** Direction was given to the landfill manager to update bids to allow for the larger turner. Commissioner Lindsay moved to withdraw the award for the bid for the proposed landfill compost turner, it was out of spec and out of bid. Second by Commissioner Koppenhafer and carried.

**DISCUSSION:** A discussion related to the **4H CSU Extension agent** was held. Commissioner Koppenhafer moved to allow Greg Felsen, the county extension agent presently, to move forward with the decision to have the next extension agent take over the 4H from CSU program and the Youth Development part of the program also. Second by Commissioner Lindsay and carried.

**DISCUSSION:** A discussion relating to the **Annex 3 Project** was held. Commissioner Lindsay moved to approve the Annex 3 Project for Maintenance to proceed with remodeling the Clerk's and Assessor's office. Second by Commissioner Koppenhafer and carried.

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the Charles Fish Land Use contempt matter and reported on the Ellis Lewis land use trial.

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

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson** reported that he and Commissioner Candelaria attended a Montezuma Water Commission. Other topics included: New Administrative Assistant hire, Budget, **Farm Bill**, and the **Alkalide Basin Project**.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: Commissioner Koppenhafer reported on the Mancos Town Meeting and the Southwest Water Conservation District Budget Meeting. Commissioner Lindsay reported on the attended city council meeting, Liquor Licenses, Power Plant at the Water Treatment Plant, Region 9 Middle Mile Fiber Network, Housing Needs Assessment, Veteran's Stand Down and the Fly-In. Commissioner Candelaria discussed the Montezuma Water Board Meeting, the Budget, CSU Research Center, Fly-In, Veteran's Stand Down and the Monday workshop.

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

Chairman Candelaria announced the meeting would reconvene at 1:30 p.m., as the **E-911 Board Meeting**

**E-911 BOARD MEETING: Chief Vernon Knuckles, CFO Kelly Comisky, I.T. Manager Shea Allred and Rick Spencer:** Topics discussed included: 911 phone system, voice logger radio recorder, battery backup at Menefee Mountain Tower and digital APCO guide card system. (See attached)

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

**MEETING ADJOURNED: 2:18 p.m.**

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Clerk

September 20, 2022

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Chairman