

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 3, 2023**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 31, 2023 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 January 3, 2023 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes for the Board of County Commissioners, Montezuma County, for Tuesday, December 27, 2022, and for the E-911 Board meeting for Montezuma County, held on Tuesday, December 27, 2022, also. The motion was seconded by Commissioner Lindsay and carried

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

**NOXIOUS WEED DEPARTMENT:** Weed Department Manager, **Bonnie Loving** was not available to report.

**LANDFILL:** Landfill Manager, **Mel Jarmon** gave his monthly report which included the 2022 Landfill budget spread sheet. Topics discussed included; wood chips, the recent article in the Cortez Journal, the CDPHE reimbursements and an update on the Carver Field. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report, which included; 61,115 event attendees, \$88,435.99 in revenues and \$255,094.56 of expenditures. Other topics discussed included; plowing snow, a future 2022 year to date report, the 2022 events held, the current 2023 scheduled events, the completion of the wash rack, indoor building paint projects, the 2023 and 2024 fee increases, (CTF) Conservation Trust Funds and the Waterline Extension Project proposal. (See attached)

**UNFINISHED BUSINESS:**

**DISCUSSION:** Attorney MacLaren gave an overview of the (DOLA) Department of Local Affairs, pass through **IHOP PLN050 Grant Agreement**, for the **Cortez Housing Policy and Land Use Code Project**. Commissioner Lindsay moved to sign the DocuSign with the Department of Local Affairs, for the IHOP PLN050, Cortez Housing Policy and Land Use Code Project. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed Ironwood’s required milestones, the effects of the recent snow storm on those milestone requirements and the load slips received by the (CDPHE) Colorado Department of Public Health and Environment.

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

**COUNTY ADMINISTRATOR REPORT: County Administrator, Travis Anderson** reported on a follow up discussion with **Magellan Strategies LLC** regarding the **Strategic Planning Program**. A discussion was held regarding constituent concerns of the Plastic Bag Law, along with House Bill 21-1162, **Colorado Carryout Bag Fees**, beginning January 1, 2024.

**PAYABLE EXPENDITURE REPORT:** Administrator Anderson presented for approval, the November 2022 Accounts Payable Expenditure Reports in the amount of \$4,092,918.41. Commissioner Lindsay moved to approve the November Expenditures for Montezuma County in the amount of \$4,092,918.41. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on constituent phone discussions. **Commissioner Lindsay**, discussed County revenues and expenditures. **Commissioner Candelaria** reported on the attended Housing Authority meeting.

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

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

**MEETING ADJOURNED: 9:33 a.m.**

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Clerk

January 3, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 9, 2023**

STATE OF COLORADO         )  
  ) ss.  
COUNTY OF MONTEZUMA     )

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Thursday January 9, 2023 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 January 9, 2023 with the Pledge of Allegiance.

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

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to present the **Alkali Creek Contract Amendment #2** Project #BRO C320-004 (22521), original Agreement 19-HA5-XC-00099 in the amount of \$3,239,497.50. Commissioner Lindsay moved to sign the State of Colorado Amendment #2 for project #BRO C320-004 (22521). Second by Commissioner Koppenhafer and carried. (See attached)

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

**MEETING ADJOURNED: 1:07 p.m.**

\_\_\_\_\_  
County Clerk     January 9, 2023

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 10, 2023**

STATE OF COLORADO         )  
  ) ss.  
COUNTY OF MONTEZUMA     )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 10, 2023 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

**CHAIRMAN, CANDELARIA** opened the meeting of January 10, 2023 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, January 3, 2023 as presented. Motion was seconded by Commissioner Candelaria and carried.

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

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a 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.

**PUBLIC COMMENT:** Public comment was made by **Susan Kemnetz, Lena May and Bruce Bjorklund.**

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain gave a recap of the IT Department for 2022. He reported that they had responded to 3069 help desk tickets, which did not include around 20% more for phone calls and resolved “drive by” issues. Other topics discussed included; the installation of cameras at the Sheriff’s Office, a wireless connection for the **Drug Task Force**, the **Duo Multi Factor Authentication Project**, installation of the **E-Discovery Program**, the **Broadband Project**, a key lock box installed at Annex III, the substation move for the **Town of Dolores** and the **ClearGov** implementation.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Nolan Notah** met with the Commissioners to give a monthly report. Topics discussed included; the transmittal of the monthly address list, a project to re-address the subdivisions within the forest, utilizing Forest Service road number designations along with proper signage, a discovered event center and the reporting process for such properties.

**NEW BUSINESS:**

**DISCUSSION:** Administrator Anderson presented for discussion the **Administrative Budget, Policy and Procedure.** The discussion was tabled to a later date. (See attached)

**ELECTION OF OFFICERS:** Organizing the Board of County Commissioners (BOCC) for 2023. Commissioner Lindsay moved to adopt the 2023 Office of Appointments and also the Organization of the BOCC. Seconded by Commissioner Candelaria and carried. (See attached)

**2023 OFFICE APPOINTMENTS**

Attorney:	Ian MacLaren
Administrator:	Travis Anderson
Road & Bridge Superintendent:	Rob Englehart
Fairgrounds Manager:	Justin McGuire
GIS/Mapping Director:	Doug Roth
Director of Public Health:	Bobbi Lock
IT Director:	Jim McClain
Maintenance Director:	Dustin Sattler
Natural Resources Director:	James Dietrich
Noxious Weed Director:	Bonnie Loving
Director of Senior Nutrition:	Jonathan Parker
Director of Social Services:	Gina Montoya
Veteran’s Affairs Officer:	Frank Lobue
Emergency Manager:	Jim Spratlen
MOCO/Transportation Director:	Jennifer Morris
Director of Solid Waste/Landfill:	Mel Jarmon

Planning Director: Don Haley  
Public Information: Vicki Shaffer  
Economic Development Coordinator: Jessica Thurman  
Grant Coordinator: Robert Dobry  
Water Representative: Randy Carver

**2023 BOCC REPRESENTATIVE APPOINTMENTS:**

CHAIRMAN: Commissioner Jim Candelaria  
VICE CHAIRMAN: Commissioner Kent Lindsay  
COMMISSIONER OF DEEDS: Commissioner Gerald Koppenhafer

Southwest Regional Transportation Committee (TPR): Jim Candelaria  
Alternate: Kent Lindsay  
Region 9 Economic Development Board: Jim Candelaria  
Alternate: Gerald Koppenhafer  
AAA: Kent Lindsay  
Alternate: Jim Candelaria  
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: Travis Anderson  
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  
CCI: Jim Candelaria  
Alternate: Gerald Koppenhafer

Legal Publications: The Journal

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

**RESOLUTION #1-2023: A Resolution Appointing the County Administrator to Prepare and Submit a Budget for 2023** was presented for approval. Commissioner Lindsay moved to adopt Resolution 1-2023, appointing the County Administrator to prepare and submit a budget for 2023. Second by Commissioner Candelaria and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for the purpose of the establishment, revision, or alteration of the **Montezuma County Commissioner Districts** as required by C.R.S. 30-10-306 (4) and (5). The roll was called, the public notice read, and the proceedings were recorded for the record. **GIS Manager, Doug Roth** and **Mapping Specialist, Nolan Notah** presented the proposed Commissioner District maps and gave an overview of the changes included. 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 option number two in the 2023 Montezuma County Commissioner redistricting. Second by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. An updated district map and resolution for the adoption of the district changes will be presented at a future date. (See attached)

**NEW BUSINESS CONTINUED:**

**RESOLUTION #2-2023: A Resolution Designating the Location of Posted Agendas and Designating County Office Hours** was presented for approval. Commissioner Lindsay moved to adopt Resolution 2-2023, a resolution designating the location of posted agendas and designating county office hours. Second by Commissioner Candelaria and carried. (See attached)

**DISCUSSION:** A letter addressed to Colorado **Governor, Jared Polis** regarding **Broadband Services** was presented for approval. Commissioner Lindsay moved to sign the letter to Governor Polis, stating that we do have a clear need, to improve broadband services for rural and remote areas of Colorado. Second by Commissioner Candelaria and carried. (See attached)

**UNFINISHED BUSINESS:**

**DISCUSSION:** A discussion was held regarding the **Fairgrounds Race Track Contract**. Attorney MacLaren reported the contract had been returned to **Julian Garcia**, to approve the amendments that included the extra months to begin maintenance projects. The contract will be presented at a future date for final approval.

**DISCUSSION:** A discussion was held regarding the **Fairgrounds Suppression System** project. Topics discussed included; the current (CTF) Conservation Trust Funds balance, possible grant options, a proposed grant application to the **Assistance to Firefighter Grant** along with current safety and fire mitigation plans. The Commissioners took no action at this time. (See attached)

**DISCUSSION:** **Natural Resource Director, James Dietrich** along with **Economic Development Coordinator, Jessica Thurman** met with the Commissioners for a decision on the (OREC) **Outdoor Recreation Industry Office Recreational Use Impact Study and Strategic Plan Proposals**. Proposals received included **Crux Environmental Consulting, Public Land Solutions, RPI Consulting** and the **SE Group**. It was the recommendation of Director Dietrich to offer the opportunity to RPI Consulting. Commissioner Lindsay moved to offer the contract to RPI for the OREC proposal. Second by Commissioner Candelaria and carried. (See attached)

**DISCUSSION: Attorney MacLaren** gave an overview of the **Paths to Mesa Verde Trail, Colorado Department of Transportation, Contract OLA #331002933, Project: MTF C320-007 (25346)**. Commissioner Lindsay moved to accept the contract between the State of Colorado Department of Transportation and Montezuma County for Contract OLA (25346). Second by Commissioner Candelaria and carried. (See attached)

**DISCUSSION: County Clerk, Kim Percell** gave an overview of the **CESA Grant Agreement CORE# CT, VAAA, 113, 2023-3225** and presented it for approval. Commissioner Lindsay moved to authorize Clerk Percell to sign the contract between the Colorado Department of State and Montezuma County for CORE# CT, VAAA, 113, 2023-3225. Second by Commissioner Candelaria and carried. (See attached)

**PUBLIC LANDS:**

**Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give a monthly report. Topics discussed included; a proposed flashing cautionary road sign for Road 31 at Bean Canyon, the development of a long term plan for the Dolores Norwood Road, asphalt patching, continued prescribed fire burns at Chicken Creek and the completed Dolores Recreation Access (EA) Environmental Assessment along with comments received that involved Montezuma County.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Road 41 Land Use violation case.

**COUNTY ADMINISTRATOR REPORT: County Administrator, Travis Anderson** discussed constituent phone calls regarding the Plastic Bag Law and a scheduled meeting with the County Treasurer, stake holders and the Budget Committee to discuss the Senate Bill on property tax.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** unavailable to report. **Commissioner Lindsay**, discussed constituent phone calls and the scheduled Cortez City Council meeting. **Commissioner Candelaria** reported on the attended NACO Transportation meeting, an attended insurance meeting, the Monday workshop meeting and the attended Dolores Town Council meeting.

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

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

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

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Clerk

January 10, 2022

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Chairman





proposed subdivision amendment application to the Herrington Minor Subdivision, 2nd amended, a moderate subdivision, submitted by Edward Tevault, on property located at 21555 Road F, Cortez. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** presented for discussion and approval for a 2nd Amendment to Exemption Resolution #P-37-79, submitted by **Barbara Maness**; agent: **Ernie Maness**, on property located at 23408 Road T, Dolores, CO, consisting of 4.83 acres, more or less, located south of Road T, east of Road 23, situated in Section 21, Township 37N, Range 16W, N.M.P.M.. Mr. Maness was present. Commissioner Koppenhafer moved to approve the 2nd amendment to exemption resolution #P-37-79, submitted by Barbara Maness; agent: Ernie Maness, on property located at 23408 Road T, Dolores, CO, consisting of 4.83 acres. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** presented for signatures of a Mylar for a Single Lot Development 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.M.

**Director, Haley** presented for signatures of a Mylar for a 2 Lot Minor Subdivision & Rezoning, 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.

**Director, Haley** presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning, 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.

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

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give the **December 2022** monthly case numbers and the **Year-End Totals** report. The year-end totals included: 163 coroner cases, 78 hospice cases, 8 motor vehicle fatalities, 11 suicides, 10 overdose deaths, 5 homicides, 138 autopsies and the total income from autopsies at \$36,600.00. Coroner Deavers reported that the “up to date” numbers for January 2023 included; 5 coroner cases, 9 hospice cases, 1 autopsy, 0 motor vehicle fatalities, 0 suicides and 0 overdose deaths. Other topics discussed included, a comparative review of statistics prior to the pandemic and the current rate of fees.

**DISTRICT ATTORNEY: District Attorney, Office Manager, Clarisa Feully** met with the Commissioners to give a monthly report. Topics discussed included; the quarterly report, the 6 year comparison report and the 6 year comparison Year-End graph. Other topics discussed included; yearly fluctuating statistics, court filed cases, felony cases, restructuring along with policy and procedures changes. (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 discussed within the report included; a drought update, the **Drought Declaration**, HPAI, COVID statistics and the budget. Manager Spratlen gave a county wide update on the current winter storm. (See attached)

**COMMUNITY INTERVENTION PROGRAM (CIP):** **Emergency Manager, Jim Spratlen**, met with the Commissioners to give a quarterly update on the Community Intervention Program. Topics discussed included; the CIP 2022 Budget, a funds rollover in the amount of \$147,833.56, the **Behavioral Health Grant**, the \$361,000.00 **Safety Net Grant** application, statistics, deliverables. Manager Spratlen reported that there had been 425 contacts made, that 167 of those contacts were calls through E- 911, numerous follow ups had been done and that they were working on building up rapport with the stake holders and the response team. (See attached)

**NOXIOUS WEED DEPARTMENT:** **Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; a proposed flat rate charge / change to the Back Pack Loaner fees, the Cost Share 2023, Non-native Phreatophyte Project fees and updates, the Current Results and the MC Weed Management Plan. (See attached)

**NEW BUSINESS:**

**ASSESSOR:** **Montezuma County Assessor, Leslie Bugg** was not available to present the **Total Assessment Solutions Corporation “TASC”** and the **Value West Contract**.

**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 Koppenhafer moved to accept the retail liquor, fermented malt beverage, license renewal application for G Whil Liquors LLC, located at 24001 Road G.2, Cortez, Co. Second by Commissioner Lindsay 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 Lindsay moved to approve a retail liquor and fermented malt beverage, license renewal application for Paragon Business Investments, DBA Hilltop Liquors, located at 27963 Hwy 184, Dolores. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** **IRS Form 8328, Carryforward Election of Unused Private Activity Bond Volume Cap** for the **Sleeping Ute Apartments**, in the amount of \$1,429,086.00, was presented for signatures. Attorney MacLaren gave an overview of the IRS Form 8328. Commissioner Lindsay moved to approve the signing of IRS Form 8328 for the Sleeping Ute Apartments. Second by Commissioner Koppenhafer and carried. (See attached)

**UNFINISHED BUSINESS:**

**DISCUSSION:** Administrator Anderson presented the **Department of Public Safety, Division of Criminal Justice, DCJ Grant #2019-DJ-22-01-32-1 (JAG Communications Grant)**, with a request to authorize Administrator Anderson to sign the grant. Commissioner Koppenhafer moved to sign the grant award DCJ Grant #2019-DJ-22-01-32-1 from the Department of Public Safety, Division of Criminal Justice to Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION:** Administrator Anderson presented for discussion the **Administrative Budget, Policy and Procedure**. The discussion was tabled to a later date. (See attached)

**DISCUSSION:** Administrator Anderson presented for approval the **Strategic Plan RFP**. (Request for Product) The Commissioners were in agreement to move forward with the Request for Proposal for conducting strategic planning services. (See attached)

**LETTER OF SUPPORT:** A letter of support addressed to the **Colorado Energy Office**, regarding the **Cortez 55+ Community Access to Electric Bicycles** was presented for approval. Commissioner Koppenhafer moved to sign the letter of support regarding the Cortez 55+ Community Access to Electric Bicycles Grant, submitted by 4CORE, for income-qualified adults in Cortez Colorado. Second by Commissioner Lindsay and carried. (See attached)

**ECONOMIC DEVELOPMENT:** Economic Development Coordinator, **Jessica Thurman** met with the Commissioners to give a monthly report. Topics discussed included; an update on the **Colorado Brownsfield Projects**, the road maps implementation, the **Montezuma Community Collective**, video outreach, a meeting attended with the Tribal Economic Development Coordinator **Bernadette Cuthair**, the **Economic Development Organization Grant** application, the **Opportunity Now Colorado Grant** application, Greenfield Grants, and possible CSU Extension Help and Collaborative through economic development education.

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** discussed a temporary delay for the Ironwood chip hauling project along with received temperature logs and an update on the Ellis Lewis, land use violation case.

**COUNTY ADMINISTRATOR REPORT:** County Administrator, **Travis Anderson** discussed the newly hired **Grant Writer, Robert Dobry**, an attended Senate Bill 22-238 stake holder meeting, and the attended Broadband meeting.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended AAA meeting, the Mancos Town Council meeting and snow removal within the town of Mancos. **Commissioner Lindsay**, mentioned constituent discussions and gave a report on the attended Cortez City Council meeting. **Commissioner Candelaria** discussed the an attended Senate Bill 22-238 stake holder meeting, his shoulder surgery, his appointment to be on the **Fire Prevention Division Committee** for the State of Colorado, proposed legislative bills and snow plowing within Montezuma County

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

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

**MEETING ADJOURNED: 10:37 a.m.**

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Clerk

January 17, 2022

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 24, 2023**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 24, 2023 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 Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of January 24, 2023 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, January 17, 2023 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 third amendment to High Impact Permit #101 & Special Use Permit #14-2022, 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.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Dukart 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 third amendment to High Impact Permit #101 & Special Use Permit #14-2022, submitted by Basin Co-op, agent Don Dukart, on property located at 11654 Highway 491, Cortez. 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** presented for signatures of a Mylar and Exemption for a 2nd Amendment to Exemption Resolution #P-37-79, submitted by **Barbara Maness**; agent: **Ernie Maness**, on property located at 23408 Road T, Dolores, CO, consisting of 4.83 acres, more or less, located south of Road T, east of Road 23, situated in Section 21, Township 37N, Range 16W, N.M.P.M.

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

**BOARD OF SOCIAL SERVICES MONTHLY REPORT:** It being the time set aside, the Board of Social Services was conducted. **Assistant Director, Louann Everett** and **Finance Officer, Lori Higgins** were present. Topics discussed SNAP benefits, Medicaid and Security. Commissioner Lindsey moved to approve the regular session on Tues Dec 27<sup>th</sup>, the minutes thereof of the Montezuma County Department of Social Services and also the financials in the amount of \$2,966,594.73. Second by Commissioner Koppenhafer and carried. (See attached)

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

**UNFINISHED BUSINESS:**

**GIS MAPPING: GIS Manager, Doug Roth** met with the Commissioners to go over and certify the **HUTF** mileage for the previous county year. Reports presented included the **HUTF Road work and Changes for Reporting Year 2022**, completed road projects and a map reflecting said reports. Commissioner Lindsay moved to sign the HUTF road mileage submittal for reporting year 2022. Seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Ellis Lewis, land use violation case.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich.** Topics discussed included Dolores water shed, restoration group and CLFRP, and IHOP Affordable Housing grant. No additional report given

**PAYABLE EXPENDITURE REPORT:** Administrator Anderson presented for approval, the December 31, 2023 Accounts Payable Expenditure Reports in the amount of \$5,011,872.76. Commissioner Koppenhafer moved to approve expenditures for Montezuma County for

December 2022 in the amount of \$5,011,872.76. Second by Commissioner Lindsey and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed RFP submittal, attended a meeting with Lauren Bobert, Broadband, Operational MOU agreement and leadership training.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended Southwest Water Conservation board meeting, and the attended the Montezuma Valley Irrigation meeting. **Commissioner Lindsay** mentioned constituent discussions regarding snow, went with Administrator Anderson to meet with Lauren Bobert, and attending the municipalities meeting, Department head meeting and workshop meeting. **Commissioner Candelaria** discussed Naco, DOT, CCI legislative briefing and CCI working group meeting quarterly breakfast with the municipalities, Department Head meeting, and the upcoming 2 day session at the State Capital.

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

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

**MEETING ADJOURNED: 10:21 a.m.**

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Clerk

January 24, 2023

Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 31, 2023**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 31, 2023 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 (Absent)  
Malinda Fuller, Chief Deputy

**CHAIRMAN, CANDELARIA** opened the meeting of January 31, 2023 with the Pledge of Allegiance.

**MINUTES:** Commissioner Koppenhafer moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, January 24, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Drought Disaster Declaration**. (See attached)

**PLANNING: Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for discussion, approval and signatures a Variance 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, Township 36N Range 13W, N.M.P.M. Ms. Johnson was present. After hearing all the evidence presented Commissioner Lindsey moved to approve the

Variance Application for Mancos Valley Storage, submitted by Will & Sandra Lochte; agent Erin Johnson on property located at 40575 Hwy 160 BR, Mancos CO Second 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 2 Lot Moderate Subdivision and Rezoning Application, submitted by **Andrew Gassner**, on property located at 16920 Road 20, Cortez, CO, consisting of 11 acres, more or less, located east of Road 20, south of Road T, situated in Section 24, Township 37N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Gassner 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 Andrew Gassner, on property located at 16920 Road 20, Cortez, CO. Second by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** Mike Lynch commented.

**MONTEZUMA COUNTY FIRE OPERATIONS PLAN:** **Logan Davis** and **Charles Lanoue** presented for discussion and decision an Amendment to the Montezuma County Fire Operating Plan. After review and discussion Commissioner Lindsey moved to sign the Amendment to the Montezuma County Fire Operating Plan. Second by Commissioner Candelaria and carried.

**COUNTY TREASURER/ TRUSTEE:** **Treasurer, Ellen Black** met with the commissioners to give an update on the operations of her office including Tax Bills, Interest Rates, and Special Districts and reporting no major changes.

**COUNTY ASSESSOR:** **Assessor, Leslie Bugg** presented for discussion and approval **Value West Contracts and TASC** contracts. After review and discussion Commissioner Lindsey moved to sign the contracts with Value West and also TASC for contract for services for the assessor's office. Second by Commissioner Lindsey and Commissioner Candelaria and carried. (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 **Per Diem 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 **December 2022 Operational Expense Report** and the **Monies Paid to the General Fund Report**. Sheriff Nowlin requested the commissioners to approve the **2023 Budget for Dolores**. Commissioner Lindsey moved to approve the budget for the Montezuma County Town of Dolores for Sheriff Services. Commissioner Koppenhafer seconded and motion was carried. Also discussed were the **Casino Contract 2023 Budget** and **Gaming Impact Grant**. (See attached)

**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. Topics included **New Officers, Monthly Operating Report, Roster and Financial Statement, ER visits, and Outpatient Pharmacy.** (See attached)

**WATER ISSUES:** Randy Carver; Montezuma County's Representative to the Southwest Basin Round Table, Cory Schmitt and Chris Garner; Mancos Conservation District, Ken Curtis; Dolores Conservation District and Brenda Funk; High Desert Conservation District met with Commissioners to discuss and update current water issues and challenges. Topics included **Nozzle Exchange Program, Drought Resiliency Project, Conservation Pilot Program, Available Funding, Land Use Regulations and District Techs Responsibilities.**

**UNFINISHED BUSINESS:**

**MONTEZUMA COUNTY SOCIAL SERVICES:** Finance Officer, Lori Higgins was present to request approval and signatures for **Resolution NO. 3-2023.** Commissioner Lindsey moved to adopt the Resolution to change the 2022 budget #3-2023 which is resolved this 24<sup>th</sup> day of January 2023, The Montezuma County Board of Commissioners authorizes expenditures in excess of the amount approved in the Social Services budget for calendar year 2022.. Second by Commissioner Koppenhafer and Commissioner Candelaria and carried. (See attached)

**LIQUOR LICENSE:** Deputy Clerk, Jerri Frizzell, presented for approval and signatures a liquor license renewal for Triple H&J Inc DBA Smitty's Liquor's 10255 Hwy 491, Cortez CO. Commissioner Lindsey moved to approve the liquor license for Smitty's Liquor at 10255 Hwy 491, Cortez CO. Second by Commissioner Candelaria and carried.

**COUNTY ATTORNEY:** Attorney MacLaren for the **ROAD & BRIDGE DEPARTMENT** presented **Resolution NO. 4-2023** for approval and signatures. Commissioner Lindsey moved to adopt Resolution NO. 4-2023 Confirming Substantial Completion of the Road Y and Road 16 Reconstruction Project. Second by Commissioner Koppenhafer and Commissioner Candelaria and carried.

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren reported meeting with a landowner regarding the Road 14 Easement for access to BLM land and meeting with Counsel for the plaintiffs on the Weber Canyon Road (Road 41).

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson reported an extremely busy week, Caselle issues, Brownfield, and CCI.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Candelaria** reported on spending the week in the Capitol, having breakfast with Senator Simpson, Greenhouse Gas Emissions Reduction Bill, meeting new Commissioners, Repeal of Prohibition of Local Rent Control Bill and Monday's workshop. **Commissioner Lindsay** reported the Holiday Inn selling, the workshop, and conversations in grocery stores. **Commissioner Koppenhafer** warned everybody to be careful on the ice.

**MOTION TO ADJOURN:** Commissioner Lindsey moved to adjourn, seconded by Commissioner Candelaria and carried.

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

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

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

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Clerk

January 31, 2023

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Chairman