

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 4, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 4, 2022 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 January 4, 2022 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 December 28, 2021 as presented. 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 proposed Subdivision Amendment Application to the **Four Corners Encampment Subdivision**, submitted by **Richard & Dixie Simmons** and **ASI Communications, Inc.**, on properties located at 24515 Road 37, consisting of 1.02 acres, more or less and 24516 Hwy 145, Dolores, CO, consisting 3.95 acres, more or less, both located east of Hwy 145, situated in Section 11, T.38N, R.14W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Simmons 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 subdivision amendment application to the Four Corners Encampment Subdivision, submitted by Richard & Dixie Simmons and ASI Communications, Inc., on properties located at

24515 Road 37, Dolores. Second by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley with Assistant, Duncan** presented an application of a Variance, 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.. Jennifer Nelson. Meigs and Bert Meigs were present. The Commissioners did not grant the applicants' request for a variance and were in agreement that the applicants proceed with the Planned Unit Development application. (See attached)

**Director, Haley with Assistant, Duncan** presented for signatures a Boundary Line Adjustment, submitted by **Curtis Duncan**, on property located at 16323 Road 20, Cortez, CO, consisting of 118.63 acres, more or less, located north of Road S, west of Road 20, and **Linley and Zada Leonard**, on property located at 16281 Road 20, Cortez, CO, consisting of 3.00 acres, more or less, located north of Road S, west of Road 20, both situated in Section 23, T.37N, R.17W, N.M.P.M. Commissioner Lindsay moved to approve the boundary line adjustment, submitted by Curtis Duncan, on property located at 16323 County Road 20, consisting of 118.63 acres, more or less, located north of Road S, west of Road 20, and Linley and Zada Leonard, on property located at 16281 Road 20, Cortez, consisting of 3.00 acres, more or less, located north of Road S, west of Road 20 and situated within the description. Second by Commissioner Candelaria and carried. (See attached)

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented for approval a liquor license renewal application for **G Whil Liquors LLC, DBA G Whil Liquors** located at 24001 Road G.2, Cortez, Co. Commissioner Lindsay moved to approve the retail liquor, fermented malt beverage, license renewal application for G Whil Liquors LLC, located at 24001 Road G.2, Cortez. Second by Commissioner Candelaria and carried. (See attached)

**PUBLIC COMMENT:** No public comments made.

**2021 OFFICE APPOINTMENTS:** Commissioner Lindsay moved to approve the Department Heads list as presented. Second by Commissioner Candelaria and carried. (See attached)

**County Attorney:** Ian MacLaren

**County Administrator:** Shak Powers

**County Road and Bridge Supervisor:** Rob Englehart

**County Fairgrounds:** Justin McGuire

**County GIS/Mapping:** Doug Roth

**County Public Health:** Bobbi Lock

**County IT:** Jim McClain

**County Maintenance:** Dustin Sattler

**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:** Sarah Kuhn

**Emergency Manager:** Jim Spratlen  
**MOCO/Transportation:** Jennifer Morris  
**County Landfill:** Mel Jarmon  
**County Planning:** Don Haley

**New:**

**Water Representatives:** Randy Carver and Don Schwindt

**ROAD & BRIDGE DEPARTMENT:** Road Superintendent, **Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of January 3, 2022 through February 4, 2022 and gave an overview of the type of work scheduled. Other topics discussed included; snow removal and cleanup, shoulder work, roadside brush and tree trimming, rock removal at **Alkali Creek**, the **Alkali Bridge Project**, the **McElmo Slip Project**, scheduling a meeting with the **Ute Mountain Ute Tribe** and an update on the Mancos and Dolores Shop Projects. (See attached)

**NOXIOUS WEED DEPARTMENT:** Weed Department Manager, **Bonnie Loving** was not available at this time.

**LANDFILL:** Landfill Manager, **Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; delivery of the new Bomag machine, the service crew, current service calls, CDPHE approval for the Carver Field and Household Hazardous Waste plans, work in Cell #4, future development of Cells # 5 and 6, the permitting process to develop the east side of the Landfill property and income received from the new mattress program. (See attached)

**FAIRGROUNDS:** Fairgrounds Manager, **Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; income \$93,487.49 and attendance 74,006. Manager McGuire reported on a three year average of 63,179 for the attendance and a three year average of \$79,127.63 for income. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; a review of the 2021 Fairgrounds source income, a future discussion on the Fairground expenses, a complete report of the 2021 and 2022 scheduled events, the commodities give away, the Chair Lift project, the Mural Project, the notice of award to **Cooper Fire Protection Services Inc.** for the Fire Suppression Project, the proposed General 3 phase conversion and the proposed Rodeo Grant application. (See attached)

**UNFINISHED BUSINESS:** No unfinished business presented.

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the Road Y case.

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

**COUNTY ADMINISTRATOR REPORT:** Administrator, Powers, no further report given.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay**, no report to give. **Commissioner Candelaria** discussed the attended Housing Authority meeting.

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

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

**MEETING ADJOURNED: 10:40 a.m.**

**MONTEZUMA COUNTY BOARD OF HEALTH MEETING: 1:30 p.m.**

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Clerk

January 4, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 11, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 11, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Joel Stevenson, Commissioner of Deeds, Absent  
Shalako Powers, County Administrator, Via Zoon  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk, Absent  
M. Lynn Dorenkamp, Chief Deputy

**MINUTES:** Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 4, 2022 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 Mylar for a 2 Lot Minor Development and AR10-34 Rezoning Application, submitted by **Keith Halls; Agent: Maness & Associates**, on property located at 40857 Road H, Cortez, CO, consisting of 36 acres, more or less, located west of Road 41, north of Road H, situated in Section 5, T.35N., R.13W., N.M.P.M.

**Director, Haley with Assistant, Duncan** presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning Application, submitted by **Leif & Crystal Hollingshead**, on property located at 15428 Road 30, Dolores, CO, consisting of 39.50 acres, more or less, located east of Road 30, north of Road R, situated in Section 27, T.37N., R.15W., N.M.P.M..

**PUBLIC COMMENT: Ashlee Webb** came to discuss her termination, Attorney MacLaren advised Ashlee Webb that there are procedures in the Employee Handbook that need to be followed. **Tim Webb** voiced their concerns regarding mandates and requested a statement from the County whether or not they are allowing people religious exemptions.

**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"** and the **Value West Contract**. Commissioner Lindsay moved to sign and accept the Contract for services from Total Assessment Solutions Corporation (TASC) and Value West Contract for the Montezuma County Assessor's office. Second by Commissioner Candelaria and carried. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Topics discussed included the purchase and pick up of Tip Van and the continued difficulty ordering vehicles for fleet.

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain touched on the issue with the door readers which was resolved.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to go over and certify the HUTF mileage for the previous county year. Presented were reports for **HUTF Road work and Changes for Reporting Year 2021**, completed road projects and a map reflecting said reports. Commissioner Lindsay moved to sign and accept the HUTF Report for the Colorado Department of Transportation. Seconded by Commissioner Candelaria and carried. Rachel gave an update on projects being worked on currently, Road Impact Fee Map for the Road Department, sending out another round of addressing for the Planning Department, met with the County Clerk regarding the Redistricting map for elections, and preparing for the Economic Development Coordinator and that position is posted now. (See attached)

#### **UNFINISHED BUSINESS:**

**OPIOID REGIONAL INTERGOVERNMENTAL AGREEMENT (IGA):** Commissioner Candelaria clarified with Administrator Powers, via Zoom, that the IGA would not be signed at this time, due to changes being made, only appointing members of the Opioid Board. Members being appointed are Jessica Thurman, Social Services, Laurel Schafer, Health Department, and Bobbi Lock as secondary. Shak Powers, Administrator Montezuma County. Commissioner Lindsay moved to appoint Jessica Thurman, Social Services, Laurel Schafer, Health Department, and Bobbi Lock as secondary. Shak Powers, Administrator Montezuma County to the Southwest Opioid Response District Board.

**ELECTION OF OFFICERS:** Organizing the BOCC for 2022 to be reviewed in 30, 60 and 90 days. Commissioner Lindsay moved to keep the 2022 Office of Appointments the same as currently presented and review in 90 days. Seconded by Commissioner Candelaria and carried. (See attached)

#### **2021 BOCC REPRESENTATIVE APPOINTMENTS:**

**CHAIRMAN:** Commissioner Jim Candelaria

**VICE CHAIRMAN:** Commissioner Kent Lindsay

**COMMISSIONER OF DEEDS:** Commissioner Joel Stevenson

**Southwest Regional Transportation Committee (TPR):** Jim Candelaria

Alternate: Kent Lindsay

**Region 9 Economic Development Board:** Jim Candelaria

Alternate: Joel Stevenson

**AAA:** Kent Lindsay

Alternate: Jim Candelaria

**Southwest Workforce Board:** Kent Lindsay

Alternate: Joel Stevenson

**Montezuma County Housing Authority:** Jim Candelaria

Alternate: Kent Lindsay

**Housing Solutions:** Kent Lindsay

Alternate: Jim Candelaria

**Ute Mountain Tribal Council Meetings:** Joel Stevenson

Alternate: Shak Powers

**Lower Dolores River Group:** Joel Stevenson

Alternate: James Dietrich

**Club 20:** Kent Lindsay

Alternate: Joel Stevenson

**Native Fish Monitoring & Recommendation Team:** Joel Stevenson

Alternate: Kent Lindsay

**Legal Publications:** Cortez Journal

**CCI:** Jim Candelaria

Alternate: Joel Stevenson

Liaison to the City of Cortez Meetings: Kent Lindsay

Liaison to the Town of Mancos Meetings: Joel Stevenson

Liaison to the Town of Dolores Meetings: Jim Candelaria

Liaison to UMU Tribal Meetings: Joel Stevenson

## **2022 OFFICE APPOINTMENTS:**

**County Attorney:** Ian MacLaren

**County Administrator:** Shak Powers

**County Road and Bridge Supervisor:** Rob Englehart

**County Fairgrounds:** Justin McGuire

**County GIS/Mapping:** Doug Roth

**County Public Health:** Bobbi Lock

**County IT:** Jim McClain

**County Maintenance:** Dustin Sattler

**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:** Sarah Kuhn

**Emergency Manager:** Jim Spratlen

**MOCO/Transportation:** Jennifer Morris



**County Landfill:** Mel Jarmon  
**County Planning:** Don Haley

**NEW:**

Water Representatives: Randy Carver, Don Schwindt

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** the Road Y case has a set trial date in September and moving forward on Land Use cases, one ready to move to trial.

**DISCUSSION: Ironwood Group LLC. High Impact Permit and Fire Mitigation Plan,** **Wade Bentley, Ironwood Group LLC** was present. **Emergency Manager Jim Spratlen** gave an overview of the Plan for Chip Pile at Ironwood. **Dolores Fire Protection District Chief Mike Zion** voiced his concern with the quantity of material, set up of the material and the inability to handle a possible fire at Ironwood. **Sheriff Steve Nowlin** discussed his concerns for the safety of the public, residents of the area and only one way in and one way out and dangers of a combustible fire of the chip pile at Ironwood. **Attorney Ian MacLaren** informed the commission of the legal issues at hand under the High Impact Permit being non-complaint along with the safety issues and public nuisance. **Wade Bentley** from **Ironwood Group LLC** spoke to his understanding of the events of notices and letters sent to Ironwood and his meeting with the Fire Marshall and Emergency Manager.

**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, Administrator Powers via phone, Attorney MacLaren, Planning Director Don Haley, Sheriff Steven Nowlin, Chief Deputy Clerk Dorenkamp, seconded by Commissioner Candelaria and carried. Topics for the executive session for specific legal questions related to the current situation Ironwood with fire hazards. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Candelaria and carried. (See attached)

Commissioner Candelaria set a Public Hearing for the review and determination of the High Impact Permit for Ironwood Group, LLC for January 25, 2022.

**PUBLIC LANDS:**

**Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give updates on various projects. Break Water project still has funding but has ran into engineering capacity issues, looking at fall/ winter 2023 for completion of the design. Unauthorized use of old and new routes have increased the last hunting season so an inventory of routes will be taken this spring/summer and a heavier closure will be implemented. **Emergency Manager, Jim Spratlen** held a discussion with **Derek Padilla** regarding possible fees for towers on Federal Lands.

**Canyon of the Ancients National Monument Manager, Ray O'Neal** reported to the Commissioners on the monument and overviewed the Yellow Jacket and Road M Parking lot Allotments. (See attached)

**Bureau of Land Management, Connie Clementson** gave updates to the Commissioners of the following topics; how permits go back to the government, scoping for the Mary Austin land



acquisition. Gravel being put down on the Phil's World road. Summit Trail Head receiving lots of positive feedback and the parking lot there. Controlled burns around Summit Lake.

**Mesa Verde National Park, Kayci Cook Collins** via Zoom, visitation schedule for 2021 back up close to 2019 numbers. Federal Highways project work is slated to start back up in mid - March done by June 15 if all goes to schedule. Spruce Tree House Alcove Arch Project public comment deadline was extended to January 21, 2022. Beginning civic engagement on our Wildland fire Management plan for both Mesa Verde National Park and Yucca House Monument.

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

**COUNTY ADMINISTRATOR REPORT:** Administrator, Powers, none given.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay**, spoke with Commissioner Stevenson's brother, took several phone calls and have City of Cortez Counsel meeting tonight. **Commissioner Candelaria** discussed attending the Southwest Economic Outlook put on by Region 9 meeting in Durango. NCA meeting with Dolores County, San Miguel County and our Attorney, and Administrator discussing language on specific items that liked to be addressed to move forward with the NCA, "unreasonably diminished" and "reasonably diminished" definitions as it relates to water. Briefly attend West Slope Casa meeting for Department of Social Services, Department Head meeting and RCC meeting. Both Commissioner Lindsay and Commissioner Candelaria will be in Mancos tomorrow night to cover for Commissioner Stevenson.

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

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

**MEETING ADJOURNED: 11:09 a.m.**

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Clerk

January 11, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 25, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 25, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Shalako Powers, County Administrator  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 18, 2022 as presented. Motion was seconded by Commissioner Candelaria and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review of High Impact Permit, #675 and Special Use Permit #07-2019, issued on November 4, 2019, on property owned by **Ironwood Group, LLC**, located at 27930 Road T, Dolores, CO, consisting of 19.62 acres, more or less, situated in Section 19, T.37N, R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ironwood Group LLC, primary stock holder, **Mark Hartman**, and **Ironwood Plant Manager, Wade Bentley** were present. **Planning Director, Don Haley** along with **County Attorney, Ian MacLaren** gave an overview of the history and fire safety concerns of the current, permits. Additional discussion was made by **Emergency Manager, Jim Spratlen**, **Sheriff, Steve Nowlin**, **Dolores Fire Protection District Chief, Mike Zion**, **County Administrator, Shak Powers** and **County Landfill Manager, Mel Jarmon**. Commissioner Candelaria opened the hearing to public comment. Public comment was made by; **John Godbout**, **Ingrid Ward**, **Trent Bishop**, **Melissa Valdez**, **Gary Hart**, **Lana Kelly**, **Deborah Gentilini**, **Mary Ranney**, and **Diane Wren**. Hearing no further public comment that portion of the hearing was closed. **EXECUTIVE SESSION:** Pursuant to Commissioner Candelaria's request, 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), to include Commissioners Candelaria and Lindsay, Administrator Powers, Attorney MacLaren and Clerk Percell, seconded by Commissioner Candelaria and carried. Topics for the executive session included questions directly pertaining to the public hearing and the high impact permit that is being discussed today. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Candelaria and carried. After hearing all the evidence presented Commissioner Lindsay moved to revoke the High Impact Permit #675 and Special Use permit #7-2019 based on significant adverse conditions presented to the surrounding properties and also significant fire danger. Seconded by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** Public comment was made by **Cortez Fire Protection District, Chief Jay Balfour**.

**UNFINISHED BUSINESS:**

**AXIS- CIP CONTRACT:** Administrator Powers presented for signatures the contract for **Community Intervention Program (CIP)** between the **Montezuma County Administration, Colorado** and **Southwest Colorado Mental Health Center, Inc., DBA AXIS Health System**. Commissioner Lindsay moved to approve the contract for the Community Intervention Program otherwise known as CIP, between the Montezuma County Administration, Colorado and Southwest Colorado Mental Health Center, Inc., DBA AXIS Health System. Second by Commissioner Candelaria and carried. (See attached)

Administrator Powers presented for signatures the **OPIOID REGIONAL INTERGOVERNMENTAL AGREEMENT (IGA)**: Commissioner Lindsay moved to approve the Southwest Opioid response District otherwise known as SWORD Intergovernmental Agreement of Participating Local Governments. Second by Commissioner Candelaria and carried. (See attached)

**PRECINCT BOUNDARY ALIGNMENT:** County Clerk, **Kim Percell, GIS Department, Manager, Doug Roth** and **Mapping Specialist, Rachel Medina** met with the Commissioners to present **RESOLUTION #3-2022**. A resolution approving 2022 precinct changes. Commissioner Lindsay moved to approve Resolution #3-2022 authorizing the change of the precinct map. Second by Commissioner Candelaria and carried. (See attached)

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

**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. **RESOLUTION #2-2022**, a resolution to change the 2021 Budget, was presented for approval. Commissioner Candelaria moved to accept resolution #2-2022, for the change of the 2021 budget, to show the fund balance of zero, after moving money out of Leap and OAP. Second by Commissioner Lindsay and carried. (See attached)

**VETERANS SERVICE: Veteran Service Officer, Sara Kuhn** 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**, December 2021 was presented for the record. Other topics discussed included; the 2021 November and December financial reports, office activities, statistical data and the indirect income to Montezuma County. Other topics discussed included; check in phone calls for at risk veterans, VA staff shortages, the Durango clinic and tele-health appointments, VSO certification for Frank LoBue and the scheduled VFW Stand Down event. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; contracts for the designated route feasibility study, the CDOT 53-11 Grant, the total ride numbers for December 2021, staffing levels, the Bus Fund and a future 2021 yearly report.

**SENIOR SERVICES: Director, Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included; the total number of meals served for 2021, the Meals on Wheels program, meals provided through the on-site lunch programs, meal donations and the annual Annex rental income. (See attached)

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** along with the new **Livestock and Agriculture Agent, Emily Lockhart** met with the Commissioners for a monthly report. Topics of the discussion included; the scheduled Livestock & Forage Grower Update event, the Drought Leadership Training schedule, Ag Water Workshops scheduled in Mancos and Cortez and the (AgrAbility) Winter Workshops 2022 schedule. Other topics discussed included the 4-H youth that will be attending the Leadership Development Conference. Livestock and Agriculture Agent, Lockhart discussed her roles and responsibilities. Other topics discussed included; the Drought declaration, congratulations to **Kaydence Spruell** who placed 5<sup>th</sup> with her hog at the National Western Stock Show and a proposed sales tax initiative discussion. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the Road Y lawsuit and Land Use cases.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. A discussion was held regarding the DRAFT Montezuma County DOLA Housing Planning Grant (IHOP). Other topics discussed included; federal actions, the communication towers, pre-scoping comments on the Mesa Verde National Park projects, pre-scoping comments on the Fire Plan, the draft CWPP and a discussion with concerned citizens regarding road access on Road Y. Director Dietrich presented for the record, a letter to South West Regional Manager, **Patrick Rondinelli**, from the Colorado Department of Local Affairs, regarding the HB21-127 DOLA Innovative Housing Strategies, Planning Grant Program. (See attached)

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers**, presented **RESOLUTION #1-2022**, a resolution amending the 2021 Budget. Commissioner Lindsay

moved to approve Resolution #1-2022, a resolution amending the 2021 budget. Seconded by Commissioner Candelaria and carried. (See attached)

Administrator Powers presented for approval **RESOLUTION #4-2022**, a resolution amending the Certification of Mills and Levies and Tax Roll. Commissioner Lindsay moved to approve Resolution #4-2022, amending the certification of mills and levies and tax roll. Second by Commissioner Candelaria and carried. (See attached)

Administrator Powers presented for signatures a letter of support for the **Ute Mountain Rodeo Grant Application**. Commissioner Lindsay moved to sign the letter of support for the grant for the Fairground's parking lot. Second by Commissioner Candelaria and carried. (See attached)

Other topics discussed included; an **ALL** county offices closure for January 31, 2022 in honor of Commissioner Stevenson, a public notice that both Commissioners would be attending the memorial service for Commissioner Stevenson and a public notice that both Commissioners would be attending the Republican Vacancy Committee meeting scheduled January 27, 2022.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay**, discussed the attended, Montezuma Valley Irrigation meeting, the scheduled City of Cortez Counsel and Mancos Town Hall meetings and constituent discussions. **Commissioner Candelaria** discussed the attended Doctor Lucas weight loss seminar, the CCI legislative briefing, a Housing Authority Board meeting, the Montezuma Valley Irrigation meeting, the Dolores Town Hall meeting and the Monday workshop meeting.

**CORRESPONDENCE:** The following correspondence was read and noted: the Monday workshop, slide presentation from **Cortez Fire Protection District**.

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

**MEETING ADJOURNED: 2:30 p.m.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
January 25, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
February 1, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 1, 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 January 25, 2022 as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a continued public hearing is held for review and determination a proposed General Planned Unit Development and Rezoning Application submitted by **Ironwood Group, LLC**, on property located at 27736 Road T, Dolores, CO, consisting of 45.48 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19, T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley, Assistant, S. Jane Duncan** were present. **County Attorney, Ian MacLaren** gave an overview of the current status of the application. 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 deny the planned unit development and rezoning application submitted by Ironwood, LLC, on property located at 27736 Road T, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** gave an introduction and overview of the Planning Department to Commissioner Koppenhafer.

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

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of February 1, 2022 through March 4, 2022 and gave an overview of the type of work scheduled. Other topics discussed included; an introduction to Commissioner Koppenhafer, updates on the McElmo Slide Project, the Mancos Gravel Pit Rehab Project and the Alkali Creek Bridge Project. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners and gave a Noxious Weed Department introduction to Commissioner Koppenhafer. Topics discussed included; funding, no spray agreements, the notification system, the enforcement process, property visits, an overview of projects and programs, data results, education, treatments, roadside spray mapping, and yearly statistics. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** met with the Commissioners to give a monthly report and an introduction to Commissioner Koppenhafer. The report included the end of the year Landfill budget spread sheet. Topics discussed with the report included; mattress income, the Bomag machine delivery, equipment repair expenses, the pending CDPHE approval for the Carver Field, composting, the new scale replacement, the recycling program, CDPHE requirements for paper products, CDPHE approval of the Household Hazardous Waste Plan, department staffing and the current fee schedule. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** met with the Commissioners to give a monthly report and an introduction to Commissioner Koppenhafer. Manager McGuire reported the year to date numbers included; income \$16,955.00 and attendance 2,730. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, winter practice schedules, the Banner Advertising Program, the handicap lift, arena lights, the proposed parking lot Rodeo Grant, the mural project, funding, the Year End Budget and the Fire Suppression system. (See attached)

**UNFINISHED BUSINESS: ELECTION OF OFFICERS:** Commissioner Lindsay moved to approve the reorganization of the Montezuma County Commissioners and Boards. Second by Commissioner Koppenhafer and carried. (See attached)

**CHAIRMAN:** Commissioner Jim Candelaria

**VICE CHAIRMAN:** Commissioner Kent Lindsay

**COMMISSIONER OF DEEDS:** Commissioner Gerald Koppenhafer

**2021 BOCC REPRESENTATIVE APPOINTMENTS:**

**Southwest Regional Transportation Committee (TPR):** Jim Candelaria

Alternate: Kent Lindsay

**Region 9 Economic Development Board:** Jim Candelaria

Alternate: Gerald Koppenhafer



**AAA:** Gerald Koppenhafer

Alternate: Kent Lindsay

**Southwest Workforce Board:** Kent Lindsay

Alternate: Gerald Koppenhafer

**Montezuma County Housing Authority:** Jim Candelaria

Alternate: Kent Lindsay

**Housing Solutions:** Kent Lindsay

Alternate: Jim Candelaria

**Ute Mountain Tribal Council Meetings:** Gerald Koppenhafer

Alternate: Shak Powers

**Lower Dolores River Group:** Gerald Koppenhafer

Alternate: James Dietrich

**Club 20:** Kent Lindsay

Alternate: Gerald Koppenhafer

**Native Fish Monitoring & Recommendation Team:** Gerald Koppenhafer

Alternate: Kent Lindsay

**Legal Publications:** Cortez Journal

**CCI:** Jim Candelaria

Alternate / Concurrent: Gerald Koppenhafer

Liaison to the City of Cortez Meetings: Kent Lindsay

Liaison to the Town of Mancos Meetings: Gerald Koppenhafer

Liaison to the Town of Dolores Meetings: Jim Candelaria

Liaison to UMU Tribal Meetings: Gerald Koppenhafer

**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 Lindsay and carried. Topics for the executive session included; specific legal questions pertaining to the County Fiber Optic Project / Network. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Gerald Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren reported that the Landfill issue of an outstanding balance from one of the local trash companies had been resolved. Other topics discussed included; current civil cases and the Ironwood Group chip pile.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, met with the Commissioners to give a weekly report and an introduction to Commissioner Koppenhafer. Topics discussed included; coordination with the Federal Land agencies, Forest Service timber operations, oil and gas operations, the regulatory environment, locatable minerals, the Rangeland Stewardship Committee, recreation, the McPhee breakwater, the Aquatic Nuisance Program, grazing permits, land acquisitions, BLM road issues, the NCA legislation, fish monitoring, signage for the Rim Rocker Trail, a proposed alternative shooting

range and the demand for a long distance shooting range, grant writing, the Flood Plan Development Process, the Community Wildfire Protection Plan (CWPP), working with the Economic Development Team, other special projects as assigned, the Montezuma County Recreational Advisory Committee, the DWARF Coordinating Committee, Trail of the Ancients Advisory Committee and the BLM Southwest RAC.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers**, discussed a County Department update and budget review for Commissioner Koppenhafer, the scheduled afternoon Economic Recovery and Resiliency overview, a scheduled Community Intervention Program meeting and an overview of the (SWORD) Southwest Opioid Response District settlement funds.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** reported on constituent discussions, the Cortez City Council meeting, the Mancos Town Hall meeting and Commissioner Stevenson's memorial service. **Commission Koppenhafer** discussed the departmental and project overview presentations. **Commissioner Candelaria** discussed the attended NACO Transportation meeting, the CCI Legislative meetings, an email received regarding the Ironwood Group and Commissioner Stevenson's memorial service.

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

**DISCUSSION:** From the **Montezuma County Economic Development Team** Administrator, Shak Powers, GIS Manager, Doug Roth, Natural Resource Director, James Dietrich, Planning Director, Don Haley, Planning Assistant, Sherri J. Duncan met with the Commissioners to give an Economic Development Team overview and introduction to Commissioner Koppenhafer. Commissioner Lindsay reported that Shak Powers, Administrator of Montezuma County, has been awarded the **Ed Morlan Economic Development Leader of the Year** by the Region 9 Economic Development District (Region 9) Board of Directors. (See attached)

**DISCUSSION:** Planning Director Haley, Planning Assistant Duncan along with Attorney MacLaren gave an overview of the current **Land Use Enforcement Issues**. Topics discussed included; active Land Use Cases, compliance statutes, enforcement, penalties, multiple housing properties, private property rights, equal enforcement, noncompliance property prioritization and the required permitting process for commercial camp sites. A discussion was held regarding the active Land Use case on Road 21. After reviewing the property compliance progress made, with a completion date of March 1st, the Commissioners were in agreement that the County Attorney should file a motion to dismiss the case.

**DISCUSSION:** The Commissioners along with Natural Resource Director, Dietrich, held a discussion regarding the proposed **Dolores River National Conservation Area (NCA)**. Topics of the discussion included; participation by Montezuma County, language included in the draft Bill, concerns from the Dolores Water Conservation District, a possibility of a Wild and Scenic Designation, protection of present and existing water rights, the next scheduled meeting,

Washington approval of the NCA and Montezuma County participation in the development of a management plan. (See attached)

**UNFINISHED BUSINESS:** A discussion was held regarding the applications received for the Grant Writer position. Commissioner Lindsay moved to hire Nichole Glasser as the Grant Writer. Seconded by Commissioner Koppenhafer and carried.

**TOUR OF THE DETENTION CENTER:** 4:00 P.M.

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

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

**MEETING ADJOURNED:** At the conclusion of the Detention Center tour.

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Clerk

February 1, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
February 8, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 8, 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 February 1, 2022 as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Triple S Farms, LLC**; agent: **Ernie Maness**, on property located at 26780 Road M, Cortez, CO, consisting of 247.62 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.. The roll was called, the public notice read, and the proceedings were recorded for the record. Commissioner Candelaria recused himself from the hearing. 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 Lindsay opened the hearing to public comment. Public Comment was made by **Tim Lanier**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed single lot development and AR3-9 rezoning application, located at 26780 Road M, Cortez, CO, consisting of 1.5 acres, more or less. Second by Commissioner Lindsay and carried. Commissioner Lindsay 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 AR3-9 Rezoning Application submitted by **Joseph & Austin Hancock**, on property located at TBD Road 16, Yellow Jacket, CO, consisting of 115.69 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. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** requested that the hearing be postponed to February 22, 2022 at 9:20 a.m. Commissioner Koppenhafer moved to continue the public hearing on a single lot development and AR3-9 rezoning application submitted by Joseph & Austin Hancock, to February 22, 2022, at 9:20 a.m. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** reported that the Mylar for an Amendment to the **Lutken 2 Lot Minor Subdivision**, submitted by Jesus Castillo and Amanda Edwards; agent: **Bernard Karwick**, on properties located at 12168 Road G, consisting of 3.40 acres, more or less and 12318 Road G, consisting 18.08 acres, more or less, Cortez, CO, both located south of Road G, situated in Section 4, T.36N, R.18W, N.M.P.M., had been postponed to a later date.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** reported that the Variance for the Land Use Code Requirement of the 3 acre parcel size and the 30-foot setback requirement, submitted by **Carlene Porter**; agent: **Danny Wilkin**, on property located at 15965 Road 21, Cortez, CO, consisting of 5 acres, more or less, located south of Road S, west of Road 21, situated in Section 25, T.37N, R.17W, N.M.P.M., had been postponed to a later date.

**DISCUSSION:** Planning Director Haley reported that he had sent a letter of compliance to the **Elegant Mobile Homes Park**. Administrator Powers discussed the required Landfill process and expense for mobile home disposal. Attorney MacLaren discussed the process of Land Use Code violations. The Commissioners were in agreement that Attorney MacLaren contact the property owners.

**PUBLIC COMMENT: Jeff Coulon** discussed the Commissioner's approval for the use of the Fairgrounds parking lot and the current Combined Courts mask requirements.

**MONTEZUMA COUNTY VFW AUXILIARY POST 5231: Queenie Barz** met with the Commissioners with a request of a fee waiver, for the use of Annex I, for the March 17<sup>th</sup>, Saint Patrick's Day Fundraiser. Commissioner Lindsay moved to approve the request from the VFW Post #5231, for waiving of the fees, at the Annex, for the St. Patrick's Day Dinner. Second by Commissioner Koppenhafer and carried.

**LIQUOR LICENSE: Deputy Clerk, Malinda Fuller** presented a transfer of ownership liquor license application for, **Bubba's LLC**, 18806 Hwy 491, Lewis, Co., to **Bubba J's LLC**. Commissioner Koppenhafer moved to approve the Colorado liquor retail license application transfer to Bubba J's, LLC located at 18806 Hwy 491 Lewis Co., 81327. Second by Commissioner Lindsay and carried. (See attached)

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented for approval a liquor license renewal application for the, **Westview RV Resort**, located at 12092 Hwy 145, Dolores, Co., mailing address P.O. Box 483 Cortez Co. 81321. Commissioner Lindsay moved to approve a liquor license renewal application for Westview Resort, P.O. Box 483 Cortez, Co., located at 12092 Hwy 145. Second by Commissioner Koppenhafer and carried. (See attached)

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell**, presented for approval a liquor license renewal application for **Paragon Business Investments, LLC, DBA Hilltop Liquors**, located at 27963 Hwy. 184, Dolores, Co. 81328. Commissioner Koppenhafer moved to approve the renewal application for retail liquor and fermented malt beverage, for Hill Top Liquors, at 27963 Hwy 184, Dolores. Second by Commissioner Lindsay and carried. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman gave a Departmental overview and introduction to Commissioner Koppenhafer. Topics discussed included; the number of vehicles included within the fleet, funding, the new coordination with Enterprise for the Sheriff units, new Emergency Manager and Coroner pickups, the new merged Enterprise fuel card and rebate checks.

**GROUND AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioner to give his monthly grounds and buildings report. Supervisor Sattler gave a Departmental overview and introduction to Commissioner Koppenhafer. Topics discussed included, the combined courts gutter project, an emergency exit window for Social Services, the fire extinguishers projects at the Road Department, and an update on the Lost Canyon Shop project.

**GIS MAPPING: GIS Manager, Doug Roth** met with the Commissioners to a monthly report. Manager Roth gave a Departmental history and overview which included; Custom Imagery, the development of an EMS data base for Tribal lands, development of trail and recreation mapping, the SmartGov Planning software, address assignments, address corrections, the GIS data system support for the E911 system, a county wide address point data base, and the new precinct interactive map on the County website. (See attached)

**PUBLIC LANDS: Canyon of the Ancients National Monument Manager, Ray O'Neal** met with the Commissioners and discussed; a new architectural drawing exhibit at the heritage center, a new partnership for the Bookstore, the expansion of the hours of operation to five days a week, the Austin acquisition and an update on the Yellow Jacket and Flowdine grazing allotments.

**Bureau of Land Management, Connie Clementson**, discussed the scheduled, March 2<sup>nd</sup> and 3<sup>rd</sup>, **Southwest Resource Advisory Council** meeting to be held in Montrose, the Southwest Resource Advisory Council meeting to be held at the Tres Rios Field Office in June and the available open seats on the Southwestern Resource Advisory Council.

**DISCUSSION: Danny Margoles, Coordinator** with the **Dolores Watershed Resilient Forest (DWRF)** met with the Commissioners to give an introduction to the Commissioners and an



update on the collaborative. Topics discussed included the steering committee, support for resilient Forest Communities watersheds, education, outreach, resource development, risk reduction, program areas, Forest Ambassador Training, defensible space projects, advance monitoring, core goals, large scale forest restoration and identification of core areas of focus. (See attached)

**UNFINISHED BUSINESS: Town of Mancos 1-3 Mile Plan:** Administrator Powers presented for approval, the **Intergovernmental Agreement for Road and Street, Water and Sewer, Infrastructure Management for the One Mile Area between the Town of Mancos, Colorado and Montezuma County Colorado**. Commissioner Lindsay moved to sign the Intergovernmental Agreement for Road, Street, Water and Sewer, Infrastructure Management, for the One Mile Area, between the Town of Mancos, and Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave updates on the current Land Use Code violation cases.

**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 **San Juan National Forest, Dolores Ranger District** in regards to County comments on the **Beaver Rim Pit Expansion Project**. Commissioner Lindsay moved to sign the letter of support, for the Beaver Rim Expansion Project. Second by Commissioner Koppenhafer and carried. Other topics discussed included; a discussion held with the DWRF group. Director Dietrich along with **Emergency Manager, Jim Spratlen** presented for approval a letter addressed to **Mrs. Joey Perry, the USFS Program Manager**, regarding a request for a 30 day extension, to the comment period for the US Department of Agricultural (USDA) Forest Service's proposed rule establishing Annual Programmatic Administration fees for Communications Use Authorizations. Commissioner Koppenhafer moved that the Montezuma County Board of County Commissioners sign a letter addressed to the U.S. Department of Agriculture (USDA) requesting an extension of time to the comment period for the Forest Service's Proposed Rule Establishing Annual Programmatic Administrative Fees for Communications Use Authorizations published December 22, 2021. The current comment period, which closes February 22, 2022, is too short for affected stakeholders to fully evaluate the impacts on emergency services authorizations. Second by Commissioner Lindsay and carried. (See attached)

**PAYABLE EXPENDITURE REPORT:** Administrator Powers presented the December 2021 Accounts Payable Expenditure Reports for approval. Commissioner Lindsay moved to approve the payables for the month of December 1<sup>st</sup> through December 3<sup>rd</sup>, 2021. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator, **Shak Powers**, presented for approval, a Letter of Support, addressed to the Colorado Department of Public Health and Environment, for the **FRA #36128 Resource Recovery and Economic Opportunity Grant** application, to purchase a compost windrow turner for the Landfill. Commissioner Lindsay moved to sign the letter of support, to the RREO (Resource Recovery and Economic



Opportunity) Grant selection committee, to try to get us a compost turner. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commission Koppenhafer** discussed the attended jail tour and constituent discussions. **Commissioner Lindsay** discussed the attended jail tour, a conversation with the Municipal Judge, Padilla and constituent discussions. **Commissioner Candelaria** discussed the attended jail tour, Legislative bills, a scheduled trip to Washington, an overview of the Monday workshop, the lodger's tax, and the meeting scheduled with the City Council at the airport.

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

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

**MEETING ADJOURNED: 11:00 a.m.**

\_\_\_\_\_  
Clerk

February 8, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
February 22, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 22, 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, Absent  
Planning Director, Don Haley  
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 February 8, 2022 as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of an After-The-Fact General Planned Unit Development and Rezoning Application and a High Impact & Special Use Permit Application 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. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Jennifer Meigs 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 high impact and special use permit application submitted by Camp Kush, LLC, agent: Jennifer Meigs, on property located at 30261 Road H, Cortez, along with the General Planned Unit Development and Rezoning Application. 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 a proposed Subdivision Amendment Application to the **Mancos Hills Major Subdivision**, submitted by **Erik Nordstrom & Shanti Savage**, on properties located at 41952 Road J.75, consisting of 3.39 acres, more or less and TBD Road J.75, consisting 3.03 acres, more or less, Mancos, CO, both located north of Hwy 160, situated in Section 28, 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. Nordstrom and Ms. Savage attended 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 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 subdivision amendment application to the Mancos Hills Major Subdivision, submitted by Erik Nordstrom & Shanti Savage, on properties located at 41952 Road J.75, consisting of 3.39 acres, more or less and TBD Road J.75, consisting 3.03 acres, more or less, Mancos, CO, both located north of Hwy 160, situated in Section 28, T.36N, R.13W, N.M.P.M. 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 continued public hearing is held for review and determination of a proposed Single Lot Development and AR3-9 Rezoning Application submitted by **Joseph & Austin Hancock**, on property located at TBD Road 16, Yellow Jacket, CO, consisting of 115.69 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. **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 Koppenhafer moved to approve the proposed single lot development and AR3-9 rezoning application submitted by Joseph & Austin Hancock, on property located at TBD Road 16, Yellow Jacket, CO, consisting of 115.69 acres, more or less, located south of Road W, east of Road 16. Second by Commissioner Lindsay and carried. Commissioner Lindsay closed the hearing at this time. (See attached)

**PLANNING:** **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for an Amendment to the **Lutken 2 Lot Minor Subdivision**, submitted by **Jesus Castillo** and **Amanda Edwards**; agent: **Bernard Karwick**, on properties located at 12168 Road G, consisting of 3.40 acres, more or less and 12318 Road G, consisting 18.08 acres, more or less, Cortez, CO, both located south of Road G, situated in Section 4, T.36N, R.18W, N.M.P.M.

**PLANNING:** **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Triple S Farms, LLC**; agent: Ernie Maness, on property located at 26780 Road M, Cortez, CO, consisting of 247.62 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..

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for an AR3-9 Rezoning Application, submitted by **Brumley Family Ranch, LLC**, on property located at 16440 Road 30, Dolores, CO, consisting of 46.94 acres, more or less, located east of Road 30, south of Hwy 184, situated in Section 22, T.37N., R.15W., N.M.P.M..

**PUBLIC COMMENT: Allen Maez** thanked the GIS Department, Commissioners and County Clerk's Department on the recent redistricting projects.

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented a liquor license renewal application for **Triple H&J Inc., DBA Smitty's Liquors** located at 10255 Hwy 491 Cortez. Commissioner Koppenhafer moved to approve the retail liquor, fermented malt beverage liquor license renewal application, for Triple H&J Inc., DBA Smitty's Liquors, located at 10255 Hwy 491 Cortez, Co. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report. Sheriff Nowlin presented for approval the 2022 budget for the Montezuma County Sheriff/Town of Dolores Contract. Commissioner Lindsay moved to approve the Contract between Montezuma County Sheriff's office and the Town of Dolores for the 2022 budget. Second by Commissioner Koppenhafer and carried. Other topics discussed included; the January, Calls for Service Report, the Jail Report, the Dispatch Center and dispatch fees. (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)

**PUBLIC HEALTH: Public Health Director, Bobbie Lock** along with **Assistant Director, Laurel Schafer**, met with the Commissioners to give an introduction and overview of the Health Department's Services and Programs. **Colorado National Collaboration for Suicide Prevention Coordinators, Arlina Yazzie** and **Katie Maxwell** met with the Commissioner to give an overview of the program. (See attached)

**VETERANS SERVICE: Veteran Service Officer, Sara Kuhn** 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**, January 2022 was presented for the record. Other topics discussed included; the January 2022 financial report, a review of office activities, statistical data, the indirect income to Montezuma County, a visit from the Department of Veteran Affairs State Director, the installation of a regional Veteran Services Officer in Durango and an anonymous donation of I-Pads. (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; communication technology, socialization, on site meals, exercise programs, dance groups, artist league, on site activities and a Site / Activities Coordinator position, outreach, the lunch meal schedules and senior housing options.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** along with **Andrea Jeter** met with the Commissioners for a monthly report. Topics of the discussion included; a summary of the 2021 Community Needs Assessment Report, the Changing Our Mental & Emotional Trajectory (COMET) Training, the Livestock and Forage update, Drought Advisory Leadership Training, drought plan development, Community Economic Development, the Homegrown Talent Initiative, the Colorado Agrability classes, a Pruning Workshop and employee compensatory time. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioners to give a weekly report. Director Dietrich discussed the Dolores County / Forest Service Campgrounds Agreement, the notification on the MMOF grant funding, and the Dolores Watershed Resilient Forest (DWRP).

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** presented for approval, the 2022, West Mancos, FS Road #561 chip seal maintenance, **Road Project Agreement between Montezuma County and the USDA Forest Service, San Juan Nation Forest**. Commissioner Lindsay moved to approve the Road Project Agreement between Montezuma County and the USDA Forest Service, San Juan Nation Forest. Second by Commissioner Koppenhafer and carried. (See attached)

Attorney MacLaren discussed the 2009 BAA Kinder Morgan case, the Lodgers Tax contracts, a CDPHE site visit to the Ironwood Mill and an update on the Road 23.6 Land Use violation case. A discussion was held regarding the Walmart 2021 tax evaluation protest. The Commissioners were in agreement to hold the matter in abeyance.

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

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; the 2020-2021 comparison report, the fixed route, a proposed passenger van purchase, a special event bus run for the Cultural Center, bike racks, and the vehicle advertisement wraps. (See attached)

**UNFINISHED BUSINESS:** A letter of support addressed to **Mr. Faulk** regarding the **Essential Air Services at Cortez, CO DOT-OST-1998-3508** was presented for approval. Commissioner Koppenhafer moved to sign the letter for the Essential Air Services to the Cortez Airport, in support of Denver Air. Second by Commissioner Lindsay and carried. (See attached)

**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, Attorney MacLaren, Clerk Percell, and Planning Director, Haley, 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)

**COUNTY ADMINISTRATOR REPORT:** Administrator, Shak Powers, was not available to give a report.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the Housing Solution meeting, constituent discussions, the loss of 2 businesses within the Town of Dolores and the scheduled Cortez City Council meeting. **Commission Koppenhafer** discussed the attended Mancos Town Board meeting, and constituent discussions. **Commissioner Candelaria** discussed the attended Southwest TRP meeting, the Washington trip, the scheduled Cortez City Council meeting and scheduled CCI Legislative meetings.

**CORRESPONDENCE:** The following correspondence was read and noted: The 2021 Performance Report from Region 9.

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

**MEETING ADJOURNED: 2:10 p.m.**

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Clerk

February 22, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
March 1, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 1, 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 Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated February 22, 2022 as presented. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for approval of a Variance 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. Agent Jennifer Meigs was present. Commissioner Lindsay moved to approve the variance submitted by Camp Kush, LLC; agent: Jennifer Meigs, on property located at 30261 Road H, Cortez, and varying 20 feet on the chapel and 9 feet on the cabin. Second by Commissioner Koppenhafer and carried. (See attached)

**Planning Director, Haley** along with **Assistant, Duncan** presented for approval of a Variance submitted by **Tonya Capps, Demia Porter & Kurtis Case; agent: Danny Wilkin**, on property located at 15965 Road 21, Cortez, CO, consisting of 5 acres, more or less, located south of Road S, west of Road 21, situated in Section 25, T.37N, R.17W, N.M.P.M. Agent Danny Wilkin was present. The Commissioners did not approve the requested variance at this time and asked that the property owners attempt to acquire acreage so as to alleviate the need for the variance.



**PLANNING: Director, Don Haley** along with **Assistant, Duncan** presented for discussion and review of proposed vacation of a green-signed Road vacation of Road S, located west of Hwy 145, Dolores, CO, situated in Section 30 T.37N, R.15W, N.M.P.M. The vacation of Road S was discussed during the BOCC workshop held on February 28, 2022. The Commissioners did not take any action to vacate Road S.

**PLANNING: Director, Haley** along with **Assistant, Duncan** presented for discussion and review of proposed vacation of a Streets and Alleyways for the **Arriola Town Sites**, located east of Hwy 491, south of Road S, Cortez, CO, situated in Section 20 T.37N, R.16W, N.M.P.M. The Commissioners did not take any action to vacate the streets and alleyways. If the Arriola Town Sites lots are consolidated, the Commissioners will consider vacating the streets and alleyways.

**PLANNING: Planning Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning Application, submitted by **Kenneth Bradshaw**, on property located at 16941 Hwy 491, Cortez, CO, consisting of 39.62 acres, more or less, located east of Hwy 491, west of Road 22, situated in Section 19, T.37N, R.16W, N.M.P.M.

**PLANNING: Planning Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Subdivision Amendment Application to the **Fox Run Development**, 2nd Amendment, submitted by Ute View Farms, on property located at 7255 Hwy 160/491, Cortez, CO, consisting of 9.78 acres, more or less, located west of Hwy 160/491, situated in Section 4, T.35N., R.16W., N.M.P.M

**PUBLIC COMMENT: James Parks** asked the Commissioners for an update on his request, that County Roads L, 32 and P, be placed on the Road & Bridge chip seal schedule.

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the month of March, 2022 and gave an overview of the type of work scheduled. Other topics discussed included; the mag chloride schedule, CDOT bridge inspections, the **2022 Proposed Road Projects**, the Army Corps of Engineers submittal for Road G, completed blade work on County Roads L, 32 and P, spring cleanup projects, scheduling the Mancos airport survey, a stock pile area at the Cortez yard, increased traffic and road maintenance for the Municipal Airport road. (See attached)

**LIQUOR LICENSE: Deputy Clerk, Malinda Fuller** presented a liquor license renewal application for **Mancos Brewing Company LLC.**, located at 484 East Frontage Road, Mancos, CO 81328. Commissioner Koppenhafer moved to approve the renewal of a retail liquor, or fermented malt beverage license, for the Mancos Brewing Company, LLC. located at 484 East Frontage Road, Mancos, CO. Second by Commissioner Lindsay and carried. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included: jointed goat grass, scheduled events, seasonal crews, approved grant notifications, expected grant notifications, the

CDA Drought Stimulus Grant, the proposed purchase of a mulcher, the county procurement policy and the Phreatophyte Drone Video of the McElmo Creek Project. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; a mattress charge comparison with other County Landfills, the attended SWANA MOLO training, the 2021 annual reports, an overflow of cardboard, the CDPHE approval for the Compost Plan, an update on the Bomag purchase, compost samples analysis and a future tree limb event. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; income \$23,350.00 and attendance 5,115. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; an addition of a Team Roping event to the presented calendar, an update on the handicap lift project, the LED bulb projects, a completed Empire Electric energy efficiency audit, Empire rate changes and a switch to the All Energy Rates and the proposed Mural Project. (See attached)

**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, Clerk Percell, and County Assessor Leslie Bugg, seconded by Commissioner Koppenhafer and carried. Topics for the executive session included the Kinder Morgan matter for the 2009 Tax year. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**UNFINISHED BUSINESS:** No unfinished business presented.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave updates on the CDPHE title restriction requirements on the Carver Field and the Road 41 Land Use violation case.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioners to give a weekly report. Director Dietrich discussed the MMOF grant application, the Housing Planning Grant (IHOP), the Dolores County / Forest Service Campgrounds Agreement, and the Community Wildfire Protection Plan (CWPP).

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers**, reported on the attended Cattlemen's Association event and the Cortez Chamber of Commerce new building soft opening event.

**PAYABLE EXPENDITURE REPORT:** Administrator Powers presented the January 2022 Accounts Payable Expenditure Reports for approval. Commissioner Lindsay moved to approve the expenditure for January 2022, in the amount of \$4,546,681.39. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commission Koppenhafer** discussed the attended, Intergovernmental Breakfast meeting and constituent discussions. **Commissioner Lindsay** discussed the attended Cortez City Council meeting and constituent discussions. **Commissioner Candelaria** discussed the attended Cortez City Council meeting, the CCI Legislative briefings, the attended Lewis Arriola Community Center fund raiser, the Monday Workshop, the sales tax initiative and the attended Dolores Town Board meeting.

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

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

**MEETING ADJOURNED: 2:30 p.m.**

\_\_\_\_\_  
Clerk

March 1, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
March 8, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 8, 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 1, 2022 as presented. Motion was seconded by Commissioner Koppenhafer 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 & Rezoning Application, submitted by **Douglas & Cindy Coulon**, on property located at 21624 Road S, Cortez, CO, consisting of 17.42 acres, more or less, located west of Hwy 491, south of Road S, situated in Section 30, T.37N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mrs. Coulon 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 2 lot moderate subdivision and rezoning application, submitted by Douglas and Cindy Coulon, on property located at 21624 Road S, Cortez. Seconded by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** along with **Assistant, Duncan** presented for signatures, a Boundary Line Adjustment, submitted by Arvita Higgins on property located at 21510 Road W,

Lewis Co, and **Ervil Higgins** on property located at TBD Road W, Lewis , CO.. Commissioner Lindsay moved to approve the boundary line adjustment agreement for Arvita Higgins and Ervil Higgins at 21510 Road W, Lewis Co. Second by Commissioner Koppenhafer and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed Subdivision Amendment Application of the **Swearingen 2 Lot Moderate Subdivision**, submitted by **BBS, LLC**, agents: **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. Mr. 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 Koppenhafer moved to approve the proposed subdivision amendment application of the Swearingen 2 lot moderate subdivision, submitted by BBS, LLC, agents: David Posner and Karl Jeffries, on properties located at 11245 & 11145 Road 20, Cortez, CO. Seconded by Commissioner Lindsay 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 a proposed 2 Lot Minor Subdivision & Rezoning Application, submitted by **James E. Lynch Living Trust**, on property located at 14767 Road 29.75, Dolores, CO, consisting of 40 acres, more or less, located west of Road 29, east of Road 29.75, situated in Section 33, 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. Lynch 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 2 lot minor subdivision and rezoning application, submitted by James E. Lynch Living Trust, on property located at 14767 Road 29.75, Dolores, CO.. Seconded 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 a Special Use Permit and Rezoning Application for a 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. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Foutz was present. At this time, **Attorney Kelly McCabe**, made a request to continue the public hearing, to comply with the Land Use Code, notice requirements. After establishing the evidence of sending the required notice, by certified mail, to all adjacent land owners, it was determined that the hearing would proceed. **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: **Rob Pope, Wanda Martin, Tim Lanier, Danny Wilkin, Attorney, Bryson McCabe** representing property owner **Jim Black, Jennifer Singer, Clayton Archer** and **Colton Black** representing the **Cortez Area Chamber Commerce**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Lindsay moved to approve the special use permit and rezoning application for a USDA meat processing facility, submitted by Rocky Mountain Meats; agent: Chad Foutz, on property located at 7429 Hwy 160-491, Cortez, and this application be contingent upon, a good working septic permit, rather it be through septic tank or preferably hooked up to Cortez Sanitation District, a CDOT permit and dust control on the roads. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** **James Parks** presented a signature petition regarding the request, for County Roads L, 32 and P, be placed on the Road & Bridge chip seal schedule. (See attached) **Kathy VanVleet** offered a thank you to the Commissioners on the recently reviewed Ironwood LLC property. **Butch Smith** discussed a proposed highway turn lane for the approved Rocky Mountain Meats.

**PUBLIC LANDS:** No reports made.

**VEHICLE MAINTENANCE:** **Road & Bridge Equipment Manager, Shane Higman** was not available to report.

**GROUND AND BUILDINGS:** **Maintenance Supervisor, Dustin Sattler** met with the Commissioner to give a monthly report on the grounds and buildings. Topics discussed included the Lost Canyon Road Shop Project, the Social Services Conference Room project, a restroom project for the Road and Bridge department, heater repairs and sidewalk ice removal.

**IT:** **IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain gave a departmental overview and an introduction to Commissioner Koppenhafer. Other topics discussed included the recent Phone Services Change Project, a new firewall implementation, the Internet Services Project and the development of a County ring.

**GIS MAPPING:** **GIS Manager, Doug Roth** and **Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Topics discussed included: the new GIS landing page <https://montezumacounty.maps.arcgis.com/home/index.html>, the recreational map viewer, changes to the interface of the verifying address page, an updated road impact fee accounting and development of the available impact fee funds map, an overview of the 2021 impact fees collected, county development statistics and the Smart Gov. Program. (See attached)

**UNFINISHED BUSINESS:** **Road & Bridge, John Deer Grader Lease Plan.** Commissioner Koppenhafer moved to approve the movement of \$86,392.00, out of the Capital Outlay account, for the Road and Bridge Department, for the purchase of these two blades, model 772/GP. Second by Commissioner Lindsay and carried. (See attached)



**Noxious Weed Department's** proposed purchase of a masticator head. Commissioner Lindsay moved to approve the purchase of the masticator head for \$21,875.81. Second by Commissioner Koppenhafer and carried. (See attached)

**Noxious Weed Department:** The **US Forest Service Modification #1 Grant or Agreement** in the amount of \$5,000.00 was presented for approval. Commissioner Lindsay moved to approve Modification contract #21-PA-11021300-034 to the Forest Service contract. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave updates on the Kinder Morgan Case and the Walmart Appeal abeyance. Attorney MacLaren presented the amended City of Cortez Fiber Management Agreement, for approval. Commissioner Koppenhafer moved to approve this amendment modifying the agreement between Montezuma County and the City Of Cortez, owned by Cortez Community Network Enterprise, regarding a broadband fiber network, her in after called the agreement, the revisions on the agreements are limited to those specified. Second by Commissioner Lindsay and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, met with the Commissioners to give a weekly report. Topics discussed included; the Mesa Verde Trail Project grant applications, the Cortez side of the Mesa Verde Trail route, matching funds strategy, BLM concerns of camping on the Chutes and Ladders trails, and land owned by the State Land Board.

**COUNTY ADMINISTRATOR REPORT:** Administrator, **Shak Powers**, discussed the Wellness Committee's proposed memberships to the City of Cortez Recreation Center, the attended (SWORD) Southwest Opioid Response District meeting, a Region 9 Feasibility Study, attendance at the Tribal Council meeting, the Commissioner attendance at the Cortez City Council meeting and requested Commissioner assistance for a a repeal or delay, of the CCI legislation, that requires Counties to license all entities that transport individuals in behavioral health crisis.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commission Koppenhafer** discussed the attended Community Intervention meeting and the attended (Triple A) Area on Aging Agency meeting. **Commissioner Lindsay** discussed the scheduled Cortez City Council meeting and the Dolores Town Board Candidate Forum. **Commissioner Candelaria** discussed the attended Dolores Town Board Candidate meet and greet, CCI Legislative updates, the Monday Workshop and a request for a County Animal Control Officer.

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

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

**MEETING ADJOURNED: 11:30 a.m.**

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Clerk

March 8, 2022

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Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
March 15, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 15, 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 8, 2022 as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for discussion a draft for a General Planned Unit Development submitted by **Triple S Farms, LLC; Agent: Ernie Maness**, on property located at 12261 Hwy 145, Cortez, CO, consisting of 247 acres, more or less, located south of Road M, west of Hwy 145, situated in Section 12, T.36N., R.16W., N.M.P.M. Agent Ernie Maness was present. The Commissioners were in agreement that the application should proceed through the Planning process.

**DISCUSSION: Director Haley** along with **Assistant Duncan** held a discussion regarding CDOT access permits. Topics discussed included; Road 37, the Summit Lake access, a proposed county access permit process, Road L, Road 38.5, the intersection of Road M and Hwy 491, and the State access permit process.

**PUBLIC COMMENT: Allen Maez** discussed the County Annex and the recently held Republican Party Assembly. **Mike Lynch** presented the Commissioners a thumb drive, with

electronic information regarding the 2020 election. (Thumb drive available for review, within the County Clerk's Office, during regular office hours)

**LIQUOR LICENSE:** Deputy Clerk, **Jerri Frizzell** presented for approval a liquor license renewal application for **The Gettin' Place, Steele Investments Inc.**, located at 26060 Hwy., 491 Pleasant View, Co. 81331. Commissioner Koppenhafer moved to approve the renewal application for a retail liquor and fermented malt beverage, license for **Steel Investments Inc., The Gettin' Place**, located at 26060 Hwy., 491 Pleasant View, CO. Second by Commissioner Lindsay and carried. (See attached)

**12 HOURS OF MESA VERDE MOUNTAIN BIKE RACE:** Board members **Cap Allen, Kirk Underwood** and **Dani Gregory** met with the Commissioners to request permission for a special event liquor license, to serve donated beer during the 12 Hours of Mesa Verde event, scheduled May 7, 2022. Commissioner Lindsay moved to approve a special event liquor license, for the 12 Hours of Mesa Verde event at the County Fairgrounds. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY CORONER:** Coroner, **George Deavers** met with the Commissioners to give a monthly report. Topics discussed included: a Monthly 2021 Case Report, a 2021 Weekly Case Report, a, Hourly Case Report, the 2021 yearly statistics which included, 17 motor vehicle deaths, 19 suicides and 8 overdose deaths. Coroner Deavers reported the current yearly statistics included: a total number of 39 cases that include, 2 motor vehicle deaths, 2 suicides and 5 overdose deaths. The year to date, total number of autopsies completed was 50, with 15 being from Montezuma County and a total of 3 (possibly 4) homicides for the year. Other topics discussed included; an increase in young deaths within the county and Senate Bill 22-065. (See attached)

**COUNTY SHERIFF'S MONTHLY REPORT:** Sheriff, **Steven Nowlin** met with the Commissioners to give his monthly report. Sheriff Nowlin discussed what the critical and priority needs would be for the proposed Public Safety Sales Tax and presented the **2022 Public Safety Sales Tax Requested Cost Estimates**. Topics discussed included the Detention Center, the Patrol Division, the Detective Division equipment, training, and salaries. Reports presented for the record included the January and February, **Calls for Service Report**, the **Jail Report**, the **Year to Date Transport Report**, the **Perdium 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 **Operational Expense Report** and the **Monies Paid to the General Fund Report**. (See attached)

**EMERGENCY MANAGEMENT:** Emergency Manager, **Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review, the **Monthly Situational Report**. Topics within the report that were discussed included; drought, a COVID update and a water update. Manager Spratlen presented for discussion, the **Public Safety Sales Tax Disbursement for Emergency Management and Communications Proposal**. Topics discussed included; communication towers, a mobile communication trailer, full time employee positions, yearly costs, broadband opportunities and tower locations. **Maintenance Supervisor, Dustin Sattler** joined the meeting to discuss the purchase of a used

generator in the amount of \$23,000.00. The discussion will be postponed to a later date, to allow time to get a cost comparison for the energy source. (See attached)

**DISCUSSION: Cortez Fire Protection Chief, Jay Balfour, Battalion Chief Charlie Bordon and Lieutenant Rick Spencer** met with the Commissioners to discuss the proposed **Public Safety Sales Tax**. Chief Balfour discussed the history of the Fire District, current staffing and call volume history, apparatus, calls for service, additional services provided, an overview on current issues, where similar departments are currently, priority needs, the benefits of the proposed sales tax and needed capital improvements. Chief Balfour discussed the Fourth of July Fireworks Display event. (See attached)

**UNFINISHED BUSINESS:** No unfinished business presented.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave updates on the Land Use Code Violation Case and the Weber Canyon / Road 41 lawsuit.

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

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers**, presented for approval the **Master Engagement Agreement** by and between **MGT of America Consulting, LLC**, and **Montezuma County Board of Commissioners**. Commissioner Lindsay moved to approve the Master Engagement Agreement, between MGT of America Consulting, LLC, and the Montezuma County Board of Commissioners. Second by Commissioner Koppenhafer and carried. Other topics discussed included: a scheduled drought mitigation meeting to begin the educational Water Wise Series, an update on the attended Detox Intergovernmental Agreement meeting, an update on the (SWORD) Southwest Opioid Response District meeting and a County website link for behavioral health information. <https://montezumacounty.org/behavioral-health/> (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commission Koppenhafer** discussed the attended Mancos Town Board meeting and the scheduled Club 20 meetings. **Commissioner Lindsay** discussed constituent discussions, the attended Cortez City Council meeting, the attended Republican Party General Assembly meeting, and the passing of former County Commissioner Helen Mc Clellan. **Commissioner Candelaria** discussed the attended CDOT meeting, the attended CCI Legislative meetings, the Dolores Town Board meeting, PILT Payments, the Republican Party Assembly and gave an update on the Monday Workshop topics.

**DISTRICT ATTORNEY: District Attorney, Matt Margeson and Office Manager, Clarisa Feuilly** met with the Commissioners to give a monthly report. Topics discussed included; the proposed **Public Safety Sales Tax**, an additional legal assistant, a proposed 8% cost of living adjustment, a budgetary increase for the department, increased requirements for data storage, Senate Bill #217, proposed juvenile legislation and current department staffing. (See attached)

**CORRESPONDENCE:** The following correspondence was read and noted: Email received from Joellen Dickey regarding updates on Ironwood Fire Mitigation.

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

**MEETING ADJOURNED: 11:15 a.m.**

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Clerk

March 15, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
March 22, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 22, 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, Absent  
M. Lynn Dorenkamp, Chief Deputy Clerk

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 15, 2022 as presented. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for approval of an Exemption Resolution submitted by **Gregory Taylor**; agent: **Eric Taylor, POA**, on property located at 25453 Road T, Dolores, CO, consisting of 5.55 acres, more or less, located south of Road T.5, east of Road 25, situated in Section 14, T.37N, R.16W, N.M.P.M. Commissioner Lindsay moved to approve the Exemption Resolution for **Gregory Taylor**; agent: **Eric Taylor, POA** for property located at 25453 Road T, Dolores, CO, consisting of 5.55 acres, more or less. Second by Commissioner Koppenhafer and carried. (See attached)

**PUBLIC COMMENT: George Tripp** wanted to introduce himself to the Board of County Commissioners, as he is running for city council. **Mike Lynch** gave more information regarding election equipment to the County Commissioners. (See attached)

**SPECIAL EVENT LIQUOR LICENSE: Ute Mountain Roundup Rodeo Board** members **Cindy Green, Marti Spitzer**, and **Lacey Murphy** met with the Commissioners to request permission to include alcohol sales during the scheduled Ute Mountain Ute Rodeo event held at the Montezuma County Fairgrounds. Commissioner Koppenhafer moved to approve the Special Event Liquor

License for the Ute Mountain Rodeo on June, 9, 10 and 11<sup>th</sup> from 4p.m. till 11:00p.m. Second by Commissioner Lindsay and carried. (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. Commissioner Lindsay moved to approve the Record of Proceedings and financials for Montezuma County Social Services for February 2022 in the amount of \$1,852,175.37. Second by Commissioner Koppenhafer and carried. (See attached)

**VETERANS SERVICE: Veteran Service Officer, Sara Kuhn** 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**, February 2022 was presented for the record. Other topics discussed included; the February 2022 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. (See attached).

**SENIOR SERVICES: Director Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** and **Emily Lockard** met with the Commissioners for a monthly report. Topics of the discussion included; Upcoming 4 States Ag Expo and the presentations that they will be giving during the Ag Expo, ongoing relationship with Pueblo Community College and overview of the Seed Share Event and Fire Mitigations and Land Restoration in Forest Areas. (See attached)

**UNFINISHED BUSINESS:** None at this time.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** overviewed the default judgement that was issued last Friday on the Land Use violation regarding the property south of town. Finished the brief for the Court of Appeals for the Road 41 case.

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

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers**, attend the SWORD meeting for Opioid settlement for the 2 year plan. Record clean up, need to resubmit the payable for November 2021. Commissioner Lindsay moved to approve the November 2021 payables in the amount of \$3,365,145.89. Second by Commissioner Candelaria and carried. Clarification to the public regarding the Durango Herald article and its misleading headline saying La Plata and Montezuma County receiving over 11 million. The only entity in Montezuma County receiving any of those monies is the Ute Mountain Ute Tribe. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** attend Monday's workshop. **Commissioner Koppenhafer** attended last weeks' meeting with the National Conservation Area Work Group that's studying the NCA below the McPhee Dam. Montezuma County wanting to reengage in that process and

get a seat at the table if this process goes through to be a part of that plan. Call from Senator Hickenloopers' aids regarding the Farm Bill. **Commissioner Candelaria** discussed the cancellation CDOT meeting, met with the Extension Office out at the Fair Grounds specifically to the wash rack, attended the Corn Beef and Cabbage dinner, and Monday's workshop.

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

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

**MEETING ADJOURNED: 10:32 a.m.**

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Clerk

March 22, 2022

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Chairman



**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)

**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 Ironwood Group LLC. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**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

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
April 5, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 5, 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, Absent  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk  
Planning Director, Don Haley

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated March 29, 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 2 Lot Moderate Subdivision & Rezoning Application, submitted by **Mark Walter & Tracey Hately**, on property located at 27604 Road S, Dolores, CO, consisting of 14.56 acres, more or less, located west of Hwy 145, south of Road S, situated in Section 30, T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mrs. Hately 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 Andrew Rapiejko and Marla Underell. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 2 lot moderate subdivision and rezoning application, submitted by Mark Walter and Tracey Hately, on property located at 27604 Road S, Dolores, contingent upon a CDOT access approval. 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 a Special Use Permit Application for a Wireless & Internet Cell Tower project, submitted by **Farmers Telecommunications Company, Inc;** agents: **Shawn Sanders & Terry Hinds**, on property located at 22903 Road F, Cortez, CO, located west of Road F, south of Road G, situated in Section 8, T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Hinds 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 Koppenhafer moved to approve the special use permit application for a Wireless and Internet Cell Tower project, submitted by Farmers Telecommunications Company, Inc. agents: Shawn Sanders and Terry Hinds, on property located at 22903 Road F, Cortez, Co. Second by Commissioner Lindsay 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 the purpose of review and determination of a proposed Rezoning Application, submitted by **Circle Z Construction, Agents: Shawn Sanders & Terry Hinds**, on property located at 22903 Road F, Cortez, CO, located west of Road F, south of Road G, situated in Section 8, T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Hinds 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 a rezoning application, submitted by Circle Z Construction, Agents: Shawn Sanders and Terry Hinds, on property located at 22903 Road F, 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 the purpose of review and determination of a proposed Single Lot Development and Rezoning Application submitted by **Deanne Acott Estate, agent: Keenen Lovett**, on property located at 23720 Road M, Cortez, CO, consisting of 60.18 acres, more or less, located south of Road M, 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. **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 rezoning application submitted by Deanne Acott Estate, agent: Keenen Lovett, on property located at 23720 Road M, 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 a proposed 2 Lot Minor Subdivision & Rezoning Application, submitted by **James Shaner; agent: Logon Vogt**, on property located at 7601 Road 37, Mancos, CO,



consisting of 35.03 acres, more or less, located south of Hwy 160, west of Road 37, situated in Section 3, 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 Candelaria opened the hearing to public comment. Public Comment was made by **Denise Comer**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed 2 lot minor subdivision and rezoning application, submitted by James Shaner; agent: Logon Vogt, on property located at 7601 Road 37, Mancos, CO. Second by Commissioner Lindsay 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 a proposed 2 Lot Minor Subdivision & Rezoning Application, submitted by **Justin & Tammy Hooten**; agent: **Marti Spitzer**, on property located at 26510 Road K.5, Cortez, CO, consisting of 35 acres, more or less, located west of Hwy 145, north of Empire Street, situated in Section 24, T.36N, R.24W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Commissioner Koppenhafer recused himself from the hearing. Mr. and Mrs. Hooten 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 accept the proposed 2 lot minor subdivision and rezoning application, submitted by Justin and Tammy Hooten; agent: Marti Spitzer, on property located at 26510 Road K.5, Cortez. Second by Commissioner Candelaria 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 the purpose of review and determination of a proposed High Impact/Special Use Permit with Commercial Rezoning Application, submitted by **Lighthouse Baptist Church**; agent: **Dale Murphy**, on property located at TBD Road L, Cortez, CO, consisting of 9.32 acres, more or less, located north of Road L, 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. **Bruce Burkett** and **Steve Kelly** 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. Public comment was made by **Kelly Belt**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed High Impact/Special Use Permit with Commercial Rezoning Application, submitted by Lighthouse Baptist Church; agent: Dale Murphy, on property located at (TBD) to be determined Road L, consisting of 9.32 acres. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** **Gayel Alexander** discussed the scheduled Gun Show and her concerns regarding internet access at the Fairgrounds. **Terry Hinds** discussed the internet connections at the Fairgrounds.



**DISCUSSION: Sheriff Steve Nowlin** along with **Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to discuss lease / used purchase options for proposed vehicles for the Detective Division. Manager Higman's recommendation was to lease, two of the Enterprise, 2022, Ram 1500, with a 48 month lease. Commissioner Lindsay moved to allow the lease of two vehicles to be put in to our fleet. Second by Commissioner Koppenhafer and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of April 3, 2022 through May 6, 2022, gave an overview of the type of work scheduled and presented for review the Alkali Creek Rock removal slides. Other topics discussed included; the 2022 Proposed Road projects, a budgetary estimate for a proposed project on the Airport Road, the Road G annual cleanup project is scheduled for April 23<sup>rd</sup>, a possible used bucket truck purchase, the Landfill County Roads cleanup project is scheduled for the third week of April and the City of Cortez Cleanup event. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included: the Bomag delivery, the annual CDPHE inspection, cash flow requirements for the Bomag purchase, the Closure and Post Closure Savings Program, the annual County Spring cleanup event and a proposed contract to rent a shredder for the month of June. A discussion was held regarding the current mattress fee and the dead animal fees. The Commissioners were in agreement to raise the mattress fee to \$17.00 each and to add a medium size dead animal fee of \$15.00 each. (See attached)

**LIQUOR LICENSE TRANSFER:** Deputy Clerk, Jerri Frizzell presented a retail liquor or fermented malt beverage license renewal application for, **Ancient Echos DBA, Kelly Place Inc.** located at 14537 Road G, Cortez. Commissioner Koppenhafer moved to approve the retail liquor and fermented malt beverage license renewal application for, Ancient Echos, Kelly Place, at 14537 Road G, Cortez. Second by Commissioner Lindsay and carried. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report. Year to date numbers included; income \$29,470.00 and attendance 10,305. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, the Certificate of Operation for the platform lift, the advertising banner program, the revenue and expense report, the Conservation Trust Funds, a proposed review of current fees and the internet services at the Fairgrounds. (See attached)

**TRANSFER ORDER: Transfer Order #1-2022**, a transfer of \$400,000 from the General Fund (001) to Capital Fund (004) for 2022 Capital expenditures was presented for approval. Commissioner Lindsay moved to approve Order #1-2022. Second by Commissioner Koppenhafer and carried. (See attached)

**UNFINISHED BUSINESS:** No unfinished business was presented.

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren discussed the Ellis Lewis subdivision complaint case, the Fish property Land Use Code violation case and the CDPHE title restrictions for the Carver Landfill.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, discussed current projects that included; grant writing, the Federal Raise Grant, drought mitigation strategies, the attended Regional State Forrester meeting, coordination with the Dolores Watershed Resilient Forest (DWRF) working group, proposed CCI legislation and alternative mineral sources.

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

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed constituent phone calls. **Commissioner Lindsay** discussed constituent emails, the Municipal election, scheduled weekend events and an increase of weekend traffic. **Commissioner Candelaria** discussed a public information update on the Ironwood Group property, the attended Business After Hours Event, the attended Housing Authority meeting, the CCI Steering Committee meeting, constituent discussions and the previous Farmers Internet Services at the Fairgrounds.

**CORRESPONDENCE:** The following correspondence was read and noted: Email from Rafe O'Brian regarding the Fairgrounds racetrack.

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

**MONTEZUMA COUNTY BOARD OF HEALTH MEETING: 1:30 p.m.**

**MEETING ADJOURNED: 11:40 p.m.**

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Clerk

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April 5, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
April 12, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 12, 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 April 12, 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 of High Impact/Special Use Permit with Commercial Rezoning Application, submitted by **Lighthouse Baptist Church**; agent: **Dale Murphy**, on property located at TBD Road L, Cortez, CO, consisting of 9.32 acres, more or less, located north of Road L, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M

**Planning Director, Haley** along with **Assistant, Duncan** presented for approval of a Variance submitted by **Ruben & Pauline Jasso**, Lot #50 of the Summit Lake West Unit 1 Major Subdivision, at 14517 Road 35.9, Mancos, CO, consisting of 1.21 acres, more or less, located south of Hwy 184, west of Road 35.9, situated in Section 33, T.37N, R.16W, N.M.P.M. Mr. and Mrs. Jasso were in attendance. The letters of non-opposition from neighboring property owners, had not been completed at this time. The Commissioners were in agreement to postpone the discussion to the April 17, 2022 meeting.

**PUBLIC COMMENT: Mike Lynch** read excerpts from the third report of the forensic audit for the Mesa County Colorado Voting System. **Nicci Crowley** discussed public safety for County Road L, with consideration to current property developments along the road.

**DISCUSSION: City of Cortez Municipal Clerk, Linda Smith, Assistant City Clerk, Donna Murphy,** and from the County Clerk & Recorder's office, Clerk, Percell, along with **Election Deputy, Danielle Wells, and Miranda Warren** met with the Commissioners to discuss the recently held Municipal elections and the coordinated efforts to conduct such elections.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman reviewed the current Vehicle Replacement Plan. Topics discussed included; a review of the fleet proposal recommendations, current capital funds, the County's total vehicle count, yearly mileage on vehicles and inter-departmental vehicle use. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioners to give a monthly report. Supervisor Sattler reported on current and completed projects. Projects discussed included; completion of the Road Department's Dolores office, a ditch cleanup project at the Combined Courts Building, the purchase and installation of the Administrative Building's backup generator, a window tint project at the Clerk & Recorder's office and the installation of a vacuum and compressor at the Public Health's Dental office.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners with a monthly report. Topics discussed included; data quality control, LiDAR data, contour lines, development of a degree slope layer data, sloping aspects, property owner wildfire mitigation assessments, home owner defensible space maps, updates to the snow plow routes, the future presentation of the Official 2022 Road map and an increase in property development within the County. (See attached)

**PUBLIC LANDS: Mesa Verde National Park, Kayci Cook Collins,** met with the Commissioner to give an update on the Park. Topics discussed included; an increase in visitation numbers, the National Parks Week, the April 16th fee free Saturday event, an updated facility report, the Aramark openings, the Far View Lodge/Metate Room opening, Spruce Tree Terrace, the Far View Terrace, Morefield Campground, Wetherill Mesa, tours and the purchase of tour tickets on <https://www.recreation.gov/>, the Cliff Palace Loop paving project, the future Mesa Top Loop paving project, a closure of the Chapin Mesa Museum, the Fire Management Plan, the Wildfire Emergency Response Plan, the Senior Pass Program and the Wild Mustang Adoption Program.

**UNFINISHED BUSINESS: LETTER OF SUPPORT:** Commissioner Candelaria presented for approval, a letter of support, addressed to **Senator Michael Bennet**, regarding the **Lower Dolores River National Conservation Area (NCA)**. There was a discussion regarding the language to the final document. The Commissioners were in agreement to postpone the approval for the letter of support until the language had been finalized. (See attached)

**LETTER OF SUPPORT:** Administrator Powers presented for approval, a letter of support, addressed to **Senator Michael Bennet**, regarding the **Support of La Plata County's Congressionally Directed Spending Application**, for converting the Bob Denier Center in Durango, CO into an inpatient substance use treatment facility. Commissioner Lindsay moved to sign the letter of support for the La Plata County's congressionally directed spending application. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** reported on a meeting attended with County Assessor, Leslie Bugg, to discuss deeds for property transfers. Attorney MacLaren gave an update on the Carver Landfill title restrictions, discussed development of a Suicide Prevention Coalition Data Analysis Contract and participation in the Judicial Performance Commission process for the 22<sup>nd</sup> Judicial District.

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

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

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the Suckla Auction, possible electronic road signs for heavy traffic during the auction next year, the attended Home and Garden Show, constituent discussions and the scheduled Cortez City Council meeting. **Commissioner Koppenhafer** discussed the Suckla Auction and the scheduled Montezuma Valley Irrigation meeting. **Commissioner Candelaria** discussed the attended CCI Steering Committee meetings, proposed legislative bills, the attended Home and Garden Show, the attended Kiwanis Banquet, the Monday workshop and the Dolores Town Board meeting.

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

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

**MEETING ADJOURNED: 10:30 a.m.**

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Clerk

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April 12, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
April 19, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 19, 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 Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 12, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** reported that the discussion for the approval of a Variance submitted by **Ruben & Pauline Jasso**, Lot #50 of the Summit Lake West Unit I Major Subdivision, at 14517 Road 35.9, Mancos, CO, consisting of 1.21 acres, more or less, located south of Hwy 184, west of Road 35.9, situated in Section 33, T.37N, R.16W, N.M.P.M. was postponed to a future time.

**Director, Haley** along with **Assistant, S. Jane Duncan** presented an Exemption Application, submitted by **Adam & Shelly Redder**, on property located at 31589 Hwy 160, Cortez, CO, consisting of 2.42 acres, more or less, located south of Hwy 160, situated in Section 23, T.36N, R.15W, N.M.P.M. Commissioner Lindsay moved to accept the exemption application submitted by Adam & Shelly Redder, on property located at 31589 Hwy 160, Cortez. Second by Commissioner Koppenhafer and carried.

**Director, Haley** along with **Assistant, S. Jane Duncan** presented for signatures, a Mylar for a 2 Lot Minor Subdivision and AR10-34 Rezoning Application, submitted by **Michael Chenard &**

**Jerrod Chenard**, on property located at 10455 Road 20, Cortez, CO, consisting of 43.34 acres, more or less, located south of Road M and west of Road 20, situated in Section 23, T.36N., R.17W., N.M.P.M..

**PUBLIC COMMENT:** **Mike Lynch** discussed the County's Dominion contract and election equipment. **Trent Bishop** and **John Godbout** discussed the Ironwood property. **Ingrid Ward** discussed the Planning and Zoning process. (See attached)

**LIQUOR LICENSE:** **Deputy Clerk, Jerri Frizzell** presented a liquor license renewal for **Echo Basin Ranch LLC.**, located at 43747 Road M, Mancos. Commissioner Koppenhafer moved to approve the retail liquor or fermented malt beverage license renewal application for Echo Basin LLC., at 43747 Road M, Mancos, Co. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY CORONER:** **Coroner, George Deavers** met with the Commissioners to give a monthly report. Coroner Deavers reported that in 2022, there had been a total of 55 calls. The year to date statistics included: 4 suicides, 4 motor vehicle deaths, 5 overdose deaths, 6 homicides and 69 completed autopsies with another scheduled Thursday. Coroner Deavers reporting that the statistics included 7 children within the last four months, which was a substantial increase from past years. Other topics discussed included; alcohol related deaths and the age range of the children.

**COUNTY SHERIFF'S MONTHLY REPORT:** **Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the **Calls for Service Report**, a quarterly calls for service breakdown, the **Jail Report**, the **Year to Date Transport Report**, the **Perdium 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 **July Operational Expense Report** the **Monies Paid to the General Fund Report** and the **Inmate Cost Per Day Report**. Other topics discussed included: booking charges, a proposed increase to hold charges, development of a process to address pay increases for the completion of certification, requests for a culvert and gravel and the attended community meeting with residents to discuss the Ironwood property. (See attached)

**EMERGENCY MANAGEMENT:** **Emergency Manager, Jim Spratlen** met with the Commissioner to give a monthly update. Manager Spratlen presented the **Monthly Situational Report** for discussion and review. Topics discussed included: updates on the drought report, McPhee reservoir, the Avian Influenza HPAI, wind advisories, relative humidity, a current fire report, fire protection / evacuation plans, (Prepare, Plan and Practice), moisture and precipitations outlooks, a seasonal temperature outlook, a COVID update, the Ironwood property, training updates, completed certification, burn ban monitoring and the Landfill's cleanup event scheduled for the entire month of May. (See attached)

#### **UNFINISHED BUSINESS:**

**County Attorney, Ian MacLaren** presented for approval, the Fairground's **Race Track Lease** agreement. Commissioner Lindsay moved to accept the changes in the lease agreement and sign it. Second by Commissioner Koppenhafer and carried. (See attached)



**Attorney MacLaren** presented for approval the **Notice of Environmental Use Restrictions** imposed by the Colorado Department of Public Health and Environment for the **Carver Field** at the Landfill. Commissioner Lindsay moved to approve and accept the Notice of Environmental Use Restrictions imposed by the Colorado Department of Public Health on the Landfill for the Carver Field. Second by Commissioner Koppenhafer and carried. (See attached)

**Attorney MacLaren** presented for approval the **Easement Agreement for Dolores Bike Trail** for **Richard Gantman** and **Brenda Naish, Legato Investments LLC.,** and **Dry Fork, LLC.** Commissioner Lindsay moved to accept the easement agreements, terms and conditions, with Richard Gantman and Brenda Naish, whose address is PO Box 1493 Dolores, also between Dry Fork, LLC, and Montezuma County, their address is 673 Riverside Ave. Mancos, Legato Investments LLC., and Montezuma County, their address is PO Box 2213 Dolores, Co. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the 2021 Walmart tax appeal, the attended Lower Dolores River NCA meeting and the Planning & Zoning discussions regarding a CDOT access to a Summit Lake subdivision.

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

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Lower Dolores River NCA meeting, the attended Mancos Town Board meeting and installation of the new Mancos Town council. **Commissioner Lindsay** discussed the attended Cortez City Council meeting, installation of the new City council, the Monday Workshop and Department Head meetings, along with a reminder to participate in the weekend's scheduled Gun Show at the Fairgrounds. **Commissioner Candelaria** discussed the attended Southwest TPR meeting, a State Transportation Advisory Committee meeting, the Presnell benefit dinner, the Department Head meeting, the Monday Workshop and the installation of the new Town of Dolores council.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich,** discussed the attended **Energy and Environment Symposium,** proposed grant funding for the Mesa Verde Trail pathway, a benefit costs analysis, DOLA grant applications, the MMOF funds, proposed alternative routes off the highway corridor and working with the new **Grant Writer, Nichole Glasser.**

**COUNTY CLERK & RECORDER: County Clerk, Kim Percell** discussed the current Special District, Election for **the Montezuma County Hospital District.** Clerk Percell reported that the District was conducting their own election and ballots were to be dropped off at **Attorney Kelly McCabe's** office at 22 E. Main St. Cortez Co.

**CORRESPONDENCE:** The following correspondence was read and noted: Fax received from **Steve Morgan.** (See attached)

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

**MEETING ADJOURNED: 10:40 a.m.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
April 19, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
April 26, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 26, 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 Koppenhafer moved to approve the minutes as presented, from Tuesday April 26, 2022, for the Montezuma County Board of Commissioners. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for approval of a Variance submitted by **Ruben & Pauline Jasso**, Lot #50 of the **Summit Lake West** Unit I Major Subdivision, at 14517 Road 35.9, Mancos, CO, consisting of 1.21 acres, more or less, located south of Hwy 184, west of Road 35.9, situated in Section 33, T.37N, R.16W, N.M.P.M. Commissioner Lindsay moved to accept the variance submitted by Ruben & Pauline Jasso, Lot #50 of the Summit Lake West unit I major subdivision, at 14517 Road 35.9, Mancos. Second by Commissioner Koppenhafer and carried.

**Director, Haley** along with **Assistant, Duncan** presented for approval of a Boundary Line Adjustment Application submitted by **Jay & JenniLynn Lawrence**, on properties located at 12663 Road 40, Mancos, CO, consisting of 9.48 acres, more or less, & 12641 Road 40, Mancos, CO, consisting of 7.89 acres, more or less, situated in Section 8, T.36N, R.13W, N.M.P.M. Mrs. Lawrence's father **Larry Everett** was present. Commissioner Lindsay moved to approve a boundary line adjustment application submitted by Jay & JenniLynn Lawrence, on properties located at 12663 Road 40, Mancos. Second by Commissioner Koppenhafer and carried.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for an Exemption submitted by **Adam & Shelly Redder**, on property located at 31589 Hwy 160, Cortez, CO, consisting of 2.42 acres, more or less, located south of Hwy 160, situated in Section 23, T.36N, R.15W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for an Exemption Resolution submitted by **Gregory Taylor; agent: Eric Taylor**, POA, on property located at 25453 Road T, Dolores, CO, consisting of 5.55 acres, more or less, located south of Road T.5, east of Road 25, situated in Section 14, T.37N, R.16W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a corrected Mylar for an Boundary Line Adjustment, submitted by **Curtis Duncan**, on property located at 16323 Road 20, Cortez, CO, consisting of 118.63 acres, more or less, located north of Road S, west of Road 20, and **Linley and Zada Leonard**, on property located at 16281 Road 20, Cortez, CO, consisting of 3.00 acres, more or less, located north of Road S, west of Road 20, both situated in Section 23, T.37N, R.17W, N.M.P.M.

**Director, Haley, Assistant, Duncan** along with **IT Director, Jim McClain** held a discussion regarding the proposed, public streaming of Planning & Zoning meetings.

**PUBLIC COMMENT: Mike Lynch** discussed the proposed Senate Bill 22-153. (See attached)

**COUNTY SHERIFF: Sheriff, Steven Nowlin** met with the Commissioners to present for approval the following grants: the **Montezuma County Sheriff's Firefighter Safety and Disease Prevention Grant (2021-2022) #23576**, the **Montezuma County Sheriff's Firehouse Subs Public Safety Foundation Grant**, the **Montezuma County Sheriff's NRA Range Grant #22CO033**, and the **Montezuma County Sheriff's Post Small Dollar Grant #POGG1-LAAA-GT20220050(2022)**. Commissioner Koppenhafer moved to approve the Firehouse Subs Public Safety Foundation Grant for the Montezuma County Sheriff's office in the amount of \$14,553.00, also move to approve the Montezuma County Sheriff's Firefighter Safety and Disease Prevention Grant #23576 in the amount of \$6977.81, the Montezuma County Sheriff NRA Grant #22CO033 in the amount of \$783.96, and the Montezuma County Sheriff's Post Small Dollar Grant #POGG1-LAAA-GT20220050 in the amount of \$1,700.00. Second by Commissioner Lindsay and carried. Other topics discussed included; Search and Rescue operations, the Court Security Grant, statute requirements for Court security, DOC Hold fees and the culvert and gravel request. (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, Sara Kuhn** 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, March 2022** was presented for the record. Other topics discussed included; the March 2022 financial report, a review of office activities, statistical data, the indirect income to Montezuma County and a

Mental Health Resources / Veteran Input Form survey. A discussion was held regarding the local Veteran's Health Care Network. (See attached)

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO):** **MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; current ride statistics, the Meal on Wheels program, current staffing, the award for the Fixed Route Feasibility Study and an IT grant award. Manager Morris reported that they were waiting to hear regarding the new vehicle grant.

**SENIOR SERVICES: Director, Jonathon G. Parker** was not available to report.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners to give the April, 2022 report. Topics of the discussion included; a scheduled Irrigation Workshop on May 25<sup>th</sup>, the Native Plant Master's Course, Spanish and Indigenous outreach and engagement, Healthy Living / Food Skills classes, AmeriCorps Vista member **Arlene Colorow**, a developed Stem Summer camp event, the Community Academy, the 4-H Program, the (HPAI) Highly Pathogenic Avian Influenza warning along with biosecurity measures, development for individual Emergency Preparation Plans, the Month of May Landfill yard waste event, the SJ Basin Leadership Camp, a purchased small animal scale and Tag In events for the County Fair, a wash rack Community Benefit project at the Fairgrounds, the development of an employee comp time earned process and the Town of Dolores Community Garden Project.

#### **UNFINISHED BUSINESS:**

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the Lower Dolores River NCA tour and future meetings, the Walmart Board of Assessment appeals case, and the Weber Canyon / Road 41 lawsuit.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, was not available to report.

**COUNTY ADMINISTRATOR REPORT: PAYABLE EXPENDITURE REPORT:** **Administrator Shak Powers** presented the March 2022 Accounts Payable Expenditure Reports for approval. Commissioner Koppenhafer moved to approve the expenditures for Montezuma County, for March 2022, as presented. Second by Commissioner Lindsay and carried.

Administrator, Powers presented for approval the **Master Task Order Contract Number 23 FAA00035 Grant** for the **Montezuma County Public Health Agency** in the amount of \$202,325.00. Commissioner Lindsay moved to approve the grant from the Health Department for #FAA00035, in the amount of \$202,325.00. Second by Commissioner Koppenhafer and carried.

Other topics discussed included; the Drought Disaster Declaration along with developed water conservation videos, outreach and education opportunities, the Community Intervention Program, House Bill 22-1282 along with funds to encourage manufactured housing production, the attended SLFRF / ARPA webinar, County suicide prevention / foster home representatives at the recently held Gun Show, the Opioid Regional Council meeting, a public notice that the

Commissioners would be attending the Cortez City Council meeting and a proposed Empire Electric capacity study for a solar project at the Fairgrounds. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported that he had held discussions the Dolores County Commissioners regarding the Lower Dolores River NCA. **Commissioner Lindsay** discussed the scheduled Cortez City Council meeting, the Monday Workshop, constituent discussions and the current red flag wind warnings. **Commissioner Candelaria** reported on discussions with fellow County Commissioners regarding the DOC Hold charges, an attended Planning & Zoning process meeting, a discussion with John Whitney regarding the local Veteran's Health Care Network, a CCI legislative briefing, the attended Gun Show event, participation in the Four Corners Child Advocacy lip-sync fundraiser event, the Monday Workshop, the Dolores Town Board meeting, Mr. Lynch's public comments and Senate Bill #22-153. Attorney MacLaren read Provisions of Colorado State Constitution, Article 11, section #1.

Commissioner Candelaria presented a joint letter of opposition from the Montezuma County Board of County Commissioner and the **La Plata County Commissioners**, regarding **Senate Bill #22-230**, the Collective Bargaining for Counties. The letter was addressed to **Ann Marie Swan, Opinion Editor**, for the **Durango Herald**. Commissioner Koppenhafer moved to submit to La Plata County for their signatures, also a response to Senate Bill #22-230 the Collective Bargaining for Counties. Second by Commissioner Lindsay and carried. (See attached)

**CORRESPONDENCE:** The following correspondence was read and noted: Email received from Ingrid Ward. (See attached)

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

**MEETING ADJOURNED: 11:00 a.m.**

\_\_\_\_\_  
Clerk April 26, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
May 3, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 3, 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 (Virtual)  
Kim Percell, County Clerk

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes for Tuesday, April 26, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a Variance submitted by **Ruben & Pauline Jasso**, Lot #50 of the Summit Lake West Unit I Major Subdivision, at 14517 Road 35.9, Mancos, CO, consisting of 1.21 acres, more or less, located south of Hwy 184, west of Road 35.9, situated in Section 33, T.37N, R.16W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a 2 Lot Moderate Subdivision & Rezoning, submitted by **Douglas & Cindy Coulon**, on property located at 21624 Road S, Cortez, CO, consisting of 17.42 acres, more or less, located west of Hwy 491, south of Road S, situated in Section 30, T.37N, R.16W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Subdivision Amendment Application to the Four Corners Encampment Subdivision, submitted by **Richard & Dixie Simmons** and ASI Communications, Inc., on properties located at 24515 Road 37, consisting of 1.02 acres, more or less and 24516 Hwy 145, Dolores, CO, consisting



3.95 acres, more or less, both located east of Hwy 145, situated in Section 11, T.38N, R.14W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Subdivision Amendment Application to the Mancos Hills Major Subdivision, submitted by **Erik Nordstrom & Shanti Savage**, on properties located at 41952 Road J.75, consisting of 3.39 acres, more or less and TBD Road J.75, consisting 3.03 acres, more or less, Mancos, CO, both located north of Hwy 160, situated in Section 28, T.36N, R.13W, N.M.P.M.

**PUBLIC COMMENT:** No Public comment.

**LODGERS TAX COMMITTEE:** **Committee Secretary, Brian Bartlett** met with the Commissioners to give the recommendations for the 2022 Tax Fund Disbursements. Recommendations included: **Dolores Chamber** \$45,000.00, **Mancos Chamber** \$50,000.00, **Cortez Cultural Center** \$34,000.00, **Galloping Goose Historical and Museum** \$10,000.00, **Mesa Verde Country** \$100,000.00, **Ute Mountain Roundup Rodeo** \$2,500.00, **Administrative Marketing for Grant Application Awareness** \$200.00, **Southwest Colorado Canyon Alliance** \$5,000.00, **Cortez Chamber** \$0.00, **Mancos Common Press** \$0.00. **Four Corners Geo Tourism** \$2,500.00, the **Colorado Welcome Center** \$15,000.00, and **Montezuma County Cares** \$0.00. Totaling \$264,200.00. Commissioner Lindsay moved to approve the expenditures of the Lodgers Tax funds as presented. Second by Commissioner Koppenhafer and carried. (See attached)

**PROCLAMATION:** **Corey Robinson** met with the Commissioners to present a “**RIDE YOUR BIKE TO WORK DAY**” proclamation for May 20, 2022. Commissioner Lindsay moved to sign the proclamation for “Ride Your Bike to Work Day”. Second by Commissioner Koppenhafer and carried, (See attached)

**ROAD & BRIDGE DEPARTMENT:** **Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of May 1, 2022 through June 3, 2022 and gave an overview of the type of work scheduled. Other topics discussed included; safety measures for County road crews, compliance for road closure signs, the Water Shortage Programs, the yearly road blading projects, the purchased generator and a BLM parking area on Road 39.

Administrator Powers presented for approval the **State of Colorado Department of Transportation, #BRO C320-004 (22521)** contract for the **Alkali Bridge Project**, in the amount of \$1,825,000.00. Commissioner Lindsay moved to DocuSign, the agreement for project #BRO C320-004(22521), with the State of Colorado. Second by Commissioner Koppenhafer and carried. (See attached)

**FAIRGROUNDS:** **Fairgrounds Manager, Justin McGuire** was not available to give a report.

**LANDFILL:** **Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included: the annual CDPHE inspection, a deposit into the Post Closure Account, the delivery of the BOMAG machine, clay testing, overburden removal and wind closures. (See attached)

## **UNFINISHED BUSINESS:**

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren discussed the development of an access release for the creation of a Social Services / Emergency Management data base and the Weber Canyon / Road 41 lawsuit.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, presented for approval, two letters of support addressed to **Colorado Department of Transportation**. One letter of support, in reference to the **SWTPR Funding Request Segment A Preliminary Engineering and ROW's** and the second letter of support, in reference to **SWTPR Funding Request Segment C&D Mancos Side for local match, broad band conduit and concrete surface**. Commissioner Lindsay moved to sign the letter of support to the Colorado Department of Transportation Southwest TPR Funding Request Segment C&D Mancos Side for local match, broad band conduit and concrete surface. Second by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to approve the request to the Southwest TPR Board for the Segment A Preliminary Engineering and ROW's. Second by Commissioner Lindsay and carried. (See attached)

**NOXIOUS WEED DEPARTMENT:** Weed Department Manager, Bonnie Loving met with the Commissioners to give a monthly report. Topics discussed included: Myrtle and Leafy Spurge, Blue Mustard,, Red-stem Filaree, Hoary cress - whitetop, Kochia, Russian Thistle, property visits, the backpack loaner program, cost share applications, treated areas on County property, roadside treatments, education, knapweed treatments, the Phreatophyte Project and future prescribed burns. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator Shak Powers presented for approval the Public Health Department's, Immunization **Contract #19FHHA108935, Amendment Contract #2022\*3197 Amendment #5**. Commissioner Lindsay moved to DocuSign the Contract Amendment #5 with the Colorado Department of Public Health. Second by Commissioner Koppenhafer and carried. Other topics discussed included the Montezuma Roadmap Regional Team Meeting, a Homegrown Talent Initiative, Business Education connections, Potential Strategies and proposed CCI coordination to develop programs to allow a younger work age. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council meeting, Senate Bill 22-230, constituent discussions, the City of Cortez resurfacing projects and red flag wind warnings. **Commissioner Koppenhafer** discussed the attended Cortez City Council meeting, the attended Mancos Town Board meeting, the attended Native Fish Monitoring & Recommendation Team meeting, the attended NRA banquet and the Zwicker (NRCS) Natural Resources Conservation Service request. **Commissioner Candelaria** discussed the attended Cortez City Council meeting, the Southwest Colorado Regional Broadband Summit, a NACO Transportation meeting, a Health Needs Assessment interview, the Region 9 meeting, a Housing Authority meeting, CCI legislative discussions, Senate Bill 22-230, the attended Lewis Arriola

School's Hoedown event, the attended Dolores Chamber Banquet and the kickoff event for the Community Intervention Program.

**CORRESPONDENCE:** The following correspondence was read and noted: email from **Ingrid Ward**. (See attached)

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

**MEETING ADJOURNED: 10:50 a.m.**

\_\_\_\_\_  
Clerk

May 3, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
May 10, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 10, 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 May 3, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Gary & Jaclyn Fisher**, on property located at 24537 Road N, Cortez, CO, consisting of 81.65 acres, more or less, located north of Road N, west of Road 25, situated in Section 3, 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. and Mrs. Fisher 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. Public Comment was made by **Carol Taylor**. Hearing no further 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 Gary and Jaclyn Fisher, on property located at 24537 Road N, Cortez. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**LETTER OF SUPPORT: Administrator Shak Powers,** presented a letter of support addressed to **Holly Conn** regarding the **Mountain Roots 2022 LFPP** application for the **Southwest Colorado Hub-and-Node Connectivity Project**. Commissioner Lindsay moved to approve the letter of support for the Mountain Roots 2022 LFPP application for the Southwest Colorado Hub-and-Node Connectivity Project. Second by Commissioner Koppenhafer and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed High Impact Permit Application, submitted by **Snyder Mama Holdings, LLC**; **agent: Christopher Snyder**, on property located at 1521 N. Mildred Road, Cortez, CO, consisting of 3.48 acres, more or less, located north of Road N, west of Road 25, situated in Section 23, T.36N, R.16W, N.M.P. The roll was called, the public notice read, and the proceedings were recorded for the record. **Mona Snyder** and **Brooke Snyder** were present. **Chris Snyder** joined the meeting 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 Candelaria opened the hearing to public comment. Public comment was made by **Allen Maez**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed high impact permit application, submitted by Snyder Mama Holdings, LLC; agent: Christopher Snyder, on property located at 1521 N. Mildred Road, Cortez, CO. Second by Commissioner Lindsay 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 a proposed High Impact Permit Application and Rezoning Application, submitted by **CBERT Cortez, LLC**; **agent: Kasey Bell**, on property located at 26757 Road M, Cortez, CO, consisting of 1.50 acres, more or less, located north of Road M, west of Hwy 145, situated in Section 12, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Kasey and Taryn Bell** 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. Public comment was made by **Melanie McDonald, Rich McDonald** and **Tim Lanier**. Hearing no further public comment that portion of the hearing was closed. After hearing the evidence presented Commissioner Lindsay moved to continue this public hearing until 9:10 a.m., Tuesday, May 17, 2022. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT: Melanie McDonald** discussed the proposed CBERT, LLC/ Kasey Bell application. **Tim Lanier** discussed the month of May as Foster Care Month.

**SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** along with **County Fair Board Member, Mary Bramwell**, presented a special event liquor license application from the **Montezuma County Fair Board**, for events to be held from July 28<sup>th</sup> through August 6, 2022, at the Montezuma County Fairgrounds. Commissioner Lindsay moved to approve the special events liquor license for the County Fair, for dates July 28th, through August 6, 2022. Second by Commissioner Koppenhafer and carried. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Topics discussed included; the delivery and set up for the detective vehicles, yearly departmental mileage reports, current market issues with vehicle replacements, a proposed Landfill / Maintenance vehicle swap, the 2023 vehicle purchase plan and the development of a Department vehicle share program.

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioners to report on the grounds and buildings. Topics discussed included; the semi-annual filter change at the Combined Courts Building, mowing operations, summer set up for irrigation, a fence for the new generator, the generator meter installation, the Social Services interview room door project and a scheduled walk through at the Fairgrounds to review the proposed steer washer project.

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain discussed; the new generator start up, a major power outage event and the backup plan, the attended **Broadband Summit**, a visit from the **State Broadband Liaison**, a June 2<sup>nd</sup> Regional Broadband meeting, the development of mock emergency internet outage event, coordination with regional County GIS departments for accurate mapping and collaboration with the State Broadband Office for the development of a grant process.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Topics discussed included; the development of an **Interactive Wildfire Mitigation Map**, scheduling the public hearing to adopt the 2022 Official Road Map, a budgeted invoice in the amount of \$14,736.27 for the **Apollo Mapping LLC.**, imagery project and the resignation of Mapping Specialist Rachel Medina. (See attached)

**UNFINISHED BUSINESS:** Administrator Powers discussed a County Annex, fee waiver request, from **Lynn Soukup**, for the **Spark the Change Colorado, Harvest Pack Project**. Commissioner Lindsay moved to waive the fees for the pre-packaged food, Spark Colorado. Second by Commissioner Koppenhafer and carried.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the Weber Canyon / Road 41 lawsuit, the Road Y case, an attended tour of a property south of town regarding a Land Use Code violation, a recent law change pertaining to Land Use Code violations and the closure of a child protection case.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, presented for approval a letter of support, addressed to the **Colorado Department of Natural Resources. CO Strategic Wildfire Action Program, Landscape Resilience Investment** selection committee. Commissioner Koppenhafer moved to sign the letter of support for the Mancos Conservation District's submission, for the Colorado Strategic Wildfire Action Program, Landscape Resilience Investment grant. Second by Commissioner Lindsay and carried. Other topics discussed included; an invite to participate in the Section 106 process for the Yellow Jacket / Flowdine park grazing reissuance and the submitted grant applications for the Path of Mesa Verde. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator Shak Powers discussed an \$8,000.00 quote for a Load Study on the proposed Fairground Solar Field Project, the submittal of the 2 year plan for the **Community Intervention Program**, the attended **Recovery and Resiliency Group** meeting, an attended joint **Economic Development / Region 9** meeting and the attended **Young People in Recovery** meeting.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on discussions held regarding the **Zwicker / (NRCS)** Natural Resources Conservation Service request. **Commissioner Lindsay** discussed the scheduled **Cortez City Council** meeting and the **Motocross National Championship** winner **Eli Tomac**. **Commissioner Candelaria** gave a legislative update, reported on a discussion with **Representative, Barbara McLachlan**, a discussion with **Road Superintendent Englehart** regarding constituent road issues, a phone call discussion with **Senator Hickenlooper** regarding housing issues, participation in the **12 Hours of Mesa Verde** event, the funds returned to the community youth programs by the 12 Hours of Mesa Verde event, an overview of the Monday workshop and the attended **Dolores Town Board** meeting.

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

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

**MEETING ADJOURNED: 11:20 a.m.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
May 10, 2022

\_\_\_\_\_  
Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
May 17, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 17, 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 Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 10, 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 General Planned Unit Development and Rezoning Application 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. The roll was called, the public notice read, and the proceedings were recorded for the record. The applicant **Colleen Brennan** 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 the evidence presented Commissioner Koppenhafer moved to approve this planned unit development and rezoning application submitted by Porch Swing Ventures, LLC, on property located at 32328 Road P Mancos, consisting of 3 acres, more or less. Second by Commissioner Lindsay, 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 of a proposed High Impact Permit Application and Rezoning Application, submitted by **CBERT Cortez, LLC; agent: Kasey Bell**, on property located at 26757 Road M,

Cortez, CO, consisting of 1.50 acres, more or less, located north of Road M, west of Hwy 145, situated in Section 12, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Kasey and Taryn Bell** 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. Public comment was made by **Rich McDonald, Troy Gattis**, and **Melanie McDonald**. Hearing no further public comment that portion of the hearing was closed. After hearing the evidence presented Commissioner Lindsay moved to accept the proposed high impact permit application and rezoning application, submitted by CBERT Cortez, LLC; agent: Kasey Bell, on property located at 26757 Road M, Cortez, consisting of 1.50 acres, more or less, also in the motion, if the property is vacated from this permit, it will revert back to residential, also in the motion, a setback variance allowing for the commercial structure that currently sits within 47 feet of the north boundary, and a setback variance allowing for the residential structure within 22 feet of the west property boundary. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** along with **Assistant, Duncan** presented for approval and signatures for a Variance Application, submitted by **Lewis-Arriola Fire Protection District; agent: George Deavers**, on property located at 20644 Road W, Lewis, CO, consisting of 0.64 acres, more or less, located south of Road W, east of Hwy 491, situated in Section 1, T. 37, R. 17, N.M.P.M. Mr. Deavers was present. Commissioner Koppenhafer moved to approve the variance application, submitted by Lewis-Arriola Fire Protection District; on property located at 20644 Road W, Lewis, CO, consisting of 0.64 acres, located south of Road W, and east of Hwy 491. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give a monthly report. Coroner Deavers reported that there had been a total of 64 calls, that there had been another suicide and there had been a total of 82 completed autopsies. Other topics discussed included; ages of suicides, reasons of suicides, physician attended deaths and autopsy statute requirements.

**Director, Haley** along with **Assistant, Duncan** presented for approval and signatures for a Variance Application submitted by **Burt & Debra Ramsey**, on property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491, situated in Section 22, T. 36N, R. 16W, N.M.P.M.. Mr. and Mrs. Ramsey were present. Commissioner Lindsay moved to accept the variance application submitted by Burt & Debra Ramsey, on property located on K.8, Cortez, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491. Second by Commissioner Koppenhafer and carried. (See attached)

**Director, Haley** along with **Assistant, Duncan** presented for discussion of a Variance for the Land Use Code Requirement of the 3 acre parcel size and the 30-foot setback requirement, submitted by **Carlene Porter**; agent: **Danny Wilkin**, on property located at 15965 Road 21, Cortez, CO, consisting of 5 acres, more or less, located south of Road S, west of Road 21, situated in Section 25, T.37N, R.17W, N.M.P.M. **Agent, Danny Wilkin** and property owner **Tonya Capps** were present. Commissioner Lindsay moved to grant the variance, due to the

hardship caused by the death of a family member. Second by Commissioner Koppenhafer and with two votes in favor from Commissioners Lindsay and Koppenhafer and one vote against from Commissioner Candelaria the motion carried. (See attached)

**PUBLIC COMMENT:** Troy Gattis discussed the Porter / Wilkin variance application.

**UNFINISHED BUSINESS:** No unfinished business presented.

**COUNTY SHERIFF:** Sheriff, Steven Nowlin met with the Commissioners to give his monthly report which included the monthly **Calls for Service Report**, the **Jail Report**, the **Year to Date Transport Report**, the **Perdium 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 **Operational Expense Report** and the **Monies Paid to the General Fund Report**. Other topics discussed included; accident response requests from the State Patrol, livestock calls, a court order for animal removal on property located at 31104 Road P, House Bill #22-1329 the increased reimbursement cost for DOC prisoners to be billable at \$60.61, effective July 1, 2022, an attended dispatch agency meeting, Senate Bill #22-1326 the Fentanyl Bill, the Forest Service / BLM Stage 1 Fire restrictions effective May 25, 2022 along with the same effective date for a County Fire Ban, the Sheriff's Office Position / Annual Pay Grade and the Caviness Mountain Equipment transfer. A discussion was held regarding a proposed rate increase for the jail fee, with an effective date of June 1, 2022. Commissioner Koppenhafer moved to set it at \$100.00. Second by Commissioner Lindsay and carried. Sheriff Nowlin presented for approval the 2022-2023 **USDA Forest Service Modification of Grant or Agreement #20-LE-11021300-031** in the amount of \$10,500.00. Commissioner Koppenhafer moved to approve this modification of grant or agreement, between the US Forest Service #20-LE-11021300-031, between the San Juan National Forest and the Montezuma County Sheriff's Department. Second by Commissioner Lindsay and carried. Sheriff Nowlin presented for approval the **DOLA Limited Impact Gaming Grant** effective July 1, 2022 through June 30, 2023 in the amount of \$118,000.00. Commissioner Lindsay moved to approve the submission of the Gaming Impact Grant application for 2022. Second by Commissioner Koppenhafer and carried. (See attached)

**DISTRICT ATTORNEY:** District Attorney, Matt Margeson and Office Manager, Clarisa Feuilly were not available.

**EMERGENCY MANAGEMENT:** Emergency Manager, Jim Spratlen met with the Commissioner and gave a monthly update. Jeff Colton from the **National Weather Service**, joined the meeting virtually and gave an overview of the drought conditions within Montezuma county. Commissioner Lindsay moved to extend the Drought Disaster Emergency Declaration, to October 1, 2022. Second by Commissioner Koppenhafer and carried. Manager Spratlen presented for discussion and review; the **Monthly Situational Report**. Other topics discussed included local reservoir storage. (See attached)

**COMMUNITY INTERVENTION PROGRAM:** Emergency Manager, Jim Spratlen, Jessica Borden, Charlee Sharp, Al Brokofski and Molly Rodriguez (virtually) met with the Commissioners to introduce the team and gave a review of incident responses. (See attached)

**CORTEZ FIRE PROTECTION:** Chief, Jay Balfour met with the Commissioners to give a monthly update. Topics discussed included a Calls for Service Report, a Fire Districts Levies and Revenues Report and the Board of Directors report. (See attached)

**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, Clerk Percell, Natural Resource Director James Dietrich and GIS Specialist Doug Roth, seconded by Commissioner Koppenhafer and carried. Topics for the executive session included; the civil case regarding Road Y. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator Shak Powers discussed the attended CDPHE meeting and an internal review of the Ironwood property, attendance to the meeting for the Stake Holder Multi Agency Coordination group, a walkthrough with Maintenance on the proposed Wash Station Project for the Fairground, the attended CIP meet and greet, the meeting with Maintenance regarding the Fairground's Fire Suppression System Project, an attended farewell for Southwest Health Systems CFO Rick Shrader, and public notices for two Board to Board meetings with the Town Councils of Dolores and Mancos. Administrator Powers announced that he had taken a new project management position with Region 9.

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren discussed the CDPHE meeting and an internal review of the Ironwood property.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, nothing to report.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: Commissioner Koppenhafer reported on the attended Mancos Town Board meeting. Commissioner Lindsay discussed the attended Cortez City Council meeting. Commissioner Candelaria discussed the attended Statewide Transportation Advisory Committee (STAC) meeting.

**CORRESPONDENCE:** The following correspondence was read and noted: Email from Ingrid Ward.

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

**MEETING ADJOURNED: 12:45 p.m.**

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Clerk

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May 17, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
May 24, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 24, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman (By Zoom)  
Gerald Koppenhafer, Commissioner of Deeds  
Shalako Powers, County Administrator  
Ian MacLaren, County Attorney, (Absent)  
Kim Percell, County Clerk

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 17, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane** presented for signatures of a Mylar, 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.

**Planning Director, Don Haley** along with **Assistant, S. Jane** presented for signatures for a Variance submitted by **Burt & Debra Ramsey**, on property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491, situated in Section 22, T. 36N, R. 16W, N.M.P.M.

**Planning Director, Don Haley** along with **Assistant, S. Jane** presented for signatures of a Variance for the Land Use Code Requirement of the 3 acre parcel size and the 30-foot setback requirement, submitted by **Carlene Porter; agent: Danny Wilkin**, on property located at 15965 Road 21, Cortez, CO, consisting of 5 acres, more or less, located south of Road S, west of Road 21, situated in Section 25, T.37N, R.17W, N.M.P.M.

**Planning Director, Don Haley** along with **Assistant, S. Jane** presented for signatures of a Mylar for a Boundary Line Adjustment submitted by **Jay & Jenni Lynn Lawrence**, on properties located at 12663 Road 40, Mancos, CO, consisting of 9.48 acres, more or less, & 12641 Road 40, Mancos, CO, consisting of 7.89 acres, more or less, situated in Section 8, T.36N, R.13W, N.M.P.M.

**Planning Director, Don Haley** along with **Assistant, S. Jane** presented for signatures of a Mylar for a Single Lot Development submitted by **Deanne Acott Estate, agent: Keenen Lovett**, on property located at 23720 Road M, Cortez, CO, consisting of 60.18 acres, more or less, located south of Road M, west of Hwy 491, situated in Section 16, T.36N, R.16W, N.M.P.M.

**Planning Director, Don Haley** along with **Assistant, S. Jane** presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning Application, submitted by **Gary & Jaclyn Fisher**, on property located at 24537 Road N, Cortez, CO, consisting of 81.65 acres, more or less, located north of Road N, west of Road 25, situated in Section 3, T.36N, R.16W, N.M.P.M.

**Planning Director, Don Haley** along with **Assistant, S. Jane** presented for signatures of a Mylar a 2 Lot Minor Subdivision & Rezoning Application, submitted by **James E. Lynch Living Trust**, on property located at 14767 Road 29.75, Dolores, CO, consisting of 40 acres, more or less, located west of Road 29, east of Road 29.75, situated in Section 33, T.37N., R.15W., N.M.P.M.

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

**LIQUOR LICENSE:** **Deputy Clerk, Jerri Frizzell** presented a liquor license renewal application for **Schroeder Colorado Inc., DBA Eagle Claw Trading Post & Liquor Store**, located at 4321 S US Hwy 160/491, Cortez, CO. Commissioner Koppenhafer moved to approve the retail liquor and fermented malt beverage license renewal application, for Schroeder Colorado Inc. doing business as, Eagle Claw Trading and Liquor Store, at 4321 South, US 160, Cortez Co. Second by Commissioner Lindsay 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)

**BOARD OF COUNTY HEALTH:** **Public Health Assistant Director, Laurel Schafer** met with the Commissioners to give a monthly update. Topics of the discussion included; certification of the new Environmental Health Specialist, the current baby formula shortage, Work Force Funding, staff retention, cross training, the two open positions as Case Manager and full time Public Health Nurse and the Dolores Class of 2022 Operation Graduation Program.

**MEMORIAL DAY PROCLAMATION:** **Veteran Service Officer, Sarah Kuhn** presented the 2022 Memorial Day Proclamation for signatures. Commissioner Lindsay moved to sign the proclamation. Second by Commissioner Candelaria and carried. (See attached)



**VETERANS SERVICE: Veteran Service Officer, Sara Kuhn** 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**, April 2022 was presented for the record. Other topics discussed included; the April 2022 financial report, a review of office activities, statistical data, the indirect income to Montezuma County, attendance to a scheduled outreach event, the scheduled Memorial Day services and the development of an equine therapy program. (See attached)

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Manager Morris reported that the April number of rides was 718, that there had been no participation in the Meals on Wheels program, the current number of drivers was 5, notification that the new van with the wrap had been approved, that they were working on an IT Grant Application and the Fixed Route.

**SENIOR SERVICES: Director, Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included; the Veterans equine therapy discussion, the new credit card system, the development of an outreach program for the vulnerable / socially isolated, funding for the program and possible Congressional funding grant applications. (See attached)

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners for a monthly report. Topics of the discussion included; the scheduled Irrigation Water Workshop, the scheduled Seedling Swap & Sale, the scheduled Mesa Verde Garden Club's seed sale event, the Master Gardening's Grow-n-Give program, the Cortez Farmers Market and 4-H Youth Leadership Camps. Director Felsen reported that CSU Extension Intern, **Jake Rick** will be here for 10 weeks, working within the Career Pathways, for the local workforce. (See attached)

**UNFINISHED BUSINESS:** A discussion regarding the sprinkler suppression at the Fairgrounds, was postponed to a future date.

**RESOLUTION #6-2022 Fire Ban:** A resolution for a suspension of ban on open fires and the use of fireworks was presented for approval. Commissioner Koppenhafer moved to approve, Resolution #6-2022, whereas the Montezuma County Board of County Commissioners, based on competent evidence reinstates the fire ban in Montezuma County. Seconded by Commissioner Candelaria and carried. (See attached)

**COUNTY SHERIFF: Sheriff, Steven Nowlin** met with the Commissioners to present for approval the **Montezuma County Sheriff's Office Position / Annual Pay Grade** step plan. Commissioner Koppenhafer moved to approve the Montezuma County Sheriff's Office Position / Annual Pay Grade for the starting salaries, and the step program that is presented, effective June 1, 2022. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** was not available.



**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, was not available.

**PAYABLE EXPENDITURE REPORT:** Administrator Powers presented for approval, the April 2022 Accounts Payable Expenditure Reports, in the amount of \$4,368,167.09. Commissioner Lindsay moved to approve the payables for the month of April 2022. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator Shak Powers discussed the Southwest Opioid Response District meeting, a Feasibility Study (RFP) request for proposals and the opt-out paperwork. Administrator Powers reminded the public that no meeting was scheduled for May 31, 2022 as the Commissioners would be attending the CCI conference.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioner's report included: Commissioner Lindsay discussed his Zoom attendance to the Housing Solutions meeting and the BOCC to Dolores Town Board meeting. Commissioner Koppenhafer reported on the Zoom attendance for the (Triple A) Area on Aging Agency meeting and the BOCC to Dolores Town Board meeting. Commissioner Candelaria discussed the attended US Department of Transportation check-in meeting, the airport service award to Denver Air, the Farm Bureau Forum event, the Monday Workshop, the BOCC to Dolores Town Board meeting and Archuleta County's Plumtaw Fire.

**COMMUNITY CONNECTIONS:** Community Connections, President and CEO Tara Kiene met with the Commissioners to give a yearly update. Community Connections is an organization that helps developmentally delayed adults to thrive in our community. An expression of gratitude was extended for the funds received from the County. Ms. Kiene discussed the Pine Street program, virtual participation and hybrid programming, development of the Client Leadership Council, programming design, a collaborative program with Adaptive Sports, adaptive sports equipment, the Festival of Wreaths event, workforce and staff retention, respite care, employment opportunities, early intervention evaluations, technical assistance to build the community employment and the post pandemic emotional health of at-risk clients. The website for Community Connections: <https://www.communityconnectionsco.org/>

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

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

**MEETING ADJOURNED: 10:42 p.m.**

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Clerk

May 24, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
June 7, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 7, 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 May 24, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a 2 Lot Minor Subdivision Application submitted by **Peter Magielnicki**, on property located at 43175 Road N, Mancos, CO, consisting of 32.37 acres, more or less, located west of Road 42, situated in Section 2, 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. and Mrs. Magielnicki 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 2 lot minor subdivision application submitted by Peter Magielnicki, on property located at 43175 Road N, Mancos, Co. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** discussed the National Conservation Area for the lower Dolores River. A letter addressed to the U.S Senator Michael Bennet in support of the NCA, was presented for approval. Commissioner Koppenhafer moved

to sign the letter of support for the Lower Dolores National Conservation Area, to Senator Bennet. 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 a proposed Amendment to the **Duehrssen** Subdivision, submitted by **David Brandos**, on property located at 20865 Road 23.75, Lewis, CO, consisting of 17.83 acres, more or less, located south of Road X, east of Road 23, situated in Section 33, T.38N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Representative, **Eric Cheever** 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 continue the hearing to July 5, 2022 at 9:10 a.m. and also re-public notice for the zoning. 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 a proposed 10 Lot Major Subdivision & Rezoning Application, submitted by **Wes & Rebecca Jones**, on property located at TBD Road 26, Dolores, CO, consisting of 35.81 acres, more or less, located south of Hwy 184, west of Road 26, situated in Section 11, T.37N, 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 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 Koppenhafer moved to continue the Public Hearing until a time to be determined, when the survey is finished, so we can know the exact number of lots in the project. Second by Commissioner Lindsay 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 a proposed Subdivision Amendment and Rezoning Application for Lot #5 of **Roelfs Ranches Subdivision**, submitted by **Judy & Paul Mead**, on property located at 25408 Road S.6, Dolores, CO, consisting of 36.19 acres, more or less, located south of Hwy 184, east of Road 25, situated in Section 23, T.37N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Representatives, **Chris Patterson** and **Crystal Clerice** 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. Public comment was made by Mike Upchurch. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the subdivision amendment and rezoning application for Lot #5 of Roelfs Ranches Subdivision, submitted by Judy & Paul Mead, on property located at 25408 Road S.6, Dolores,. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** along with **Assistant, Duncan** presented for approval and signatures for a Variance Application, submitted by **Bruach Aibhne, LLC; agent: Charles Robinson**, on property located at 26569 Road 38.5, Dolores, CO, consisting of 10 acres, more or less, located north of Hwy 145, east of east of Road 38, situated in Section 36, T. 39N, R. 14W, N.M.P.M.. Mr. Robinson was present. The Commissioners were in agreement to postpone the discussion to allow Mr. Robinson the opportunity to make the property compliant. (See attached)

**PLANNING: Director, Haley** along with **Assistant, Duncan** presented for approval of a Boundary Line Adjustment Application submitted by **Colleen Brennan and Ricky Tulio, Sr.**, on properties located at 32328 Road P, Mancos, CO, consisting of 3 acres, more or less, & 13480 Road 32, Mancos, CO, consisting of 5 acres, more or less, both situated in Section 1, T.36N, R.15W, N.M.P.M. Commissioner Koppenhafer moved to approve the boundary line adjustment application submitted by Colleen Brennan and Ricky Tulio, Sr., on properties located at 32328 Road P, Mancos Co. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC COMMENT: Mike Lynch** discussed the ICS Advisory (ICSA-22-154-01) Report. (See attached) **Allen Maez** discussed the National Conservation Area (NCA) for the lower Dolores River.

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of May 30, 2022 through July 2, 2022 and gave an overview of the type of work scheduled. Other topics discussed included; the Alkali Bridge Project, the McElmo Slip Project, the Dolores Norwood Road, the West Mancos Road, the Millwood Road and the Chicken Creek Road. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; musk thistle, identified and mapped noxious weeds, a progress report, the Phreatophyte project, other scheduled projects, right of entry enforcement and Russian knapweed treatments. Manager Loving presented, for approval **Noxious Weed Right of Entry Resolutions, #1-2022, #3-2022 and #4-2022**. Commissioner Koppenhafer moved to approve, the resolution granting Montezuma County Weed Program or its designee's rights of entry onto property to control noxious weeds based on affidavit of County Weed Supervisor Noxious Weed Resolution, #1-2022, the same for Noxious Weed Resolution, #3-2022 and Noxious Weed Resolution #4-2022. Second by Commissioner Lindsay and carried. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; CDPHE approval for the compost pad, the leased shredder, compost sales, extension of the Free Green Waste Project and the Bomag payment. (See attached)

**TRANSFER ORDER: Transfer Order # 2-2022**, a transfer of \$131,000.00, from the Landfill Fund (100) to the closure / post-closure fund, to offset the future costs of closing and monitoring the Landfill, was presented for approval. Commissioner Lindsay moved to approve order #2-2022, in the amount of \$131,000.00, from the Landfill Fund to the closure / post-closure fund, to

offset the future costs of closing and monitoring the Landfill for closure. Second by Commissioner Koppenhafer and carried. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; income \$54,287.49, expenditures, \$112,460.01 and attendance 20,180. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, banner advertising, the revenue comparison between current rates and proposed rates, the proposed rate schedule, the proposed resolution to amend the fee schedule for the Montezuma County Fairgrounds, current inflation rates, a yearly percentage increase, the Wash Rack Project and placement of the grant awarded Grow Domes at the Fairgrounds. The Commissioners were in agreement to conduct further review of the proposed fee schedule to cover the actual costs of the Fairgrounds. (See attached)

**UNFINISHED BUSINESS:** The discussion regarding the **Bike Trail Easement** was postponed to July 14, 2021.

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved that the Board of County Commissioners 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, Clerk Percell, Natural Resource Director James Dietrich and GIS Specialist Doug Roth, seconded by Commissioner Koppenhafer and carried. Topics for the executive session included; the civil case regarding Road Y. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, discussed the slide show from the BLM Flowdine Park / Yellow Jacket Section 106 Programmatic Agreement, the attended Flood Risk Assessment Exploratory meeting, the Dolores Water Shed Resilient Force Coordinating Committee meeting, expected funds from Colorado Strategic Wildfire Action Program (COSWAP), the BLM's parcel nomination list, a proposed request from the Mancos Trail Group to be a pass through agent for a GOCO grant for development of the Aqueduct Trail Park. (See attached)

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** discussed the attended CCI Conference, the scheduled Board to Board meeting with the Cortez City Council on June 14, 2022 at 6:30p.m., and a request for County support for a proposed property improvement plan for the Motels on the east side of Cortez.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended Mancos Town Board meeting, the NCA discussion and the Ute Mountain Roundup Rodeo. **Commissioner Lindsay** reported on constituent discussions. **Commissioner Candelaria** discussed the attended CCI Summer Conference, legislative updates, the Monday Workshop, constituent road issue discussions, the Ute Mountain Roundup Rodeo and the scheduled NACO conference.

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

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

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

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Clerk

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June 7, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
June 14, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 14, 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 June 7, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PLANNING: Planning Director, Don Haley** with **Assistant, S. Jane Duncan** reported that the Boundary Line Adjustment submitted by **Colleen Brennan and Ricky Tulio, Sr.**, on properties located at 32328 Road P, Mancos, CO, consisting of 3 acres, more or less, & 13480 Road 32, Mancos, CO, consisting of 5 acres, more or less, both situated in Section 1, T.36N, R.15W, N.M.P.M., was not available at this time.

**Planning Director, Haley** with **Assistant, Duncan** presented for signatures of a High Impact Permit, submitted by **Snyder Mama Holdings, LLC**; agent: **Christopher Snyder**, on property located at 1521 N. Mildred Road, Cortez, CO, consisting of 3.48 acres, more or less, located north of Road N, west of Road 25, situated in Section 23, T.36N, R.16W, N.M.P.M. (See attached)

**Planning Director, Haley** with **Assistant, Duncan** presented for signatures of a High Impact Permit with Rezoning, along with a Variance, submitted by **CBERT Cortez, LLC**; agent: **Kasey Bell**, on property located at 26757 Road M, Cortez, CO, consisting of 1.50 acres, more or less, located north of Road M, west of Hwy 145, situated in Section 12, T.36N, R.16W, N.M.P.M. (See attached)



**Planning Director, Haley** with **Assistant, Duncan** reported that the Variance Application, submitted by **Bruach Aibhne, LLC**; agent: **Charles Robinson**, on property located at 26569 Road 38.5, Dolores, CO, consisting of 10 acres, more or less, located north of Hwy 145, east of east of Road 38, situated in Section 36, T. 39N, R. 14W, N.M.P.M., had been withdrawn.

**PUBLIC COMMENT: Chan Chaffin**, representing the **Lewis Arriola Community Center**, discussed a letter of support request, from the Board of County Commissioners regarding a grant application. Mr. Chaffin will be scheduled for a continued discussion at the Commissioner's 6/20/22 Monday Workshop meeting.

**LETTER OF SUPPORT:** Community/Economic Development Coordinator, **Jessica Thurman** and Mesa Verde Country President, **Brian Bartlett** met with the Commissioners by Zoom, to request a letter of support, for the property improvement project at 2121 East Main Cortez. Commissioner Koppenhafer moved to sign the letter of support for VOCO Economic Development. Second by Commissioner Lindsay and carried. (See attached)

**APPOINTMENT:** Administrator Powers recommended **Jessica Thurman** to be appointed as the new County Representative to the **South West Opioid Response District. (SWORD)** Commissioner Lindsay moved to appoint Jessica Thurman to the South West Opioid Response District. Second by Commissioner Koppenhafer and carried.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Topics discussed included; a fleet update, the departmental vehicle sharing project, the development of a community vehicle schedule, a lock box program, dealership sales, the detective vehicles and the Enterprise Vehicles.

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** reported on the grounds and buildings. Projects discussed included; painting parking lots, HVAC filter replacements, painting exterior doors and yard maintenance.

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain discussed the attended Region Wide Broad Band meeting and the grant application.

**GIS MAPPING:** On behalf of GIS Manager, Doug Roth, Administrator Powers gave a GIS update. Topics discussed included; the annual GIS data call delivered to the State GIS office and the GIS specialist position. (See attached)

#### **UNFINISHED BUSINESS:**

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved for the Board of County Commissioners to go into executive session for the discussion of personnel matters under C.R.S. 24-6-402(4)(f), and to include Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Powers, Attorney MacLaren, and Clerk Percell, seconded by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** discussed the attended Southwest Water Conservation District Board meeting as a member of the NCA workgroup, the attended Colorado County Attorney Conference and a Social Services jury trial.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, no report given. Commissioner Candelaria reported on the attended Southwest TPR meeting and the MMOF Grant award to Montezuma County for the Paths to Mesa Verde segment.

**COUNTY ADMINISTRATOR REPORT:** Administrator **Shak Powers** made a request for release of lien, for an approved weed tax lien, placed on a property located at 13657 Road 21, Cortez. Administrator Powers reported that at the time the lien was placed, the property had already been sold to new owners. Commissioner Lindsay moved to remove the lien from the address, 13657 Road 21, Cortez. Second by Commissioner Koppenhafer and carried. Administrator Powers discussed public notifications of the Commissioners attendance, at the Cortez City Council meeting and the Pleasant View Fire Department's, Rohwer Family Benefit Dinner. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** congratulated the Ute Mountain Roundup Rodeo Committee on the successful rodeo, reported on constituent discussions and gave a thank you to Administrator Powers for his service to the County. **Commissioner Koppenhafer** reported that he had attended the Ute Mountain Roundup Rodeo as a volunteer Veterinarian, discussed the attended Mancos Town Board meeting and constituent road issue discussions. **Commissioner Candelaria** discussed the attended Southwest TPR meeting, the League of women Voters' candidate forum, the Yates Memorial Golf Tournament, the Ute Mountain Roundup Rodeo, the Monday Workshop and the attended Dolores Town Board meeting.

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

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

**MEETING ADJOURNED: 10:17 p.m.**

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Clerk

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June 14, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
June 16, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Thursday June 16, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman, Absent  
Gerald Koppenhafer, Commissioner of Deeds (speaker phone)  
Shalako Powers, County Administrator  
Ian Mac Laren, County Attorney, (Zoom)  
Kim Percell, County Clerk. (Zoom)

**CHAIRMAN, CANDELARIA** opened the meeting of June 16, 2022.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners by Zoom, to discuss an Enterprise Fleet Management Open-End lease Quote for a 2022, Ram 2500 pickup. Commissioner Koppenhafer moved to approve the purchase of a Ram pickup 2500, 2022 for the Road and Bridge Department. Second by Commissioner Candelaria and carried. (See attached)

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

**MEETING ADJOURNED: 8:08 a.m.**

\_\_\_\_\_  
County Clerk      June 16, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
June 21, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 21, 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  
Jim McClain, IT Director  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**MINUTES:** Commissioner Lindsay moved to approve the proceedings of the Board of Commissioners Montezuma County, Colorado dated June 14, 2022, and also the proceedings of the special meeting of June 16, 2022. Motion was seconded by Commissioner Koppenhafer and carried.

**PLANNING: Planning Director, Don Haley** with **Assistant, S. Jane Duncan** met with the Commissioners to discuss **House Bill 22-1362**. Attorney MacLaren reported that the bill is not applicable to Montezuma County, because at this time we have not adopted building codes. (See attached)

**PUBLIC COMMENT:** No public comments were 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 **Perdium and Cost for Travel Report**, the **Total Monthly Inmate Report**, the **Monthly Arrests Report**, the **DOC Holds Report**, the **Dolores County Billing Report**, the **City of Cortez Billing Report**, the **July Operational Expense Report** and the **Monies Paid to the General Fund Report**. Sheriff Nowlin presented for approval, the revised **Jail Based Behavior Service Grant 2021-2022**. Commissioner Koppenhafer moved to approve the revised funding, of \$37,420.05 to the Jail Based Behavior Service Grant, 2021-2022, for the Montezuma County Sheriff's Office. Second by Commissioner Lindsay and carried. Other

topics discussed included the 2021 Detention Center Medical Expense Report, HB 22-1326, the new National 988 Suicide Hotline at <https://suicidepreventionlifeline.org/current-events/the-lifeline-and-988/> and the NACO Familiar Faces Initiative at <https://familiarfaces.naco.org/>. (See attached)

**DISTRICT ATTORNEY:** During the June 20, 2022 Monday workshop **District Attorney, Matt Margeson** met with the Commissioners. Topics discussed during the workshop, included workforce housing.

**EMERGENCY MANAGEMENT:** **Emergency Manager, Jim Spratlen** was not available. The **Monthly Situational Report** was emailed to the Board of County Commissioners for review. (See attached)

**COMMUNITY INTERVENTION PROGRAM (CIP):** **Chuck Borden** on behalf of the **Emergency Manager, Jim Spratlen, Jessica Borden and Molly Rodriguez**, met with the Commissioners to give an update on the Community Intervention Program. Topics discussed included; calls for service, shift hours, call assistance, development of a referral program, follow up visits and phone calls, coordination with local schools, a junior fire starter incident and the hours of operations.

**CORTEZ FIRE PROTECTION DISTRICT:** **Chuck Borden** met with the Commissioners to give an update for the Cortez Fire Protection District. Topics discussed included; the calls for service, structure and brush fires, 1511 year to date calls, training hours, vehicle hose testing, the Mesa Elementary School / Fire Education Training project, a full time position, the 4<sup>th</sup> of July Fireworks Program, Chief Balfour's retirement and the scheduled Board meeting.

**COUNTY CORONER:** **Coroner, George Deavers** met with the Commissioners to give a monthly report. Coroner Deavers reported the year to date numbers were; 82 total calls, 104 completed autopsies, 5 Motor Vehicle deaths, 6 overdose deaths, 6 suicides and 4 homicides.

**TRANSFER ORDER;** **Transfer Order #3-2022**, a transfer from the remaining Fleet Fund (072) balance of \$156,835.88 to the Road and Bridge Fund (002), was presented for review and approval. Commissioner Koppenhafer moved to approve order #3-2022, transferring the remaining funds out of the Fleet Fund (072) of \$156,835.88 to the Road and Bridge Fund. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION: Modification of Weed Department Grant Agreement with Forest Service.** Commissioner Lindsay moved to accept the Modification of Grant from the US Forest Service, agreement #21-PA-11021300-034. Second by Commissioner Koppenhafer and carried (See attached)

**DISCUSSION:** A discussion was held regarding a wage increase request, for the Senior Services cook, and the grant received from the Outreach Program to fund the increase. Commissioner Lindsay moved to approve the Senior Services cook wage increase on the grant. Second by Commissioner Koppenhafer and carried.

**UNFINISHED BUSINESS:** A discussion was held regarding the FERTA Easement Agreement. The Commissioners were in agreement to postpone the discussion until it further benefits Montezuma County.

**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, IT Director Jim McClain, Attorney MacLaren, Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session included legal advice pertaining to bike trails. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren gave an update on the attended NCA meeting, the Charles Fish Contempt case and the CDPHE / Ironwood issue.

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

**COUNTY ADMINISTRATOR REPORT:** No report given.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended NCA meeting, the attended Rohwer Family Benefit Dinner and constituent discussions. **Commissioner Lindsay** discussed his virtual attendance to the National Association of Counties (NACO) meeting, the National 988 Suicide Hotline, the NACO Familiar Faces Initiative, the Bridge Investment Program, the attended Cortez City Council Board to Board meeting and the June 28<sup>th</sup> Primary Election. **Commissioner Candelaria** discussed the attended Cortez City Council Board to Board meeting, the Thursday Party in the Park event, Father's Day and the Monday Workshop.

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

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

**MEETING ADJOURNED: 10:18 a.m.**

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Clerk

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June 21, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
June 28, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 28, 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  
Jim McClain, IT Director  
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 June 21, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PLANNING: Planning Assistant, S. Jane Duncan** presented for signatures. an amended Mylar a 2 Lot Minor Subdivision & Rezoning Application, submitted by James E. Lynch Living Trust, on property located at 14767 Road 29.75, Dolores, CO, consisting of 40 acres, more or less, located west of Road 29, east of Road 29.75, situated in Section 33, T.37N., R.15W., N.M.P.M..

**PUBLIC COMMENT:** No public comments were made.

**DISCUSSION: Meredith Burcham**, from (CTSI) Colorado Counties Casualty and Property Pool met with the Commissioners to discuss the available Pools and the services CTSI provides. (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, Sara Kuhn 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, May 2022** was presented for the record. Other topics discussed included; the May 2022 financial report, a review of office activities, statistical data, the indirect income to Montezuma County, proposed VA clinic closures and the **Celebration of Heroes / Million Tree Project** scheduled event at 3:00 p.m., on July 14, 2022, at the cemetery. (See attached).

**SENIOR SERVICES:** Director Jonathon G. Parker was not available.

**MEMO OF UNDERSTANDING:** Attorney, Ian MacLaren presented for approval, the second amendment to the **Agreement between Montezuma County and the City of Cortez owned Cortez Community Network Enterprise regarding a Broadband Fiber network.** Commissioner Koppenhafer moved to sign the second amendment to the agreement between Montezuma County and the City of Cortez, for the Cortez Community Network Enterprise regarding a Broadband Fiber network. Second by Commissioner Lindsay and carried. (See attached)

**RESOLUTION #7-2022 ;** Attorney, MacLaren presented for approval **Resolution #7-2022**, a Resolution Opting Out of the Family Medical Leave Insurance Program. Commissioner Koppenhafer moved to approve Resolution #7-2022, a Resolution Opting Out of the Family Medical Leave Insurance Program, for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

**UNFINISHED BUSINESS:** The **CO. STATE OREC GRANT- Montezuma County OREC Asset Use and Impact Study and Strategic Plan**, was presented for approval. Commissioner Lindsay moved to approve, the CO. State OREC Grant, Montezuma County Asset Use and Impact Study and Strategic Plan. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren gave an update on the attended NCA workgroup meeting and discussed the introduction meeting, for **Travis Anderson**, the selected finalist for the position of County Administrator scheduled June 29, 2022.

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

**COUNTY ADMINISTRATOR REPORT:** No report given.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed constituent calls, the scheduled Cortez City Council meeting and the 4<sup>th</sup> of July holiday. **Commissioner Koppenhafer** discussed the attended NCA meeting. **Commissioner Candelaria** discussed the 4<sup>th</sup> of July holiday, fire restrictions, the NACO Transportation meeting, the Monday Workshop and the Dolores Town Board meeting.

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

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

**MEETING ADJOURNED: 10:15 a.m.**

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Clerk

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June 28, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
July 5, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 5, 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  
Jim McClain, IT Director  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**MINUTES:** Commissioner Lindsay moved to adopt the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 28, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of an After-The-Fact General Planned Unit Development and Rezoning Application submitted by **Jonathan & Tegan Lewis**, on property located at 22812 Road G, Cortez, CO, consisting of 8.73 acres, more or less, located south of Road G, west of Road 23, situated in Section 8, T.35N, 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 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 accept the After-The-Fact General Planned Unit Development and Rezoning Application submitted by Jonathan & Tegan Lewis, on property located at 22812 Road G, Cortez,. Second by Commissioner Candelaria. With two votes in favor from Commissioners Lindsay and Candelaria, along with one vote against, from Commissioner Koppenhafer, the motion 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 a proposed Amendment, along with AR 3-9 Rezoning, to the **Duehrssen Subdivision**, submitted by **David Brandos**, on property located at 20865 Road 23.75, Lewis, CO, consisting of 17.83 acres, more or less, located south of Road X, east of Road 23, situated in Section 33, T.38N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Brandos 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 **Jerry Koskie**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed amendment, along with AR 3-9 Rezoning, to the Duehrssen Subdivision, submitted by David Brandos, on property located at 20865 Road 23.75, Lewis, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is for review and determination of a proposed Single Lot Development and AR10-34 Rezoning Application, submitted by **Robbins Family Ranches, LLC**; agent: **Brian McLaughlin**, on property located at 10005 Road 43, Mancos, CO, consisting of 134.01 acres, more or less, located west of Road 43, north of Hwy 160, situated in Section 22, T.36N, R.13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Commissioner Lindsay recused himself from the hearing. Agent, Brian McLaughlin 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 Koppenhafer moved to approve the proposed single lot development and AR10-34 rezoning application, submitted by Robbins Family Ranches, LLC; agent: Brian McLaughlin, on property located at 10005 Road 43, Mancos, CO,. Second by Commissioner Candelaria 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 a proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application, submitted by **Carlene Porter, Kurtis Case, & Tonya Capps**; agent: **Danny Wilkin**, on property located at 15965 Road 21, Cortez, CO, consisting of 5 acres, more or less, located south of Road S, west of Road 21, situated in Section 25, T.37N, R.17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Danny Wilkin 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 2 Lot Moderate Subdivision and AR3-9 Rezoning Application, submitted by Carlene Porter, Kurtis Case, & Tonya Capps; agent: Danny Wilkin, on property located at 15965 Road 21, Cortez,. Second by Commissioner Koppenhafer. With two votes in favor from Commissioners Lindsay and Koppenhafer, along with one vote against, from

Commissioner Candelaria the motion 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 a proposed Subdivision Amendment Application to the Highland terrace Major Subdivision, submitted by **Burt & Debra Ramsey**, on property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491, situated in Section 22, 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. Ramsey 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 Koppenhafer moved to approve the proposed Subdivision Amendment Application to the Highland Terrace Major Subdivision, submitted by Burt & Debra Ramsey, on property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING:** **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for approval and signatures, a Variance Application, submitted by **Huston & Connie Anderson**, Agent: **Laura Rieck** from the **Upper Road 42 Water Association**. Ms. Rieck was present. Commissioner Lindsay moved to approve a variance application, submitted by Huston & Connie Anderson, agent: Upper Road 42 Water Association. Seconded by Commissioner Koppenhafer and carried. (See attached)

**PUBLIC COMMENT:** No public comments were made.

**IHOP GRANT DISCUSSION:** **Rachel Marchbanks** was not available.

**ROAD & BRIDGE DEPARTMENT:** **Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of June 26, 2022 through July 30, 2022 and gave an overview of the type of work scheduled. Topics discussed included; the Alkali Creek Bridge Project, general maintenance, culverts, blade roads, flood control, chip seal, blade Schedule A Roads and gravel. (See attached)

**VEHICLE MAINTENANCE:** **Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to discuss an Enterprise Fleet Management Open-End lease Quote #6527709, in the amount of \$41,980.00, for a 2022, Ram 2500 pickup. Commissioner Lindsay moved to approve the quote #6527709, for a pickup for Fleet Management. Second by Commissioner Koppenhafer and carried. (See attached)

**NOXIOUS WEED DEPARTMENT:** **Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Manager Loving gave updates on the Backpack Sprayer Program, the Cost Share Program, roadside treatments, enforcements and the notifications. Other topics discussed included; scotch thistle, a wood turning class, leafy spurge,

the Spotted / Diffuse Knapweed Project, the USFS/ MCNWD Agreement, the Hermana Project, Non-Native Phreatophyte project, the San Juan Mountain Cooperative Weed Management Association, future projects in the works and “No Spray” signs. (See attached)

**HEALTH AND WELLNESS: Committee Member, Bonnie Loving** gave an update on the County Employee Health and Wellness program. Topics discussed included; results form the **Biggest Loser Challenge**, the scheduled **Team Step Challenge** and future goals. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report. The reported year to date numbers included; 41480 in attendance, Revenues at \$57,902.49 and Expenditures at \$131,650.72. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, the Proposed Rate Schedule changes, proposed Conservation Trust Fund (CTF) salary changes, the fire suppression system, a proposed Memo of Understanding regarding the Grow Dome Project and the Wash Rack Project. (See attached)

**PRIVATE ACTIVITY BOND (PAB) DISCUSSION: Attorney MacLaren** presented for approval the **Certificate Required by Section 24-32-1709(2)© of the Colorado Revised Statutes as Amended** and a letter addressed to the Colorado Department of Local Affairs, Division of Housing regarding the **Notification Required pursuant to Section 24-32-1706 of the Colorado Revised Statutes as Amended**. Commissioner Koppenhafer moved to sign the certificate required by Section 24-32-1709(2)(c) of the Colorado Revised Statutes as amended, for the supervision the issuance of its private activity bonds, Montezuma County will proceed with the diligence to insure the issuance of such bonds within the time period commencing the date hereof and ending December 31, 2025. Second by Commissioner Lindsay and carried. Commissioner Lindsay moved to approve the Notification Required pursuant to Section 24-32-1706 of the Colorado Revised Statutes. Second by Commissioner Koppenhafer and carried. (See attached)

**PAYABLE EXPENDITURE REPORT:** The May 2022 Accounts Payable Expenditure Reports were presented for approval. Commissioner Lindsay moved to approve the May payables, in the amount of \$3,702,528.78. Second by Commissioner Koppenhafer and carried. (See attached)

#### **UNFINISHED BUSINESS:**

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Ironwood property issue.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Topics discussed included; the attended BLM / Flowdine Allotment field trip, the attended (DWARF) Dolores Watershed and Resilient Forrest Coordination Committee meeting, the CFLRP funding, the Paths to Mesa Verde Trail meeting, the Mancos Trails Group meeting.

**COUNTY ADMINISTRATOR REPORT:** No report given.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended State of Colorado Attorney General's event at the park. **Commissioner Lindsay** discussed the attended Cortez City Council meeting and the 4<sup>th</sup> of July fireworks show. **Commissioner Candelaria** discussed the Alkali Creek Bridge Pre-bid meeting and the 4<sup>th</sup> of July firework show.

Chairman Candelaria announced the meeting would reconvene at 1:30 p.m., as the **Montezuma County Board of Health**

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

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

**MEETING ADJOURNED: 11:40 a.m.**

**MONTEZUMA COUNTY BOARD OF HEALTH MEETING: 1:30 p.m.**

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Clerk

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July 5, 2022

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Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
July 12, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 12, 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  
Jim McClain, IT Director  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**MINUTES:** Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners, Montezuma County, as presented for Tuesday July 5, 2022. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review of a proposed After-The-Fact High Impact & Special Use Permit Application and Commercial Planned Unit Development Application, submitted by **Stanley Investments, LLC**; agent: **Blaine Bowers**, on property located at 6572 Road 24 #1-5, Cortez, CO, consisting of 2.27 acres, more or less, located south of Road G, east of Hwy 491, situated in Section 10, T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Blaine Bowers 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 accept the proposed After-The-Fact High Impact & Special Use Permit Application and Commercial Planned Unit Development Application, submitted by Stanley Investments, LLC; located at 6572 Road 24 #1-5, Cortez. 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 a proposed General Planned Unit Development and Rezoning Application submitted by **Edward & Bette Lewis**, on property located at 13301 Road 35.9, Mancos, CO, consisting of 13.54 acres, more or less, located south of Hwy 184, west of Road 35.9, situated in Section 4, T.36N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Attorney MacLaren recused himself from the hearing. **Attorney, John Baxter** joined the meeting at this time. Mr. and Mrs. Lewis along with their son, **Wade Lewis** 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. Public comment was made by **Don Harwood, Mike Just, Roy Gelbhaus, Glen Haney, George Nelson, Lisa Gower, William Gower, Mike Lynch** and **Cheryl McMillan**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to deny the proposed planned unit development for Ed and Bette Lewis, at this present time. Second by Commissioner Lindsay 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 a proposed Amendment to Lot #3 of the **Aldean Acres 7 Lot** Major Subdivision and Rezoning Application submitted by **Richard & Melanie McDonald**, on property located at TBD Road M, Cortez, CO, consisting of 3.85 acres, more or less, located west of Hwy 145, north of Road M, situated in Section 12, 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. McDonald 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 accept the proposed amendment to lot #3 of the Aldean Acres 7 lot major subdivision and rezoning application submitted by Richard & Melanie McDonald, on property located at TBD Road M, Cortez, CO., contingent upon the receipt of the non-opposition letter and the amended covenants. Second by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** Public comments were made by **Allen Maez** and **Mike Lynch**.

**PUBLIC LANDS: USFS: Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give a monthly update. Topics discussed included; the release of the Beaver Rim Gravel Pit Environmental Assessment, a proposed Dolores Norwood Road FRTA Easement Agreement, road use permits, FLAP Grants and possible fire management due to a natural ignition.

**Mesa Verde National Park, Kayci Cook Collins** met with the Commissioners to give a monthly update. Topics discussed included; the June and year to date visitation numbers, the July 24th public opening date for the Cliff Palace Loop, the tour schedules for Cliff Palace and Balcony House, the Mesa Top Loop pavement project, the Spruce Tree House Alcove Arch Stabilization Project and the Fire Management Plan.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Topics discussed included; delivered Road department vehicles, pool funding for the Departmental Vehicle Share Program, future proposed vehicle purchasing, a Maintenance Department vehicle and fleet vehicles ready for sale.

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** reported on the grounds and buildings. Topics discussed included; elevator inspections, replacement of the AC compressor for the Clerk's office, the Administration's building generator transfer switch, a built fence panel, the Fairground's wash rack project and the Health Department's backup generator.

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain reported that he was working on broadband projects.

**GIS MAPPING: GIS Manager, Doug Roth and Resource Director, James Dietrich** met with the Commissioners to give a monthly report. Topics discussed included; plat and PUD changes, the addition of the 2021 Imagery on the web maps, an attended Colorado Water Conservation Board and FEMA Flood Risk Study Prioritization for Montezuma County meeting and detailed flood plan studies. (See attached)

**ASSESSOR: Montezuma County Assessor, Leslie Bugg** met with the Commissioners to discuss a comparison of the 2021 and 2022 Assessed Values. Topics discussed included; the County's estimated assessed values due to House Bill #22-1223, mobile home assessed values, Assessment Rate changes from 2021-2022, Senate Bill #22-238 and the 2021 County General revenue. Assessor Bugg wanted to recognize her staff for the excellent job they had been doing, and reported that from January 1, 2022 through May 1, 2022, the office had brought in over 50 million dollars in residential value. A discussion was held regarding the current office staff structure. Assessor Bugg reported that currently the office was short one appraiser and one deputy. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; shipped cardboard, changes to the mattress and animal fees, the trommel screen grant reports, CDPHE grant applications, engineer drawings for the Cell 5 development, repairs for the old Bomag machine and the Landfill's capacity to take part of a chip pile. (See attached)

**UNFINISHED BUSINESS: Letter of Support:** A letter of support regarding broadband services to residents in Southwest Colorado, addressed to the **Colorado Broadband Office, Governor's Office of Information Technology**, was presented for approval. IT Director McClain gave an overview of the regional **Priority Middle Mile Broadband Project**. Commissioner Koppenhafer moved to sign the letter of support, to the Colorado Broadband Office, showing our support for Montezuma County for the regional collaboration. Second by Commissioner Lindsay and carried. (See attached)

**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, Attorney MacLaren and Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session included Fiber network management. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**Fiber Management Contract:** Attorney MacLaren presented for approval, the Fiber Management Contract between Montezuma County and 2210 Cortez, LLC. Commissioner Koppenhafer moved to approve the Fiber Management Contract between Montezuma County and 2210 Cortez LLC. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the NCA legislation and discussed the statute of limitations for a notice of a potential claim, on a death at the jail.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, met with the Commissioner to give a weekly report. Director, Dietrich reported that the BLM sent invitations for Montezuma County to participate as the cooperating agency regarding the Big Game Corridors Plan and the Sage Grouse. Other topics discussed included; the proposed Forrest Service FRTA Easement, a scheduled DWARF working group field trip and quarterly grant reporting.

#### **COUNTY ADMINISTRATOR REPORT:**

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** no report given. **Commissioner Koppenhafer** discussed his temporary appointment as the County representative to the Southwest Water Conservation District. Commissioner Lindsay moved to appoint Commissioner Koppenhafer temporarily, to the Southwest Water Conservation District. Second by Commissioner Candelaria and carried. **Commissioner Candelaria** no report given.

**CORRESPONDENCE:** The following correspondence was read and noted: Email from **Becky Siefer** regarding the Ed and Betty Lewis Public Hearing.

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

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

\_\_\_\_\_  
Clerk

July 12, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
July 19, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 19, 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

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 12, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC COMMENT:** No public comments were made.

**LETTER of SUPPORT: Chan Chaffin**, representing the **Lewis Arriola Community Center** along with **Montezuma County Grant Writer, Nichole Glaser** (by Zoom), met with the Commissioners, regarding a request for a letter of support for the Lewis Arriola GOCO Grant application. Commissioner Koppenhafer moved to approve sending the letter of support, for the completion of the Lewis Arriola Community Center playground equipment, through GOCO. Second by Commissioner Lindsay and carried. (See attached)

**DISTRICT ATTORNEY: Office Manager, Clarisa Feuilly** met with the Commissioners to give a monthly report. Topics discussed included: quarterly statistics, current attorney staffing levels, jury trials and the judge's dockets. (See attached)

**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 June Operational Expense Report and the Monies Paid to the General Fund Report.** Sheriff Nowlin presented for approval, the **POST Rural Agency LE Academy Grant NO. POGG1LAAAGT230090** budget, in the amount of \$38,072.12. Commissioner Lindsay moved to approve the POST Rural Agency Law Enforcement Academy Grant program #POGG1LAAAGT230090 in the amount of \$38,072.12. Second by Commissioner Koppenhafer and carried. Sheriff Nowlin presented for approval the **POST Training Equipment 2022-20223 #POGG1-LAAA-GT2230051** budget, in the amount of \$3,948.00. Commissioner Lindsay moved to approve the POST Training Equipment Grant 2022-2023 #POGG1-LAAA-GT2230051 in the amount of \$3,948.00. Second by Commissioner Koppenhafer and carried. Other topics discussed included; local issues from the Fentanyl drug. (See attached)

**COUNTY CORONER: Coroner, George Deavers** not available to report.

**CORTEZ FIRE PROTECTION: Interim Chief, Charlie Borden** met with the Commissioners to give an update from the Cortez Fire Protection District. Topics discussed included; Fentanyl issues, the June 321 calls of service, 1632 year to date calls for service, 557 June training hours, needed ladder truck repairs, the monsoon seasonal rains, wildland trucks, a wildfire report, future scheduled training classes, an auto extraction class, a burn trailer training, a hazmat training class, the County Fire Academy and a proposed Automatic Aide Agreement with the Town of Dolores.

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report**. Topics discussed within the report included; the fire situation report, a current nationwide fire statistical report, placement of the dispatch center, the Base management, the water/ irrigation report, Ground Hog Reservoir Guard Gate Project, Jackson Gulch, McPhee Reservoir, Lake Mead, a COVID statistical report, plague found in La Plata County, the Avian Flu, an update on the Hospital, the Community Intervention Program statistics, the Mitigation Grant, the Hazard Mitigation Plan, the notice of intent for the planning of sewer drainage lines in Mancos, the Coroner Backup Generator Project, the sirens and generator grant award to the Town of Dolores. (See attached)

#### **UNFINISHED BUSINESS:**

**LETTER of SUPPORT:** A letter of support addressed to **Brandon Johnson**, General Manager for the **Montezuma Valley Irrigation Company (MVIC)**, in regards to the **WaterSMART, Grant and Water and Energy Efficiency Grants for Fiscal Year 2023**, was presented for approval. Commissioner Koppenhafer recused himself from the discussion. Commissioner Lindsay moved to sign the letter of support, for MVI, WaterSMART Grant, Water and Energy Efficiency Grants for Fiscal Year 2023. Second by Commissioner Candelaria and carried. (See attached)



**LETTER of SUPPORT:** From the Noxious Weed Department, a letter of support addressed to **America the Beautiful Challenge, Colorado Department of Agriculture, Conservation Services Division Watershed Health Partnership Proposal Easy Grants Number -77714**, was presented for approval. Commissioner Koppenhafer moved to sign the letter of support, for the Weed Department. Second by Commissioner Lindsay and carried. (See attached)

**FRTA EASEMENT AGREEMENT:** The Commissioner were in agreement to not move forward with the FRTA forest road easements. Administrator Anderson will notify Forrest Service District Ranger, Derek Padilla.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed contact work, mosquito control, the Past Chief, G.W. McCutcheon's bench placed at the fire house and the attended Cortez City Council meeting. **Commissioner Koppenhafer** discussed the attended Town of Mancos Board meeting and an update on the NCA legislation. **Commissioner Candelaria** discussed the scheduled Wildfire presentation, the NACO Conference, the attended CCI Legislation call and an overview of the Monday workshop.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** **Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Director, Dietrich presented, a letter of support for the **Colorado Parks and Wildlife's** grant request to the **National Fish and Wildlife Foundation** for the **America the Beautiful Challenge Grant**. Commissioner Koppenhafer moved to sign the letter of support, for the Colorado Parks and Wildlife grant request, to the National Fish and Wildlife Foundation for the America the Beautiful Challenge Grant, to keep the Aquatic Invasive Species out of the McPhee reservoir. Second by Commissioner Lindsay and carried. Other topics discussed included; draft Memos of Understanding for the Big Game Corridors and the Gunnison Sage Grouse, an attended State Land Board meeting, attended tours of Western Excelsior and Aspen Wall Wood, the attended Mancos Trails Group Aqueduct field trip, the final grant reporting on the Colorado the Beautiful Grant for funds that finalized the plan for the Mancos side of the Paths to Mesa Verde, and the Innovative Housing Grant.

**COUNTY ATTORNEY REPORT:** **County Attorney, Ian MacLaren** discussed the introduction of the NCA, the Ironwood Mill Property issue, a filed complaint on a death at the jail and unemployment benefit hearings.

**COUNTY ADMINISTRATOR REPORT:** The new County Administrator **Travis Anderson** introduced himself and gave an overview of his first couple days.

Chairman Candelaria announced the meeting would reconvene at 1:00 p.m. for the Alkali Creek Bid Opening.

**ALKALI CREEK BID OPENING:** **Road and Bridge Supervisor Rob Englehart** met with the Commissioners for the bid openings of the Alakali Creek Bridge Project. Bids received included: **Siete Inc.** in the amount of \$2,164,322.00 and **Ralph L Wadsworth Construction Company, LLC**, in the Amount of \$2,541,720.82. (See attached)



**CORRESPONDENCE:** The following correspondence was read and noted: Email from Ingrid Ward. (See attached)

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

**MEETING ADJOURNED: 1:02 p.m.**

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Clerk

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July 19, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
July 26, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 26, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman (by Zoom)  
Kent Lindsay, Vice Chairman  
Gerald Koppenhafer, Commissioner of Deeds  
Travis Anderson, County Administrator  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**MINUTES:** Commissioner Koppenhafer moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 19, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC COMMENT:** No public comments were made.

**2021 FINANCIAL AUDIT:** Chris Majors with Majors and Haley P.C. presented the December 31, 2021 audit for review. Mr. Majors gave an overview of the audit report. Topics discussed included; the **General Fund**, the **Road & Bridge Fund**, the **Social Services Fund**, the **Capital Fund**, other **Governmental Funds**, the **Landfill 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**, and the **Law Enforcement Authority Fund**. Other topics discussed included; total expenditures, federal monies, the Highway Report and the County's budgeting process. Commissioner Koppenhafer moved to accept this presentation of the 2021 Audit for Montezuma County. Second by Commissioner Lindsay 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)

**UNFINISHED BUSINESS:**

**DOLORES BIKE TRAIL EASEMENT AGREEMENT:** **Attorney MacLaren** presented for approval the amended **Dolores Bike Trail Easement Agreement**. Commissioner Koppenhafer moved to sign the easement agreement with terms and conditions between Dry Fork LLC., whose address is 673 Riverside Avenue, Mancos, Co., and Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

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

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

**COUNTY ADMINISTRATOR REPORT:** **County Administrator, Travis Anderson** reported that he had been having budget discussions, Department Head meetings, and had attended a meeting with the **Cortez City Manager, Drew Sanders**.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** reported he would be attending the Cortez City Council meeting. **Commissioner Koppenhafer** discussed the attended NACO meeting. **Commissioner Candelaria** discussed the attended NACO meeting and the Wildland Commission presentation.

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

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

**MEETING ADJOURNED: 9:35 a.m.**

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Clerk

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July 26, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
August 2, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 2, 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

**MINUTES:** Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 26, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and AR10-34 Rezoning Application, submitted by **Jason & Billie Ann Saulan**, on property located at 23971 Road N, Cortez, CO, consisting of 70.16 acres, more or less, located east of Hwy 491, north of Road N, situated in Section 4, 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. Saulan 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 Koppenhafer moved to approve the single lot development and AR10-34 rezoning application, submitted by Jason & Billie Ann Saulan, on property located at 23971 Road N, Cortez. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Single Lot Development and AR10-34 Rezoning Application, submitted by **Jason & Billie Ann Saulan**, on property located at 23971 Road N, Cortez, CO, consisting of 70.16 acres, more or less, located east of Hwy 491, north of Road N, situated in Section 4, T.36N, R.16W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for an Amendment, along with AR 3-9 Rezoning, to the **Duehrssen Subdivision**, submitted by **David Brandos**, on property located at 20865 Road 23.75, Lewis, CO, consisting of 17.83 acres, more or less, located south of Road X, east of Road 23, situated in Section 33, T.38N, R.16W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a 2 Lot Minor Subdivision submitted by **Peter Magielnicki**, on property located at 43175 Road N, Mancos, CO, consisting of 32.37 acres, more or less, located west of Road 42, situated in Section 2, T.36N, R.13W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for an After-The-Fact General Planned Unit Development and Rezoning submitted by **Jonathan & Tegan Lewis**, on property located at 22812 Road G, Cortez, CO, consisting of 8.73 acres, more or less, located south of Road G, west of Road 23, situated in Section 8, T.35N, R.16W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Single Lot Development and AR10-34 Rezoning, submitted by **Robbins Family Ranches, LLC**; agent: **Brian McLaughlin**, on property located at 10005 Road 43, Mancos, CO, consisting of 134.01 acres, more or less, located west of Road 43, north of Hwy 160, situated in Section 22, T.36N, R.13W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Special Use Permit Application for a Wireless & Internet Cell Tower project, submitted by **Farmers Telecommunications Company, Inc**; agents: **Shawn Sanders & Terry Hinds**, on property located at 22903 Road F, Cortez, CO, located west of Road F, south of Road G, situated in Section 8, T.35N, R.16W., N.M.P.M.

**PUBLIC COMMENT:** No public comments were made.

**FIRE BAN RESOLUTION #8-2022:** **Sheriff, Steven Nowlin** met with the Commissioners to make a recommendation to lift the Fire Ban within Montezuma County. Resolution #8-2022, a resolution to suspend the ban on fires and use of firework was presented for approval. Commissioner Lindsay read the resolution into the record. Commissioner Lindsay moved to adopt Resolution #8, suspension of ban on open fires and use of fireworks. Seconded by Commissioner Koppenhafer and carried. (See attached)

**SPECIAL EVENT LIQUOR LICENSE:** **Deputy Clerk, Jerri Frizzell** presented for approval a Special Event liquor license application from **Denkai Animal Sanctuary**, event to be held at the County Fairgrounds, on September 4, 2022, from 5:00-11:00 p.m. Commissioner

Koppenhafer moved to approve the Special Event to serve alcohol at the Montezuma County Fairgrounds, located at 30100 US., 160, Cortez, on September 4<sup>th</sup>, from 5-11p.m. for the Den kai Animal Sanctuary. Second by Commissioner Lindsay and carried. (See attached)

**CIP BEHAVIORAL HEALTH SAFETY NET GRANT AWARD: Emergency Manager, Jim Spratlen** met with the Commissioners to present for approval, the RFA#:RFP1HJA2022000339 Expansion of Behavioral Health Safety Net Grant Program. Commissioner Lindsay moved to accept the State of Colorado grant for the Expansion of Behavioral Health Safety Net Grant Program RFA#:RFPIHJA2022000339. Second by Commissioner Koppenhafer and carried. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; the economic impact of noxious weeds within Montezuma County, known species of weeds within the County, the estimated acreage of weeds within the County, noxious weed inventory relative to land types, funds lost from decreased crop yield, and crop quality, economic impacts to rangelands, economic impacts to the Forrest, impacts on hunting, economic impact from water loss due to non-native phreatophytes, water potentials, impacts on developed / barren land, results of economic impacts from noxious weeds, an economic impact conclusion and current equipment conditions. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; repairs to the old Bomag machine and dozer, green waste, paper products, the budget, mattress revenues, cardboard revenues, credits, #1 plastics and a CDPHE tire inspection. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; 43,480 in attendance, Revenues at \$62,637.49 and Expenditures at \$152,374.37. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the County Fair, a proposed tattoo vendor to participate in the September 4<sup>th</sup> **Concert for Critters** event, the Fire Suppression System project, the elevator and the County's sign in the indoor arena. (See attached)

**DISCUSSION:** A discussion was held regarding the Montezuma County's Board of County Commissioner's appointment to the **Southwest Water Conservation District**. Commissioner Lindsay moved to remove the current appointee to the Southwest Water Conservation District and appoint Gerald Koppenhafer to the Southwest Water Conservation District seat. Second by Commissioner Candelaria and carried.

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule and gave an overview of the type of work scheduled. Other topics discussed included; recent flooding on the Summit Ridge and Pleasant View areas, the **McElmo Slide**, the **Alkali Bridge** project, a rain damage update, paint striping and the conditions of the equipment. Superintendent Englehart reported that a paint company will be using of the Road and Bridge

yard for a CDOT project. A discussion was held regarding the proposed, Road S and Road F asphalt / chip seal projects. Commissioner Lindsay moved to approve Grant Award #9341 with the Department of Local Affairs, in the amount of \$97,000.00. Second by Commissioner Koppenhafer and carried. (See attached)

**UNFINISHED BUSINESS:**

**DISCUSSION:** A discussion was held regarding the request from the **Town of Mancos** for a commitment from the County, to keep the **Mancos Senior Center** open. Commissioner Lindsay moved to make the commitment, to keep the Mancos Senior Center open through the 2022-2023 fiscal year, contingent upon receipt of the \$20,000.00 from the Town of Mancos. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the Charles Fish and Ellis Lewis, Land Use matters.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, met with the Commissioner to give a weekly report. Director, Dietrich gave an update on the **Paths to Mesa Verde**, the (CWPP) **Community Wildfire Protection Plan**, a draft Memo of Understanding for the BLM planning process for the Gunnison Sage Grouse and Big Game Corridors and discussed the Dolores Norwood Road.

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson** discussed an attended meeting with the **Cortez City Manager, Drew Sanders**, the yearly Audit report, emergency management aspects for the Concert for Critters event, an attended CCI budget workshop and the attended Leadership Montezuma meeting.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Mancos Days event and the attended Mancos Town Board meeting. **Commissioner Lindsay** reported on the Cortez City Council meeting and discussed the County Fair Dog Show event, the County Fair, the scheduled Balloon Rally and the Tri State Fire Fighter Convention. **Commissioner Candelaria** discussed the County Fair and the Monday workshop.

**CORRESPONDENCE:** The following correspondence was read and noted: Emails received from **Joe & Carol Bartolino, Lowell F. Volk, Sandy Gates & David Hamilton** and **Ingrid Ward**.

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

**MEETING ADJOURNED: 11:10 a.m.**

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Clerk

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August 2, 2022

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Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
August 9, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 9, 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 (By Zoom)

**MINUTES:** Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated August 2, 2022, as presented. Motion was seconded by Commissioner Koppenhafer 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 to the Keith Evans 2 Lot Moderate Subdivision, submitted by **Keith Evans and Curt & Nancy Mangan**, on properties located at 10659 Road 26, Cortez, CO, consisting of 15.51 acres, more or less and 10869 Road 26, Cortez, CO, consisting 16 acres, more or less, both located west of Road 26, south of Road L, situated in Section 23, 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. Mangan 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 Koppenhafer moved to accept the proposed subdivision amendment application to the Keith Evans 2 lot moderate subdivision, submitted by Keith Evans and Curt & Nancy Mangan, on properties located at 10659 Road 26,

Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** reported that Clerk, Percell had been served in a lawsuit from Secretary of State Candidate Tina Peters and gave updates on the Charles Fish and Ellis Lewis, Land Use matters

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Minor and AR10-34 Rezoning Application, submitted by **Daniel & Amanda Ryan**, on property located at 17390 Road 23, Dolores, CO, consisting of 40.46 acres, more or less, located north of Road T, east of Road 23, situated in Section 16, 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. Ryan 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 proposed 2 lot minor and AR10-34 rezoning application, submitted by Daniel & Amanda Ryan, on property located at 17390 Road 23, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson** discussed; a meeting regarding the proposed Lexipole Software program, (SRS) Secure Rural Schools funding, a Dispatch Stake Holder meeting and a feasibility study regarding a solar panel project at the Fairgrounds.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended County Fair and a future discussion regarding issues at the Fairgrounds. **Commissioner Lindsay** discussed the attended County Fair, Dispatch problems, Fairground issues and the Cortez City Council meeting. **Commissioner Candelaria** discussed the Lexipole Software meeting, the attended Economic Development meeting, (SRS) Secure Rural Schools funding, the Road 29 striping issue, a power outage in the Mancos area, the Boggy Draw Beat Down and the Dolores town Meeting.

**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 AR3-9 Rezoning Application, submitted by **Justin & Brianna Wyatt**, on property located at 16659 Road 24, Dolores, CO, consisting of 21.69 acres, more or less, located north of Road S, west of Road 24 situated in Section 21, 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. and Mrs. Wyatt 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 accept the proposed 2 lot minor subdivision and AR3-9 rezoning application, submitted by Justin & Brianna Wyatt, on

property located at 16659 Road 24, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** Public comment was made by Allen Maez.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman presented an Enterprise / Fleet Management Open-End (Equity) Lease Rate Quote in the amount of \$50,299.00, for the purchase of a 2022 Ram Tradesman 2500 truck. Commissioner Lindsay moved to accept the open-end lease rate quote from Fleet Management / Enterprise, in the amount of \$50,299.00. Second by Commissioner Koppenhafer and carried. Other topics discussed included; the Departmental Vehicle Share Program, the previously ordered vehicles for the Sheriff's Fleet, Road Department pickups and getting vehicles ready to be sold. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** reported on the grounds and buildings. Projects discussed included; panel and concrete for the steer wash bay at the Fairgrounds, a mini split for the Coroner's office, Annex 1 and Annex 3 back flow drains, the Administration building generator, the Public Health Department generator project, a mini split for the new Road and Bridge office and the Fairgrounds suppression system.

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain discussed the attended CDOT Broadband project meeting, the Regional Grant proposal, Arcadian as a private fiber provider, the scheduled broadband meeting and the **Concert for Critters** event.

**GIS MAPPING: GIS Manager, Doug Roth** was not available

#### **PUBLIC LANDS:**

**Canyon of the Ancients National Monument Manager, Ray O'Neal** met with the Commissioners and discussed; the hours of operation for the Visitor Center, the **Painted Hand** site project, the Gunnison Sage Grouse and the **Yellow Jacket** and **Flowdine** allotments.

**Bureau of Land Management, Connie Clementson** met with the Commissioners and discussed the following topics; Cooperating Agency Agreements for the Gunnison Sage Grouse and Big Game Corridors, the lifting of the fire restrictions, an update on recent fires, a Mancos Trail Group project on the Aqueduct Trailheads and the scheduled September 8 and 9<sup>th</sup> Southwest Resource Advisory Meeting to be held in Gunnison CO.

#### **UNFINISHED BUSINESS:**

**DISCUSSION:** The discussion regarding the **Water Suppression System at Fairgrounds** was postponed to allow follow up questions to be addressed.

**DISCUSSION:** A discussion was held regarding the proposed **Fairground Fee Adjustments**. Commissioner Koppenhafer moved to accept the first proposed rate schedule for this year and to revisit a year from this date, in that time frame, to see where we are at every year with the Fairgrounds, for any new events scheduled for 2023. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION:** The discussion regarding the **MOU between AAA and Montezuma County related to the Grow Dome** was postponed to allow proposed amendments to be presented.

**DISCUSSION: Gunnison Sage-Grouse Resource Management Plan Amendment and Environmental Impact Statement.** Commissioner Lindsay moved to sign the MOU with the BLM, for the development of the Gunnison Sage-Grouse resource management plan amendment and environmental impact statement. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION: Big Game Habitat, Movement Route and Migration Corridor Resource Management Plan Amendment.** Commissioner Koppenhafer moved to approve and sign, the memorandum of understanding, with the Bureau of Land Management, Colorado State Office and Montezuma County, for cooperative development of the Big Game Habitat, movement route and migratory corridor resource management plan amendment. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION: Forrest Service Schedule “A” Agreement #22R011021300-039.** Commissioner Lindsay moved to approve the road project agreement between Montezuma County and the USDA Forest Service and the San Juan National Forest which is FS agreement #22R011021300-039. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** The discussion regarding the **Employee Handbook update** was postponed.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich,** met with the Commissioner to give a weekly report. Director, Dietrich discussed the Gunnison Sage Grouse, Big Game Corridors, the Mancos Trail Group’s Aqueduct Trail project, the Paths to Mesa Verde, the attended (DWRP) Dolores Watershed and Resilient Forrest meeting, the CFLRP funding, the IHOP grant and the Outdoor Recreation Grant.

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioners to discuss the recent Mancos area power outage that caused dispatch issues from the Menifee Mountain tower.

**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 Anderson, Attorney MacLaren ,and Assistant County Attorney Steve Turnwski, seconded by Commissioner Koppenhafer and carried. Topics for the executive session included the Ironwood Mill. Commissioner Koppenhafer moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**CORRESPONDENCE:** The following correspondence was read and noted: Emails received from **Kelsey Wilson, Cindy Vermeule, Bruce Dean Anderson, Lowell F. Volk, and Ingrid Ward.**

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

**MEETING ADJOURNED: 11:30 a.m.**

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Clerk

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August 9, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
August 16, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 16, 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

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, August 9, 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 of a proposed High Impact Amendment Application and Commercial Planned Unit Development Amendment Application for **Mancos Valley Storage**, submitted by **Will & Sandra Lochte; agent: Erin Johnson**, on property located at 40575 Hwy 160 BR, Mancos, CO, consisting of 3 acres, more or less, located north of Hwy 160 BR, west of E. Monte St., situated in Section 29, T.36N., R.13W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Johnson 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 accept the proposed Commercial Planned Unit Development Amendment Application for Mancos Valley Storage, submitted by Will & Sandra Lochte; agent: Erin Johnson, on property located at 40575 Hwy 160, Mancos,

along with the high impact amendment application. 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 of a proposed Amendment Application and AR3-9 Rezoning to the **Mesa Foothills 2 Lot Minor Subdivision**, Lot #2, submitted by **Jeff Oakey**, on property located at 30214 Road H, Cortez, CO, consisting of 18.10 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. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Oakey joined the meeting 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 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 Koppenhafer moved to approve the proposed amendment application and AR3-9 rezoning to the Mesa Foothills 2 lot minor subdivision, Lot #2, submitted by Jeff Oakey, on property located at 30214 Road H, Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**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 **Perdium 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 **July Operational Expense Report** and the **Monies Paid to the General Fund Report**. Other topics discussed included; the proposed **Intergovernmental Agreement for Dispatch Services throughout Montezuma and Dolores Counties, Colorado, Including Federal Agencies** and proposed Inmate Health Care Services from **Southern Health Partners**. (See attached)

**COUNTY CORONER:** Coroner, **George Deavers** met with the Commissioners to give a monthly report. Coroner Deavers gave an update on calls for service statistics, which included; 103 total year to date calls, 5 motor vehicle fatalities, 6 suicides, 6 overdose deaths. 5 homicides, 129 completed autopsies and the year to date autopsies income of \$25,800.00. Other topics discussed included; Senate Bill 22-065 and the proposed 2023 Coroner's budget.

**DISTRICT ATTORNEY:** District Attorney, **Matt Margeson** was unavailable.

**EMERGENCY MANAGEMENT:** Emergency Manager, **Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report**. Manager Spratlen reported that the virtual EOC had been activated for the recent power outage in the Mancos area. Other topics discussed included; the Drought Disaster Declaration, humidity, single tree fires, fire restrictions, water levels, the Groundhog Reservoir gate, agriculture water, health and medical, COVID statistics, the proposed Health Department backup generator and the 2022 budget. (See attached)



**CORTEZ FIRE PROTECTION:** Interim Chief, Charlie Borden met with the Commissioners to give a monthly update. Topics discussed included; 312 July calls for service, 1944 year to date calls, a scheduled Fire 1 class, an auto extraction class, a proposed Automatic Aide Agreement, a review of dispatch services, guide cards for the dispatch services and a proposed adoption of a countywide Fire Code.

**UNFINISHED BUSINESS:**

**DISCUSSION:** The discussion regarding the **SRS Funding Allocations** was postponed to allow all three of the School Superintendents to attend.

**DISCUSSION:** The discussion was held regarding the **Contributions for 2023** through, the **Miscellaneous Budget** and setting a total contribution limit. The discussion was tabled to review the requests presented.

**DISCUSSION:** From the Human Resource Department, **M. Lynn Dorenkamp** presented an updated **Employee Handbook** for approval. Commissioner Lindsay moved to approve the amendments to the Employee Handbook. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren gave updates on the Charles Fish and Ellis Lewis, Land Use Code violations.

**DISCUSSION:** A discussion was held regarding the **Community Connections Inc. Letters of Support, FTA 5310 Operational Fund Request**. Commissioner Lindsay moved to sign the letter of support for Community Connections, to support their grant FTA5310 Operation Fund request, for a transit van accessible for peoples with disability. Second by Commissioner Koppenhafer and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, met with the Commissioners to give a weekly report. Director, Dietrich discussed; the attended **IndieDWELL** tour, responses to the **Innovative Housing RFP** Grant, the **Paths to Mesa Verde Trail**, a new **Defensible Space Grant**, and the **Community Wildfire Protection Plan**.

**DISCUSSION:** The discussion related to returning financial oversight back to the **Fair Board** was postponed to a Monday workshop to include members of the Fair Board.

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed; meetings held with the Landfill Manger and the County Assessor.

**PAYABLE EXPENDITURE REPORT:** Administrator Anderson presented for approval, the June 2022 Accounts Payable Expenditure Reports in the amount of \$3,763,491.65. Commissioner Lindsay moved to accept the expense statement for the month of June through June 30<sup>th</sup>, 2022. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Mancos Town Council meeting, and the attended Southwest Water Conservation Barad meeting. **Commissioner Lindsay** discussed the attended Cortez City Council meeting, and the scheduled Housing Solutions meeting. **Commissioner Candelaria** discussed an attended meeting held with the Administrator and Assessor, the attended TPR meeting, the Escalante Days event and the Monday workshop.

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

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

**MEETING ADJOURNED: 10:55 a.m.**

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Clerk

August 16, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
August 23, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 23, 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

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, August 16, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a continued public hearing is held for review and determination of a proposed 10 Lot Major Subdivision & Rezoning Application, submitted by **Wes & Rebecca Jones**, on property located at TBD Road 26, Dolores, CO, consisting of 35.81 acres, more or less, located south of Hwy 184, west of Road 26, situated in Section 11, 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. Jones 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 accept the proposed 10 lot major subdivision and rezoning application, submitted by Wes & Rebecca Jones, on property located at TBD Road 26, Dolores, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

**BOARD OF COUNTY HEALTH: Public Health Director, Bobbie Lock** met with the Commissioners and gave highlights for the Department. Topics discussed included: current staffing and available positions, an update on the Monkeypox, a COVID vaccine booster, free COVID home tests, the scheduled **Pamper Your Baby Grant** distribution days, the **Food Pantry Grant** distribution program, staff currently certified to be child passenger safety seat technicians and the future scheduling of flu clinics.

**Colorado National Collaboration for Suicide Prevention Coordinators, Arlina Yazzie** along with **Katy Maxwell** discussed the scheduled **RISE Southwest Suicide Awareness Walk**. The event will be held September 10, 2022 from 9:00 a.m. – 11:00 a.m. in Montezuma Park. (See attached)

**VETERANS SERVICE: Veteran Service Officer, Sara Kuhn** 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**, July 2022 was presented for the record. Other topics discussed included; the July 2022 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. Office Kuhn reported that the **Stand Down for Veterans** event was scheduled for September 17, 2022, from 9:00 a.m. to 3:00 p.m. at the County Annex Building. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Manager Morris reported that the ride number was around 700-750, that they were still down 3-4 part time employees, that the new van had been approved but the pricing had changed so it had been postponed for CDOT negotiations and that the IT Grant in the amount of \$25,000.00 had been received.

**DISCUSSION:** Representing the **Montezuma Cortez School District, Executive Director of Finance, Kyle Archibeque, Dolores School District Superintendent, Reece Blincoe**, along with **Mancos School District Superintendent, Todd Cordrey** met with the Commissioners to discuss the \$47,693.03 of **SRS Funding Allocations**. The school districts were in agreement that this year, the funds be distributed by a per-pupil ratio and requested consideration for the 50% of BOCC controlled SRS funds.

**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)

**SENIOR SERVICES: Director Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included: the 2023 budget, the Mancos Senior Center site and grant funding opportunities.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners to give the August 2022 report. Director Felsen gave an overview of the recently held County Fair and offered appreciation to staff members **Andrea Jeter**, and **Vanessa Malloy**,

Fair Interns, **Ace Malloy** and **Tierney Wilson**, along with the youth participants. Other topics discussed included; a current Administrative Assistant vacancy within the office, a proposed **Master Lands Steward Program**, an **Artificial Insemination** workshop, the **Bred and Fed Program**, the **Apple U-Pick** event, a **Healthy Living Program** and an invite to the **Extension Advisory** meeting.

#### **UNFINISHED BUSINESS:**

**DISCUSSION:** The **City of Cortez, Community and Economic Development Director, Rachel Marchbanks** along with **City of Cortez Manager, Drew Sanders** met with the Commissioner to present the **City of Cortez (IHOP) Intergovernmental Agreement regarding HB21-1271 DOLA Innovative Housing Strategies Planning Grant**, pass through request. Commissioner Koppenhafer moved to approve the Intergovernmental Agreement regarding HB21-1271 DOLA Innovative Housing Strategies Planning Grant. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION:** An **Intergovernmental Agreement (IGA)** between the **Town of Mancos** and **Montezuma County**, regarding the **Mancos Senior Center** was presented for approval. Commissioner Lindsay moved to approve the agreement between the Town of Mancos and Montezuma County regarding the Mancos Senior Center. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** From the **Human Resource Department, M. Lynn Dorenkamp** presented for approval the **CobraHelp Master Consulting Services Agreement**, for the basic services (BHA Assistance with Cobra Insurance Compliance). Commissioner Lindsay moved to authorize the chairman to sign the agreement between BHA and Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** **County Attorney, Ian MacLaren** discussed departmental CORA requests, civil cases and the Ellis Lewis matter.

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

**COUNTY ADMINISTRATOR REPORT:** **County Administrator, Travis Anderson** discussed; meetings held with local City Managers to discuss the funding of the Senior Services Center, the Mancos Gravel Pit survey and the attended Dispatch Center meeting. Administrator Anderson reminded the Board that the 5X5 meeting was scheduled August 25, 2022 at 7:00 p.m. at the Ute Mountain Casino.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Fair Board meeting, discussed local gas prices and contacting the Attorney General, the attended Cortez City Council meeting, and the scheduled 5X5 meeting. **Commissioner Koppenhafer** discussed the meeting held with Senator Hickenlooper, the Western District CCI meeting and the attended Southwest Livestock Association event. **Commissioner Candelaria** discussed an attended meeting held with the Administrator and Finance Department, the canceled US DOT meeting, the meeting held with

Senator Hickenlooper, the Party in the Park event, the Western District CCI meeting, a proposed (WUI) Wildland Urban Interface bill, the attended Southwest Livestock Association event and the Monday workshop.

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

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

**MEETING ADJOURNED: 10:50 a.m.**

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Clerk

August 23, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
August 30, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 30, 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

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, August 23, 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 2 Lot Minor and AR3-9 Rezoning Application, submitted by **William & Katherine Voiles**, on property located at 13550 Road 42, Mancos, CO, consisting of 27.50 acres, more or less, located east of Road 42, situated in Section 2, T.36N, R.13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mrs. Voiles 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 2 lot minor and AR3-9 rezoning application, submitted by William & Katherine Voiles, on property located at 13550 Road 42, Mancos. 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 a proposed 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 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 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 Koppenhafer moved to approve the single lot development and AR3-9 rezoning application, submitted by Don & Sarah Crowley, at 6310 Road 24.5, Cortez, Co. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**RESOLUTION: Resolution #9-2022**, a resolution for **Bank Signature Authorization for the new Montezuma County Administrator** was presented for approval. Commissioner Lindsay moved to adopt Resolution #9-2022 which is a Bank Signature Authorization for the new Montezuma County Administrator. WHEREAS, the Montezuma County, Colorado, Board of County Commissioners appointed Travis Anderson as the new Montezuma County Administrator after the resignation of Shak Powers; Now Therefore be it Resolved by the Board of County Commissioner of Montezuma County, Colorado, that: 1. Newly appointed Montezuma County Administrator Travis Anderson is authorized to execute and sign all documents necessary to open bank account(s) and to sign checks, drafts or withdrawals; and 2. This resolution replaces and voids any previous authorization for Mr. Powers as a signatory effective immediately. Second by Commissioner Koppenhafer and carried. (See attached)

**RESOLUTION: Resolution #10-2022**, a resolution for **Signature Authorization for the new Montezuma County Administrator** was presented for approval. Commissioner Lindsay moved to adopt Resolution 10-2022 Signature Authorization for the new Montezuma County Administrator. WHEREAS, the Montezuma County, Colorado, Board of County Commissioners appointed Travis Anderson as the new Montezuma County Administrator after the resignation of Shak Powers, Now Therefore be it Resolved by the Board of County Commissioners that: 1. Newly appointed Montezuma County Administrator Travis Anderson replaces Mr. Powers as the authorized Montezuma County representative to execute and sign all documents that Mr. Powers was previously the signatory for; and 2. This resolution replaces and voids any previous authorization for Mr. Powers as a signatory effective immediately. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** A discussion regarding the decision on the **SRS Funding Allocations** was held. Commissioner Candelaria gave a per statute percentage overview as 25% to Road and Bridge, 25% for schools and the 50% discretionary, for the total \$190,772.13 allocated funds. The local schools made a request to allocate their funds by a per student enrollment within the schools. (Enrollments at 453 Mancos, 661 Dolores, and 2538 Cortez) The Commissioners were in agreement that the 50% discretionary funds would be added to the Road & Bridge funds for this year. Commissioner Koppenhafer moved to approve the SRS funding distribution as to be 25% for the schools and 75% to the Road & Bridge for this year. 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 of a proposed Boundary Line Adjustment Application for the Simmons Single Lot Development, submitted by **Patsy Lou Simmons**; agent: **Dennis Giesler**, on property located at 25409 Road H, Cortez, CO, consisting of 21.16 acres, more or less, situated east of Road 25, north of Road H, situated in Section 35, 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. Giesler 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 adopt the proposed boundary line adjustment application for the Simmons single lot development, submitted by Patsy Lou Simmons; agent: Dennis Giesler, on property located at 25409 Road H, Cortez, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**Planning Director, Haley** reported that several non-compliant property Land Use Code letters had been sent out. Topics discussed included; new home building, septic systems, RV parking on property, tiny houses, current Land Use Code regulations and trash piles on properties.

**PUBLIC COMMENT:** Public comment was made by **Michael Bischoff**.

**SOUTHWEST HEALTH SYSTEMS: (CEO) Chief Executive Officer, Jeanie Gentry, (CNO) Chief Nursing Officer, Lisa Gates and (CFO) Chief Financial Officer, Julie Leonard** met with the Commissioners to give an update on the local hospital. CEO Gentry discussed finances, cash management, building infrastructure, re-amortization of loan schedules, the development of a 5 year strategic plan, the current Montezuma County Hospital District lease agreement and the vacancies within the Hospital Board. CNO, Lisa Gates discussed; current volumes, higher emergency department volumes, CDC required guidelines for masking mandates, isolation and visitor restrictions, safety mitigations with patients and staff, diversity training, a new therapist, case management program plans, patient transfers and COVID positivity rates. CFO, Julie Leonard discussed; financial statistics, collective rates, the indigent care level, the Colorado Public Option and the Hospital Discount Care program.

**DISCUSSION: Mancos Conservation District, Gretchen Rank,** met with the Commissioners to give an update. Topics discussed included; the newsletter, additional staff, a partnership with the Town of Mancos to work on urban water conservation work, a contract with the **Natural Resource Conservation Services**, PL566 funding opportunity, agricultural reservoirs, beaver relocations and the Weber Ditch. (See attached)

**DISCUSSION: (DWCD) Dolores Water Conservation District Manager, Ken Curtis,** met with the Commissioner to give an update on water issues. Topics discussed included; a current 40% of supply, a second pond for Dove Creek, soil moisture monitoring, delayed cuttings, planned projects and Water Smart grant applications. A discussion was held regarding the Colorado River. Topics discussed included; a 60 day challenge to save 2-4 million acre feet, interim guidelines and the DCP actions were taken, the upper basin stance, monitoring the five

point plan, the system conservation pilot program, the development of a Drought Response Operating Agreement, water management infrastructure for the upper basin, demand management, native fish monitoring and beaver population density.

**UNFINISHED BUSINESS:**

**DISCUSSION:** A discussion was held regarding the **Fairgrounds Arena Solar Interconnection Study**. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the lawsuit from Secretary of State Candidate Tina Peters.

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson** discussed; the attended 5X5 meeting, a scheduled Southwest Basin Tour, water issues and Economic Development and the Lake Nighthorse Project.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, met with the Commissioner to give a weekly report. Director, Dietrich discussed; the BLM Big Game Corridor Amendment process, the attended CFLRP Places and Projects Coordinated Committee meeting, a Paths to Mesa Verde Trail project presentation to the Cortez City Council, an update on the Paths to Mesa Verde Trail Project, proposed 2023 budgeted considerations, the IHOP grant, and citizen concerns regarding fire danger in the Pinion Hills Subdivision area. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Mancos Town Board meeting and the attended 5X5 meeting. **Commissioner Lindsay** discussed the attended 5X5 meeting and the attended Cortez City Council meeting. **Commissioner Candelaria** discussed the Monday workshop.

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

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

**MEETING ADJOURNED: 10:50 a.m.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
August 30, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
September 6, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 6, 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  
Malinda Fuller, Chief Deputy

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, August 30, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC COMMENT:** Public comment was made by **Lenetta Shull**.

**ROAD & BRIDGE DEPARTMENT:** Road Superintendent, **Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of August 29, 2022 through September 30, 2022 and gave an overview of the type of work scheduled. Topics discussed included; roads bladed, flood repairs in the Lewis area, shoulder work, chip seal, gravel for the shoulder work and an update on the Mancos Gravel Pit.

Superintendent Englehart presented a cost comparison for Road F to Road S reconstruction projects. Road 23 and Road S (Hay Camp) paving bids were received from **Elam Construction** and **Four Corners Material**. Commissioner Candelaria recused himself from the discussion. Commissioner Lindsay moved to spend \$465,000.00 for the airport overlay on Road 23 and award that contract to Elam. Second by Commissioner Koppenhafer and carried. Commissioner

Lindsay moved to award the Road S (Hay Camp) pave, steep grade and curve for \$419,549.00 to Four Corners Material. Second by Commissioner Koppenhafer and carried. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; a Landfill Tonnages and Counts Report, flooding at the Landfill, bids received for the Compost Turner, CDPHE approval for the Carver Field, the budget, a future discussion regarding an increase to the tire fees and the Bomag machines. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; 55,380 in attendance, Revenues at \$68,307.49 and Expenditures at \$175,364.28. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, the Rates Schedule, the fire suppression project and a Fair Board Grant application. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; Noxious weed populations, current projects/ funding, things in the works and enforcement.

Manager Loving presented, for approval **Noxious Weed Right of Entry Resolutions, #5-2022, #6-2022** and reported that #7-2022 was not needed at this time. Commissioner Koppenhafer moved to approve, these resolutions granting Montezuma County Weed Program or its designee's rights of entry onto property to control noxious weeds based on an affidavit of County Weed Supervisor Noxious Weed Resolution, #5-2022, and the same for Resolution, #6-2022. Second by Commissioner Lindsay and carried. (See attached)

#### **UNFINISHED BUSINESS:**

**DISCUSSION:** A discussion was held in regards to the appointment of the designee and alternate to the CCI Legislative Committee. Commissioner Lindsay moved to appoint Commissioner, James Candelaria as the designee to the Legislative Commission for CCI and also, Commissioner, Gerald Koppenhafer as the alternate for the Legislative Commission. Second by Commissioner Koppenhafer and carried (See attached)

**DISCUSSION:** A discussion regarding the **EsoTerra Inc. Application for Colorado Liquor Sales Room** was tabled to the next Commissioner meeting, to be included as an agenda item.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Land Use Code violation case for the property on Road 23.6 and the lawsuit from Secretary of State Candidate Tina Peters.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Director, Dietrich discussed; he attended **Southwest Colorado Projects and Places** Sub-committee meeting, the **Mancos Valley Source Water Protection Plan** update workshop, the **Southwest Colorado CFLRP Full Stakeholders** meeting, the BLM **Gunnison Sage Grouse** meeting, the scheduled **Southwest Resource Advisory Committee**, the **DWARF Working Group** and the **San Juan Skyway** meetings. A discussion was held regarding the **Community Development Action Plan (CDAP)**

and the **Montezuma County Recreation Advisory Committee**. (MCRAC) Director Dietrich gave an overview of the received, **Obtainable Housing Strategy Grant Program** proposals. The Commissioners were in agreement to table the discussion to the next Commissioner meeting as an item on the agenda under Unfinished Business. (See attached)

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed; the Gravel Pit Survey, the attended **Local Manager's** meeting, the Fairgrounds Solar System project, preliminary budget reviews and a scheduled tour with Weed Department Manager, Bonnie Loving.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on constituent discussions regarding county roads that lead in to the Forest. **Commissioner Lindsay** discussed the attended CSU Extension Advisory Committee meeting and congratulated Eli Tomac on his recent victory as Motor Cross Champion. **Commissioner Candelaria** discussed the attended preliminary budget reviews, constituent discussions regarding an approved sub-division, the attended State Transportation Advisory Committee meeting and subjects that come before the CCI Legislation Committee.

**CORRESPONDENCE:** The following correspondence was read and noted: letter received from Jueswi Person Specul.

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

**MEETING ADJOURNED: 10:30 a.m.**

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Clerk

September 6, 2022

Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
September 13, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 13, 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  
Malinda Fuller, Chief Deputy

**MINUTES:** Commissioner Koppenhafer moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, September 6, 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 Single Lot Development and AR3-9 Rezoning Application, submitted by **Huston & Connie Anderson**; agent: **Upper Road 42 Water Association**, on property located at 13750 Road 42, Mancos, CO, consisting of 63.11 acres, more or less, located north of Hwy 160, east of Road 42, situated in Section 2, Township 36N, Range 13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Connie Anderson 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 Koppenhafer moved to approve the proposed Single Lot Development and AR3-9 Rezoning Application submitted by Huston and Connie Anderson, Agent for the Upper Road 42 Water Association on property located at 13750 Road 42, Mancos CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)



**DISCUSSION:** A discussion was held regarding the **Attainable Housing Strategy Reports**. Commissioner Koppenhafer moved to approve recommendation from planning and from James for the Ayers proposal for the IHOP grant. Second 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 19 Lot Major Subdivision and AR3-9 Rezoning Application, submitted by **Mark Cox**; on property located at TBD Road 25, Dolores, CO, consisting of 59.27 acres, more or less, located south of Hwy 184 & Road 25, situated in Section 7, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Applicant was not 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 **Kim Haas, Mark Christiansen, Marlo Bennett** and **Beth Bettell**. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 19 Lot Major Subdivision and AR3-9 Rezoning Application, submitted by Mark Cox; Agent Andy Cox, on property located at TBD Toad 25, Dolores, CO, contingent upon CDOT access permit and with recognition of utility corridor that runs through there. 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 approval and signatures for a Variance Application, submitted by **Adolfo & Macedonia Flores**, on property located at 25325 Road F, Cortez, CO, consisting of 2.39 acres, more or less, located north of Road F, east of Road 25, situated in Section 11, T. 35N, R. 16, N.M.P.M. Commissioner Lindsay moved to approve the Variance Application submitted by Adolfo & Macedonia Flores on property located at 25325 Road F, Cortez Co, considering the unique properties of this land here and unavailability of setbacks. Second by Commissioner Koppenhafer and carried. (See attached)

**Planning: Director, Don Haley** along with assistant, **S Jane Duncan**, presented for signatures a Mylar for a 2 Lot Minor and AR3-9 Rezoning Application, submitted by William & Katherine Voiles, on property located at 13550 Road 42, Mancos, CO, consisting of 27.50 acres, more or less, located east of Road 42, situated in Section 2, T.36N, R.13W, N.M.P.M.

**DISCUSSION:** A discussion was held regarding a Letter of Non Compliance sent to a resident on County Road 25 west of Highway 184. Mention was made to prioritize 3 properties.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman requested approval for the purchase of a new Dodge pickup for the Maintenance Department. Commissioner Koppenhafer moved to approve the purchase of this Dodge 2500 for \$48911.25, cost of box, \$10861.00 for a total of \$59592.50. Second by Commissioner Lindsay and carried. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** reported on the grounds and buildings. Topics discussed included; a mini split in the office at the Road

Department, a new wall framed in the Weed Department to separate office space from herbicides. Also discussed were LED light bulb changes and a suppression system at the Fairgrounds.

**PUBLIC LANDS:**

**Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give updates on various projects.

**MESA VERDE NATIONAL PARK:** No report was given.

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain reported that new security cameras were installed for the ballot drop boxes. A discussion was held regarding a security door for the second floor of the Administration building, cyber security and a card reader.

**GIS MAPPING: GIS Manager, Doug Roth** met with the Commissioners to present his monthly report. Manager Roth presented a list of changes made to County roads and adopting new Commissioner Districts per state statute. (See attached)

**PUBLIC COMMENT:** Public comment was made by **Mike Lynch** and **Allen Maez**.

**UNFINISHED BUSINESS: Turf Replacement Program Request.** Applicant was not present. (See attached)

**DISCUSSION:** A discussion regarding the Attainable Housing Strategy Reports. **Ayers Corporation** was approved to do the strategy report earlier in the meeting.

**DISCUSSION:** A discussion regarding the **Road 23 Closure Request**. Commissioner Lindsay made a motion to deny the request to close Road 23 from Y to Z. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** A discussion regarding the 2nd Floor Security Door was held. After consulting with IT, the commissioners agreed to change the Security Door to the 1<sup>st</sup> floor instead, with a stipulation it remains open during commissioner meetings.

**DISCUSSION:** A discussion regarding the **EssoTerra Inc. Application for Colorado Liquor Sales Room** was held. Commissioner Koppenhafer moved to sign the License Authority Application for a Colorado Liquor Sales Room saying, we have no problem with EssoTerra having this event at the Montezuma Orchard Restoration Project. Second by Commissioner Lindsay and carried.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Secretary of State Candidate Tina Peters lawsuit. Attorney MacLaren reported the Ellis Lewis land use matter trial will be moved up due to the sitting judge term ending 3 days after the start of the trial.

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed his time spent with the Noxious Weed Department and a tour with Bonnie Loving. Administrator Anderson reported that he met with MOD Homes during an Economic Development.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: Commissioner Lindsay reported on constituent discussions via text, calls and in person. Commissioner Lindsay also invited anyone interested to attend the City Council meeting. Commissioner Koppenhafer discussed not having any meetings this week but having many discussions with constituents. Commissioner Candelaria discussed working through the budget process, a NACO transportation meeting, waiting for legislation to determine how the IJA funds are to be distributed, phone calls pertaining to subdivisions, and the Land Use Code. Commissioner Candelaria discussed the compost turner for the Landfill. Commissioner Lindsay moved to approve the purchase of the Landfill's compost turner as recommended by Mel Jarmon, the Landfill Manager. Second by Commissioner Koppenhafer and carried. Also discussed were the Turf Replacement Project, Annex 3 Project and a Letter of Intent. Commissioner Lindsay moved to sign a Letter of Intent for the **Region 9 Middle Mile Broad Band Project**. Second by Commissioner Koppenhafer. Also discussed were the Dolores Town Hall meeting and the upcoming Water Board meeting along with the Monday workshop.

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

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

**MEETING ADJOURNED: 11:05 a.m.**

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Clerk

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September 13, 2022

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Chairman

**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. Sheriff 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

Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
September 27, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 27, 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

**CHAIRMAN, CANDELARIA** opened the meeting of September 27, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, September 20, 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 regarding a proposed Subdivision Amendment to the Orchard Acres Subdivision, Lot #'s C & D, submitted by **Jerry & Victoria Schwaderer**, on properties located at 25682 & 25574 Road T.5, Dolores, CO, consisting of 9.30 acres, more or less, located west of Road 26, south of Road T.5, situated in Section 32, 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. Schwaderer 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 Koppenhafer moved to approve the proposed subdivision amendment to the Orchard Acres Subdivision, lots C & D, submitted by Jerry and Victoria Schwaderer, on property located at 25682 and 25574 Road

T.5, Dolores, CO, consisting of 9.30 acres, more or less. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**Planning: Director, Haley** along with **Assistant, Duncan**, presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning, 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.

**Planning: Director, Haley** along with **Assistant, Duncan**, presented for signatures of a Mylar for a Subdivision Amendment and Rezoning for Lot #5 of **Roelfs Ranches Subdivision**, submitted by **Judy & Paul Mead**, on property located at 25408 Road S.6, Dolores, CO, consisting of 36.19 acres, more or less, located south of Hwy 184, east of Road 25, situated in Section 23, T.37N, R.16W, N.M.P.M.

**Planning: Director, Haley** along with **Assistant, Duncan**, presented for signatures of a Mylar for a Subdivision Amendment Application to the Keith Evans 2 Lot Moderate Subdivision, submitted by **Keith Evans** and **Curt & Nancy Mangan**, on properties located at 10659 Road 26, Cortez, CO, consisting of 15.51 acres, more or less and 10869 Road 26, Cortez, CO, consisting 16 acres, more or less, both located west of Road 26, south of Road L, situated in Section 23, T.36N, R.16W, N.M.P.M.

**Planning: Director, Haley** along with **Assistant, Duncan**, presented for signatures of a Mylar for a Subdivision Amendment to the Highland Terrace Major Subdivision, submitted by **Burt & Debra Ramsey**, on property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491, situated in Section 22, T.36N, R.16W, N.M.P.M.

**Planning: Director, Haley** along with **Assistant, Duncan** reported that the plat for a Boundary Line Adjustment of the Simmons Single Lot Development, submitted by **Patsy Lou Simmons; agent: Dennis Giesler**, on property located at 25409 Road H, Cortez, CO, consisting of 21.16 acres, more or less, situated east of Road 25, north of Road H, situated in Section 35, T.36N, R.16W, N.M.P.M, was not available at this time.

**DISCUSSION:** A discussion was held regarding the review and determination of a priority list for non-compliant properties. The Commissioner were in agreement to review the list during the October 3, 2022, Monday workshop.

**PUBLIC COMMENT:** Public comments were made by **Mike Lynch, Carol Stepe** and **Gordon Calliham**.

**VETERANS SERVICE:** **Veteran Service Officer, Sara Kuhn** 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, August 2022** was presented for the record. Other topics discussed included; the August 2022 financial report,

a review of office activities, statistical data, indirect income to Montezuma County, a certificate of excellence award for Officer Kuhn and the **Honoring Our PACT Act**. (See attached)

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO):** MCCO Manager, **Jennifer Morris** was unavailable to report.

**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)

**SENIOR SERVICES:** **Director Jonathon G. Parker** along with **Lori Thompson** met with the Commissioners to give a monthly report on the Senior Services programs. A discussion was held regarding the Annex rental agreements and the Senior Center fees structure. Director Parker will present the updated language for the proposed rental agreement during a future Commissioner's meeting. Other topics discussed included; miscommunications between the Sheriff's office and the Senior Center, regarding the Commodity giveaway program. (See attached)

**EMERGENCY MANAGEMENT:** **Emergency Manager, Jim Spratlen** was unavailable to report.

**WEATHER & DROUGHT UPDATE:** **Jeff Colton**, from the **National Weather Service** met with the Commissioners and discussed the winter outlook.

**UNFINISHED BUSINESS:**

**LIQUOR LICENSE:** **Deputy Clerk, Jerri Frizzell** met with the Commissioners to present a liquor license renewal application for the **Maverick Country Stores Inc. #275**, located at 10223 US Hwy. 491, Cortez Co 81321. Upon review of the application it was determined that it was not complete. The discussion was postponed until the next meeting.

**LETTER OF SUPPORT:** **County Economic Development Coordinator Jessica Thurman** met with the Commissioner to present a letter of support for **Leadership Montezuma Network**. Commissioner Koppenhafer moved to sign the letter of support for the Montezuma County and Montezuma Community Collective for the Montezuma Leadership Network in their proposal for the Laura Jane Masser Fund. Second by Commissioner Lindsay and carried. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay 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 Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Clerk Percell and GIS Coordinator Doug Roth, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were, specific questions pertaining to County Road Y. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** discussed a complaint filed into District Court, by Montezuma County and the (CDPHE) Colorado Department of Public Health and Environment, naming CDPHE as a respondent, regarding the Ironwood consent order, dated July 29, 2022. Attorney MacLaren gave an update on the Charles Fish Land Use contempt matter.

**GRANT COORDINATOR:** Grant Coordinator, **Nicole Glaser** met with the Commissioners to give a monthly report. Topics discussed included; the **Congressional Directive Spending**, the **Outdoor Recreation Grant**, the **CHAFFA Grant** for the Montezuma County Collaborative Work, grant opportunities for the Senior Services senior meals, a scheduled meeting with the **Fuller Foundation**, grant opportunities for the Noxious Weeds Department, the **Landscape Scale Restoration Competitive Program Grant**, the **Special Highway Committee Off System Bridge Grant** supplemental request, and the **Department of Local Affairs (DOLA) EIAF Grant** for the solar project at the Fairgrounds.

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

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson** discussed time spent on personnel matters, grant opportunities, the attended Zoom CCI legislative meeting and the scheduled CDOT meeting to discuss the **Alkalide Basin Project**. Administrator Anderson reported that Emergency Manager Spratlen had gone to Florida to help as an incident commander during hurricane Ian.

**PUBLIC HEALTH:** On behalf of the Public Health Department, **Commissioner Candelaria** presented for signature, the **Amendment to the Contract, Amendment #3 for 2021\*0191**. Commissioner Lindsay moved to sign the contract with Colorado Department of Public Health and Environment, for the original contract number 2021\*0191, Amendment #3, with a total of \$170,000.00. Second by Commissioner Koppenhafer and carried. (See attached)

**Master Task Order Contract for Amendment #1 (#23FAA00035 AMD1)** was presented for signature. Commissioner Lindsay moved to sign the Master Task Order Contract #23FAA00035 AMD1, with the State of Colorado Public Health Department and Montezuma County Commissioners. Second by Commissioner Koppenhafer and carried. (See attached)

**Task Order Contract #23FAA00035, Task Order #2023\*2233**, in the amount of \$116,927.00, for cost reimbursement for the WIC Director, was presented for signature. Commissioner Koppenhafer moved to sign the Master Task Order Contract #23FAA00035, Task Order #2023\*2233, for \$116,927.00. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the scheduled **Cortez City Council** meeting. **Commissioner Koppenhafer** reported on the attended Zoom CCI County legislative proposals and constituent discussions. **Commissioner Candelaria** discussed the attended monthly US Department of Transportation meeting, the **ClearGov Inc.** demonstration, a Meet and Greet event with candidate **Shelli Shaw**, an overview of the Monday workshop and the earlier public comments.

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

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

**MEETING ADJOURNED: 11:15 a.m.**

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

**1:30 p.m. E-911 Board**

**E-911 BOARD MEETING:** Chief Vernon Knuckles, CFO Kelly Comisky, Manager Shea Allred and Lieutenant Rick Spencer met with the Commissioners to discuss the dispatch equipment. Topics discussed included: the **Vesta** 911 Phone system upgrade, the **Revcore** voice logger, the **Eventide Voice Logger**, the **APCO IntelliComm Guide Card System & EMD Program**, the **eForce** interface for the guide card system and the Menefee EMS repeater battery backup. Commissioner Lindsay moved to expend the funds out of E911, to purchase the backup battery system, the guide card system and the interface for the guide card system, in the amount of \$59,208.83. Second by Commissioner Koppenhafer and carried. It was agreed to continue the discussion until October 18, 2022 for further review and determination.

**E911 BOARD, MOTION TO ADJOURN:** was made by Commissioner Lindsey, seconded by Commissioner Koppenhafer and carried.

**MEETING ADJOURNED: 2:02 p.m.**

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Clerk

September 27, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
October 4, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 4, 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

**CHAIRMAN, CANDELARIA** opened the meeting of October 4, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, September 27, 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 regarding a proposed 2 Lot Moderate Subdivision Application and AR3-9 Rezoning, submitted by **Leonard & Janet Maez**, on property located at 22931 Road P, Dolores, CO, consisting of 10 acres, more or less, located east of Hwy 491, north of Road P, situated in Section 32, 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. Maez 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 accept the proposed 2 lot moderate subdivision application and AR3-9 rezoning, submitted by Leonard & Janet Maez, on



property located at 22931 Road P, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a proposed Single Lot Development Application and AR3-9 Rezoning, submitted by **Leonard & Janet Maez**, on property located at 23107 Road P, Dolores, CO, consisting of 4 acres, more or less, located east of Hwy 491, north of Road P, situated in Section 32, 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. Maez 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 Koppenhafer moved to approve the single lot development application and AR3-9 rezoning, submitted by Leonard & Janet Maez, on property located at 23107 Road P, Dolores, CO, consisting of 4 acres, more or less. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**COUNTY ADMINISTRATOR REPORT:**

**PAYABLE EXPENDITURE REPORT:** County Administrator, **Travis Anderson** presented for approval, the August 2022 Accounts Payable Expenditure Reports in the amount of \$3,995,146.15. Commissioner Koppenhafer moved to approve the payables for the month of August 1, 2022 through August 31, 2022 for Montezuma County expenditures. Second by Commissioner Lindsay and carried. (See attached)

**TRANSFER ORDER #5-2022:** Administrator Anderson presented for approval, Transfer Order #5-2022, a transfer of \$520.00 from the Road and Bridge Fund (002) to the General Fund (001) to correct a Weed Department deposit error. Commissioner Lindsay moved to approve transfer order #5-2022, in the amount of \$520.00 from the Road and Bridge Fund to the General fund to correct a Weed Department deposit error. Second by Commissioner Koppenhafer and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a proposed Single Lot Development Application and AR3-9 Rezoning, submitted by **Howard Terrell**; agents: **Katie & Travis Ramos**, on property located at 32471 Road M, Mancos, CO, consisting of 49.90 acres, more or less, located west of Road 33, north of Road M, situated in Section 12, 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. Ramos 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 **Mark Christiansen**. Hearing no further 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 application and AR3-9 rezoning, submitted by Howard Terrell; agents: Katie & Travis Ramos, on property located at 32471 Road M, Mancos, CO, consisting of 49.90 acres. Second by



Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley**, along with **Assistant, Duncan**, presented for discussion and approval of an After-The-Fact Variance, submitted by **Arvell Lamb**, on property located at 15297 Road CC, Pleasant View, CO, consisting of 0.91 acres, more or less, located west of Hwy 491, north of Road CC, situated in Section 31, Township 39N, Range 17W, N.M.P.M. **Agent, Robin Rice** was present. Commissioner Koppenhafer moved to approve the after the fact variance submitted by Arvell Lamb, on property located at 15297 Road CC, Pleasant View, CO, consisting of 0.91 acres and the setbacks for the out buildings on the north side of property. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC COMMENT:** Public comment was made by **Mark Christiansen**.

**DISCUSSION:** From the **Human Resource Department, M. Lynn Dorenkamp** and **Benefit Health Advisor, Jake Zehnder** met with the Commissioners to discuss the County's **Health Insurance Options**. Commissioner Lindsay moved to accept, option Plan B for health insurance for Montezuma County. Second by Commissioner Koppenhafer and carried. (**Cigna**)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the month of October, 2022 and gave an overview of the type of work scheduled. Superintendent Englehart presented the Montezuma County/DOLA Road Projects Report. Other topics discussed included; the Alkali Creek Bridge Project, grant opportunities, scheduled ICS trainings and the Montezuma Water Company membership fees. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; budget amendments, 2022 weed guides, funds received, grant applications, the scheduled Applicator Training, the Yellow Starthistle, a report on current departmental projects and treatment of the Russian Knapweed. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. A discussion was held regarding the new quotes received for the purchase of a compost turner. Commissioner Koppenhafer moved to approve the purchase of the Baccas A58 wind row turner, for the Landfill at \$409,500.00, as the lowest bid. Second by Commissioner Lindsay and carried. Other topics discussed included: the Carver Field, culverts, road maintenance, the cardboard stock pile, compost and the mattress income. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; 57,550 in attendance, Revenues at \$74,278.49 and Expenditures at \$194,098.06. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the fire suppression system, the Montezuma Water Company membership fees, the outdoor restrooms site study/retrofit and upgrade project. The Commissioners were in agreement to move forward with drawings for the Outdoor restroom project. (See attached)

## **UNFINISHED BUSINESS:**

**LIQUOR LICENSE:** Deputy Clerk, **Jerri Frizzell** met with the Commissioners to present a liquor license renewal application for the **Maverick Country Stores Inc. #275**, located at 10223 US Hwy. 491, Cortez Co 81321. Commissioner Lindsay moved to accept the liquor license renewal for Maverick Stores, at 10223 US Hwy. 491, Cortez. Second by Commissioner Koppenhafer and carried. (See attached)

**Deputy, Frizzell** presented a liquor license renewal application for **Ted R. Lawrence dba Log Cabin Liquor**, 41980 Hwy 160, Mancos, Co. 81328. Commissioner Koppenhafer moved to approve the renewal, for Log Cabin Liquor, license at 41980 Hwy 160, Mancos, Co. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION:** A discussion was held regarding the **Cortez Farmers Market** request for the expansion of their area. The Commissioners were in agreement to deny the area expansion request.

**RESOLUTION #11-2022:** Attorney MacLaren presented for approval, **Resolution #11-2022**, an **Order Declaring a Disaster in and for Montezuma County, Colorado**. Commissioner Koppenhafer moved to approve Resolution 11-2022, an order declaring a disaster in and for Montezuma County Colorado. Second by Commissioner Lindsay and carried. (See attached)

**FEE WAIVER:** From the **Veterans of Foreign Wars (VFW) Post 5231, Commander Tommy Endres**, met with the Commissioners to make a yearly request that the Annex fees be waived for the following events; the monthly meetings, the scheduled September 16, 2023, Stand Down event and a “to be determined” district meeting. Commissioner Lindsay moved to waive the fees for VFW Post 5231, for the use of the Senior Center as presented. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** A discussion was held regarding the proposed **Land Use Priority List**. The Commissioners were in agreement, of the direction given to Attorney MacLaren to move forward with properties on Road P, Road 26.5 and Road 25.

**DISCUSSION:** A discussion was held regarding the proposed **Senior Center Fee Structure**. Commissioner Koppenhafer moved to increase the rates for using the County Annex I, to \$125.00 for a half day, \$250.00 for a full day and \$80.00 per event for IT. Second by Commissioner Lindsay and carried.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, met with the Commissioner to give a weekly report. Topics discussed included; the CFLRP Collaboration meeting, the BLM Big Game Corridor meeting, the DWARF Collaborative meeting, the General Services Agreement regarding the IHOP Strategic Housing Grant, the RFP for the Orrick Grant, the Rocky Mountain Restoration Initiative meeting and scheduled field trips to Chicken Creek and Summit Lake.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** reported on the attended Cortez City Council meeting and constituent discussions. **Commissioner Koppenhafer** reported that there was no Mancos Town

Board meeting, but gave an update on their Groundhog water project. **Commissioner Candelaria** discussed the attended Alkali Creek Bridge project meeting, the Region 9 directors meeting, the Housing Authority meeting, the Monday workshop, the CCI Legislative discussion and Mr. Christiansen's earlier public comments. Attorney MacLaren gave an overview of the filed complaint on the Ironwood property.

Chairman Candelaria announced the meeting would reconvene at 1:30 p.m., as the **Board of County Health**.

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

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

**MEETING ADJOURNED: 11:31 a.m.**

**MONTEZUMA COUNTY BOARD OF HEALTH MEETING: 1:30 p.m.**

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Clerk

October 4, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
October 11, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 11, 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

**CHAIRMAN, CANDELARIA** opened the meeting of October 11, 2022 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 Tuesday, October 4, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment and AR3-9 Rezoning Application to Lot #2 of the **Hover Family Tracts** 3 Lot Moderate Subdivision, submitted by **Glen & Ruth Hover**, on property located at 29621 Road M, Dolores, CO, consisting of 12.44 acres, more or less, located east of Road 29, north of Road M, situated in Section 9, 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. Hover 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 Lindsay moved to continue the public hearing to November 1, 2022 at 9:00 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Minor Subdivision & Rezoning Application, submitted by **Keith & April Gray**, on property located at 18255 Road DD, Pleasant View, CO, consisting of 40 acres, more or less, located east of Road 18, north of Road DD, situated in Section 27, T.39N, R. 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Gray 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 Lindsay moved to continue the public hearing for Keith and April Gray, to November 15, 2022 at 9:40 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

**Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** reported that the Mylar for a Subdivision Amendment and AR3-9 Rezoning to Lot #2 of the Hover Family Tracts 3 Lot Moderate Subdivision, submitted by **Glen & Ruth Hover**, on property located at 29621 Road M, Dolores, CO, consisting of 12.44 acres, more or less, located east of Road 29, north of Road M, situated in Section 9, T.36N, R.15W, N.M.P.M. was postponed to a later date.

**Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for approval and signatures of a Mylar and Exemption for **Montezuma County**, on property located at 10459 Road 42, Mancos, Colorado, consisting of 49.47 acres, more or less, owned by Montezuma County, located east of Highway 184, West of Road 42, situated in in Sections 21 & 22, Township 36N, Range 13W, N.M.P.M. Commissioner Lindsay moved to sign Exemption Resolution #4-2022, for the County gravel pit to the Town of Mancos, and also the quit claim deed, there in. Second by Commissioner Koppenhafer and carried. (See attached)

**Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signature of an application for the Vacation of a section of **Road Y**, located along the eastern boundary of Government Lot 13, situated in Section 31, Township 38N, Range 18W, N.M.P.M. Commissioner Koppenhafer moved to proceed with the hearing to vacate the end of Road Y, basically in the Canyon of Ancients National Monument. Second by Commissioner Lindsay and carried. (See attached)

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

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Topics discussed included; delivery of the new Maintenance pickup, the old Maintenance vehicle transfer to the Landfill, the order cancellation of the Emergency Manager and Coroner vehicles, the 2023 units that had been ordered, vehicles to be sold, the Departmental Vehicle Share Program, and current staffing.

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** reported on the grounds and buildings. Topics discussed included the Detention Center Cooler and Freezer Condenser and Evaporator Replacement, the County Procurement Policy, the installation of a split system for MOCO Transportation, filter changes at the Combined Courts Building, the Annex III / Assessor's office project, winterizing water systems and the Combined Court landscaping project. (See attached)

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Topics discussed included; computer refresh programming for Social Services and the Health Department, wiring for a door at Annex I, a camera replacement project at the Sheriff's Office, and future intercom replacements at the Sheriff's office. Director McClain gave an update on the Broadband project.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Nolan Notah** met with the Commissioners to give a monthly report. Specialist, Notah introduced himself to the board. Other topics discussed included; a departmental tour for Specialist Notah, the Landfill GPS unit, placing red road signs in the Lost Canyon Ranch area and notices mailed to land owners regarding the proposed Road Y vacate. (See attached)

#### **UNFINISHED BUSINESS:**

**DISCUSSION: Fairgrounds Manager, Justin McGuire** met with the Commissioner to discuss the cost of the **Fairgrounds Suppression System** and the **Montezuma Water Company** membership fees. The Commissioners were in agreement to postpone the discussion until the October 18, 2022 Commissioner meeting.

**LETTER OF SUPPORT:** From the **City of Cortez, Grant Administrator, Scott Baker** met with the Commissioner to request a letter of support addressed to the **United States Department of Transportation**, regarding the **City of Cortez, Reconnecting Communities Pilot Discretionary Grant** application. Commissioner Lindsay moved to sign the letter of support for the City of Cortez, Reconnecting Communities Pilot planning project. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** A supplemental letter addressed to **Eric Bergman, Colorado Counties Inc.** regarding the **Supplemental Funding Request, BRO C320-004 (22521)** was presented for approval. Commissioner Koppenhafer moved to sign the supplemental funding request BRO C320-004. Second by Commissioner Lindsay and carried. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay 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 Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the Ironwood litigation. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the Mancos gravel pit Resolution and civil cases.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended CCI legislative meeting, the scheduled



Cortez City Council meeting and offered congratulations to the Plewe family. **Commissioner Koppenhafer** gave an update on the Groundhog water project. **Commissioner Candelaria** discussed the Statewide Transportation Advisory Committee (STAC) meeting, the CCI legislative meeting, the Dolores Town Board meeting and a Public Health Department document to sign. Commissioner Candelaria discussed a request to sign a **Proclamation** for the **Catholic Daughters of the Americas**. Commissioner Koppenhafer moved to have Commissioner Candelaria sign the proclamation. Second by Commissioner Lindsay and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Director Dietrich reported that **Bureau of Land Management, Connie Clementson** had retired. Other topics discussed included; the attended (RMRI) Rocky Mountain Restoration Initiative field trips to the Reddert Ranch near Chicken Creek and Summit Lake, the attended BLM Gunnison Sage Grouse meeting, the kick off meeting for the Affordable Housing Grant, the attended Mancos Source Watershed Protection Plan meetings, the Combined Court Building landscaping project and the Outdoor Recreation Grant award.

**COUNTY ADMINISTRATOR REPORT: County Administrator, Travis Anderson**, discussed the Outdoor Recreational Grant phone call and the attended Road & Bridge / Vehicle Maintenance Departmental visit.

**PAYABLE EXPENDITURE REPORT:** Administrator Anderson presented for approval, the July 2022 Accounts Payable Expenditure Reports in the amount of \$4,270,487.89. Commissioner Lindsay moved to authorize the July payable expenditures in the amount of \$4,270,487.89. Second by Commissioner Koppenhafer and carried. (See attached)

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

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

**MEETING ADJOURNED: 11:05 a.m.**

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Clerk

October 11, 2022

Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
October 18, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 18, 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

**CHAIRMAN, CANDELARIA** opened the meeting of October 18, 2022 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 Tuesday, October 11, 2022, as presented. Motion was seconded by Commissioner Koppenhafer and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for approval and signatures, a Variance Application, submitted by **Henes Enterprises, LLC**, on property located at 24114 Road 37, Dolores, CO, consisting of 1.32 acres, more or less, east of Hwy 145, situated in Section 11, T. 38N, R. 14W, N.M.P.M. Commissioner Lindsay moved to accept the variance application, submitted by Henes Enterprises, LLC, on property located at 24114 Road 37, Dolores, CO. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** Director, Haley gave an update on the **Love's Travel Stops & Country Stores, LLC** project and the **Elegant Hills Mobile Home Park**.

**PUBLIC COMMENT:** Public comment was made by **Kim Haas**.

**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 **Perdium 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 **September Operational Expense Report** and the **Monies Paid to the General Fund Report**. Sheriff Nowlin presented for approval, the Montezuma County Sheriff **DOJ JustGrants #15JCOPS-22-GG-04824-PPSE** in the amount of \$67,500.00. Commissioner Lindsay moved to expend the DOJ JustGrants #15JCOPS-22-GG-04824-PPSE funds, in the amount of \$67,500.00, for the Sheriff's office. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** Sheriff, Nowlin, along with, **Regional Sales Manager, Tim Quintana** and **Regional Nursing Supervisor, Amber Fender**, from the **Southern Health Providers**, met with the Commissioner to discuss the proposed Southern Health Providers program and contract. The Commissioners were in agreement to postpone the discussion until the October 25, 2022 meeting, to allow the County Attorney time to review the proposed contract. (See attached)

**COUNTY CORONER:** Coroner, George Deavers met with the Commissioners to give a monthly report. Topics discussed included; the September numbers, the Total to Date numbers, total cases, calls to date, hospice deaths, motor vehicle accidents, suicides, over dose deaths, homicides and autopsies. (See attached)

**EMERGENCY MANAGEMENT:** Emergency Manager, Jim Spratlen met with the Commissioner to give a monthly report. Manager Spratlen gave a situation report on fire conditions, local water supplies, Groundhog Reservoir, Jackson Lake, Narraguinnep Reservoir, McPhee Reservoir, a COVID update, the mobile sub-station, the repaired Mancos transformer, Denver Air, the Community Wildfire Protection Plan, the 3<sup>rd</sup> quarter EMPG grant award, generator grant applications, public education and completed radio training. Manager Spratlen gave an overview of his work in Florida, with the Colorado Incident Management Team during the recent hurricane Ian. (See attached)

**CORTEZ FIRE PROTECTION:** Lieutenant, Rick Spencer met with the Commissioners to give an update from the Cortez Fire Protection District. Topics discussed included; 251 September calls of service, overlapping calls for service, 2679 year to date incidents and 462 September training hours. A discussion was held regarding a proposed county wide extrication class, sponsored by the **Montezuma County Fire Chiefs Association**, to be held March 11 and 12, 2023, at the County Fairgrounds. The Commissioners were in agreement to postpone the proposal discussion for the Monday, October 24, 2022 Workshop meeting.

**DISTRICT ATTORNEY:** Office Manager, Clarisa Feuilly met with the Commissioners to give a monthly report. Topics discussed included; a statistical overview of cases, staffing needs, assistance from the District Attorney Council or the Attorney General, homicide cases, the diversion programs, summer internship programs, housing costs, strategic advertisements, Public Service Loan Forgiveness programs, the Alternate Defense Council and emergency planning. (See attached)

**UNFINISHED BUSINESS:**

**RESOLUTION#12-2022:** Attorney, MacLaren presented for approval Resolution #12-2022, **A Resolution Appointing Zoning Official for Montezuma County, Colorado.** Commissioner Koppenhafer moved to approve resolution #12-2022, WHEREAS, the Board of County Commissioners, Montezuma County is committed to enforcing the Montezuma Land Use Code, and will appoint **Don Haley**, as the individual serving in the capacity of Planning Director as our “county zoning official”. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** discussed BOCC Board appointments, gave an update on the Ironwood Group, LLC property complaint, day to day operations and ongoing civil matters.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, met with the Commissioner to give a weekly report. Director Dietrich presented letters of support addressed to **Tom Metsa, OHV Program Manager**, Colorado Park and Wildlife regarding the **CPW Motorized Trail Grants** and to the **Colorado State Forest Service**, regarding the **Forest Restoration & Wildfire Risk Mitigation Grant (FRWRM)**. Commissioner Koppenhafer moved to sign the CPW Motorized Trail Grants, between Montezuma County and the Colorado Parks and Wildlife. Second by Commissioner Lindsay and carried. Commissioner Lindsay moved to sign the letter of support from Montezuma County supporting the Mancos Conservation Districts’ submission for the Forest Restoration & Wildfire Risk Mitigation Grant Program. Second by Commissioner Koppenhafer and carried. Other topics discussed included; an attended CWPP stakeholder meeting, a scheduled DWARF Coordination Committee meeting, the Outdoor Recreation Grant and the Affordable Housing Grant. (See attached)

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson**, discussed day to day activities, the proposed budget submission, a meeting with City of Cortez Manager, Drew Sanders and additional budget discussions. Administrator Anderson reminded the Board that the 5X5 breakfast meeting was scheduled October 31<sup>st</sup> at the Dolores Community Center.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council meeting, constituent discussions, the scheduled November 9th electrical outage in the Mancos area, the Empire Electric rates and the attended meeting with Attorney General, Phil Weiser. **Commissioner Koppenhafer** gave an overview of the attended Mancos City Council and the Southwestern Water Conservation District meetings. **Commissioner Candelaria** discussed the public comments made by Kim Haas, the BOCC Board appointments, the attended (TPR) Southwest Transportation Planning Region meeting, the attended meeting with Attorney General, Phil Weiser and the Resiliency Road Maps Recovery for COVID meeting.

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

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

**MEETING ADJOURNED: 11:05 a.m.**

**CORRESPONDENCE:** The following correspondence was read and noted: Emails from **Ingrid Ward**

**1:30 p.m. E-911 Board**

**E-911 BOARD MEETING:** Cortez City Manager Drew Sanders, Police Chief Vernon Knuckles, CFO Kelly Comisky, IT Manager Shay Allred, and Dispatch Supervisor Lori Johnson met with the Commissioners to discuss the **Revcore** and **Eventide**, the **Vesta Phone System** and the proposed **E-911** fee increase. The Commissioners were in agreement to postpone the decision on the Revcore, Eventide and the Vesta Phone System until the Tuesday October 25, 2022 meeting. Commissioner Lindsay moved to increase the ETA receipts from \$1.40 to \$1.97. Second by Commissioner Koppenhafer and carried. (See attached)

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

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

**MEETING ADJOURNED: 2:15 p.m.**

\_\_\_\_\_  
Clerk

October 18, 2022

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
October 25, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 25, 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

**CHAIRMAN, CANDELARIA** opened the meeting of October 25, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, October 18, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for an Amendment and AR3-9 Rezoning to the **Mesa Foothills 2 Lot Minor Subdivision, Lot #2**, submitted by **Jeff Oakey**, on property located at 30214 Road H, Cortez, CO, consisting of 18.10 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.

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a 2 Lot Minor Subdivision & Rezoning, submitted by **James Shaner**; agent: **Logon Vogt**, on property located at 7601 Road 37, Mancos, CO, consisting of 35.03 acres, more or less, located south of Hwy 160, west of Road 37, situated in Section 3, T.35N., R.14W., N.M.P.M.

**PLANNING: Director, Haley** along with **Assistant, S. Jane Duncan** reported the Mylar for a Boundary Line Adjustment of the Simmons Single Lot Development, submitted by **Patsy Lou Simmons**; agent: **Dennis Giesler**, on property located at 25409 Road H, Cortez, CO, consisting of 21.16 acres, more or less, situated east of Road 25, north of Road H, situated in Section 35, T.36N, R.16W, N.M.P.M., was not available at this time.

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

**UNFINISHED BUSINESS:**

**DISCUSSION:** It was reported that **Maintenance Supervisor, Dustin Sattler** and **Sheriff Nowlin** will review the Detention Center cooler & freezer bids and then will present recommendations to the Board during the October 31<sup>st</sup> Workshop meeting.

**DISCUSSION: Emergency Manager, Jim Spratlen** met with the Commissioners to present for approval the **Local Share Commitment Letter for Montezuma County COOP Generator Project**. Commissioner Lindsay moved to sign the grant application commitment letter, for Montezuma County COOP Generator Project, in the amount of \$162,368.00, which our match will be \$16,237.00. Second by Commissioner Koppenhafer and carried (See attached)

**DISCUSSION:** Sheriff Nowlin met with the Commissioners to discuss the **Southern Health Partners Proposal**. The Commissioners were in agreement to postpone the decision until the November 15, 2022 meeting for further contract review.

**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, Sara Kuhn** 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**, September 2022 was presented for the record. Other topics discussed included; the September 2022 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. Officer Kuhn gave an overview of scheduled Veteran's Day events. (See attached).

**ADDITIONAL UNFINISHED BUSINESS:**

**DISCUSSION: Lieutenant, Rick Spencer** met with the Commissioners to discuss the **Montezuma County Fire Chiefs Association**, County Fairground fee waiver request. Commissioner Lindsay moved to waive the fees for the Montezuma County Fire Chiefs Association, for use of the Fairgrounds, on the 11<sup>th</sup> and 12<sup>th</sup> of March 2023. Second by Commissioner Koppenhafer and carried.

**DISCUSSION:** A discussion was held regarding the **BOCC Appointed Board Positions**. The list will be reviewed for further discussion. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay 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 Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding potential litigation that the County may be facing. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren discussed the mailed Land Use Code violation letters.

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

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson, reported on the attended Grand Opening for the Montezuma County Historical Society Museum, an attended meeting with Cortez City Manager, Drew Sanders and the Ute Mountain Ute Tribe regarding the Lake Nighthorse water project and a proposed draft budget / finance policy.

**PAYABLE EXPENDITURE REPORT:** Administrator Anderson presented for approval, the September 2022 Accounts Payable Expenditure Reports in the amount of \$3,337,738.50. Commissioner Lindsay moved to accept the financials for the month of September, 2022, in the amount of \$3,337,738.50. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended grand opening for the Montezuma County Historical Society Museum, the scheduled Cortez City Council meeting and constituent discussions. **Commissioner Koppenhafer** gave an update on the Groundhog project and discussed constituent phone calls. **Commissioner Candelaria** discussed the monthly check in with the US DOT Infrastructure Law Implementation and the attended (WUI) Wildland Urban Interface Code Board deep dive meeting, a tour of the Groundhog project, a review of the Monday Workshop, and the attended Dolores Town Council meeting.

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

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

**MEETING ADJOURNED: 10:40 a.m.**

**1:30 p.m. E-911 Board**

**E-911 BOARD MEETING:** From the City of Cortez, **Police Chief, Vernon Knuckles, CFO Kelly Koskie, IT Manager Shay Allred, Attorney Patrick Coleman**, along with **Eric Simmons** and the County, **GIS Manager, Doug Roth** met with the Commissioners to discuss the **Revcore**, the **Eventide Logger** (\$102,755.00) and the **Vesta 911 Phone System**



(\$421,009.97). Commissioner Lindsay moved to set aside the funds from the E911 fund for the Vesta System and the Eventide System. Second by Commissioner Koppenhafer and carried.

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

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

**MEETING ADJOURNED: 2:20 p.m.**

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Clerk

October 25, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
November 1, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 1, 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

**CHAIRMAN, CANDELARIA** opened the meeting of November 1, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, October 25, 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 and AR3-9 Rezoning Application to Lot #2 of the **Hover Family Tracts** 3 Lot Moderate Subdivision, submitted by **Glen & Ruth Hover**, on property located at 29621 Road M, Dolores, CO, consisting of 12.44 acres, more or less, located east of Road 29, north of Road M, situated in Section 9, 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. Hover 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 accept the proposed subdivision amendment and AR3-9 rezoning application to lot #2 of the Hover Family Tracts 3 Lot Moderate Subdivision, submitted by Glen & Ruth

Hover, on property located at 29621 Road M, Dolores. Second by Commissioner Koppenhafer. With two votes in favor from Commissioners Lindsay and Koppenhafer and one vote against from Commissioner Candelaria the motion carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Subdivision Amendment and AR3-9 Rezoning to Lot #2 of the **Hover Family Tracts 3 Lot Moderate Subdivision**, submitted by **Glen & Ruth Hover**, on property located at 29621 Road M, Dolores, CO, consisting of 12.44 acres, more or less, located east of Road 29, north of Road M, situated in Section 9, T.36N, R.15W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment of the Simmons Single Lot Development, submitted by **Patsy Lou Simmons**; agent: **Dennis Giesler**, on property located at 25409 Road H, Cortez, CO, consisting of 21.16 acres, more or less, situated east of Road 25, north of Road H, situated in Section 35, T.36N, R.16W, N.M.P.M.

**PUBLIC COMMENT:** Public comment was made by Dexter Gill. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the month of November, 2022 and gave an overview of the work scheduled. Other topics discussed included; the delivery of the ordered blades, annual checks and DOT inspections for the snow plows. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; a local population of Cyprus Spurge, Russian Knapweed treatments and areal maps of treated property, RCPP, Non-native phreatophyte removal projects, funding, the 2022 Fall Applicator Training event, upcoming projects and future needs. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; a proposed hazard waste program, the trash pick-up event on Road G sponsored by Osprey Packs, chips coming in from the Ironwood property, delivery of the new county vehicle, and the new compost windrow turner. Manager Jarmon gave an update on the Carver Field project. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; 59,110 in attendance, Revenues at \$78,875.99 and Expenditures at \$208,191.92. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; a scheduled meeting with Montezuma Water Company to discuss the fire suppression system. A discussion was held regarding a proposed Commissary Agreement. Commissioner Koppenhafer moved to approve Manager McGuire, to enter in to a contract for the commercial kitchen, for an event to produce a CBD product, for hemp processing. Second by Commissioner Lindsay and carried. (See attached)

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO):** MCCO Manager, **Jennifer Morris** met with the Commissioners to present for approval, the updated **Drug and Alcohol Testing Policy for MOCO Public Transportation Adopted as of 4/27/2021.** Commissioner Lindsay moved to sign the Drug and Alcohol Testing Policy for MOCO Public Transportation adopted as of 4/27/2021. Second by Commissioner Koppenhafer and carried. (See attached)

**CSU EXTENSION OFFICE:** Extension Director, **Emily Lockard** met with the Commissioners for a monthly report. Topics of the discussion included; the recent office closure due to flooding, posting the available 4-H position, the Program Assistant position, the CSU Advisory Board and Bylaws, the Achievement Night event, a Young Professionals award presented to Director Lockard, attendance at the CSU yearly forum event, a presentation for the High Desert Conservation District, the attended Annie's Project Stakeholder meeting, a Drought Plan Program, the Incentive Program, the Master Gardner Classes, the scheduled Statewide Food Summit, a proposed Master Irrigator Course and the Rangeland Restoration Project.

**UNFINISHED BUSINESS:**

**DISCUSSION:** The Detention Center cooler & freezer discussion. Commissioner Lindsay moved to accept Urban Country Services bid for the freezer condenser and evaporator replacement at the jail, in the amount of \$25,500.00. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** A discussion was held regarding the **BOCC Appointed Board Positions.** The list was reviewed and updated. There will be further discussion to review terms and bylaws.

**FAIRBOARD APPOINTMENTS:** Letters of interest were received from **Tammy Hampton** and **Jessica Thurman.** Commissioner Lindsay moved to appoint Tammy Hampton and Jessica Thurman to the Montezuma County Fair Board, to complete the two terms that were vacated. Second by Commissioner Koppenhafer and carried. (See attached)

**RESOLUTION #13-2022:** The Commissioners were in agreement to postpone this discussion to the E911 Board Meeting scheduled November 7, 2022 at 3:00 p.m.

**DISCUSSION:** A discussion was held regarding requests to waive the Annex fees for upcoming events. It was agreed that the item would be placed on the November 15, 2022 agenda for determination.

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the Ironwood property compliance case, a Land Use Code complaint for a property on Road P and the Social Service's Child protection cases.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich,** met with the Commissioner to give a weekly report. Topics discussed included; the Big Game Resource Management Plan, the attended CWPP stakeholders meeting, the scheduled Economic Development Team meeting, the scheduled SW Co. CFLRP Coordinating Council meeting, the scheduled BLM Gunnison Sage Grouse meeting, the scheduled Office of Economic

Development meeting to discuss the Outdoor Recreation Grant and the Chicken Creek Trail reroute proposal from the Forest Service.

Director, Dietrich, presented for approval a letter of support, addressed to the **Southwest District RAC**, attention **Shawn Reinhardt**, in regards to the re-appointment of James Dietrich to the **BLM Southwest Colorado Resource Advisory Council (SWRAC)**. Commissioner Lindsay moved to sign the letter of support for James Dietrich, for the (RAC) Resource Advisory Council. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson, no report given.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported that he had attended a virtual Commissioner Orientation, that he had not attended the Mancos Town Council meeting and constituent discussion. **Commissioner Lindsay** reported on the attended Cortez City Council meeting, the 5X5 breakfast meeting, and constituent discussions. **Commissioner Candelaria** discussed an attended Candidate forum, and interview with the One Small Step Program, the attended S.W. T.P.R. meeting, the Housing Authority meeting, the 5X5 Breakfast meeting and a review of the Monday Workshop.

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

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

**MEETING ADJOURNED: 11:08 a.m.**

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Clerk

November 1, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
November 15, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 15, 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

**CHAIRMAN, CANDELARIA** opened the meeting of November 15, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, November 1, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held, to consider Resolution #13-2022, a resolution to vacate and abandon a portion of **County Road Y**, crossing lands owned by the **Bureau of Land Management** and **Cortez, LLC**, beginning at a point along the eastern boundary of Government Lot 13 within the NW/4SW/4 of Section 31 Township 38n Range 18w NMPM, following a westerly and southerly direction, terminating at a point along the eastern boundary of Government Lot 1, within the SW/4/NE/4 of Section 11 Township 37n Range 19w, a road approximately 3 and 1/10ths of a miles in length. The roll was called, the public notice read, and the proceedings were recorded for the record. **GIS Manager, Doug Roth** presented the details of **Resolution #13-2022**. Commissioner Candelaria opened the hearing to public comment. **John Zimmerhackel** made public comment by Zoom. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve Resolution #13-2022, for the proposed

abandonment of a portion of Road Y crossing lands owned by Cortez, LLC within Sections 1, 2, 11 and 12 of Township 37 north, Range 19 west N.M.P.M. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Nolan Notah** met with the Commissioners to give a monthly report. Topics discussed included; addressing, field checks, BLM trail data, the Aqueduct trail system, the property owners and agency address notifications.

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give a monthly report. Coroner Deavers reported on the October Coroner cases, Hospice cases and Autopsies. Other topics discussed included; year to date numbers for total cases, coroner cases to date, hospice deaths, motor vehicle accident deaths, suicides, overdose deaths, homicides, autopsies, the total income from autopsies and an update on the La Plata County autopsy facility. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for the purpose of reviewing and determining the official **2022 County Road Map and Resolution 14-2022**, which includes, but is not limited to, determining a system of primary and secondary county roads, reviewing changes to the road system and specifying a 60-foot right of way for all county roads. The roll was called, the public notice read, and the proceedings were recorded for the record. **GIS Manager Doug Roth** presented the details of **Resolution #14-2022**. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Elicia Bellmire, Randy Smith and Rick Spencer / Cortez Fire**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to adopt Resolution 14-2022, the adoption of the 2022 county road map, which includes, but is not limited to, determining a system of primary and secondary county roads, reviewing changes to the road system and specifying a 60-foot right of way on all county roads. 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 regarding a proposed 2 Lot Minor Subdivision & Rezoning Application, submitted by **Keith & April Gray**, on property located at 18255 Road DD, Pleasant View, CO, consisting of 40 acres, more or less, located east of Road 18, north of Road DD, situated in Section 27, T.39N, R. 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Gray 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 Koppenhafer moved to approve the proposed 2 lot minor subdivision and rezoning application, submitted by Keith & April Gray, on property located at 18255 Road DD, Pleasant View, CO. Second by Commissioner Lindsay 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 a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Christopher Cutrone**, on property located at 15125 Road 28, Dolores, CO, consisting of 40 acres, more or less, located west of Road 28, east of Hwy 145, situated in Section 29, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Cutrone 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 single lot development and AR3-9 rezoning application, submitted by Chris Cutrone, on property located at 15125 Road 28, Dolores. 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 a proposed Subdivision Amendment Application to Lots 1 and 21 of the Butler Subdivision, submitted by **Henes Enterprises, LLC**, on property located at 24114 Road 37, Dolores, CO, consisting of 1.32 acres, more or less and **Holpuch Family Trust**, located at 24118 Road 37, Dolores, CO, consisting of 11.90 acres, more or less, both located east of Hwy 145, situated in Section 11, T.38N, R.17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Henes 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 Koppenhafer moved to approve the proposed subdivision amendment application for lots 1 and 21 of the Butler Subdivision, submitted by Henes Enterprises, LLC, on property located at 24114 Road 37, Dolores. Second by Commissioner Lindsay 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 a proposed Common Lot Line Change to Lot #s 13 & 15, of the **Rustic Ridge** Phase II subdivision, submitted by **Troy & Lori Mott**, on properties located at 26972 Road T.8 & TBD Road T.8, Dolores, CO, both consisting of 3.50 acres, more or less, both located east of Road 27, south of Road T.8, situated in Section 13, 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. Mott 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 common lot line change to lot numbers 13 and 15, of the Rustic Ridge Phase II subdivision, submitted by Troy and Lori Mott, on properties located at 26972 Road T.8 and TBD Road T.8, Dolores. 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 a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Brad & Keri Mustoe**, on property located at 13698 Road 17, Cortez, CO, consisting of 150.14 acres, more or less, located south of Road P, east of Road 17, situated in Section 4, Township 36N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Mustoe 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 Koppenhafer moved to approve the proposed single lot development and AR3-9 rezoning application, submitted by Brad & Keri Mustoe, on property located at 13698 Road 17, Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** along with **Assistant, Duncan** presented for signatures of an After-The-Fact Variance, submitted by **Arvell Lamb**; agent: **Robin Rice**, on property located at 15297 Road CC, Pleasant View, CO, consisting of 0.91 acres, more or less, located west of Hwy 491, north of Road CC, situated in Section 31, Township 39N, Range 17W, N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for discussion, approval and signatures of a Supplemental Mylar for a Boundary Line Adjustment submitted by **Arvell Lamb**; agent: **Robin Rice**, on property located at 15297 Road CC, Pleasant View, CO, consisting of 0.91 acres, more or less, located west of Hwy 491, north of Road CC, situated in Section 31, Township 39N, Range 17W, N.M.P.M. Commissioner Lindsay moved to approve and sign the supplemental Mylar for a boundary line adjustment submitted by Arvell Lamb; agent: Robin Rice, on property located at 15297 Road CC, Pleasant View. Second by Commissioner Koppenhafer and carried. (See attached)

**Director, Haley** along with **Assistant, Duncan** presented for signatures of High Impact Permit #101, 2nd Amended, submitted by **Basin Coop, Inc.**, Agent **Lynn Forssberg** and **Bentley Colbert** for the purpose of expanding the existing use to include a fertilizer storage and mixing facility and future general storage / store, on property located at 11722 Hwy 491, Cortez, CO, consisting of 5 acres, more or less, located north of Road L.5, east of Hwy 491, situated in S.15 T.36N., R.16W., N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for approval and signatures for a Variance Application, submitted by **Basin Co-op, INC**; agent: **Don Dukart**, on property located at 11654 Hwy 491, Cortez, CO, consisting of 9.87 acres, more or less, situated in Section 15, T.36N, R.16W, N.M.P.M. Mr. Dukart was present. Commissioner Koppenhafer moved to sign the variance application, submitted by Basin Co-op, agent: Don Dukart, on property located at 11654 Hwy 491, Cortez, CO., varying the setback from 50 foot to 41 foot on the south side of the lot. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** discussed property Land Use Code violation letters and advertising for two retiring members of the Planning and Zoning Board.

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

**GROUND AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioner to give a monthly report. Supervisor Sattler discussed the Detention Center walk in's schedule, the asphalt repair project at the Combined Courts building, gave an update on the Annex III basement office project, the 2023 janitorial bid walk through and the completion of the kitchen hood, fire extinguisher inspections along with fire backflows testing.

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain discussed the switch over project, the new cameras at the Sheriff's Department and presented the year to date calls of service report. (See attached)

**DISTRICT ATTORNEY: District Attorney, Matt Margeson** met with the Commissioners to give a monthly report. District Attorney Margeson discussed the hiring of a new applicant, gave an update on staffing issues.

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion the **Monthly Situational Report**. Other topics discussed included; updates on grant applications, trainings and signatures for the CWPP. (See attached)

**CORTEZ FIRE PROTECTION: Lieutenant, Rick Spencer** met with the Commissioners to give an update from the Cortez Fire Protection District. Topics discussed included; 262 monthly calls of service, 2930 year to date calls for service, individual member calls, 534 monthly training hours, the Countywide Fire Academy and the volunteer membership program.

**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 **Perdium 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 **July Operational Expense Report** and the **Monies Paid to the General Fund Report**. Sheriff Nowlin reported that the **Southern Health Partners** contract would be presented for approval at a later date. Other topics discussed included; the Town of Dolores 2023 Sheriff's Contract, the Victim Witness Coordinator position and a request to increase a Deputy's salary. (See attached)

**UNFINISHED BUSINESS: DISCUSSION: Annex Fee Waiver Requests:** It was reported that donations had been offered to pay the Annex I building usage fees for both scheduled events.

**DISCUSSION: Weed Department, Grant Letter of Commitment.** Not presented.

**DISCUSSION: IGA with CDOT for Paths to Mesa Verde.** Not presented.

**DISCUSSION: Appointment to the Southwest Water Conservancy District:** A discussion and decision related to Board appointee to the Southwest Water Conservancy District.

Commissioner Lindsay moved to appoint Gerald Koppenhafer to the Southwest Water Conservancy District Board of Directors. Second by Commissioner Candelaria and carried (See attached)

**DISCUSSION: CDOT Contract OLA Montezuma County (25303) 331002873 MTF C320-006** was presented for approval. Commissioner Lindsay moved to sign CDOT contract OLA Montezuma County (25303) 331002873 MTF C320-006. Second by Commissioner Koppenhafer and carried. (See attached)

**TRANSFER ORDER #6-2022:** Transfer Order #6-2022, a transfer of \$39,343.50 from General Fund (001) to Public Health Fund (003) for 2022 per capita calculations, was presented for approval. DOLA estimates the population of Montezuma County to be 26,229.  $26,229 \times \$1.50 = \$39,343.50$ . Commissioner Lindsay moved to sign Transfer Order #6-2022, Public Health per capita, a transfer of \$39,343.50 from General Fund to Public Health Fund for the 2022 per capita calculations. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed reviewing contracts and gave an update on the Road 41 case, land use enforcements, as well as the Ironwood property compliance case.

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

**COUNTY ADMINISTRATOR REPORT: County Administrator, Travis Anderson**, discussed the attended stakeholder meeting regarding the Lake Nighthorse water project.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council meeting, the attended Hospital District Board meeting the American Legion's Veterans Day breakfast and the Veterans Day parade. **Commissioner Koppenhafer** discussed the attended Mancos Town Council meeting. **Commissioner Candelaria** discussed attended budget discussions, the State Transportation Advisory Committee meeting, the Southwest TPR meeting, the Monday workshop, the Highway Committee CCI meeting, the Veterans Day events, the Dolores Rotary meeting and the Monday E911 Board meeting. All three Commissioners expressed gratitude to the General Election workers.

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

**CORRESPONDENCE:** The following correspondence was read and noted: Email from Ingrid Ward.

**MEETING ADJOURNED: 11:38 a.m.**

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Clerk

November 15, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
November 22, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 22, 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

**CHAIRMAN, CANDELARIA** opened the meeting of November 22, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, November 15, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

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

**ECONOMIC DEVELOPMENT:** **Jessica Thurman** met with the Commissioner to give a monthly report. Topics discussed included; the **Road Maps Implementation**, the **Colorado Brownsfield Partnership** and revitalizing commercial properties.

**PUBLIC HEALTH:** **Public Health Director Bobbie Lock** met with the Commissioner to give a monthly report. Director Lock gave an update on staffing. Other topics discussed included; the **Secure Transport Licensing Process**, the **Montezuma Injury Prevention Coalition (MIPC)**, a float for the parade of lights event, the **Child Passenger Safety Seat Program**, an update on Communicable Diseases and vaccination clinics.

**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, Sara Kuhn** 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, October, 2022** was presented for the record. Other topics discussed included; the October, 2022 financial report, a review of office activities, statistical data, the indirect income to Montezuma County and medical office closures. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; ride statistics, staffing, an update on the new van, the Fixed Bus Route project and the IT Grant.

#### **UNFINISHED BUSINESS:**

**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 Koppenhafer moved to approve the fermented malt beverage liquor license renewal application, for Double R Liquors, located at 18794 Hwy 491, Lewis Co. Second by Commissioner Lindsay and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Topics discussed included; the **Paths to Mesa Verde Project**, the attended **Affordable Housing Strategic Plan**, the **CFLRP Coordinating Committee** and **(DWARF) Dolores Watershed and Resilient Forrest Collaborative** meetings.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the documents accompanying the licensure applications for the licensure secure vehicles.

**COUNTY ADMINISTRATOR REPORT: County Administrator, Travis Anderson**, discussed the **Sky Mesa Estates** property tax, an attended zoom **Public Purchase** meeting, the architect drawings for the Fairgrounds Restroom Project, a meeting with the **Brownsfield / CDPHE**, the **Mountain West** meeting and the Fair Board meeting.

**PAYABLE EXPENDITURE REPORT:** Administrator Anderson presented for approval, the October 2022 Accounts Payable Expenditure Reports in the amount of \$4,010,239.66. Commissioner Lindsay moved to approve the financials for October of 2022, in the amount of \$4,010,239.66. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the Monday Workshop, the E911 Board meeting,



constituent discussions and the scheduled Cortez City Council meeting. **Commissioner Koppenhafer** gave an update on the completed Ground Hog Project. **Commissioner Candelaria** discussed an attended meeting with the Attorney, the Monday Workshop, the E911 Board and Fair Board meetings.

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

**CORRESPONDENCE:** The following correspondence was read and noted: Email from **Ingrid Ward**.

**MEETING ADJOURNED: 9:45 a.m.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
November 22, 2022

\_\_\_\_\_  
Chairman



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

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 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  
Travis Anderson, County Administrator  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of November 29, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the November 21, 2022, E911 meeting and also the minutes of the, November 22, 2022, Proceedings of the Board of County Commissioners of Montezuma County. Motion was seconded by Commissioner Koppenhafer and carried

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for discussion and approval of an Exemption Resolution submitted by **Rodney & Crystal Daves**, on property located at TBD Hwy 491, Pleasant View, CO, consisting of 9.51 acres, more or less, located west of Hwy 491, north of Road DD, situated in Section 25, Township 39N, Range 18W, N.M.P.M. Commissioner Lindsay moved to accept the exemption resolution submitted by Rodney & Crystal Daves, on property located at TBD Hwy 491, Pleasant View. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** Director Haley reported that contact had been made, to the Road P property owner regarding a Land Use Code Violation. Other topics discussed included; scheduling a

work session to discuss a proposed County incentive program to help properties become compliant with the Land Use Code.

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

**ROAD & BRIDGE DEPARTMENT:** Road Superintendent, **Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart gave an update on the **Alkali Bridge** project and the **CCI Grant** award. The December 2022, work schedule was presented for discussion. Topics discussed included; culvert replacements, road shouldering, crack seal paved roads, gravel roads, tree trimming, snow plowing, road blading, the scheduled CCI conference and maintenance obligations for Road 31 after November 1<sup>st</sup>. The biannual **Colorado Department of Transportation** bridge inspections report was presented for discussion. (See attached)

**LANDFILL:** Landfill Manager, **Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed with the report included; an update on the construction of **Cell 5**, the five year financial assurance to **CDPHE**, equipment repairs, organics to the **Carver Field**, a proposed increase to the baling wire and tire fees, a video of the new compost turner and an update on the material coming from the **Ironwood** property. (See attached)

**FAIRGROUNDS:** Fairgrounds Manager, **Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; 60,915 in attendance, Revenues at \$85,725.99 and Expenditures at \$226,280.98. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, the funeral services to be held at the Fairgrounds for **Deputy Janz**, the **Fire Suppression Project**, maintenance, transformer upgrades, the outdoor **Restroom Project**, and the **Race Track** contract. The commissioners were in agreement to postpone the Racetrack contract decision for further review. (See attached)

**UNFINISHED BUSINESS:**

**DISCUSSION:** Sheriff **Nowlin** met with the Commissioners to discuss the **Southern Health Partners Contract**. The Commissioners were in agreement to schedule a special meeting Wednesday November 30, 2022 for determination.

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the **Ironwood** property compliance case.

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

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson**, discussed the Transformer and Restroom projects at the Fairgrounds, mill levies, the development of a Financial and Budget Policy and participation in a **United Way Team Child Maltreatment Prevention** event.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported that due to the holiday there had not been a regular **Mancos Town Council** meeting. He also discussed constituent phone calls and the applications received for the Extension Agent. **Commissioner Lindsay** discussed his Zoom attendance to the **Cortez City Council** meeting. **Commissioner Candelaria** gave an overview of the Monday Workshop.

Attorney Maclaren discussed the Fairgrounds fee waiver request for the funeral services for the Deputy Janz. Commissioner Lindsay moved to waive the fees at the Fairgrounds for the services of this young deputy. Second by Commissioner Koppenhafer and carried.

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

**CORRESPONDENCE:** The following correspondence was read and noted: Email from **Ingrid Ward**.

**MEETING ADJOURNED: 10:05 a.m.**

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Clerk

November 29, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
December 6, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 6, 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

**CHAIRMAN, CANDELARIA** opened the meeting of December 6, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes for the Board of County Commissioners, Montezuma County, for November 29, 2022 and the Special Meeting on November 30, 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 General Planned Unit Development, Special Use Permit and Rezoning Application submitted by **Jeremy & Rebecca Gardner**, on property located at 27256 Road P, Dolores, CO, consisting of 6.60 acres, more or less, located south of Road P, east of Hwy 145, situated in Section 6, T.36N, R.15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** reported that the applicant requested that the hearing be rescheduled to January 31, 2023. Commissioner Lindsay moved to continue the General Planned Unit Development, Special Use Permit and Rezoning Application submitted by Jeremy & Rebecca Gardner, on property located at 27256 Road P, Dolores, continued to January 31<sup>st</sup> of 2023. 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 a proposed 5 Lot Moderate Subdivision and Rezoning Application, submitted by **Mark Lowe Investments, LLC**, on property located at TBD Road 32, Mancos, CO, consisting of 35.23 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. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Lowe was present. **Planning Director, Don Haley** 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 Koppenhafer moved to approve the proposed 5 Lot Moderate Subdivision and Rezoning Application, submitted by Mark Lowe Investments, on property located at TBD Road 32, Mancos, CO, consisting of 35.23 acres. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** presented for signatures a Mylar for a 10 Lot Major Subdivision & Rezoning Application, submitted by **Wes & Rebecca Jones**, on property located at TBD Road 26, Dolores, CO, consisting of 35.81 acres, more or less, located south of Hwy 184, west of Road 26, situated in Section 11, T.37N, R.16W, N.M.P.M.

**PUBLIC COMMENT:** Public comment was made by **Mike Lynch**.

**CSU EXTENSION OFFICE: Extension Director, Emily Lockard** along with **Western Region Director, Eric McPhail** met with the Commissioners. Mr. McPhail introduced himself and gave an overview of his background. Other topics discussed included; the 4-H position, BOCC appointments to the **Advisory Committee**, the January 19-21 2023 **Annie's Project** event, the **Rocky Mountain Seed Alliance** and the **Heritage Grain Guidebook**, the **2023 4-H Enrollment**, enrollment fees and a January 12, 2023 scheduled **Grazing Management Workshop**. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman gave an overview of the 2022 report of units to be re-serviced, the sold or pending sell units and the purchased fleet units. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioner to give a monthly report. Supervisor Sattler presented for review and determination the 2023 Janitorial Services bids. The recommendations for the 2023 janitorial services included; **Superior Services LLC** in the amount of \$42,000.00 to clean the Administration Building, **Taylor Betts** in the amount of \$23,349.96 for the Annex I Building, **Superior Services LLC** in the amount of \$21,000.00 for the Annex III building, **Monica's Cleaning Service LLC** in the amount of \$ 70,740.00 for the Montezuma County Combined Courts building, and the Sheriff, in the amount of \$ 12,000.00, MOCO in the amount of \$1,920.00 and the Road and Bridge in the amount of \$3,360.00 buildings to **C.A.R.E.**, for a total amount of \$174,369.96. Commissioner Lindsay moved to award the janitorial services to the named and outlined businesses on the graph as presented. Second by Commissioner

Koppenhafer and carried. Other topics discussed included; the Annex III basement offices project, the Cooler and Freezer projects, HVAC filter changes, a gate battery replacement at the Combined Court building, kitchen hood inspections and the Fairground Bathroom Facility project. (See attached)

#### **PUBLIC LANDS:**

**Canyon of the Ancients National Monument Manager, Ray O'Neal** introduced **Jim Michaels**, the acting **Bureau of Land Management Field Manager** for **Tres Rios**. Manager Michaels discussed; the announcement of the Field Manager position, winter closures for recreational areas, a temporary closure of the **Mud Springs** parking area and a property owners concern regarding a parking lot for the **Aqueduct Trail System**.

**Canyon of the Ancients National Monument Manager, Ray O'Neal** discussed the **Painted Hand Project**, a temporary closure for a floor rehabilitation project at the Center, the scheduled **Stanton Englehart** special exhibit and the **Yellow Jacket** and **Flodine** grazing allotments.

**Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give updates on various subjects. Topics discussed included; the **Beaver Rim Gravel Pit**, controlled pile burns, the **Dolores Recreation Access Environmental Assessment**, proposed projects for the **Boggy Draw Trail System** and the **Dolores Norwood Road**, parking lot and restroom facilities projects, a proposed Boggy Draw trail width expansion project, signage for the **Little Bean Canyon**, the **Schedule A Agreement** and needed road repairs on the Dolores Norwood Road.

**GIS MAPPING: GIS Manager, Doug Roth** and **Mapping Specialist, Nolan Notah** met with the Commissioners for a monthly report. Topics discussed included; a proposed signage project for the Canyon of the Ancients National Monument and the process / proposals for the **2023 Commissioner Redistricting Project**. (See attached)

#### **UNFINISHED BUSINESS:**

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** presented for approval, the **Local Share Commitment Letter for the Montezuma County COOP Generator Project**, total amount of \$170,486.40. Commissioner Koppenhafer moved to sign the Local Share Commitment Letter for the Montezuma County COOP Generator Project. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY CLERK & RECORDER: County Clerk, Kim Percell** met with the Commissioners to present the 2023 election equipment proposals. Proposals included; a **Dominion Voting Systems, Inc.**, Second Amendment to the voting system and Managed Services Agreement and a **Clear Ballot** Master Service Agreement. Commissioner Lindsay moved to pick up the Dominion Refresh for elections, the Second Amendment to the voting system and Managed Services Agreement by and between Dominion Voting Systems, in Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

**RESOLUTION: Resolution #15-2022**, a resolution increasing **Tire Fees** at the Montezuma County Landfill, was presented for approval. Commissioner Koppenhafer moved to approve Resolution #15-2022, a resolution increasing the tire fees at the Montezuma County Landfill. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION: Administrator, Anderson** discussed the previously approved **Homesfund** support request. Homesfund has requested that the Board pass a Resolution containing a no excessive force policy. A proposed Resolution was included within the Homesfund packet. Attorney MacLaren recommended that the resolution not be signed. The Commissioners were in agreement to not take action regarding the proposed Resolution at this time. (See attached)

**DISCUSSION:** A discussion was held regarding the proposed **John Deere Lease / Buyout Plan** for the **Road and Bridge Department**. Commissioner Lindsay moved to accept the John Deere 772 Blades lease buyout plan in the amount of \$290,000.00, out of the Road and Bridge Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** A discussion was held regarding the NCA draft testimony that will be presented to Congress, as part of the NCA bill adoption. Commissioner Koppenhafer moved to support the NCA testimony as far as the National Conservation Area for the Lower Dolores River, as being presented to the Senate. Second by Commissioner Lindsay and carried.

**RESOLUTION: Public Health Director Bobbie Lock** met with the Commissioners to present **Resolution #16-2022**, a resolution of the Board of County Commissioners of Montezuma County, Colorado adopting the Montezuma County **Policy and Procedures Regarding Secure Transportation Services**. Commissioner Koppenhafer moved to approve resolution #16-2022, a resolution of the Board of County Commissioners of Montezuma County, adopting the Montezuma County Policy and Procedures Regarding Secure Transportation Services. Second by Commissioner Lindsay and carried (See attached)

**DISCUSSION: County Administrator, Travis Anderson**, presented the **Notice of Budget 2023**, for the record. It may be reviewed by the public at the Administration office and on the County website. The budget will be considered at the regular December 27, 2022 Commissioner meeting. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay 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 Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding ongoing litigation on the Road 41 case. Commissioner Lindsay moved to come out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed civil cases along with document and contract reviews. Other topics discussed included; the completed Child Protection jury trial, handled by **Assistant County Attorney, Stephen Tarnowski**.

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



**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed end of year reports, mill levies, reviews of the previous water damage to the Annex I building, the attended United Way meeting, the Homesfund discussion, and a discussion with ACCA regarding BOCC department head appointments.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported that he would be attending the scheduled Southwest Water meeting. **Commissioner Lindsay** congratulated the **Realtors Association** for the successful Parade of Lights. **Commissioner Candelaria** also discussed the Parade of Lights, the attended Statewide Transportation Advisory Committee (STAC) meeting the scheduled TPR meeting, TAP funding and the Services for Deputy Janz.

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

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

**MEETING ADJOURNED: 11:30 a.m.**

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Clerk

December 6, 2022

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Chairman

STATE OF COLORADO )  
 ) ss.  
COUNTY OF MONTEZUMA )

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Thursday December 15, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman (By Zoom)  
Kent Lindsay, Vice Chairman  
Gerald Koppenhafer, Commissioner of Deeds (By Zoom)  
Travis Anderson, County Administrator  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk.

**VICE CHAIRMAN, LINDSAY** opened the meeting of December 15, 2022 with the Pledge of Allegiance.

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

**2023 MILL LEVY CERTIFICATION: County Administrator, Travis Anderson** presented for approval **Resolution #17-2022**. A resolution levying General Property Taxes for the year 2022 to help defray the costs of government for Montezuma County Colorado for the year 2023 budget. Commissioner Koppenhafer moved to approve Resolutions #17-2022, setting the mill levies for the General Fund, Social Services and the Road and Bridge Department as presented. Second by Commissioner Candelaria and carried. **Administrator, Anderson** presented for approval **Resolution #18-2022**. A resolution levying general property taxes for the year 2022 to help defray the costs of the Law Enforcement of Montezuma County, Colorado for the 2023 budget. Commissioner Koppenhafer moved to approve Resolution #18-2022, for the Law Enforcement Authority mill levy at 1.45282. Second by Commissioner Candelaria and carried. (See attached)

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

**MEETING ADJOURNED: 3:07 p.m.**

County Clerk      December 15, 2022

Chairman

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

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 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

**CHAIRMAN, CANDELARIA** opened the meeting of December 20, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes for the Board of County Commissioners, Montezuma County, for Tuesday, December 6, 2022, the minutes from the Special Meeting on Thursday, December 15, 2022, and also those held on Monday, December 5, 2022. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review on the proposed **2023 Budget** for Montezuma County. Any interested elector may submit objections either verbally or in writing. Written objections will be read into the record for the Board of County Commissioner's Public Hearing on Tuesday, December 20, 2022, followed by the adoption of the budget on Tuesday, December 27, 2022. The roll was called, the public notice read, and the proceedings were recorded for the record. **Administrator Anderson** gave an overview of the County Budget adoption process. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lindsay moved to put on the agenda, and move forward the 2023 Budget for

Montezuma County. 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 a General Planned Unit Development, Special Use Permit and AR35+ Rezoning Application submitted by **Elevated Smoke, LLC, agent: Cole Clark**, on property located at 7231 Road 25, Cortez, CO, consisting of 35 acres, more or less, located north of Road G, west of Road 25, situated in Section 3, T.36N, R.16W, N.M.P.M. (this is a petition to come before the Board of County Commissioners). The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Clark was present. **Planning Director, Don Haley** 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 **Jim Dickinson, Cheryl Dean, Trent Carver, Kristy Ross, Greg & Emiko South, Wendell Fry, Mike Lynch, Dave Dove, Sharon Goodall, Jody Lamb, Allen Maez, Stephanie Fry, Rick Meredith** and **Chris Callister**. Hearing no further public comment that portion of the hearing was closed. Emails received included; **Lewis McInnes, Wendell Fry, Jimmy Williams** and **Lynn Stuckman**. After hearing all the evidence presented Commissioner Lindsay moved to deny the application, siting sections 1201 and 1201.2 of the Land Use Code. Second by Commissioner Koppenhafer and with two votes in favor from Commissioners Lindsay and Koppenhafer and one vote against from Commissioner Candelaria the motion carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING:** **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures an Exemption Resolution & Mylar, submitted by **Rodney & Crystal Daves**, on property located at TBD Hwy 491, Pleasant View, CO, consisting of 9.51 acres, more or less, located west of Hwy 491, north of Road DD, situated in Section 25, Township 39N, Range 18W, N.M.P.M.

**PUBLIC COMMENT:** Public comment was made by **Allen Maez**.

**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 **Perdium 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 **November Operational Expense Report** and the **Monies Paid to the General Fund Report**. Other topics discussed included, VIN inspections, stolen vehicles, vehicle registrations, air tags and the detention center refrigerator and freezer. (See attached)

**Sheriff Nowlin** presented for approval, **Resolution R513 Series 2022**, the proposed 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 Koppenhafer moved to approve Resolution R513 Series 2022, the 2023 contract for law enforcement services between the Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores, in the amount of \$220,000.00. Second by Commissioner Lindsay and carried (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give the **November 2022** monthly case numbers and the **Year Totals to Date** report. Topics discussed included; coroner cases, hospice deaths, motor vehicle accident deaths, suicides, overdose deaths, fentanyl deaths, homicides, autopsies and the total income from autopsies. (See attached)

**DISTRICT ATTORNEY: District Attorney, Office Manager, Clarisa Feuilly** met with the Commissioners to give a monthly report. Topics discussed included; the implementation of a new discovery system, defense reporting, State Patrol body cams, report management systems, an increase in work load, the newly hired attorney and the **Opioid Infrastructure Funding Grant** application.

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report**. Topics within the report that were discussed included; the drought disaster, economic development, water, sheltering, **Red Cross** help with local house fires, State revised statistics for COVID, the avian influenza, the **Emergency Manager Performance Grant**, the **Emergency Operations Plan**, the **Hazard Mitigation Plan**, the **Generator Gant 90/10**, a review of all MOU's, MMA's and IGA's, saw mills and wood products, training and drills, Emergency Manager Certification renewals, the attended **Crisis Management Training**, the scheduled **Colorado Emergency Manager's Association Conference**, the 2023 -2025 **Training and Exercise Plan** and the end of the year reports. Manager Spratlen reported that he had official approval of his **Emergency Operations Center Manager Certification**. (See attached)

**COMMUNITY INTERVENTION PROGRAM (CIP): Emergency Manager, Jim Spratlen**, met with the Commissioners to give an update on the Community Intervention Program. Topics discussed included; quarterly reporting, the 2023 budget, a rollover of 2022 funding to the 2023 budget, the 2023 contracts, the **Behavioral Health Grant** and the **Secure Transportation Program License**.

**CORTEZ FIRE PROTECTION: CORTEZ FIRE PROTECTION: Chief, Charlie Borden.**  
No report given.

**DISCUSSION:** Administrator Anderson presented for approval the **ClearGov Service Order**. Commissioner Koppenhafer moved to approve the ClearGov set up services and ClearGov Subscription Services from January 1, 2023 to December 31, 2025. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION:** A discussion was held regarding the proposed **MOCO 2023 Faster Grant Agreement #23-HTR-ZL-00056/491003092**, in the amount of \$24,000.00. Commissioner Lindsay moved to approve the Faster Grant Agreement for MOCO, the Agreement #23-HTR-ZL-00056/491003092. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** The discussion regarding the proposed **CDPHE – Montezuma County Landfill Contract Agreement** was postponed to the next meeting.

## **UNFINISHED BUSINESS:**

**LIQUOR LICENSE:** Deputy Clerk, Jerri Frizzell presented for approval a liquor license renewal for the, **Westview RV Resort**, located at 12092 Hwy 145, Dolores, Co., mailing address P.O. Box 483 Cortez Co. 81321. Commissioner Lindsay moved to approve the liquor license renewal for Westview RV Park. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** Administrator Anderson presented the results from the 2023 Holiday Schedule employee survey and the proposed Montezuma County **2023 Holiday Schedule** for approval. Commissioner Lindsay moved to approve the Montezuma County Official County Holidays for 2023. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** Dustin Sattler met with the Commissioner to discuss the **Janitorial Service** contracts for the Administration Building. The discussion will be continued to the December 27, 2022 meeting.

**CERTIFICATION LEVIES AND REVENUES:** Administrator, Anderson presented for approval the **Budget Year 2023 Certification of Levies and Revenues** by the Montezuma County Commissioners, to be sent to the State of Colorado. Commissioner Lindsay moved to approve the Certification of Levies and Revenues for Montezuma County, for the year 2023. Second by Commissioner Koppenhafer and carried. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay 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) for legal advice on potential litigation and to include Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding potential litigation. Commissioner Koppenhafer moved to come out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren discussed the attended NCA Workgroup meetings.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, met with the Commissioner for a weekly report. Topics discussed included the **Road 14** extension survey work and plat, the **Outdoor Recreation Industry Office (OREC)** RFP respondent evaluations, the initial findings for the **Affordable Housing Consultants**, the (GOCO) **Great Outdoors Colorado** meeting, the new **GOCO Centennial Program**, the **Raised Grant** benefit cost analysis, the Mancos side **MMOF** funds notice to proceed, and delays regarding the **OREC Grant**. Director Dietrich presented for approval the (CWPP) **County Wildfire Protection Plan**. Commissioner Lindsay moved to sign the Montezuma County Wildfire Protection Plan. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed the attended CCI conference, Senate Bill #22-238, the Plastic Pollution Reduction Act, Cyber Security and Threats.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended **Southwest Water Conservation District** meeting, the **CSU Extension** agent interviews, the attended CCI Conference and the attended **Colorado River Water Users Association** meeting. **Commissioner Lindsay** discussed the Planning & Zoning Board interviews and the CCI conference. **Commissioner Candelaria** discussed the attended **Southwest Regional Transportation Committee (TPR)** meeting and the Planning & Zoning Board interviews.

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

**CORRESPONDENCE:** The following correspondence was read and noted: A letter of interest from **Mike Upchurch** to serve on the **Lebanon Cemetery Board**.

**MEETING ADJOURNED: 12:05 p.m.**

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Clerk

December 20, 2022

Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
December 27, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 27, 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 (By Zoom)  
Travis Anderson, County Administrator  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of December 27, 2022 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 Tuesday, December 20, 2022, as presented. Motion was seconded by Commissioner Candelaria and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held. The purpose of the hearing is to allow citizens to review and comment on the performance of the County of Montezuma in carrying out their Calkins Commons, which was financed with federal Community Development Block Grant funds provided by the State of Colorado. The roll was called, the public notice read, and the proceedings were recorded for the record. Commissioner Koppenhafer joined the hearing by Zoom. **Executive Director, Terri Wheeler** from the **Housing Authority of Montezuma County**, gave an overview of the project. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. There was no action required. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Don Haley** along with **Assistant, S. Jane .Duncan** presented for signatures, a Mylar for a Common Lot Line Change to Lot #s 13 & 15, of the **Rustic Ridge Phase II** subdivision, submitted by **Troy & Lori Mott**, on properties located at 26972 Road T.8 & TBD Road T.8, Dolores, CO, both consisting of 3.50 acres, more or less, both located east of Road 27, south of Road T.8, situated in Section 13, T.37N, R.16W, N.M.P.M.

**Planning & Zoning Commission Appointments:** A letter of intent, to change from the alternate position to a regular Planning and Zoning Commission member was received by **Eddie Mac Taylor**. Commissioner Lindsay moved to appoint Eddie Mac Taylor to a regular position on the Planning and Zoning Commission, to expire 12-2024. Second by Commissioner Koppenhafer and carried. (See attached)

**Planning & Zoning Commission Appointments:** Director Haley's recommendations for one new regular Commissioner and one new alternate included; **Mike Lynch** for the regular member position, at a 3 year term, alternate is **Ted Neergaard** for a 3 year term and to be included on a 3 year waiting alternate list. **Mike Doyle, Trent Bishop** and **Rhonda Tracy**. Commissioner Lindsay moved to appoint, **Mike Lynch** as a regular member of the Planning & Zoning Commission, **Ted Neergaard** as the alternate and the list is with Planning on the 3 to be moved up in case of a vacancy. Second by Commissioner Koppenhafer and carried.

**Planning & Zoning Commission:** Director Haley made a request to increase the pay for each Planning & Zoning Commissioner, per attended meeting to \$100.00. Commissioner Lindsay moved to appropriate the funds to pay the Planning & Zoning Commissioners \$100.00 per meeting. Second by Commissioner Koppenhafer and carried.

**PUBLIC COMMENT:** Public Comment was made by **Allen Maez**.

**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, Sara Kuhn** and **Frank LoBue** 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**, November 2022 was presented for the record. Other topics discussed included; the November 2022 financial report, a review of office activities, 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 number of year to date rides, the total 2021 ride numbers and staffing.

**SENIOR SERVICES: Director Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. A discussion was held, regarding funding sources. Topics discussed included; a four year strategic plan from (Triple A) **Area on Aging Agency** funding and a discussion on funding with the **Colorado Health Foundation**.

**NEW BUSINESS:**

**DISCUSSION:** Paul Roithmayr from **SamePage Solutions** met with the Commissioners to give an overview of the **Strategic Planning Program**. (See attached)

**DISCUSSION:** **Landfill Manager, Mel Jarmon** presented for approval, a letter of support addressed to **RREO Grant Selection Committee** regarding the **RFA#41056 Application** for the Montezuma County Landfill to purchase an excavator. Commissioner Lindsay moved to sign the letter of support for the RFA#41056 Application for the Montezuma County Landfill. Second by Commissioner Candelaria and carried. (See attached)

**COUNTY CLERK & RECORDER:** **Chief Deputy Clerk / Motor Vehicle Supervisor, Malinda Fuller** met with the Commissioners to discuss the **Colorado Parks & Wildlife Keep Colorado Wild Pass**. (See attached)

**DISCUSSION:** Attorney MacLaren gave an overview of the **Montezuma County Sleeping Ute Apartments, Agreement for Section 42(m)(2)(D) Determination**. Commissioner Lindsay moved to sign the Agreement for Section 42(m)(2)(D) Determination for the CHFA, Housing Finance Authority. Second by Commissioner Koppenhafer and carried. (See attached)

**UNFINISHED BUSINESS:**

**RESOLUTION #20-2022: Administrator, Travis Anderson** presented **Resolution #20-2022**. A resolution to appropriate sums of money for 2023. Commissioner Lindsay moved to approve Resolution #20-2022, appropriating sums of money for 2023, for Montezuma County in the amount of \$58,677,923.00. Second by Commissioner Koppenhafer and carried. (See attached)

**RESOLUTION #19-2022: Administrator, Anderson** presented **Resolution #19-2022**. A resolution adopting a budget for Montezuma County, Colorado for the calendar year beginning on the first day of January 2023 and ending on the last day of December 2023. Commissioner Lindsay moved to adopt Resolution #19-2022, adopting the budget of Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** The discussion regarding the retention of the **CDPHE – Montezuma County Landfill Contract Agreement** was postponed to a future meeting.

**DISCUSSION:** **Maintenance Supervisor, Dustin Sattler** met with the Commissioner to discuss the **Janitorial Service** contracts for the Administration Building. The lowest bidder **Superior Services LLC** had declined the 2023 Janitorial Services for the County Administration building. Supervisor Sattler had contacted the next lowest bidders, **Ron** and **Ruth Stockwell** to accept the contract. Commissioner Lindsay moved to approve Stockwell's bid in the amount of \$57,600.00 for the cleaning services. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** **County Attorney, Ian MacLaren** reported that he had been in court last week for a Child Protection case.

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

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson presented for approval the following **TRANSFER ORDERS:**

**Transfer Order #7-2022**, a transfer of \$602,464.00 from General Fund (001) to Capital Fund (004) for 2022 Capital expenditures. Commissioner Lindsay moved to approve Order #7-2022, transferring \$602,464.00, from the General Fund to the Capital Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**Transfer Order #8-2022**, a transfer of \$29,527.15 from General Fund (001) to the Bus Replacement Fund (089), carry over from 2021 MOCO grants. Commissioner Lindsay moved to approve Order #8-2022, transferring \$29,527.15, from the General Fund to the Bus Replacement Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**Transfer Order #9-2022**, a transfer \$772,031.92 from LEA Fund (077) to General Fund (001) for LEA expenses from December 19, 2021 through December 17, 2022. Commissioner Lindsay moved to approve Order #9-2022, to transfer \$772,031.92, from the LEA Fund to the General Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**Transfer Order #10-2022**, a transfer \$143,832.20 from Conservation Trust Fund (052) to General Fund (001) for the operation of the County Fairgrounds from December 19, 2021 through December 18, 2022. Commissioner Lindsay moved to approve Order #10-2022, to transfer \$143,832.20, from the Conservation Trust Fund to the General Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay**, no report given. **Commissioner Koppenhafer** discussed upcoming water issues. **Commissioner Candelaria**, no report given

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

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

**MEETING ADJOURNED: 10:20 a.m.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
December 27, 2022

\_\_\_\_\_  
Chairman